

INSTRUCTIONS FOR ESTONIAN ARCHITECTURAL COMPETITIONS 2013

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I CONTENT OF THE INSTRUCTIONS

1. The instructions for Estonian architectural competitions (hereinafter: instructions) outline the principles which are used as the basis for organizing the architectural competition (hereinafter: competition) that corresponds to the best practice.
2. **The Architectural Competition** will be held with the aim of finding the best solution for the object of the competition in the field of architecture or spatial planning.
3. For the purpose of the Public Procurement Act (hereinafter: PPA), a competition held in the field of architecture or design is equivalent to a **design contest**. According to generally accepted good practice, these instructions are followed in organizing a design contest, taking into account the specific character of the public procurement.
4. It is also advisable to follow the instructions in organizing interior and landscape architecture, design and monumental art competitions and other similar competitions. In all types of assignments, generally accepted good practice includes cooperation with the respective professional associations.
5. The aim of the instructions is to maintain traditions related to organizing the competitions, which have developed through extensive experience and according to which:
 - the specific features of the architect's vocation, the field of architecture and the service shall be taken into account;
 - a sufficient number of recognized specialists shall be involved in the organization of the competition and the decision making process;
 - the competition shall be professional in nature and shall allow fair and free competition;
 - decisions shall be made on the basis of quality criteria that guarantee the steady good quality of the architectural service as well as the entire environment under construction;
 - the protection of the rights of the participants and the authors of competition entries shall be guaranteed, and the organisers are provided with the best possible assurance that an agreement with the winner will be reached.

II BASIC TERMS OF THE INSTRUCTIONS

6. **Competition project** (for the purpose of the PPA in the case of a public procurement: **conceptual design**): a complete work entered into the competition, consisting of architectural graphics, texts interpreting the solution, scale models, installations, etc.
7. **Authors**: natural persons who have created the competition entry and who own the rights to the work. The authors shall be named on the name card of the competition entry. In the case of joint authorship, the competition entry has been created as a result of a joint creative activity of two or more persons.
8. **Competition participant** (equivalent terms: **participant, contestant, tenderer**): natural or legal person who submits the competition project and is named on the name card of the competition entry and in the qualification documents.
9. **Winner**: if, as a result of the competition, the organizer wishes to enter into an agreement for continuation of the competition project after the competition (**competition in accordance with clause 37 or 38 of the instructions**), the winner is the person who receives the first prize, and is awarded the first right to enter into the respective agreement as a result of the competition. Competition participants who received

the second and the third prize can only be called winners in a situation described in clause **116** of the instructions. When a competition is held only for obtaining design solutions (see clause **39** of the instructions), there may be more winners.

10. **Competition conditions:** a complete set of contractual documents regulating organisation of the competition, transferred to the participants by the organizers. The competition conditions contain the description of the competition conditions (describing the procedure of organizing the competition) and the object of the competition (describing the expected outcome of the competition).
11. **Organizer of the competition** (for the purpose of the PPA in the case of a public procurement: **contracting entity, hereinafter organizer**): a natural or legal person who is interested in obtaining the best architectural solution, and under the initiative of whom the competition is being organized.
12. **Co-organizers of the competition (hereinafter co-organizers):** natural or legal persons who are interested in obtaining the best architectural solution, and in cooperation with whom the competition is being organized. The organizers may form a competition working group to organize the competition.
13. **Jury:** a panel of representatives of experts, organizers and interested parties that will evaluate the competition entries based on criteria reflecting the professionalism and quality of the solution, based on the objectives and evaluation criteria stated in the competition conditions, and determine the ranking and the winners.
14. **Experts:** professionals whom the organizers of the competition include in the work of the jury, if necessary, or from whom an expert evaluation is requested in special issues regarding the competition projects. The experts do not have the right to vote in the jury.
15. **Qualification committee:** an independent body consisting of at least three experts whose task is to qualify the competition participants in accordance with the qualification criteria presented in the conditions before the jury starts evaluating the entries. The members of the qualification committee shall not participate in the work of the jury and shall guarantee the anonymity of the competition entries. The qualification committee shall not assess the compliance of the competition projects to the content of the object of the competition.

