



ARCHITECTURAL INSTITUTE OF BRITISH COLUMBIA

Proposed Administrative Bylaws 2018

Architectural Firms; Admission and Registration; Fees and Fines; and Chapters

Note: New or amended language is found in yellow highlighting; strikeout indicates wording proposed for removal from existing bylaws.

Architectural Firms

~~15.1 No architectural firm shall use a name, which is misleading or unprofessional, and all architectural firm names shall be subject to approval by Council.~~

Proposed Bylaw Amendment:

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.

~~15.2 An architectural firm applying for registration shall complete and submit an application form signed by all architects and engineers having a principal or shareholding interest setting forth:~~

- ~~(a) the names and professional qualifications of the architects and engineers having a principal or shareholding interest;~~
- ~~(b) the name and addresses and telephone numbers of the office of the architectural firm;~~
- ~~(c) where the architectural firm is a corporation
 - ~~(i) the directors of the corporation~~
 - ~~(ii) the officers of the corporation~~
 - ~~(iii) the total number of each class of shares authorized and issued by the corporation~~
 - ~~(iv) a list of all shareholders with the number and class of shares held~~
 - ~~(v) the address of the registered office of the corporation in British Columbia~~
 - ~~(vi) the date of incorporation of the firm under the *Company Act* of British Columbia and that the corporation is in good standing under the *Act*, and~~
 - ~~(vii) the names of the architects who will be practising architecture on behalf of the corporation and the names of the persons who will be practising architecture under the direct supervision of a named architect who is a continuing employee or shareholder of the corporation.~~
 - ~~(viii) A certificate of incorporation and a certificate of good standing issued by the Registrar of Companies must be filed before the registration will be approved.~~~~

Proposed Bylaw Amendment:

15.2 An architectural firm applying for registration must complete and submit the application form required by council for the type of firm registration sought.

~~15.3 Every architectural firm shall, whenever there is a change from a memorandum of practice previously filed by that architectural firm file with the Registrar a new memorandum of practice prior to the effective date of such change.~~

~~15.4 Every architectural firm shall complete and file with the Registrar an annual information return if so requested by the date specified.~~

Proposed Bylaw Amendment (now numbered 15.3):

15.3 Every architectural firm shall:

- (a) complete and submit an annual firm update in the form and by the date required by council; and
- (b) notify the institute of any firm ownership, name and other changes identified in the form and by the date required by council.

~~15.5 To remain in good standing, an architectural firm that is a corporation shall comply with the requirements of sections 26(2) and 30(1) of the *Act* at all times.~~

Proposed Amendment and New Bylaw Related to Firm Share Disposition, Change of Directors/CEO affecting status as a (corporate) firm

15.4 Architectural corporations must comply with the qualifications for registration in Sections 26(2) and (3) and 30(1) and (2) of the *Architects Act* at all times.

15.5 Council may establish rules to address non-compliance by architectural corporations with Section 26(2) and (3) caused by the suspension from practice, resignation, death or other removal from the register of an architect in such firm.

~~16.2 An architectural firm, member or licensee applying for a certificate of practice or renewal of a certificate of practice shall complete the required form signed by all architects and professional engineers having a principal or shareholding interest in the firm certifying that the firm, member or licensee:~~

- ~~(a) is registered with the institute and is in good standing~~
- ~~(b) has paid any required annual fee~~
- ~~(c) has paid any required fee for the certificate of practice, and~~
- ~~(d) has obtained the required professional liability insurance coverage.~~

Proposed Bylaw Amendment:

16.2 An architectural firm, member, or licensee applying for a certificate of practice or renewal of a certificate of practice must complete and submit the form required by council.

~~16.4 Holders of certificates of practice shall be placed into one of the following classes:~~

- ~~(a) member~~
- ~~(b) architectural firm which is a sole proprietorship~~
- ~~(c) architectural firm which is a partnership~~
- ~~(d) architectural firm which is a corporation~~
- ~~(e) licensee~~

Proposed Bylaw Amendment:

16.4 Holders of certificates of practice shall be placed into one of the following classes:

- (a) member;
- (b) architectural firm which is a (sole proprietorship);
- (c) architectural firm which is a (partnership);
- (d) architectural firm which is a (corporation); or
- (e) licensee.

Membership Admission and Registration [Note: Change to subheading only; does not require vote]

9.0 ~~Each member upon notice of registration shall make and subscribe to the following declaration:~~

~~“Solemnly do I declare that having read and understood the *Act* of the Architectural Institute of British Columbia, its Bylaws and Code of Conduct, and having passed the examinations, I am eligible for membership. Further do I announce that I will uphold professional aims, and the art, and the science, of architecture and 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.”~~

Proposed Bylaw Amendments:

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. 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.”

