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## **GENERAL CIRCULAR NO. 2/2005 (REVISED 2008)**

### **GUIDELINES ON ARCHITECTURAL COMPETITION**

#### **1.0 INTRODUCTION**

1.1 These Guidelines are issued pursuant to the provisions of the Code of Professional Conduct for Professional Architects to elaborate and provide guidance relating to architectural competitions.

1.2 Code 2(7) of the Code of Professional Conduct for Professional Architects under the Second Schedule to the Architects Rules 1996 stipulates the following :

“A Professional Architect shall only participate in architectural competitions conducted or approved by the Board and in accordance with the guidelines or circulars issued by the Board.”

1.3 The purpose of these Guidelines is to state the principles upon which competitions are based and by which promoters should be guided in organising a competition. These Guidelines serve to protect the interests of both the promoters and the competitors.

#### **2.0 INTERPRETATION**

2.1 In these Guidelines, unless the context otherwise requires -

“Architect” shall mean Professional Architect defined under section 10(2) of the Architects Act 1967;

“architectural competition” shall mean a situation when two or more Architects or architectural consultancy practices are invited to submit design or drawings for a particular architectural or building project either as an idea competition, conceptual design or any part of the architectural consultancy services ;

architectural consultancy services” shall mean the provision of architectural consultancy advice and services pertaining to all or any of the following :

(a) submission of plans or drawings to any person or local authority in Malaysia;

- (b) conceptualization, research and development of any design for the built environment;
- (c) any survey, preparation of reports including environmental impact assessment reports, or investigation relating to the built environment;
- (d) project programming, construction and manufacturing programming, and product design;
- (e) planning and development services including interior design, financial advisory services, project management, contract administration and landscaping;
- (f) preparation of feasibility studies and cost estimates;
- (g) preparation of plans and other means of presentation;
- (h) all services in compliance with statutory requirements;
- (i) any other activities relating to the creation, preservation and enhancement of the built environment;

“foreign architect” shall mean a foreign architect registered with the professional architectural body in his country of origin;

“promoter” shall mean the land owner or developer of the land or their project manager or agent or whoever is in-charge of conducting the competition for or on behalf of the land owner or developer.

### **3.0 OBJECTIVES OF ARCHITECTURAL COMPETITION**

3.1 There are two (2) distinct objectives of having a competition :

- a) Selecting an Architect who offers the most appropriate design solution;
- b) Finding an idea for design solution to a particular plot of land.

### **4.0 LEVELS OF COMPETITION**

Competitions can be at two (2) levels :

#### **4.1 International Competitions**

“International” designated competitions shall apply to any competition in which participation is opened to architects or teams of specialists led by an architect who are of different nationalities and reside in different countries as well as to members of other related professions working in association with them.

For international competitions, LAM will adopt the UNESCO/UIA Standard regulations for international competitions in architecture and town planning.

#### **4.2 National Competitions**

National architectural competitions are competitions which are conducted within Malaysia and open only to Architects registered with LAM.

### **5.0 CONDUCT OF COMPETITIONS**

#### **5.1 LAM's involvement**

- a) Competitions may be conducted by LAM, or it can be assigned to PAM. Competitions may also be conducted by the promoter subject to compliance with the basic rules and guidelines as set up by LAM.
- b) Architects are more likely to submit entries to LAM approved competitions. LAM's involvement ensures independent and impartial services and that correct procedures are followed and selection process is fair and transparent.
- c) Recommendation or appointment of a convener in the first instance by LAM will assist in producing a brief, provide technical advice, set up the judging panel and prepare an assessor's report to give feedback to competitors and promoters.
- d) The promoter of a competition in conjunction with LAM appoints the convener and the assessors whose functions are to prepare the instructions to the competitors. Invitations to participate are issued by the promoter and competitors apply for the particulars. Designs are submitted anonymously and the assessors award the premiums and report to the promoter who undertakes to accept the decision and to appoint the winner as Architect for the work.

#### **5.2 Standard Competition Process**

- a) The format of any architectural competition is determined by the requirements of the promoter and the specific project. Each competition is tailored to individual needs.
- b) There are many tried and tested competitive processes which enable a promoter to select either an Architect or a design solution :
  - i) Competitive Interview to find the right Architect. Expressions of interest are requested from the Architects with a short list being selected for interview. Only a broad project brief is required with a commitment to build by the client;
  - ii) Ideas Competition to identify a range of possible design solutions against a broad conceptual brief with no commitment to build;

- iii) Project Competition to find a single best design solution for a building project. Open to all Architects with a detailed project brief and a commitment to build;
- iv) Limited Competition is restricted to selected Architects;
- v) Open Competition is open to all Architects.

### **5.3 Eligibility**

- a) The eligibility of entrants is determined by one of the following general methods :
  - i) Open - all Architects;
  - ii) Limited - to a specific group of Architects such as those based exclusively within a state or region;
- b) No member of the promoting body nor the assessors nor partner, associate or employee, family members of either, shall be eligible to compete or assist a competitor;
- c) Foreign architects or competitors shall work in association with local Architects unless it is a Design Ideas competition.

