

Bulletin 5: Resignation of Registration

November 2017

! 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 **This document has not yet been updated to reflect the new legislation and updated Bylaws.** Although there may be outdated terms and references in this document, note that the **general concepts and requirements remain the same.** If you have any concerns or questions, please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 Architects AIBC, Honorary Members, and associates (Intern Architects AIBC, Architectural Technologists AIBC, and Retired Architects AIBC) may choose to voluntarily resign their status for various reasons at different stages of their careers. This bulletin provides information to assist with making that transition.
- 1.2 In accordance with Section 63 of the *Architects Act* (the *Act*) a person who is not a registered architect of the AIBC may not use “architect” or any similar description likely to lead the public to infer that the person is a registered architect. AIBC Bylaw 10 prohibits the use of the title “Architect AIBC” by anyone other than a registered architect of the AIBC. Refer to AIBC Bulletin 32: Right to Title - The Legal Use of “Architect” and Derivative Titles for more information.
- 1.3 A person who is not a registered architect with the AIBC under the *Act* shall not practise or offer to practise the profession of architecture in this province, as set out in Section 59 of the *Act*. Such a person may only practise the profession of architecture as an employee working for and under the supervision of an Architect AIBC. Refer to AIBC Bulletin 31: Buildings Requiring the Services of an Architect for more information.

2.0 Resignation Process for Architects

2.1 General

As per Section 34 of the *Act*, architects in good standing may voluntarily resign from the AIBC in writing at any time. Architects that choose not to renew their registration with the AIBC must resign in writing on or before the February 1 deadline for payment of annual renewal fees to be able to resign in good standing. If an architect chooses to resign part-way through the year after having paid their annual renewal fee, they will be eligible for a partial refund. The refund shall first be applied to any outstanding balance before refunding to the account holder. Refer to AIBC Bulletin 1: Fees, Fines and Charges for pro-rating schedule of fees.

- 2.2 Under Section 77(3) of the *Act*, an architect is required to return their professional seal and/or stamp to the AIBC upon resignation. If the seal has been misplaced or cannot be found, an undertaking letter will be required to be provided to the AIBC. This letter is to attest to the effect that despite the architect's best efforts the seal or stamp cannot be located, but if found it will be returned to the AIBC. Please refer to Section 6.0 of this bulletin for prescribed language of this undertaking letter.
- 2.3 Architects choosing to resign who also hold of a Certificate of Practice will be required to close their architectural firm by providing in writing an indication that the firm has met all professional obligations or to identify the Certificate of Practice holder that is assuming those obligations. The Certificate of Practice must be returned to the AIBC. If it has been misplaced or cannot be found, an undertaking letter will be required to be provided to the AIBC, to the effect that despite the architect's best efforts the certificate cannot be located, but if found it will be returned to the AIBC. Refer to Section 6.0 of this bulletin for prescribed language of this undertaking letter. If the firm is a corporation, either a copy of the Certificate of Dissolution, the Certificate of Change of Name removing any reference to the term 'architect' (or whichever derivative is in the firm name), an amalgamation certificate, or evidence that it has been struck from the BC Registry Services, must be provided to the AIBC.
- 2.4 Architects choosing to resign who are partners or shareholders in an architectural firm are advised to consider the effects the resignation may have on the firm's compliance with Section 26 of the *Act*. It is the responsibility of the firm to ensure continued compliance and it may be necessary for the firm to submit an application for a change in the firm's ownership structure for approval by the AIBC.
- 2.5 **Transfer to Retired Architect AIBC (Associate) Status**
- Retired architects enjoy the privilege and condition of this status to refer to themselves as Retired Architect AIBC. Retired architects will have their name kept on AIBC mailing lists for all regular mailings. Retired Architects AIBC are generally eligible to sit on committees of the AIBC and may become Chapter members. As an associate, Retired Architects AIBC may not vote or hold office in the AIBC. Associates are required to comply with the *Act*, AIBC Bylaws and the AIBC's Code of Ethics and Professional Conduct. Associates must follow specific notification requirements to clients and authorities having jurisdiction when they are providing independent design services for projects that do not require the services of an architect. Retired Architects AIBC are not required to satisfy the requirements of the Continuing Education System; however, they are encouraged to maintain current knowledge of architectural practice if they plan to pursue reinstatement at a future date, or to provide design services for projects that fall below the thresholds set out in Section 60 of the *Act*.
- 2.6 **Transfer to Affiliate Status**
- Architects choosing to become an affiliate will have their name kept on AIBC mailing lists for all regular mailings. Affiliates are not entitled to vote or hold office in the AIBC. Affiliates are not required to satisfy the requirements of the Continuing Education System. The AIBC does not have professional conduct jurisdiction over affiliates, as it does with respect to architects, associates, and other registrants.

