

*ARCHITECTS ACT, S.N.W.T. 2001, c.10*

# BYLAWS OF THE NORTHWEST TERRITORIES ASSOCIATION OF ARCHITECTS

EFFECTIVE APRIL 11, 2015



**NWTA**A  
NORTHWEST TERRITORIES ASSOCIATION OF  
**A R C H I T E C T S**



## Contents

Definitions		1
Part 1	Head Office and Common Seal of the Association	1
Part 2	Association Meetings	1
Part 3	Election to Council	3
Part 4	Council	8
Part 5	Committees	13
Part 6	Registers	15
Part 7	Membership Categories	18
Part 8	Management and Conduct of the Affairs of the Association	21
Part 9	Seals and Stamps	22
Part 10	Registration	26
Part 11	Fees, Dues and Levies	28
Part 12	Amendments to Bylaws and Regulations	31
Part 13	Mail Vote	32
Part 14	Miscellaneous Provisions	32
Part 15	Forms	34
Part 16	Coming Into Force	34
Part 17	Continuing Education	35
Part 18	Practice Bulletins	36
Schedule 1	Code of Ethics	36



*ARCHITECTS ACT*  
GENERAL BYLAWS

## Definitions

1. In these bylaws
  - (a) Unless otherwise specifically defined in the by-laws, terms will have the same meaning as the Act.
  - (b) "**Act**" means the *Architects Act*, 2001;
  - (c) "**Registrar**" means the individual appointed as Registrar of the Association by resolution of Council;
  - (d) "**Secretary**", "**Treasurer**", "**Vice-President**" and "**President**" mean respectively the individuals elected to hold those offices under this bylaw;
  - (e) "**Visiting Project Architect**" means a licensee or person who holds a license
  - (f) "**Architectural Corporation**" means a firm holding a permit to practice architecture

### PART 1

## Head Office and Common Seal of the Association

2. The head office of the Association shall be located in Yellowknife.
3. (1) The Common Seal of the Association shall contain the words "The Northwest Territories Association of Architects, Incorporated 2001".
  - (2) The Registrar or in his/her absence or inability to act, the President or an individual designated by the President, shall have custody of the Common Seal of the Association.

### PART 2

## Association Meetings

### ANNUAL GENERAL MEETING

4. (1) An annual meeting of the Association shall be held in every calendar year with the period between such meetings not to exceed eighteen months. At each annual meeting the Council shall submit a recommendation as to the date and place of the next annual meeting.
  - (2) The following items of business shall be dealt with at the annual meeting;

- (i) Minutes of the last annual meeting and of any special meetings held since the last annual meeting.
  - (ii) Business arising from the minutes
  - (iii) Address of the president
  - (iv) Reports of representatives of the Association
  - (v) Reports of committees
  - (vi) Auditor's report
  - (vii) Appointment of auditor
  - (viii) New business
  - (ix) Fixing the date and place of the next annual meeting
  - (x) Announcement of the results of the annual election
  - (xi) Objection, if any, to the election results as announced
  - (xii) Induction of the president
- (3) In accordance with the *Architects Act* only architects and restricted practitioners are entitled to vote.
- (4) At the annual meeting of the Association a quorum shall consist of a number equal to 50% of Registered Members who reside in the Northwest Territories.
- (5) Voting members may attend the annual meeting and special general meeting via telephone or other electronic device providing 14 day notice is given to council.
- (6) Voting members attending the annual meeting and special general meeting by telephone or electronic device have all the rights of members present at the meeting.

#### **ANNUAL GENERAL MEETING NOTICE**

5. (1) Notice of the annual meeting shall be sent to all members at least sixty days in advance of the meeting. Notice printed in one of the Association publications sent to all members at least sixty days in advance of the meeting, shall be deemed to comply with this requirement.

#### **SPECIAL GENERAL MEETING**

6. (1) Council shall meet at the call of the president or on request in writing to the Registrar signed by not less than three Councilors.
- (2) The time and place of Council meetings shall be fixed by the president or by the Councilors whoever called the meeting.
- (3) Special meetings of the Association may be held when considered necessary by the Council or upon written request to the Registrar signed by not less than five members of the Association. A special meeting summoned pursuant to the written request of the ten or more members shall be held not more than forty-five days after the request is received by the Registrar.
7. (1) Written notice to the membership calling a special meeting of the Association shall be sent to all members at least fourteen days in advance of the date of the meeting and shall clearly state the object of the meeting, and no other business shall be transacted at the meeting.
- (2) At any special meetings of the Association a quorum shall consist of ten members.

- (3) Any resolution passed at a special or annual meeting shall be considered by Council at the next regular meeting of the Council.

### COUNCIL QUORUM

8. (1) A quorum shall consist of 50% of the members of Council.
- (2) Notwithstanding a vacancy in the membership of the Council, if,
- (a) at least 1 elected architect or restricted practitioner remains on Council, or
  - (b) at least 1 elected architect or restricted practitioner and one member of the public remain on Council,

the remaining members have and may exercise and perform the powers and duties of the Council.

### RULES OF PROCEDURE

9. The proceedings at any meetings of the Association and of Council shall be governed by the rules laid down in the latest edition of Robert's Rules of Order, except as these By-laws may otherwise provide.

## PART 3

# Election to Council

### DISQUALIFICATION

10. If an individual ceases to be an architect or restricted practitioner, he/she is disqualified from
- (a) Nominating or being nominated as a candidate for election to the Council,
  - (b) Continuing to stand as a candidate for election to the Council, or
  - (c) Voting in an election for Council membership, as the case may be.

### NOMINATING COMMITTEE

11. A nominating committee shall be appointed by Council prior to the annual general meeting to serve for the ensuing year.
- (a) The committee shall consist of three members of the Association, one of whom shall be a past president, who shall be the chairman.
  - (b) Council shall appoint members to fill any vacancies which may occur in the nominating committee.
  - (c) Each nominee requires the signature of two members.
  - (d) The written consent of the nominees to act if elected shall be secured and shall accompany the list of nominees submitted to the Registrar.
12. (1) The names of all persons nominated for office shall be placed on the ballot form in groups relating to each office. The number and duration of vacancies to be filled shall be clear on the ballot. Ballots shall be sent to the members by the Registrar not later than forty-five days prior to the annual meeting.

- (2) Not less than forty-five days prior to the annual meeting the Registrar shall send to each member a list of the nominations made by the nominating committee.
- (3) A list of the nominees carried in one of the Association publications mailed to all members at least seventy-five days in advance of the meeting shall be deemed to comply with this requirement.

#### **WITHDRAWAL OF NOMINATIONS**

- 13. (1) Any individual nominated may withdraw provided written notification is received by the Registrar at least 35 days before the Annual General Meeting.
- (2) If, after one or more candidates have withdrawn, become disqualified or died, the number of candidates does not exceed the number of vacancies on Council to be filled, no further withdrawals shall be made or accepted.

#### **DISQUALIFICATION OR DEATH AFTER NOMINATIONS CLOSE**

- 14. (1) Subject to subsection (2), if a candidate becomes disqualified or dies between the date nominations close and the date the election results are announced by the President and the disqualification or death results in fewer candidates than there are vacancies to be filled on the Council, the election shall proceed in all respects as if the candidate had not become disqualified or died until immediately after he/she was elected as member of the Council.
- (2) An individual elected by virtue of the operation of subsection (1) shall not be considered as having been elected to or as having served on Council except for the purpose of this section.

#### **LATE NOMINATIONS**

- 15. If a candidate becomes disqualified or dies before nominations close, and as a result the number of candidates are less than the number required to fill the vacancies on the Council, the nominating committee shall nominate one or more other architects or restricted practitioners to replace the former candidate or candidates.

#### **ELECTION BY ACCLAMATION**

- 16. If there is only one nominee for a position, he/she is awarded that position by acclamation. If there are more than one nominee for a position, then the person(s) receiving the higher number of votes shall fill that position.

#### **BALLOTS MAILED**

- 17. (1) Election shall be conducted by mail ballot.
- (2) At least 45 days before the annual general meeting the Registrar shall send to each architect and restricted practitioner a ballot in the form prescribed by resolution of Council.
- (3) Each ballot paper shall contain:
  - (a) The name of each nominated candidate with the names arranged alphabetically in order of the surnames and, if 2 or more candidates have the same surname, the names of those candidates shall be arranged alphabetically in the order of their given names, and

- (b) A brief explanatory note stating the maximum number of candidates for which a vote may be cast to make the ballot valid.
- (4) When a ballot is sent out, it may be accompanied by a brief biography of each candidate for election containing such information about each candidate as Council prescribes.

### VOTING

- 18. (1) Voting for membership on Council commences on the day the ballots are mailed to architects and restricted practitioners and ends on noon of the fifth day before the annual general meeting or such other date as may be set by Council.
- (2) No candidate or other individual shall campaign for or against any candidates for election to Council during the period that voting is permitted.
- (3) Only architects and restricted practitioners are entitled to vote.
- 19. (1) Each architect or restricted practitioner has the same number of votes as there are vacancies for membership on Council.
- (2) Each architect or restricted practitioner is entitled to vote for as many candidates as there are vacancies to be filled, or for a lesser number.
- (3) Not more than one vote for a candidate may be cast by an architect or restricted practitioner.
- (4) An architect or restricted practitioner need not cast all the votes that he/she is entitled to cast.

