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

Dear Sirs,

Regulating the Architectural Profession - Submission

I make this brief submission from the background of being a consulting engineer with very extensive experience in building regulation processes and developments, especially in Victoria.

Terms of Reference (ToR)

I understand that Victoria has not joined with other governments in instigating this inquiry, and I regret that. However, I note a discrepancy between

- clause 4(b) of the ToR that includes reference to legislation in Victoria; and
- the Attachment to the ToR in which no Victorian legislation is listed.

I suggest that, despite Victoria not being a co-sponsor, the inquiry should include Victorian legislation in its work.

Basic Trends

I believe that the following trends will be at work in our society over the foreseeable future, and that the inquiry should be responsive to them :

Internationalization

The business of building, including the business of architecture, is becoming increasingly Australian and International, rather than being state-based. Thus it is increasingly important for Australian architects to be seen by potential international clients as being registered (if at all) by an Australian body, rather than a state body. (Many people beyond Australian shores do not know that Australia is a Federation, and would not understand the significance of a state-based registration.) In all activities in the building industry we should seek to establish an Australian brand, and dismantle state-based administrative structures that might diminish the effect of the Australian brand.

There is already pressure for the states and territories to work towards a common administrative system of building control as a means of furthering the advantages that have flowed from the introduction of the Building Code of Australia.

Registration supporting privatisation

All Australian administrations are currently "privatising" society's legitimate control over what a landowner is allowed to build on his land. The new administrative environment is proving to have great benefits to the building industry, and hence to society at large. (In September 1999 CSIRO presented a report to Victoria's Building Control Commission that quantified these benefits.) However, the changes do have associated dangers that are addressed in the building control legislation of the various states and territories by means of registration of the relevant building practitioners. Thus the privatisation of the traditional government function of controlling building is dependent on processes of registration of the various categories of building practitioner - including architects.

Competition

From my observations, I believe that architects are currently in strong competition amongst themselves and with lesser-qualified building designers. Thus I cannot imagine that the inquiry will find evidence to support any assertion that registration of architects limits competition.

Customer Protection

I believe that the public is well served by knowing that a person who describes himself as an architect will have undergone a certain minimum education and training, and will be bound by a certain code of ethics, and be potentially subject to disciplinary procedures.

This benefit to the public will be enhanced if there are strong and effective disciplinary procedures, with information being readily available to the public on how to report potential delinquent etc.

Conclusion

On the information available to me, I suggest that the best outcome for both the architectural profession and the public would be as follows:

- A single Australian system of registering architects, run centrally by the RAI. (This would effectively mirror the National Professional Engineers Register.)
- A Commonwealth Act making it an offence for anyone to use the term "architect" unless s/he is registered. (This would continue the provisions of the various state Architects Acts, as I understand them.)
- Or, if a Commonwealth Act is constitutionally impermissible, a set of totally uniform state and territory Acts.

This outcome would then provide any state system of building control that may wish to incorporate registration of architects with an easy means to do so.

I would be pleased to amplify any matters, as may be helpful to the inquiry.

Yours faithfully,

L N Reddaway