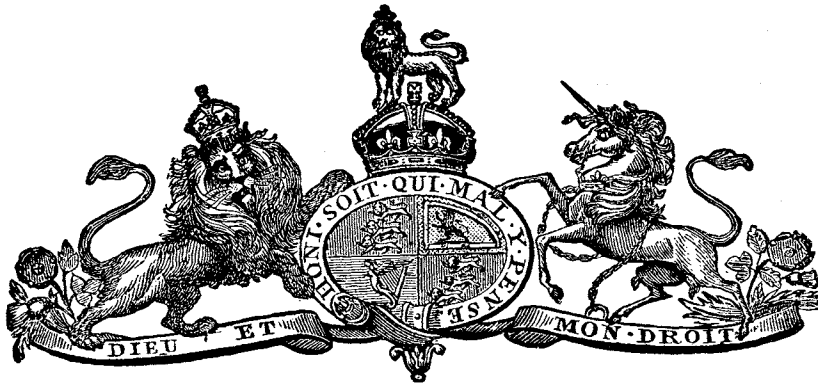


TASMANIA.



1929.

ANNO VICESIMO

GEORGII V REGIS.

No. 42.

AN ACT to provide for the Registration of ^{A.D.}1929.
Architects and to regulate the Practice of
Architecture. [16 *December*, 1929.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

PART I.

PRELIMINARY.

- 1—(1) This Act may be cited as “The Architects Act, 1929.”
(2) This Act shall come into operation on the first day of January,
one thousand nine hundred and thirty.

Short title and
commencement.

Architects.

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Definitions.

2 In this Act—

“ Architect ” means a person registered as an architect in accordance with this Act, but used in relation to any period prior to the commencement of this Act means a person who at the relevant time was carrying on the practice of architecture :

“ Architect ” or “ Architecture ” does not include naval architect or naval architecture :

“ Board ” means the Board of Architects of Tasmania established by this Act :

“ Institute ” means the Tasmanian Institute of Architects or any other Institute which may hereafter be substituted therefor :

“ Member ” means member of the Board :

“ Register ” means the register of architects under this Act :

“ Registrar ” means the Registrar for the time being appointed by the Board under this Act :

“ Student ” means a person receiving instruction and training in architecture as—

- i. An artied pupil or apprentice to an architect practising in this State ;
- ii. An officer of the Public Service of the Commonwealth or of the State ; or
- iii. An employee of any statutory authority constituted for public purposes.

PART II.

THE BOARD.

Establishment of
Board of Archi-
tects of Tasmania.

3—(1) For the purposes of this Act there shall be established a Board, to be called the “ Board of Architects of Tasmania.”

(2) The Board shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name.

Constitution of
Board.

4—(1) The Board shall consist of five members, as follows—

- i. The President for the time being of the Institute :
- ii. Two persons appointed by the Governor : and
- iii. Two persons, who shall be practising architects, elected by the Council of the Institute in the manner prescribed.

(2) The Board from time to time shall elect one of its members as Chairman of the Board, and any four members of the Board shall be a quorum for the conduct of business.

(3) The President for the time being of the Institute shall hold office so long as he is such President, and every other member shall hold office for a term of three years, and shall be eligible for re-appointment or re-election as the case may be.

(4) The Governor may remove any member for neglect of duty, incompetence, dishonourable conduct or other cause which he considers sufficient.

Architects.

(5) If the office of a member becomes vacant during the term for which he is appointed or elected, a member shall be appointed or elected in his place who shall hold office for the remainder of such term. A.D. 1929.

(6) If a member is likely from any cause to be absent from meetings of the Board for more than three months, the Governor may appoint a deputy to act for him during his absence, and such deputy shall have the same powers, rights, and duties as the member in whose place he is appointed.

(8) If at any time the President for the time being of the Institute fails to act as a member, or if the Council of the Institute fails to elect its representatives to the Board within the prescribed time, or if such representatives fail to act as members, the Governor may appoint any person to be a member to fill the vacancy occasioned by any such failure, and any person so appointed shall for all purposes be deemed to have been duly appointed or elected as a member.

(9) Each member shall be paid a fee of Ten Shillings and Sixpence for each meeting of the Board which he attends: Provided that the fees paid to any member during any year shall not exceed Five Guineas.

5 Subject to this Act, the Board shall meet at such times and conduct its business in such manner as the members may decide, or as may be prescribed. Business.

6—(1) The office of a member shall become vacant if he— Vacancies.

- i. Becomes bankrupt or compounds with his creditors:
- ii. Is absent without leave of the Board from three consecutive meetings of which due notice has been given to him either personally or by post:
- iii. Resigns his office by writing under his own hand addressed to the Governor: or
- iv. Is removed from office by the Governor.