### MARKING BALLOTS

- 20. (1) An architect or restricted practitioner who votes shall mark his or her ballot paper by placing a cross thus "X" on the right hand side of it opposite the name of the candidate or candidates for whom he/she wishes to vote.
- (2) The marked ballot shall be enclosed in a sealed envelope marked on the outside with the word "Ballot" without more.
- (3) The envelope marked "Ballot" shall be placed in another envelope signed by the voter on the outside of the envelope in the place indicated on the envelope.
- (4) No identifying mark shall be placed on the ballot in order to maintain a secret ballot.
- (5) The envelopes containing the marked ballot shall be sent or delivered to the Registrar.

### BALLOT BOX

- 21. (1) Upon receipt of an envelope signed in accordance with section 20(3), the Registrar shall deposit the unopened envelope or cause it to be deposited, in a locked ballot box.
- (2) An envelope not signed in accordance with section 20(3) that contains or purports to contain a ballot envelope shall be destroyed unopened.

- (3) The ballot box shall be made of some durable material, be provided with a lock and key and constructed so that the envelopes containing the ballots can be deposited in it and cannot be withdrawn from it unless the box is unlocked.
22. (1) The Registrar shall retain possession of the key while the ballot box must be locked.
- (2) The ballot box shall not be unlocked or opened during the period that voting is permitted.

#### CLOSE OF VOTING

23. (1) The poll shall close at noon on the fifth day prior to the annual meeting and no ballots received after that time shall be considered.
- (2) An envelope marked in accordance with section 20(3) that is received by the Registrar after the date specified or referred to in subsection (1) shall be destroyed unopened.

#### SCRUTINEERS COUNT BALLOTS

24. (1) At least fifteen days before the annual meeting the president shall appoint two members not seeking election to Council and a Past President to act as scrutineers.
- (2) The scrutineers shall meet at a time and place designated by the president, but at least three days prior to the annual meeting and shall then receive the ballots from the Registrar.
- (3) The box containing the ballots shall be opened by the scrutineers who shall scrutinize and count the votes cast and keep a record thereof.
- (4) The three scrutineers shall:
- (a) Open the envelopes signed on the outside by the voters and extract the envelopes marked "Ballot"
  - (b) Mix the unopened envelopes marked "Ballot" to maintain a secret ballot;
  - (c) Count the votes, and
  - (d) Maintain such records as are necessary to ensure that the ballots have been properly cast and counted.
- (5) An envelope in the envelope signed by the voter that is not marked "Ballot", which purports to contain a ballot paper, shall be destroyed unopened.
- (6) A ballot paper improperly marked or marked with more than the maximum number of votes permitted shall be marked "spoilt" and shall not be counted.
- (7) After counting the ballots, the scrutineers shall deliver to the president or the Registrar the results of the poll, together with the ballots and tally sheets in a sealed package.

#### SECRECY

25. (1) After the ballot box has been sealed a Past-President, who is an architect and two (2) other scrutineers appointed by Council shall meet for the purpose of counting the ballots.
- (2) The 3 scrutineers and any other person requested to be present during the counting of the ballots shall keep secret the counting of the votes, the election records and material and, until the President announces the results, the results of the election.

**TIE VOTE**

- 26. (1) In the case of tie votes for any officer or councilor, the president shall cast the deciding vote.
- (2) In the event of a tie vote for the President, the most recent past-President, and who is not a candidate for Council who is an architect or restricted practitioner shall break the tie.

**ELECTION RESULTS CERTIFIED**

- 27. (1) The 3 scrutineers shall on determining the results of the election prepare a list of the elected candidates and certify the results as correct.
- (2) The list of elected candidates shall be placed in a sealed envelope and given to and retained by the Registrar until the opening of the annual general meeting.
- (3) At the opening of the annual general meeting the Registrar shall give the envelope containing the election results to the current President.

**ELECTION ANNOUNCEMENT**

- 28. (1) At the opening of the Annual General Meeting, the president or the Registrar shall inform the candidates of the results of the balloting.
  - (2) Any objection to the poll as announced will be valid only if made immediately after the announcement and a proper motion for a recount will then be in order. If such a motion is made and carried the president shall appoint a ballot counting committee of not less than four members who shall forthwith recount all ballots. Candidates may be present or represented at such recount.
  - (3) On completion of the recount the results shall be communicated in writing to the president who shall announce it to the annual meeting immediately. Such recount shall be final and binding.
  - (4) Following the announcement of the poll or of the recount, as the case may be, the ballots and any tally sheets shall be destroyed.
29. In the event of any failure to comply with procedure relating to the election of members of Council, Council shall have the power to take any action it deems necessary to validate the nomination, the counting of the ballots or the election.
30. The President shall announce the results of the election at the annual general meeting and shall call for a motion for destruction of the ballots and associated election records and material.

## PART 4

# Council

### COMPOSITION

31. (1) The Council shall be composed of
- (a) the President;
  - (b) if willing and able to serve, the immediate Past President;
  - (c) one person appointed by the Minister from among the general public who holds office for a term specified by the by-laws; and
  - (d) four persons elected from the membership, one of which may be a non-resident member.
- (2) The representative appointed under the provision of subsection (1)(c) hereof may attend meetings of Council and to take part in the proceedings of Council but shall not be entitled to vote on any question.
- (3) An Intern Architect, nominated among current registered Intern Architects, as available, shall be appointed as Intern Architect Representative by Council for a term of one year, and may attend meetings of Council, take part in proceedings and vote on any resolution, and may complete the term irrelative to the status of their registration.
- (4) Council may invite any organization or association to appoint a member of its executive as a representative to attend such meetings of Council as Council may determine.
- (5) Any representative invited pursuant to subsection (4) hereof, if not a member of Council, may be invited by Council to attend meetings of Council and to take part in the proceedings of Council but shall not be entitled to vote on any question.

### OFFICERS

32. The following are the officers of Council
- (a) the President;
  - (b) the Immediate Past President;
  - (c) the Vice-President;
  - (d) the Treasurer;
  - (e) the Secretary.

### TAKING OFFICE

33. A newly elected Council takes office immediately following the close of the annual general meeting at which the election results are announced and holds office until the close of the next annual general meeting.

### ELECTION OF OFFICERS

34. (1) At the conclusion of an annual general meeting the Council shall meet and subject to any provision of this by-law to the contrary:

- (a) the President shall designate the Vice-President, Secretary and Treasurer from among the Councilors;
- (b) The President shall announce the names of the officers elected under subsection (a);
- (c) The Council members not holding an office shall be known as "Councilors".

#### LENGTH OF OFFICE

35. (1) The president shall be elected annually.
- (2) The Ministerial Appointee may be appointed for a time specified by the Minister.
- (3) The individual holding the office of President holds that office until the annual general meeting following his/her one year term of office regardless of the term of his/her election to Council and then becomes Immediate Past President.
- (4) The Immediate Past President holds office until the close of the annual general meeting. The term of office of the Immediate Past President can be extended to the term of office of the President.
- (5) Subject to section 8(5) of the Act, Councilors hold office until the close of the annual general meeting two years following their election.
- (6) Two Councilors shall be elected annually to take the place of the two Councilors whose terms of office have expired.
- (7) Notwithstanding anything in this bylaw,
- (a) if a member of Council ceases to be an architect or restricted practitioner his/her membership on the Council automatically terminates, or
  - (b) if a member of Council is suspended, his/her membership on Council is suspended for the same period of time as his/her registration is suspended.

#### TEMPORARY ABSENCES

36. In the event of a temporary absence or the inability to act of the President, the Vice-President has all the powers, duties and responsibilities of the President.

#### VACANCIES ON COUNCIL

37. (1) When the office of a councilor becomes vacant, the Council shall appoint a member to fill the vacancy. The appointee shall continue in office until the next annual election at which time the vacancy shall be filled by election by the members.
- (2) When a resident member of Council ceases to be a resident of the Northwest Territories, the office shall be declared vacant if a non-resident member is already on Council.
38. If the President dies or is otherwise unable to retain his/her office the Vice-President becomes President for the remainder of the term of office.
39. If the Vice-President dies or is otherwise unable to retain his/her office or become President, the Council shall elect another in his/her place from among Councilors, excepting the Ministerial Appointee, to act as Vice-President for the remainder of that term of office.

40. (1) If an officer of Council, other than the President or Vice-President, dies or is otherwise unable to retain his/her office the Council may
- (a) Elect from among themselves a person to fill the office for the remainder of the term, or
  - (b) Leave the office vacant.
- (2) If an elected member of Council dies or ceases to be a Council member the Council may
- (a) Appoint another registered architect or restricted practitioner to fill the vacancy for the remainder of the term, or
  - (b) Leave the vacancy unfilled.

