

Administrative Bylaws 2018

> Bylaw Review Consultation and
Information Session



Please

- > Turn off your cell phones;
- > Raise your hand and wait to be called upon;
- > Comment or ask a question, one at a time;
- > Give everyone an opportunity to respond; and
- > Wait until all have had a chance to respond before asking another question.

Thanks!

Overview

- > Since 2011, the AIBC has been engaged in a comprehensive bylaw review process to amend substantive and less substantive bylaws as necessary for the self-governance of the profession.

Overview

- > The current bylaw review proposes amendments to some current administrative bylaws, which are organized into four topic areas:
 - Architectural Firms;
 - Admission & Registration;
 - Fees & Fines; and
 - Chapters.

Architectural Firms

- > Bylaws 15.1 through 16.4 include various requirements about architectural firms and certificates of practice.

Architectural Firms

> Bylaw 15.1:

- The current bylaw prohibits the use of misleading or unprofessional names for firms and requires all firm names to be approved by council.
- The proposed amendment requires council to develop rules for firm name requirements and name approvals.

Architectural Firms

> Proposed amendment to Bylaw 15.1:

15.1 Council shall establish rules in relation to firm name requirements, including restrictions on firm names and name approvals required prior to firm registration.

Architectural Firms

> Bylaw 15.2:

- The current lengthy bylaw itemizes the detailed information necessary to make an application for firm registration.
- The proposed amendment simplifies the bylaw by requiring firms applying for registration to complete the application form required by council for the applicant's type of firm.

Architectural Firms

> Bylaws 15.3 and 15.4:

- These bylaws currently require firms to:
 - a) file a “memorandum of practice” when firm changes occur (15.3); and
 - b) require the filing of an “annual information return” with the Registrar (15.4).

Architectural Firms

> Bylaws 15.3 and 15.4:

- The proposed amendment replaces these two bylaws with a single new bylaw that requires firms to:
 - a) complete an annual firm update by the date required by council; and
 - b) to notify the institute of certain material firm changes in the form required by council.

Architectural Firms

> Bylaw 15.5:

- The current bylaw states that firms must comply with certain provisions in the *Architects Act* to remain "in good standing".
- These provisions include the basic majority architect share ownership and director requirements.

Architectural Firms

> Bylaw 15.5:

- The phrase 'in good standing' is incorrectly used in the bylaws.
- In legislation and in practice at the institute, "in good standing" refers to architects, firms and other registrants who have paid their annual fees.

Architectural Firms

> Bylaw 15.5:

- Registration & Licensing staff have identified practical problems with the current bylaw, such as non-compliance by corporations with the shareholding requirements upon death or suspension of an architect owner of a corporate firm.

Architectural Firms

> Bylaw 15.5:

- To address the concerns, the BRC proposes two new bylaws:
 - i. 15.4 which states that corporation firms must comply at all times with sections 26(2) and (3), and 30(1) and (2) of the *Architects Act*; and

Architectural Firms

- ii. New 15.5 would authorize council to “establish rules to address” corporate non-compliance caused by suspension, resignation, death or other removal from the register.
- > Council rules may include: a grace period, reporting requirements, depending on reason for non-compliance.

Architectural Firms

- > Bylaws 16.1, 16.1.1, 16.1.2 and 16.1.3:
 - No amendments proposed to these bylaws, which:
 - a) authorize council to issue certificate of practices; and
 - b) establish mandatory professional liability insurance (approved by members in July 2017).

Architectural Firms

> Bylaw 16.2:

- The current bylaw is similar to bylaw 15.2, in that it lists in great detail the information required by applicants when applying for a certificate of practice (“CoP”).
- The proposed amendment requires applicants for a CoP, or renewing a CoP, to simply complete and submit the form approved by council.

Architectural Firms

> Bylaws 16.3 and 16.4:

- No amendment proposed for bylaw 16.3.
- Minor grammatical amendments are proposed for bylaw 16.4, which authorizes the institute to place CoP holders into classes.

Admission & Registration

- > As a style of formatting improvement, we would change the bylaw heading “Membership and Registration” to “Admission and Registration”.
- > This reflects the language used in Section 24(2)(c) of the *Architects Act*.

Admission & Registration

> Bylaw 9.0:

- The BRC recommends amendments to the architect's declaration or 'oath' bylaw.
- The declaration is made as part of an architect's application process, and not, as the bylaw is currently written, "upon notice of registration".

