ARCHITECTURAL INSTITUTE OF BRITISH COLUMBIA

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| **Minutes of:** | AIBC Council |
| **Date:** | 11:30 a.m. to 4:35 p.m., 14 February 2012 |
| **Location:** | AIBC Large Boardroom |
| **Presiding:** | Richards |
| **In Attendance:** | Boswell, Chester, Csutkai, Currie, Gallant, Gillies, Grossman, Hendriks, Kemp, Peddie, Soules, Spiegel, Toole, Werker, Yustin, Zeibin |
| **Staff:** | Becker, Christensen, Ernest, Lutes, Wiebe, Rau, Roberts |
| **Guest:** | Janet Lutz MAIBC, Chair of the Bylaw Review Committee |
| **Regrets:** | Pawson, Toy |

| Item # | Detail |
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## 1.0 Welcome and Call to Order

The meeting was called to order at 11:40 a.m.

1.1. The President introduced and welcomed the LG Appointee to Council, David Toole.

## 2.0 Agenda Acceptance

Upon request, item 4.2 Vision Statements was removed from the consent agenda to allow for discussion and the item relocated to 5.9.

**MOTION 1: That item 6.5 Survey Steering Committee report be moved to the beginning of Section 5.0 Policy.** *(Note: this item was ultimately designated as 5.1.c.)*

**Werker/Chester** **CARRIED**

**MOTION 2: To convene a committee of the whole for discussion of item 5.4 Certification Standards for CAT and CRT.** *(Note: this item was ultimately designated as 5.1.b.)*

**Chester/Werker** **CARRIED**

**MOTION 3: To add an item to the agenda titled "Unfinished Business/New Business".**

**Chester/Werker** **DEFEATED**
In favour: Werker

**MOTION 4: To delete the explanatory text "informal discussion, time permitting" from the heading for section 8.0 Other business/open session.**

**Chester/Werker** **DEFEATED**

**MOTION 5: To invert the order of discussion for items 8.2 Report on council priorities and 8.1 Rules of Order for council meetings.**

**Chester/Csutkai** **DEFEATED**

**MOTION 6: To add as a new item at the beginning of section 5.0 a discussion of pending Bill 18.** *(Ed. note: this item was ultimately designated as 5.1.a.)*

**Chester/Csutkai** **CARRIED**

**MOTION 7: To add as a new item a proposal for planning for council's 2012 strategic planning session by selecting dates and appointing a council steering committee.**

**Chester/Grossman** **DEFEATED**

**MOTION TO ACCEPT THE AGENDA as so amended.**

**Grossman/Gallant** **CARRIED**

Chester raised a point of order: that the agenda is "out of order" because it does not contain "New Business." The point of order was overruled by the chair.

## 3.0 Adoption of the Minutes of Council Meeting 17 January 2012

**MOTION: that, under 3.0 Agenda Acceptance, the rulings on proposed agenda items 8.1 through 8.3 be edited to remove the reasons and to include only the outcome.**

**Hendriks/Csutkai** **DEFEATED**

Rulings from the chair on two other items (a parliamentary inquiry under 3.0 and a motion, not seconded, under 5.4) were clarified.

**MOTION TO ADOPT THE MINUTES of the council meeting 17 January 2012 as amended (clarified).**

**Grossman/Gallant** **CARRIED**

## 4.0 Consent

4.1. Committee changes (at 14 February 2012)
4.2. *(Item relocated to 5.9)*
4.3. Exam Results (at 14 February 2012)
4.4. Register Amendments(at 14 February 2012)

**MOTION: That Council accepts consent items 4.1, 4.3, and 4.4.**

**Gallant/Hendriks** **CARRIED**

## 5.0 Policy

5.1.a Bill 18: topic presented for discussion; there were no resulting motions.

5.1.b Certification Standards for CAT and CRT *(formerly agenda item 5.4)*

**MOTION: To go into committee of the whole.**

**Chester/Werker** **CARRIED**

Vice President Scott Kemp assumed the chair for discussions by the committee of the whole.

