

**APEC ARCHITECT**

**TRILATERAL ARRANGEMENT  
ON RECIPROCAL RECOGNITION  
OF  
REGISTERED/LICENSED ARCHITECTS IN  
AUSTRALIA, CANADA AND NEW ZEALAND  
TO  
FACILITATE MOBILITY OF ARCHITECTS  
IN THE PROVISION OF  
ARCHITECTURAL SERVICES**



**Asia-Pacific  
Economic Cooperation**

## INDEX

<b>Section Number</b>		<b>Page Number</b>
	<b>The Parties</b>	<b>2</b>
	<b>Introduction</b>	<b>3</b>
<b>1.</b>	<b>Definitions</b>	<b>5</b>
<b>2.</b>	<b>Application of the APEC Architect Framework</b>	<b>6</b>
<b>3.</b>	<b>Purpose of this Arrangement</b>	<b>7</b>
<b>4.</b>	<b>Reciprocal Recognition Provisions</b>	<b>7</b>
<b>5.</b>	<b>Implementation</b>	<b>10</b>
<b>6.</b>	<b>Discipline and Enforcement, Disclosure by an Applicant for Registration/Licensure</b>	<b>10</b>
<b>7.</b>	<b>Immigration and Visa Issues</b>	<b>11</b>
<b>8.</b>	<b>Exchange of Information</b>	<b>11</b>
<b>9.</b>	<b>Consultations</b>	<b>11</b>
<b>10.</b>	<b>Terms of Cooperation under this Arrangement</b>	<b>11</b>
<b>11.</b>	<b>Signatures of Parties</b>	<b>13</b>

**SCHEDULE 1: Canadian Architectural Licensing Authorities**

**ANNEXURE: *APEC Architect Operations Manual 2014***

**The Parties**

**THIS ARRANGEMENT** comes into effect on the 18<sup>th</sup> day of February, 2015.

**AMONG:**

**THE ARCHITECTS ACCREDITATION COUNCIL OF AUSTRALIA**

Suite 1, Level 2, Ethos House, 28-35 Ainslie Ave, ACT 2608, Australia, in the first part

**AND:**

**THE AUSTRALIAN APEC ARCHITECT MONITORING COMMITTEE**

Suite 1, Level 2, Ethos House, 28-35 Ainslie Ave, ACT 2608, Australia, in the second part

**AND:**

**CANADIAN ARCHITECTURAL LICENSING AUTHORITIES**

c/- Architectural Institute of British Columbia, Suite 100 - 440 Cambie Street, Vancouver, British Columbia V6B 2N5, Canada, in the third part

**AND:**

**THE CANADIAN APEC ARCHITECT MONITORING COMMITTEE**

c/- Architectural Institute of British Columbia, Suite 100 - 440 Cambie Street, Vancouver, British Columbia V6B 2N5, Canada, in the fourth part

**AND:**

**THE NEW ZEALAND REGISTERED ARCHITECTS BOARD**

Level 5, 79 Boulcott St, Wellington, New Zealand, in the fifth part

**AND:**

**THE NEW ZEALAND APEC ARCHITECT MONITORING COMMITTEE**

c/- The New Zealand Registered Architects Board, Level 5, 79 Boulcott St, Wellington, New Zealand, in the sixth part.