Admission & Registration

> Bylaw 9.0:

- Proposed additional amendments to the oath include:
 - i. Amend the reference from the “*Code of Conduct*” to the “*Code of Ethics and Professional Conduct*”;
 - ii. Syntax changes for clarity; and
 - iii. Addition of "in the public interest".

Admission & Registration

- 9.0 ~~Each member upon notice of registration~~ **Each applicant for registration as an architect** shall make and subscribe to the following declaration:
- “Solemnly do I declare that having read and understood the **Architects** Act ~~its~~ and the Bylaws and Code of ~~Conduct~~ **Ethics and Professional Conduct** of the Architectural Institute of British Columbia, and having passed the examinations, I am eligible for membership.*

Admission & Registration

Further do I announce that I will uphold professional aims, and uphold the art, and the science, of architecture, and I will thereby improve the environment. I also accept with obligation the need to further my education as an architect. I promise now that my professional conduct as it concerns the community, my work, and my fellow architects will be governed by the ethics and the tradition of this honourable and learned profession, in the public interest.”

Admission & Registration

> New Bylaws 9.1 and 9.2:

- The BRC recommends two new admission bylaws tied to Sections 36 and 37 of the *Architects Act*.
- Currently the institute has no bylaws that relate directly to registration requirements for becoming an architect.

Admission & Registration

- > New Bylaws 9.1 and 9.2:
 - The BRC recommends a consolidated set of council rules that identifies how architect applicants can find and satisfy registration requirements.
 - Council Rules may include language that ties the registration requirements with entry-to-practice competencies, as well as acceptable evidence of education, work, and examination requirements.

Admission & Registration

- > New Bylaws 9.1 and 9.2:
 - The two proposed bylaws require a consolidated set of rules related to initiatives such as Broadly Experienced Applicant (“BEA”) and Broadly Experienced Foreign Architect (“BEFA”).

Admission & Registration

> Bylaws 10.0, 11.1 and 11.2:

- No amendments are proposed to Bylaw 10.0 which establishes the title “Architect AIBC”.
- Minor amendments are proposed to current Bylaws 11.1 and 11.2 which concern the application and procurement of architects’ seals.

Admission & Registration

- > Bylaws 11.1 and 11.2:
 - The proposed changes include removing the phrase “shall make application” in Bylaw 11.1, which purports to make it mandatory for every architect to apply for a seal.
 - Not all architects require a seal given the variety of career paths available. An architect is permitted to apply for a seal at any time once registered.

Admission & Registration

> Bylaw 12.1:

- No amendments are proposed to Bylaw 12.1 – Honorary Members – which was amended in 2012.

Fees and Fines

> Bylaw 25.0:

- The proposed amendment consolidates the two current bylaws into a single bylaw.
- This proposed bylaw lists all fees and fines the institute currently establishes, or may reasonably contemplate for the regulation of the profession.

Fees and Fines

> Bylaw 25.0:

- The proposed amendment enhances transparency by identifying the fees and fines an applicant or registrant may incur.
- It also provides clear authority to impose these charges.

Chapters

> Bylaw 8.1:

- The Chapters bylaw recommendation mirrors the BRC's 2012 recommendation: the adoption of a single bylaw that allows council to establish chapters in accordance with council rules.

Chapters

> Bylaw 8.1:

- The remaining current bylaws relating to administering chapters will be repealed and moved to council rules, which will allow greater flexibility in chapter administration and council oversight.
- The rules would adopt and reflect the current council policy on chapters and the “AIBC Chapter Guidelines & Petition Form” published in 2017.

Chapters

> Proposed amendment to Bylaw 8.1

8.1 *The ~~Institute~~ council shall encourage may allow the formation of ~~local associations, to be known as~~ chapters of the Architectural Institute of British Columbia in accordance with the rules for such chapters established by council.*

Council Rules

- > Some of the proposed bylaw amendments envision additional council rules.
- > These rules will be published for feedback when they are ready. As required by council policy, formal member notification and feedback will occur before council votes to approve any rules.

Next Steps

- > As with previous bylaw votes, all member feedback is appended to the BRC's submission for council's consideration before council votes whether to approve the proposed bylaws for a vote by members.

Next Steps

- > If council approves the BRC's final submission of proposed bylaws, the vote by members will likely be in **May - June, 2018**.

Feedback

- > Consultation/Information Session
- > Email bylawfeedback@aibc.ca
- > [Online feedback form](#).

Thank you for attending.