

16 May 2000

Architects Inquiry
Productivity Commission
LB2, Collins Street East
Melbourne VIC 8003

**Re: Review of Legislation Regulating the Architectural Profession
Submission on the draft report**

I have read with considerable interest a random sampling of submissions on the draft report of the review of legislation regulating architects, and have noticed that the voice of the consumer – the representative of the public interest – was largely absent from the submissions. The report has concluded that statutory certification of architects on balance does not promote the public interest and should be repealed. This submission argues to the contrary from one client's point of view, and comments on the arguments in the draft report.

A consumer's perspective

Several years ago my husband and I purchased a very small block of land in inner-city Brisbane. Faced with a difficult site and complex 'special precinct' design restrictions, we realised that no 'off-the-shelf' project home would fit. We needed someone with the special knowledge and expertise to discuss our needs, investigate the site, design a home which complied with our brief and the building codes, refine it in accordance with our budget, and supervise the entire building process. We needed an architect.

The registered architect we engaged has protected and promoted the public (and our) interest in several major areas:

Quality assurance: We had never used the services an architect before and did not want to inadvertently hire a non-architect. Registration immediately assured us that the person who was going to be responsible for the biggest investment of our lives had, as a minimum, completed an accredited course and had relevant practical experience. Quality assurance extended to the service provided by the architect, who monitored costs and quality of work throughout the project.

Economic impact: Our 'architect designed and supervised' investment is protected in that our home was professionally planned, is well built and is proving comfortable and energy-efficient. It will be looked on favourably by potential new owners when we eventually come to sell it.

Public health and safety: Public health and safety is assured in the appropriate design and construction details of our house – it is not likely to suffer from faults requiring BSA intervention and rectification. In the construction phase our architect enforced all building safety regulations, allowing no shortcuts.

Community benefit: One look at our now-completed home will show that community welfare is enhanced. Not only is the heritage streetscape preserved, but our building adds to the amenity of the neighbourhood and to the quality of the built environment. Its aesthetic appeal has been confirmed by recognition in a national magazine.

Comments on draft report

The first of the Key Messages in the Productivity Commission's draft report's is that 'anyone ... may compete with architects; practice is not restricted'. **Given the Commission's finding, that the legislation regulating architects does not restrict competition, Architects Acts around Australia should have been excluded from any further review under the National Competition Policy Agreement.** The Commission's conclusion, that despite the fact that it is not anti-competitive the legislation regulating architects around Australia should nevertheless be repealed, is therefore unjustified.

The report identifies apparent weaknesses in the legislation, and suggests relevant amendments, before summarily dismissing this very positive option in favour of repealing the Acts. For example, if few consumers know about registration authorities' complaint procedures, it would appear more logical to solve the problem by improving and publicising the procedures, rather than by abolishing the authorities. In Queensland, the Architects Act has been under review for some time, and amendments have been proposed which largely address the weaknesses.

The report makes the unsupported claim that if the legislation were repealed, few non-architects would call themselves architects. I disagree with this naive assertion – as a consumer, I would not be prepared to make this leap of faith. What the Commission has lightly dismissed as a 'generic label' is a hard-won professional title, widely understood within Australia and overseas. The potential for inappropriate use of the title, either by local residents or by persons entering the country, is enormous.

Voluntary registration is suggested as a way of addressing international mutual recognition of the profession, and demands of overseas buyers for certification. The basis of mutual recognition is registration, required by or under legislation for carrying out an occupation. If the legislative foundation is removed, mutual recognition becomes meaningless and Australia's good international standing in the field is weakened.

Governments must demonstrate their commitment to protecting standards, and the public interest, through statutory regulation of architects. No financial cost is involved because the registration authorities in each State are largely self-funding. The narrow interpretation of 'public benefit' reflected in this report is short-sighted in the extreme: homes and public buildings designed by certified architects will continue to benefit the community long after the next election.

Yours sincerely

(signature)

Dr Marie Jansen