

BYLAWS OF THE SASKATCHEWAN
ASSOCIATION OF ARCHITECTS

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THE SASKATCHEWAN ASSOCIATION OF ARCHITECTS

Certified as true at November 16, 2016



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Executive Director

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The Architects Act, 1996
[sections 14 and 15]

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Be it enacted as bylaws of the Saskatchewan Association of Architects the following bylaws:

BYLAW No. 1 — DEFINITIONS

- 1.01 In these bylaws:
- .1 “**Act**” means *The Architects Act, 1996*;
 - .2 “**Executive Director**” means the individual appointed as Executive Director of the Association by resolution of council;
 - .3 “**Secretary-Treasurer**” and “**President**” mean respectively the individuals elected by council to hold those offices under this bylaw;
 - .4 “**architect**” means:
 - .1 a member;
 - .2 a registered architect; and
 - .3 when the context permits, a corporation licensed to practice architecture;
 - .5 “**firm**” means a person or body that carries on the practice of architecture and includes an architect, a partnership and a licensed corporation;
 - .6 “**partnership**” means an association of authorized entities or authorized entities and other persons that carry on the practice of architecture, whether on a full-time, part-time or limited basis.

BYLAW No. 2 — SEALS

Corporate Seal

- 2.01 The seal of the Association shall contain the words “The Saskatchewan Association of Architects Incorporated 1911”, which seal shall remain in the custody of the Executive Director or in his or her absence or inability to act, the Secretary-Treasurer.
- .1 The seal shall not be affixed to any deed or writing except as may be authorized by council; and where such authorization occurs, shall be signed by the President and the Secretary-Treasurer or such other persons as the council may from time to time resolve.

Member Seal

- 2.02 Every practicing member shall have a seal, supplied by the Association, the impression of which shall contain the name of the member, the member’s registration number and place of business, and the words “Registered Architect, Saskatchewan” and the name of the Association.
- .1 The seal, when affixed to drawings, shall bear the member’s signature and the date.
 - .2 The seal is the property of the Association. If a person ceases to be a member of the Association, their seal shall be promptly delivered to the office of the Association. If the member is reinstated, the seal shall be returned to the member.
 - .3 The practice of electronic sealing is recognized, and regulations in this bylaw shall apply to it accordingly, modified as needed to accommodate the changed format.

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.4 A member may on request be supplied with a half-size seal, identical in every way and subject to the same conditions above, for sealing agreements, reports and contracts.

Temporary Seal

2.03 The Association may provide a temporary seal to individuals granted membership under temporary licensure to practice architecture. Such seal shall be provided under the same conditions as described in Bylaw 2.02.

BYLAW No. 3 — AMENDMENT OF BYLAWS

- 3.01 Procedures for making or amending bylaws shall conform to section 14 of the Act.
- 3.02 Any member or the council may propose a change to the bylaws by a resolution in writing filed with the Secretary-Treasurer at least thirty (30) days before a general meeting. Upon receipt of such notice, the Secretary-Treasurer may submit the resolution to the solicitor for the Association for review. The proposed resolution, together with the review of the solicitor where applicable, shall accompany the notice of meeting to the members.
- 3.03 Notwithstanding Bylaw 3.02, the council may, without any such notice, at any general meeting of the Association place before the members a resolution for such changes to the bylaws.
- 3.04 Any change to the bylaws shall state a date upon which the change is to take effect.
- 3.05 Upon coming into force of these Bylaws, they shall supersede all previous Bylaws and amendments.

BYLAW No. 4 — MEETINGS

- 4.01 The Association shall hold an annual general meeting at such time as the council may appoint, and at such place as may be determined by the previous annual general meeting or a previous general meeting, or in default, as may be determined by the council.
- 4.02 Special general meetings of the Association may be called at any time by the council and it shall be the duty of the council to call the same upon a request in writing signed by at least ten (10) members or life members.
- 4.03 The accidental omission to give notice of a meeting to, or the non-receipt of a notice of a meeting by any member shall not invalidate the proceedings at any meeting.
- 4.04 The quorum for an annual general meeting and a special general meeting shall be 25% of the members resident in the province including a majority of the members of council.
- 4.05 No business shall be transacted at any general meeting of the Association unless a quorum of members is present at the time when the meeting proceeds to business. The meeting shall be delayed until a quorum is once again in attendance at which

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time the meeting may then proceed to business.

- 4.06 Auditors shall be appointed at every third annual general meeting of the Association. In all other years, at the annual general meeting, a Chartered Accountant, Certified Management Accountant, or a Certified General Accountant shall be appointed to conduct an un-audited financial review of the financial statements of the Association.
- 4.07 Unless otherwise expressly provided in the bylaws, or in the Act, the meetings of the Association shall be conducted according to the rules laid down in *Robert's Rules of Order*.

BYLAW No. 5 — COUNCIL

- 5.01 The council shall consist of ten individuals, two appointed by the Lieutenant Governor in Council; the Past-President and the remaining seven to be members who have been registered architects in Saskatchewan for at least three years immediately prior to their election or appointment and have resided in Saskatchewan for at least three years immediately prior to their election or appointment and of which at least two reside in Regina and at least two reside in Saskatoon. The office of a council member shall be vacated where the council member is no longer a resident of Saskatchewan.
- 5.02 The council so constituted shall choose from among themselves their President, a First and a Second Vice-President and a Secretary-Treasurer. Members and associate members shall be notified forthwith as to the names of the officers so elected.

BYLAW No. 6 — COUNCIL MEETINGS

- 6.01 The council shall meet at such times and places and in such ways as may be by them directed, provided, however, they shall meet at least four times yearly.
- .1 Six members of the council shall constitute a quorum of the council.
- 6.02 Special meetings of the council may be called at any time by the President or the Secretary-Treasurer giving at least 24-hours notice prior to the time of the meeting.
- 6.03 .1 A member of council or a member of a committee of the council is entitled to the allowable expenses set forth in .2 herein while engaged in the business of the Association.
- .1 The President or his/her designate is entitled to be reimbursed for his/her traveling, living and accommodation expenses at annual general meetings and special general meetings.
- .2 Allowable expenses shall be according to the current schedule, authorized by the government of Saskatchewan for its employees.
- .2 The expenses allowed shall not apply to regular attendance at functions to which normal attendance, as a member of the Association would be expected.
- .3 The most cost-effective methods available shall be employed.