III GENERAL PRINCIPLES OF THE CONTEST

16. A competition is organized when the person intending to prepare a plan or a design project wishes to consider several different solutions and choose the best options.
17. According to generally accepted good practice, a competition is mainly held every time design services are required for buildings that are centrally located from the perspective of urban planning or are of significant public interest, as well as for centrally-located public spaces, squares, streets or parks, or in cases where planning services are required for larger and centrally-located areas intended for construction works.
18. A local government may obligate a person interested in obtaining a design project or a plan to organize an architectural competition as a prerequisite for the institution's decision (granting a building permit, adopting a plan). According to the generally accepted good practice, the competition requirement is determined in a comprehensive plan and specified in a detailed plan, based on the characteristics of the parts of the local government administration area, the size of the construction, and its impact. The interests of land-owners and residents are taken into consideration proportionally when implementing the requirements.

19. The organizer of a competition and the co-organizers mainly abide by these instructions and, if necessary, the internationally recognized documents named in clause **123** of these instructions.
20. Generally accepted good practice prescribes the organization of a public competition in cooperation with the Union of Estonian Architects (hereinafter *UEA*), or, depending on the characteristics of the content of the object of the competition, in cooperation with the respective professional association.
21. A competition shall not be organized simultaneously with a development or business idea competition, within the framework of a construction or development procurement, nor within the framework of an auction held for the sale of building rights or a plot of land. If the organizer wishes to hold such a competition, it cannot be named an architectural competition. The Union of Estonian Architects deems such competitions bad practice and treats them in accordance with clause **121** of the instructions.
22. The competition entries will be evaluated according to the content of the object of the competition, on the basis of the quality of the solution. If the organizer wishes to know the price of the services, generally accepted good practice prescribes presenting the maximum price that is planned for ordering services from the winner in the conditions. This price shall correspond to at least an ordinary and reasonable price for the design or planning work. Setting a subsequent price for design or planning work as a determining criterion in assessment of the competition projects is not a generally accepted good practice.
23. The works of all participants shall be presented and evaluated anonymously. The anonymity of the competition entries shall be guaranteed throughout the competition.
24. The competition conditions, the minutes of the jury, the questions and answers, as well as the competition entries and the documents added thereto shall be prepared in Estonian in the case of an Estonian competition and in Estonian and/or English in the case of an international competition.
25. The organizer may form a competition working group which shall handle the organization of the entire competition, including the preparation of the competition conditions, the announcement of the competition, the answering of questions, the acceptance of competition entries, the convocation of the jury and the qualification committee, the publication and presentation of the results (the preparation of an exhibition, catalogues and other printed matter).
26. The organizers shall prepare a competition budget. In case of a medium-sized (gross area 1000–5000 m²) building draft plan competition and to obtain a high-quality result, it makes up approximately 0.5–1 % of the anticipated construction cost of the building, and in case of a medium-capacity draft plan competition, approximately 0.1–0.2 % of the total anticipated building cost of the development. This rate may be lower for large building competitions and higher for smaller building competitions.
27. According to generally accepted good practice, the budget of a competition is divided into the following sections.
 - Prize fund and/or participation fee fund that is proportional with the complexity, size and importance of the competition, and makes up approximately 65–75% of the competition budget.
 - Expenses on preparing competition conditions which are at least in accordance with the set prices for consultation services.
 - Payments to specialist jury members, which are in accordance with the set prices for consultation services. (Other jury members will be compensated on equal grounds by

the institution represented by the corresponding jury member, upon request by the member.)

- Expert fees which are at least in accordance with the set prices for consultation services.
- Other expenses related to organizing a competition.

