

The Architects Act 2008

Significantly Changes how Firms can Provide Architectural Services

While the Architects Act 2008 has no requirement for a firm to register with the Board before it starts to offer and provide architectural services, Section 13(2) of the Act requires an architect to supervise the offering and provision of architectural services. This includes supervising the promotion and marketing of architectural services, including architectural proposals.

Before an Architect can start supervising a firm, the Board's Code of Ethics requires the supervising architect to:

- Notify the Board in advance before supervising a firm, and immediately notify the Board when supervision ceases.
- Be an employee or a contract employee of the firm he/she chooses to supervise.
- Limit the supervision to only one firm at a time, plus any associated companies.
- Refrain from providing services or supervision to any firm who has contravened Section 13(2) of the Act within the last 6 months.

The supervising architect must also provide the Board with a Certificate of Insurance for the firm.

An architect who stamps documents for a firm that is offering and providing architectural services must ensure the name of the firm appears alongside the architect's stamp and the firm is identified as the *Architectural Consultant*. No other firm name can appear on stamped documents that could be misconstrued as being a provider of architectural services unless the firm also employs a supervising architect.

A firm who employs architects need to ensure at least one architect assumes responsibility for supervising the firm's practise of architecture and he/she has notified the Board accordingly. Firms are also encouraged to understand which types of architectural documents must contain an Architect's stamp.

An architect who works for a firm also needs to ensure at least one architect has been appointed to supervise the practise.

A firm who offers or provides architectural services without first employing a supervising architect is subject to a fine of \$25,000 for the first offence and up to \$100,000 for subsequent offences. In turn, an architect who supervises a firm without notifying the Board in advance or who stamps documents of a firm without identifying it as the *Architectural Consultant* is subject to a disciplinary hearing.

For the exact wording contained in the Architects Act 2008 and the Regulations, download copies by going to www.gov.nl.ca and clicking on *House of Assembly*, then *Legislation*, then *Table of Public Statues* and *Table of Regulations*. To download a copy of the Code of Ethics, go to the Board's web site.



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