#### **FAILURE TO ATTEND COUNCIL MEETINGS**

41. (1) If any member of Council is unable to attend a meeting of Council he/she shall so inform the Registrar prior to the meeting.
- (2) If any member of Council absents himself/herself from three consecutive meetings of Council without the approval of Council, Council may declare his/her seat to be vacant.

#### **COUNCIL MEETINGS**

42. (1) The Council must meet at least 6 times a year on such dates and at such times and places as it decides.
- (2) The President may call a meeting of the Council at any time.
- (3) The Council members may attend meetings via telephone or other electronic device.
- (4) Councilors attending by telephone or electronic device have all the rights of members present at the meeting.
43. Notice of the date, time and place of Council meetings shall be given by the Registrar to each member of the Council at least 24 hours before the meeting.
44. (1) Members of Council and, at the discretion of Council, appointed representatives of the Association, members of committees of the Association, members invited for special purposes and the representatives of other organizations may be paid the reasonable pre-authorized out-of-pocket expenses of attending meetings of the council or of the Association or when traveling on business of the Association.
- (2) Travel and out-of-pocket expenses referred to in subsection (1) shall not be paid unless such expenditures are pre-authorized by the Council.

#### **RULES OF PROCEDURE**

45. *[Not Used]*
46. *[Not Used]*

## DUTIES OF ELECTED OFFICERS

### PRESIDENT

47. (1) It is the duty of the President
- (a) to preside at all meetings of the Association and the Council, and
  - (b) to perform such other functions as are required of him/her under these bylaws or by Council.
- (2) Except for the Complaint Review Committee, the President is an ex officio member of all committees of Council, committees of the Association and the Practice Review Board.

### VICE-PRESIDENT

48. In the absence or inability to act of the President, it is the duty of the Vice-President to act as President.
49. In the absence or inability to act of the President and the Vice-President, Council will elect one of the remaining Councilors with the exception of the Ministerial Appointee to act as President.

### SECRETARY

50. It is the duty of the Secretary to:
- (a) sign such documents as are necessary when the Common Seal of the Association is affixed unless he/she is absent or otherwise unable to do so;
  - (b) sign certificates of registration issued pursuant to the Act and Regulations;

### TREASURER

51. It is the duty of the Treasurer to:
- (a) report to Council on the finances of the Association when requested to do so;
  - (b) present a financial statement to the annual general meeting of the Association; and
  - (c) perform such other functions as are required under these bylaws or by the Council.

### APPOINTED OFFICERS

52. (1) The Council shall appoint
- (a) a Registrar, who will have voice but no vote, and
  - (b) an auditor who shall be a member of the Canadian Institute of Chartered Accountants or a member of the Certified General Accountants Association of Canada.
- (2) Unless a contract of employment otherwise provides, every person appointed by the Council holds office during pleasure of the Council.

## DUTIES OF APPOINTED OFFICERS

### REGISTRAR

53. (1) The Registrar shall:
- (a) perform such duties as are specified in the Act,
  - (b) keep the Registers and Records up to date, and
  - (c) perform such other duties as are assigned to him/her by the Council.
- (2) The Council may appoint an individual as acting Registrar who shall act as the Registrar in the absence or inability of the Registrar to act or when the office of Registrar is vacant.
- (3) When an acting Registrar acts as Registrar he/she has all the powers and duties of the Registrar under the Act, regulations under the Act and this bylaw.
- (4) The Registrar is responsible to the Council.
54. The Registrar shall
- (a) post a security bond, at the expense of the Association, in a sum to be fixed by Council. The Registrar shall receive remuneration as established by Council.
  - (b) be in responsible charge, under Council, of all property of the Association and shall be responsible for the work of all employees of the Association.
55. The Registrar shall be responsible for:
- (a) The presentation of business and recording of proceedings at all meetings of the Association and of Council;
  - (b) Conducting the correspondence of the Association and keeping full records thereof;
  - (c) The books and accounts of the Association and ensuring that all moneys due the Association are collected and deposited with the fund of the Association;
  - (d) The drawing of cheques against the funds of the Association to be signed by the Registrar and president or alternates approved by Council.
  - (e) Providing from time to time such information and reports as may be requested by Council, or which he/she deems necessary in the interest of the Association;
  - (f) Maintaining a register of members and licensees classified as to the respective professions;
  - (g) Maintaining a register of permit holder;
  - (h) Maintaining a register of graduate architects
  - (i) Maintain a register of restricted practitioners
  - (j) Publishing annually copies of that "register, roll and record"
  - (k) Publishing annually the Association's schedule of fees, and
  - (l) Such other functions as are necessary or expedient for the proper administration of the Act and by-laws and the affairs of the Association generally.

### AUDITOR

56. (1) The finances of the Association shall be audited annually as of the 31st day of December.
- (2) The auditor shall be a professionally qualified accountant who shall be appointed annually at the annual meeting.

- (3) The auditor shall submit a written report for the annual meeting, a copy of which shall be given to the members at an annual meeting. Publication in the Annual Report shall be deemed to meet this requirement.

## PART 5

# Committees

### GENERAL

57. Except as otherwise specifically provided in this Part, nothing in this Part applies to the Complaint Review Committee or the Practice Review Board or the Registration and Licensing Committee.

### STANDING COMMITTEES

58. The standing committees of the Association are:
- (a) The Complaints Review Committee;
  - (b) The Practice Review Board; and
  - (c) The Registration and Licensing Review Committee.
59. (1) In accordance with section 15(1) of the Act, Council shall establish a Registration and Licensing Review Committee.
- (2) The operations and proceedings of the Registration and Licensing Review Committee are specified in the Act.
- (3) In accordance with section 15(3) and section 35(2), a member who is a council member or a graduate architect may not be appointed to the Registration and License Review Committee.
60. (1) In accordance with the Act section 35(1) Council shall appoint members to the Complaints Review Committee from time to time so that the Complaints Review Committee maintains a membership of three authorized practitioners.
- (2) In accordance with the Act section 35(2) members appointed by Council to the Complaints Review Committee may not be members of Council or graduate architects.
- (3) Notices to Public, Profession and Government
- (a) If, in the judgment of Council, an authorized practitioner has engaged in improper conduct, the Registrar, after all appeals and rights of appeal have been exhausted, shall give notice of such finding to the profession and to any party or parties whose complaint, complaints, or notice of conduct gave rise to the investigation and hearing that led to Council's decision; such notice shall include:
    - (i) the name of the authorized practitioner;
    - (ii) the nature of the complaint or conduct of which the authorized practitioner was found guilty, including brief particulars;
    - (iii) the penalty imposed, including any conditions; and
    - (iv) the costs imposed, if any.

- (b) In addition, Council in its discretion may direct the Registrar to publish said information concerning its findings to the public as it considers appropriate under the circumstances in such manner and by such means as it may determine.
- (c) If Council orders that the registration, license, or permit of an authorized practitioner be suspended or revoked, notice to the effect shall be inserted by the Registrar into one issue of the Northwest Territories Hansard.

### OTHER COMMITTEES

- 61. For all committees, the terms of reference shall be determined by Council.
- 62. The Council shall
  - (a) determine the membership and term of office of committees of the Council,
  - (b) designate the chairman and, if necessary, vice-chairman of the committees, and
  - (c) determine the functions, duties and responsibilities of the committees.
- 63. (1) The Council may appoint such other committees of Council or establish committees of the Association as the Council considers necessary and shall designate the chairman and if necessary, the vice-chairman of each committee so appointed.
  - (2) A committee of the Council or a committee of the Association may be composed of such individuals as the Council considers necessary and may include persons who are not an architect or a restricted practitioner or members of the Association.
  - (3) Individuals appointed to a committee may be appointed for a fixed period or periods of time but not all members need be appointed for the same period of time.
  - (4) Individuals appointed to a committee may have their appointments terminated at any time by the Council or have the designation of chairman or vice-chairman revoked, as the case may be.

### VACANCIES

- 64. (1) If a vacancy occurs on a committee of the Council or a committee of the Association, the Council may
  - (a) appoint an individual as a member of the committee for the remainder of the term, or
  - (b) leave the vacancy unfilled.
- (2) Pending the appointment of an individual by the Council under subsection (1), the President may make a temporary appointment.
- (3) Notwithstanding a vacancy in the membership of a committee of Council or a committee of the Association, the remaining members, if at least a quorum remains on the committee, have and may exercise the functions and responsibilities of the committee.
- (4) In the absence or inability to act of the chairman of a committee, a vice-chairman shall act as chairman and in the absence or inability to act of a vice-chairman the members present at the meeting shall elect a member to act as chairman for that meeting.

**EXPENSES**

65. (1) Except for the members of the public appointed by the Minister, a member of the Council or a member of a committee of the Council is entitled to be reimbursed his/her reasonable traveling, living and accommodation expenses while engaged in the business of the Association, other than in connection with annual general meetings or special general meetings.
- (2) Notwithstanding subsection (1), the President is entitled to be reimbursed his/her traveling, living and accommodation expenses at annual general meetings and special general meetings.