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BYLAW No. 7 — ELECTION OF COUNCIL MEMBERS

- 7.01 The Past-president shall nominate at the annual general meeting the necessary number of members, plus one, to fill the vacancies of retiring council members. Further nominations may be received at such meeting from the floor. Any member so nominated shall either in writing or by verbal assent at the general meeting express his/her consent to let his/her name stand.
- 7.02 Voting by members present at the meeting shall be by secret ballot. Two scrutineers, to be appointed by the President at the time of voting, shall distribute blank ballots which shall be marked in a manner agreed upon and which shall be collected and counted by the scrutineers.
- 7.03 The scrutineers shall ascertain the number of votes given for each nominated member of the Association and shall certify same to the President who shall forthwith announce to the meeting the names of the required number of members having received the largest number of votes, who shall be declared elected to the council for the ensuing year.
- 7.04 The Secretary-Treasurer shall record the names of each council member and the expiry date of each council member's term of office.
- 7.05 Elected members of council shall hold office for a term of three years and such members shall be elected and retired in rotations of three members, two members and two members in consecutive years.

BYLAW No. 8 — DUTIES OF OFFICERS

- 8.01 It shall be the duty of the President to preside at all meetings of the Association and of the council. In the absence of the President, the First Vice-President, and in his/her absence a member chosen from the members present, shall act as Chairperson of the meeting.
- 8.02 The Secretary-Treasurer may be the Registrar of the Association and will oversee the Executive Director. The Executive Director shall be responsible to ensure the taking and keeping of the minutes of the meetings of the Association and of the council, in English, and to conduct the correspondence of the Association under direction of the council.
- 8.03 Pursuant to Section 12(2) of the Act, the Executive Director shall attend council meetings, and implement the instructions of council.
- 8.04 It shall be the duty of the Secretary-Treasurer, at least 15 days before the annual general meeting, to forward to each member of the Association with the notice of meeting:
- .1 a statement of the receipts and expenditures during the preceding year;
 - .2 a list of all the members of the Association who are qualified to vote at the time of the posting of such notices; and
 - .3 a list of the members of the council.

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- 8.05 The Secretary-Treasurer shall have the care of monies from time to time received on behalf of the Association and shall ensure their deposit to the credit of the Association in a chartered bank to be named by the council. The Secretary-Treasurer shall, at least three weeks before each annual general meeting, have prepared by a Chartered Accountant, a Certified Management Accountant, or a Certified General Accountant a full statement of the receipts and expenditures, assets and liabilities of the Association up until the 31st day of December next preceding the date of the meeting, and shall furnish a copy thereof duly audited by the auditors of the Association, if any, to the Association. In the years in which an auditor is appointed by the membership, the said statement shall be duly audited.
- 8.06 All cheques, deeds, and documents issued on behalf of the Association shall be signed by any two of the President, First Vice-President, Secretary-Treasurer, or the Executive Director.
- 8.07 Records maintained by any officer of the Association shall be open for inspection during business hours by any member of the Association.
- 8.08 The financial year of the Association shall commence on the 1st day of January and end on the 31st day of December in any year.

BYLAW No. 9 — MEMBERSHIP IN THE ASSOCIATION

- 9.01 The following are the categories of members of the Association:
- .1 individuals including those approved by council under section 5 of the Act;
 - .2 individuals who are life members;
 - .3 individuals who are registered architects on leave of absence;
 - .4 individuals who are granted membership under section 19 of the Act;
- 9.02 An individual member other than a licensed architect is entitled to:
- .1 attend general meetings and to vote thereat;
 - .2 receive the newsletters published by the Association;
 - .3 receive such information as the council may from time to time direct;
 - .4 the benefits conferred and the duties and responsibilities imposed under the Act, regulations and bylaws;
 - .5 use the name “architect” and “registered architect” after his/her name and shall use the designation “SAA”.
- 9.03
- .1 Each member upon registration shall make application for their seal to the Executive Director stating the name and address of the applicant, and depositing with the Executive Director a payment to cover the cost of same, with postage, if any.
 - .2 The Executive Director shall procure all seals, have charge of their distribution and will be held responsible for their issue.
- 9.04 The council may nominate a member as a life member where such person has contributed significantly to the advancement of the profession. The nomination shall be approved by a four-fifths ($4/5$) majority of persons entitled to vote in attendance at a general meeting. A life member shall enjoy all the rights and privileges of a member. In the event of the life member no longer residing within the province of Saskatchewan, he or she shall remain a life member but without the rights of a member.

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9.05 A member may, in writing, request the council to grant a leave of absence according to the leave types outlined in Table 1.1. It is the responsibility of the member to make timely application for any extension to the leave period. Failure to do so may result in council removing the member’s name from the register.

Table 1.1 – Leave Types and Conditions

Leave Type	Duration & Frequency	Practice & Membership Rights
Family/Compassionate	Up to one year, extendable to a maximum of two years with full membership to resume in year three. Cycle may be repeated in year four.	Full membership rights, no practice rights
Financial Hardship	Up to one year, extendable to a maximum of two years with full membership to resume in year three. Cycle may be repeated in year four.	Full membership rights, no practice rights
General Leave	Up to one year extendable to a maximum of two years out of 10.	No membership or practice rights

Application may be made for any combination of leave types. Only one leave may be active at any time and the combination of leaves may not exceed the duration and frequency in Table 1.1. Leave extensions will only be considered if they are continuous with the previous leave period.

The granting of a leave and the reduction of membership fees during a leave is at the discretion of council.

Continuing Education requirements on approved leave of absence will be suspended while that member is on leave.

9.06 A person granted membership under Temporary Licence under Bylaw 26.03 shall not be entitled to any of the rights granted to a member with respect to the Association other than using the name architect and such membership shall be granted only on a per project basis for a period of one year at a time, and such person shall cease to be a member practicing architecture when the project is completed in accordance with *The Builder’s Lien Act* of Saskatchewan.

9.07 The council may establish fees as necessary related to the application of former members seeking readmission or reinstatement to the Association. Readmission fees shall apply to former members who have let membership lapse voluntarily. Reinstatement fees shall apply to any member who has had membership removed or suspended by reason of non-payment of fees or unprofessional conduct. The council may further establish examination criteria for readmission or reinstatement in the case of former members who have lapsed for a period of four years or greater, and for those suspended or removed for unprofessional conduct.

