



Australian Capital Territory

## **Architects Act 1959    No 3**

**Republication No 6 (RI)**

**Effective: 17 September 2002**

Republication date: 24 September 2002

Reissued: 6 February 2003 for retrospective amendment made by Act 2002 No 49

Last amendment made by Act 2002 No 30

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Architects Act 1959* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 24 September 2002. It also includes any amendment, repeal or expiry affecting the republished law to 17 September 2002.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

### Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



Australian Capital Territory

# Architects Act 1959

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Australian Capital Territory

## Architects Act 1959

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An Act to provide for the registration of persons engaged in the practice of architecture and to control architectural practice

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## Part 1 Preliminary

### 1 Name of Act

This Act is the *Architects Act 1959*.

### 4 Definitions for Act

In this Act:

*Note* A definition applies except so far as the contrary intention appears (see *Legislation Act 2001*, s 155).

***board*** means the Architects Board constituted under this Act.

***chairperson*** means the chairperson of the board.

***deputy chairperson*** means a person elected under section 6 (5).

***member*** means a member of the board.

***register*** means the register of architects kept under section 14.

***registered architect*** means a person whose name is for the time being entered in the register.

***registrar*** means the Registrar of Architects under section 13A.



## Part 2                      The Architects Board

### 5        The board

- (1) For this Act there shall be a board, which shall be known as the Architects Board.
- (2) The board may sue and be sued in its own name.
- (3) The Executive shall satisfy, out of money legally available for the purpose, all orders made by a court against the board.

### 6        Members of board

- (1) The board shall consist of 5 members who shall be appointed by the Minister.
- (2) The Minister shall appoint 1 of the members of the board to be the chairperson of the board.
- (3) Two of the members of the board shall be persons nominated by the Royal Australian Institute of Architects, being persons who are registered architects.
- (4) One of the members of the board, other than the members nominated by the Royal Australian Institute of Architects, shall be a person who is a registered architect.
- (5) The members of the board shall elect 1 of their number to be the deputy chairperson during the pleasure of the board.
- (6) The chairperson shall be the executive officer of the board.

### 7        Tenure of office

- (1) A member appointed by the Minister holds office for a term of 3 years and is eligible for reappointment.
- (2) If the office of a member becomes vacant before the end of his or her term of office, the person appointed to fill the vacancy holds

office for the unexpired part of the term of office of the member whose office has become vacant.

- (3) The exercise of the functions of the board is not affected only because of there being a vacancy or vacancies in the membership of the board.

## **9 Removal of member from office**

The Minister may at any time terminate the appointment of a member for misbehaviour or incapacity.

## **10 Vacation of office by member**

- (1) A member shall be deemed to have vacated his or her office—
- (a) if his or her appointment is terminated by the Minister under this Act;
  - (b) if he or she becomes bankrupt; or
  - (c) if he or she becomes of unsound mind; or
  - (d) if he or she is convicted of an indictable offence; or
  - (e) if he or she resigns his or her office in writing addressed to the Minister and the resignation is accepted by the Minister; or
  - (f) if he or she is absent without leave of the board from 2 consecutive meetings of the board.

## **11 Acting appointments**

- (1) The Minister may, in writing, appoint a person to act as a member—
- (a) during a vacancy in the office of a member, whether or not an appointment has previously been made to the office; or
  - (b) during any period, or during all periods, when a member is absent from duty or from the ACT or is, for any other reason, unable to exercise the functions of the office;

but a person appointed to act during a vacancy shall not continue so to act for more than 12 months.

- (2) Anything done by, or in relation to, a person purporting to act under this section is not invalid on the ground that—
  - (a) the occasion for the person's appointment had not arisen; or
  - (b) there is a defect or irregularity in connection with the person's appointment; or
  - (c) the person's appointment has ceased to have effect; or
  - (d) the occasion for the action had not arisen.

