

Bulletin 2: Reinstatement of Registration

November 2018

! IMPORTANT:

The AIBC transitioned to the Professional Governance Act on February 10, 2023. This document has not yet been updated to reflect the new legislation and updated Bylaws. Although there may be outdated terms and references in this document, note that the general concepts and requirements remain the same. If you have any concerns or questions, please contact registration@aibc.ca or practiceadvice@aibc.ca. For more information about the transition, go to aibc.ca/PGA.

1.0 Background and Authority

- 1.1 The AIBC is committed to providing fair and transparent policies and processes to former Architects AIBC, architectural firms, temporary licensees and associates seeking to reinstate their registration, and to ensure the public interest is served.
- 1.2 In accordance with the *Architects Act* Sections 34, 53, 73, 74 and 75, Architects AIBC, architectural firms, temporary licensees or associates (Intern Architects AIBC, Architectural Technologists AIBC, and Retired Architects AIBC) may cease to be registered through voluntary resignation, non-payment of annual fees, or suspension or removal related to disciplinary action. Reinstatement eligibility, requirements, and processes vary in each circumstance. AIBC Council (council) has approved all conditions related to reinstatement included in this Bulletin. Council has specifically referred responsibility for the reinstatement interview and any other future guidelines to the Registration Board in accordance with Section 70 (e) of the *Architects Act*.

The following information is based on the *Architects Act*, and AIBC Bylaws. Reinstatement and annual fees are listed in Bulletin 1: Fees, Fines and Charges.

2.0 General Process

- 2.1 To expedite the processing of an application for reinstatement, the applicant must submit full information and payment of all fees and any fines at the time of application. An application will not be reviewed, evaluated or placed before the Registration Board and council until such time as all information and payments are received. Processing may take up to six weeks.
- 2.2 The Registration & Licensing department will review and process applications, and make recommendations to the Registration Board and AIBC Council as appropriate.
- 2.3 Under Section 75 of the *Architects Act*, the Registrar may, subject to appeal to council, refuse to re-enter the name of a person who the Registrar believes has been guilty of conduct for which one's

registration, had it continued, could have been erased or who could have been suspended from practice.

- 2.4 Subject to sections 36 and 75 of the *Architects Act*, the AIBC may reinstate architects, associates or firms that resigned prior to the resolution of a professional conduct complaint brought against them. However, the professional conduct file will be re-opened by the AIBC upon reinstatement.
- 2.5 Once reinstated, Architects AIBC and Architectural Technologists AIBC, are required to comply with the mandatory continuing education system as per AIBC Bylaw 30.2. See section 7.0 for more information.

3.0 Reinstatement for Architects

3.1 Reciprocity and Mutual Recognition Agreements

If the individual has maintained continuous registration in good standing as an architect in a jurisdiction recognized by council, under the Canadian Reciprocity Agreement, NCARB – CALA Mutual Recognition Agreement, or similar mutual recognition agreements, the individual may apply for registration under the terms of that agreement.

3.2 Voluntary Resignation

An individual who was previously registered as an Architect AIBC and who resigned voluntarily may apply for reinstatement by submitting the appropriate application form accompanied by the applicable reinstatement fee and annual fee owing at the time of application.

3.3 Removal for Non-Payment of Annual Fees

An individual who was previously registered as an Architect AIBC and who was removed from the register for non-payment of annual fees, may apply for reinstatement by submitting the appropriate application form accompanied by payment for all fees and fines owing at the time of removal and the applicable reinstatement fee. The reinstatement fee is equal to the amount of the annual fee, as established by council, and is in addition to the annual fee itself. If reinstatement occurs subsequent to the year of removal, the annual fee owing at the time of application is also due.

3.4 Reinstatement Policy for Voluntarily Resignation or Removal from the Register for Non-Payment of Fees

In situations where an individual has resigned voluntarily or been removed from the Register for non-payment of fees, the following reinstatement requirements have been accepted by AIBC Council. The Registration Board may, in all cases, recommend reinstatement conditional upon the individual fulfilling certain requirements, such as specific course work or experience. Persons seeking reinstatement are generally processed according to the duration of absence from registration as an Architect AIBC.

Absence of Less Than 3 Years

Unless there is a significant cause for concern, such as evidence of conduct for which the individual would have been suspended if still registered, the Registration & Licensing department would likely

recommend reinstatement. In the case of uncertainty or a negative recommendation, the details of the file would be brought to the Registration Board for further review and direction.

Absence Between 3 to 5 Years

If the individual does not have at least two years of architectural work experience during the period of absence, the individual must complete a reinstatement interview to assess whether the individual has current architectural knowledge and has kept current with professional practice issues.

The reinstatement interview is a requirement approved by AIBC Council and overseen by the Registration Board. The interview is required to assess the level of currency of a reinstating individual who has not been registered as an Architect AIBC for at least three years and has not provided satisfactory evidence of architectural work experience in the province or in any other Canadian jurisdiction during this period. The interview panel will typically consist of three reviewers, including one member of the Registration Board and two Oral Reviewers. Upon completion of the interview the panel may recommend to the Registration Board that the individual be reinstated; be required to complete courses or otherwise acquire knowledge related to areas of insufficient professional knowledge; be required to obtain experience in specific areas of practice; be required to successfully complete an Oral Review; or recommend a combination of these requirements prior to reinstatement.

