



Regulatory Guidance | Right to Title

November 2023

*Note: Capitalized terms in this document are defined terms and have the same meaning as defined in the [AIBC Bylaws](#).

1.0 Background and Authority

- 1.1 On February 10, 2023, the Architectural Institute of British Columbia (AIBC) transitioned to the *Professional Governance Act* (PGA). The *Architects Act* has been repealed, and the architectural profession is governed by the PGA, and its regulations, such as the *Architects Regulation*, and the AIBC Bylaws.
- 1.2 Under the PGA, the AIBC's mandate remains the same: To regulate the profession of architecture in British Columbia in the public interest. This includes regulating the conduct of Registrants and taking action in cases of illegal practice by non-Registrants.
- 1.3 The purpose of the PGA and the *Architects Regulation* is to protect the public. Two of the primary ways this is achieved are:
 - a) by requiring that architectural services on certain types of buildings are only provided by people or Firms registered with the AIBC who have the required qualifications; and
 - b) by prohibiting those who are not registered with the AIBC from representing themselves as “architects” or otherwise holding themselves out or implying that they are entitled to practice architecture, or offering architectural services.
- 1.4 This document focuses on the use of titles and descriptions related to the practice of the profession of architecture.
- 1.5 Section 51 of the PGA provides legal authority for the exclusive use of reserved titles by Registrants of a regulatory body governed under that legislation. Section 52 establishes the prohibitions and limitations for non-Registrants using reserved titles.
- 1.6 Section 52(1) states that if a regulation under the PGA prescribes a reserved title to be used exclusively by Registrants of a regulatory body, a person who is not such a Registrant
 - ... must not use the title, an abbreviation of the title or an equivalent of the title or abbreviation in another language
 - (a) to describe the person's work,
 - (b) on association with or as part of another title describing the person's work, or
 - (c) in association with a description of the person's work.

1.7 Section 52(3) provides a deeper level of prohibition. It reads:

52(3) A person other than a registrant of a regulatory body must not use a reserved title or other name, title, description or abbreviation of a name or title, or an equivalent of a reserved title or other name or title in another language, in any manner that expresses or implies that the person is a registrant or associated with the regulatory body or is authorized to practice in a profession that is subject to a reserved title.

[Emphasis Added]

1.8 There are allowances or exemptions for the uses of professional reserved titles as well. Section 51(3) of the PGA states that a person registered with more than one regulatory body or who is authorized under another law to use a reserved title is allowed to do so. For example, a Professional Engineer who is also an Architect would be allowed to use the Architect title.

1.9 Section 53 of the PGA states it is permissible to use an abbreviation or equivalent of a reserved title in another language if the person using it

- (a) is authorized by a body in another province or a foreign jurisdiction that regulates a profession in that other province or foreign jurisdiction to do so,
- (b) indicates, in doing so,
 - (i) whether the person is authorized to practise the profession in the other province or foreign jurisdiction, and
 - (ii) the name of the other province or foreign jurisdiction, and
- (c) uses the title only for the purpose of indicating whether the person is authorized to practise the profession in any other province or foreign jurisdiction.

1.10 Taking authority from the PGA, Section 4 of the *Architects Regulation* establishes these legal expectations:

Reserved titles

4 (1) For the purposes of [section 51\(1\)\(a\) \[reserved titles\] of the Act](#), the following titles are reserved for the exclusive use of registrants:

- (a) “architect”;
- (b) “intern architect”;
- (c) “architectural technologist”.

(2) Despite subsection (1), the title “naval architect” may be used by a non-registrant.

1.11 The use of reserved titles is elaborated further in the AIBC Bylaws:

Use of Titles

- 4.92 Only Architects may be held out or hold themselves out to be an Architect and use the titles Architect and Architect AIBC.
- 4.93 Individual Registrants are entitled to be held out under the reserved title prescribed to them in the Architects Regulation, and to use that title in accordance with these Bylaws.
- 4.94 Individual Registrants must not be held out as or use a reserved title to which they are not entitled, nor any variations or abbreviations of reserved titles that imply entitlement to such title.
- 4.95 The following titles may be used by non-Architect Registrants registered in the respective categories:
- 4.95.1 Retired Architect and Retired Architect AIBC;
 - 4.95.2 Intern Architect and Intern Architect AIBC;
 - 4.95.3 Temporary Licensee (Architect);
 - 4.95.4 Architectural Technologist and Architectural Technologist AIBC; and
 - 4.95.5 Honorary Registrant AIBC (Legacy).

2.0 AIBC Expectations – Titles and Designations

- 2.1 For an individual who is not a Registrant of the AIBC, or for a business that does not hold an AIBC Certificate of Practice, the use of the following purported titles, descriptive terms or other similar terms is not considered acceptable by the AIBC in light of the prohibition in the PGA against use of language expressing or implying registration with the AIBC
- “Architect” (or “Arkitekt”, “European Architect”, etc. – see note above on acceptable use of titles from other provinces and foreign jurisdictions);
 - “Graduate Architect”;
 - “Architectural Design(er)”;
 - “Architectural Draftsman” or “Architectural Draftsperson”;
 - “Design Architect”;
 - “Project Architect”
 - “Research Architect”;

- “Interior Architect”;
- “Architectural Representative”;
- “Architectural Consultant”;
- “Architectural Advisor”;
- “Architectural Technician”;
- “Architectural Technologist” (unless a Registrant with the AIBC in that sub-category);
- “Intern Architect” or “Architect-in-Training” (unless a Registrant with the AIBC in that sub-category); and
- “Archi-” (prefix when used in a building design/construction context such as “Architectonic”).