Council discussed the outstanding council ruling on certification standards and processes proposed by the Registration Board for the titles Certified Architectural Technologist (designation CAT) and Certified Residential Technologist (designation CRT) as created by council motion 10 May 2011.

Council withdrew from committee of the whole and President Gordon Richards resumed the chair.

*(Note: later in its deliberations Council returned to discussion of 5.4 with the following motion.)*

**MOTION: That Council directs its Associates Resolution Working Group to bring forward recommendations on policy with regard to certification standards and qualifications for the titles Certified Architectural Technologist (designation CAT) and Certified Residential Technologist (designation CRT) to be presented at an April meeting of Council.**

**Kemp/Toole** **CARRIED**

5.1.c Survey Steering Committee report *(formerly agenda item 6.5)*

The Survey Steering Committee presented a preliminary report on the development of a request for proposals as per Council's assignment of this task (see item 5.4 from 17 January 2012.)

5.1. Working Group Reports

The working groups Associates: Resolution and New & Diverse Members each presented a brief verbal report on their activities to date.

The Public Interest | Private Interest working group submitted an interim report on the development of a tool for analysis of the public interest value of policy development and other initiatives.

5.2. Annual policy review: 7.0 Professional Development

Policy series 7.0 received its annual review for currency and consistency with council motions (including the move to a two-year reporting period and a call for term 'registrants' to be reviewed and replaced as appropriate.)

Council directed staff to define the term "CES participant" (by listing architects and those categories of registrant for whom CES compliance is mandatory) at the beginning of each relevant series 7.0 policy and to use the term in those policies as a replacement for the un-defined term "registrants".

**MOTION 1: That in policy 7.2.8 the proposed text within brackets be replaced with "the fine for non-compliance will be the same for all CES participants."**

**Werker/Chester** **CARRIED**

**MOTION 2: That items 7.1.11 and 7.5.8 be deleted from the proposed renewed policies.**

**Werker/Chester** **CARRIED**

**MAIN MOTION: That Council approves updated Professional Development policies 7.1 through 7.5 so amended.**

**Gallant/Spiegel** **CARRIED**

*(Amended policies 7.1 through 7.5 are appended to the minutes.)*

5.3. Annual policy review: 11.0 Registration and Licensing

Policy series 11.0 received its annual review for currency and consistency with council motions (including review and replacement, where appropriate, of the term 'registrant'.)

**Motion:**

**(1) That Council accepts the edited Registration and Licensing policies 11.1, 11.2, 11.3 and 11.5 as submitted.**

**(2) That Council has reviewed and accepts in their current form Registration and Licensing policies 11.4 and 11.6.**

**Spiegel/Kemp** **CARRIED**
Opposed: Chester, Csutkai, Grossman, Werker, Yustin

*(Amended policies 11.1 through 11.6 are appended to the minutes.)*

5.4. *(Item relocated to 5.1.b.)*

5.5. Bylaw Review: report and recommendations

**MOTION 1: That the committee be thanked by Council for their clear and very useful work.**

**Werker/Chester** **CARRIED**

**MOTION 2: That the discussion and motion to accept be done bylaw by bylaw.**

**Werker/Chester** **DEFEATED**

**MOTION 3: That Council include as motions responses to the committee's request for council direction i.e. motions for items 5.4 and 5.5 on page 79 as part of the discussion.**

*(Note: these numbers refer to items under "Conclusions and Next Steps" in the Memorandum of 1 Feb 2012 to Council from the Bylaw Review Committee.)*

**Werker/Chester** **No vote was conducted.**

On behalf of Council (and as per Motion 1, above) the chair thanked the Bylaw Review Committee. The committee's chair Janet Lutz MAIBC was invited to present the committee's work and recommendations to date.

