



# **RAIA POLICY ON THE REGISTRATION AND REGULATION OF ARCHITECTS**

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# Raia Policy on the Registration and Regulation of Architects

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### Summary of Policy

It is important that legislation provides for the public interest to be safeguarded. People providing architectural services must be appropriately qualified to register and they must maintain on-going standards of skill and knowledge. A person should not be permitted to practice architecture or to use the title 'architect' unless registered.

- ◆ The objectives of legislation controlling the registration and regulation of architects and architectural technicians should be to ensure:
- ◆ architectural services are of a standard that will protect and enhance the public's health, safety and welfare, economic, social, cultural and environmental interests; and
- ◆ architectural services are provided by and under the control of architects appropriately qualified by virtue of education, training and experience and who have the necessary competence and resources.
- ◆ This RAIA Policy deals with the registration and regulation of architects. It was originally adopted by the RAIA National Council in March 2001. The Titles Legislation/Practice Legislation and Professional Indemnity Insurance sections were amended in July 2003.

### Form of Regulation

- ◆ The registration and regulation of architects should be achieved through harmonised State and Territory Government legislation which:
- ◆ recognises a National Register of Architects administered by a corporate entity owned by the governments and
- ◆ establishes regulating bodies to deal with transgressions under the legislation or under the regulations set by the regulating authority within each jurisdiction.

## **Titles Legislation/Practice Legislation**

No person should be permitted to engage in the practice of architecture unless registered as an architect under the legislation (having satisfied the registering body's requirements for registration as an architect).

### **Individuals**

No individual architect should be permitted to practise as an architect, (to offer their services to the public for engagement as an architect in procuring, designing, documenting, or administering the construction of, any building), without holding a practising certificate current for the given administrative period, (having satisfied the registering body of fitness to practise as an architect in that period).

No individual architect should be permitted to use the title architect, or otherwise represent to the public that he or she is an architect unless registered.

Registering bodies and relevant legislation should provide for both practising (holding a practising certificate) and non-practising, individual architects.

### **Companies, Firms and other entities**

No business entity should be permitted to practise as an architect, use the title architect or architects, or represent that it is a firm of architects, without having satisfied the registering body of fitness to practise (by being under the effective control of architects and with its services to be provided under the supervision of architects) and having been licensed by the body to do so, during any given administrative period.

## **Entering the Profession**

### **Education**

Education for architects (apart from practical experience), be of no less than 5 years duration, delivered in an accredited architectural program in an accredited university, while allowing for variety in pedagogic approach, response to local contexts, and flexibility for equivalence, such as the acquisition of knowledge and skill through experience and training.

### **Accreditation, Validation, Recognition**

Architectural courses must be accredited by an independent authority, external to the course provider at reasonable time intervals (usually no more than 5-years). The RAIA, in association with the registering authority and the relevant educational bodies, shall develop standards for the content of an architect's professional education that are academically structured, intellectually coherent, performance-based and outcome-orientated, with procedures that are guided by good practice.

### **Examination & Assessment**

The required knowledge and ability of an architect must be proven by providing adequate evidence. This evidence must include the successful completion of at least one examination at the end a period of practical experience. Necessary components of professional knowledge and ability that are not subject to an examination have to be proven by other adequate evidence.

## **Registration**

In the public interest, provisions for such registration/ licensing/certification should be by statute and should be extended to include 'practice' regulation in addition to regulation of access to the title 'architect'.

## **Partnership and Corporate Practice**

In respect of entities that are registered as architectural practices the services provided should be carried out by or under the effective control and supervision of architects.

## **Maintaining Standards**

### **Regulation**

Legislation must provide for the establishment of standards of practice that all architects are required to uphold. Significant penalties for those who fail to maintain those standards should be imposed consistently.

### **Ethics**

Legislation should provide for the establishment of mandatory standards of Ethics and Conduct.

### **Discipline**

Architects' legislation should require that a government agency or tribunal deal with architects and others who transgress against the provisions of the legislation

### **Professional Development**

It should be mandatory for architects to devote time to maintaining and improving their existing skills and knowledge.

### **Professional Indemnity Insurance**

It should be mandatory, by means of the acts which regulate architects, for architects to carry Professional Indemnity Insurance cover at a level appropriate to the scale of work which they undertake. Such cover should be taken out in the name of vehicle through which the architect practices, that is either as an individual architect or as a partnership, limited company or corporation.

To avoid the consequences of a recognised PII market failure in availability, affordability, or both, each Act should give the Minister responsible for each Act a facility or power to enable suspension or alteration of the requirement for, and the terms and conditions of, PII required, so that architects can continue to work in Australia until the market failure is rectified.

Where the requirement for compulsory PII is suspended, and an architect is unable to obtain it, architects should be required to inform their existing or prospective client that compulsory PII is suspended and that they are unable to obtain it.