



**Architects' Association of New Brunswick  
POLICY STATEMENTS INDEX**

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## **Architects' Association of New Brunswick POLICY STATEMENTS OVERVIEW**

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### **POLICY STATEMENT**

As a result of several situations which have arisen over the past months, Council has approved the establishment of "Policy Statements" to be circulated to the membership.

These Policy Statements will go over a number of matters affecting the Association members, the practice of architecture in New Brunswick, and the enforcement of our Act and By-Laws.

Policy Statements are based on the provisions of the Act and By-Laws, and are in fact, Council's interpretation of these provisions. Policy Statements will form part of the Association's basic documentation, together with the Act and By-Laws.

Any member wishing to dispute and issued Policy Statement may do so by submitting to Council, in writing, the reasons for the dispute and such submission shall include all necessary documentation to support the member's differing point of view. The member's submission will be considered by Council at its first opportunity, and Council's decision will be final.



**Architects' Association of New Brunswick  
POLICY STATEMENT - 8801**

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**LETTERS CONFIRMING MEMBERSHIP**

The Association will issue letters confirming membership in the AANB for members applying for membership or temporary licenses in other jurisdictions. Letters requested for other purposes will be issued at the discretion of the Association.

Letters will not be issued "To Whom It May Concern", but will be sent, by the Association, to an identified recipient.

Letters will state that the AANB member is a member in good standing or that the person named therein was a member until such time as his/her membership was terminated, and in such case, will indicate the reason for termination. The letter will also indicate the date of registration or enrolment, and will indicate any lapses in membership, and the reason for same.

Letters will state that registration does not grant the right to practice architecture. If so requested by the member, the letter will include the statement that the member holds a Certificate of Practice if that is, in fact, the case.



## **Architects' Association of New Brunswick POLICY STATEMENT - 8802**

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### **APPLICATIONS**

Completion of the prescribed forms as designated by Council is required when making application for membership, licences or Certificates of Practice.

Applications are to be forwarded to the Association office, where they will be reviewed for completeness by the Executive Director. Applications that are not complete in all respects, including the required documentation and fees, will not be presented to Council, and will be returned to the applicant for completion.

Section 7 of the By-laws includes the following provisions:

- 7.1 All applications shall be made on the prescribed form (if any) completed in full. In all cases, the fee or dues noted as payable on the form shall accompany the application.
  
- 7.3 Council may from time to time make amendments to the prescribed forms that it considers necessary. Upon receiving a completed application, Council may request additional information from the applicant that it considers necessary and the receipt of the additional information shall be a condition precedent to further action by Council on the application other than rejection if the information is not received within a reasonable time.



## Architects' Association of New Brunswick POLICY STATEMENT - 8803

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### APPLICATION FOR REGISTRATION

The New Brunswick Architects' Act and By-laws specify all the requirements for registration by the Architects' Association of New Brunswick. This policy statement is issued to assist in completing the prescribed application forms.

The following is a summary of the requirements of the Act and By-laws:

1. The applicant shall be a resident of New Brunswick, and shall have resided in the province for at least six (6) months prior to application.

Documentation Required: A letter to Council indicating the length of residency, and stating the applicant's intent to remain a resident of New Brunswick.

2. The applicant shall be a graduate of an accredited School of Architecture or programme of study recognized by Council.

Documentation Required: Copies of all diplomas.

3. The applicant shall have obtained certification of his/her academic qualifications from the Canadian Architectural Certification Board.

Documentation Required: Photocopy of the letter from the CACB advising the candidate of certification of his/her credentials, and/or a copy of the wallet-sized card.

See Policy Statement 8905

4. The applicant shall have fulfilled the requirements of approved architectural experience as set from time to time by Council. At present, three years experience is required.

Documentation Required: A graduate applicant shall provide a completed Canadian Experience Record Book.

A photocopy of the Experience Record Book as submitted to Council will become part of the member's permanent file.

An applicant who is a Registered Member of another architectural association may present proof of registration in lieu of submitting an Experience Record book.

5. The applicant shall have successfully completed preregistration examinations as specified by Council. See Policy Statement 8906.



