

المهنة السعودية للمقيمين المعتمدين
Saudi Authority for Accredited Valuers

تقييم
TAQEEM

Code of Conduct and Ethics of the Valuation Profession

Chapter 1: General Rules and Provisions

Article (1)

Unless the context otherwise requires, the following terms and expressions shall have the meanings assigned next to each of them:

- A. **Law:** the Accredited Valuers Law.
- B. **Regulations:** The Executive Regulations of the Law.
- C. **Code of Conduct:** The Code of Conduct and Ethics of the Valuation Profession.
- D. **The Authority:** Saudi Authority for Accredited Valuers.
- E. **Competent Department:** The Control Department of The Authority.
- F. **Profession:** The valuation profession.
- G. **Rules and Regulations of Valuation:** these include the provisions of the Law, Regulations, Rules, Standards, Guide, decisions, and instructions issued by the Authority to the profession.
- H. **Accredited Valuer:** A natural or legal person licensed to practice the valuation profession in accordance with the Law.
- I. **Valuation Firm:** The sole proprietorship or professional company that satisfies the statutory requirements related to the practice of the valuation profession.
- J. **Valuation Report:** Such document, issued by the Accredited Valuer to his clients, including the valuation result, fulfilling the obligations of the Accredited Valuer set out in the Law, Regulations, and Guide, and conforming to the approved valuation standards.
- K. **Client:** The natural or corporate person who assigns the Valuer to perform the valuation task.

Article (2)

The Code of Conduct aims to achieve the following:

- 1. Develop and improve the valuation profession and ensure a high standard of professionalism among valuation professionals.
- 2. Control the Accredited Valuer's responsibility in the practice of his profession and clarify his responsibilities towards the participants engaged to develop the Valuation Report with him, and towards his clients, colleagues, employees, official authorities, and the community.
- 3. Enhance the legal protection of the Accredited Valuer, his clients, and other related parties.
- 4. Enhance the principles of transparency and responsibility in the professional practices of the Accredited Valuer.
- 5. Raising the performance of the valuation profession by increasing the level of professionalism.

Article (3)

The Accredited Valuer shall maintain the integrity and prestige of the profession and shall not act in violation of the people's confidence in him or the profession.

Article (4)

During the practice of the profession, the Accredited Valuer shall wear appropriate professional attire, respect the general professional appearance, and shall not violate customs and traditions.

Article (5)

The Accredited Valuer shall conduct himself with honor and integrity in his personal affairs, even outside the scope of his practice.

Article (6)

The Accredited Valuer shall be keen on continuous professional development and education and follow up on any updates pertaining to the Rules and Regulations of Valuation so that he is able to practice the profession with utmost professionalism, avoiding omission and negligence.

Article (7)

The Accredited Valuer shall not practice the profession if a final suspension decision is issued against him.

Article (8)

The Accredited Valuer shall include in the final Valuation Report issued by him, at a minimum, the requirements set out in the sample report approved in this regard.

Article (9)

1. The Accredited Valuer shall develop an integrated work file for each final Valuation Report issued by him, including written reports, correspondence, memos, documents, information, data, inspections, sources, used methods, analysis, calculations, and a statement of all actions taken to support and confirm the validity of the valuation conclusion.
2. The file referred to in the Sub-clause [1] of this Article shall be developed for examination and review, where it shall indicate the stages that the Accredited Valuer has gone through to reach the valuation conclusion

[including all such information, data, and procedures that were carried out to develop the Valuation Report], in accordance with Rules and Regulations of Valuation.

3. The Accredited Valuer shall keep the work file, referred to in Sub-clause [1] of this Article, for a period of ten years from the date of issuance of his final report.

Chapter 2: The Relationship Between the Accredited Valuer and the Client

Article (10)

Before he accepts to carry out the work, the Accredited Valuer shall ensure the following:

1. His ability and willingness to perform work on time.
2. The facility and staff ability to carry out valuation work as required in accordance with the Rules and Regulations of Valuation, in particular in terms of examination.
3. There is no conflict of interest with the Client related to the work requested, or to the asset under valuation, as determined by the Rules and Regulations of Valuation.

Article (11)

The Accredited Valuer shall carry out valuation work by virtue of a written contract, wherein the obligations, duties, and rights of relevant parties shall be provided. Such contract shall include, at a minimum, the requirements set out in the sample contract approved in this regard.

Article (12)

The Accredited Valuer shall not:

1. Carry out any work not required by the contract execution to increase the Client's costs.
2. Give a value, or promise to determine a value, for the asset under valuation, before developing his report in accordance with the Rules and Regulations of Valuation.
3. Make valuation fee determination contingent on the value of the asset under valuation
4. Collect or accept his fees from any person who is not a Client without the Client's prior written consent.

Article (13)

1. The Accredited Valuer shall observe the provisions of the contract signed with his Client and the Rules and Regulations of Valuation.
2. The Accredited Valuer shall exercise due diligence and save no effort in the performance of his work as accurately and quickly as covered by the scope of the contract and the Rules and Regulations of Valuation.

3. In all events, the requests of the Client or others shall not prejudice the obligations of the Accredited Valuer contained in the Rules and Regulations of Valuation.

Article (14)

The Accredited Valuer shall not deceive the Client or exploit his ignorance or trust in any way, including generating illicit personal gains, using the Client's personal information to the detriment of the Client, disposing of disputed rights in favor of the Accredited Valuer, or making an illicit profit from the contractual relationship with the Client.