## **12 Calling meetings of board**

- (1) Subject to subsection (2), a meeting of the board shall be called by the chairperson by written notice to the other members of the board, and shall be held at the time and place specified in the notice.
- (2) The Minister may, by written notice to each member, direct that a meeting be held at the time and place specified in the notice.

## **13 Procedure at meetings**

- (1) The chairperson shall preside at all meetings of the board at which he or she is present.
- (2) In the absence of the chairperson from a meeting the deputy chairperson shall preside.
- (3) At a meeting of the board, the chairperson or deputy chairperson and 2 other members constitute a quorum.
- (4) All questions before a meeting of the board shall be decided by a majority of votes of the members present.
- (5) The member presiding at a meeting of the board has a deliberative vote and, in the event of an equality of votes, also has a casting vote.
- (6) Subject to this Act, the procedure of the board shall be as the board determines.

**Part 2**            The Architects Board

Section 13

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## Part 3 Registration and qualifications

### 13A Registrar

- (1) There shall be a Registrar of Architects.
- (2) The chief executive shall create and maintain an office in the public service the duties of which include exercising the functions of the registrar.
- (3) The registrar shall be the public servant for the time being performing the duties of the public service office referred to in subsection (2).

### 14 Register

The board shall keep a register called the register of architects.

### 15 How registration effected

- (1) If the board has authorised the registration of a person, the registration shall be effected by entering in the register—
  - (a) the person's name; and
  - (b) the person's professional address or addresses (if any) in the ACT or, if the person has no professional address in the ACT, his or her place of residence (whether in the ACT or elsewhere); and
  - (c) particulars of the person's qualifications; and
  - (d) a registration number allotted to the person; and
  - (e) the date of the person's registration; and
  - (f) the other particulars (if any) that are prescribed.
- (2) An entry in the register shall be signed by the chairperson or deputy chairperson of the board.

- (3) If a person is registered as an architect, the board must issue a certificate of registration to the person.

*Note 1* A fee may be determined under s 40 (Determination of fees) for this section.

*Note 2* If a form is approved under s 41 (Approved forms) for a certificate of registration, the form must be used.

## 16 Persons entitled to apply for registration

- (1) A person is entitled to apply to the board for registration as an architect if the person is at least 18 years old and—

(a) he or she holds a certificate issued by The Architects' Accreditation Council of Australia Incorporated, being a body incorporated under the *Associations Incorporation Act 1991*; or

(b) he or she is entitled under a law of a State or another Territory to practise as an architect in that State or Territory; or

(c) he or she—

(i) holds a degree or diploma in architecture granted by an institution, whether within or outside Australia, approved by the board; and

(ii) has completed 2 years practical experience in architecture of which at least 1 year's experience is postgraduate experience; and

(iii) has successfully completed an examination in the practice of architecture approved by the board.

*Note* If a form is approved under s 41 (Approved forms) for an application, the form must be used.

- (2) The board may require an applicant for registration to attend personally before the board and, if he or she fails to attend as required, may refuse the application.

**16A Board may authorise registration**

Subject to section 16 (2), if a person has made application to the board in accordance with this Act, the board shall authorise the registration of the person if satisfied that the person—

- (a) is entitled to apply for registration as an architect; and
- (b) is a fit and proper person to be registered.

**17 Appeal against refusal by board to register person**

- (1) If the board refuses to authorise the registration of a person, the board shall, if required by that person, state in writing the reason for the refusal.
- (2) A person whose application for registration is refused by the board may appeal to the Supreme Court against the decision of the board.
- (3) The board shall be the respondent on the appeal.
- (4) The appeal shall be in the nature of a rehearing, but the Supreme Court may have regard to material that was before the board.
- (5) If the Supreme Court allows the appeal, it may order that the appellant shall be registered under this Act.

**18 Proof of registration**

- (1) A certificate of registration issued under this Act is evidence that the person specified in the certificate was registered under this Act on the date specified in the certificate and has continued to be so registered.
- (2) Judicial notice shall be taken of the signature of the chairperson or deputy chairperson appearing on a certificate of registration referred to in subsection (1) and of the fact that the person by whom the certificate purports to have been signed was, at the time the certificate was signed, the chairperson or deputy chairperson.