**Architects' Association of New Brunswick  
POLICY STATEMENT - 8803**

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Documentation Required: Photocopy of the transcript of marks provided by the National Council of Architectural Registration Boards (NCARB) and the Canadian Architectural Registration Examination Committee (CAREC).

6. The applicant shall provide evidence of good character satisfactory to Council.

Documentation Required: A Graduate applicant for registered membership shall provide a letter from his/her supervising architect, who is to be a Registered member of the AANB.

This requirement is waived for applicants who are Registered Members of another recognized Architectural Association.

7. Council will not consider an application unless it is complete in all respects, and is accompanied by all required documentation and the appropriate fees.
8. Applicants for registration are required to appear before Council for a personal interview. Registration is not effective until this requirement has been met.
9. Applicants who have been granted Registered member status in this Association are encouraged to use the designation "AANB" following their name.

Relevant Section of the Act: 8, 9

Relevant Section of the By-law: 4

REGISTRATION BY THE ARCHITECTS' ASSOCIATION OF NEW BRUNSWICK DOES NOT GRANT THE RIGHT TO PRACTICE ARCHITECTURE. The right to practice is vested in the Certificate of Practice, of which one of the requirements is registration.



## Architects' Association of New Brunswick POLICY STATEMENT - 8804

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### STAMPS

The Architects' Association of New Brunswick issues three separate stamps – the Registered Member Stamp, the Certificate of Practice Stamp, and the Temporary Licence Stamp.

These stamps are the property of the Association, and are subject to return to the AANB on demand.

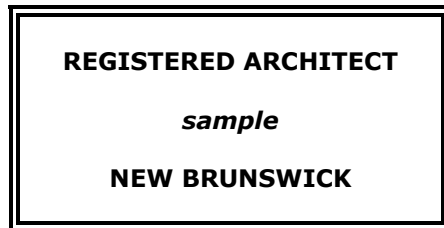
### USE OF AANB STAMPS

#### **Registered Member Stamp:**

Is issued to an individual architect upon registration, and bears his/her name;

Possession of this stamp does not confer the right to practice architecture;

This stamp is not to be used alone in instances specified by the Act and By-laws as requiring the affixing of a stamp, however, it may be used in conjunction with the Certificate of Practice stamp if so desired.



#### **Certificate of Practice Stamps:**

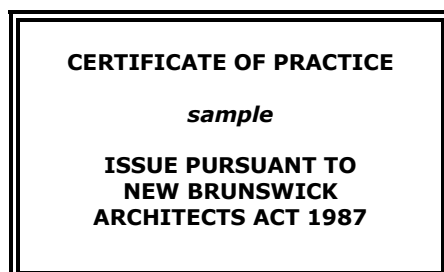
Is issued to the holder of a Certificate of Practice, and bears the name of the practice; and bears the name of the practice;

Possession of this stamp confers the right to practice architecture;

The imprint of this stamp is to be signed by the individual architect named on the Certificate of Practice application as having authority to affix the stamp on behalf of the practice,

The architect's registered member stamp may accompany the Certificate of Practice stamp if so desired;

The imprint of this stamp is to be displayed prominently on the face of the drawings or documents specified by By-laws.





## Architects' Association of New Brunswick POLICY STATEMENT - 8804

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### STAMPS

#### Temporary Licence Stamp:

Is issued to the holder of a temporary licence, and bears the name of the holder, the associate architect, the project and the expiration date of the temporary licence.

This stamp is proof that an out-of-province architect has been granted the right to practice architecture with respect to the project named thereon until the date specified;

This stamp is to be used by the temporary licence holder in all instances specified by the Act and By-laws as requiring the affixing of a stamp;

The imprint of this stamp must be signed by the holder of the temporary licence (who is also required to hold a Certificate of Practice);

The architect's registered member stamp issued by the registering association may accompany this stamp if so desire;

A Certificate of Practice stamp is not required to accompany the Temporary Licence Stamp.

The imprint of this stamp is to be displayed prominently on the face of the drawings or documents specified by By-laws.