**MOTION 4: To replace the committee's circulated recommendations for Bylaw 10 with a more recent version distributed at the meeting (amended by the committee to more clearly distinguish between titles and designations).**

**Spiegel/Yustin** **CARRIED**

**MOTION 5: To select approach number two of the three submitted by the Bylaw Review Committee for Bylaw 10.**

**Hendriks/Gallant** **CARRIED**

**POINT OF PRIVILEGE:** Chester raised a question about Council's proposed end time for the meeting and the number of items remaining on the agenda.

**MOTION TO EXTEND the meeting of council to 4:30 p.m.**

**Hendriks/Toole** **CARRIED**

**MAIN MOTION: That Council accept the recommendations in the attached memorandum (as amended by motion 5, above); and that any proposed bylaw changes be submitted to the membership for review, consultation and comment prior to any vote that Council may then schedule.**

**Spiegel/Peddie** **CARRIED**

*(The bylaw amendments recommended by Council will be published and distributed to members prior to the 2012 Annual Meeting.)*

**MOTION 7: That Council requests the Bylaw Review Committee to review its terms of reference and come back to Council with a proposal outlining their plans to proceed with further bylaw review accompanied by budget and timeline information.**

**Werker/Toole** **CARRIED**

In view of the time and the presence of interested parties among the meeting observers, Council reviewed the remaining items from the agenda.

**MOTION TO REVISE THE ACCEPTED AGENDA: To discuss item 6.3 Special General Meeting followed by item 5.7 Use of the Professional Seal.**

**Chester/Grossman** **CARRIED**

5.6. Disclosure protocols for council briefing package: submitted for information only; no discussion.

5.7. Use of the professional seal

**MOTION 1: That Council pass new ruling (b) to AIBC Bylaw 34.2 and rules (1) and (2).**

**Moved/Seconded** **CARRIED**

*(The amended rulings to AIBC Bylaw 34.2 are appended to the minutes.)*

**MOTION 2: That Council amends current council policy 6.9.1 to reflect passage of above-noted motion #1.**

6.9.1 Except as required by council ruling (b) and Rules 1 and 2 to Bylaw 34.2 relating to the "use of seal", the Council holds that an MAIBC, who works under contract to, not as an employee of, an architectural firm holding a Certificate of Practice, is not required to have an architectural firm with a Certificate of Practice. Employees of architectural firms are likewise not required to have a Certificate of Practice.

**Kemp/Gallant** **CARRIED**
Opposed: Grossman

5.8. Past President Role, new policy recommendations: not discussed; no vote conducted.

5.9. Vision Statements

Use of the term 'registrants' within the Vision Statements was reviewed by staff as per council's ruling of 17 January 2012 and amendments recommended. Not discussed; no vote conducted.

## 6.0 Non-policy

6.1. Financial Task Force report: not discussed.

6.2. BEFA: Pilot No. 2 report (oral): not discussed.

6.3. Special general meeting

Council was briefed on a petition from 15 members which is anticipated to call for a general meeting of the institute. Discussion included requirements in the *Act* and bylaws for a special meeting, including (but not only): limits to the agenda; required period of notice to the Executive Director for proposed amendments to bylaws (30 days prior to meeting) and required period of notice to members (15 days). A number of dates/ranges for a special general meeting were proposed by staff. Council (which must set the date) discussed such factors as optimum attendance, cost, accessibility, preparedness and timing.

**MOTION 1: To invite any member named on the draft petition, and currently present among the observers, to address Council for a maximum of five minutes with regard to scheduling the special general meeting.**

**Chester/Grossman** **DEFEATED**

**MOTION 2: That the special general meeting of the institute be held on the same day as the AIBC Annual Meeting, 12 May 2012.**

**Toole/Gallant** **CARRIED**
Opposed: Werker

6.4. Council's strategic planning session 13 December 2011: not discussed.

6.5. *(Item relocated to 5.1.c)*

## 7.0 ***In Camera: none***

7.1. ExAC report: not discussed.

## 8.0 Other business/open session

8.1. Rules of Order for Council meetings: not discussed.
8.2. Report on Council priorities: not discussed.

## 9.0 Adjournment

**Motion to adjourn: Spiegel/Gillies** **CARRIED**

The meeting was adjourned at 4:35 p.m.

