

# **Finnish Association of Architects (SAFA)**

## **Competition Rules**

*The General Council of the Finnish Association of Architects approved the competition rules on 23 May 2008.*

### **1 Introduction**

The criteria for legal protection and the quality criteria set out in this document are recommended for use in architectural competitions in Finland. These recommendations can also be applied to other design and implementation competitions, and to site conveyance competitions which include elements of architectural competitions.

#### **Parties**

The parties in a design competition include the organiser of the competition and the competitors. Other parties may include a jury panel and a secretary to the panel. There may also be an organisation providing competition services, or some other actor, to an extent agreed upon separately.

#### **Agreement**

In competitions in which the Finnish Association of Architects (hereafter SAFA) is consulted, the contract concerning the organisation of the competition and participation in it shall be concluded as follows: in the case of an open competition, the contract shall be concluded between the organiser and the SAFA, and in the case of an invitational competition, the contract shall be concluded between the organiser, the invited competitors and the SAFA.

#### **Responsibilities**

The competition organiser is responsible for all liabilities stated in the competition invitation.

In an invitational competition those who have accepted the invitation are obliged to submit an entry in accordance with the invitation.

The jury panel is responsible for making a specific report on all competition entries and an evaluation protocol, in accordance with the rules here set out.

### **2 Scope and applicability of the rules**

An architectural competition is understood as a procedure in which the organiser of the competition asks two or more designers for an architectural plan, proposal or outline, to be submitted at the same time and following the same brief. Competition entries shall be submitted anonymously and evaluated by an objective and expert panel of judges, which selects the winner or winners.

An architectural competition can be used to acquire either planning services or planning solutions.

When an architectural competition is organised in co-operation with the SAFA, competition-related issues shall be handled by the SAFA competitions committee, together with a competition secretary.

The competition organiser will usually be the commissioner of the project. The competition organiser shall draw up the competition conditions and appoint the jury in accordance with point 6. The winner or winners and other rewarded or purchased entries shall be selected on the basis of the goals and the evaluation criteria set out in the competition conditions.

In a design competition organised by a public purchasing unit the requirements of legislation must be fulfilled in addition to the principles set out here.

### 3 The nature of the competition

An architectural competition can be either a design competition or an ideas competition.

#### Design competition

The purpose of a design competition is to find a designer and a solution that will form the basis for further design work on the project. A design competition will be appropriate when the intention is to implement a project on the basis of the competition conditions. It is envisaged that the competition will lead to a design commission.

#### Ideas competition

The purpose of an ideas competition is to map out possible solutions and to find a broad solution which could serve as a basis for further decisions regarding design development within the project. Such a competition will not necessarily lead to a design commission.

Both a design competition and an ideas competition can also be organised in a concise form, when this facilitates the competition task. In a concise design competition, the objective will be limited in respect of the task and scope of the competition; it will not require extensive competition documents from the organiser or the participants. A concise competition is appropriate for ordinary, clearly defined projects.

### 4 The form of the competition

An architectural competition can be either an open competition or an invitational competition, depending on the nature of the task and the objectives of the organiser.

A competition can have two stages: the first stage will then be either an open competition or an invitational competition, and the second stage a continuation of the competition, with the participation of either (1) all the first-stage solutions, or (2) the solutions which were considered best at the first stage.

### 5 Eligibility

An open competition is open to everyone within the limits set out in the competition conditions.

The participants in an invitational competition are chosen by the competition organiser, either directly or from those who have entered the competition.

In the selection of those to be invited, a public purchasing unit must observe legislation on public purchases.

Architectural competitions are not open to members of the jury panel, advisory experts or the competition secretary. The business associates and the close relations of competition judges are also excluded from the competition. Furthermore, anyone who has been involved in the preparation of the competition conditions to the extent that he or she would have a clear advantage over other competitors is ineligible.

The SAFA competitions committee shall give rulings on eligibility in uncertain cases.

In an invitational competition a participant is allowed to submit only one entry.

### 6 The jury panel

For architectural competitions a jury panel must be appointed, the function of the panel being to approve the competition conditions, answer questions about the competition according to what has been set out in the conditions, evaluate the entries, draw up the evaluation protocol and decide the result of the competition.

A quorum shall be formed by the entire jury panel. If a judge is prevented from taking part in the work of the panel, a new panel member must be appointed in his or her place. Competitors must be informed of any change in the composition of the jury panel.

The majority of the jury panel must be appointed by the organiser. The organiser shall appoint the chairperson and the secretary of the jury panel and – if necessary – a person whose task is to maintain contact with the competitors. That person shall be bound to secrecy.

#### **The composition of the jury panel**

At least 1/3 of the judges *must* be professionals in a relevant field (see below), and a proportion of these must be independent experts (see below).

