Bulletin 32: Right to Title: The Legal Use of “Architect” and Derivatives

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1.0 Background and Authority

1.1 The Architectural Institute of British Columbia (AIBC) is mandated under the Architects Act (the "Act") to regulate the profession of architecture in British Columbia, in the public interest. This includes regulating the conduct of architects and associates and in taking action in cases of illegal practice by non-registrants.

1.2 The Act's purpose 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 training and experience; 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.

1.3 This bulletin focuses on the use of titles and descriptions. Section 63 of the Act establishes these legal expectations:

63 (1) Subject to this Act, a person not registered as a member or as an architectural firm must not use or be held out under the title "architect" or any similar title or description or use, and must not advertise or be held out under any name, title, addition or description implying, or likely to lead the public to infer, that a registration under this Act applies.

(2) A person or architectural firm that does not hold a certificate of practice must not be held out or implied to hold a certificate of practice.

(3) A person not licensed under this Act must not be held out or implied to be licensed under this Act.

2.0 AIBC Expectations – Titles and Designations

2.1 For an individual who is not registered as a member of the AIBC, (i.e., who is not an architect) or for a business that does not hold an AIBC Certificate of Practice, the use of the following descriptive terms, or other similar terms, is not acceptable:

• “Architect” (or “Arkitekt”, “European Architect”, etc.);
• “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 so registered as an associate with the AIBC);
• “Intern Architect” or “Architect-in-Training” (unless so registered as an associate with the AIBC); and,
• “Archi-” (prefix when used in a building design/construction context such as “Architectonic”).

2.2 For an individual who is not a member, associate, architectural firm or licensee 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”; and,
• “Residential Designer”.

2.3 Further to section 2.2, the AIBC recognizes that some individuals who are not registered with the AIBC may be registered as architects in other jurisdictions. Such individuals may use the title “architect”, provided that:

a) The jurisdiction of registration is clearly and conspicuously stated;

b) The title is used in accordance with any regulations specified in their jurisdiction of registration; and,

c) The jurisdiction where they are claiming registration has a regulatory body responsible for registration of architects, and they are in fact registered with that regulatory body.

3.0 AIBC Expectations – Offers of Service

3.1 In addition to titles and designations, the Act prohibits those not registered with the AIBC from holding themselves out as being qualified, able, or willing to do any act that may only be done by a registered architect or architectural firm. This includes offers of service.
3.2 For an individual who is not registered as a member of the AIBC, (i.e., who is not an architect) or for 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 common example of this is where a company includes in its portfolio the design of a building that is of a size or type that an architect is required under the Act. A member of the public reviewing such a portfolio would likely conclude that the company is able to do this type of work, or that it is offering to do similar work, when they are legally prohibited from doing so. This type of advertising is therefore not permitted.

4.0 Interpretation and Exceptions

4.1 The AIBC’s approach to Act enforcement is to ensure that the public is not misled or deceived by inaccurate and unlawful descriptions of an individual’s or a company’s qualifications or abilities.

4.2 In some cases, certain representations that use “architect” or derivatives are not considered to be misleading. In each case, consideration is given to Section 63 of the Act, by which the use of the title “architect” or derivatives is restricted where such use is “likely to lead the public to infer that a registration under the Act applies.”

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 providing architectural services as defined in the Act. The AIBC must act reasonably, in the public interest and in keeping with the legal test provided by the Act in determining whether an illegal use of “architect” or derivative has taken place.

4.4 For an individual/business that is clearly not “engaged in the planning or supervision of the erection or alteration of buildings” per Section 59 of the Act, 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 Similarly, the Act acknowledges that individuals working as Landscape Architects and Naval Architects may use those titles.

5.0 Penalties and Enforcement

5.1 The AIBC takes its role in enforcing the Architects Act seriously. When an illegal use of title or misrepresentation is brought to our attention, we 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 itself, the Act provides the AIBC with the ability to initiate legal proceedings and obtain a temporary or permanent injunction (court order), and an award of financial damages up to $25,000. More information regarding penalties and enforcement can be found in AIBC Bulletin 30: The Architects Act of British Columbia Enforcement Procedures.

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 bulletin 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.


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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