**7.0 POLICY CATEGORY: PROFESSIONAL DEVELOPMENT**
**7.1 POLICY FOCUS: MANDATORY CONTINUING EDUCATION**

***CES participants, for the purposes of this policy category, are defined as Architects, Architectural Technicians, Building Designers, and Residential Designers***

7.1.1 Further to AIBC Bylaw 30.2, Architects, Architectural Technicians, Building Designers, and Residential Designers (*CES participants) of the Architectural Institute of British Columbia are required to participate in a Mandatory Continuing Education System in order to ensure currency and competence, in the public interest.

***Accordingly, the Executive Director will ensure that:***

7.1.2 Rules and guidelines explaining the Continuing Education System are developed and updated as required.
7.1.3 The Rules and guidelines incorporate fairness, simplicity and transparency and accurately describe the continuing education system, its intent and its values.
7.1.4 Those Rules and updates are made available in a timely fashion.
7.1.5 A unit of measure will be identified as the means by which continuing education will be measured and recorded; and a set number of such units will be required to be earned and reported by each *CES participant within each reporting period.
7.1.6 At least 45% of the learning units required in each reporting period must be "core", i.e. must address those issues that relate to the design, construction, use and maintenance of buildings; social responsibility; and professional conduct.
7.1.7 The identity of education providers authorized by the Institute will be made available, with regular updates.
7.1.8 "Non-core" learning units may be earned in acquiring such education as the *CES participant directs, according to their preferences provided they comply with identified criteria in order to qualify as relevant to the *CES participant's practice.
7.1.9 A length of time will be identified within which each *CES participant is required to acquire the specified amount of learning units, and reminders are to be regularly brought to their attention.
7.1.10 There will be consequences** for failure of a *CES participant to earn and report such learning units as are required within a reporting period.

*** "consequences" may include fines and/or such penalties as are determined under the AIBC's disciplinary process.*

**7.0 POLICY CATEGORY: PROFESSIONAL DEVELOPMENT**
**7.2 POLICY FOCUS: MANDATORY CONTINUING EDUCATION SYSTEM (CES) RULES**

***CES participants, for the purposes of this policy category, are defined as Architects, Architectural Technicians, Building Designers, and Residential Designers.***

7.2.1 The Institute will have Mandatory Continuing Education System (CES) Rules which describe the protocols for the earning, reporting, recording and administration of ongoing education required by every *CES participant of the Architectural Institute of British Columbia.

***Accordingly:***

7.2.2 Applications for exemptions for medical and extraordinary circumstances will be reviewed on an individual basis. Otherwise, all *CES participants must participate and satisfy the requirements.
7.2.3 The AIBC CES will typically award LUs for educational activities acquired and accepted in other recognized architectural jurisdictions.
7.2.4 Newly registered *CES participants:
- 7.2.4.1 Any *CES participant newly registered during the one-year reporting period ending June 30, 2012 is required to become CES-compliant by earning and reporting 36 learning units by the end of the subsequent two-year reporting period.
- 7.2.4.2 Any *CES participant newly registered during the first year of any two-year reporting period is required to become CES-compliant by earning and reporting 18 learning units by the end of that current reporting period.
- 7.2.4.3 Any *CES participant newly registered during the second year of any two-year reporting period is required to become CES compliant by earning and reporting 36 learning units by the end of the subsequent reporting period.

7.2.5 Normal business / practice activities carried out on a day-to-day basis by *CES participants of the AIBC do not qualify for LUs.

7.2.6 The AIBC takes responsibility to receive and manage individuals' LUs for AIBC-delivered or AIBC-authorized educational activities in their Institute record.

7.2.7 Within six months after the close of a compliance period, the AIBC may identify up to 5% of *CES participants, randomly selected, to conduct an audit of their self-reported learning units to assess compliance with mandatory continuing education requirements.

