

14 December 1999

The Productivity Commission
Architects Inquiry
LB2, Collins Street East
MELBOURNE VIC 8003

REVIEW OF LEGISLATION REGULATING THE ARCHITECTURAL PROFESSION

The following submission is made in response to your circular and refers to many of the points raised at the meeting of the Architects' Board of WA with Professor Judith Sloan and Commission officers on Tuesday, 7 December 1999.

1. Architects Accreditation Council of Australia (AACA)

A complete submission will no doubt be made by the AACA.

2. The Architects' Board of WA and the Royal Australian Institute of Architects (RAIA)

The Architects Act is intended to protect the interests of the public. The RAIA is for the interests of architects through marketing and so on.

3. Architects and Building Designers

The objects of the Architects Act WA are set out in your Issues paper page 8: "To ensure that architectural services are to a standard that will protect and enhance the public's economic, social, cultural and environmental interests.

Many designers claim that they are equally competent with architects. If so, they should have no trouble in gaining registration.

While large corporations are in the main aware of the need for qualified architectural services, small clients are often unaware of the difference between architects and other building designers. More public education is required.

4. Restriction of Practice

In an ideal world, as it is already in the USA and many European countries, only qualified persons are permitted to do architectural work.

5. Federal Registration

There is no need for a Federal Architects Act. With mutual recognition, architects are already able to practice anywhere in Australia. State-based Architects' Boards have local knowledge of candidates for registration, which would not happen with a Federal body. The AACA examination already ensures reasonable uniformity of competence in architectural practice and this will increase from next year with the introduction of a uniform practice examination Australia-wide.

6. Competition

There is already fierce competition between architects for the supply of their services and against building designers. Registration of architects does not in any way restrict competition.

7. Deregulation

To deregulate the architectural service industry would leave the public open to abuses such as were common before the introduction of the Architects Acts. Debasing of standards of building construction would follow deregulation, leading to failures like those which have recently occurred overseas.

8. The World Market

Architects from other countries are accepted for registration if they are equally qualified. one of the most recent WA registrants is from mainland China: her education was considered equivalent to ours. Australian architects are already recognised and practice internationally, especially in the South-East Asia area.

9. Registration under RAIA

To make the RAIA the registering body would mean that all architects would have to become members of the RAIA, whilst at present only 68% are members. The cost of RAIA membership is hundreds of dollars per year against Architects' Board registration in WA at less than \$100. There would be confusion as to the basic purpose of the RAIA - see clause 2.

A similar proposal to bring architects registration under the Royal Institute of British Architects (RIBA) rather than the Architects Registration Council of the UK (ARCUK) was recently rejected and registration is retained by the Architects Registration Board.

10. The Title "Architect"

To protect the public against unqualified persons, the title "architect" must be restricted to qualified persons as it is in most advanced countries.

11. Control of Conduct

The Architects Act WA in section 22A lists sixteen acts of misconduct for which architects may be disciplined. These are in the form of prohibitions, whereas the recently revised RAIA Code of Professional Conduct is concerned with the need to act with integrity, in the public interest., with environmental responsibility etc; all in quite vague terms.

Practical Codes of Conduct deal with specific acts of misconduct rather than good deeds. Of the Ten Commandments, nine are prohibitions while only one, the fifth, is a performance command.

If an alleged misconduct is contrary to the Architects Act it is best dealt with by the Architects' Board, which is a statutory authority. If the conduct is merely contrary to some clause in the RAIA Code of Practice, then it should be left to the RAIA. Duplication should be avoided.

12. Ethics Education

Attached to this submission is a copy of a paper on professional ethics for architects which I gave recently to final year architectural students at Curtin University and to the applicants for registration in one of the RAIA practice tutorials.

(signature)

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