



Australian Capital Territory

# Architects Regulations 2004

Subordinate Law SL2004-23

made under the

*Architects Act 2004*

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## Part 1 Preliminary

### 1 Name of regulations

These regulations are the *Architects Regulations 2004*.

### 2 Dictionary

The dictionary at the end of these regulations is part of these regulations.

*Note 1* The dictionary at the end of these regulations defines certain terms used in this Act.

*Note 2* A definition in the dictionary applies to the entire regulations unless the definition, or another provision of the regulations, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

### 3 Notes

A note included in these regulations is explanatory and is not part of these regulations.

*Note* See Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

## Part 2 Registration

### 4 Prescribed qualifications for registration—Act, s 8 (2) (a) (i)

A qualification mentioned in schedule 1 is prescribed.

### 5 Details in register—Act, s 11 (2)

The following details are prescribed in relation to a registered architect:

- (a) full name;
- (b) business phone and fax number and email address (if any);
- (c) business address;
- (d) if the architect's registration is conditional—each condition on the registration;
- (e) details of any suspension of registration;
- (f) details of any cancellation of registration;
- (g) details of any disqualification from being registered;
- (h) if the architect is, or has been, a nominee—
  - (i) the name of each firm for which the architect is or was a nominee;
  - (ii) whether the architect is or was the primary nominee or not;
  - (iii) the date when the architect became the nominee;
  - (iv) the date (if any) when the architect stopped being the nominee.

**6 Use of terms not pretending registration—s 57 (2)**

The Act, section 57 (1), does not apply to the use of the following terms:

- (a) landscape architect;
- (b) naval architect;
- (c) computer systems architect.

**7 Use of *architectural*—Act, s 57 (2)**

- (1) The Act, section 57 (1) does not apply to the use of the term *architectural* by a person who carries on a business that supplies goods in relation to architecture to indicate that the person carries on that business.
- (2) The Act, section 57 (1) does not apply to the use of the following terms by an employee of a registered architect to describe the employee:
  - (a) architectural assistant;
  - (b) architectural technician;
  - (c) architectural drafter.

**8 Use of *architect* and *registered architect*—Act, s 57 (2)**

- (1) The Act, section 57 (1) does not apply to the use of the terms *architect* and *registered architect* by an interstate architect if—
  - (a) the use of the term is accompanied by something that indicates the local jurisdiction where the architect is registered; and
  - (b) before the use, the architect told the architects board in writing that the architect would be using the term in the ACT.

(2) In this regulation:

*interstate architect* means an architect who—

- (a) is registered (however described) in a local jurisdiction; and
- (b) is normally resident in that jurisdiction.

**9 Use of term describing architectural qualification—Act, s 57 (2)**

The Act, section 57 (1) does not apply to the use by a person of a term describing an architectural qualification held by the person.

**10 Nominations for architects board member**

(1) Within the prescribed period for the appointment of an architects board member, the registrar must publish a notice in a daily ACT newspaper—

- (a) asking for registered people to nominate themselves for appointment as an architects board member (a *new member*); and
- (b) stating that only registered people may nominate; and
- (c) stating the date for close of nominations (the *close date*);
- (d) stating the information required for nomination.

(2) The date stated for close of nominations must be not less than 2 weeks after the day the notice is published.

(3) A nomination must—

- (a) be in writing, signed by the nominee; and
- (b) include the following:
  - (i) the nominee's contact details;
  - (ii) the nominee's registration number;

- (iii) a brief description of the nominee's experience as a registered architect in the ACT.
- (4) The registrar must tell each nominee whether his or her nomination was received before the close date as soon as practicable after receiving the nomination.
- (5) The Minister must tell each nominee whose nomination was received before the close date in writing about the appointment of the new member.
- (6) In this regulation:
- prescribed period*, for the appointment of an architects board member, means the period starting 7 months before the day the term of the architects board member's appointment ends and ending 6 months before that day.

## Part 3 Miscellaneous

### 11 Definitions for pt 3

In this part:

*architect*—

- (a) means a person registered under the Act; and
- (b) includes—
  - (i) for a complaint—a person who was registered when the thing complained of happened; and
  - (ii) for a disciplinary action—a person who was registered when the contravention happened.

*contravention*, for disciplinary action against an architect, means what the architect did that caused disciplinary action to be taken.

### 12 Information in annual report—Act, s 67

- (1) The architects board's annual report for a financial year must include the following information about complaints:
  - (a) the total number of complaints made in the year;
  - (b) the number of complaints made about architects;
  - (c) the number of complaints made about architects who are not registered;
  - (d) a description of the kinds of complaints made about architects.



- (2) The architects board's annual report for a financial year must include the following information about disciplinary action:
- (a) the name of each architect against whom disciplinary action was taken during the financial year;
  - (b) for each person mentioned in paragraph (a)—
    - (i) the contravention; and
    - (ii) the disciplinary action taken; and
    - (iii) the result of any review of the decision to take disciplinary action.
- (3) The architects board annual report for a financial year must report about other activities undertaken by the architects board.

**Example of board activity**

general advice given to consumers by the architects board

*Note* An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

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## Schedule 1 Prescribed qualifications

(see reg 4)

<b>column 1 item</b>	<b>column 2 issuing institution</b>	<b>column 3 name of higher education award</b>
1	University of Canberra	Bachelor of Architecture
2	University of Sydney	Bachelor of Architecture
3	University of New South Wales	Bachelor of Architecture
4	University of Technology, Sydney	Bachelor of Architecture Diploma of Technology (Architecture)
5	University of Newcastle	Bachelor of Architecture
6	Queensland University	Bachelor of Architecture Master of Architectural Studies
7	Queensland University of Technology General Practice Stream	Bachelor of Architecture Graduate Diploma of Architecture Diploma of Architecture
8	University of Adelaide	Bachelor of Architecture
9	University of South Australia	Bachelor of Architecture Diploma of Technology (Architecture)

<b>column 1 item</b>	<b>column 2 issuing institution</b>	<b>column 3 name of higher education award</b>
10	University of Tasmania	Bachelor of Architecture Graduate Diploma of Architecture Diploma of Architecture
11	University of Melbourne	Bachelor of Architecture Master of Architecture (Coursework) - Option C
12	Royal Melbourne Institute of Technology	Bachelor of Architecture Associate Diploma in Architecture Fellowship Diploma in Architecture
13	Deakin University	Bachelor of Architecture Master of Architecture (Practice)
14	University of Western Australia	Bachelor of Architecture
15	Curtin University of Technology or West Australian Institute of Technology	Bachelor of Architecture Associate in Architecture

## Dictionary

(see reg 3)

*Note 1* The Legislation Act contains definitions and other provisions relevant to this Act.

*Note 2* For example, the Legislation Act, dict, pt 1, defines the following terms:

- ACT
- in relation to
- month
- under.

*Note 3* Terms used in these regulations have the same meaning that they have in the *Architects Act 2004* (see Legislation Act, s 148). For example, the following terms are defined in the *Architects Act 2004*, dict:

- daily ACT newspaper
- local jurisdiction
- registered.

***architects board member*** means a board member mentioned in the Act, section 70 (1) (c).

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## Endnotes

### 1 Making of regulations

These regulations were made as part of the Architects Act 2004 (see A2004-20, s 102 and sch 1).

### 2 Republications of amended laws

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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