### **18A Practising certificate**

- (1) The registrar must issue a practising certificate to a person whose name appears in the register.

*Note* A fee may be determined under s 40 (Determination of fees) for this section.

- (2) A practising certificate takes effect on the date the certificate is expressed to take effect.
- (3) A practising certificate shall be expressed to take effect—
  - (a) if the applicant for the certificate is the holder of a current practising certificate—on 1 March next following the date when application for issue of the certificate is made; and
  - (b) in any other case—on the date the certificate is issued.
- (4) A practising certificate expires on 1 March next following the date the certificate takes effect.
- (5) A practising certificate expires if the registration of the holder of the certificate is cancelled or suspended.

### **19 Fraudulent applications for registration and practising certificate**

A person shall not, in connection with an application for registration, or for a practising certificate, under this Act, make a false or misleading statement or produce a false certificate, testimonial or other document.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

### **20 Change of address to be notified**

- (1) A registered architect who changes his or her professional address in the ACT, or establishes a professional address, or an additional professional address, in the ACT, shall, within 7 days after the



change or establishment, notify the chairperson in writing accordingly.

Maximum penalty: 5 penalty units.

- (2) A registered architect, not having a professional address in the ACT, who changes his or her place of residence shall, within 7 days after the change, notify the chairperson in writing accordingly.

Maximum penalty: 5 penalty units.

## **21 Alteration of register**

- (1) The board shall cause to be removed from the register the names of all registered architects who have died and may cause to be made the alterations to the particulars recorded in the register that are necessary.
- (2) The board may, by notice to a registered architect, posted or otherwise delivered to the architect at his or her professional address or at 1 of his or her professional addresses recorded in the register, or at his or her last-known place of residence, inquire whether his or her professional address or addresses in the ACT, or his or her place of residence, is or are still the address or addresses shown in the register.
- (3) If an answer to a notice under subsection (2) is not returned within 6 months after the date of the posting or of the delivery of the notice, the board may cause the name of the architect to be removed from the register.
- (4) A name removed from the register under this section may be restored by authority of the board.

## **22 Cancellation of registration**

- (1) The board shall cause to be removed from the register the name of a person—
  - (a) whose registration has been obtained by fraud or misrepresentation; or

- (b) whose degree or diploma is withdrawn by the body that granted it; or
  - (c) who is convicted, whether in the ACT or elsewhere, of an indictable offence or of any other offence that, in the opinion of the board, renders the person unfit to practise; or
  - (d) if the board is satisfied that, because of mental incapacity, the person is incapable of practising as an architect; or
  - (e) who is found by the board to have been guilty of—
    - (i) habitual drunkenness or addiction to a narcotic drug; or
    - (ii) accepting a commission or substantial valuable consideration from a person who has offered or agreed to execute, or is engaged in the execution of, any work in connection with a building designed or supervised by the registered architect or from a person who has offered or agreed to supply any material, fittings or appliances to be used in or in connection with a building designed or supervised by the registered architect; or
    - (iii) allowing a person, other than a registered architect, to practise in his or her name as an architect; or
    - (iv) directly or indirectly giving or offering or agreeing to give or offer to a person any valuable consideration for securing or attempting to secure for the registered architect employment or work as an architect.
- (2) The board may, instead of causing to be removed from the register the name of a person who has been found guilty of conduct or an act referred to in subsection (1) (e), reprimand the person or suspend the registration of the person for the period, not longer than 6 months, that the board considers appropriate.
- (3) If the board causes the removal of a person's name from the register, the board shall, if so required by that person, state in writing the reason for the removal.

**23 Inquiry to be held**

- (1) Before taking action in relation to a person under section 22, the board shall hold an inquiry.
- (2) At the inquiry the person may be represented by a lawyer or an agent, who may examine witnesses and address the board on his or her behalf.
- (3) In conducting the inquiry, the board is not bound by rules of evidence or legal procedure, but may inform itself in the way it considers appropriate.
- (4) The Minister may appoint a lawyer to assist the board.
- (5) Pending the holding of the inquiry, the board may suspend the registration of the person registered.