IV FORM OF THE COMPETITION

28. The form of the competition shall be selected from the options listed in clauses **29–33**, based on the aim of the competition, incl. taking into consideration its distinctiveness in case of a public procurement.
29. **Public one-stage competition** is a standard and most common form of competition.
30. **Public two-stage competition** is expedient when the organizer wishes to ensure that the winning project is not only conceptually solid but also in compliance with their expectations. The jury shall elect a sufficient number of competition participants for the second stage, based on the competition projects of the first round. In the second round, competition projects are specified in accordance with the jury's recommendations. After improvement of the competition projects and their re-submission in the second stage, the jury shall make a decision. This form of competition is purposeful in case of a more complicated and voluminous object, also in cases when preparation of the competition project includes abundant technical work and in order to decide on a winner, more accurate assessments are needed on the competition projects (for example, an engineer-technical assessment, energy efficiency calculations, energy simulation, construction cost estimation, BIM model, CO₂ footprint).
31. **Competition involving a pre-selection procedure** is a special form of the competition where the jury selects the participants that move on to the next stage based on their earlier work and additional evaluation criteria. This use of form is expedient for bringing together a specific task, professional knowledge, experience and skill, also for objects of low importance or with the goal of saving time. Competition conditions must determine the criteria for selecting competitors.
32. **Invited competitions** are organized in cases where the object or location is of lesser importance or when the object of the competition requires very specific knowledge, experience and skills. The organizer shall select the competitors itself. Organizing invited competitions for obtaining design solutions or draft plans for important official objects or locations is not in accordance with the best practice.
33. **Invited or public/invited competition** is a combination of a public competition and an invited competition. The aim of such a competition is drawing such architects into the public competition who are widely recognized or possess expertise in highly specific fields. It is also advisable to organize public/invited competitions in situations where it is considered desirable to involve architects who have successfully participated in earlier competitions related to the same object or where the initial authors of a building or a complex are being involved in its reconstruction.
34. Private persons who order can choose the form of the competition without observing the rules of PPA ideas competition. Invited and public/invited competition does not correspond to the public procurement principles, which is why the form of the competition shall be selected from the options listed in clauses **29–31** in case of public procurements.
35. A competition is called **international** when the jury includes an internationally known architect, the documents are prepared in Estonian and/or English and the competition is

advertised in foreign countries. An international competition is purposeful if a solution is being sought for an especially important object or location in Estonia. An ideas competition that exceeds the international limit of public procurements is not automatically an international competition in the meaning of this document.

V COMPETITION OBJECT

36. The competitions are divided into the following types according to their objects of competition: **draft plan competition, draft design project competition, and a design solution competition.**
37. **The object of a draft plan competition** is to find a full spatial solution for a certain area. One of the aims of the competition is to find the person whom the organizer will commission after the competition to prepare a comprehensive or detailed plan based on the winning entry. In such a competition, additional assignments may include the preparation of a design project vision for an object located in the planning area.
38. The object of **draft design project competitions** is the architectural draft for a building or facility (incl. elements of public space, for example a square, street or park). One of the aims of the competition is to find the person whom the organizer will commission after the competition to prepare a design project of a building or facility based on the winning entry. Additional assignments may include the preparation of a draft plan for the object's surroundings.
39. **Design solution competitions (equal to the term design solution competition)** are organized for the purpose of finding solutions to an architectural or planning problem, when the goal is not to continue cooperation with the winner after the competition and this fact is stated unambiguously and clearly in the competition conditions. According to generally accepted good practice, design solution competitions are not organized in cases where the initial data and the goals of the organizer are clear enough for a draft plan competition or a draft design project competition to be held in accordance with clause **37** or **38**.
40. In the case of a public procurement, the draft design project competition is similar to the design contest described in § 79, paragraph 1, clause 1 of the Public Procurement Act, which is aimed at concluding a planning or design service contract with the winner of the design contest, based on the conceptual design proposed by them. The design solution competition is similar to the design contest described in § 79, paragraph 1, clause 2 of the PPA, which is aimed only at obtaining a conceptual design and provides for prizes to be awarded to the winners or payments to be provided to the participants.

VI COMPETITION CONDITIONS

41. The publication of the conditions of a competition constitutes a contract offer by the organizer of the competition and is binding on both of the parties, which the competitor agrees to with the submission of the competition work. The competition conditions also form the legal basis for any future relations and contracts that will be concluded between the organizer and the participant.
42. **The competition conditions** consist of the conditions and the object of the competition.