Article (15)

The Accredited Valuer shall document the data, information, files, and the like provided to him by the Client related to the valuation, and clarify this fact in his report, with a view to avoiding any misinterpretation or difference in the future. Such documentation does not relieve the Accredited Valuer from being bound to verify the validity and reliability of such data and information.

Article (16)

The Accredited Valuer shall keep the Client informed on the developments that affect the scope of work pertaining to the Valuation Report and obtain the Client's prior consent on any amendment to such scope.

Article (17)

The Accredited Valuer shall keep all information related to the valuation process and the Client's information and documents confidential, shall not divulge or disclose such information in any way even after the contract termination, and shall not share it with any person, except in the following cases within the limits of purpose achievement:

1. The Client's written consent to the disclosure.
2. Requirements necessary for the Accredited Valuer to defend himself against any case or complaint.
3. At the request of the competent official authorities.

Article (18)

Without prejudice to civil liability, if the Accredited Valuer refuses to proceed with the valuation before it is completed, this shall not be considered a breach of professional conduct, if proceeding with the valuation led to a violation of the Rules and Regulations of Valuation or the refusal is founded on a legitimate reason, provided that the Client shall be served a notice of refusal to that effect in sufficient time, in order to avoid any potential damages.

Chapter 3: The Accredited Valuer's Engagement with Parties Other than the Client

Article (19)

The Accredited Valuer shall exercise respect while engaging with his Clients and other parties and shall not use his profession to the detriment of them in any way. [including exploitation or blackmail].

Article (20)

The Accredited Valuer shall deal with colleagues with courtesy, respect, and cooperation in accordance with the professional principles, and shall not abuse them in any way, whether physically or morally, orally or in written communication or other media.

Article (21)

Subject to the Rules and Regulations of Valuation, the Accredited Valuer shall not communicate – without professional need – regarding the valuation with any person who has an interest in the valuation, except the Client.

Chapter 4: The Accredited Valuer's Engagement with the Media

Article (22)

In the event he is engaged with the media and advertising, including electronic means of publication, the Accredited Valuer shall:

1. Observe the Rules and Regulations of Valuation;
2. Maintain the privacy of its clients or others and the confidentiality of their information and data.
3. Not to use the Authority's official logo for advertising and promotion for himself or his firm.
4. Avoid any aspects of misleading, falsification, or fraud, and acts not conforming to professional ethics.
5. Not to directly or indirectly offend or distrust public authorities in any way.
6. Not to publish the data and information of the Valuation Reports without the permission of the competent authority.
7. Wear appropriate attire that conforms to customs and traditions and maintain a professional appearance.

Article (23)

When introducing himself directly or indirectly, the Accredited Valuer shall:

1. Not be misleading, false, or deceptive, such as misleading information on his qualification and experience.
2. Not violate the professional rules, morals, and ethics, nor refer offensively to the work of other valuers.
3. Not infringe upon the privacy of his clients or others nor the confidentiality of their information and data.
4. Not act in prejudice to the profession or the Authority, in a way that weakens or impairs confidence.
5. Not violate any instructions or controls issued by the Authority.

Chapter 5: Valuation Firms

Article (24)

The Valuation Firm's headquarter shall be appropriate to the profession. The Valuation Firm's license shall be placed in a prominent place in the headquarters.

Article (25)

The Accredited Valuer and Valuation Firm shall observe the Rules, take the necessary procedures, policies, and the like to ensure that they are well-observed, give all employees access to the Rules, including participants in the valuation process and employees of the Firm, and verify and monitor their compliance with the Rules.

Article (26)

The Accredited Valuer shall uphold the rights of those he deals with, and the employees of the firm, act as their role model, provide them with advice and guidance, transfer knowledge and experience to them, develop their skills, and help them improve their performance, and shall observe, in his engagement with them, the Rules and Regulations of Valuation and the relevant regulations.

Article (27)

Without prejudice to the provisions of Article [Seventeen] of the Law, accounting standards, and related regulations, the Valuation Firm shall keep all its records, documents, instruments, and data for all relevant financial transactions, for a period of not less than ten years from the date of completion of the transaction or closure of the account.

Chapter 6: Cooperation with the Competent Department

Article (28)

The Accredited Valuer and all employees of the Valuation Firm shall fully cooperate with the Competent Department for control purposes, facilitate their tasks and provide them with such data and documents associated with their control function at their request.

Article (29)

The Accredited Valuer and all employees of the Valuation Firm shall keep the Competent Department informed and updated of any violation of the Rules and Regulations of Valuation if any of them is requested - upon his practice of the profession - to manipulate, defraud, or illicitly influence the valuation process and the Valuation Report.

Chapter 7: Final Provisions

Article (30)

Without prejudice to civil and penal liability, the Accredited Valuer shall be responsible for any violation of the Code of Conduct, whether such violation is committed by him or under his command or admission.

Article (31)

The Code of Conduct applies to the Accredited Valuer, the Authority's members, and all valuation professionals as the case may be.

Article (32)

Article Thirty-Two of the Law applies to any person who violates the Code of Conduct.

Article (33)

The Competent Department shall develop procedural manuals and forms necessary for the implementation hereof.

Article (34)

This Code of Conduct shall be published in the Official Gazette and take effect [thirty] days from its publishing date.