**24 Surrender of certificates on removal of names from register**

- (1) If the name of a person is removed from the register or the registration of a person is suspended, the board may, by written notice posted or otherwise delivered to that person at the person's professional address or at 1 of the person's professional addresses as last recorded in the register, or at the person's last-known place of residence, require the person, within 14 days after receipt of the notice, to deliver the person's certificate of registration and the person's practising certificate (if any) to the board for cancellation.
- (2) A person shall not fail to comply with a notice served on him or her under subsection (1).

Maximum penalty: 5 penalty units.

**25 Appeal against removal of name from register**

- (1) A person whose name has been removed from the register or whose registration has been suspended under section 22 may appeal to the Supreme Court against the decision of the board.

- (2) The board shall be the respondent on the appeal.
- (3) The appeal shall be in the nature of a rehearing, but the Supreme Court may have regard to material that was before the board.
- (4) If the Supreme Court allows the appeal, the board shall forthwith cause the original registration of the appellant to be restored and shall either return the certificate of registration to the appellant, or, if the certificate of registration has been cancelled, cause a new certificate of registration to be issued to the appellant as from the date of his or her original registration.

## **26 Application for re-registration**

If the name of a person has been removed from the register under section 22, the person may apply for re-registration, but is not entitled to be again registered unless the board in its absolute discretion considers appropriate to authorise the re-registration.

## Part 4                      The conduct of architectural practice

### 28      **Unauthorised representation as architect**

A person other than a registered architect shall not take or use, either alone or in combination with any other words or letters, the title of 'architect' or 'architectural practitioner' or a name, title, addition or description (including initials or letters placed after his or her name) indicating or implying that the person is an architect (other than a landscape architect, naval architect or golf course architect).

Maximum penalty: 30 penalty units.

### 29      **Administration of estate of deceased architect**

On the death of a registered architect who was at the time of the death carrying on business as an architect, an executor, administrator or trustee of his or her estate may continue the business for a period of 2 months or for any longer period permitted by the board if the practice of architecture in the business is carried on by a registered architect who is the holder of a current practising certificate.

### 30      **Architect not to practise without practising certificate**

- (1) A person shall not carry on the practice of architecture (other than landscape architecture, naval architecture or golf course architecture) in the ACT on his or her own account or in partnership with another person unless the person holds a current practising certificate.

Maximum penalty: 50 penalty units.

- (2) Subsection (1) shall be deemed to have come into operation on the date of commencement of the *Architects Act (No 2) 1974*.

## Part 5 Miscellaneous

### 31 Power to summon witnesses

- (1) The chairperson or deputy chairperson of the board may, in writing, summon a person to attend the board at a time and place specified in the summons and then and there to give evidence and produce any books, documents or writings in the person's custody or control that he or she is required by the summons to produce.
- (2) A summons under this section shall be served—
  - (a) by delivering it personally to the person to be served; or
  - (b) by sending it by prepaid registered letter addressed to the person at his or her place of abode or business last known to the chairperson or deputy chairperson; or
  - (c) by leaving it at the person's place of abode or business last known to the chairperson or deputy chairperson with some person apparently an inmate of that place and apparently at least 16 years old.

### 32 Power to examine on oath

A member of the board may administer an oath to a person appearing as a witness before the board, whether the witness has been summoned or appears without being summoned, and the witness may be examined on oath.

### 34 Failure to attend or produce documents

- (1) A person served with a summons to attend the board shall not fail, without reasonable excuse, to attend the board or to produce the books, documents or writings in the person's custody or control that he or she is required by the summons to produce.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (2) It is a defence to a prosecution for failing without reasonable excuse to produce a book, document or writing if the defendant proves that the book, document or writing was not relevant to the matter the subject of the board's proceedings.