(2) The validity of any act or resolution of the Board shall not be affected by any informality or irregularity in its constitution, and a quorum of the Board may exercise all the powers and authority of the Board notwithstanding that the office of a member may be vacant.

7—(1) The Board shall appoint a Registrar, and such other officers as the Board thinks necessary, and may remove any person so appointed, and may pay to any person so appointed such salary or remuneration as the Board thinks fit. Registrar and other officers.

(2) The Registrar shall be charged with the custody of the register.

8—(1) All moneys received by the Board or the Registrar under this Act shall be paid into the funds of the Board. Funds of Board.

(2) The remuneration of the Registrar, and the officers appointed by the Board, and all other expenses of and incidental to the administration of this Act, shall be paid by the Board out of its funds.

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PART III.

REGISTER.

Register
architects

9—(1) There shall be a register of architects to be kept as prescribed.

(2) On payment of the prescribed fee, the Registrar shall enter in the register—

- i. The full name and address of all persons registered as architects :
- ii. The date and description of the qualification in respect of which such registration is granted :
- iii. Such other particulars as may be prescribed.

Architects' roll.

10—(1) The Registrar shall publish in the Gazette, not later than the fourteenth day of February in each year, a copy of the register certified to be correct up to the thirty-first day of December of the preceding year as "The Architects' Roll of Tasmania for the Year ", (with figures added indicating the year in which it is published).

(2) A copy of the Gazette containing such roll shall be evidence in all legal proceedings that the persons mentioned in the roll, and no others, are registered as architects for the year in question.

Registration fee.

11—(1) Every architect shall, on or before the thirty-first day of January in each year, pay to the Registrar the prescribed registration fee in respect of the year commencing on the first day of January in that year.

(2) If any architect fails to pay the prescribed annual registration fee within the time prescribed by subsection (1) hereof or within such further time as the Board in any case may grant, the Board may remove his name from the register.

PART IV.

ARCHITECTS.

Good character
and age.

12 No person shall be entitled to be registered as an architect unless he has attained the age of twenty-one years and satisfies the Board that he is of good fame and character.

Qualification for
registration.

13—(1) Subject to this Act, any person who—

- i. For a period of one year prior to the commencement of this Act has been engaged in this State in the practice of the profession of an architect, and has made application for registration within a period of six months after the commencement of this Act :

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II. Has—

A.D. 1929.

- (a) Completed prior to the commencement of this Act a term of not less than three years as a student articulated to an architect practising in this State ;
- (b) Been a student prior to the commencement of this Act and completes the term of his studentship thereafter ; or
- (c) Completed a term of four years as a—
 - i. Student articulated to an architect practising in this State ; or
 - ii. Student receiving instruction and training otherwise—

and has passed the prescribed examination—

and after the expiration of such term of studentship has been engaged in practical architectural work approved by the Board for a period of one year in the case mentioned in subdivision i. of division (c) hereof, or of two years in any of the cases mentioned in divisions (a) and (b) and in subdivision ii. of division (c) hereof respectively :

- III. Is the holder of a certificate, diploma, degree or licence of competency from any university, college, school, or public institution approved by the Board, and satisfies the Board that he possesses the requisite knowledge and skill for the practice of architecture : or
- IV. Has been engaged for a period of five years in the acquirement of a professional knowledge of architecture to the satisfaction of the Board, and has passed the prescribed examination—

shall be entitled to registration as an architect under this Act.

(2) The Board may permit an application to be made by any person entitled to apply for registration under Paragraph 1. of Subsection (1) of this section after the expiration of the period therein limited if it is satisfied that such person was unable for some sufficient reason to make the application within such period.

14—(1) Every original application for registration shall—

Application for
registration.

- i. Be made to the Board in the prescribed manner :
- ii. Be supported by such evidence as the Board may require :
and
- iii. Be accompanied by the prescribed fee.

(2) Application by an architect whose name is on the roll for renewal of registration may be made to the registrar and shall be accompanied by the prescribed fee.

15—(1) The Board may issue certificates of registration as prescribed. Certificates of

(2) Every such certificate shall remain in force until the thirty-first day of December next after the date on which the same is issued. registration.

Architects.

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Removal from
register.**16—**(1) The Board may remove from the register the name of any person who—

- I. Has died : or
- II. Does not possess the qualifications in respect of which he was registered : or
- III. Is convicted of any crime or of any offence which, if committed within this State, would be a crime : or
- IV. Is guilty of a breach of Subsection (2) of Section Nineteen of this Act.