Absence of More Than 5 Years

If the duration of non-registration is more than five years, the individual must complete a reinstatement interview as described above to assess whether the individual has current architectural knowledge and has kept current with professional practice issues.

3.5 Suspension for a Specific Period for Disciplinary Action

Any individual who was previously registered as an Architect AIBC and who was suspended from practice as a result of disciplinary action is deemed to be removed from the register during the suspension period. The individual's membership may be automatically reinstated after the period of suspension has passed, provided that there are no orders or conditions imposed by the disciplinary committee or agreed to by way of consensual resolution agreement at the time of the individual's suspension that have not been completed. The policy outlined in section 3.4 will also apply.

3.6 Removal for Disciplinary Action

Any individual who was previously registered as an Architect AIBC and who was removed from the register related to disciplinary action, may apply for reinstatement by submitting the appropriate application form accompanied by payment for all fees and fines owing at the time of removal and the applicable reinstatement fee.

3.7 If an order of the disciplinary committee or a consensual resolution agreement provides that an individual will be removed for failure to comply with an order or conditions, and the individual fails to comply with an order or condition, that individual is removed from the register and must apply for reinstatement in accordance with this section. For greater clarity, if the individual is removed from

the register for non-compliance but subsequently complies with the order or condition, the person is *not* automatically reinstated and must apply for reinstatement.

- 3.8 The reinstatement fee is equal to the amount of the annual fee, as established by council, and is in addition to the annual fee itself. If reinstatement occurs subsequent to the year of removal the annual fee owing at the time of application is also due. The individual must also satisfy any order or conditions imposed by the disciplinary committee agreed to by way of consensual resolution agreement at the time of the individual's removal from the register. The policy outlined in section 3.4 will also apply.

4.0 Reinstatement for Associates

4.1 Voluntary Resignation

Any individual who was previously registered as an associate (Intern Architect AIBC, Architectural Technologist AIBC, and Retired Architect AIBC) and who resigned voluntarily may apply for reinstatement by submitting the appropriate application form accompanied by the applicable reinstatement fee and annual fee owing at the time of application.

4.2 Removal for Non-Payment of Annual Fees

Any individual who was previously registered as an associate in British Columbia, and who was removed from the register for non-payment of annual fees, may apply for reinstatement by submitting the appropriate application form accompanied by payment for all fees and fines owing at the time of removal and the applicable reinstatement fee.

The reinstatement fee is equal to the amount of the annual fee, as established by council, and is in addition to the annual fee itself. If reinstatement occurs subsequent to the year of removal, the annual fee owing at the time of application is also due.

4.3 Suspension for a Specific Period for Disciplinary Action

Any individual who was previously registered as an associate in British Columbia and who was suspended from practice as a result of disciplinary action is deemed to be removed from the register during the suspension period. The individual's registration may be automatically reinstated after the period of suspension has passed, provided that there are no orders or conditions imposed by the disciplinary committee or agreed to by way of consensual resolution agreement at the time of the individual's suspension that have not been completed.

4.4 Removal for Disciplinary Action

Any individual who was previously registered as an associate and who was removed from the register related to disciplinary action, may apply for reinstatement by submitting the appropriate application form accompanied by payment for all fees and fines owing at the time of removal and the applicable reinstatement fee.

- 4.5 If an order of the disciplinary committee or a consensual resolution agreement provides that an individual will be removed for failure to comply with an order or conditions, and the individual fails

to comply with an order or condition, that individual is removed from the register and must apply for reinstatement in accordance with this section. For greater clarity, if the individual is removed from the register for non-compliance but subsequently complies with the order or condition, the person is *not* automatically reinstated and must apply for reinstatement.

- 4.6 The reinstatement fee is equal to the amount of the annual fee, as established by council, and is in addition to the annual fee itself. If reinstatement occurs subsequent to the year of removal the annual fee owing at the time of application is also due. The individual must also satisfy any order or conditions imposed by the disciplinary committee agreed to by way of consensual resolution agreement at the time of the individual's removal from the register.

5.0 Reinstatement for Architectural Firms

5.1 Voluntary Resignation

Any architectural firm that was closed by voluntary resignation may apply for reinstatement using the standard application form for architectural firms, accompanied by the applicable application fee and annual fee owing at the time of application.

5.2 Removal for Non-Payment of Annual Fees

Any architectural firm that was removed from the register for non-payment of annual fees may apply for reinstatement using the standard application form for architectural firms, accompanied by payment of the annual fee owing at the time of removal, and the applicable application fee. If reinstatement occurs subsequent to the year of removal, the annual fee owing at the time of application is also due.

