



## FAX COVER SHEET

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**DATE:** June 5, 2000                      **TIME:** 17:26  
**TO:** Productivity Commission              **FAX:** (03) 96532302  
**FROM:** Fayek Azer  
**RE:** Productivity Commission Draft Report- review of legislation regulating the Architectural Profession

**Number of pages including cover sheet: 2**

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### SUBMISSION TO THE REVUE OF LEGISLATION REGULATING THE ARCHITECTURAL PROFESSION

Dear Sir

I am writing to express my opinion regarding the above mentioned Productivity Commission Draft Report. And the present Legislation regulating the Architectural Profession.

In my view, the deficiencies of the current Legislation and the certification process can be summarised as following:

1. Misinterpretation of the main role of Architects and the absence of adequate criteria within the certification requirements;
2. Preventing many talented architects from competing with the so called "Chartered Architects";
3. The fact that qualified Architects must pass an "Exam" to register means implicitly that architectural qualifications are considered as inadequate;
4. The object of the "Practice Exam" is based on the role of Architect as a "Project Manager; or as a Contract Administrator;
5. The "Practice Exam" is run by "Registered Architects" which may, for obvious reasons, benefit in putting obstacles to prevent new comers from competing with them. (I just wonder how this point was never raised as a serious breach of the Trade Practice Act, and the Fair Trading Act!)
6. The certification procedure does not allow for the needed protection against examiners which may be tempted to exercise impartiality, injustice and discrimination;
7. The certification process does not allow for accountability of organisations such as the Board Architects;
8. The basis of the "Practice Exam" attempt to present the Architect as the adequate and the only player capable in administering a building contract "he knows the building more anybody else". In many cases, this turned against Architects as they became more exposed and can be sued for defects and technical problems which doesn't fall within their skills and expertise.

It is obvious that there is a great need for legislation to change. This change isn't needed to keep or increase the AACA, the RAIA and the Board of Architects grip on power, nor to protect a privileged category of architects interest on the expense of non registered Architects and Building Designers.

To place my presented opinion in context, I believe that outlining my personal experience with the present certification process, may highlight not only the deficiencies of the present Legislation, but also how the certification process is applied in the real world. The relevance of mentioning this “**case study**” is due to the fact that many Architects graduated in Australia and overseas, may have suffered injustice in similar ways as myself. I migrated to Australia with my family some twelve years ago,

I hold a Bachelor's Degree and a degree equivalent to Australian Graduate Diploma, in Architecture and Civil-Engineering “Louvain University- Belgium”, I have been studying for eight years in order to obtain my qualifications. When graduated, I had to work two years in an Architects office who had to sign my practical experience's Log Book. After these two years, I was a registered and Chartered Architect in Brussels, Belgium. I have been practicing for a number of years and known as having very good design skills, something which I was able to demonstrate in Australia whenever I was given the opportunity. Despite the fact that the Architects Accreditation Council found that my academic qualification “... **is academically equivalent to the standard required for registration in Australia...**”, in December 1988, last year, I passed the so called “Modified Practice Exam” in the form of Interview as I have had submitted a “Professional Statement” summerising my professional activities and experience during the last **eighteen years**. Surprisingly, I was not only refused registration, but the Board of Architects NSW decided to go even further, they decided that I have to complete a Log Book during one year before passing a written exam which would be followed by another oral exam or interview. submitted a claim the Anti Discrimination Board reporting the irregularities and circumstances surrounding this matter. Without getting into too much details, I wish to highlight that, what has happened can only be possible under a Legislation which does not have a mechanism to prevent prejudice, abuse of power or discrimination.

It is obvious that total deregulation of practicing architecture can be harmful to “Registered Architects” as well as the architectural profession as a whole.. However, I certainly agree that deregulation is far better than the actual Legislation and the associated certification procedures and requirements. The argument that the actual Legislation is “Protecting Consumers interest” is meaningless (By the way Microsoft's Bill Gates) had the same argument but was never able to prove it by facts!

I hope that your final Report can listen to the voice of those skilled, non-registered Architects and designers who may, have a lot to give to this great country but are denied the opportunity to do so.

Fayek Azer

Director

GA ARCHITECTS INTERNATIONAL Pty Ltd      A.C.N.089 060  
266 Suite 91 / 110 Sussex St      Sydney 2000,  
Australia  
Tel: +61 2 9299 9301      Fax: +61 2 9299  
4226  
[www.gaarchitects.com.au](http://www.gaarchitects.com.au)      Email:  
ga@gaarchitects.com.au