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Architect Inquiry  
Productivity Commission  
LB 2 Collins Street East  
MELBOURNE VIC 8003

**REVIEW OF LEGISLATION REGULATING THE ARCHITECTURAL PROFESSION  
DRAFT REPORT  
SUBMISSION OF THOMPSON ONG AND ASSOCIATES**

I refer to my submission of 22\12\1999 (Submission 59) and would expand on those comments with the following statement:

Thompson Ong and Associates have been in practice since 1973. The partners Chris Thompson and Marjorie Ong are graduates from the University of NSW and were previously registered in NSW.

On various occasions we have employed architecture students and graduates as well as drafting graduates. Prior to coming to WA we both worked in architectural and related practices in Sydney in Commonwealth, State and Local Government service as well as private architectural practices.

We are strongly of the view that Registration of Architects should remain a legislative device while agreeing that the amendments to the processes should be implemented.

The draft paper infers that much of the protection offered to the public by the Architect Acts is now covered by Trade Practices, Fair Trading and other consumer protection legislation. Similarly criminal, incompetence and negligence matters are addressed by other legal procedures.

We see the registration process offering more than the above community protection. The definition of what an architect is (or isn't) emerges from the Acts - approved academic qualifications, certified practical experience and successful completion of professional practice examinations. The process is rigorous and lengthy.

The alternate means of registration, Board Exams has essentially lapsed. Chris Thompson's first employer became an architect by serving articles.

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The graduates of the future will not have any means to distinguish their qualification if the registration process is abandoned to market forces.

We agree with the Committee’s concern about “one-off registration” and regard a form of continuous professional development an essential basis for continuing registration. This concern is of relevance to older architects rather than recent graduates.

Reference is made to building codes removing the special need for architects. We note that the Worksafe Legislation in WA places enormous responsibility on architects and engineers as well as builders in matters of workplace safety – during construction and after completion. The profession is specifically named.

The recent Federal Award for architectural staff distinguishes between architects and non-architects in wage and working condition standards.

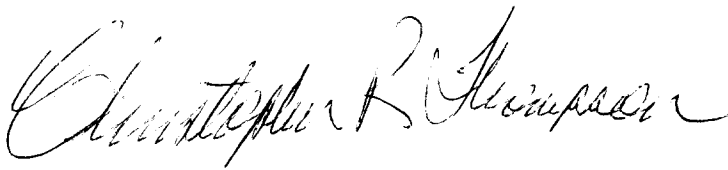
We believe that rather than removing registration of architects the following reforms should be introduced:

1. Uniform registration Acts for all States and Territories whether by surrender to the Commonwealth or by agreement between the governments.  
The common exam and practical experience requirement is a significant step towards uniform and consistent regulation.
2. A requirement for some form of accredited continuing professional development to ensure architects continue to stay “up to date”
3. Simple disciplinary procedures, publicly stated and accountable. Such disciplinary process should be overseen by an independent body containing a majority of non architect members (the UK system).
4. The Registration body (or bodies) should contain representative members of non architectural background representing public interests and consumer bodies (the UK system).
5. The restrictions placed on advertising by architects by most Boards should be lifted so that architects can compete with non architects in the market place.
6. Architects in private practice should be required to have professional indemnity insurance in much the way that other professions and occupations require (eg. builders). Many architects now mix private practice with contract “employment” which places them in a liability risk position.
7. Certification of Building Designers should not be considered as a whole new set of qualifications and restrictions will result.
8. The existing restrictions on derivative terms be endorsed to avoid confusion. As noted above the increased transparency of the registration process, public advice

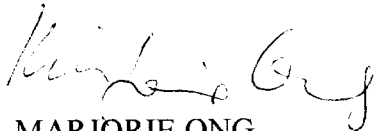
and advocacy and removal of limitations for architects to advertise will also distinguish the two groups in the eyes of the public.

9. Continued registration of architects, as amended above, will increase public expectations of architects and this should be reflected in the severity of penalty or compensation resulting from consumer protection actions. This increased liability is a price architects should be prepared / required to expect in return for accreditation.

Whether penalties should be incorporated in Registration Acts for negligence etc is a separate issue to consumer protection remedies available under separate legislation.



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