

June 2014

The Saskatchewan Association of Architects Practice Bulletin – Non-Practicing Declaration

Summary

The Saskatchewan Association of Architects, as the regulatory body of architecture in the province, registers architects as members and licenses firms. Both individual membership and a licence to practice are required in order for an architect to be able to practice architecture in the province of Saskatchewan. While an individual may register with the SAA without associating with a licensed firm, this does not render them eligible to practice architecture. In order for the SAA to be able to accurately monitor the practice of architecture in the province, all architects who are employed by a firm, corporation or organization that does not hold a valid licence to practice are required to sign a Non-Practicing Declaration.

Background

The Architects Act, 1996 governs the Saskatchewan Association of Architects (SAA) and provides authority to administer the practice of architecture in Saskatchewan. The Bylaws of the SAA also provide an outline of how architecture is to be carried out within the province. Policy relating to areas of practice covered by *The Act* and/ or Bylaws is occasionally necessary to proficiently and consistently carry out the intent of established legislation and regulation.

This bulletin has been produced to clarify the conditions of membership for individuals who are employed by organizations, firms or corporations that do not hold a valid Certificate of Practice. Section 2(q) of *The Architects Act, 1996* defines the “practice of architecture” or “architecture” as, “preparing or providing, for hire, gain or hope of reward, a design to govern the construction of a building that has as its principal purpose human habitation or occupancy; or examining a building that has as its principal purpose human habitation or occupancy to determine whether the construction is in general conformity with the design governing the construction of the building, and reporting on the construction of the building.” By defining what is deemed architecture, this section of the Act also outlines what an individual who has signed a Non-Practicing Declaration is prohibited from doing.

Bylaw 9.02 describes the entitlements of an individual member of the Association. Registered members are entitled to attend and vote at the annual general meetings of the Association, receive the newsletters published by the SAA, receive the news of Council, be granted the benefits conferred and the duties and responsibilities imposed under the Act, regulations and bylaws, as well as use the name “architect” and “registered architect” after his/ her name.

In addition to being familiar with these specific sections of the Act and bylaws, please note that it is the responsibility of all SAA members to have read *The Act* and Bylaws of The Saskatchewan

Association of Architects. All members are governed and bound by *The Act* and Bylaws, as they currently exist and all as amended.

Operational Instruction

Upon registration with the SAA, an architect who is employed with an organization, a non-architectural business, or an unlicensed architectural corporation or firm will be required to sign a Non-Practicing Declaration (see below). This requirement applies specifically to those who are employed with the government (federal, provincial or municipal) or an institution such as a university, school board, etc. In the event that an SAA registered architect leaves an employment situation with a licensed firm, they are also required to sign a Non-Practicing Declaration immediately, as well as return their member seal. Individuals found to be practicing architecture without a licence shall be subject to review by the Professional Conduct Committee with potential for referral to the Discipline Committee and/or legal action.

An original copy of the Non-Practicing Declaration must be returned to the SAA.

Non-Practicing Architects will:

- Receive a member certificate
- Possess all rights of a voting member of the SAA
- Be able to use the title 'Architect'

Non-Practicing Architects will **not**:

- Be eligible to apply for an SAA member seal
- Be able to participate in the practice of architecture in Saskatchewan

Policy

Registered SAA members who are not affiliated with a firm that holds a valid Licence to Practice are required to sign a Non-Practicing Declaration. The declaration specifies that in order to practice architecture in the province of Saskatchewan, architects registered with the SAA are required to be employed by a firm that holds a valid Licence to Practice. The signing of the following form is a declaration that the architect will not engage in the practice of architecture. Practicing without a licence will be subject to review by the Professional Conduct Committee with potential for referral to the Discipline Committee and/or legal action.

Practice Bulletins are issued by the Council of the Saskatchewan Association of Architects as a practice resource or as general interpretations of the requirements in the Architects Act, and the Bylaws. Bulletins should be read in conjunction with the Act and Bylaws, and in no way supersede these documents. Bulletins are not intended to be and are not legal advice to the Members of the Association. Members should consult their own legal, income tax or financial advisors as to the application of the Architects Act and Bylaws in specific circumstances.



NON-PRACTICING DECLARATION

I, _____, declare that as a registered non-practicing architect with the Saskatchewan Association of Architects (SAA), employed by a firm, corporation or organization without a valid Licence to Practice, will not engage in the practice of architecture as defined in the Architect's Act nor use a member seal.

Further, I declare to have read the associated SAA issued practice bulletin that outlines the benefits, duties and responsibilities of my membership with the SAA. Should I wish to practice architecture in Saskatchewan, I will obtain a Licence to Practice prior to engaging in the practice of architecture, as defined in the Architects Act.

Please check one of the following:

I understand that I am not eligible to apply for an SAA member seal.

I am undergoing a change in membership status and hereby return my member seal.

Signature

Date