7.2.8 *CES participants who do not earn and report the required LUs to the AIBC in a reporting period, in accordance with these Rules, will be required to pay a fine to the AIBC and complete and report the required LUs within 90 days following the conclusion of the reporting period in order to avoid placement of a complaint of unprofessional conduct against the *CES participant. (The fine for non-compliance will be the same for all *CES participants.)

**7.0 POLICY CATEGORY: PROFESSIONAL DEVELOPMENT**
**7.3 POLICY FOCUS: NATIONAL CONTINUING EDUCATION FRAMEWORK**

***CES participants, for the purposes of this policy category, are defined as Architects, Architectural Technicians, Building Designers, and Residential Designers.***

7.3.1 The AIBC values and encourages the development and implementation of a harmonized national framework for continuing education.

***Accordingly, the Council of the AIBC:***

7.3.2 Supports a national framework for a continuing education program which acknowledges and incorporates:
- 7.3.2.1 National Application;
- 7.3.2.2 The implications of two national languages and varied provincial/territorial statutes, bylaws and regulation and how they will affect framework development and implementation;
- 7.3.2.3 Mandatory required competencies;
- 7.3.2.4 Inter-recognition of continuing education credits;
- 7.3.2.5 Accessibility for all *CES participants;
- 7.3.2.6 Common measures for evaluation and credit;
- 7.3.2.7 Common reporting and tracking system; and
- 7.3.2.8 Common valuation of "core" competency.

7.3.3 With respect to persons who are registered in multiple jurisdictions:
- 7.3.3.1 Recognizes that all jurisdictions in Canada currently have credible mandatory continuing education systems;
- 7.3.3.2 Acknowledges variations among them with respect to: length of reporting period; end date of reporting period; number of units required per reporting period; "core" classifications; evaluation measures; reporting and tracking systems; and other minor aspects; and
- 7.3.3.3 Accordingly, deems any AIBC *CES participant also registered and resident in another recognized licensing jurisdiction and compliant in that other jurisdiction regarding its mandatory continuing education system, to be so compliant with the AIBC's Continuing Education System requirements.

**7.0 POLICY CATEGORY: PROFESSIONAL DEVELOPMENT**
**7.4 POLICY FOCUS: SUSTAINABILITY**

***CES participants, for the purposes of this policy category, are defined as Architects, Architectural Technicians, Building Designers, and Residential Designers.***

7.4.1 The Council of the Institute believes it is integral to the public interest to ensure principles of sustainable development are a core aspect to the practice of architecture. This policy provides a framework within which other policies and procedures will be developed to demonstrate responsibility and due diligence on the part of the Institute and all *CES participants.

***Accordingly, the Executive Director will encourage:***

7.4.2 Development of resources and tools to make environmental responsibility and the principles of sustainability an integral part of architectural practice.

7.4.3 Dialogue with government and industry partners including allied professionals to further the goals of sustainability.

7.4.4 A culture and practice of sustainability within the operational management of the AIBC.

**7.0 POLICY CATEGORY: PROFESSIONAL DEVELOPMENT**
**7.5 POLICY FOCUS: MANDATORY DESIGNATED AREAS OF STUDY**

***CES participants, for the purposes of this policy category, are defined as Architects, Architectural Technicians, Building Designers, and Residential Designers.***

7.5.1 The AIBC Council may from time to time mandate that all *CES participants be required to complete a specific class or course of study of continuing education, within the Continuing Education System's "CORE" competence area of practice. The council may also prescribe the timeframe(s) within which the class or course of study must be completed and reported.

***Accordingly:***

7.5.2 Any such program must be conducted within the approved and allocated budget, and approved policies of the Governance Policy Document.

7.5.3 Any such program must be approved by council based upon a joint recommendation of the Registration, Professional Services and Professional Conduct and Illegal Practice Boards with the operational approval of the Executive Director.

7.5.4 Any such program will only be implemented under legislative authority and upon receipt of supporting legal opinion.