**APPOINTMENT TO OTHER BODIES**

66. (1) When a request is made to the Association for the appointment or nomination of an architect or other person to a committee, council or any other body, the Council shall make the appointment if it agrees that the appointment or nomination should be made.
- (2) Council may appoint a member to represent the Association on the Council, Governing Body, or Committees of any other Organization or Association.

**RULES OF PROCEDURE**

67. (1) Council may establish rules of order and procedure for the conduct of business of a committee established by it.
- (2) If no rules of order and procedure are established by the Council the order and procedure at meetings of a committee shall be those normally accepted rules of order and procedure governing meetings of a like nature, but if a dispute arises the dispute shall be settled by the chairman of the meeting and his/her decision is final.

**PART 6****Registers**

68. The following registers are established:
- (a) Register of Architects;
  - (b) Register of Licensees (Visiting Project Architects);
  - (c) Register of Permit Holders (Architectural Corporations);
  - (d) Register of Restricted Practitioners.

**REGISTER OF ARCHITECTS**

69. (1) The Register of Architects shall contain
- (a) at least one page for each individual registered as an architect, and
  - (b) the following information with respect to each architect:
    - (i) full name;
    - (ii) date of birth;

- (iii) registration number;
  - (iv) whether a seal has been issued to him/her;
  - (v) date the person becomes an architect;
  - (vi) business address;
  - (vii) date of death;
  - (viii) any suspension or cancellation of the architect;
  - (ix) where the professional records of the architect are kept;
  - (x) such other information as Council may direct.
- (2) If the Registrar makes any change to the information in the Register, the Registrar shall notify the architect accordingly.
- (3) In a separate membership record the Registrar shall maintain information as to whether the architect is a sole practitioner, in partnership, a director of an architectural corporation or an employee.

### **REGISTER OF LICENSEES (VISITING PROJECT ARCHITECTS)**

70. (1) The Register of Visiting Project Architects shall contain
- (a) at least one page for each individual registered as a visiting project architect;
  - (b) the following information with respect to the visiting project architect:
    - (i) full name;
    - (ii) license or registration number issued to him/her in the jurisdiction in which he/she is entitled to practice architecture;
    - (iii) license number in respect of the project for which he/she is visiting project architect;
    - (iv) date the individual becomes a visiting project architect;
    - (v) date the visiting project architect ceases to be licensed following the expiration of one year after the conclusion of the project;
    - (vi) name and location of the project in respect of which the visiting project architect is licensed;
    - (vii) name of the architect with whom the visiting project architect is collaborating;
    - (viii) business address;
    - (ix) where the professional records of the project in respect of which he/she is visiting project architect are to be kept;
    - (x) any suspension or cancellation of the visiting project architect or architect with whom he/she is collaborating;
    - (xi) date of death of the visiting project architect if it occurs during the course of the project;
    - (xii) such other information as Council may direct.
- (2) Information entered in the Register of Visiting Project Architects under subsection (1)(b)(x) may only be removed if Council so directs.
- (3) If the Registrar makes any change to the information in the Register, the Registrar shall notify the visiting project architect accordingly.

**THE REGISTER OF PERMIT HOLDERS  
(ARCHITECTURAL CORPORATIONS)**

71. (1) The Register of Permit Holders (Architectural Corporations) shall contain
- (a) at least one page for each architectural corporation;
  - (b) the following information with respect to each architectural corporation:
    - (i) full name;
    - (ii) permit number;
    - (iii) date of registration;
    - (iv) business address;
    - (v) such other information as the Council requires for the purpose of the Professional Practice Regulation;
    - (vi) any suspension or cancellation of the architectural corporation;
    - (vii) such other information as Council may direct;
    - (viii) the full name and registration number of the architect, restricted practitioner or licensee who will serve as a professional representative of the firm, and who will supervise the practice of architecture in the firm as well as the professional conduct of the firm.
- (2) Information entered in the Register of Architectural Corporations under subsection (1) (b) (vi) may only be removed if Council so directs.
- (3) If the Registrar makes any change to the information in the Register, the Registrar shall notify the architectural corporation accordingly.

72. *[Not Used]*

**REGISTER OF RESTRICTED PRACTITIONERS**

73. (1) The Register of Restricted Practitioners shall contain
- (a) at least one page for each restricted practitioner, and
  - (b) the following information with respect to each restricted practitioner:
    - (i) full name;
    - (ii) date of birth;
    - (iii) registration number as a professional engineer (if applicable);
    - (iv) registration number as a restricted practitioner;
    - (v) date of registration as a restricted practitioner;
    - (vi) business address;
    - (vii) any suspension or cancellation of registration as a restricted practitioner;
    - (viii) where the professional records of the restricted practitioner are kept;
    - (ix) the restricted scope of the practice of architecture in which the individual is permitted to engage;
    - (x) such other information as the Council may direct.
- (2) Information entered on the Register of Restricted Practitioners under subsection (1) (b) (vii) may only be removed if Council so directs.
- (3) If the Registrar makes any change to the information in the Register, the Registrar shall notify the restricted practitioner accordingly.

## INSPECTION OF REGISTERS AND RECORDS

74. The Registrar shall, during regular office hours, permit any member of the Association to inspect the applicable register or record to determine the information recorded about him/her.

## PART 7

# Membership Categories

## MEMBERSHIP RECORDS

75. (1) The Registrar shall maintain a record of the members of the Association in the categories of membership established by this bylaw.
- (2) The record shall contain, unless Council otherwise directs, with respect to each individual,
- (a) full name;
  - (b) address;
  - (c) date of membership;
  - (d) category of membership;
  - (e) date of cessation of membership;
  - (f) such other information as Council may direct.
- (3) If any of the information recorded in the membership records changes, the individual shall notify the Registrar in writing accordingly each time a change occurs.
- (4) In addition to the categories of architect, restricted practitioner and graduate architect established by the Act, the following categories of membership are established in the Association:
- (a) Associate;
  - (b) Student Associate;
  - (c) Retired Member;
  - (d) Honourary Member; and
  - (e) Life Member.
- (5) Persons holding the membership categories established under subsection (4) (a) to 4(e) are not permitted to practice architecture unless they are also architects, restricted practitioners or visiting project architects or otherwise permitted to engage in the practice of architecture under the Act.

## ARCHITECTS

76. (1) An individual who is an architect is entitled
- (a) to attend annual general meetings and special general meetings and to vote at them,
  - (b) to receive the newsletter published by the Association,
  - (c) to receive such information as the Council may direct from time to time,
  - (d) to the benefits conferred and the duties and responsibilities imposed under the Act, regulations and by-laws, and

- (e) to use the name architect and the letters NWTAA after his/her name to indicate that he/she is an architect and a member of the Association.
- (2) An architect or restricted practitioner shall pay such fees, dues and levies as are specified by Council pursuant to this by-law.

### RESTRICTED PRACTITIONERS

- 76.1 (1) An individual who is a restricted practitioner is entitled
- (a) to attend annual general meeting and special general meetings and to vote at them
  - (b) to receive the newsletter published by the Association
  - (c) to receive such information as the Council may direct from time to time
  - (d) the benefits conferred and the duties and responsibilities imposed under the Act, regulation and by-laws, and
  - (e) to use the name 'restricted practitioner' and the letters NWTAA after his/her name to indicate that he/she is a restricted practitioner and a member of the Association
- (2) A restricted practitioner shall pay such fees, dues and levies as are specified by Council pursuant to this by-law.

### GRADUATE ARCHITECTS

77. (1) An individual registered as a graduate architect is entitled
- (a) to enroll in the internship program
  - (b) to attend annual general meetings and special general meetings,
  - (c) to receive the newsletter published by the Association,
  - (d) to receive such information as the Council may direct from time to time,
  - (e) to the benefits conferred and the duties and responsibilities imposed under the Act, regulations and by-laws, and
  - (f) to use the name "graduate architect".
- (2) A graduate architect cannot vote at annual general meetings or at special general meetings.
- (3) A graduate architect shall pay such fees, dues, levies as are specified by Council pursuant to this by-law.

### ASSOCIATE

78. (1) An individual may apply for membership in the Association as an Associate if the applicant
- (a) holds a degree in architecture or interior design or its equivalent from an educational institution satisfactory to the Universities Co-coordinating Council, or
  - (b) holds a certificate approved by the Universities Co-ordinating Council with respect to his/her academic qualifications.
- (2) On payment of the appropriate fee, Council may approve the entry in the records of the Association of an individual referred to in subsection (1) in the category of Associate and issue him/her a certificate of membership.

- 79. (1)** An Associate is entitled
- (a) to attend annual general meetings and special general meetings, unless the meeting votes to exclude those persons who are not architects or restricted practitioners, but is not entitled to vote at them,
  - (b) to receive the newsletter published by the Association, and
  - (c) to receive such information as the Council may direct from time to time.
- (2)** An Associate shall pay such annual dues as are specified by Council under this by-law.