Proposed New Bylaw Related to Section 36 (Internship Path):

9.1 Council may establish rules in relation to and consistent with the qualifications for registration in Section 36 of the *Architects Act*, including:

- (a) the evidence, qualifications and further information described or permitted in Section 36 (1);
- (b) the examinations required for registration in Section 36 (1);
- (c) the criteria or process for approving the architectural training required for admission as an architect in another jurisdiction as permitted in Section 36 (1)(a);
- (d) the criteria or process for approving the course and employment requirements in Section 36 (1)(b); and
- (e) the criteria or process for accepting related experience to reduce the internship period from three to two years as permitted by Section 36 (2).

Proposed New Bylaw Related to Section 37 (Foreign-trained or Alternative Qualifications Paths):

9.2 Council may establish rules in relation to and consistent with the alternative qualifications for registration in Section 37 of the *Architects Act*, including:

- (a) the examination that may be required by council in Section 37;

(b) the employment requirements in Sections 37 (a) and (b); and

(c) the architectural practice requirements in Section 37 (c).

11.1 Each Member upon registration shall make application for the member's seal to the CEO stating the name and address of the applicant, and depositing with the CEO a payment to cover the cost of same, with postage, if any.

Proposed Bylaw Amendment:

11.1 Each Member upon registration shall make application for the member's seal to the CEO by completing the application form required by council and paying the requisite fee. ~~stating the name and address of the applicant, and depositing with the CEO a payment to cover the cost of same, with postage, if any.~~

11.2 The CEO shall procure all seals, have charge of their distribution, and will be held responsible for their issue.

Proposed Bylaw Amendment:

11.2 The CEO shall procure, distribute, and be responsible for the issuance and return of architects' seals. ~~all seals, have charge of their distribution, and will be held responsible for their issue.~~

Fees and Fines and Levies

25.0 The Council may:

- ~~(a) fix or establish application fees, registration fees, annual fees, fee for certificates of practice and renewal of certificates of practice, fees or levies for professional liability insurance, reinstatement fee under section 34(3) of the Act and fines under section 73(3)(a)(b) of the Act~~
- ~~(b) establish different fees, fines or levies for different classes of members, architectural firms, classes of practice, licensees, associates, students or registrants~~
- ~~(c) permit the pro-rating of any fees or levies fixed or established under this section under specified circumstances~~
- ~~(d) In the case of fees or levies for professional liability insurance, exempt a registrant or class of registrant from payment of all or part of the fees or levies.~~

Proposed Bylaw Amendment:

25.0 The council may:

- (a) set fees and fines payable to the institute in relation to the regulation of architects, associates, architectural firms, and licensees, including but not limited to:
 - (i) application fees for registration and admission;
 - (ii) registration and reinstatement fees;
 - (iii) annual fees;
 - (iv) fees for obtaining an architect's seal;
 - (v) fees for obtaining and renewal of certificates of practice;
 - (vi) firm change and firm closure fees;
 - (vii) fines for non-compliance with mandatory continuing education requirements;

<p>(viii) fines for non-compliance with mandatory professional liability insurance requirements;</p> <p>(ix) course and examination fees and course change/cancellation fees; and</p> <p>(x) administrative fines related to late or insufficient payment of fees and fines and late or incomplete provision of firm update or firm change information.</p> <p>(b) set different fees and fines for different classes of members, architectural firms, associates and licensees; and</p> <p>(c) permit the pro-rating of any fees or fines set under this bylaw under specified circumstances.</p>
<p>27.0 The fee for any examination shall be as determined by Council.</p>

<p>Chapters</p>
<p>8.1 The Institute shall encourage the formation of local associations, to be known as chapters of the Architectural Institute of British Columbia.</p> <p>Proposed Bylaw Amendment:</p> <p>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.</p>
<p>8.2 (a) Any five Members of the Institute may apply to the Council for permission to form a Chapter, with headquarters in any city or town which they may select, and such permission shall be granted by the Council if it is found that the Territory proposed to be covered by the new Chapter does not encroach upon that of any existing Chapter.</p> <p>— (b) If any question of encroachment shall arise, it shall be determined by the Council at their discretion.</p>
<p>8.3 Members of the Chapters must be Members, Honorary Members or Associates of the Institute, but no obligation shall rest upon any Member, Honorary Member, or Associate of the Institute to become a member of a Chapter.</p>
<p>8.4 Each Chapter shall have the power to fix its own dues and make such Bylaws as it may think necessary and desirable so long as they do not conflict with the Act and Bylaws of the Institute of which matters the Council shall be the judge, and for this purpose the Bylaws proposed to be adopted by any Chapter must first be submitted to the Council for approval.</p>
<p>8.5 Each Chapter shall report to the Institute the number of members on its roll, and if at any time the number shall fall below five, the Council of the Institute may declare such Chapter no longer in existence.</p>
<p>8.6 Associates shall have equal rights within the Chapter with other members except the right to vote and hold office.</p>