## **6.0 TYPES OF COMPETITIONS**

### **6.1 Project Competition**

The objective of a Project Competition is to find the best solution for a building project; the author of the winning entry being commissioned as Architect for the realisation of the project.

### **6.2 Design Ideas Competition**

Design Ideas competition is set as an exercise to elucidate certain aspects of architectural and/or planning problems. In general, the winning project is not destined for realisation and its author is therefore not commissioned as Architect. Consequently, students of architecture may be permitted to participate, on the decision of the promoter.

In certain circumstances, a contract as architect-consultant may nevertheless be envisaged with the winner.

## **7.0 FORMAT OF COMPETITION**

### **7.1 Single Stage Competition**

This format of competition requires a one stage submission by the competitors comprising items to be determined by the promoter. The winner is selected from the submitted entries without resorting to any further scrutiny or submission.

## 7.2 Two Stage or Multi-Stage Competition

- (a) This format of competition relies on an initial submission that showcases the competitor's concept and preliminary ideas with regard to the intention and execution of the concept.
- (b) Based on the initial submission, a shortlist is drawn up and the authors of this shortlisted scheme are invited to make a second stage submission to elaborate in more detail or demonstrate the workability of the concepts and design ideas contained in the first stage submission.
- (c) The selection of the format to be adopted for a particular competition depends on the following:-
  - (i) anticipated complexity of the design solution;
  - (ii) availability of funds or budgeted expenditure as percentage of the whole project cost;
  - (iii) available time for conducting competition.

## 8.0 REGULATIONS AND PROCEDURES

### 8.1 General Provision

- a) The regulations and conditions for an architectural competition shall be identical for all competitors.
- b) All competitors' submission shall be judged anonymously.
- c) Notice of an architectural competition shall be issued by the promoter and/or LAM Secretariat to all Architects or through other media, as far as possible simultaneously, to enable those interested to apply for the regulations and full set of conditions in due time. The announcement shall state where and how copies of conditions may be obtained and specify that the conditions have received LAM's approval.

### 8.2 Convener

The promoter shall appoint a convener, preferably an Architect, to prepare the conditions and supervise the conduct of the competition.

### 8.3 Drawing up of the Conditions

- a) The conditions for the competitions whether single or two stage, open or limited shall state clearly :-
  - i) the purpose of the competition and intentions of the promoter
  - ii) the nature of the problem to be solved
  - iii) all the practical requirements to be met by the competitors

- b) A clear distinction shall be made in the conditions between mandatory requirements of an essential nature and those which permit the competitor's freedom of interpretation which should be as wide as possible. All competition entries shall be submitted in conformity with the regulations.
- c) The necessary background information supplied to competitors (social, economic, technical, geographical, topographical, etc.) must be specific and not open to interpretation. Supplementary information and instructions approved by the assessors may be issued by the promoter to all competitors selected to proceed to the next stage of a multi-stage competition.
- d) The regulations shall state the number, nature, scale and dimensions of the documents, plans or models required and the terms of acceptance of such documents, plans or models. Where an estimate of cost is required, this must be presented in standard form as set out in the regulations.

#### **8.4 LAM'S Approval**

The promoter must obtain LAM's written approval of the requirements for a competition – including the timetable, registration fee and fee for the assessors – before announcing that it is being held under LAM's auspices.

#### **8.5 Registration of Competitors**

- a) As soon as they have received details of the competition, competitors shall register with the promoter. Registration implies acceptance of the regulations for the competition.
- b) The promoter shall issue to the competitors all the necessary documentation for preparing their designs. Where the furnishing of such documentation is conditional on payment of a deposit, unless otherwise stated, this deposit shall be returned to the competitors who submit a bona fide design.
- c) The name of those competitors selected to proceed to the next stage of a multi-stage competition shall be made public only under exceptional conditions to be agreed upon by the assessors before the launching of the competition.

#### **8.6 Prize Money, Compensation and Honoraria**

- a) The regulations for any competition must state the number of prizes and the amount of prize-money. This must be related to the size of the project, the amount of work involved for the competitors and the resulting expenses incurred by them.

- b) Town planning competitions are by their nature ideas competitions, since the work is generally carried out by official bodies, frequently on a long term basis. It is therefore particularly important for the promoter to allot adequate prize money to recompensate competitors for their ideas and the work they have done.
- c) The promoter undertakes to accept the decisions of the assessors and to pay the prize money within one month of the announcement of the competition results. Each competitor by invitation shall receive an honorarium in addition to the prizes awarded.
- d) In a multi-stage competition, a reasonable honorarium shall be paid to each of the competitors selected to take part in the next stage. This sum, which is intended to reimburse them for the additional work carried out in the next stage, shall be stated in the regulations for the competition and shall be in addition to the prizes awarded.
- e) The regulations shall state the exact use to which the promoter will put the winning design. Designs may not be put to any other use or altered in any way except by the agreement with the author, who shall retain the intellectual proprietary rights.
- f) In project competitions, the award of the first prize to a design places the promoter under the obligation to entrust the author of the design with the commission for the project. If the winner is unable to satisfy the promoter of his ability to carry out the work, the promoter may propose another architect of his choice to work with the winner.
- g) In project competition, provision shall be made in the regulations for the competition for the first prize winner to receive as compensation a further sum equal to the amount of the first prize if no contract for carrying out the project has been signed within 24 months of the announcement of the assessors' award. In so compensating the first winner, the promoter does not acquire the right to carry out the project except with the collaboration of it's author.
- h) In ideas competition, the promoter, if he intends to make use of all or part of the winning or any other scheme, shall wherever possible consider some form of collaboration with it's author. The terms of collaboration must be acceptable to the latter.