#### **A professional is here defined as:**

- a person who is a qualified architect or who has the qualifications set out in the Land Use and Building Act and the orders issued by virtue of it, or
- a person with an education which, in the case of an open competition, has been approved by the SAFA competitions council, or, in the case of an invitational competition, by the SAFA competitions secretary. Such a person must be sufficiently qualified to evaluate the designing task.

#### **An independent expert is here defined as:**

- a professional person who does not belong to the organisation which has organised the competition, and who is independent of both the judges and the competitors.

#### **To ensure a professional and impartial evaluation of the entries, the following measures must be in place:**

In an open architectural competition the professional members of the jury panel must have the majority of the votes. Two of the members of the panel must be independent experts. In an open architectural competition which consults the SAFA, the independent experts on the jury panel shall be chosen by the competitions committee of the association. In other competitions the competitions committee can choose the independent experts at the request of the organiser.

In an invitational competition at least one member of the jury panel must be an independent expert who is independent of both the commissioner and the competitors, and whom the competitors have appointed together. If necessary, the appointment of the independent expert can be made by the SAFA competitions committee.

The jury panel can employ external specialists who will render their professional opinion on those aspects of the competition entries in which they are competent, but who will not take part in the general evaluation process.

## **7 Competition secrecy**

The anonymity of the entries is to be observed until the jury panel has rendered its opinion or made its decision. Competitors must ensure anonymity when drawing up and submitting their entries.

## **8 The competition invitation and the competition conditions**

The competition organiser shall draw up and approve the competition conditions. The competition invitation and the competition conditions shall state that plans are to be submitted within a single submission, and that the plans will be evaluated according to the criteria stated in the competition conditions.

The competition conditions shall state the organiser, the procedures and the eligibility criteria for the competition, and also the composition and power of decision of the jury panel. In addition, it shall clearly and unequivocally set out the objectives, the initial information, the directive and binding design principles, the evaluation criteria and the usufructuary rights, the instructions for drawing up the entry, and the language to be used in the entry.

The competition conditions shall mention the prizes or rewards to be awarded in the competition; it shall also mention any remunerations for drawing up the entries, along with possible purchase prices, and the value added taxes which these include.

The competition conditions shall present the competition organiser's idea of how the project aimed at in the competition should go forward, and explain to what degree the decision of the judges will bind the commissioner.

If the entries are to be on public display before the result of the competition is decided, this must be mentioned in the competition conditions.

By taking part in the competition the participants give their approval to the competition conditions.

## **9 The adjudication of the competition, and the report of the jury panel**

The jury panel must award prizes to those entries which solve the task in the best possible way, according to the criteria set out in the competition conditions.

An entry which deviates essentially from the binding design requirements, as set out in the competition conditions, cannot be awarded a prize in an open competition, but it can be purchased.

The jury panel must provide for disqualifications by nominating reserve entries for the first and second places.

The jury panel can give honourable mentions for unplaced or unpurchased entries of sufficient merit.

Only the members of the jury panel, the secretary and advisory experts are allowed to be present during the judging of competition entries. In matters concerning the judging they are bound to secrecy. At the request of the organiser the SAFA competitions committee may allow public display of competition entries before the final judging.

The jury panel shall decide which entries are to be accepted for adjudication and which are to be rejected.

An entry shall be disqualified if:

- it is not anonymous,
- it is not submitted in the manner laid down in the competition conditions,
- a document required in the conditions is missing, unless the jury considers the omission to be of secondary importance for the evaluation of the entry.

The jury panel shall draw up a report which includes a description of the competition task, a general evaluation of the competition, entry-specific evaluations of all competition entries, a decision on the distribution of prizes and reasons for the decision, a recommendation for further action, possible dissenting opinions, possible expert opinions, and essential pictorial and textual material relating to the entries.

When the report of the panel has been checked and signed, the sealed envelopes containing the prize-winners and purchases shall be opened.

## **10 Payments and compensation in respect of work done**

Prizes and financial rewards shall be set out in the competition conditions.

In an open competition the prizes shall be in proportion to (1) the estimated amount of work done in submitting the entry, (2) preparing the required documents, and (3) the value of the entry to the commissioner, i.e. the utility of the competition for the commissioner. The competition task and the required documents shall be described in the competition conditions sufficiently clearly for the competitor to be able to estimate the performance required.

In an open competition there will normally be three prizes, and two entries will be purchased, both at the same price.

In a two-stage open competition **those entries** which are submitted in accordance with the competition conditions and which are chosen for the second stage shall receive equal rewards on completion of the first stage. The actual prizes will be awarded on completion of the second stage.

A unanimous jury may, for justifiable reasons, change the number of prizes and the mutual relationship between prizes and purchases, within the limits of the total prize money available. However, the value of the first prize and the purchase price of the design in question cannot be reduced from what was stated in the competition conditions.

If the number of entries in an open competition is considerably smaller than could be expected, or if the quality of the entries is lower, the judges may, with the consent of the SAFA competitions committee, withhold part of the prize money.

In an open competition, prizes and purchases shall not be counted as a part of the design fee.