43. **The conditions** describe the general data of the competition, its organization and the activities succeeding the competition. The conditions specify the volume of the service ordered from the winner, generally being general contracting for the construction project or the plan.
44. If necessary, the forms of the documents required from the competitors shall be added to the conditions, as well as other relevant documents.
45. The **object of the competition** is a statement of the goal of the competition, presented in a free format, but worded clearly and containing a thorough description of the goal, explaining the expectations on the content of the competition works, and the objectives of the organizer to the participants. The private and public interests inherent in the object of the competition must be balanced.
46. The object of the competition includes the initial planning outline approved by the local government, which describes the functions and construction capacities of the area, the requirements for public space and the most important urban development issues related to the area, as well as public interests and the interests of potential interested persons.
47. The draft design object of the competition includes the description and/or room plan of the planned functions and technical requirements of the building or facility, as well as the bases for the preparation of the design project and the objectives of the contracting entity, as well as the initial bases which reflect the public interest. Such bases may comprise design conditions, existing plans or the plans being prepared. The object of the competition may not contradict the existing plans if the currently existing plans are not to be changed after the competition. The room plan and the materials may not be in an irresolvable conflict with each other.
48. The source materials and additional information necessary for the preparation of a competition entry shall be added to the competition object, for example:
 - general plans for the area and the plot;
 - photographs and aerial photographs of the competition area;
 - studies (e.g. on urban space, geological engineering, greenery, building, traffic, noise, radon, insulation, etc.);
 - earlier projects and plans
 - surveying data on existing buildings
 - special conditions arising from heritage or nature conservation;
 - all relevant documents;
 - a scale model of the neighbourhood;
 - etc.
49. If an object solution of a competition (mainly the one of design and public space construction projects) may be of interest to the population of the area, it is recommended to cooperate with the citizen associations and the interested persons of the area when determining the competition conditions, taking their views into consideration in both object of the competition and the work of the jury with an aim of finding a spatial solution that takes all of the interests into consideration in a balanced way.
50. The organizer shall coordinate the competition conditions before announcing the competition with all members of the jury and the local government. The conditions of a public competition shall also be coordinated in accordance with generally accepted good practice with the UEA and the respective professional associations in case of distinctive characteristics of the content of the object of the competition.
51. The competition conditions shall be prepared or, under special circumstances, inspected by a person who has received the professional qualification of a chartered architect as defined in the Professions Act.

52. If the competition conditions provide for excessive restriction of competition participant's rights or if the conditions do not enable for a high-quality work that corresponds to the professional requirements of an architect after the competition, or if the composition of the jury is not balanced or the prizes or the participation fees are not in proportion with the expected volume of work, it is considered bad practice and the UEA may treat this competition under clause **121** of the instruction.
53. If the analyses preceding the formulation of the object of the competition are not sufficient, or if the object requires the participant to design an unreasonably large construction capacity or a function that does is unsuitable for the area, or if the room plan makes it impossible to design a building that functions in a normal and balanced manner, the competition shall be considered as having been organized according to bad practice and the Union of Estonian Architects may treat the competition in accordance with clause **121** of the instructions.

VII COMPETITION PARTICIPANTS

54. According to a general principle, participation in a public competition is open to all architects who have received the professional qualification of a chartered architect as defined in the Professions Act, and to groups of architects that contain at least one member who has received the professional qualification of a chartered architect as defined in the Professions Act (also see clause **56**). Public competition is also open to legal persons engaged in the field of planning or design, whose has a legal relationship with a responsible specialist with a professional qualification of a chartered architect.
55. The qualification requirements for participants shall be specified in the competition conditions. In addition to architects with professional qualifications, a competition may, as an exception, be open to other persons with an architectural education and to students of architecture.
56. Depending on the specific features of the object of the competition, a competition may also be open to other participants with professional qualifications (e.g. landscape architects, urbanists, interior architects, designers, and sculptors).
57. The qualification requirements for international competitions must be equal to the requirements for Estonian contestants.
58. At least five competition participants are selected to participate in a pre-selection competition. Invited to the competition are at least three competition participants and their names shall be stated in the conditions.
59. The chairman, members and experts of the jury, the members of the qualification committee, the person who prepares the competition conditions and persons who are clearly favoured due to being engaged in the preparation and organization of the competition and/or who might influence the decisions of the jury shall not participate in the competition. The following persons with connections to the above persons shall also be forbidden from participating in a competition:
 - persons with close personal connections (spouses, living partners, direct ascendants and descendants, sisters, brothers);
 - business partners who are partners or shareholders in the same companies engaged in design or planning as the abovementioned persons;
 - colleagues in a professional relationship of subordination.