#### **8.7 Copyright and Right of Ownership**

- a) The author of any design shall retain the copyright of his work; no alterations may be made without his formal consent.
- b) The design awarded first prize can only be used by the promoter upon his commissioning the author to carry out the project. No other design, whether it has been awarded a prize or not, may be used wholly or in part by the promoter except by agreement with the author.

- c) As a general rule, the promoter's right of ownership on a design covers one execution only. However, the regulations for the competition may provide for repetitive work and specify terms thereof.
- d) In all cases, unless otherwise stated in the Guidelines, the author of any design shall retain the right of reproduction.

## 8.8 Assessors

- a) A Panel of Assessors shall be appointed before the announcement of the competition. The names of the assessors shall be listed in the conditions for the competition. As a general rule, the assessors are appointed by the promoter after approval by LAM and LAM shall assist the promoters in the selection of the assessors.
- b) Panel of Assessors shall be composed of qualified persons and in any event the Panel shall be an odd number and shall not exceed 7. The majority of them shall be independent Architects. At least one member of the Panel shall be appointed by LAM and this should be stated in the conditions for the competitions.
- c) It is essential that all full members of the Panel of Assessors be present throughout all meetings of the assessors. The assessors shall lay down before hand the rules and procedures of adjudication. Each assessor shall approve the regulations and conditions for the competition before they are made available to competitors.
- d) No assessor for a competition shall take part either directly or indirectly in that competition or be interested either directly or indirectly with a commission connected with the carrying out of the object of the competition.
- e) No member of the promoting body, nor any associate or employee, nor any person who has been concerned with the preparation or organization of the competition shall be eligible to compete or assist a competitor.
- f) The decision of the assessors shall be taken by a majority vote with a separate vote on each design submitted. The list of awards as well as the assessor's report to the promoter shall be signed by all members of the Panel of Assessors before they disperse and one copy of this document shall be sent to LAM.
- g) In multi-stage competitions, the same assessors shall judge both stages of the competition. In no case may a competition which has received LAM's approval as single stage competition proceed to a second stage except with LAM's approval of the conditions and the arrangements for payment of honoraria to the competitors involved over and above the prize money provided for in the original competition. In the event of such a secondary competition taking place, the assessors appointed for the original competition must be reappointed by the promoter.



- h) Any drawings, photographs, models or other documents not required under the regulation shall be excluded by the assessors before they examine a competitor's entry. The assessors shall disqualify any design which does not conform to the mandatory requirements, instructions or regulations for the competitions.
- i) The assessors must make awards. The awards shall be final and shall be made public by a date agreed with LAM and stated in the competition. The fees, travel and subsistence expenses of assessors shall be paid by the promoter.

#### **8.9 Exhibitions and Entries**

- a) All designs including those disqualified by the assessors shall be exhibited as a general rule for at least two weeks together with a copy of the signed report of the assessors.
- b) The promoter shall notify registered competitors in good time, of the date and place of the exhibition and of the result of the competition, and send them a copy of the assessors' report. Photographs of the prize-winning designs shall be sent to LAM with a view to possible publication.
- c) In this stage competition, design submitted in the first stage shall be kept secret until the final results are announced.
- d) LAM encourages all promoters of competition to hold public exhibitions of the competition entries.

#### **8.10 Returns of Submitted Materials**

All drawings and plans, other than those which have received prizes or been purchased and are retained by the promoter shall be returned to the competitors (at their own cost), unless provision is made to the contrary in the regulations for the competition. Where models are required, they will be returned to the author at the expense of the promoter within a month from the close of the public exhibition.

#### **8.11 Decision of Assessors shall be Final**

The assessors are the sole arbiters at all stages, up to the final prize giving. All competitors shall agree to abide by the assessors' decision.

#### **8.12 Cost of Organising a Competition**

The promoters are advised to contact the LAM Secretariat, which will give information and advice in the light of the nature of the envisaged competition.

### 8.13 Prizes

The total value of the prizes to be awarded in an architectural competition varies according to the size and complexity of the project and subject to the agreement of LAM.

### 8.14 Convener's and Assessors' Fee

This fee varies according to the complexity of the competition program and regulations.

### 8.15 LAM'S Fees

The LAM's fees will be based on the services required by the promoter.

### 8.17 Other Costs

The promoter shall bear all costs related to the competition

All Architects are required to take note of this General Circular and ensure that your participation is only in those competitions which have been sanctioned by the Board.

Lembaga Arkitek Malaysia  
6 May 2008