5.3 Suspension for a Specific Period for Disciplinary Action

Any architectural firm that was suspended from practice as a result of disciplinary action is deemed to be removed from the register during the suspension period. The architectural firm's registration may be automatically reinstated after the period of suspension has passed, provided that there are no orders or conditions imposed by the disciplinary committee or agreed to by way of consensual resolution agreement at the time of the firm's suspension that have not been completed.

5.4 Removal for Disciplinary Action

Any architectural firm that was removed from the register related to disciplinary action, may apply for reinstatement using the standard application form for architectural firms, accompanied by payment of annual fee owing at the time of removal, and the applicable application fee. If reinstatement occurs subsequent to the year of removal the annual fee owing at the time of application is also due.

- 5.5 If an order of the disciplinary committee or a consensual resolution agreement provides that a firm will be removed for failure to comply with an order or conditions, and the firm fails to comply with an order or condition, that firm is removed from the register and must apply for reinstatement in accordance with this section. For greater clarity, if the firm is removed from the register for non-

compliance but subsequently complies with the order or condition, the firm is *not* automatically reinstated and must apply for reinstatement.

- 5.6 The reinstatement fee is equal to the amount of the application fee, as established by council, and is in addition to the annual fee itself. If reinstatement occurs subsequent to the year of removal the annual fee owing at the time of application is also due. The firm must also satisfy any orders or conditions imposed by the disciplinary committee agreed to by way of consensual resolution agreement at the time of the firm's removal from the register.

6.0 Reinstatement for Temporary Licensees

6.1 Voluntary Resignation

Temporary licensees may not voluntarily resign or request an early cancellation of its licence without approval from the AIBC in accordance with Bulletin 22. If the project for which the temporary licence has been issued will be terminated, or the collaboration arrangement between architects will be concluded, the licensee must provide documentation to the AIBC confirming such event. If a temporary licensee had obtained approval to resign their licence and subsequently wishes to reinstate this license it must re-apply using the standard temporary licence form, accompanied by the applicable annual fee owing at the time of application. More information can be found in AIBC Bulletin 22: Temporary Licence Requirements.

6.2 Removal for Non-Payment of Annual Fees

Where a temporary licensee has been removed from the register for non-payment of annual fees, the licensee is not eligible for reinstatement or new application for any temporary license. More information can be found in Bulletin 22.

7.0 Continuing Education System (CES)

- 7.1 As CES Participants, reinstated Architects AIBC and Architectural Technologists AIBC, are required to comply with the mandatory CES as per AIBC Bylaw 30.2.
- 7.2 CES Participants who were not compliant with Bylaw 30.2 at the time of resignation or were removed from the register for non-payment of fees or matters related to disciplinary action will be required to remedy the non-compliance within a reasonable period of time as a condition of reinstatement. This could include payment of applicable fines that were or would have been levied for CES non-compliance at the time of resignation and/or fulfilment of past reporting period educational requirements. Refer to Bylaw 30.2 and AIBC Bulletin 80: Mandatory Continuing Education System (CES) for more information.

8.0 Summary of Reinstatement Processes

	Voluntary Resignation	Removal for Non-Payment of Annual Fees	Removal Related to Disciplinary Action
Architects	Reinstatement form Reinstatement fee, equal to application fee Annual fee	Reinstatement form Reinstatement fee, equal to annual fee Annual fee owing at time of removal Annual fee *	Reinstatement form Reinstatement fee, equal to annual fee Annual fee*
Associates	Reinstatement form Reinstatement fee, equal to application fee Annual fee	Reinstatement form Reinstatement fee, equal to annual fee Annual fee owing at time of removal Annual fee *	Reinstatement form Reinstatement fee, equal to annual fee Annual fee*
Architectural Firms	Standard form for Architectural Firms Application fee Annual fee	Standard form for Architectural Firms Application fee Annual fee owing at time of removal Annual fee *	Standard form for Architectural Firms Application fee Annual fee*
Temporary Licensee	Standard form for Temp. Licenses Annual fee	Not eligible to reinstate.	Not eligible to reinstate.

* Annual fee is payable if reinstatement occurs subsequent to the year of removal.

Bulletin Amendment History (1994 – 2018)

- 2023: February. Document updated with PGA transition disclaimer, stating that some language may not reflect the new legislations and updated Bylaws. Although there may be outdated terms and references, the general concepts and requirements remain the same.
- 2018: November. Revisions made to distinguish between effects of suspension compared to effects of removal from the register for disciplinary action as they relate to the reinstatement process for architects, associates, and architectural firms.
- 2017: November. Revisions made to clarify authority of the Registration Board for the reinstatement requirements, including a reinstatement interview for architects, following a registration absence. The revisions are not a change to the interpretation of the relevant sections of the *Architects Act* or AIBC Bylaws. New template applied.
- 2015: November. Changes throughout to reflect associates, general organization intended to improve navigation, and new graphic template and numbering
- 2012: November. Revised per Bylaw 10, to remove references to MAIBC
- 2005: October. Revised to include greater detail on general process and guidelines.
- 1994: February. First Edition

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