<b>ARCHITECTS' ASSOCIATION OF NEW BRUNSWICK TEMPORARY LICENCE HOLDER</b>	
<b>LICENCE NO:</b>	<b>PROJECT</b>
<b>EXPIRES:</b>	<i>sample</i>
<b>ASSOCIATE ARCHITECT:</b>	

The conditions under which the various stamps may be issued, the obligations of the holders of these stamps, and regulations regarding their use are detailed in Sections 15 and 28 of the New Brunswick Architects' Act, and in Sections 6.4, 15.18, 15.19 and 15.20 of the By-laws of the Association.

Policy Statement 8804  
24 November 1988





## Architects' Association of New Brunswick POLICY STATEMENT - 8805

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### SHARED PREMISES

Council will allow an architectural practice(s) and other business(es) to share premises, provided certain conditions are met. The intent of the following requirements is to ensure that the architectural practice is clearly identified as such.

In addition to complying with the requirements of Section 6.6 of the By-laws, the following requirements must be satisfied:

1. The architectural practice will conduct its affairs under its own name.
2. The names of all practices/businesses sharing the premises must be prominently displayed to the general public.
3. The architectural practice will maintain a separate office within the premises.
4. Each practice/business must maintain separate records and filing systems. The records and files of the architectural practice must be under the direct supervision of the Architect.
5. Each practice/business must either:
  - Maintain a separate telephone line; or
  - In the case of the practice and business sharing the same telephone number, the telephone must be answered giving the names of all practices/businesses.
6. The AANB reserves the right to inspect the premises during normal business hours to ensure compliance with these requirements.



**Architects' Association of New Brunswick  
POLICY STATEMENT - 8901**

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**ARCHITECTS EMPLOYED BY FIRMS NOT HOLDING A CERTIFICATE OF PRACTICE**

Council notes that in certain cases, Registered members may be employed by firms that do not hold a Certificate of Practice.

This is acceptable if an Architect who does not hold a Certificate of Practice does not practice architecture in the course of his employment.

If an Architect is expected to practice architecture as defined by the Act, in the course of his employment, such practice must be carried on under a Certificate of Practice issued to himself, or the employer.

If an employed Architect, who holds a certificate of practice, is to provide architectural services to his employer, these services must be solely related to structures to be used by the employer, or related businesses of the employer.

The employed Architect must ensure that it is not implied that, by his employment, the employer has the right to offer architectural services to the public, or to practice architecture.

Members should note Section 15.1.5 of the By-laws, which state:

“15.1 For the purpose of the Act and By-laws, “professional misconduct” shall include:

- .5 Authorizing, permitting, counselling, assisting, aiding or abetting any person who is not a member or a holder of a Certificate of Practice or a licence to engage or hold himself out as engaging in the practice of architecture; .....

Relevant Sections of the Act: Section 2 – Definitions; Section 12(1); Section 13(2), 13(3), 13(4); Section 14(4);

Relevant Sections of the By-laws; Section 6; Section 15.1.5



**Architects' Association of New Brunswick  
POLICY STATEMENT - 8902**

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**CERTIFICATE OF PRACTICE**

Registration of an Architect by the Architects' Association of New Brunswick does not grant the right to practice architecture in this province. The right to practice is granted by the Certificate of Practice.

Every Registered Member or licensee of the Association may apply for a Certificate of Practice, which will be granted provided the requirements of the Act and By-laws have been met.

The following guidelines are a summary of the provisions of the Act and By-laws.

1. Certificate of Practice will be issued in the name under which the practice of architecture is conducted. Practice names must comply with the requirements of Section 6.5.1 of the By-laws.
2. Certificates of Practice may be issued to an Architect practising as a sole proprietor, or to architects practising as a partnership if the provisions of Section 12, 13.2 and 13.3 of the Act have been met.
3. As provided in Section 13.4 of the Act, members may practice architecture in the name of a corporation if at least two-thirds of the directors of the corporation are architects or engineers, and the majority of the issued shares are beneficially owned by and registered in the name of the architects or engineers.