60. A legal person may not participate in the competition if its partners, shareholders or employees include persons described in clause **59**.
61. Qualification criteria of legal persons shall promote competition. According to the good practice of submission of qualification requirements, mainly the professional competence of the responsible persons shall be relied upon, avoiding the setting of unreasonable economic indicators as qualification criteria.

VIII JURY

62. Before announcing the competition, the organizer and the co-organizers shall form a jury and state its members in the competition conditions.
63. The jury consists of members with the right to vote, including the chairman. The **chairman** of the jury shall preside over the work of the jury and shall generally represent the jury before the public.
64. According to the generally accepted good practice, a jury contains an odd number (at least five) of **members with the right to vote**. Under exceptional conditions, a member can be replaced by a substitute member. The names of the substitute members are generally listed in the competition conditions and they shall have the right to vote only if they are replacing a member of the jury.
65. The secretary of the jury shall manage the work of the jury, participate in it, and prepare the minutes. The secretary does not have the right to vote.
66. **Experts** without the right to vote may participate in the work of the jury. According to generally accepted good practice, the person who prepares the competition conditions is not a member of the jury, but is advisable to be an expert.
67. The majority of the jury shall consist of architects who have received the professional qualification of a chartered architect. Depending on the characteristics of the object of the competition, an expert with some other respective professional qualification may be a member of the jury instead of a chartered architect.
68. The rest of the jury shall consist of the representatives of the organizer, interested parties and the local government and/or state agency.

IX PRIZES AND PAYMENTS TO PARTICIPANTS

69. In public competitions, the jury generally awards the 1st, 2nd and 3rd prizes and additionally, one to four consolation prizes. An appropriate ratio for the 1st, 2nd and 3rd prize and the consolation prize is 4:3:2:1. The number and value of the prizes shall be indicated in the competition conditions.
70. An equal payment shall be provided to all invited or pre-selected participants. The value of the payment shall be indicated in the competition conditions and it shall conform to the price of a reasonable design service. The winners may be awarded additional prizes according to the principles of public competitions (in accordance with clause **69**). A participation reward or an incentive prize shall be given to the competition participants that are invited to the second stage of a two-stage competition.

71. If the number of competition entries submitted for evaluation in a public competition equals or is less than the number of all prizes plus three, the jury may choose not to award some of the prizes. 1st prize shall not be awarded only if the jury deems the competition to have failed.
72. The jury does not have the right to change the value of the prizes. In cases where two or more of the competition entries are clearly equal, the jury can redistribute the amounts set aside for their prizes and give equal prizes to all of these entries, whereas the value of each prize shall be the arithmetic mean of the redistributed prize money.
73. The prizes and payments to participants shall be disbursed by the organizer if the competition conditions do not stipulate otherwise.
74. The prize or payment for participation shall be paid out to the bank account(s) provided on the name card within one month after the announcement of the competition results. Before payment of an award or a participation reward to a natural person, the payer shall withhold the income tax. No other taxes shall be levied on prizes and payments to participants. Payment of prizes and participation rewards shall not be tied to other additional conditions.

X ANNOUNCEMENT OF THE COMPETITION

75. A public competition shall be announced by the organizer in the media, and on the web-pages of the organizer and the co-organizers, announcing the location of receipt of the competition conditions and enabling access to these conditions from the time of announcement. In the case of a public procurement, the contractor shall also announce the competition in the Public Procurement Register.
76. A notice regarding the announcement of an international competition shall also be sent by the organizer to national unions of architects and the editorial boards of large architectural magazines with international coverage.
77. An invited competition shall be announced by sending the competition conditions to the invited participants.
78. If the organizer deems it necessary to implement a qualification process for the contestants, generally a prequalification process is organized. The list of qualification documents, the deadline and place for their submission, and other conditions shall be stated in the competition conditions.
79. The acceptance of prequalification documents shall take place according to the same principles and conditions as the acceptance of competition entries (clauses **84, 85**). If the qualification documents do not provide a sufficient basis for the qualification of a contestant, the committee shall, under its own initiative, check the corresponding data regarding the contestant from the national registers and/or contact the contestant for the purpose of clarifying the data. The qualification committee shall announce the qualified contestants no later than 10 days after the deadline for the submission of qualification documents.
80. In case of a pre-selected competition (clause **31**), qualification and preselection take place simultaneously. Competition conditions shall determine whether the preselection will be done by the jury, a qualification committee or a separate preselection committee. If the preselection criteria include assessment of the work experience of the architects and/or other experts and their work experience, half of the preselection committee shall be formed by representatives of these respective professions with a corresponding professional qualification.

