

# Design Quarterly

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### Changes to BC's Architectural Act:

British Columbia's current construction and development boom forms the backdrop to efforts by the architectural community to update the province's outdated legislation governing the practice of architecture.

The main focus of the new legislation is to bring into the fold allied practitioners who are currently not regulated by the BC Architect's Act. The process to get the new legislation passed, which was started in **2002** by members of the Architectural Institute of British Columbia (AIBC) and other stakeholders, is continuing at an accelerated pace. Meetings with the provincial government are continuing, with ongoing consultations and tweaking of the proposed new legislation.

AIBC President, David Wilkinson, says the new legislation is designed to increase peace of mind and safety for consumers, but it will also have an impact on the Province's economic productivity and sustainability – key concerns for the BC Government.

"We're essentially working towards "professionalizing the profession" for the benefit of members of the public, but there is also a strong business case for this new legislation", says Wilkinson. "Not only will it increase the portability of skills and increase education levels, but it will also aid in the replacement of retiring baby boomers. All of which will help to drive the BC economy for everyone's benefit".

The BC Architects Act is almost 100 years old and stakeholders agree that it does not recognize many members of the industry, or the technological advances, education and technical skills expansion that have taken place. Nor does it recognize changes in design and construction processes, or the very different relationship between the public, government and practitioners.

Given these changes, the AIBC and other industry stakeholders believe that it is in the public interest that all persons who practice architecture, in all its forms, are subject to regulation by a self-regulating body acting under provincial legislation.

To that end the AIBC **wants to include** BDIBC (Building Design Institute of BC) and IDIBC (Interior Design Institute of BC) as full members as defined by the Architects' Act, their design professional members currently not recognized under the traditional definition of 'architect'. **This means that the Building and Interior Designers will be subject to the same rules, requirements and standards as are required of architects.**

The benefits and practicalities of a "soft merger" between the AIBC, the BDIBC and the IDIBC are being examined and plans are afoot for the three organizations to share administrative and support services. The IDIBC and BDIBC have agreed to abide by the AIBC's standards, the requirements of the **rules of Professional Conduct and Code of Ethics**, and continuing education requirements.

AIBC President David Wilkinson says registered architectural technologists , **building** and interior designers can be important contributors to offering surety to the public regarding public health and safety, accountability, accessibility, as well as established qualitative and ethical standards. “We believe the proposed expansion of membership in the AIBC and the proposed limited license scopes of practice are a benefit to the public, the province and the industry”, says Wilkinson.

Additionally, the creation of specialty designations within the practice, for example the need for building envelope specialists, will provide greater public assurance of specific expertise.

Changes to the *Act*'s treatment of foreign trained architectural professionals will bring the **BC** built form industry more in line with current national and international free trade policies, and introduce an acceptable level of fairness in assessing international and alternative qualifications.

All categories of members would be subject to the disciplinary provisions of the *Act*. This, says Wilkinson, would be highly beneficial to the practice of architecture and for protection of the public interest.

He stresses that the AIBC and other stakeholders would also like to see exemptions for non-professionals reduced to small uncomplicated single family homes on a single site, practicing professional engineers and active duty military personnel. Any person engaged in the practice of architecture, other than **those noted above**, would be described in detail under the proposed legislation.

These changes to the exemptions would allow for greater clarity and certainty for municipal building **authorities** and governments, especially as related to joint and several liability insurance. Expansion of the membership categories of the AIBC would ensure that the public could obtain professional services for the full complement of home building and renovation design work.

Current legislation does not adequately provide mechanisms for businesses that offer a multi-disciplinary approach to design and construction. Additionally, the development of more rigorous industry standards for the provision of liability insurance is not reflected in the requirements of the *Act*.

Finally, says Wilkinson, the current organization of the *Act* lacks internal logic or consistency. “We need to update the legislation so that it is easier to understand and to administer”.

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