2.2 For an individual who is not a Registrant of the AIBC, the use of the following descriptive terms is acceptable:

- “Holder of a Diploma (or Degree) in Architecture” and/or the use of the corresponding initials (if such is the case), such as B.Arch.;
- “Architectural Graduate” (if such is the case);
- “House or Home Designer”;
- “Building Designer”; and
- “Residential Designer”.

3.0 AIBC Expectations – Offers of Service

3.1 In addition to titles and designations, and as noted above, Section 52(1) of the PGA prohibits non-Registrants from using a reserved title, an abbreviation of the reserved title or an equivalent of the reserved title or abbreviation or an equivalent of the title: in another language to describe the non-Registrant’s work; in association with or as part of another title describing the non-Registrant’s work; or in association with a description of the non-Registrant’s work.

3.2 Accordingly, an individual who is not a Registrant of the AIBC or a business that does not hold an AIBC Certificate of Practice, the use of the following descriptive terms, or other similar terms, to describe services offered is not acceptable:

- “Architectural Drawings”;
- “Architectural Plans”;

- “Architectural Design”; and,
- “Architectural Services”.

3.3 Similarly, it is not acceptable for unregistered individuals or businesses to state or imply that they provide services which, by law may only be provided by an Architect or Architectural Firm.

3.4 A typical example of this may occur where a business includes in its portfolio the design of a building that is of a size or type that requires the services of an Architect under the Reserved Practice sections of the *Architects Regulation*. It would be reasonable for a member of the public reviewing such a portfolio to conclude that the business is lawfully permitted to provide these services, or that it is offering to do similar work, when they are legally prohibited from doing so. Therefore, this type of advertising is not permitted, unless the name of the Architect who provided services for the Project is clearly indicated.

4.0 Interpretation and Exceptions

4.1 The AIBC’s approach to enforcing the PGA, *Architects Regulation*, and AIBC Bylaws is to ensure that the public is not misled or deceived by inaccurate, misleading and unlawful descriptions of an individual’s or a business’s qualifications or abilities.

4.2 In some cases, certain representations that use “architect” or derivatives are not considered misleading. In each case, consideration is given to Section 52 of the PGA, by which the use of the title “architect” or derivatives is restricted and where such use “expresses or implies that the person is a registrant or associated with the regulatory body or is authorized to practice in a profession that is subject to a reserved title”.

4.3 For example, if an individual or business uses the term “architect” or derivative in a non-building or non-architectural design context, it is less likely to lead a reasonable person to infer that the entity is engaging in the practice of architecture as defined in the *Architects Regulation*. The AIBC must act reasonably, in the public interest and in keeping with the legal test provided by the PGA in determining whether an illegal use of “architect” or derivative has occurred.

4.4 For an individual/business that is clearly not engaged in the practice of architecture as defined in the *Architects Regulation*, the use of the following descriptive terms is considered generally acceptable:

- “Mortgage Architect”;
- “Information Architect”;
- “Software Architect”;
- “eBusiness Architect”; and
- “Interior Architectural Coatings” or “Architectural Antiques” (i.e., examples of the provision of building products, not services).

4.5 The AIBC recognizes that individuals will retire from their professional career as an Architect and may decide not to maintain registration as an individual registered in the Retired Architect category. Such individuals may call themselves a “retired architect” or “former architect”, provided that they were in fact previously registered as an architect, either in BC or another jurisdiction. Under the PGA, a retired architect or former architect is not permitted to provide or offer to provide architectural services in the Reserved Practice in BC or be held out as an Architect.

5.0 Penalties and Enforcement

5.1 The AIBC takes its role in enforcing the PGA and the *Architects Regulation* seriously. When an illegal use of title or misrepresentation is brought to our attention, professional staff follow up.

5.2 Most first-time or inadvertent contraventions can be resolved quickly by agreement. However, when a person or business insists on illegally misrepresenting themselves, or repeating the misrepresentations, the AIBC has the authority under the PGA to:

- in the case of an individual, on conviction, obtain payment of a fine of not more than \$200,000 or to a term of imprisonment of not more than two years or both, and in the case of a firm, on conviction, obtain payment of a fine of not more than \$500,000 (Section 106(2) of the PGA);
- obtain a temporary or permanent injunction (court order) (Section 107 of the PGA); and
- initiate legal contempt proceedings (Section 108 of the PGA).

5.3 The AIBC publishes concluded illegal practice files, including files involving misrepresentations, on its website at: <https://aibc.ca/protecting-the-public/illegal-practice/illegal-practice-resolutions/>.

This document is meant to provide general information only and does not constitute legal advice. The examples provided are not conclusive or exhaustive. For specific questions regarding any illegal practice issue, including use of title or misrepresentations, contact the AIBC’s illegal practice department at illegalpractice@aibc.ca.

Document Amendment History (2002–2023)

2023: November. Document updated to reflect the new legislation (PGA), *Architects Regulation* and AIBC Bylaws.

2018: December. Third Edition. Revisions include addition of section 2.3 for added clarity for architects registered in other jurisdictions; addition of section 3.0 which provides information regarding limitations on offers of service including descriptive terms of services; addition of section 5.0 which outlines penalties and enforcement of the *Architects Act*. Improved syntax, organization and format. New template applied and title revised to better describe content.

2012: November. Revised per Bylaw 10: Architect AIBC replaces MAIBC

2009: September. Second Edition. This second edition, approved by the AIBC Council in May 2009, replaces its predecessor edition, dated April 2002. While fundamentally similar, it includes

introductory paragraphs outlining the AIBC's legal authority with respect to the illegal practice of architecture, occasional improvement to syntax and form and updated descriptive terms to reflect current trends.

2002: April. First Edition

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