2.7 Full Resignation

Architects choosing to fully resign will have their name kept on file internally only to indicate that they were once registered with the AIBC in the event of an enquiry regarding registration status or professional conduct. The AIBC will also retain the former architect's file in the event that an application for reinstatement is submitted. Former architects may opt-in to receive communications from the AIBC.

2.8 Resignation of Architects that are Honorary Members

Those architects who are also recognized as Honorary Members may resign their registration as an architect, or transfer to associate or affiliate status, without giving up their honorary membership. A continuing benefit of this honorary status is the right to use the description of "Honorary Member of the AIBC". Former architects that maintain their honorary status relinquish all professional obligations and practice rights as a registered architect. The *Architects Act* prohibits any person not registered as an architect from using the term "architect". AIBC Bylaw 10 prohibits the use of the title "Architect AIBC" by anyone other than a registered architect of the AIBC. AIBC Bulletin 32 provides more information on the legal use of this title.

3.0 Resignation Process for Honorary Members of the AIBC

- 3.1 Honorary Members may voluntarily resign from the AIBC in writing at any time. Their name will be kept on file internally only to indicate that they were once registered with the AIBC. Former Honorary Members may opt-in to receive communications from the AIBC.

4.0 Resignation Process for Associates

- 4.1 Associates (Intern Architects AIBC, Architectural Technologists AIBC, and Retired Architects AIBC) may voluntarily resign from the AIBC in writing at any time. Associates that choose not to renew their registration with the AIBC must resign in writing prior to the February 1 deadline for payment of annual renewal fees. If an associate resigns part-way through the year after having paid their annual renewal fee they are eligible for a partial refund. The refund shall first be applied to any outstanding balance before refunding to the account holder. Refer to Bulletin 1 for the pro-rating schedule. Architectural Technologists who have resigned are encouraged to maintain current knowledge of architectural practice if they plan to pursue reinstatement at a future date.

4.2 Transfer to Affiliate Status

Associates choosing to become an affiliate will have their name kept on AIBC mailing lists for all regular mailings. Affiliates are not entitled to vote or hold office in the AIBC. Affiliates are not required to satisfy the requirements of the Continuing Education System. The AIBC does not have professional conduct jurisdiction over affiliates, as it does with respect to architects, associates, and other registrants.

5.0 Reinstatement

- 5.1 Reinstatement procedures are outlined in AIBC Bulletin 2: Reinstatement of Registration. In all cases the corresponding application and annual renewal fees will be required, as per AIBC Bulletin 1: Fees, Fines and Charges.

6.0 Letter of Undertaking

- 6.1 A letter of undertaking must be provided to the AIBC in the case of a misplaced professional seal or stamp, or a certificate of practice. Refer to sections 2.2 and 2.3 of this bulletin. The prescribed language for this letter is to be as below. This letter does not require a lawyer or notary public to ‘swear’ it. The submitted letter does need to be signed, dated and witnessed. This letter may be executed and delivered electronically.

I, [name], confirm that I have made reasonable attempts to locate my [architectural seal or stamp / certificate of practice] but have been unable to locate it. I hereby undertake to return this if found to the AIBC and to inform the AIBC should I become aware of its whereabouts but not able to return it.

[name of individual, signature, date]

[name of witness, signature, date]

Bulletin Amendment History (2005 – 2017)

- 2023: February. Document updated with PGA transition disclaimer, stating that some language may not reflect the new legislation and updated Bylaws. Although there may be outdated terms and references, the general concepts and requirements remain the same.
- 2017: November. No substantive changes to bulletin content. Clarity added (section 2.4) regarding a firm’s responsibility for continued compliance should there be an impact on its structure resulting from a resignation. 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: January. First Edition

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