In an invitational competition each invited competitor shall receive an equal financial reward. The competition organiser and the competitors shall agree on the sum to be provided on the basis on the amount of work needed to prepare an entry. The documentation required and the worth of the entry shall also be taken into consideration.

The competition judges can unanimously decide either to reduce or to completely withhold any financial reward for an entry which they consider to be deficient.

The financial reward provided in an invitational competition is regarded as part payment for drawing up the sketches, and can be deducted from the design fee received by a competitor whose design is commissioned.

## **11 Display of entries and publication of the results**

All entries shall be displayed in the form in which they existed at the time of the evaluation, and the report of the jury panel shall be given for examination to at least the competitors. The conditions governing the public display of the entries shall be explained in the competition conditions.

The SAFA reserves the right to place competition entries on display elsewhere. This will be agreed in a contract between the competition organiser and the SAFA.

It is recommended that all organisations and key persons involved with the prize-winning entries should be mentioned in information concerning the competition.

The results of an open competition will be published by the SAFA in the periodical *Arkkitehtuurikilpailuja*, and on the SAFA website.

The results of an invitational competition will be published by the SAFA in the periodical *Arkkitehtuuriuutiset*, and on the SAFA website.

The right to use and publish material given to the competition, or photographs of the material, shall remain with the competition organiser, the authors and the Finnish Association of Architects and, after filing, the Museum of Finnish Architecture.

Innovations and inventions and other trade secrets can be classified as secret or stated to be secret, in accordance with the Act on the Openness of Government Activities.

## **12 Responsibility for the entries**

The competition organiser shall return entries to the participants, in accordance with the competition conditions, unless the entries are purchased and become the property of the organiser, or unless otherwise stated in the competition conditions.

The competition organiser shall be responsible for the appropriate storage of the entries, and shall provide compensation for a damaged or lost document or scale model, in accordance with the competition conditions.

## **13 Tenders in connection with a design competition**

If the competition conditions ask for tenders for design work to be carried out subsequent to the competition, the tendering documentation shall not be opened until the evaluation has been carried out in accordance with the competition conditions and recorded in the judges' report in an approved manner, and after the envelopes containing the names of prize-winners have been opened.

## **14 Commissions**

It is recommended that design work subsequent to a competition – or, in large projects, a considerable part of it – should be commissioned from the prize-winner.

## **15 Usufructuary rights and copyrights**

The competition organiser shall have the proprietary right to prize-winning, purchased and rewarded entries. The competitors shall retain copyright to their entries.

The competitor who receives the commission shall have the right to make use of the subjects and ideas of other prize-winning and purchased entries, subject to the originators' copyright.

If the competition involves a product which is reproduced, the prize-winner shall have the right to offer his or her entry to another manufacturer, if the organiser has not reached an agreement with the prize-winner within the time specified in the competition conditions.

## **16 Settlement of disputes**

The procedure for the settlement of disputes shall be laid down in the competition conditions.

## **17 Filing**

In a design competition, the conditions and the judges' report, including attachments, but with the exception of classified portions, shall be filed in a reliable way. In the case of architectural competitions the competition material shall be filed by the Museum of Finnish Architecture.

## **18 Competition expenses**

The competition organiser shall pay all the expenses for the organising of the competition.

### **Fees for independent experts**

In an open competition the organiser shall pay to the two experts appointed by the SAFA a fee which shall be defined in the competition agreement. The organiser shall also pay statutory social security fees. The organiser shall pay the travel costs of the experts appointed by the SAFA in accordance with the travel expenses regulations of the Finnish government.

In an invitational competition the competitors shall pay 7% of the fees they receive for participation to the expert they have appointed to the jury panel, unless otherwise agreed. The competition organiser shall also reimburse the travel and accommodation expenses of the experts on the basis of receipts. When the monetary rewards of the competition are paid through the SAFA, the SAFA shall deduct these payments to experts from the rewards due to the competitors.

### **Compensatory payments to the SAFA**

In an open competition the SAFA will charge 7% of all prizes and purchases, and also the fees of the experts it has appointed to the jury panel, as compensation for the costs of – among other things – supervising the competition, assisting the organiser, checking and approving the competition conditions, publishing and filing the results, arranging competition exhibitions, and developing competition activities in general. The extent and costs of the SAFA's consultation shall be set out in the competition agreement for the open competition in question.

In an invitational competition the SAFA will retain 3% of the fee paid to each invited competitor, unless otherwise agreed. When the competition rewards are paid through the SAFA, the SAFA shall deduct this payment from the fees paid to the competitors.

**Method of payment**

In an open competition the organiser shall pay for the prizes, purchases and financial rewards. The organiser shall also pay the fees of the experts appointed by the SAFA competitions committee on the basis of an invoice from the SAFA, unless otherwise agreed.

In an invitational competition the organiser shall pay the fees of the persons invited on the basis of an invoice from the SAFA, unless otherwise agreed.