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BYLAW No. 10 — STUDENT MEMBERSHIP

- 10.01 Student of Architecture:
- .1 Student members are those individuals enrolled in programmes certified by the Canadian Architectural Certification Board as leading to eligibility for certification or graduates of such programs not yet enrolled as Intern Architects.
 - .2 Syllabus student members are those individuals enrolled in the RAIC Syllabus Programme.
- 10.02 Student members and syllabus of student members are entitled:
- .1 to attend annual general meetings and special general meetings, unless the meeting votes to exclude those persons who are not architects, but is not entitled to vote at them;
 - .2 to receive the newsletters published by the Association; and
 - .3 to receive such information as the council may direct from time to time.
- 10.03 .1 The council may admit an individual into the Internship in Architecture Program (IAP) where the applicant:
- .1 has their academic qualifications certified by the Canadian Architectural Certification Board; and
 - .2 appoints a Mentor, and once engaged with an architectural firm, a Principal. The applicant may at any time and from time to time apply to the council for approval of another person or persons to fill these positions.
- .2 Once an individual has been approved for membership, they may use the designation of 'Intern Architect'.
- .3 The Association will provide Interns with a copy of the IAP manual, as well as the Canadian Experience Record Book (CERB).
- 10.04 The council may admit an individual into the syllabus of studies programme approved by the council where the applicant subsequent to the approval of the council is to be employed by a person or persons approved by the council for a period of ten (10) years or at the discretion of council based on the applicant's experience or the equivalent thereof; provided that the applicant may at any time and from time to time apply to the council for approval of a different person or persons.
- .1 For those individuals admitted into the syllabus of studies programme, the requirements and the syllabus to be studied are those prepared by the Royal Architectural Institute of Canada or its assignees, as may be amended from time to time.
- 10.05 .1 An individual may apply for membership in the Association as a Student if the applicant:
- .1 is currently enrolled in a graduate program in architecture from a recognized institution.
 - .2 An individual applying for membership as a Student must complete the Association registration form, and provide documentation of their current enrollment in a graduate program in architecture (i.e. a university transcript).
 - .3 A Student Membership entitles the student to receive regular publications and updates from the Association.
- 10.06 Unless otherwise provided by agreement between the Architectural Associations of Canada and the Saskatchewan Association of Architects, examinations shall be under the direction of the National Council of Architectural Registration Boards

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(NCARB) or the Examination of Architects In Canada (ExAC) Committee.

- .1 An exemption may be granted by council from an examination or examinations to any person who has at the time that this bylaw comes into force written and passed an examination under the previous bylaws of this Association.

BYLAW No. 11 — NON-VOTING MEMBERSHIP

11.01 Retired Member:

A person who is a member at the time of his/her retirement, upon request in writing to council, may be designated a retired architect. Upon such registration that member shall be entitled:

- .1 to attend annual general meetings and special general meetings but is not entitled to vote at them;
- .2 to receive the newsletters published by the Association;
- .3 to receive such information as the council may direct from time to time; and
- .4 to use the designation “S.A.A. (Retired)” or “S.A.A. (Ret.)”.

11.02 Associate Member:

An associate member shall be such person who:

- .1 holds a degree in architecture or its equivalent from an educational institute as approved by council; or
- .2 is a registered architect in good standing within a recognized architectural association.

An associate member is entitled:

- .1 to attend annual general meetings and special general meetings, unless the meeting votes to exclude those persons who are not members, but is not entitled to vote at them;
- .2 to receive the newsletters published by the Association; and
- .3 to receive such information as the council may direct from time to time.

11.03 Honorary membership:

Council may nominate to honorary membership a person outside the profession who has contributed notably to the advancement of the profession. Election to honorary membership shall be by a four-fifths (4/5) majority of the members and life members of the Association in attendance at a general meeting or by electronic vote by a four-fifths (4/5) majority of the members and life members of the Association provided a minimum of 25% of the members participate. Such honorary members shall not practise architecture, acquire any of the rights, nor subject themselves to any of the liabilities of members.

An honorary member is entitled:

- .1 to attend annual general meetings and special general meetings, unless the meeting votes to exclude those persons who are not members, but is not entitled to vote at them
- .2 to receive the newsletters published by the Association
- .3 to receive such information as the council may direct from time to time; and
- .4 to use the letters “S.A.A. (Hon.)” after his/her name to indicate that he/she is an honorary member of the Association.

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BYLAW No. 12 — ARCHITECTURAL CORPORATIONS

- 12.01 An architectural corporation is an architect-held corporation in which one or more registered architects holds, either directly or indirectly, the beneficial and absolute ownership of 51% or more of the voting shares of the corporation. It shall only be granted a Licence to Practice Architecture and shall only retain such Licence to Practice where:
- .1 one of its principal and customary functions is to practice architecture and the practice is to be conducted under the supervision of a registered member or members of the Association who is or are employed by the corporation and who individually assume the function of and are responsible as registered members for architectural services performed, notwithstanding their employment with the corporation;
 - .2 the personal seal or stamp of a registered member or members of the Association and not the seal or stamp of the architectural corporation must be used to seal or stamp any required drawings;
 - .3 the name of the architectural corporation shall not be worded in such a manner that it might mislead the public;
 - .4 the relevant provisions of all incorporating documents (whether Memorandum of Association, Articles of Association, Letters Patent, Articles of Incorporation, or, where applicable, employment contracts) and bylaws of the corporation and any alterations or amendments thereto are filed with the Association and approved by council;
 - .5 one of the directors must be a member of the Association;
 - .6 the control of the corporation shall be vested in registered members of the Association and, without limiting the generality of the foregoing, at least 51% of the voting shares of the corporation shall be beneficially and absolutely held by registered members of the Association; and
 - .7 a registered member shall not enter into any agreement transferring voting rights in the member's shares in the corporation to a person who is not a registered member.
- 12.02 The architectural corporation shall file with the Association any and all proposed alterations or amendments to its incorporating documents or bylaws or to its corporate structure, including any unanimous shareholder agreement pertaining thereto. Where the amendments result in a change to the control of the corporation, the architectural corporation shall obtain the approval of council thereto before effecting any such change.
- 12.03 All architectural corporations shall at all times be maintained in good standing with the Director of Corporations and shall, once every year, file with the Association a certified copy of the annual return required to be filed with the Director of Corporations, Federal or Provincial as appropriate. If no changes have been made to corporate ownership in the preceding year, the signing of a declaration to this effect is acceptable. The SAA retains the right to request and review these documents if deemed necessary by council.
- 12.04 Notwithstanding anything herein above contained, the council may reject or revoke any application for a Licence to Practice Architecture or a renewal thereof where the corporation has failed to comply with or has subsequently violated any provisions of this bylaw or if the corporation has been guilty of conduct which, in the sole judgment of the council, is inimical to the best interest of the public or the profession

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of architecture in Saskatchewan.