### **35 Refusal to be sworn or give evidence**

- (1) A person appearing as a witness before the board shall not refuse to be sworn or to make an affirmation or to answer a question relevant to the proceedings put to him or her by a member of the board.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

- (2) A statement or disclosure made by a witness to the board is not, except in proceedings for an offence against section 38, admissible in evidence against the witness in civil or criminal proceedings in a court.

### **36 Protection of witnesses**

A witness before the board has the same protection as a witness in a matter before the Supreme Court.

### **37 Witness fees and travelling expenses**

- (1) This section applies to a person (the *witness*) who attends a hearing of the board to give evidence (whether voluntarily or under a summons).
- (2) The witness is entitled to receive the fees and travelling expenses that the presiding member directs in accordance with the scale and conditions applying to people who attend as witnesses before the Supreme Court.

*Note* For the Supreme Court scale, see *Supreme Court Rules*, sch 4, pt 4.8.

- (3) The fees and expenses are payable by—
- (a) if the witness attended at the request of the chairperson or deputy chairperson or a public servant—the Territory; or

- (b) in any other case—the person who requested the attendance of the witness.

### **38 False testimony**

A witness before the board shall not knowingly give false testimony.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

### **39 Board may inspect books etc**

The board may inspect books, documents or writings before it, and may keep them for the reasonable period it considers appropriate and may make copies of the parts of them that are relevant to a matter before the board.

### **40 Determination of fees**

- (1) The Minister may, in writing, determine fees for this Act.

*Note* The *Legislation Act 2001* contains provisions about the making of determinations and regulations relating to fees (see pt 6.3).

- (2) A determination is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the *Legislation Act 2001*.

### **41 Approved forms**

- (1) The board may, in writing, approve forms for this Act.

*Note* For other provisions about forms, see *Legislation Act 2001*, s 255.

- (2) If the board approves a form for a particular purpose, the approved form must be used for that purpose.

- (3) An approved form is a notifiable instrument.

*Note* A notifiable instrument must be notified under the *Legislation Act 2001*.



## 42 Regulation-making power

- (1) The Executive may make regulations for this Act.

*Note* Regulations must be notified, and presented to the Legislative Assembly, under the *Legislation Act 2001*.

- (2) The regulations may also prescribe offences for contraventions of the regulations and prescribe maximum penalties of not more than 10 penalty units for against the regulations.

## Endnotes

1 About the endnotes

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## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

### 2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	prov = provision
exp = expires/expired	pt = part
Gaz = Gazette	r = rule/subrule
hdg = heading	reg = regulation/subregulation
IA = Interpretation Act 1967	renum = renumbered
ins = inserted/added	reloc = relocated
LA = Legislation Act 2001	R[X] = Republication No
LR = legislation register	RI = reissue
LRA = Legislation (Republication) Act 1996	s = section/subsection
mod = modified / modification	sch = schedule
No = number	sdiv = subdivision
num = numbered	sub = substituted
o = order	SL = Subordinate Law
om = omitted/repealed	<u>underlining</u> = whole or part not commenced or to be expired

### 3 Legislation history

This Act was originally a Commonwealth ordinance—the *Architects Ordinance 1959 No 3* (Cwlth).

The *Australian Capital Territory (Self-Government) Act 1988* (Cwlth), s 34 (4) converted most former Commonwealth ordinances in force in the ACT into ACT enactments. This allowed the ACT Legislative Assembly to amend and repeal the laws. This Act was converted into an ACT enactment on 11 May 1989 (self-government day).

As with most ordinances in force in the ACT, the name was changed from *Ordinance* to *Act* by the *Self-Government (Citation of Laws) Act 1989 No 21*, s 5 on 11 May 1989 (self-government day).