#### **STUDENT ASSOCIATE**

- 80. (1)** An individual may apply for membership in the Association as a Student Associate if the applicant
- (a) is engaged in a course of study, recognized by the Council, in the practice of architecture, or
  - (b) has successfully completed all courses in Program Part 1 (Level 5) of the RAIC Syllabus Program or equivalent, and
  - (c) is about to commence or has commenced the practical training referred to in the Education and Training Regulation.
- (2)** On payment of the appropriate fee, the Council may approve the entry of an individual referred to in subsection (1) in the records of the Association in the category of Student Associate and issue him/her a certificate of membership.
- (3)** A Student Associate is entitled
- (a) to attend annual general meetings and special general meetings, unless the meeting votes to exclude those persons who are not architects or restricted practitioners, but is not entitled to vote at them,
  - (b) to receive the newsletter published by the Association, and
  - (c) to receive such information as the Council may direct from time to time.
- (4)** A Student Associate shall pay such annual dues as are specified by Council under this by-law
- (5)** A Student Associate complying with 80(1) (a) & (b) must continue enrolment in the RAIC Syllabus program or equivalent.

#### **RETIRED MEMBERS**

- 81. (1)** If an architect or a restricted practitioner retires from the practice of architecture and tenders to the Council his/her resignation, the Council may, at the request of the individual, approve the entry of the individual in the records of the Association in the category of Retired Member and issue him/her a certificate of membership.
- (2)** A Retired Member is entitled
- (a) to attend annual general meetings and special general meetings, unless the meeting votes to exclude those persons who are not architects or restricted practitioners, but is not entitled to vote at them,
  - (b) to receive the newsletter published by the Association,
  - (c) to receive such information as the Council may direct from time to time, and

- (d) to use the letters and word "Architect (Retired)" or "Restricted Practitioner (Retired)" after his/her name to indicate that he is a Retired Member of the Association.
- (3) A Retired Member shall pay such annual dues as are specified by Council under this by-law.

#### HONOURARY MEMBERS

- 82. (1) The Council may elect an individual who has rendered the profession of architecture valuable service or has notably contributed to the advancement of architecture as a Honourary Member of the Association.
- (2) A Honourary Member is entitled:
  - (a) to attend annual general meetings and special general meetings, unless the meeting votes to exclude those persons who are not architects or restricted practitioners, but is not entitled to vote at them,
  - (b) to receive the newsletter published by the Association,
  - (c) to receive such information as the Council may direct from time to time, and
  - (d) to use the letters "NWTAA (Hon)" after his name to indicate that he is a Honourary Member of the Association.

#### LIFE MEMBERS

- 83. (1) Council may elect as a life member of the Association an architect or restricted practitioner who has practiced his/her profession with distinction and notably contributed to the advancement of the profession of architecture.
- (2) Council may elect as a life member of the Association an allied professional who has practiced his/her profession with distinction and notably contributed to the advancement of the allied profession.
- (3) An individual elected as life member is not required to pay any fees, dues or levies.
- 84. *[Not Used]*
- 85. *[Not Used]*

### PART 8

## Management and Conduct of the Affairs of the Association

#### USE OF COMMON SEAL

- 86. When the Common Seal of the Association is required to be affixed to a document, the seal shall be accompanied by the signatures of the President and Secretary or such other members of Council as the President designates.

## BANKING

87. The bank of the Association shall be such chartered bank as is designated by the Council.
88. (1) Moneys of the Association deposited in the Association's bank shall be withdrawn or paid out by cheque or other negotiable instrument:
- (a) signed by 2 members of Council designated to sign cheques, or
  - (b) by such other method as is prescribed by resolution of Council.
- (2) The Registrar shall keep in a book or books provided for that purpose a record of all moneys received or paid.
- (3) The Council may establish a Directors Contingency Fund of such amount as may be specified by Council from time to time and may authorize the Registrar or such other individual as Council designates to draw on the fund without the signature of a member of Council.
- (4) The Registrar shall regularly account to the Council for the use of moneys in the Directors Contingency Fund.

## PART 9

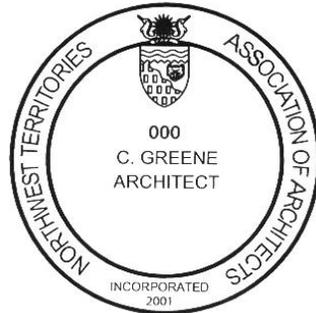
# Seals and Stamps

89. (a) Upon registration, each authorized practitioner shall be issued a personal stamp for his/her professional use.
- (b) The individual whose name is on the stamp is its custodian and is responsible for its safekeeping.
- (c) The stamp shall be affixed to a document only when the professional taking responsibility is satisfied that the work has been completed to an acceptable standard. The responsible professional shall sign across the imprint of the stamp and indicate the date of the signature.
- (d) All stamps and seals shall be issued by the Registrar and no other stamp or seal shall be issued.
- (e) Stamps and seals remain the property of the Association and shall be returned on termination of registration.
- (f) The custodian of the permit stamp shall be an officer or employee of the Permit Holder authorized to control its use.
- (g) The permit stamp shall be affixed to a document only after the professional or professionals taking responsibility have affixed their personal stamps. The officer or employee, so authorized by the Permit Holder, shall affix the stamp, sign across the imprint of the stamp and indicate the date of the signature.

## ARCHITECT'S SEAL

90. (1) The seal of an architect shall be engraved with

- (a) the name of the registered architect to whom the seal is issued, and
  - (b) the words "Architect – Northwest Territories"
- (2) The seal shall be engraved in the following form:



- (3) The seal of an architect may be made of metal, rubber or other suitable material.

### ISSUE OF SEAL

91. (1) In accordance with section 32 of the Act, the Registrar shall only issue a seal to an architect on the request of the architect that a seal be issued to him/her.
- (2) The Registrar is the only person entitled to issue a seal to an architect.

### RETURN OF SEAL

92. The seal of an architect is owned by the Association and must be returned to the Association.
- (a) in any of the circumstances described in the Act,
  - (b) if the architect no longer wishes to hold a seal, or
  - (c) on the death of the architect.

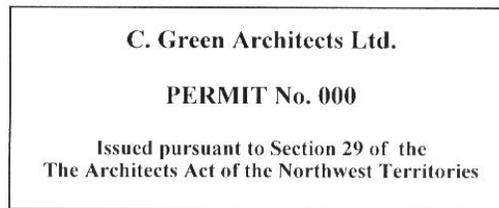
### USE OF SEAL

93. (1) The architect shall not use a seal in the practice of architecture except for the seal issued to him by the Registrar.
- (2) Each time a seal is used
- (a) it shall be impressed on the signature of architect whose seal it is, or
  - (b) the architect whose seal it is shall sign over the seal, so that the signature and seal are combined.

### PERMIT HOLDERS (ARCHITECTURAL CORPORATION) STAMP

94. (1) The stamp of an architectural corporation shall be a rubber stamp engraved with
- (a) the name of the architectural corporation to which the stamp is issued;
  - (b) the permit number of the architectural corporation, and
  - (c) the words "issued pursuant to the *Architects Act* of the Northwest Territories".

(2) The stamp shall be designed in the following form:



95. The Registrar is the only person entitled to issue a stamp to an architectural corporation.

96. (1) The stamp of an architectural corporation is owned by the Association and is issued to an architectural corporation in accordance with the Act and must be returned.

- (a) in any of the circumstances described in the Act, or
- (b) if the corporation is wound up or otherwise ceases to be an architectural corporation.

97. (1) An architectural corporation shall not use a stamp in the practice of architecture except the stamp issued to it by the Registrar.

(2) The stamp of an architectural corporation may only be used when an architect also impresses his/her seal in association with the stamp of the architectural corporation.

**LICENSEE’S (VISITING PROJECT ARCHITECTS) STAMP**

98. (1) The stamp of a visiting project architect shall be a rubber stamp engraved with

- (a) the name of the visiting project architect to whom the stamp is issued, and
- (b) the following information
  - (i) the license number of the visiting project architect,
  - (ii) the location and name of the project in respect of which the visiting project architect is licensed, and
  - (iii) the name of the registered architect or architectural corporation collaborating with the visiting project architect.

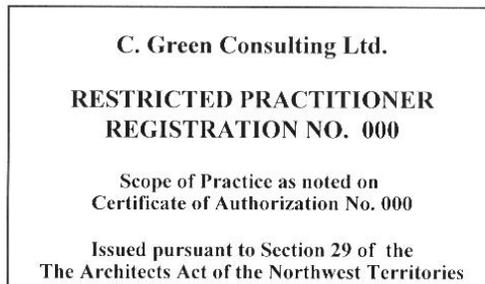
(2) The stamp shall be designed in the following form:

<b>VISITING PROJECT ARCHITECT</b>	
C Green , Edmonton, Alberta	
Licence No.: 000	New Office Building
Issued: January 01, 2005	2005-2005 Street Yellowknife, NWT
Collaborating Architect: ABC Architects Ltd. Northwest Territories Association of Architects	
Issued pursuant to Section 28 of the The Architects Act of the Northwest Territories	

99. The Registrar is the only person entitled to issue a stamp to a visiting project architect.
100. The stamp of a visiting project architect is owned by the Association and is issued to a visiting project architect in accordance with the Act and must be returned
- (a) in any of the circumstances described in the Act, or
  - (b) upon expiry of one year following completion of the project for which the visiting project architect was licensed.
101. When a visiting project architect uses his/her stamp he/she shall also affix the seal, if any, issued to him/her in the jurisdiction in which he/she is entitled to engage in the practice of architecture.