81. The participants may submit valid and relevant questions regarding the competition conditions. The procedure for submitting and answering questions shall be specified in the competition conditions. The deadline for submitting questions is generally 2 weeks before the due date for the competition entries. All questions shall be answered within three working days by the representative of the organizer, who shall consult with the compiler of the respective section of the competition conditions first. The organizer of the competition shall guarantee the anonymity of the submitters of questions and the equal accessibility to all questions and answers to all of the participants.
82. A deadline shall be specified in the competition conditions for the submission of competition entries, which should be at least two months from announcement of the competition, in case of a preselection or prequalification, from disclosure of the qualification committee's decision, according to the best practice. In case of a large object, the good practice prescribes a longer deadline for submission of the competition entries. The deadline may be shorter only for objects that are of significantly smaller volume.

XI ACCEPTING THE COMPETITION ENTRIES

83. The address, date, and time for acceptance of the competition entries shall be stated in the competition conditions.
84. Competition entries shall be accepted by an authorised person who shall ensure their anonymity. Competition entries may not be accepted by a member of the jury, its substitute member, or an expert. The person accepting a competition entry shall write the number and the time of acceptance on the package and shall provide the person delivering the competition entry with a receipt containing the same information.
85. A competition participant shall submit its competition entry and the documents requested in the competition conditions. All the material submitted to the competition shall be in one package without a keyword or any other distinguishing external markings. The documents shall be submitted in a sealed envelope in accordance with the conditions. Each element of the competition entry (map-cases, scale model, letter of explanation, envelopes, etc.) must be marked with a keyword (symbols or number combinations are not allowed).
86. The package containing a competition entry shall also contain an envelope marked "**Name card**" with the following data:
 - keyword of the competition entry;
 - name and contact information of the competition participant;
 - the name(s) and signature(s) of the author(s) of the competition entry (preferably also their contact information);
 - the distribution of the prize money or payment to the participant and the bank accounts for making these payments;
 - a note identifying the owner of the economic rights of the author(s) of the competition entry.
87. The package containing a competition entry shall also contain an envelope marked "**Documents**", which shall include data enabling the competition participant to be qualified or their identity ascertained. The data shall be provided in the competition conditions.
88. The composition of a competition entry in a composition entry package shall be stated in the competition conditions. It is generally as follows:
 - graphic material submitted on a rigid base;
 - the letter of explanation submitted separately as a printed and bound document in A4 format;

- other materials in the competition entry, for example, a scale model, etc.;
 - competition entry materials in digital form (graphic and text material, photos of the scale model) in PDF or jpg format, the quality of which enables the organizers to introduce the competition entries at public exhibitions or in the media (additionally, other file formats may be requested).
89. In case of a simpler object, an exception can be made by allowing for submission of the competition entries and the documents in a solely digital form (without requesting for the printed material), so that the anonymity of the competition participants is ensured. The jury meetings will be held according to the normal procedure also for this kind of competition.