7.5.5 The Registration, Professional Services and Professional Conduct and Illegal Practice Boards must have conducted such research and consultation within and without the AIBC to be able to supply in writing their belief and rationale for development and requirement of such a program, including a review of the options available and why a mandatory program is appropriate.

7.5.6 Possible reasons for a required program may include: new or significantly changed technology or aspect of practice; erosion of an architect's authority or scope of practice; the profession's credibility, trust and image; protection of the public; insurability; retention of license or certificate of practice; anticipated external sanctions being imposed by an authority with jurisdiction; and the interests of both the public and the profession.

7.5.7 There will be regulatory consequences* for failure of a *CES participant to earn and report such learning units as are required within a required reporting period.

* *"consequences" may include fines and/or such penalties as are determined under the AIBC's disciplinary process (refer to policy 7.1 Mandatory Continuing Education.)*

**6.0 POLICY CATEGORY: PRACTICE**
**6.9 POLICY FOCUS: CONTRACTORS & CERTIFICATES OF PRACTICE***

6.9.2 Except as required by council ruling (b) and Rules 1 and 2 to Bylaw 34.2 relating to the "use of seal", the Council holds that an MAIBC, who works under contract to, not as an employee of, an architectural firm holding a Certificate of Practice, is not required to have an architectural firm with a Certificate of Practice. Employees of architectural firms are likewise not required to have a Certificate of Practice.

*** (reference Practice Note 11: Employment Standards)***

**11.0 POLICY CATEGORY: REGISTRATION AND LICENSING**
**11.1 POLICY FOCUS: REVIEW OF REGISTRATION AND LICENSING DECISIONS**

11.1.1 The council of the institute is committed to ensuring that there is a fair, equitable and accountable process for the assessment of applications for admission to the profession in British Columbia and for the registration of firms with the institute in British Columbia.

***Accordingly, the Executive Director will:***

11.1.2 Annually appoint two members of the institute and a lay appointee to a panel that will specialize in the review of Registration and Licensing decisions upon appeal.

11.1.3 Ensure that upon written application and payment of the identified fee: (a) any candidate whose application for registration; or (b) firm that has had its application for a licence rejected by the Registration Board may, within 30 days of receiving that decision, ask the panel to review the Registration Board decision.

11.1.4 Ensure that this policy governing reviews of Registration Board decisions , and review fees as are set by Council to cover the cost of the appeal, are clearly set out and made available to a person or firm asking for a review.

11.1.5 Ensure that the Registration Board is notified of any requests made for review.

11.1.6 Ensure that in order for any requests to qualify for review the application will be based on one or more of the following reasons:
- 11.1.6.1 the Registration Board has misinterpreted the *Architects Act*, AIBC bylaws or AIBC Council policy; or
- 11.1.6.2 the candidate was treated inequitably by the Registration Board.

11.1.7 Ensure that the Chair of the Review Panel will, upon receipt of a request for review, do one or more of the following:
- 11.1.7.1 Convene a meeting of the Review Panel to consider the request; and/or,
- 11.1.7.2 Invite the applicant to provide further information in writing or meet with the Review Panel; and/or
- 11.1.7.3 Invite a written submission or a meeting with a representative of the Registration Board.
- 11.1.7.4 Ensure that written submissions received from either the candidate or the Registration Board will be shared with the other party.
- 11.1.7.5 Ensure the panel responds to an applicant within 90 days of receipt of the review request; if the panel is unable to respond within 90 days, a request for an extension may be made to Council for a further 90 days.
- 11.1.7.6 Ensure the Review Panel is not a judicial or quasi-judicial body and therefore will not hold formal hearings.
- 11.1.7.7 Ensure that following completion of the review under section 11.2.4, the Review Panel will communicate its finding to both the candidate and to the Registration Board in writing, either:
  - 11.1.7.7.1 confirming the decision of the Registration Board, or
  - 11.1.7.7.2 referring the matter back to the Registration Board with directions to reconsider the initial decision or for further deliberation in specified areas.
- 11.1.7.8 Ensure that, upon receipt of the Review Panel's recommendations, the Registration Board will review them and take action, as appropriate; communicating its decision to the Review Panel and Council in writing, with reasons.
- 11.1.7.9 Ensure that Council is apprised of the outcomes of reviews, and has the opportunity to consider and accept the Registration Board's decision, or to direct such other measures as Council deems appropriate. The candidate will be notified in writing of Council's final decision.