- 12.05 The provisions of this bylaw shall apply where an architectural corporation holds a Licence to Practice.
- 12.06 A corporation shall have its Licence to Practice Architecture suspended or revoked where any member of the Association who is a director or shareholder of the corporation has been suspended from membership in the Association or whose membership has been revoked under sections 28, 29, 30 or 31 of the Act; provided that council may, at its discretion, continue or reinstate the licence of the corporation upon such terms and conditions as the council sees fit.

BYLAW No. 13 — FIRM

- 13.01 An architectural corporation, partnership or registered member that holds a Licence to Practice may engage in the practice of architecture in Saskatchewan.
- 13.02 Where a firm other than an architectural corporation is constituted for the practice of architecture, the majority of the directors of the firm must be registered members of the Association. If at any time the majority of directors are not members of the Association, the Licence to Practice of the firm may be automatically terminated.
- 13.03 The name of the firm shall not be worded in such a manner that it might mislead the public.
- 13.04 All firms are required to obtain from the Association an annual Licence to Practice Architecture.
- 13.05 A firm shall not be entitled to a Licence to Practice Architecture unless and until the following conditions are met:
- .1 The firm pays to the Association the annual fees as set out in the schedule of fees to these Bylaws.
 - .2 The firm annually forwards to the Association, by the first business day of January next following the year of the return, the following information:
 - .1 the name and business address(es) of the firm; and
 - .2 the names and addresses of the director(s) of the firm, and the distribution of the firm's ownership amongst them; and
 - .3 a sample of the firm's current letterhead and business card(s).
- If no changes have been made to this information in the preceding year, the signing of a declaration to this effect is acceptable. The SAA retains the right to request and review these documents if deemed necessary by council.
- 13.06 The Association shall maintain a List of Firms, which List shall contain the names of all firms in good standing with the Association who possess a valid Licence to Practice Architecture. The List of Firms shall be open to public inspection on reasonable notice to the Association.
- 13.07 Where a firm fails to comply with the requirements as set out in Bylaw 13.04 herein, it is liable to have its name struck from the List of Firms.
- 13.08 A firm whose Licence to Practice Architecture is cancelled by virtue of non-compliance with Bylaw 13.04 may be reinstated by application in writing to the

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council. The application shall be accompanied by the unpaid amounts that caused cancellation of the licence (if applicable), the required information which was not supplied (if applicable), plus an amount equal to the initial application fee.

BYLAW No. 14 — PROXIES

- 14.01 Every member in good standing in the Association entitled to vote may, by means of a proxy, appoint another member to attend and act at a meeting of the Association in the manner and to the extent and with the powers conferred by the proxy.
- 14.02 The council may by resolution fix a time not exceeding forty-eight (48) hours excluding Saturday, Sunday and holidays, preceding any meeting or adjourned meeting of members of the Association, before which time proxies to be used at that meeting must be deposited with the Secretary and any period of time so fixed shall be specified in the notice calling the meeting.
- 14.03 A member may revoke a proxy by depositing an instrument in writing executed by the member personally:
- .1 at the offices of the Association seven days prior to the meeting at which the proxy is to be used; or
 - .2 with the Chairman of the meeting on the day of the meeting or any adjournment thereof.
- 14.04 It shall be specified on the form of proxy:
- .1 how the proxy holder is to vote in respect of each matter or group of related matters identified in the notice calling the meeting; or
 - .2 that the proxy holder may vote on any matter or group of related matters specified in the notice calling the meeting or other matters that may properly come before the meeting in accordance with his/her discretion.
- 14.05 The form of the proxy shall be as Form 1.

FORM 1: PROXY
SASKATCHEWAN ASSOCIATION OF ARCHITECTS

This proxy is given with respect to the Annual, Special or General Meeting of the members of the Association to be held the _____ day of _____ 20__ .

The undersigned being a member in good standing in the Saskatchewan Association of Architects hereby appoints another member in good standing in the Association, to attend, vote and otherwise act for and on behalf of the undersigned in respect of all matters that come before the Annual, Special or General Meeting of members in the Association to be held at _____ the _____ day of _____, 20__ and at any adjournment thereof. The undersigned hereby revokes any proxies previously given.

Dated the _____ day of _____, 20__.

Name of the Member of the Association (please print):

Signature:

The proxy holder _____

() will vote at the meeting in respect of each matter or group of related matters identified in the notice calling the meeting in the following manner:

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() may vote in respect of each matter or group of related matters identified in the notice calling the meeting in accordance with his/her discretion.

BYLAW No. 15 —
CODE OF ETHICS AND PROFESSIONAL CONDUCT

Competence

- 15.01 .1 In practicing architecture, an architect shall act with reasonable care and competence, and shall apply the knowledge, skill and judgment which is ordinarily applied by architects currently practicing in the province of Saskatchewan.
- .2 An architect shall undertake to perform professional services only when qualified, together with those whom the architect may engage as consultants, by education, training and experience in the specific areas involved.

Conflict of Interest

- 15.02 .1 An architect shall not accept compensation for services from more than one party on a project unless the circumstances are fully disclosed to and agreed to (such disclosure and agreement to be in writing) by all interested parties.
- .2 An architect having a personal association or interest which relates to a project shall fully disclose in writing the nature of the association or interest to the architect's client or employer. If the client or employer objects, then the architect will either terminate such association or interest or offer to give up the commission or employment.
- .3 Except as permitted under Bylaw 15.03.7, an architect shall not solicit or accept compensation or benefit from material or equipment suppliers in return for specifying or endorsing their products.
- .4 An architect acting as the interpreter of construction contract documents and reviewing construction for conformance with the contract documents shall render decisions impartially.
- .5 An architect may be a project's owner. An architect may be a project's contractor of the architect's own design and/or construction contract documents. An architect who is a project's owner or contractor shall fully disclose in writing such status to all of the project's authorities having jurisdiction and contracting parties; shall receive their written acknowledgement; and shall provide professional services as if disinterested.
- .6 An architect who is a juror or advisor for an approved competition shall not subsequently provide any services to the winner or, if there is no winner, for any derivative commission.