## Introduction

- A The Architects Accreditation Council of Australia (AACA) is the national organisation responsible for coordinating and advocating national standards for Architects in Australia and for establishing and maintaining mutual recognition agreements with relevant overseas authorities. AACA is composed of representatives of the registration boards of each of the regional jurisdictions, being the states and territories of Australia, and is responsible for facilitating the development of strategies and procedures relating to accreditation and registration of Architects in Australia.
- B The Australian APEC Architect Monitoring Committee is an independent committee established in Australia in accordance with the *APEC Architect Operations Manual* with delegated authority of the Central Council to maintain a section of the APEC Architect Register in Australia and to act as a nominating body for the Central Council.
- C The Canadian Architectural Licensing Authorities (CALA) is a committee representing the eleven provincial and territorial registration/licensing jurisdictions in Canada: Alberta Association of Architects, Architects' Association of New Brunswick / Association des architectes du Nouveau-Brunswick, Architects Association of Prince Edward Island, Architects Licensing Board of Newfoundland and Labrador, Architectural Institute of British Columbia, Manitoba Association of Architects, Northwest Territories Association of Architects, Nova Scotia Association of Architects, Ontario Association of Architects, Ordre des architectes du Québec, Saskatchewan Association of Architects.
- D The Canada APEC Architect Monitoring Committee is an independent committee established in Canada in accordance with the *APEC Architect Operations Manual* with delegated authority of the Central Council to maintain a section of the APEC Architect Register in Canada and to act as a nominating body for the Central Council.
- E The New Zealand Registered Architects Board (NZRAB) is the national organisation responsible for registering, monitoring and, if need be, disciplining architects in New Zealand.
- F The New Zealand APEC Architect Monitoring Committee is an independent committee established in New Zealand in accordance with the *APEC Architect Operations Manual* with delegated authority of the Central Council to maintain a section of the APEC Architect Register in New Zealand and to act as a nominating body for the Central Council.
- G The Parties agree that the primary purpose of this Arrangement is to facilitate APEC Architects to become registered to practise independently in host economies as defined by reference to the *APEC Architects Operations Manual 2014* (the Manual) annexed to this Arrangement and as amended by the Central Council from time to time.
- H The Parties agree that the Canada APEC Architect Monitoring Committee, the Australian APEC Architect Monitoring Committee and the New Zealand APEC Architect Monitoring Committee have been authorised by the APEC Architect Central Council to operate a section of the APEC Architect Register in their respective economies.

- I The Parties acknowledge that each economy shares the recognition that APEC Architects who are on the APEC Architect Register in its economy meet all the requirements for registration/licensure as an Architect in their respective economies in accordance with their mutual commitment to the provisions of the APEC Architect Reciprocal Recognition Framework, subject to the conditions and exceptions set out in this Arrangement.

**AFFIRMING** their common interest in the implementation and ongoing administration of the APEC Architect Framework in their respective economies, **THE PARTIES HAVE AGREED** as follows:

## **1. Definitions**

1.1 The Definitions detailed in the Manual apply in this Arrangement.

1.2 In this Arrangement, unless the contrary intention appears:

*APEC Architect* refers to an Architect whose name appears on the APEC Architect Register in his or her Home Economy;

*Australian Parties* means AACA and the Australian APEC Architect Monitoring Committee;

*Canada Parties* means CALA and the Canada APEC Architect Monitoring Committee;

*New Zealand Parties* means NZRAB and the New Zealand APEC Architect Monitoring Committee;

*Home Economy* means the economy of permanent residence and primary registration/licensure as an Architect;

*Host Economy* means the economy where it is intended to apply for secondary registration/licensure in compliance with this Arrangement;

*The Parties* refers to the Canadian Parties, the Australian Parties and the New Zealand Parties;

*Australian Architect* means a person who is registered by a State or Territory Architects Registration Board under Architects legislation enacted by that State or Territory to use the title "Architect" and to offer services to the public as an Architect;

*Canada Architect* means a person who is registered/licensed as an architect by one or more of the Canadian provincial and territorial regulators responsible for the licensing of architects throughout Canada;

*New Zealand Architect* means a person who is a New Zealand Registered Architect;

*Registration/licensure* means legal registration/licensure as an Architect;

*Regulatory Authority* means the authority responsible for the registration/ licensure of Architects.

