

C O N S T R U C T I V E W O M E N I N C

The Association of Women Architects, Landscape Architects, Planners, Engineers and Women of the Building Industry

Submission on Architects Act Legislation Guidelines by Constructive Women

Received
7/7/97

Since its inception in 1983, Constructive Women has grown to represent the majority of women who are registered as architects.

One of its objectives is to take an active role in monitoring, contributing, and commenting on the profession of architecture, as well as other related matters within the building and construction industry.

On behalf of Constructive Women, this submission has been prepared by:

Anne Colville, B.Arch. (Melb), F.R.A.I.A.
Grad. Dip. Industrial Design (UNSW)

Alison Rose, B.Arch. (Auck), R.A.I.A.

A detailed response to the Issues paper, June 1997 - "Review of the Architects Act 1921" follows by comment on the discussion points raised.

Discussion Point 1.

We agree with the Board's mission statement, particularly item 1.

Discussion Point 2.

If architects were left only with membership of the Institute to define their abilities, then the Institute would have to take over the role of the board, and arrange examinations, etc. This is not really appropriate because the role of the Institute is to represent architects in the community.

Discussion Point 3.

The point here is that the public are not able to distinguish between the service of an architect and those offering "architectural services". The members of Constructive Women who practice in the "home building" section of the profession all have many examples of work done by designers offering architectural services with disastrous results. One example is enclosed with a newspaper article on the same subject.

Discussion Point 4.

The Institute has been promoting “*Archicentre*” (it’s home building service) for many years. This does not protect the person who thinks they have an architect because a designer has told them he/she offers “*architectural services*”

Discussion Point 5.

This is a personal comment by Anne Colville.

I deal with surveyors nearly every day of the week and this is the first time I’ve heard that the phrase “*registered surveyor*” is restricted by legislature and the word “*surveyor*” is not. I believe that if I didn’t know, then a member of the general public would be much less likely to know and would therefore not be adequately protected. I know what to expect from a surveyor and so can recognise the expertise necessary, however the general public cannot know.

It is important to repeat that the experience of all those architects who work in the home section of the profession repeatedly hear from clients who have not recognised the difference between the services of an architect and architectural services offered by a designer (see examples, discussion point 3.)

Discussion Point 6.

The Fair Trading Act requires people to be honest in their CVs.

The Trade Practices Act prohibits restrictive trade practice.

The Building Code of Australia sets building standards for safety and health.

None of these acts or codes protects the public against bad design with its penalties to the community in relation to unsustainable design, and cost to the community (particularly in regard to environmental issues).

There is more to architectural design than all of these issues. For example, concepts such as “*spatial relationships*” and “*considerations of proportion*”, and the study of *Environmental issues*, are an integral part of the study of architecture.

Discussion Point 7.

The home building of the market will definitely suffer a significant disadvantage if they have difficulties in determining whether a firm is capable of providing architectural services.

The average home builder only builds a home or alters one once or twice in a lifetime, which is not often enough to become familiar with the process of selecting the right person to do work *by trial and error*.

Discussion Point 8.

As long as all the work that goes out is under is under control of an architect, it would seem that that firm could offer architectural services but not be a firm of architects.

Discussion Point 9.

It is agreed the term *Chartered Architect* is confusing and should be abandoned.

Discussion Point 10.

The age restriction is indeed redundant.

Discussion Point 11.

As long as removal from the register is retained there is no need to include "*fame and character*" in the Act (it belongs to Dickens' era).

Discussion Point 12.

No.

Discussion Point 13.

Yes. The registration of architects is the best way on ensuring public confidence.

Discussion Point 14.

There should only be one registration category but it should include a minimum two years experience and practical examination. There is no cost to the community as it is paid for by architects.

Discussion Point 15.

Belonging to the Institute is not obligatory. There are many architects who are registered but do not belong. The role of the Institute is to monitor the profession and represent architects in ongoing matters, for example, "*security for payment*" discussions. They also look to improving the performance of members by PD activities. This allows the public to distinguish between a registered architect and a registered architect who also belongs to the Institute. The registered architect however should have to do compulsory PD as well to keep abreast of current issues.

Discussion Point 16.

The Institute continues to monitor the courses.

Discussion Point 17.

see comments for single architects - discussion point 3

Discussion Point 18.

What costs to the community? Architects currently meet the costs of the Board of Architects. It would be very useful if there was a database linking architects to the organisations they work for.

Discussion Point 19.

- a) No
- b) No
- c) Yes
- d) The problem with insurance protecting consumers is that something has to go *wrong* before it is useful. Surely we should protect the consumer so they don't need to rely on insurance.

Discussion Point 20.

Despite the comment on Discussion Point 19, P.I.I. should be compulsory. Any professional Indemnity Insurance should be related to the actual work that architects do. Currently P.I.I. is related to fees gained and this is good, however categories of P.I.I. need to be included for temporary retirement, for example, women having children.

Discussion Point 21.

No comment.

Discussion Point 22.

It is agreed that the Board's proposals are satisfactory.

Discussion Point 23.

Currently there is no avenue for complaints against non architect providers of "*architectural services*" (except as explained before, to the architects working in the home building field)

The only complaint avenues now are for practical problems dealt with by example by Consumer Affairs. This may result in some monetary penalty, but the same person can commit the same action in the future without penalty. This leads to the need for a Building Professionals Act of some sort (not to be confused with the Architects Act).

Discussion Point 24.

It is important that complaints against an architect be heard by a tribunal which has at least one architect member.

Discussion Point 25.

Yes.

Discussion Point 26.

The proposal to increase to 11 is O.K.

Discussion Point 27.

It is understood that many architects practice interstate. The current arrangement seems to work well.

Discussion Point 28.

This is one of the major reasons for the need for an Architects Act.

Notwithstanding all previous discussion, we understand that up to 20% of the work of architects is done offshore. Without registration this work would cease.

Constructive Women have many overseas architects in our membership. The work that Australian architects do overseas not only employs architects but spreads to all facets of the building industry, and adds considerably to our export industry.

In conclusion Constructive Women support the position of the Royal Australian Institute of Architects and generally endorse the Architects Act in Australian Legislative Guidelines - November 1992.

We believe that the public needs to be able to identify those *"whose education, training skills and integrity are of sufficient standard to provide an acceptable level of professional services to the public"*.

We think that a Building Professionals act should be created, whereby all of those people working in the design professions can be registered, and covered by P.I.I. This Act would be separate from the Architects Act.

Non architects can become architects when they satisfy the compulsory standards and pass the Board's examination.

Overseas work, which we understand forms 20% of the work of Australian architects, leads to export of not only expertise but also building products and is contingent on maintenance of the registration of architects.

Anne Colville



Alison Rose