Full Disclosure

- 15.03 .1 An architect shall disclose if the architect has a related personal or business interest when making a public statement on an architectural issue.
- .2 An architect shall accurately represent to the public, a prospective or existing client or employer, the architect's qualifications and the scope of the architect's responsibility in connection with work for which the architect is claiming credit.
- .3 An architect who, in the provision of services, becomes aware of an action taken by the architect's employer or client, against the architect's advice, which violates applicable building laws or regulations, shall:
- .1 report the action to the authority having jurisdiction;
 - .2 refuse to consent to the action; and
 - .3 terminate services on the project when the employer or client initiates the action.
- .4 An architect shall not knowingly make, or assist others to make, either a false or

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- misleading statement or an omission of material fact about education, training, experience or character when applying for or renewing registration as an architect.
- .5 An architect who knows of an apparent violation of *The Architects Act, 1996*, bylaws or council rulings shall report such knowledge to the Association.
 - .6 Except as prohibited by Bylaw 15.02.3, an architect, whether compensated or not, may permit the architect's name, portrait or reputation to be attached to an endorsement of other's services or products.
 - .7 An architect having a financial interest in any building material or device which the architect proposes to specify for a project shall disclose this interest to the client and shall request and receive written approval for such specification from the client and shall include a copy of this approval in the construction contract documents.

Compliance with Laws

- 15.04 .1 In practicing architecture, an architect shall not knowingly violate any law or regulation.
- .2 An architect shall neither offer nor make any payment or gift to a public official (whether elected or appointed) with the intent of influencing the official's judgment in connection with a prospective or existing project.
 - .3 An architect shall comply with *The Architects Act, 1996*, of Saskatchewan, the bylaws under *The Architects Act, 1996*, and council rulings.
 - .4 In practicing architecture, an architect shall take into account all applicable federal, provincial and municipal building laws and regulations, and an architect may rely on the advice of other professionals and other qualified persons as to the intent and meaning of such regulations.

Conduct

- 15.05 .1 Each office maintained for offering architectural services to the public shall have an architect or architects who has or have direct knowledge and supervisory control of the services.
- .2 An architect shall seal the architect's work in accordance with the requirements of *The Architects Act, 1996*, of Saskatchewan and the bylaws and council rulings.
 - .3 An architect shall neither offer nor make any gifts, other than of nominal value (including, for example, reasonable entertainment and hospitality), with the intent of influencing the judgment of a prospective client in connection with a project in which the architect is interested.
 - .4 An architect shall not engage in conduct involving fraud or wanton disregard of the rights of others.
 - .5 An architect shall conduct the architect's affairs in a professional manner and refrain from any act which would reflect unfavorably on the profession as a whole.
 - .6 An architect shall not falsely or maliciously injure the professional reputation or business prospects of another architect.
 - .7 An architect shall not supplant or attempt to supplant another architect after the other architect has been retained or definite steps have been taken toward the other architect's retention.
 - .8 An architect may only accept a commission for a project when the services of any architect previously retained for the project have been terminated.
 - .9 An architect may only provide the same service for the same client on the same project as another architect through the medium of an approved competition.
 - .10 Except in an approved competition, an architect shall provide no form of service until retained and in receipt of the client's instructions.
 - .11 An approved architectural competition is either a competition conducted according to the current "Canadian Rules for the Conduct of Architectural

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Competitions” or an alternate arrangement, specifically approved in writing by council, that assures equitable treatment and equal and adequate remuneration to participating architects.

- .12 An architect’s conduct when participating in an approved competition must comply with the “Canadian Rules for the Conduct of Architectural Competitions” or as directed by council.
- .13 An architect shall not attempt to influence the awards of an approved competition, except as a jury member.
- .14 An architect shall not attempt to obtain a commission to be awarded by an approved competition, except as an entrant.
- .15 An architect receiving monies for services provided by others shall not use such monies for the architect’s own purposes, and shall distribute them promptly to those so entitled.
- .16 Except when providing “pro bono” services or services on a contingency basis, or as approved by council, an architect shall provide services and receive fees in substantial accord with Bylaws 16, 17 and 18.

BYLAW No. 16 — CONDITIONS OF ENGAGEMENT

- 16.01 Except in a competition conducted in accordance with this bylaw or in accordance with a direction by council, no authorized entity shall render professional services for a client except under a written agreement that:
 - .1 provides for a method of determining the fee or other consideration to be charged; and
 - .2 describes the professional services to be provided.

- 16.02 When a building that an authorized entity has designed is to be constructed, the authorized entity shall:
 - .1 perform site inspections from time to time during the construction; or
 - .2 if the authorized entity will not be performing site inspections during construction, notify in writing:
 - .1 the authority having jurisdiction under *The Uniform Building and Accessibility Standards Act* of Saskatchewan, that it will not be performing site inspections; and
 - .2 the client or owner, of the potential ramifications of the authorized entity not performing site inspections.

BYLAW No. 17 — CALCULATION OF FEES

- 17.01 The methods for calculating fees for professional services rendered to a client are:
 - .1 as a percentage of the cost of the work;
 - .2 as actual time and expenses incurred with respect to the work; and
 - .3 as an upset or lump-sum fee, established only after the full scope of the work has been determined.All as hereinafter defined in these bylaws.

- 17.02 The suggested fee shall be calculated on the basis of the responsibilities of the architects to the clients as set forth in Document No. 6 Canadian Standard Form of Agreement between Client and Architect or the short form being No. 7 Canadian Standard Form of Agreement between Client and Architect (abbreviated).

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BYLAW No. 18 — COST OF WORK

- 18.01 Except as hereinafter provided, cost of the work means the cost to the client of the work and approved additions thereto which shall include the total amount paid to the contractor by the client apart from any bonus paid to the contractor for early completion and the like. There shall not be included in the cost of the work the following:
- .1 architect's and engineering consultant's fees;
 - .2 the fees of other special consultants;
 - .3 any charge for which the client agrees to reimburse the architect; or
 - .4 the salary of a clerk of the works.

- 18.02 Where labour or materials are furnished by the client without cost, or at prices below the average cost prevailing in the district at that time, or where old materials are reused without cost to the work, then the cost of the work is to be interpreted as the cost of all labour and materials necessary to complete the work as such cost would have been incurred if all materials had been new and if all labour had been paid in accordance with wage rates current in the locality at the time the work was ordered. In the alternative, the architect may include in the cost of the work that amount that would have been charged by the contractor for all new material and all labour required to complete the work.