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**11.0 POLICY CATEGORY: REGISTRATION AND LICENSING**
**11.2. POLICY FOCUS: ADMISSION STANDARDS**

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11.2.1. The AIBC Council is committed to its legislative mandate to ensure that all candidates for registration meet entry standards commensurate with the complexity of the tasks they are required to perform. Council is equally committed to ensuring that all those who demonstrate the ability to meet admissions standards are admitted to practice.

***Accordingly the Executive Director will ensure that:***

11.2.2. Bylaws, council rulings, policies and procedures describing and prescribing the admission process and requirements of the profession are in place, readily available to any and all applicants and that they are reviewed periodically to ensure compliance with the *Act*, council governance policies and changing priorities and standards.

11.2.3. The institute consistently seeks to identify and remove any barriers to entry to the profession that are not related to demonstrable competency requirements for the profession, required for protection of public health and safety or maintenance of professional standards.

11.2.4. Admission standards and requirements reflect the public interest in the profession of architecture and are open, inclusive, objective, and fair both in content and application.

11.2.5. Admission requirements seek to promote the greatest possible degree of national and international reciprocity and labour mobility.

11.2.6. Admission requirements are based on the three qualifying areas required by the profession: education, experience and examination (the 3Es) and/or demonstrated competency based equivalency to any one or more of these areas.

11.2.7. As is the case for architects, any associate in a category of associates (that may arise in the future) to which a scope of practice attaches, must clearly demonstrate that he or she is competent and qualified to practise within that scope of practice before being registered and licensed to practise.

**11.0 POLICY CATEGORY: REGISTRATION & LICENSING**
**11.3. POLICY FOCUS: ORAL INTERVIEWS**

11.3.1. AIBC Council is committed to ensuring that there is a fair, equitable and accountable process for the assessment of all applications for admission to the profession in British Columbia. An essential and invaluable part of an assessment process is one or more personal interviews for candidates, depending on internship or alternative qualification entry stream.

***Accordingly, the Executive Director will ensure that:***

11.3.2. The rules and procedures clearly set out the details, requirements and distinctions of both Oral Reviews (for all candidates other than reciprocity/inter-recognition transferees) and Oral Assessments (for foreign trained and broadly experienced applicants).

11.3.3. All material requirements for interviews are published and made known to all applicants in advance.

11.3.4. All interviews and all decisions arising from such interviews are fair, thorough, and consistent.

11.3.5. All interviewers receive adequate training to ensure interviews meet the objectives and standards set out in bylaws, rules, and policy and procedures.

11.3.6. Oral Assessments, used to assess competence of alternatively qualified candidates, focus on establishing equivalencies to the education, experience, and examination requirements of BC registered interns.

11.3.7. All interviews are convened on an as needed basis, but in as timely a manner as possible.

11.3.8. All interview panels have an experienced Chair who shall ensure that the interview is conducted in accordance with the bylaws, rules, and policies and procedures established by the AIBC, and that a written decision and recommendations, if any, are produced in a timely manner after each interview.

**11.0 POLICY CATEGORY: REGISTRATION & LICENSING**
**11.5 POLICY FOCUS: REINSTATEMENT**

11.5.1 In accordance with the *Architects Act* sections 34, 53, 73, 74 and 75, the AIBC Council is committed to providing support and monitoring to former architects or associates seeking reinstatement, to be fair and transparent, and to ensure the public interest is served.

***Accordingly, the Executive Director will ensure:***

11.5.2 Any previously registered architect or associate, who voluntarily resigned, may apply for reinstatement by making application on the required form, accompanied by the fees owing at the time of application (reinstatement and annual fees).

