



BULLETIN 32: RIGHT TO TITLE: THE LEGAL USE OF “ARCHITECT” AND DERIVATIVE TITLES

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(This second edition, approved by the AIBC Council in May 2009, replaces its predecessor edition dated April 2002. While fundamentally similar, it includes introductory paragraphs outlining the AIBC’s legal authority with respect to the illegal practice of architecture, occasional improvement to syntax and form and updated descriptive terms to reflect current trends.)

1.0 LEGAL FOUNDATION

- 1.1 The AIBC is mandated under the *Architects Act* (the “*Act*”) to administer and ensure compliance. Concern for the public interest (including public health and safety, sustainability and accountability to a regulatory profession) is of primary importance in the regulation of architects and associates and in monitoring illegal practice by non-registrants.
- 1.2 One of the *Act*’s purposes is to protect the public by requiring that only qualified persons who have been issued a Certificate of Practice or temporary licence by the AIBC may be represented as an architectural firm and offer and provide architectural services in British Columbia. In addition, persons or firms not registered with the Institute must not be misrepresented as “architects” or offer architectural services as defined in the *Act*.
- 1.3 Section 63 of the *Act* establishes these legal expectations:
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- (1) Subject to this *Act*, a person not registered as a member or as an architectural firm must not use or be held out under the title “architect” or any similar title or description or use, and must not advertise or be held out under any name, title, addition or description implying, or likely to lead the public to infer, that a registration under this *Act* applies.
 - (2) A person or architectural firm that does not hold a certificate of practice must not be held out or implied to hold a certificate of practice.
 - (3) A person not licensed under this *Act* must not be held out or implied to be licensed under this *Act*.

2.0 AIBC EXPECTATIONS

2.1 For an individual who is **not** registered as a member, (i.e., who is not an architect) or for a business that does not hold an AIBC Certificate of Practice, the use of the following descriptive terms and variations is **NOT ACCEPTABLE**:

- “ARCHITECT” (or “ARKITEKT”, “EUROPEAN ARCHITECT”, etc.);
- “GRADUATE ARCHITECT”;
- “ARCHITECTURAL DESIGN(ER)”;
- “ARCHITECTURAL DRAFTSMAN” or “ARCHITECTURAL DRAFTSPERSON”;
- “ARCHITECTURAL SERVICES”;
- “DESIGN ARCHITECT”;
- “PROJECT ARCHITECT”
- “RESEARCH ARCHITECT”;
- “INTERIOR ARCHITECT”;
- “ARCHITECTURAL REPRESENTATIVE”;
- “ARCHITECTURAL CONSULTANT”;
- “ARCHITECTURAL TECHNICIAN”;
- “ARCHITECTURAL TECHNOLOGIST” (unless so registered as an associate with the AIBC);
- “INTERN ARCHITECT” or “ARCHITECT-IN-TRAINING” (unless so registered as an associate with the AIBC); and
- “ARCHI-” (prefix when used in a building design/construction context such as “ARCHITECTONIC”, etc.).

2.2 Note that architectural firms (Certificate of Practice holders) using any of the terms or titles above must ensure that the use is accurate. Bylaw 32.2 establishes the basic requirement that firms accurately represent staff capacities and qualifications. It is not permissible, for example, for an architectural firm to represent a non-MAIBC as a “design architect” or a person not registered as an Architectural Technologist associate as an “architectural technologist”.

2.3 For an individual who is **not** a member, associate, architectural firm or licensee of the AIBC, the use of the following descriptive terms is **ACCEPTABLE**:

- “HOLDER OF A DIPLOMA (or DEGREE) IN ARCHITECTURE” and/or the use of the corresponding initials (if such is the case) such as B.Arch.;

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- “ARCHITECTURAL GRADUATE” (if such is the case);
 - “HOUSE OR HOME DESIGNER”;
 - “BUILDING DESIGNER”;
 - “RESIDENTIAL DESIGNER”; and
 - “REGISTERED ARCHITECT IN _____” (citing the pertinent province, state or country, if such is the case) or (e.g.) “CALIFORNIA – REGISTERED ARCHITECT” (or other jurisdiction).
- 2.4 In some cases, certain representations that use “architect” or derivatives are not considered to be misleading. In each case, consideration is given to Section 63 of the *Act*, by which the use of the title “architect” or derivatives is restricted where such use is “likely to lead the public to infer that a registration under the *Act* applies.” For example, if an individual or business uses the term “architect” or derivative in a non-building or non-architectural design context, it is less likely to lead a reasonable person to infer that the entity is providing architectural services as defined in the *Act*. The AIBC must act reasonably, in the public interest and in keeping with the legal test provided by the *Act* in determining whether an illegal use of “architect” or derivative has taken place.
- 2.5 For an individual/business that is clearly not “engaged in the planning or supervision of the erection or alteration of buildings” per Section 59 of the *Act*, the use of the following descriptive terms is considered generally **ACCEPTABLE**:
- “MORTGAGE ARCHITECT”;
 - “INFORMATION ARCHITECT”;
 - “SOFTWARE ARCHITECT”;
 - “eBUSINESS ARCHITECT”; and
 - “INTERIOR ARCHITECTURAL COATINGS” or “ARCHITECTURAL ANTIQUES” (i.e., examples of the provision of building products, not services)
- 2.6 Note that the descriptive terms in 2.1, 2.3 and 2.5 are provided to illustrate the Institute’s current policies. They have been drawn from common examples brought to the AIBC’s attention, and are not exhaustive.

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