Documentation Required:

- I. Applicants who practice as a corporation shall attach to their application for a Certificate of Practice a copy of their Articles of Incorporation. Council will not consider applications from corporations if the Articles of Incorporation are not included.
  - II. If a corporation applying for a Certificate of Practice includes officers and/or directors who are members of the APENB, or members of other provincial architectural or engineering associations, a letter of good standing from the registering jurisdiction must accompany the application.
4. Applications for a Certificate of Practice will not be granted if the practice's letterhead does not meet the requirements of Section 6.5.2 of the By-laws.

Documentation Required: A sample of the practice's letterhead must be attached to the application.

See Policy Statement 8903 for further information on letterheads.



**Architects' Association of New Brunswick  
POLICY STATEMENT - 8902**

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5. If an architect, who is an employee of a holder of a Certificate of Practices wishes to obtain a Certificate in his own right, he must submit with his application a letter from his employer stating that the applicant has his employer's consent to hold a Certificate of Practice while in his employ.
  
6. The application for a Certificate of Practice shall include the name of the Registered member(s) authorized to affix the practice's stamp in accordance with the requirements of the Act and By-laws.
  
7. The Registered member(s) named on the application as having authority to do so, shall affix the practice's stamp in all instances designated by the By-laws as requiring a stamp, and shall sign the imprint of the stamp.

See Policy Statement 8804 for further information on Stamps.

Relevant Section of the By- laws: Section 6



**Architects' Association of New Brunswick  
POLICY STATEMENT - 8903**

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**LETTERHEAD**

Section 6.5.2 of the By-laws states:

"Styling of firm, company or corporate names and the composition of letterheads of persons applying for a Certificate of Practice shall be approved by Council."

The following information is required to be included on the letterhead for approval by Council:

1. Practice name.
2. Complete address, including postal code.
3. Telephone number.
4. The names of all persons responsible for the practice of architecture. The name shall be shown separate and apart from the name of the practice.

Council encourages the use of professional designations, particularly the use of "AANB", by Registered members.

To satisfy the requirements of Section 6.5.5 that a copy of the practice's current letterhead be filed with the Association from time to time, each application for a Certificate of Practice shall have attached a copy of the practice's letterhead. (See Policy Statement 8902)

Council will not accept a photocopy of letterhead unless it is clearly designated as a printer's proof for Council approval. In such case, a sample of the printed letterhead must be filed with the Association before the Certificate of Practice will be issued.

Relevant Section of the By-laws: 6.5.1, 6.5.2, 6.5.4, 6.5.5



## Architects' Association of New Brunswick POLICY STATEMENT - 8904

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### CHANGE OF ADDRESS

Two Sections of the By-laws deal with a member's change of address:

Section 4.5.1 – Each individual registered or enrolled as a member shall promptly notify the Executive Secretary of any change of address. The mailing of a notice to the last address of the member on the records of the Association shall be deemed to constitute service of notice for any purposes of the Association.

Section 15.1 – For the purpose of the Act and By-laws, "professional misconduct" shall include:

22. Failing to notify the Registrar in writing forthwith of a change of address recorded on the register maintained under the Act by the Registrar;

Members shall advise the Association, in writing, of any change in address. In so notifying the AANB, the member shall ensure that the new address is complete in all respects, including postal code.

If mail is returned to the Association because of a change of address of which the Association has not been notified, the member will be invoiced for the additional postage charges incurred in redirecting mail to the new address.

Relevant Sections of the By-laws: 4.5.1; 15.1.22



**Architects' Association of New Brunswick  
POLICY STATEMENT - 8905**

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**CERTIFICATION OF ACADEMIC QUALIFICATION RE REGISTRATION**

Section 4.3.2 of the By-laws state:

"An applicant for Registered Membership shall...

- (b) be a graduate in architecture of an accredited university, other academic or technical institution, or program of study recognized by Council, and hold a certificate of academic qualification recognized by Council";

For the purpose of this section of the By-laws, Council recognizes a certificate issued by the CANADIAN ARCHITECTURAL CERTIFICATION BOARD.