## 2. Application of the APEC Architect Framework

- 2.1 The Parties agree that the Manual forms part of this Arrangement.
- 2.2 The Parties agree that the Manual forms the basis upon which:
  - 2.2.1 The reciprocal recognition of Canadian Architects in Australia and New Zealand is to be carried out; and
  - 2.2.2 The reciprocal recognition of Australian and New Zealand Architects in Canada is to be carried out; and
  - 2.2.3 The mobility of Canadian Architects in the provision of architectural services as Australian Architects in Australia and New Zealand Architects in New Zealand is to be facilitated; and
  - 2.2.4 The mobility of Australian and New Zealand Architects in the provision of architectural services as Canadian Architects in Canada is to be facilitated.
- 2.3 The Parties note that this Arrangement does not regulate or limit the registration of Australian Architects in New Zealand and New Zealand Architects in Australia, as this entitlement already exists without assessment in accordance with the Trans-Tasman Mutual Recognition Act 1997.
- 2.4 The Parties note that this Arrangement does not regulate or limit the registration/licensing of Canadian architects in any of the eleven jurisdictions in accordance with the *Reciprocity Agreement* of Canadian Architectural Licensing Authorities (CALA).
- 2.5 The Parties agree that this Arrangement applies to Canadian, Australian and New Zealand Architects whose names appear on the APEC Architect Register of their respective home economies.
- 2.6 The Parties agree that nothing in this Arrangement or the Manual is intended to discriminate against an APEC Architect on the basis of the Architect's place of origin or place of education.
- 2.7 The Parties agree that this Arrangement will not apply to Canadian, Australian or New Zealand Architects:
  - 2.7.1 Whose home economies are other than the Parties' home economies; and
  - 2.7.2 Who have obtained registration/licensure by means of a mutual recognition agreement outside the framework of this Arrangement.

### **3. Purpose of this Arrangement**

- 3.1 The Parties agree that the purpose of this Arrangement is:
- 3.1.1 To facilitate the registration of a Canadian APEC Architect as an Australian Architect or a New Zealand Architect, and the registration/licensing of an Australian APEC Architect or a New Zealand APEC Architect as a Canadian Architect, consistent with the APEC Architect Reciprocal Recognition Framework; and
  - 3.1.2 To set out standards, criteria, procedures and measures which:
    - a) Are assessed against objective and transparent measures, such as professional competence and ability to provide a service; and
    - b) Are not more burdensome than necessary to ensure that the standards of architectural practice are maintained in the Host Economy; and
    - c) Do not constitute an unreasonable restriction on the cross-border provision of any architectural services between Canada and Australia or New Zealand.
- 3.2 The Parties agree that, despite differences relating to the processes for registration or licensing within the three economies, there are significant and substantial equivalencies between the competencies that must be demonstrated for registration and are required to practise in the respective jurisdictions.
- 3.3 The Parties agree to allow those qualified through the APEC Architect Framework to offer professional services in host economies under such circumstances that the health, safety and welfare of the public are protected, the architectural culture and heritage are respected, and the relevant laws or regulations of the jurisdiction are observed in relation to the services performed.

### **4. Reciprocal Recognition Provisions**

- 4.1 Current Registration/Licensure Procedures:
- 4.1.1 In Australia, registration as an Architect is the responsibility of the individual State and Territory Architects Registration Boards with mutual recognition laws in Australia enabling a person registered in an Australian State or Territory to seek and be granted reciprocal registration in any other State or Territory.
  - 4.1.2 In Canada, registration/licensing of Architects is the responsibility of the individual Canadian territorial and provincial regulators responsible for the registration/licensing of architects throughout Canada.



- 4.1.3 In New Zealand, registration as an Architect is the responsibility of NZRAB under the Registered Architects Act 2005.
- 4.2 In Australia, only a person who is registered as an Architect may legally provide architectural services using the title “Architect” or describe himself or herself as an Architect in the State(s) or Territory(ies) in which he or she is registered.
- 4.3 In Canada, only a person who is a Registered/Licensed Architect may legally provide architectural services within the scopes of practice that are restricted to the profession under provincial/territorial law and/or using the title “Architect” or describe himself or herself as a “Registered/Licensed Architect” in the Province(s) or Territory in which he or she is registered/licensed.
- 4.3.1 In some Canadian jurisdictions, registration or authorization for a practice is also required.
- 4.4 In New Zealand, only a person who is registered as an Architect may legally provide architectural services using the title “Architect” or describe himself or herself as a “Registered Architect”.
- 4.5 The Parties agree that the prerequisite for registration/licensure in the host economy pursuant to this Arrangement is to be registered as an APEC Architect in the home economy.
- 4.6 The Parties agree that applicants are entitled to obtain registration/licensure in the host economy by satisfying the following conditions:
- 4.6.1 Registration in Australia:
- a) Be a Canadian APEC Architect, registered/licensed in a province or territory of Canada that is a signatory to Schedule 1 of this agreement.
  - b) Complete an application form, pay the required fee and pass the domain specific assessment required of APEC Architects to be eligible for registration in any state or territory of Australia.
  - c) Agree to:
    - i) Abide by the laws, rules and regulations of the relevant Australian jurisdiction; and
    - ii) Satisfy the requirements to assure continuing competency imposed by the legislation in the relevant Australian jurisdiction; and
    - iii) Observe any ethical code of professional conduct and requirements for ethical standards of behaviour required by the legislation of the relevant Australian jurisdiction; and
    - iv) Provide any information in accordance with 6.2 of this Arrangement.