XII EVALUATION OF THE COMPETITION ENTRIES

90. In case of a qualification requirement, decisions regarding the qualification of contestants must have been made before the first meeting of the jury. It will be decided on qualification whether the competition entry corresponds to the requirements of the competition conditions. The contents of competition entries and assessment of its compliance with the object of the competition falls within the scope of the jury and it shall not be decided in the course of qualification.
91. The necessary expert assessments shall be carried out on all qualified competition entries (e.g. cost of construction, energy efficiency, heritage conservation, construction, technical feasibility) generally before the jury starts its work. Usually, a separate expert assessment shall be carried out on the correspondence of the competition entries to the object of the competition, preferably by the compiler of the object of the competition.
92. The completion entries of all qualified competition participants shall be reviewed at the first meeting of the jury, in which it shall be decided what kind of competition entries will be assessed. A competition entry shall not be assessed if the jury finds that it clearly does not correspond to the aims of the object of the competition, or to the architect or other task-related profession requirements.
93. Only the chairman of the jury, the members of the jury, the secretary and the experts may be present at the evaluation of competition entries (jury meetings).
94. The jury is independent in its decisions and opinions and its work shall be based solely on the nature of the object of the competition, the criteria specified in the competition conditions, and expert assessments.
95. The jury members shall attend all meetings and provide, if necessary, a justified written opinion on each competition entry or at least each awarded competition entry. Based on these opinions, the secretary of the jury shall prepare the final report.
96. The jury shall unanimously decide on the competition results at its last meeting. If no agreement can be reached, the jury will vote, each member having one vote. A competition entry can be declared a winner if more than half of the jury members voted in favour of it.
97. The jury may use different assessment methods as an aid (for example, giving points or grades), but it shall not replace making of the final decision unanimously or by voting.
98. In the case of competitions with many participants or high-profile competitions, the jury may choose to commend (express approval of) some competition entries in addition to the prize winning entries.
99. If necessary, the jury will also make a decision regarding the further use of the outcomes of the competition and the planning or design process following the competition.

100. The jury may also decide to arrange a follow-up stage for the competition or declare the competition a failure if there were not enough quality results. Under exceptional cases, the jury may propose organizing a second stage of the competition. If the organizer decides to organise the next stage, it is good practice to pay a participation reward to the authors of the selected competition entries. The jury shall ensure the confidentiality and anonymity of the competition work until the making of the final decision.

XIII PUBLICATION OF COMPETITION RESULTS

101. The qualification committee or the secretary shall prepare the **minutes of the opening of the competition entries**, detailing:
- the number of competition entries submitted;
 - the keyword corresponding to the order in which the entries were received, and the list of materials contained in each package;
 - qualified and non-qualified entries (along with the reason for their non-qualification);
 - entries that qualified for evaluation and entries that were disqualified (along with the reason for their disqualification).
102. During the last meeting of the jury, the secretary shall prepare the **final minutes** based on the opinions of the jury, containing:
- the general characterization of all competition entries;
 - the decision on the awarding of the prizes along with the reasoning;
 - the decision regarding the winner of the competition;
 - proposals regarding further activities;
 - the potential dissenting opinions of jury members.
103. The minutes of the opening and the final minutes of the competition entries are public documents. The jury shall submit these documents to the organizer for publication immediately after the members of the jury have approved the minutes. The jury shall not publish the interim work minutes.
104. After the final minutes of the jury have been signed, the keywords of the entries that were awarded prizes will be made public in alphabetical order. The organizer shall determine time and place for the announcement of the results and make it public through the media in the case of a public competition, or make it known to all participants in the case of an invited competition.
105. The content of the competition entries shall be published after the authors of the competition entries have been made public, and in case of an invited competition, the participants have been notified of the final decision of the jury. Under exceptional cases, one illustrating image may be published, without noting the order of succession of the prized entries, after the final decision of the jury and before publication of the authors of the competition entries.
106. The envelopes containing the name cards of competition entries that were awarded or commended in a public competition shall be opened at the public announcement of competition results, where the names of the participant and the authors of the winning entry will be made public.
107. If it becomes apparent during the announcement of the winning entries that the author/authors of a winning entry did not have the right to participate in the competition, the awards shall be redistributed based on the new ranking. If necessary, the jury shall meet again.

108. The jury members shall remain connected to the competition even after it is over (incl. in case of a public procurement during a challenging period). They shall make elaborating decisions, if necessary, counsel the organizer in case of a dispute, and justify their decisions to the public, if needed. According to good practice, the members of the jury shall be paid additional fee if the dispute was unreasonably lengthy.