(2) No such person shall have his name removed from the register—

- I. Until he has been called upon by the Board to show cause against such removal : or
- II. On account of a conviction for an offence which, owing to its trivial nature or to the circumstances under which it was committed, does not render it expedient in the public interest that he should be debarred from practising architecture.

Right of appeal.

17—(1) Any person whose—

- I. Application for registration has been refused on any ground other than that he has not passed the prescribed examination : or
- II. Name has been removed from the register—

by the Board may appeal to a judge of the Supreme Court.

(2) Such appeal shall be in the nature of a rehearing, and the judge may make such order including an order as to costs as he thinks just and an order so made shall be final and without appeal.

(3) The Board shall give effect to every order made under this section.

Restoration of
name.**18—**(1) The Board—

- I. If in any case it thinks fit, may : and
- II. If a judge of the Supreme Court so orders, shall—

restore to the register the name of any person whose name has been removed therefrom.

(2) Such restoration shall be effected—

- I. If the Board so directs, or the judge so orders, without payment of any fee : or
- II. In any other case, upon payment of the prescribed fee.

Prohibited
practices.**19—**(1) No person shall use or publish in connection with architecture, or the practice of architecture, any title, name, words, or letters which indicate that he is qualified for, or entitled to, registration as an architect other than such title, name, words, or letters as truly indicate a qualification which he in fact holds.

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(2) No architect shall accept any commission or substantial service or favour from any person who has contracted to execute or is engaged in the execution of any work in connection with any building designed or supervised by such architect, or from any person who has offered or agreed to supply any materials, fittings or appliances to be used in or in connection with such building. A.D. 1929.

(3) After the expiration of three months after the commencement of this Act, no person other than an architect or a person practising architecture as an officer of the Public Service of the State or of the Commonwealth, or as an employee of any statutory authority constituted for public purposes, shall take or use the name "architect", or any abbreviation thereof, either alone or in conjunction with any other name, title, or business

(4) Any person who commits a breach of any of the provisions of this section shall be liable for each offence to a penalty of Twenty Pounds, and, where the offence is a breach of Subsection (2) of this section, he shall also be liable to have his name removed from the register.

20 Upon the death of an architect the Board may permit his name to remain upon the register, and may authorise his executor, administrator, or trustee to carry on in the name of the deceased architect the practice formerly carried on by him, if and so long as such practice is carried on under the personal superintendence of an architect. Continuation of
name of deceased
architect.

PART V.

MISCELLANEOUS.

21 The Board, for the purposes of this Act, may examine any person on oath, or take a statutory declaration from any person. Power of Board
to examine on
oath.

22—(1) The Board, by notice in writing under the hand of the Chairman, may summon any person to attend before the Board for the purpose of being examined with respect to any matter within the jurisdiction of the Board. Power to summon
witnesses.

(2) Any person duly summoned as aforesaid who does not attend after reasonable expenses have been paid or tendered to him, or refuses to be sworn or to make a statutory declaration, or to answer any lawful question, shall be liable to a penalty of Ten Pounds.

23 The Board, as soon as practicable after the thirty-first day of December in every year, shall publish in the Gazette a statement, made up to that date, showing the receipts and disbursements of the Board during the year ending on that date, certified as correct by the Auditor-General. Board to publish
statement of
receipts and
expenditure.

Architects.

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Evidence.

24—(1) In any proceeding by or on behalf of the Board under this Act, it shall not be necessary to prove the appointment or election of the members, Chairman, or Registrar of the Board.

(2) A copy or extract, certified by the Registrar to be a true copy of, or a true extract from, any register, book, certificate or other official document or record, in the custody of the Board or of any officer of the Board, shall be evidence of the original of which it purports to be a copy or extract, and shall be receivable in evidence to the same extent as the original.

Recovery of penalties.

10 Geo.V. No. 55.

25—(1) All fees payable, and all penalties imposed, pursuant to this Act may be recovered in a summary way upon complaint under the Justices Procedure Act, 1919, and any such complaint may be made at any time within twelve months after the date of the offence or the date when the fee became payable.

(2) The amount of all moneys recovered as aforesaid shall be paid to the Board.

Regulations.

26—(1) The Governor, upon the recommendation of the Board, may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed for giving effect to this Act, and in particular for—

- i. Regulating the appointment and election of members, and the proceedings of the Board :
- ii. Regulating the duties of officers :
- iii. Prescribing what degrees, diplomas, licences, certificates or other documents shall be recognised by the Board :
- iv. Providing for the appointment of examiners and regulating the holding of examinations and prescribing the subjects of and fees for such examinations :
- v. Prescribing fees payable under this Act.

(2) Any such regulation may prescribe a penalty not exceeding Ten Pounds for the breach of any regulation so made.