18.03 Taxes

- .1 The Provincial Sales Tax shall be included in the cost of work. Where a refund or exemption of tax is granted to the client on any materials and/or equipment, such amount shall be included in the cost of work
- .2 The Federal Goods and Services Tax shall not be included in the cost of work.

18.04 Schedule of suggested percentages:

- .1 where the work is to be executed under a stipulated sum contract the suggested percentage charge applied to the cost of the work shall be:

	For First \$500,000	Next \$4,500,000	Over \$5,000,000
.1 Private Residence Single detached houses and domestic buildings including custom homes and church rectories	11.5%	10.5%	9.5%
.2 Medical/Scientific Hospital, scientific and research laboratories, clinics and health centres, psychiatric hospitals, geriatric centres	10.5%	9.5%	8.5%
.3 Commercial and Institutional Schools, libraries, museums, aquariums, planetaria, auditoriums, theatres, opera houses, stadiums, community recreation buildings, churches, monasteries, convents, cemetery, chapels, mausoleums, crematoriums, funeral homes, observatories, grandstands, arenas, covered rinks, office buildings, banks, stock	9.5%	8.5%	7.5%

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exchanges, stores, markets, sales buildings,
shopping centres, telephone, radio and T.V.
buildings and studios, government
administrative buildings, city or town halls, post
offices, mints, embassies, consulate, court
houses, fire and police stations, armed forces
bases, yards, armories and drill halls, multiple
unit residential buildings, semi-detached row
houses, apartments, hotels, tourist camps,
motels, homes for the aged, institutional homes

- | | | | |
|---------------|------|------|------|
| .4 Industrial | 8.5% | 7.5% | 6.5% |
|---------------|------|------|------|
- Railway and freight stations, automotive facilities including garages, bus stations, and parking areas, air and water traffic facilities, factories, warehouses, storage buildings (not including plant layout)
- 18.04 .2 Where a building of mixed use appears in more than one category, a blended fee scale may be utilized.
- .3 Where the dollar value of the tax referenced in Bylaw 18.03, Taxes, has not been determined or included in the Cost of Work, the above schedule shall be revised by adding a percentage to the final fee as follows:
- .1 0.33% of the cost of work for Provincial Sales Tax.
- .4 Federal and Provincial taxes applicable are added to this schedule
- .5 Fees for roof upgrading, roof renovations or roof replacement shall be calculated at a fixed rate of 11.5% of the cost of construction, in all cases.
- 18.05 Repeat Projects:
- .1 Where a project is to build a building as a repeat project for the same client, from the identical design and using the same documents, it is suggested that the fee be calculated as follows:
- .1 where the fee is a percentage of the cost of the work, the original or prototype project is to be charged at the full basic fee;
- .2 where the fee is a percentage of the cost of the work the charges for repeat projects shall be 50% of the full basic fee plus an additional fee based on hourly rates for required changes and variations to the basic documents of the prototype. For this fee, the architect's services shall include the re-use of documents as well as contract administration;
- .3 where the fee is paid on the basis of hourly rates, a repeat fee royalty for the use of the prototype documents shall be paid in addition to the hourly rate charges. This fee shall be 25% of the fee that would be paid if a percentage of the cost of the work was used.
- 18.06 Change Orders – Where a change order is required on a project, the fee for preparation and administration of the change shall be considered a renovation for the purpose of fee calculation.
- 18.07 Alternate or Separate Prices – Where the client has requested separate or alternate prices for work that was finally not included in the award price, then the fee should be 75% of the basic fee that would have been payable if the separate or alternative work had been part of the award price.

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BYLAW No. 19 — RENOVATIONS AND ALTERATIONS

- 19.01 For all additions of less than 100 m² in area, or for a renovation, the fee scale for basic services shall be multiplied by a factor of 1.4.

BYLAW No. 20 — INTERIORS AND FURNISHINGS

- 20.01 It is suggested that the architect shall charge not less than 10% of the cost of the work for designing and reviewing the fabrication and installation of special decorative interior work, furniture, furnishings and other special work of a like nature. The charges shall be in proportion to the extent and importance of the work involved.

BYLAW No. 21 —
CALCULATION OF FEES BY TIME AND EXPENSES

- 21.01 As an alternative to the percentage of the cost of the work, the fees to be charged shall be based on the time and expenses expended, according to the records of the architect. It is suggested that the baseline rate for such charges as of February 1, 2016 shall not be less than \$167 per hour, plus approximately 5% per full year of the architect's post-registration experience, to a maximum of \$258. It is understood that this hourly rate shall be indexed to the Statistics Canada Consumer Price Index for Saskatchewan for each calendar year for the personal service of the architect plus disbursements and salaried costs at 3.0 times the payroll. It is further understood that annual indexing adjustments shall be implemented on February 1 of the year following, or as soon as is practically possible. "Payroll" shall include the salary of the architect's personnel engaged on the project, plus the architect's cost of mandatory and customary contributions and benefits related thereto, which include all contributions made with respect to Workers' Compensation, Employment Insurance, Canada Pension and all other statutory benefits and shall include sick leave, holidays, vacations, pensions and the like. "Disbursements" shall include the design and general review of all engineering services including structural, mechanical, electrical and the like. Where an architect is consulted with regard to matters of which he/she has special knowledge and experience the suggested rate for such consultation is 1.25 times the calculated fee rate.

BYLAW No. 22 —
CALCULATION OF FEES BY LUMP SUM OR UPSET FEE

- 22.01 As a further alternative, where properly applicable, the architect may agree with the client that the fee shall be upon an upset or lump sum basis and where such an arrangement is applicable, such fee shall be based on a reasonable estimate of what the fee would be if based on a percentage of the cost of the work or on a reasonable estimate of what the fee would be if based on actual time spent and expenses expended as herein before set forth.