XIV USE OF THE COMPETITION ENTRIES

109. By participating in the competition, a competition participant agrees with the public display of its competition entry on exhibitions, the Internet, and the materials that introduce the competition.
110. A public exhibition will be generally organized for the entries of a public competition, where access will be provided to the minutes of the jury and the final minutes, and the expert opinions regarding the competition entries. The main organizer shall exhibit the awarded entries on its website.
111. The right of ownership of competition entries that were awarded prizes, or for which payments have been made to the participants shall be transferred to the organizer or a co-organizer named in the competition conditions as of the moment the prize money or payment to the participant has been disbursed. The organizer can also obtain from a participant a competition entry that did not receive a prize by paying a sum equal to the consolation prize for the entry.
112. Entries that did not receive prizes and were not bought shall be returned to the participants in accordance with the procedure specified in the competition conditions.
113. All moral rights of the authors of the competition entries shall remain with the authors.
114. All economic rights of the authors of the competition entries shall belong to the persons named by the participant on the name card submitted with the competition entry and signed by the authors. If the organizer wishes to provide for the transfer of economic rights in the competition conditions, such a condition can only be considered good practice if the rights shall be transferred after preparation of all stages of the building design documentation (in case of clause **38**) based on the competition entry, and after payment to the winner for its services.
115. The organizer shall commence negotiations (in case of a public procurement, a negotiated tendering procedure) with the winner after the competition (except in the case of a design solution competition stated in clause **39**) with the aim of concluding a planning or design service contract.
116. If the organizer does not reach an agreement with the winner on continuation of the competition entry, it has the right to initiate negotiations with the author(s) of the competition entry that received the second prize, and if these negotiations also fail, with the author(s) of the competition entry that received the third prize.

XV PARTICIPATION OF THE UNION OF ESTONIAN ARCHITECTS IN ORGANIZING THE COMPETITIONS

117. With regard to issues related to the organization of the competitions, the Union of Estonian Architects shall be represented by its Chair.
118. A competition can be organized in the following manner: the party interested in the competition (the organizer) and the Union of Estonian Architects may conclude a contract according to which the Union shall be a co-organizer of the competition and advise the organizer on all subjects related to the competition. The organizer shall cover all of the expenses related to organizing the competition (prizes and payments to participants, payments to jury members, preparation of competition conditions, publication and preservation of competition results, organization of the exhibition, publications, and other indirect expenses).
119. An assessment of the competition conditions can be ordered from the UEA. If it disapproves, the organizers shall have no right to declare that the competition has been organized in cooperation with the UEA.
120. Upon agreement with the organizer, the UEA may disseminate competition information on its webpage and its information letters.
121. If the conditions of the competition are in significant violation of the principles of these instructions or if the competition is organized according to bad practice, the Union of Estonian Architects may advise its members not to participate in the competition and to forego participation in the work of the jury, generally by sending its members and the media a notice to that effect and by publishing the same information on its website. If the organizing of a competition has violated the principles of these instructions to a degree that calls into question the quality, judiciousness, impartiality or professionalism of the result of the competition, the Union of Estonian Architects may recommend that the local government not approve the design project or draft plan chosen as a result of the competition.
122. The Union of Estonian Architects may, as an exception, accept deviations from these instructions if these are necessary in the interest of competition results and are not in contravention of the general principles of these instructions.

XVI BASES OF THE INSTRUCTIONS

123. The instructions have been prepared by the UEA, based on the practices of organization of architectural competitions, the legislation of the Republic of Estonia, and the following recommendations and instructions of the Architects' Council of Europe (ACE) and the International Union of Architects (UIA):
 - Architects' Council of Europe: European Public Procurement Legislation and Architectural Services Recommendations and Guidelines for Transposition to National Law, 20.11.2004;
 - UIA Guide for International competitions in architecture and town planning; UNESCO Regulations. Terms of application, Second Edition, January 2008.
124. Before this instruction was implemented, the Instructions for Estonian Architectural Competitions 2008, approved by the Board of the UEA on 11.12.2008 were in force.

125. In renewing the instructions of 2008, the UEA took into consideration the practice having developed in the meantime, and the following base documentation:
- legal analysis of an instruction (Entsik & Partnerid OÜ, 03.04.2012);
 - recommendations of the Chancellor of Justice 08.02.2012;
 - EVS 915: 2012 (“Organising public procurements in contracting for public works and design of works”).
126. In preparation and renewal of the instruction, the UEA cooperated with the Ministry of Finance, Riigi Kinnisvara AS, Tallinn City Planning Department, Estonian Association of Architectural and Consulting Engineering Companies, Estonian Landscape Architects’ Union and the Estonian Planners’ Union.
127. These instructions were renewed by the UEA working group in the following composition:
Jaak Huimerind, Raivo Kotov, Kalle Komissarov, Ingrid Mald-Villand, Toomas Paaver and Emil Urbel.