### RESTRICTED PRACTITIONER'S STAMP

102. (1) The stamp of a restricted practitioner shall be a rubber stamp engraved with
- (a) the name of the restricted practitioner to whom the stamp is issued, and
  - (b) the restricted scope of practice in which the restricted practitioner is permitted to engage.
- (2) The stamp shall be designed in the following form:



103. The Registrar is the only person entitled to issue a stamp to a restricted practitioner.
104. The stamp of a restricted practitioner is owned by the Association and is issued to a restricted practitioner in accordance with the Act and must be returned
- (a) in any of the circumstances described in the Act, or
  - (b) if the individual ceases to be a restricted practitioner.

### RESTRICTED PRACTITIONER'S USE OF STAMP

105. (1) The restricted practitioner shall not use a seal or stamp within the restricted scope of architecture in which he/she is permitted to practice except the stamp issued by the Registrar.
- (2) Each time the stamp is used
- (a) it shall be stamped over the signature of the restricted practitioner whose stamp it is, or

- (b) the restricted practitioner whose stamp it is shall sign over the stamp, so that the stamp and signature are combined.

106. *[Not Used]*

107. *[Not Used]*

## PART 10

# Registration

### APPLICATION FOR REGISTRATION

- 108. (1) Application for registration as members, licensees, Permit Holders, graduate architects and students shall be made to the Registrar on the application forms approved by Council. The appropriate registration fee shall accompany the application.
- (2) Subject to 15(2) of the Act, the applications shall be reviewed by the Registrar and the Registration and Licensing Review Committee, and forwarded to the Council together with a recommendation for disposition.
- 109. (1) Council shall register applicants, other than a licensee or permit holder, who qualify under Section 18 of the Act.
- (2) Applications by applicants who do not qualify under Section 18 of the Act may be referred to the Canadian Architectural Certification Board immediately following review by the Registration Committee.

### FEES

- 110. (1) The annual fee for a member shall be specified from time to time by Council and shall be payable in advance, on January 31st of each year, subject to such discount as Council may from time to time direct.
- 111. (1) The registration fee shall consist of an administration charge established by Council from time to time plus any other fees payable with the application for registration.
- (2) In the case of new applicants, the annual fee, prorated in accordance with the portion of the calendar year remaining, shall be payable at the time of registration.
- (3) The annual fee for a Licensee shall be fixed by Council from time to time, and shall be specific to project scope and duration.
- (4) The annual fee for an Architect, Restricted Practitioner or Permit Holder shall consist of an administrative charge established by Council from time to time.

### GRADUATE ARCHITECTS

- 112. (1) Council shall register as a Graduate Architect every person, other than a licensee or permit holder, who qualifies under Section 18(2) of the Act.

- (2) Council may seek the advice of the Canadian Architectural Certification Board concerning the educational qualifications of an applicant to become a Graduate Architect.
  - (3) Council, upon being satisfied as to the good character of the applicant, and as to his/her intention to qualify for registration as an Architect and in due course to apply therefore, shall admit the applicant as a Graduate Architect.
  - (4) The fee for admission as a Graduate Architect and the annual fee for a Graduate Architect shall be as fixed by Council from time to time.
  - (5) The Registrar shall keep a record of the names of all Graduate Architects in good standing.
113. (1) Council, in its discretion, for failure to pay the prescribed fees, may strike the name of any Graduate Architect from the record. The person shall no longer be a Graduate Architect.
- (2) No person shall remain as a Graduate Architect for more than five years after graduation unless Council, in its discretion, extends this period.
  - (3) No persons shall be admitted as a Graduate Architect if at the time of his/her application he/she is qualified to become an Architect or an Authorized Entity.

#### RESTRICTED PRACTITIONER

114. (1) Council shall approve for registration every person, other than a licensee or permit holder, who qualifies under section 18(3) of the Act.
- (2) The fee for admission as a Restricted Practitioner and the annual fee for a Restricted Practitioner shall be fixed by Council from time to time.
  - (3) The Registrar shall keep a record of the names of all the Restricted Practitioners in good standing.

#### STUDENT ASSOCIATE

115. (1) Application to become a Student Associate may be made by any person who:
- (a) has an NWT high school diploma, or in the opinion of the Council, the equivalent, and satisfies Council that he/she is engaged or is about to be engaged in work of some branch of architecture or,
  - (b) is registered as a student at an accredited University in a program leading to a degree in Architecture.
- (2) Council, upon being satisfied as to the good character of the applicant, and as to his/her intention to qualify for registration as an architect and in due course to apply therefore, shall admit the applicant as a student.
  - (3) Members of Architecture Students' Societies at Universities in Canada, of the Canadian Architectural Student Association, and of other organizations approved by Council may become Student Associates of the Association.
  - (4) The Registrar shall keep a record of the names of all students in good standing.

- (5) The fee for admission as a Student Associate and the annual fee for a Student Associate, if any, shall be as fixed by Council from time to time.
116. (1) Council, in its discretion, for conduct considered unbecoming, may strike the name of any Student Associate from the record of Student Associates of the Association and the person shall no longer be a Student Associate of the Association.
- (2) No person shall remain a Student Associate of the Association for more than ten years, unless he is making satisfactory progress towards membership and no person eligible to become a graduate architect shall be a Student Associate of the Association.

#### **LIFE MEMBER, HONOURARY MEMBER AND NON-PRACTICING MEMBER**

117. (1) Council, in its discretion by unanimous vote, may confer life membership in the Association upon any architect or restricted practitioner who;
- (a) has been a member for ten or more years, and
  - (b) has practiced his/her profession with distinction and notably contributed to the advancement of the profession of architecture.
- (2) Life members shall be exempted from further payment of annual fees.
118. (1) Council, in its discretion by unanimous vote, may confer honorary membership in the Association upon persons who have rendered the profession of architecture valuable service or have notably contributed to the advancement of architecture. There shall at no time be more than five honorary members in the Association.
- (2) Honorary members shall be exempted from payment of fees but honorary membership shall not per se confer the right to vote or practice as an Architect or as an Authorized Entity.
119. Council may establish a non-practicing membership category for members who have ceased to practice Architecture in the Northwest Territories but who wish to remain affiliated with the Association. The annual fee for non-practicing members shall be determined by Council from time to time.
120. Council may establish a retired membership for architects and restricted practitioners who retire from the practice of architecture and tender to the Council their resignation as an architect. The annual fee for retired members shall be determined by Council from time to time.

#### **PART 11**

### **Fees, Dues and Levies**

121. (1) Each architect or restricted practitioner shall pay the Association such sum in respect of each of the following matters as is prescribed by resolution of the Council:
- (a) a registration fee payable on registration as an architect or restricted practitioner;
  - (b) an annual fee payable on registration.

- (i) for an architect or restricted practitioner in possession of a seal at any time during the year;
- (ii) for an architect or restricted practitioner not in possession of a seal at any time during the year.

**122.** Each firm shall pay the Association such fee in respect of each of the following matters as is prescribed by resolution of Council:

- (a) a registration fee payable on registration as an architectural corporation;
- (b) an annual fee payable at the time of registration, prorated in accordance with the portion of the calendar year remaining and thereafter, the full annual fee payable in advance of January 31st of each year.

**REFUND OF ANNUAL FEES**

**123. (1)** Any annual fee refund request from an architect or restricted practitioner, upon accepted by Council, shall be calculated on a quarterly basis minus \$50.00 administration charge.

**ARCHITECT OR RESTRICTED PRACTITIONER:**

January 1 – March 31	$\frac{3}{4}$ the corresponding annual fee
April 1 – June 30	$\frac{1}{2}$ the corresponding annual fee
July 1 – September 30	$\frac{1}{4}$ the corresponding annual fee
October 1 – December 31	no refund

**FIRM PERMIT HOLDER OR TEMPORARY LICENSEE:**

January 1 – June 30	$\frac{1}{2}$ the corresponding annual fee
July 1 - December 31	no refund

Any annual fee refund request from a firm or temporary licensee, upon acceptance by Council, shall be calculated on a semi-annual basis minus \$50.00 administration charge.

**ANNUAL FEE REDUCTION**

**(2)** Refer to Bulletin 05, which provides information and application forms for a reduction of annual fees due to financial hardship, family leave, medical disability or sabbatical leave. This applies to architects or restricted practitioners only.

**124. (1)** An Associate, Retired Member, and Student Associate shall pay the Association such sum in respect of each of the following matters as is prescribed by resolution of Council

- (a) a registration fee payable on registration as a member,
- (b) an annual fee payable on registration.