#### Commonwealth legislation

##### **Architects Act 1959 No 3**

notified 2 April 1959

commenced 1 October 1959 (Cwlth Gaz 1959 p 3298)

as amended by

##### **Ordinances Revision (Decimal Currency) Ordinance 1966 No 19 (as am by Ordinances Revision (Decimal Currency) Ordinance 1967 No 36)**

notified 23 December 1966

commenced 23 December 1966

##### **Ordinances Revision (Decimal Currency) Ordinance 1967 No 36**

notified 30 November 1967

commenced 23 December 1966 (s 2)

*Note* This ordinance only amends the *Ordinances Revision (Decimal Currency) Ordinance 1966 No 19*

##### **Architects Ordinance 1967 No 37**

notified 7 December 1967

commenced 7 December 1967

##### **Architects Ordinance 1970 No 9**

notified 5 March 1970

commenced 5 March 1970

## Endnotes

3 Legislation history

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**Architects Ordinance (No 2) 1970 No 19**

notified 25 June 1970  
commenced 25 June 1970

**Architects Ordinance 1971 No 21**

notified 23 September 1971  
commenced 23 September 1971

**Architects Ordinance 1973 No 5**

notified 22 February 1973  
commenced 22 February 1973

**Architects Ordinance 1974 No 2**

notified 26 February 1974  
commenced 26 February 1974

**Architects Ordinance (No 2) 1974 No 45**

notified 22 October 1974  
commenced 22 October 1974

**Ordinances Revision (Age of Majority) Ordinance 1974 No 47**

notified 24 October 1974  
commenced 1 November 1974

**Architects (Amendment) Ordinance 1976 No 44**

notified 13 September 1976  
commenced 13 September 1976

**Ordinances Revision (Remuneration) Ordinance 1976 No 61**

notified 16 November 1976  
commenced 16 November 1976

**Architects (Amendment) Ordinance 1978 No 7**

notified 21 February 1978  
commenced 21 February 1978

**Ordinances Revision (Administrative Arrangements) Ordinance 1978 No 11**

notified 11 May 1978  
commenced 11 May 1978

**Ordinances Revision Ordinance 1978 No 46 sch 2**

notified 28 December 1978  
commenced 28 December 1978

**Architects (Amendment) Ordinance 1982 No 66**

notified 18 August 1982  
commenced 18 August 1982

**Architects (Amendment) Ordinance 1983 No 33**

notified 29 September 1983  
commenced 1 October 1983

**Architects (Amendment) Ordinance 1988 No 58**

notified 7 September 1988  
commenced 7 September 1988

**Self-Government (Consequential Amendments) Ordinance 1989 No 38 sch 1**

notified 10 May 1989 (Cwlth Gaz 1989 No S160)  
s 1, s 2 commenced 10 May 1989 (s 2 (1))  
sch 1 commenced 11 May 1989 (s 2 (2) and see Cwlth Gaz 1989 No S164)

**Remuneration (Miscellaneous Amendments) Ordinance 1989 No 50 sch**

notified 10 May 1989 (Cwlth Gaz 1989 No S160)  
commenced 10 May 1989

**Legislation after becoming Territory enactment****Statute Law Revision (Miscellaneous Provisions) Act 1992 No 23 sch 1**

notified 4 June 1992 (Gaz 1992 No S71)  
commenced 4 June 1992

**Statute Law Revision (Miscellaneous Provisions) Act 1993 No 1 sch 1**

notified 1 March 1993 (Gaz 1993 No S23)  
commenced 1 March 1993

**Mental Health (Consequential Provisions) Act 1994 No 45 sch**

notified 7 September 1994 (Gaz 1994 No S177)  
s 1, s 2 commenced 7 September 1994 (s 2 (1))  
sch commenced 6 February 1995 (s 2 (2) and see Gaz 1995 No S33)

## Endnotes

3 Legislation history

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**Statutory Offices (Miscellaneous Provisions) Act 1994 No 97 sch pt 1**

notified 15 December 1994 (Gaz 1994 No S280)  
s 1, s 2 commenced 15 December 1994 (s 2 (1))  
sch pt 1 commenced 15 December 1994 (s 2 (2) and Gaz 1994  
No S293)