- d) Complete an application form for registration as required by the relevant Australian jurisdiction and pay the required fee.

#### 4.6.2 Registration/Licensure in Canada:

- a) Be an Australian or New Zealand APEC Architect.
- b) Complete an application form, pay the required fee and pass the domain specific assessment required of APEC Architects for registration/licensure in Canada.
- c) Agree to:
  - i) Abide by the laws, rules and regulations of the relevant Canadian jurisdiction; and
  - ii) Satisfy the requirements to assure continuing competency as imposed by the legislation in the relevant Canadian jurisdiction; and
  - iii) Observe and conform to the ethical standards stipulated in legislation and/or regulations governing architects in the relevant Canadian jurisdiction
  - iv) Provide any information in accordance with 6.2 of this Arrangement.
- d) Complete an application form for registration/licensure and pay the required fee.

#### 4.6.3 Registration in New Zealand:

- a) Be a Canadian APEC Architect, registered/licensed in a province or territory of Canada that is a signatory to Schedule 1 of this agreement.
- b) Complete an application form, pay the required fee and pass the domain specific assessment required of APEC Architects for registration in New Zealand.
- c) Agree to:
  - i) Abide by the laws, rules and regulations of New Zealand;
  - ii) Satisfy the requirements to assure continuing competency; and
  - iii) Conform to the ethical standards required of New Zealand Registered Architects; and
  - iv) Provide any information in accordance with 6.2 of this Arrangement.
- d) Pay the required fee for an annual Certificate of Registration.

- 4.7 The Parties agree that fees for the above process should be reasonable and only cover the costs of assessing the applicant.

- 4.8 The Parties agree that each economy will make its own arrangements for domain specific assessment and make public information as to what will be required from applicants.
- 4.9 Nothing in this Arrangement will preclude an applicant from pursuing registration/licensure in a host economy through the exercise of alternative procedures.

## **5. Implementation**

- 5.1 The Parties agree that cooperation under this Arrangement will commence when:
- 5.1.1 AACA and the Australian APEC Architect Monitoring Committee have signed this Arrangement; and
  - 5.1.2 CALA and the Canadian APEC Architect Monitoring Committee have signed this Arrangement; and
  - 5.1.3 NZRAB and the New Zealand APEC Architect Monitoring Committee have signed this Arrangement.
- 5.2 The Monitoring Committees of the participating economies will exchange information on the number of applicants who have applied pursuant to the terms of this Arrangement annually.
- 5.3 The participating economies resolve to provide each other with regular reports dealing with matters relating to the implementation of this Arrangement, in addition to the information to be provided in accordance with 5.2 of this Arrangement.

## **6. Discipline and Enforcement, Disclosure by an Applicant for Registration/ Licensure**

- 6.1 The Parties recognise that:
- 6.1.1 The Australia state and territory registration authorities are responsible for any appropriate disciplinary action of Architects registered by those state and territory registration authorities including those Architects who have been registered in those states and territories through the APEC Architect framework; and
  - 6.1.2 The Canadian provincial and territorial regulators responsible for the registration/licensure of architects throughout Canada are responsible for appropriate disciplinary action of Architects registered/licensed in Canada including those Architects who have been registered/licensed in Canada through the APEC Architect framework; and

6.1.2 NZRAB is responsible for any appropriate disciplinary action of Architects registered in New Zealand including those Architects who have been registered in New Zealand through the APEC Architect framework.