11.5.3 Any previously registered architect or associate, who was removed from the register for non-payment of fees, may apply for reinstatement by submitting an application on the required form, accompanied by payment for any and all fees owing at the time of removal, the applicable reinstatement fine, and the annual fee owing at the time of application.

11.5.4 Any previously registered architect or associate, who was removed from the register because they were suspended for unprofessional conduct, may apply for reinstatement by making application on the appropriate form, accompanied by the set reinstatement fee and annual fee owing at the time of application. In order to qualify for reinstatement the previously registered architect or associate must also demonstrate that they have satisfied any conditions imposed by the Disciplinary Committee at the time of the individual's removal.

11.5.5 The AIBC may require applicants to fulfill certain additional conditions prior to reinstatement, including successful completion of course work, examinations, or experience requirements.

11.5.6 The Registration Board shall review each applicant's submission and make such recommendations as it deems appropriate. However, the board will generally make recommendations to council for reinstatement based on the length of time the individual has not been practising/registered in British Columbia, as follows:

- 11.5.6.1 0 to 3 years: Unless there is an obvious cause for concern (such as evidence of conduct for which the applicant would have been suspended if still registered) the Registration Board will generally recommend reinstatement.
- 11.5.6.2 3 to 5 years: If the applicant does not have at least 2 years of architectural experience during the period, the Registration Board will generally recommend an oral review.
- 11.5.6.3 More than 5 years: Unless the person resigned from the AIBC to take up registration in another Canadian jurisdiction and has been practising continuously in that jurisdiction between the time or resignation and application for reinstatement, an in-depth interview of the candidate by 3 members of the Registration Board will be conducted, to examine whether the applicant has

current architectural experience and whether they had kept abreast of professional practice issues.

11.5.7 The AIBC may reinstate architects or associates who resigned while non-compliant with Bylaw 30.2 (Continuing Education), but such architects or associates must rectify their non-compliance within a reasonable period as a condition of reinstatement, including payment of applicable fines that were or would have been levied for non-compliance at the time of registration. The AIBC may also reinstate architects or associates who resigned prior to the resolution of a professional conduct complaint brought against them, but as such the professional conduct file will be re-opened by the AIBC upon the reinstatement of such architects or associates.

**Bylaw 34.2** **An architect shall seal the architect's work in accordance with the requirements of the *Architects Act* of British Columbia and the Bylaws and Council rulings.**

(a) Architects may apply their seals as continuing employees of a corporation or as employees or contractors to architectural partnerships and sole proprietorships in keeping with rules established by Council, including any requirements for a obtaining a certificate of practice as a "member of the institute" pursuant to Section 77(1)(a) of the *Architects Act*.

*The following council rules supplement this bylaw and ruling and are further explained in AIBC Bulletin 61: Use of an Architect's Seal:*

1) For the purposes of Bylaw 34.2 and this Bulletin, a "continuing employee" is defined as an MAIBC who provides architectural services, whether full-time or part-time, to an architectural corporation, and who is:

a) working under a contract of employment or as an independent contractor to that firm; and

b) explicitly authorized by the firm, contractually, to apply his or her seal in keeping with the *Architects Act* and AIBC Bylaws. Authorization can be included in the written employment or independent contracting agreement or as an addendum (including a suitable letter agreement) to such contracts.

2) For the purposes of Bylaw 34.2 and this Bulletin, an architect providing architectural services to a sole proprietorship or partnership, whether as an employee or independent contractor, may apply his or her seal by first obtaining a certificate of practice from the AIBC as a "member of the institute" under Section 77(1) (a) of the *Architects Act*. In these applications, the member will be asked to confirm that the certificate of practice is being sought in order to provide architectural services as a "member of the institute" under Section 77 (1) (a), and will be required to sign a declaration acknowledging and agreeing that a certificate of practice taken under Section 77(1) (a) does not establish an architectural firm or give the member rights to independent practice under a separate firm.