

## ARCHITECTS (AMENDMENT) ACT.

Act No. 25, 1941.

An Act to amend the Architects Act, 1921, in certain respects; and for purposes connected therewith. [Assented to, 10th April, 1941.] George VI.  
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**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

**1.** (1) This Act may be cited as the "Architects (Amendment) Act, 1941." Short title,  
citation and  
commence-  
ment.

(2) The Architects Act, 1921, as amended by subsequent Acts, is referred to in this Act as the Principal Act.

(3) The Principal Act, as amended by this Act, may be cited as the Architects Act, 1921-1941.

(4) This Act shall commence upon a date to be appointed by the Governor and notified by proclamation published in the Gazette.

**2.** The Principal Act is amended—

(a) (i) by omitting from subsection two of section five the word "head" and by inserting in lieu thereof the word "Dean"; Amendment of  
Act No. 8,  
1921.  
Sec. 5.  
(Constitu-  
tion of  
board, etc.)

(ii) by omitting from the same subsection the words "President of the Institute of Architects of New South Wales, the President of the Architects Association of New South Wales" and by inserting in lieu thereof the words "President and Vice-President of the New South Wales Chapter of the Royal Australian Institute of Architects";

(b) by omitting subsection four of the same section;  
(c)

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Sec. 6.

(Tenure and remuneration of members.)

- (c) by inserting at the end of subsection two of section six the following proviso:—

Provided that where the office of an elected member becomes vacant within the last six months of the term of office of such member, the Minister may, on the application of the Board, order that an election shall not be held; and may, on the like application, revoke any such order.

Further amendment of Act No. 8, 1921. Sec. 10. (Architects roll.)

**3. The Principal Act is further amended—**

- (a) by omitting subsection two of section ten and by inserting in lieu thereof the following subsection:—

(2) A document purporting to be a certificate under the hand of the Registrar and stating that any person was or was not on any date or during any period mentioned in the certificate registered under this Act shall in all courts and before all persons and bodies authorised by law to receive evidence be prima facie evidence of the facts stated.

Sec. 13. (Qualifications for registration.)

- (b) by inserting at the end of paragraph (c) of subsection one of section thirteen the following new paragraph:—

(ci) holds a degree, diploma, or licensē of competency, approved of by the Board, from some university, college, school, institute or other authority, and also satisfies the Board that he possesses the requisite knowledge and skill for the practice of architecture; or

Sec. 16. (Refusal to register.)

- (c) by omitting from section sixteen the words “to a court of petty sessions or”;

Sec. 17. (Removal from register.)

- (d) (i) by inserting at the end of subsection one of section seventeen the following word and new paragraph:—

or

- (e) is guilty of infamous conduct in a professional respect.

Without

Without limiting the meaning of the expression "infamous conduct in a professional respect" a registered person shall be deemed guilty of such conduct who—

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- (i) in connection with any building designed or supervised by him enters into collusion with the builder or any other person in any way prejudicial to the owner's interests and rights under the building contract;
  - (ii) allows any person other than an architect who is his partner to practise in his name as an architect;
  - (iii) directly or indirectly gives or offers, or agrees to give or offer, any person any valuable consideration whatever as a remuneration for securing or attempting to secure for him any employment or work as an architect;
  - (iv) fails to render to the client upon demand at the completion of the contract between the client and the builder an accurate and detailed statement of accounts;
  - (v) acts as architect and builder of any building without the full knowledge and consent of the client.
- (ii) by omitting from subsection three of the same section the words "a court of petty sessions or";
- (e) (i) by inserting in subsection three of section
- Sec. 19.  
(Prohibited practices.)
- the words "or derivative";
- (ii)

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- (ii) by omitting the proviso to the same subsection and by inserting in lieu thereof the following proviso:—

Provided that nothing in this subsection shall prohibit—

- (a) a person practising naval architecture from using the name “naval architect”; or
- (b) any employee of an architect from using the name “architectural assistant” or “architectural draftsman”; or
- (c) persons from using the term “architectural,” only as indicating that they carry on the business of suppliers of wares, instruments, or materials used in connection with architecture”;

Sec. 25.  
(Regulations.)

- (f) (i) by inserting at the end of paragraph (d) of subsection one of section twenty-five the words “and for prescribing the standard of the educational attainments of candidates for the prescribed examination”;
- (ii) by inserting at the end of the same subsection the following new subsection:—
- (1A) The regulations may provide for the exemption of any class of persons from the provisions of the regulations relating to the prescribed standard of educational attainments.