Relevant Section of the Act: 9(3)

Relevant Section of the By-laws: 4.3.2



**Architects' Association of New Brunswick  
POLICY STATEMENT - 8906**

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**REGISTRATION EXAMINATIONS**

For the purposes of fulfilling the requirements of Section 4 of the by-laws applicants for registration are to have successfully completed the CANADIAN ARCHITECTURAL PRACTICE EXAMINATION (CAPE), administered by the Canadian Architectural Registration Examination Committee (CAREC), AND the ARCHITECTURAL REGISTRATION EXAMINATION (ARE), ALL SECTIONS, excepting Section C Building Design, administered by the National Council of Architectural Registration Boards (NCARB).

Candidates for registration are subject to all regulations and requirements as established by CAREC and NCARB.

NCARB Exam Components:

- Division A: Pre-Design
- Division B: Site Design
- Division C: Building Design/Design Systems
- Division D/F: Structural – General and Long Span
- Division E: Structural Technical – Lateral Forces
- Division G: Mechanical, Plumbing, Electrical Life Safety Systems
- Division H: Materials and Methods
- Division I: Construction Documents and Services

Parties du CAPE:

- Legal Aspects
- Regulation of the Architectural Profession
- Management of Practice

Relevant Sections of the By-laws: 4.3.2, 4.3.5





## **Architects' Association of New Brunswick POLICY STATEMENT - 8907**

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### **RECIPROCAL AGREEMENTS**

It was Council's decision in 1988 to enter into agreements on reciprocal membership with three Associations of like mind – the Nova Scotia Association of Architects, the Ordre des Architectes du Québec, and the Manitoba Association of Architects. Members of these three Associations will be granted a reciprocal (non-resident) membership provided they meet all the requirements of Registered membership, with the exception of residency.

Reciprocal membership in the AANB grants all rights and privileges of Registered membership, with the exception of voting privileges.

As in the case of Registered members, Reciprocal members must apply for a Certificate of Practice if they wish to practice architecture in New Brunswick. A Certificate of Practice will not be granted to a Reciprocal Member until Council is satisfied that the Reciprocal member's professional presence will meet the intent of the Act and By-laws.

Applicants for Reciprocal membership shall apply under the provisions of the agreement with the architectural association of the province in which they are resident at the time of application.



**Architects' Association of New Brunswick  
POLICY STATEMENT - 8908**

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**DOCUMENT SIGNATURES**

For the purpose of conducting the business of the Association, Council requires that all correspondence, applications, proxies or other documents submitted to the Association be the original copy of the correspondence, application, proxy or document, bearing the signature of the individual initiating the document.

Council will accept a mechanically reproduced document (photocopy or electronic mail) on the condition that the original document bearing the signature of the individual is received in the Association office within (10) days of receipt of the copy.

Failure to provide the original copy of the document will result in invalidation of the correspondence. Application, proxy or document.



## **Architects' Association of New Brunswick POLICY STATEMENT - 8909**

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### **PROXIES**

At the Annual Meeting held 24 February 1990, the Members voted to eliminate altogether the provisions for voting by proxy. However, the members further instructed Council to reconsider this amendment, and as a result of the subsequent discussion, council is amending Section 10.2.5 to read:

At each meeting of the Association, every Registered Member present shall be entitled to one vote. No Registered Member shall be entitled to vote at a meeting of the Association by proxy, except under the following circumstances: A Registered member who is prevented by serious illness or absence from the province from attending the meeting, may appoint another Registered Member of the Association his proxy to attend and act at the meeting for the specific purpose of voting on behalf of the Registered Member. The instrument appointing the proxy shall be in the form prescribed by Council.

The proxy must be on the form prescribed by Council, and must bear the actual signature of the Registered Member. Council will not recognize a proxy that is a photocopy or an electronically transmitted copy.

All Members of the Association will receive a "Notice of Motion to Amend the By-laws" prior to a meeting of the Association in sufficient time to comply with this By-laws should they have reason to file a proxy.



## Architects' Association of New Brunswick POLICY STATEMENT - 9001

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### RETIRED MEMBERS

Council was asked to consider the exact extent to which a retired member of the Association may practice architecture. In reviewing this issue, Council noted the following definitions:

"Retired Members" are individuals who have ceased the practice of architecture while Registered members in good standing: - membership is automatic upon retirement from active practice.