**Annual Reports (Government Agencies) (Consequential Provisions)  
Act 1995 No 25 sch**

notified 5 September 1995 (Gaz 1995 No S212)  
commenced 5 September 1995 (s 2)

**Remuneration Tribunal (Consequential Amendments) Act 1997 No 41  
sch 1 (as am by Act 2002 No 49 amdt 3.222)**

notified 19 September 1997 (Gaz 1997 No S264)  
commenced 24 September 1997 (s 2 as am by Act 2002 No 49  
amdt 3.222)

**Legal Practitioners (Consequential Amendments) Act 1997 No 96  
sch 1**

notified 1 December 1997 (Gaz 1997 No S380)  
s 1, s 2 commenced 1 December 1997 (s 2 (1))  
sch 1 commenced 1 June 1998 (s 2 (2))

**Statute Law Revision (Penalties) Act 1998 No 54 sch**

notified 27 November 1998 (Gaz 1998 No S207)  
s 1, s 2 commenced 27 November 1998 (s 2 (1))  
sch commenced 9 December 1998 (s 2 (2) and Gaz 1998 No 49)

**Legislation (Consequential Amendments) Act 2001 No 44 pt 22**

notified 26 July 2001 (Gaz 2001 No 30)  
s 1, s 2 commenced 26 July 2001 (IA s 10B)  
pt 22 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

**Statute Law Amendment Act 2002 No 30 pt 3.4**

notified LR 16 September 2002  
s 1, s 2 taken to have commenced 19 May 1997 (LA s 75 (2))  
pt 3.4 commenced 17 September 2002 (s 2 (1))

**Statute Law Amendment Act 2002 (No 2) No 49 amdt 3.222**

notified LR 20 December 2002

s 1, s 2 taken to have commenced 7 October 1994 (LA s 75 (2))

amdt 3.222 commenced 24 September 1997 (s 2 (3))

*Note* This Act only amends the Remuneration Tribunal  
(Consequential Amendments) Act 1997 No 41.

**4 Amendment history****Commencement**

s 2 om 2001 No 44 amdt 1.238

**Parts**

s 3 am 1973 No 5; 1974 No 2  
om 1974 No 45 s 2

**Definitions for Act**

s 4 def **board** ins 1993 No 1 sch 1  
def **chairman** ins 1993 No 1 sch 1  
def **deputy chairperson** ins 1993 No 1 sch 1  
def **Minister** om 1978 No 46 sch 2  
def **register** ins 1993 No 1 sch 1  
def **registrar** ins 1974 No 45 s 3  
sub 1994 No 97 sch pt 1  
def **the board** om 1993 No 1 sch 1  
def **the chairman** om 1993 No 1 sch 1  
def **the register** om 1993 No 1 sch 1

**The board**

s 5 am 1978 No 11; 1989 No 38 sch 1

**Members of board**

s 6 am 1978 No 7; 1993 No 1 sch 1; 1996 No 51

**Tenure of office**

s 7 am 1978 No 7

**Remuneration and allowances**

s 8 am 1971 No 21  
sub 1976 No 61; 1989 No 50 sch  
om 1997 No 41 sch 1

**Acting appointments**

s 11 sub 1992 No 23 sch 1

**Calling meetings of board**

s 12 am 1993 No 1 sch 1

**Procedure at meetings**

s 13 am 1993 No 1 sch 1

## Endnotes

### 4 Amendment history

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#### **Registrar**

s 13A ins 1974 No 45 s 4  
am 1989 No 38 sch 1  
sub 1994 No 97 sch pt 1

#### **How registration effected**

s 15 am 1966 No 19 (as am by 1967 No 36); 1974 No 2; 1982  
No 66; 1983 No 33; 1992 No 23 sch 1; 1993 No 1 sch 1;  
2001 No 44 amdt 1.239

#### **Persons entitled to apply for registration**

s 16 am 1974 No 47; 1988 No 58; 1993 No 1 sch 1; 2001 No 44  
amdt 1.240, amdt 1.241

