

The 13 Guiding Principles were developed by the Alberta Association of Architects' (AAA) Task Forces in consultation with the AAA membership to use in the upcoming negotiations with the provincial government regarding updating the *Architects Act* and *General Regulation*.

AAA Legislation Review

Alberta's *Architects Act* and *General Regulation* is more than 30 years old. In 2012, the Alberta government initiated a review of this legislation, asking the AAA to consider in particular whether our members should have to carry professional liability insurance, and whether the membership should be broadened to include allied professions.

Task Force Work

In response, the AAA created a Legislation Committee and Task Forces to investigate the various aspects of our legislation and its impact on our professions.

The Committee and Task Forces conducted significant research, putting in many volunteer hours to better identify the AAA's position and to examine other professional associations in Alberta, Canada and internationally, to determine current best practices. They have established 13 Guiding Principles for the AAA to take forward and use as the guide when working with the province on the update to our legislation.

Draft summary reports from the Task Forces can be found [here](#).

These reports contain research findings, background and context for the 13 Guiding Principles.

Guiding Principles

The Task Forces' draft recommendations / guiding principles were taken to AAA members for consideration and discussion in fall 2012, then in spring 2013, and finally again in fall 2013. These member dialogues happened in a number of formats: round table discussions, a web-based survey, webinars, AAA website feedback, consultations in Calgary, Edmonton, Lethbridge and Red Deer, online surveys and a minimum of two phone calls to every member.

How Legislation Change Works

Legislation changes (changes made to the *Architects Act*) must be approved by the Legislative Assembly in Alberta, and will only be open to changing again once every seven years.

Regulatory changes are a bit easier to make (regulations deal with smaller detail than legislation), but still require government approval, as well as approval of a majority of voting AAA members.

Bylaw and **policy** changes (even more detailed) can be made by the AAA, when deemed necessary.

Professional Liability Insurance Task Force

Guiding Principle 1

AAA members who are actively practicing architecture or interior design in Alberta should be covered by professional liability insurance, and the firm/corporation should be required to carry professional liability insurance rather than the individual.

Rationale

The *Architects Act* and *General Regulation* grants our professions the privilege of self-governance on the understanding that the AAA will regulate its members' professional activities so as to protect the safety and wellbeing of the public, in the design of buildings.

It follows that if an error or omission of a registered architect or licensed interior designer in the course of practice causes harm or loss to a member of the public, whether a client or not, that person should have access to compensation. The best way to provide this compensation is through professional liability insurance.

Title, Scope and Allied Professions Task Force

Guiding Principle 2

Remove from both the *Architects Act* and the *Alberta Building Code* current exclusion from the requirement for an architect's seal for:

- buildings of assembly, care and detention.
- high-hazard industrial and re-locatable camps.
- residential occupancies that can be clearly demonstrated to require a seal in the interest of public health and safety.

Rationale

In the past 30 years programs, buildings and clients' needs have become more complex. Requiring the stamp/seal of our profession for these types of buildings would result in better protection of the public.

Guiding Principle 3

Have the *Alberta Building Code* adopt the current definition of interior design from the *Architects Act* and *General Regulation*.

Rationale

A consistent definition as described below would more accurately describe the scope of practice for interior design requiring a professional seal. It would also avoid inconsistencies in work that licensed interior designers are allowed to undertake.

Guiding Principle 4

Include language in the *Architects Act* and *General Regulation* that allows for the creation of categories of membership within the regulations, and which may include allied professions.

Guiding Principle 5

Enact regulations that establish categories of AAA membership for architectural technologists and interior design technologists, and prescribe academic qualifications, training requirements, title protection and other conditions respecting their registration.

Rationale

These guiding principles would better provide protection to the public, in that they would hold technologists to AAA membership standards including: the complaints review process; compliance with professional development requirements; and compliance with any other criteria under the *Architects Act* and *General Regulation*.

Practice Review Task Force

Guiding Principle 6

Redefine practice reviews to shift towards a proactive, objectives-based and supportive program based on documented standards and resources.

Rationale

Guiding Principle 6 makes clear that practice reviews should be viewed as positive rather than punitive; as a mechanism that supports the growth and development of members' practices, and highlights the stature of our professions.

Guiding Principle 7

Clarify the roles, responsibilities and authority between the Practice Review Board, Complaints Review Committee and Council to reduce potential legal challenges to AAA decisions.

Rationale

Guiding Principle 7 clarifies which body has the statutory power to do what and when those abilities can be exercised. This will allow the Practice Review Board to fulfil its statutory mandate properly and fully.

Complaints Task Force

Guiding Principle 8

Provide for the ability to publish names and outcomes of a complaint hearing once a final order is made by the Complaints Review Committee and/or Council.

Guiding Principle 9

Hold hearings of the Complaint Review Committee in public. **NOTE: This principle was NOT supported by the membership.**

Guiding Principle 10

Appoint a public representative on the Complaint Review Committee.

Rationale

As a self-regulating body, the AAA has the obligation to publicly disclose information regarding complaints made against AAA members. Guiding Principles 8, 9 and 10 speak directly to that obligation; they promote transparency and openness around both AAA professions and the AAA itself. These three principles would also see the AAA better aligned with other self-regulating professions.

Guiding Principle 11

Develop a consensual Complaint Review Process that would take place as a first stop to result disputes, prior to any hearing of the Complaint Review Committee

Rationale

Guiding Principle 11 would provide for an alternate resolution process where applicable, which would be both beneficial for all parties involved and save time, resources and money required for a traditional complaints review process.

Practice Entities Task Force

Guiding Principle 12

Clarify the organizational relationship between individuals, practice entities, and the AAA.

- In order to offer architectural or interior design services to the public:
 - i. The registered/licensed individual must hold a seal and act through an authorized practice entity; and
 - ii. Every practice entity must be registered, and hold a stamp, regardless of business type.
 - iii. All practice entities shall be subject to the same regulations.
- Clarify and simplify the terminology surrounding certificates, permits and licenses.

Rationale

This Guiding Principle will lead to more clarity around requirements for seals, stamps and around regulations for practice entities and individuals, which in turn will ensure more transparency and thus accountability.

Guiding Principle 13

All registered practice entities meeting the requirements to offer services to the public may use the following protected titles below:

- Architect, Architects, Architecture, Architectural
- Licensed Interior Design, Licensed Interior Designer

Practice entity names must comply with criteria set out by the AAA. The AAA can reject names it finds in conflict with these criteria and withhold registration as a result.

Individual practitioner titles of "Registered Architect" and Licensed Interior Designer" would remain restricted as they are in the current *Architects Act* and *General Regulation*.

Rationale

This will ensure that the public knows any firm using a protected title is authorized to provide architectural or interior design services. But, using the word "may" rather than "must" in this Guiding Principle means that practice entities have greater flexibility in naming, which is increasingly recognized as a positive step in today's business world.