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BYLAW No. 23 —
GENERAL PROVISIONS WITH RESPECT TO CHARGES

- 23.01 The architect's suggested percentage charge shall include the cost of normal engineering services for the design and general services of the structural, mechanical and electrical work. A general review of the work by these consultants shall form a part of their normal services, supplemented by the general review of the work by the architect.
- 23.02 For the purpose of Bylaw 21.01 and the standard form of agreement between the client and the architect, the apportioning of the fee on basic services, as required by the contract, is suggested as follows:
Schematic Design Phase: 15%
Design Development (preliminary design) Phase: 10%
Construction Documentation Phase: 50%
Bidding or Negotiation Phase (tender): 5%
Construction Contract Administration Phase: 20%
- 23.03 That for the purpose of Bylaw 16.01 and the standard form of agreements between the client and the architect, the following services shall be included as additional services in the contract, namely:
Functional Analysis and Programming
Services of a Specialist Cost Consultant
Separate Contracts
Project Phasing
Record or As Built Drawings
Models
Special CAD Applications
Mechanical/Electrical Commissioning
- 23.04 For the purpose of Bylaw 16.01 and the standard form of agreement between client and architect, the reimbursable expenses set forth in the contract shall be the actual expenditures of the architect, employees and consultants, plus 5%, and the expense of transportation, lodging and meals, with automobile travel beyond 25 kilometers from the architect's or consultant's local office at an agreed upon cost per kilometer.
- 23.05 Unless otherwise agreed, the suggested fee for architect's co-ordination with sub-consultants shall not be less than 20% of the sub-consultants prime fee rate.

BYLAW No. 24 — EXPERT WITNESS

- 24.01 When called upon to appear as an expert witness in a court of law or an arbitration, the recommended fee for such appearance is at least 1.5 times the calculated fee rate in article 21.01, plus the cost of transportation and living where the proceedings are remote from the place of business of the architect.

BYLAW No. 25 — PARTIAL SERVICES

- 25.01 Partial services are regarded by the Association as not being in the best interest of either client or architect. The effect of the architect's influence can only be measured by the completeness of services. Where under unusual circumstances partial services

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are requested and furnished, the architect should point out to the client the unsatisfactory features of such a method of professional engagement.

- 25.02 Approved partial services and charges:
- .1 Where a client requires research data as to the feasibility and probable cost of a project which is contemplated but not developed to the point of required design, sketches or preliminary drawings, the architect may assemble data as to probable cubic content, tentative estimates of costs, outlined diagrams of plans and preliminary pictorial representation. The architect may prepare drawings necessary for presentation to a committee of adjustment in order to establish building lines and other restrictions on property owned or about to be purchased by the client. The architect's charges shall be based on the time and expenses expended, according to the architect's records, as calculated in Article 21.01.
 - .2 An architect shall not prepare or present preliminary sketches or presentation drawings without a prior agreement as to a fair and reasonable remuneration for those services. Such drawings shall not be presented in competition with other architect's except under the terms of a properly constituted architectural competition approved by the Association.

BYLAW No. 26 —
MEMBERSHIP, REGISTRATION, AND LICENCE FEES

- 26.01 Applications for registration as a member, associated member, retired member, member under temporary licensure, intern member or student member shall be in such form as may be prescribed by council. All applications shall be accompanied by the fee set forth in these bylaws or as prescribed by council.
- 26.02 Applications for a Licence to Practice for a firm, or an architectural corporation, or a Temporary Licence to Practice Architecture shall be in such form as may be prescribed by council and shall be accompanied by the fee set forth in these bylaws or as prescribed by council.
- 26.03 .1 The council may grant membership under temporary licensure to an individual who is not a member of an association with which the Association has a reciprocity agreement, if that individual:
- .1 is approved by council under Bylaw 26.01; and
 - .2 engages in the practice of architecture in Saskatchewan only in collaboration with a member in good standing of the Association;
- .2 Memberships granted under temporary licensure may:
- .1 be granted for a period to be determined by council;
 - .2 be restricted to the performance of specific architectural work or a specific project located in Saskatchewan;
 - .3 be subject to any terms and conditions as determined by council; and
 - .4 be cancelled for any breach of any terms or conditions of the licence as determined by council.
- 26.04 The council may grant a Temporary Licence to a firm, if that firm engages in the practice of architecture in Saskatchewan only in collaboration with a holder of a valid Licence to Practice. Licences granted under this bylaw may:
- .1 be granted for a period to be determined by council;
 - .2 be restricted to the performance of specific architectural work or a specific project located in Saskatchewan;

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- .3 be subject to any terms and conditions as determined by council; and be cancelled for any breach of any terms or conditions of the licence as determined by council.
- 26.05 Where an application for Temporary Licence is made, the application must be sponsored by a collaborating licensed architectural firm.
- 26.06 Application for a Temporary Licence under Bylaw 26.02 or membership under temporary licensure under Bylaw 26.01 shall be made upon the applicant performing any architectural services within the Province.
- 26.07 Application for membership in the Association shall require that the applicant:
- .1 has a prior certificate from the Canadian Architectural Certification Board, or
 - .2 has been granted certification under the Broadly Experienced Foreign Architect (BEFA) Program, or
 - .3 the person is registered as the equivalent of an architect in good standing pursuant to the legislation of another jurisdiction in Canada; or
 - .4 is a member in good standing of an association, society or body of architects with which this Association has a reciprocal agreement relating to the admission of persons in the respective associations, societies or bodies.
- 26.08 Where special circumstances arise requiring additional funding for the benefit of the Association, the council may impose a special levy: of not more than a sum equivalent to one hour at the top billing rate in bylaw 21 in a year on members, firms and corporations.
- 26.09 The member, associated member, retired member, firm or corporation shall annually pay the fees set forth in Appendix A of the SAA Bylaws by the first business day of January or the member, associated member, retired member, firm or corporation will be automatically struck from the register for non-payment of fees after a grace period determined by council.
- 26.10 Notwithstanding the time specified for the payment of fees or other sums in arrears, the council may, for compassionate reasons or for any other reason it considers appropriate, set another schedule for the payment.
- 26.11 Application for reinstatement as a member, associated member, or retired member; or application for reinstatement of licence for a firm or corporation, shall bear the same fee as initial registration and licensure applications. A person, firm or corporation whose registration or licence is cancelled by virtue of non-payment of fees or other sums in arrears may be reinstated by applying in writing to the council. The application shall be accompanied by the unpaid amounts that caused the cancellation of membership or licence, plus a penalty prescribed by the council.
- 26.12 All fees paid upon application are non-refundable.
- 26.13 Each holder of a Licence to Practice shall at all times carry liability insurance on terms, including as to limits of coverage, as set forth in these bylaws or as prescribed by council.
- 26.14 Individuals, firms and corporations are responsible for making application to the Association for membership and/or licensure prior to engaging in the practice of architecture or otherwise providing architectural services in Saskatchewan. Where

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an individual, firm or corporation engages in the practice of architecture prior to application, they shall be subject to a Delinquent Application Fee as established by Council and detailed in Appendix A of these Bylaws.