#### **Board may authorise registration**

s 16A ins 1988 No 58

#### **Appeal against refusal by board to register person**

s 17 am 1992 No 23 sch 1; 2002 No 30 amdt 3.33

#### **Proof of registration**

s 18 am 1993 No 1 sch 1

#### **Practising certificate**

s 18A ins 1974 No 2  
am 1982 No 66; 1983 No 33; 1993 No 1 sch 1; 2001 No 44  
amdt 1.242

#### **Fraudulent applications for registration and practising certificate**

s 19 am 1966 No 19; 1974 No 2; 1993 No 1 sch 1; 1998 No 54 sch

#### **Change of address to be notified**

s 20 am 1966 No 19; 1993 No 1 sch 1; 1998 No 54 sch

#### **Alteration of register**

s 21 am 1993 No 1 sch 1

#### **Cancellation of registration**

s 22 am 1988 No 58; 1992 No 23 sch 1; 1993 No 1 sch 1; 1994  
No 45 sch

#### **Inquiry to be held**

s 23 am 1989 No 38 sch 1; 1993 No 1 sch 1; 1997 No 96 sch 1

#### **Surrender of certificates on removal of names from register**

s 24 am 1966 No 19; 1974 No 2; 1992 No 23 sch 1; 1993 No 1 sch  
1; 1998 No 54 sch

#### **Appeal against removal of name from register**

s 25 am 1992 No 23 sch 1; 1993 No 1 sch 1; 2002 No 30 amdt 3.34

#### **Application for re-registration**

s 26 am 1992 No 23 sch 1



**Collection of fees**

s 27 am 1983 No 33  
om 2001 No 44 amdt 1.243

**Unauthorised representation as architect**

s 28 am 1966 No 19; 1971 No 21; 1974 No 2; 1992 No 23 sch 1;  
1998 No 54 sch

**Administration of estate of deceased architect**

s 29 am 1974 No 2; 1992 No 23 sch 1; 1993 No 1 sch 1

**Architect not to practise without practising certificate**

s 30 om 1973 No 5  
ins 1974 No 2  
am 1974 No 45 s 5; 1992 No 23 sch 1; 1998 No 54 sch

**Affirmation in lieu of oath**

s 33 om 1993 No 1 sch 1

**Failure to attend or produce documents**

s 34 am 1966 No 19; 1993 No 1 sch 1; 1998 No 54 sch

**Refusal to be sworn or give evidence**

s 35 am 1966 No 19; 1992 No 23 sch 1; 1993 No 1 sch 1; 1998  
No 54 sch

**Witness fees and travelling expenses**

s 37 sub 1967 No 37  
am 1970 No 9; 1970 No 19; 1989 No 38 sch 1; 1992 No 23  
sch 1; 1993 No 1 sch 1  
sub 2002 No 30 amdt 3.35

**False testimony**

s 38 am 1993 No 1 sch 1; 1998 No 54 sch

**Annual report**

s 39A ins 1976 No 44  
om 1994 No 25 sch

**Power of Minister to determine fees**

s 39B ins 1983 No 33  
om 2001 No 44 amdt 1.244

**Determination of fees**

s 40 am 1966 No 19; 1983 No 33; 1989 No 38 sch 1; 1993 No 1  
sch 1; 1998 No 54 sch  
sub 2001 No 44 amdt 1.244

**Approved forms**

s 41 ins 2001 No 44 amdt 1.244

**Regulation-making power**

s 42 ins 2001 No 44 amdt 1.244

## Endnotes

5 Earlier republications

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### 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	Ord 1989 No 38	31 May 1991
2	Act 1993 No 1	1 March 1993
3	Act 1994 No 97	6 February 1995
4	Act 1998 No 54	31 January 1999
5	Act 2001 No 44	30 April 2002
6	Act 2002 No 30	24 September 2002

Authorised when accessed at [www.legislation.act.gov.au](http://www.legislation.act.gov.au) or in authorised printed form

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