"Practice of architecture" means:

- a) the preparation or provision of a design to govern the construction, enlargement or alternation of a building, or the related site development,
- b) evaluating, advising on, or reporting on the construction, enlargement or alternation of a building, or the related site development,
- c) a general review of the construction, enlargement or alteration of a building, or the related site development.

"Member" means an individual who holds a Certificate of Registration issued pursuant to Section 10 of this Act;

Council was also mindful of the following Section of the Act:

14(1) The Council shall approve an application for a Certificate of Practice to practice architecture in New Brunswick if it is satisfied that the member, licensee, sole proprietorship, partnership or corporation applying for a Certificate has fulfilled all of the requirements of this Act and the By-laws.

23 Except as provided in this Act or the By-laws, every individual other than a member or licensee who

- a) engages in the practice of architecture;
- b) uses orally or otherwise the title "architect", the initials "AANB", or any name, title, description or designation that will lead to the belief that such a person is an architect;
- c) advertises, holds himself out or conducts himself in any way or in any manner as an architect; or



**Architects' Association of New Brunswick  
POLICY STATEMENT - 9001**

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- d) uses a stamp or seal that will lead to the belief that the person is an architect, and does not hold a valid Certificate of Practice, is guilty of an offence, punishable on summary conviction.

As the Act and By-laws clearly state that a Certificate of Practice will be issued only to Registered members or licensees, and that a Certificate is necessary to carry on the practice of architecture, a Retired member therefore cannot practice architecture.

The question was then raised as to whether a retired member could practice in the role of an employee architect, if a Registered member in possession of a Certificate of Practice was willing to assume responsibility for his work. Under the provisions of the Act and By-laws are met, and that a bona-fide employer-employee relationship exists.

It is further noted that Section 6 of the By-laws provides that the names of those persons responsible for the practice of architecture will be shown on the practice's letterhead. Should therefore, the name of a retired member appear on a practice's letterhead, one could be misled to believe that the retired member is responsible for the practice of architecture unless the retired member is clearly designated as "retired".

The situation was also discussed wherein a retired member may from time to time act as a "consultant" to a firm. If this is the case, and the retired member is providing any of the services included in the definition of the "practice of architecture" then the retired member will be in contravention of the Act, as he is not in possession of, and by the provisions of the By-laws, cannot hold a Certificate of Practice. Should a retired member entertain thoughts of acting on a "consultant" basis, it is then necessary that he be reinstated as a "registered" member, and comply with the Certificate of Practice regulations.



## Architects' Association of New Brunswick POLICY STATEMENT - 9002

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### NSF CHEQUES

From time to time, a cheque is submitted to Council in payment of membership dues or certificate of practice fees, which is returned to the Association by the bank because of non-sufficient funds.

When this happens, the membership and/or certificate of practice for which the cheque was submitted will be deemed invalid, as the application was not complete in that the required dues and fees did not accompany the application. (See Policy Statement 8802, By-laws Section 7.1, 8.5 and 4.3.2)

Further, Council will deem a member who has submitted a cheque that is returned NSF to have contravened Section 15 of the By-laws, and the following action will be taken:

In the case of a cheque for membership dues, the member will be advised that his name has been removed from the Register for non-payment of dues. The member will then be subject, to Section 8.7 of the By-laws, which provides for a re-registration fee of not more than \$250. If the member holds a Certificate of Practice at the time, it will be cancelled.

If the cheque was for a Certificate of Practice, the certificate will be immediately cancelled, and the member will return to the AANB office the Practice's Stamp and Certificate, and will cease the practice of architecture until such time as he is once again in possession of a valid Certificate of Practice (has been cancelled), there shall be a reapplication to the annual fee for a Certificate of Practice.

In addition to the above, the member will be expected to provide certified cheques to the Association in support of his reapplications, and shall be responsible for reimbursing the AANB for its bank charges relating to the NSF cheques.

Cheques that are returned NSF, which were submitted in settlement of accounts other than dues for COP's will be subject to a \$25 fee, plus AANB costs.