6.2 The Parties agree that any application for registration/licensure under this Arrangement is required to include information by applicants concerning any previous applications for registration/licensure in the host economy and any sanctions imposed against them related to the practice of being an architect in any other country and any APEC economy. The Parties acknowledge that the information may be considered by the regulatory authority in the host economy as part of the registration/licensure process.

6.3 The Parties agree that any application for registration/licensure in the host economy under this Arrangement is required to include the applicant's written permission to distribute and exchange information regarding sanctions between both economies. The Parties acknowledge that any failure to fully disclose or provide any of the required information may be the basis for denial by a regulatory authority of the application for registration/licensure, or for the imposition of sanctions by a regulatory authority, including revocation of registration/licensure.

## **7. Immigration and Visa Issues**

7.1 The Parties agree that registration/licensure in a host economy does not avoid the need to comply with applicable immigration and visa requirements of the host economy.

## **8. Exchange of Information**

8.1 The Parties agree to notify each other and provide copies of any major changes in policy, criteria, procedures or programs that might affect this Arrangement.

## **9. Consultations**

9.1 The Parties will at all times endeavour to be consistent with each other on the interpretation and implementation of this Arrangement, and will make every effort to resolve any matter that might affect its operation.

9.2 A Party to this Arrangement may request in writing consultations with the other Parties regarding any matter that might affect the operation of this Arrangement. A Party who has received a consultation request should endeavour to reply promptly.

## **10. Terms of Cooperation under this Arrangement**

10.1 The Parties agree that they will, at least every five (5) years, review and update the status of implementation and report on the effectiveness of the Arrangement, and recommend changes where appropriate.

10.2 The Parties agree that cooperation under this Arrangement may be terminated by

any of the Parties by giving to the other Parties at least six (6) months prior written notice. A Party's departure from the Arrangement will not affect the status of any architect who has achieved registration/licensure in a host economy under this Arrangement.

10.3 The Parties agree that cooperation under this Arrangement will be automatically terminated if the Monitoring Committee in any of the participating economies to this Arrangement ceases to be authorised by the APEC Architect Central Council to operate an APEC Architect Register.

10.4 The Parties agree:

10.4.1 That if the AACA and/or the Australian APEC Architect Monitoring Committee seeks to terminate this Arrangement, the Arrangement between the remaining Parties remains valid; and

10.4.2 That if the NZRAB and/or the New Zealand APEC Architect Monitoring Committee seeks to terminate this Arrangement, the Arrangement between the remaining Parties remains valid; and

10.4.3 That if CALA and/or the Canadian APEC Architect Monitoring Committee seeks to terminate this Arrangement with one of the other parties, the arrangement with the remaining Party remains valid; and

10.4.4 That if any provision of this Arrangement is determined to be illegal, invalid, void or voidable, the legality of validity of the remainder of this Arrangement shall not be affected and shall continue in full force and effect.

**11. Signatures of Parties**

**Australia**

SIGNED on the 18<sup>th</sup> day of February, 2015

**The Architects Accreditation Council of Australia**

.....  
(Name)

.....  
(Name)

**Witnessed**

.....  
(Name)

**The Australian APEC Architect Monitoring Committee**

.....  
(Name)

**Witnessed**

.....  
(Name)

**Canada**

SIGNED on the 18<sup>th</sup> day of February, 2015

**The Canadian Architectural Licensing Authorities (CALA), Canada**

.....  
(Name)

**Witnessed**

.....  
(Name)

**The International Relations Committee of the CALA, Canada**

.....  
(Name)

**Witnessed**

.....  
(Name)

**The Canadian APEC Architect Monitoring Committee**

.....  
(Name)

**Witnessed**

.....  
(Name)

**New Zealand**

SIGNED on the 18<sup>th</sup> day of February, 2015

**The New Zealand Registered Architects Board**

.....  
(Name)

**Witnessed**

.....  
(Name)

**New Zealand APEC Architect Monitoring Committee**

.....  
(Name)

**Witnessed**

.....  
(Name)