**(2)** If an individual registers with the Association in a category of membership during the year, the annual fee payable for that year shall be prorated for the days remaining in the year.

**SPECIAL LEVY**

**125.** If special circumstances arise requiring additional funding for the Association, the Council may impose a special levy of not more than \$100 a year on each registered architect and restricted practitioner.

### LATE PAYMENT

126. Notwithstanding the time specified for the payment of fees, dues or levies the Council may for compassionate reasons or for any other reason it considers appropriate set another time or times for the payment of it.

### REINSTATEMENT

127. (1) If an architect, restricted practitioner, or architectural corporation whose name has been removed from the Register because of arrears in fees, dues, special levies or assessments he/she/it may reapply in writing to the Council for registration and shall be assessed fees and dues consisting of:
- (a) dues in arrears for the year of removal;
  - (b) a re-registration fee; and
  - (c) dues for the current year
- (2) An associate, graduate architect, student associate, retired member of whose registration is cancelled by virtue of non-payment of fees, dues or levies may have his/her name reinstated to the records of the Association by applying in writing to the Council together with the unpaid sum which resulted in his/her cancellation together with any fees, dues or levies currently due from him/her.
- (3) If an architect in good standing has allowed his/her membership to lapse for a period of not more than three (3) years and reciprocity does not apply, he/she shall complete:
- (a) the terms and conditions of application
  - (b) meet the requirements of one cycle of the Continuing Education program, and
  - (c) be assessed fees and dues consisting of:
    - (i) dues in arrears for the year(s) of lapsed membership
    - (ii) a re-registration fee; and
    - (iii) dues for the current year
- (4) If an architect in good standing has allowed his/her membership to lapse for a period of more than three (3) years but less than five (5) years and reciprocity does not apply, he/she shall complete:
- (a) an interview by 3 members appointed by Council
  - (b) the terms and conditions of application
  - (c) meet the requirements of one cycle of the Continuing Education program, and
  - (d) be assessed fees and dues consisting of:
    - (i) dues in arrears for the years of lapsed membership
    - (ii) a re-registration fee; and
    - (iii) dues for the current year
- (5) If an architect whose name has been removed from the Register for any reason for a period of more than five (5) years and reciprocity does not apply, then refer to:

*ARCHITECTS ACT*

S.N.W.T. 2001, c.10

In force November 6, 2001, Section 23 and 24

- (6) If a retired architect in good standing applies in writing to Council to be reinstated as a registered architect he/she shall complete the requirements listed in 127.(3) or 127.(4) or 127.(5) whichever is applicable for the period of years.
- (7) If an architectural corporation in good standing has allowed their membership to lapse it shall complete:
  - (a) the terms and conditions of application
  - (b) be assessed fees and dues consisting of:
    - (ii) a re-registration fee; and
    - (iii) dues for the current year
- (8) If a restricted practitioner in good standing has allowed his/her membership to lapse the membership cannot be reinstated.
- (9) If an architect, restricted practitioner, or architectural corporation whose name have been removed from the Register for Unprofessional Conduct he/she/it may reapply in writing to the Council to be reinstated and shall be required to satisfy any conditions imposed by the Council.

## PART 12

# Amendments to Bylaws and Regulations

- 128. (1) Proposed amendments to the by-laws shall be sent to all members of the Association.
- (2) No amendments shall be submitted to a vote unless the details of the amendments have been disclosed to all members at least thirty days prior to the day on which the vote is to be taken.
- (3) Voting shall take place at a duly convened annual general meeting or a special general meeting of the Association or by mail vote.
- (4) The procedure for conducting a mail vote shall be established by Council and shall be consistent with the Act and the by-laws.
- 129. (1) Subject to this section, new bylaws may be enacted, these bylaws may be amended or bylaws may be repealed by a simple majority of those members present at an annual general meeting or special general meeting.
- (2) If a member wishes to propose enactment, amendments or repeal of bylaws at the annual general meeting or at a special meeting he/she must
  - (a) give notice of motion in writing to the Registrar,
  - (b) provide the Registrar, with a copy of the new bylaws or the amendments or repeal he/she will propose.
- (3) The Registrar, on receipt of a motion to enact, amend or repeal bylaws, shall send a copy of the proposed enactment, amendments or repeal to each architect at least 45 days before the

annual general meeting or the special general meeting at which the motion is to be proposed.

130. (1) If the Council wishes to enact new bylaws, propose amendments to these bylaws or repeal bylaws, the President may do so, on behalf of Council in accordance with subsection (2).
- (2) Council may authorize a mail vote to obtain ratification by the Membership of changes to the Bylaws as required under section 128 and 129. Such a vote shall be conducted in accordance with part 12 of these Bylaws.

## PART 13

### Mail Vote

131. If the Council wishes to hold a mail vote on any matter or question, except for enactment, amendment or repeal of by-laws, it shall be conducted in accordance with this Part.
132. Only architects and restricted practitioners are entitled to vote at a mail vote.
133. (1) The form of the question or the matter to be put to a mail vote of architects or restricted practitioners shall be determined by the Council.
- (2) The Council shall appoint at least 2 scrutineers to count the mail votes.
134. (1) When the form of the question or matter has been settled it shall be sent to each architect or restricted practitioner with
- (a) such directions as to voting as the Council considers necessary,
  - (b) such information as background or explanation as the Council directs, and
  - (c) a date and time, specified by the Council, before which the mail vote must be received by the Registrar.
- (2) Immediately following the date and time specified for closing of the mail vote, the scrutineers shall count the votes and certify the results to the President who shall notify the membership accordingly.

## PART 14

### Miscellaneous Provisions

#### BUSINESS ADDRESS

135. Every architect and restricted practitioner shall annually forward to Council the title, business address(es) and telephone number(s) of his/her place of business.

## ANNUAL ARCHITECTURAL FIRM INFORMATION

136. Every architectural firm shall annually forward to Council the following information:
- (a) the title, business address(s) and telephone number(s) of the firm, and
  - (b) the names of the partners, shareholders, directors and officers of the firm and the ownership and participation among them and each individual's place of residence and the registered office of the corporation.

## TIME EXTENSIONS

137. (1) Where by this by-law a certain day is fixed on which or by which certain things are to be done or proceedings had or taken and the day so fixed is a Saturday, Sunday or holiday, the things or proceedings shall be done, had or taken on or by the next day that follows the fixed day and is not a holiday.
- (2) If anything to be done by the Council or individual within a number of days or at a time fixed by or under these by-laws, cannot be or is not so done, the Council, in its sole discretion, from time to time may appoint a further or other time for doing it, whether the time at or within which it ought to have been done has or has not arrived or expired, as the case may be.
- (3) Anything done at or within the time specified by the Council is as valid as if it had been done at or within the time fixed by or under this by-law.
- (4) Where by this by-law a certain day is fixed on or by which certain things are to be done or proceedings taken, if it appears that the date was fixed having regard to an earlier fixed date on or by which certain other things are to be done or proceedings taken then, notwithstanding anything in this by-law, if default is made in respect of the earlier date a like delay may be permitted by the Council in respect of the later date.

## INABILITY TO ACT

138. If under this by-law a person is required to take some action or do something and he/she is absent, unable or unwilling to take the action or do the thing, the Council may appoint another person to take the action or do the thing in his/her place.
139. (1) When a notice or any other thing is permitted or required to be given to
- (a) an architect, architectural corporation, visiting project architect or restricted practitioner or other member of the Association, the notice may be given
    - (i) by delivering or mailing the notice to that person's business address shown on the appropriate register or record of the Association, or
    - (ii) by personal service;
  - (b) the Council, Association, Registrar or other officer of the Association, the notice may be given by delivering or mailing it to the head office of the Association.
- (2) If one or more architects or restricted practitioners do not receive a notice served in accordance with subsection (1), an annual general meeting or a special general meeting that is the subject of the notice may nevertheless be held as if the notice or notices had been received.

## EX OFFICIO MEMBERS

140. (1) An individual who is appointed or entitled to attend a meeting of the Council, a committee of Council or a committee of the Association as an ex officio member
- (a) may speak on any matter before the meeting at which he/she attends, but
  - (b) is not entitled to vote on any matter.
- (2) Notwithstanding subsection (1), an individual who is an ex officio member of the Council or of any committee of the Council or the Association, except the President, shall at the direction of the Council or a committee, as the case may be, leave the meeting for the period required.

## CODE OF ETHICS

141. The Code of Ethics is established pursuant to Section 6 of the *Architects Act*.
142. Members, authorized entities, and Permit Holders (firms) shall conform to the Code of Ethics. A breach of the Code of Ethics shall constitute conduct unbecoming which is subject to disciplinary action.

## VALIDATION

143. When any act or thing under the provision of these by-laws directed to be done within a limited time is not done so, or is not properly or effectually done, then anything actually done prior to such omission or improper, ineffectual act shall not be vitiated. The prior act shall remain in full effect. Council either prior or subsequent to such act not properly or effectually done or omitted, may extend the time for completing or perfecting such act. When completed or perfected, such act shall have the same effect as if done strictly in accordance with the provision of these by-laws.