BYLAW No. 27 — ADVERTISING

- 27.01 .1 A licensed firm may advertise services to any person only in accordance with this bylaw.
- .2 A licensed firm may:
- .1 display the firm's name and illustrations of their work at the firm's place of business;
 - .2 promote or advertise the firm's abilities provided that:
 - .1 the advertising serves the public interest by reporting accurate and factual information which does not exaggerate, mislead or appear self-laudatory in nature;
 - .2 the advertising does not impair the dignity of the profession;
 - .3 statements do not contain criticisms of other firms either directly or indirectly;
 - .4 fees are neither quoted nor implied;
 - .5 when a firm has been retained on the usual basis to design a specific project, the firm may display those designs by publishing them in various media or otherwise presenting them to the public, if the name of the project and the name of the firm are prominently displayed either along with or on each drawing;
 - .6 advertising may state that the firm is licensed to practice architecture by the SAA and bear the identity of the SAA, as prescribed by Council.
 - .3 erect a sign bearing the licensed firm's name and address at the site of projects in which the firm is participating.

BYLAW No. 28 — CERTIFICATE OF STATUS

- 28.01 .1 Upon payment of the fee prescribed by council, a member shall be entitled to a certificate of standing as issued by the Association or in the form required by any other association.
- .2 Where a request for a certificate of standing is received in conjunction with a member leaving the province, it is necessary for the Association to receive from the member a completed form "Notice of Intention to Leave Saskatchewan" in the form prescribed by council indicating among other matters prescribed forwarding address, projects outstanding, and the name of the practicing resident member assuming outstanding responsibility for each project.

BYLAW No. 29 — LETTERHEAD

- 29.01 Any firm or corporation carrying on the practice of Architecture in the Province shall display on any letterhead the name or names of all members who are shareholders of the firm or corporation.
- 29.02 Non-members names displayed on the letterhead shall identify their qualifications.

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BYLAW No. 30 — FEES

- 30.01 The council may establish such fees as it deems appropriate for each category of membership, licensure and examination and such fees shall constitute Appendix A to the Bylaws.

BYLAW No. 31 — CONTINUING EDUCATION

- 31.01 Participation in a manner, and to the extent prescribed by Council, continuing education program shall be a requirement to maintain active registration status or the following categories of membership in the Association:
- .1 registered architect;
 - .2 practicing, life members
 - .3 member under temporary licence.
- 31.02 In order to maintain eligibility for annual licence renewal, an architect must demonstrate, to the satisfaction of the Association, that the mandatory continuing education requirements have been satisfied. Failure to demonstrate completion of these requirements will result in the licence not being renewed, or being renewed on such terms and conditions deemed appropriate by the Association.
- 31.03 The continuing education program is not a requirement to maintain the following categories of membership in the Association:
- .1 non-practicing life member;
 - .2 registered architect on leave of absence;
 - .3 student member;
 - .4 syllabus student member;
 - .5 retired member;
 - .6 associated member;
 - .7 honorary member.

BYLAW No. 32 — CONSENSUAL RESOLUTION AGREEMENTS

- 32.01 The Professional Conduct Committee shall notify, in writing, the member who is the subject of a report or allegation that a report or allegation has been received, and shall ask the member for a written response prior to the committee's report being considered for submission to the Discipline Committee.
- 32.02 The committee shall notify, in writing, the person who made the report or allegation that the report will be reviewed.
- 32.03 The committee shall take appropriate action including:
- .1 request any person to answer any questions and to produce any records, notes, photographs, drawings, papers or other documents in the person's possession or under their control that are or may be relevant to the report or conduct being investigated; and
 - .2 with the consent of the person producing them, copy and keep copies of any of the documents or things that are produced under clause 32.03.1.
- 32.04 The committee shall hold in confidence all documentation and information received.

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- 32.05 Where the Professional Conduct Committee, at the conclusion of its investigation, finds that there is insufficient evidence to refer a matter to the Discipline Committee, but finds that the investigation has revealed undesirable professional practice on the part of the member, the Professional Conduct Committee may issue a letter of guidance to the member for the purpose of providing confidential feedback focused on improving the member's professional practice.
- 32.06 Where the Professional Conduct Committee, at the conclusion of its investigation, finds that there may be sufficient evidence to refer a matter to the Discipline Committee, the Professional Conduct Committee may pursue alternate, low-level resolution of the matter, including the negotiation of a Consensual Resolution Agreement (CRA) with the member. The CRA may include such terms and conditions of licensure as the Committee deems appropriate.
- 32.07 Entering into a CRA with the Professional Conduct Committee shall not be considered discipline against the member, however failure by the member to comply with the terms and conditions of the CRA may result in the matter being referred to the Discipline Committee.

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Appendix A

I. Application Fee

- .1 Registered Member \$300.00
- .2 Intern Architect Member \$50.00
- .3 Associate Member \$50.00
- .4 Firm \$300.00
- .5 Temporary Licence \$300.00
- .6 Member in conjunction with Temporary Licence \$300.00
- .7 Readmission fees:
 - after an absence of less than four years \$300.00
 - after an absence of four years or more \$550.00
- .8 Reinstatement fees:
 - after suspension for non-payment of fees: Member \$300.00; Firm \$300.00
 - after suspension or expulsion under Section 37 of the Act: Member \$550.00;
Firm \$600.00

II. Annual fee for members and associate members of the Association is:

- .1 a member who is an individual \$ 925.00
- .2 a life member \$0.00
- .3 a member on leave of absence \$250.00
- .4 an honorary member \$0.00
- .5 an intern architect member \$150.00
- .6 a non-practicing, retired member \$50.00
- .7 an associate member \$200.00
- .8 a student or syllabus member \$0.00
- .9 membership under temporary licensure \$1,500.00

III. The annual fee for Licence to Practice of a firm \$425.00

IV. The annual fee for Temporary Licence \$7,000.00

V. The fee for a certificate of status \$50.00

VI. Additional sum for reinstatement of a person to the register under Section 37 of the Act
\$300.00

VII. Delinquent application fee

- .1 Delinquent Registered Member fee \$1000.00 + Registered Member application fee
- .2 Delinquent Firm fee \$1000.00 + Firm application fee