

October 2014

## **The Saskatchewan Association of Architects Practice Bulletin – Use of SAA Member Seal**

### Summary

Each provincial association within Canada is responsible for determining when and how member seals are to be used, in accordance with their legislation and regulation. Because of the significant differences that exist between jurisdictions in regards to the use of the seal, the Saskatchewan Association of Architects has developed this Practice Bulletin to serve as both a reminder and guideline to members with regard to the required standard of care for the member seal in the province of Saskatchewan.

An architect's seal is a visual representation of the architect's professional standing to the public, including clients, other architects and approval granting entities such as local government, contractors, consultants and sub-trades. The presence of the seal on a document indicates that the architect who applied it takes responsibility for the document and that the document was prepared and sealed, in its entirety, under the personal supervision of a registered member of the SAA.

This practice bulletin has been issued to further define how an SAA registered architect is expected to use their member seal in the province of Saskatchewan. It is a summary of historic council rulings, guidelines and legal advice on the use of an architect's seal. This bulletin represents the most current expectations by the SAA of its members in relation to the use of their professional seal.

### Background

*The Architects Act, 1996* governs the Saskatchewan Association of Architects 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 the Bylaws is occasionally necessary to proficiently and consistently carry out the intent of established legislation and regulation.

The Architects Act, 1996 does not contain any language that prescribes how SAA members are to use their seals. SAA Bylaw 2.02 states that '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.' Further, Bylaw 2.02.1 indicates that the seal, when affixed to drawings, is required to bear the member's signature and the date. Bylaw 12.01.2 instructs that the personal seal or stamp of a member or members of the Association and not the seal of the corporation must be used to stamp any required drawings'. Bylaw 15.05.2 states that an architect shall seal his or her work in accordance with the requirements of

The Architects Act, 1996, of Saskatchewan, SAA bylaws and council rulings. The language of this bylaw cedes the duty of defining expectations surrounding seal use to the SAA Council.

In addition to being familiar with these specific 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

#### **Suggested List of Documents to be Sealed**

Building Permit Documents (drawings)

Contract Documents (drawings and specs)

Affidavits, if required

Agreements, if required

Written Reports, if required

Plans, drawings, specifications, reports or other documents issued by the architect that are complete and intended for construction.

Therefore, members are reminded they are required to affix their seal to only those working drawings, specifications and certificates for which they have directed the planning and supervision. Sealing of documents is subject to the individual practice's procedures.

#### **Who May Apply the Seal**

An SAA Member with full practice rights working under a valid Licence to Practice architecture. Registered Members must use the seal issued to them by the Association in accordance with the regulations governing its use contained in *The Architects Act* and in the SAA Bylaws.

#### **Application of Signature and Date to Seal**

Documents that are stamped using an SAA Member Seal are required to be signed by the member and dated.

#### **Care and Control of the Seal: Ownership, Safekeeping and Returning the Seal**

The seal is the property of the Association; members are responsible for the seal's safekeeping and use while in their possession. The SAA Member Seal is required to be returned to the Association, according to the protocol outlined in the SAA Practice Bulletin: Reclamation of Seal.

#### **Misuse of Seal**

Use of the member seal is prohibited once membership has been discontinued or the member has been struck from the register. Use of a member seal, either without valid membership or without proper association with a firm that possesses a valid/current Licence to Practice, is



considered practicing without a licence and constitutes professional misconduct which shall be subject to review by the Professional Conduct Committee and may result in legal action.

Members are reminded that the Association views the use of an electronic seal in the same way as it does the use of a physical seal. All requirements and stipulations regarding the use, storage and safe keeping of the physical seal apply to any and all electronic copies.

### Policy

The seal, which a member affixes to drawings and other documents, along with their signature and the date, indicates the legitimacy of the document. As such, it should only be used by the architect it is issued to and only in accordance with the instruction provided. The presence of a member seal on a document informs the public and industry partners that the document may be relied upon and used by others for the purposes intended. All SAA members are responsible for using their seal as outline in this practice bulletin.

For further information on issues related to sealing, please see other SAA Practice Bulletins including: 'Application for Seal' and 'Reclamation of Seal'.

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, 1996* 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 Act and Bylaws in specific circumstances.