## PART 15

### Forms

144. Council shall prescribe the forms for use under the *Act*, regulations and by-laws.

## PART 16

### Coming Into Force

145. Upon being passed by the majority of the voting members.

## PART 17

## Continuing Education

- 146.** Participation in a manner, and to the extent prescribed by Council, continuing education shall be a requirement to maintain active registration status for the following categories of membership in the association:
- (a) Architects
  - (b) Restricted Practitioners
- 147.** In order to maintain eligibility for annual membership renewal, an architect must demonstrate to the satisfaction of Association that the mandatory continuing education requirements, known as learning hours have been satisfied. Failure to demonstrate completion of these requirements will result in the non-renewal of membership, or being renewed on such terms and conditions deemed appropriate by Council.
- 148.** The continuing education program is not a requirement to maintain the following categories in the Council
- (a) Graduate Architects
  - (b) Associate Members
  - (c) Student Associate
  - (d) Retired Members
  - (e) Honourary Member
  - (f) Life Members
- 149.** A reporting period is twenty four months long, beginning July 1st of even numbered years and concluding June 30th of the second year following. The national harmonization two year cycle began July 01, 2012 - June 30, 2014.
- 150.** Members who do not complete and/or report the required 70 total Learning Hours (which includes a minimum of 25 Structured Learning Hours) to the National RAIC Database by June 30th of the end of the two year reporting period, in accordance with these rules, will be required to pay a fine of \$250.00 to the NWTAA and complete and report the required Learning Hours by August 15th of that same year.
- 151.** Should the member's Learning Hours remain incomplete and/or unreported by the August 15th date, the member will be required to pay a further fine of \$500.00 to the NWTAA and complete and report the required Learning Hours by September 30th.

Should the member's Learning Hours remain incomplete and unreported at September 30th a complaint of unprofessional conduct against the member will be placed with the NWTAA chair of the Registration and Licensing Review Committee which may result in a suspension of license.

PART 18

## Practice Bulletins

- 152.** From time to time the Association shall publish Practice Bulletins clarifying or developing the intent of some part of the Act or Bylaws, or an extension thereof.
- 153.** Upon acceptance after a motion in Council, these Bulletins shall become a standard of conduct for all members.

## SCHEDULE 1

# Code of Ethics

### RESPONSIBILITY TO THE PUBLIC

1. (1) **CONSIDER THE WIDER IMPACT OF ONE'S DESIGN WORK**  
An Architect will hold paramount the safety, health and welfare of the public and environment.
- (2) **MAINTAIN THE INTEGRITY OF THE PROFESSION**  
An Architect will represent himself or herself in a manner that contributes to the esteem of the profession.
- (3) An Architect will not misrepresent their education, qualifications or competence.
- (4) **PROVIDE ADEQUATE FEES AND COMPENSATION FOR SERVICES**  
An Architect is responsible for establishing justifiable fees for professional services performed.
- (5) **ENGAGE IN THE COMMUNITY**  
An Architect is encouraged to support and participate in community affairs, to engage and educate the public, and to promote the health and well-being of the public.

## 2. RESPONSIBILITY TO THE CLIENT

- (1) **BE COMPETENT**  
An Architect will be competent in carrying out the professional work they undertake.
- (2) An Architect is responsible for keeping himself or herself informed and current with emerging technologies, techniques, accepted professional standards, et cetera, in order to maintain their competence and strive to advance their body of knowledge.
- (3) An Architect will provide services only in areas of their competence and practice in a careful and diligent manner, and will otherwise provide a consultation and/or referral to an appropriate professional.
- (4) An Architect is expected to make appropriate arrangements for managing professional work in the event of incapacity, death, and absence from, or inability to, work.
- (5) **PROVIDE SERVICES AND EXPLAINING CONSEQUENCES OF DESIGN DECISIONS**  
An Architect will act as a faithful agent of their client or employer, maintain confidentiality and avoid conflicts of interest.
- (6) An Architect will carry out their professional work faithfully and conscientiously and with due regard to relevant technical and professional standards, by:
  - i. undertaking and completing their work promptly and with skill and care,
  - ii. keeping their clients informed of the progress of work undertaken on their behalf and of any issues which may significantly affect its quality or cost, and
  - iii. exercising impartial and independent professional judgment when acting between parties or giving advice.

- (7) An Architect will present clearly to employers and clients the possible consequences of architectural and engineering decisions which are overruled or disregarded.
- (8) An Architect will consider the social, cultural and environmental impacts of design decisions, and decisions that have been overruled or disregarded by clients.
- (9) An Architect will sign and seal only reports, plans, or documents which they have prepared or which have been prepared under their direct supervision and control.

**ACT WITH INTEGRITY AND HONESTY**

- (10) An Architect is expected, at all times, to act with honesty and integrity and to avoid any actions or situations which are inconsistent with their professional obligations.
- (11) An Architect will represent their qualifications and expertise honestly.
- (12) An Architect will disclose, in writing, any conflicts of interest, and manage it to the satisfaction of all affected parties.
- (13) An Architect will not make any statement which is contrary to their professional opinion or which is known to be misleading, unfair to others or discreditable to the profession.
- (14) An Architect will notify their client promptly of any change in the architect (or other professional) responsible for work undertaken.
- (15) An Architect will keep proper records of all money held which belongs to a client or other third party, and will account for it at all times.
- (16) An Architect will promote their services honestly and responsibly.
- (17) An Architect will not offer or make any gifts, other than of nominal value, with the intent of influencing the judgment of a prospective client in connection with a project in which the Architect is interested.
- (18) An Architect will not engage in activities or accept remuneration for services rendered which may create a conflict of interest with their clients or employers.
- (19) An architect will not disclose confidential information without the consent of their clients or employers, unless the withholding of such information is deemed contrary to the safety of the public.

**MANAGE A BUSINESS COMPETENTLY**

- (20) An Architect will ensure that they are able to provide adequate professional, financial and technical resources when entering into a contract and throughout its duration.
- (21) An Architect will ensure that, before undertaking any professional work, they have entered into a written agreement with the client which adequately covers:
  - i. the contracting parties,
  - ii. the scope of work,
  - iii. the fee,
  - iv. the responsibilities of each party,
  - v. any constraints or limitations on the responsibilities of the parties,
  - vi. the provisions for suspension or termination of the agreement, and
  - vii. a declaration that the Architect carries appropriate insurance coverage.

- (22) An Architect must make clear to the client the extent to which any of their architectural services are being subcontracted.
- (23) An architect will promptly return to a client any papers, plans or property to which the client is legally entitled at the end of a contract (if requested), or upon reasonable demand.

**NOT WITHDRAW SERVICES**

- (24) An Architect shall not withdraw professional services, except for good cause and with notice that is appropriate in the circumstances.

**NOT GUARANTEE PROBABLE COST OF CONSTRUCTION**

- (25) An Architect shall not guarantee probable cost of construction, furnishings, fixtures and equipment, whether prepared by the Architect or not.

### 3. RESPONSIBILITY TO THE PROFESSION

**SUPPORT THE PROFESSION**

- (1) An Architect has an obligation to participate in the advancement of the profession, and support of its professional organizations, peers and colleagues
- (2) An Architect will carry out their professional work faithfully and conscientiously and with due regard to relevant technical and professional standards.
- (3) An Architect will conduct their affairs in a professional manner, and refrain from any act which would reflect unfavourably on the profession as a whole.

**REPORT INAPPROPRIATE CONDUCT**

- (4) An Architect will report to the appropriate review body any illegal, unethical or unprofessional conduct or failure to provide services in accordance with currently accepted professional standards.

- (5) An Architect will co-operate with regulatory requirements and investigations.

- (6) An Architect will manage and respond to disputes or complaints appropriately.

**UPHOLD PROFESSIONAL EQUALITY**

- (7) An Architect will view the profession as a partnership of equals.

**ADVERTISE/PROMOTE APPROPRIATELY**

- (8) An Architect will build their reputation on their professional ability and integrity and will conduct any promotional activity in accordance with acceptable professional standards and within applicable legislations.

**ASK FOR FAIR COMPENSATION FOR SERVICES**

- (9) An Architect will provide services and receive compensation commensurate with the project scope and schedule; except when providing pro bono services on a contingency basis or as approved by Council.

### 4. RESPONSIBILITY TO OTHER PROFESSIONALS

**RESPECT COLLEAGUES AND OTHER PROFESSIONALS**

- (1) An Architect will conduct himself or herself with equity, fairness, courtesy and good faith towards colleagues and peers.

- (2) An Architect will give credit where credit is due and accept, as well as give, honest and fair professional criticism.
- (3) An Architect will not make disparaging comments of the work or qualifications of a colleague to a client or the public.
- (4) An Architect will not falsely or maliciously injure the professional reputation or business prospects of another Architect.
- (5) An Architect is encouraged to consult with a client's previous architect concerning services rendered and, through discussion, will advise a client how to achieve an appropriate resolution.
- (6) An Architect will only accept a commission for a project when the services of any architect previously retained for the project have been terminated.