

Architects Act

Bylaws of the Northwest Territories Association of Architects

Definitions

1. (1) In these bylaws
 - (a) “Act” means the Architects Act,
 - (b) “Firm” means a business, partnership, corporation or association of persons holding a permit to practice architecture,
 - (c) “Voting Member” means an Architect or Restricted Practitioner who is entitled to vote pursuant to Section 26 of the Act,
 - (d) “Minister” refers to the Minister of Infrastructure of the Legislative Assembly of the Northwest Territories,
 - (e) “Registrar” means the individual appointed as Registrar by resolution of Council,
 - (f) “President”, “Vice-President”, “Secretary”, and “Treasurer” mean respectively the individuals elected or appointed to hold those offices under the Act and these bylaws, and
 - (g) “Visiting Project Architect” means a Licensee or person who holds a license pursuant to Section 28 of the Act.
- (2) Unless otherwise defined in these bylaws, terms will have the same meaning as the Act.

Part 1: The Association

Head Office

2. The head office of the Association shall be located in Yellowknife.

Common Seal

3. (1) The Common Seal of the Association shall contain the words “Northwest Territories Association of Architects, Incorporated 2001”.
- (2) The Registrar or, in their absence or inability to act, the President or an individual designated by the President shall have custody of the Common Seal.

- (3) When the Common Seal is required to be affixed to a document, it shall be accompanied by the signatures of the President and Secretary or other Council members designated by the President.

Banking

4. The bank of the Association shall be a chartered bank designated by Council.
5. (1) Monies of the Association deposited in the Association's bank shall be withdrawn or paid out by cheque or other negotiable instrument signed by two (2) Council members designated as signing authorities, or by such other methods prescribed by resolution of Council.
- (2) The Registrar shall keep a record of all monies received or paid in a book or books provided for that purpose.

Directors Contingency Fund

6. (1) Council may establish a Directors Contingency Fund of such amount as may be specified by Council and may authorize the Registrar or other designated individual to draw on the fund without the signature of a member of Council.
- (2) The Registrar shall regularly account to Council for the use of monies in the Directors Contingency Fund.

Financial Audit

7. (1) The finances of the Association shall be audited annually as at the 31st day of December.
- (2) The auditor shall be a professionally qualified accountant who is appointed at each annual meeting.
- (3) The auditor shall submit a written report for each annual meeting, of which a copy shall be given to the members present.
- (4) Publication in an annual report shall be compliant with this requirement.

Forms

8. Council shall prescribe all forms required under the Act and these bylaws.

Part 2: Association Meetings

Meeting Quorum

9. (1) A quorum at an annual general meeting shall be a number equal to fifty percent (50%) of Voting Members who reside in the Northwest Territories.
- (2) A quorum at a special general meeting shall be ten (10) Voting Members.

10. Voting Members may attend an annual or special general meeting via telephone or other electronic device, provided fourteen (14) days' notice is given to Council, and shall have all the rights of members present at the meeting.

Annual General Meeting

11. (1) The Association shall hold an annual meeting with the period between meetings not to exceed eighteen (18) months.
- (2) At each annual meeting, Council shall submit a recommendation for the date and place of the next annual meeting.
- (3) The following items of business shall be dealt with at an annual meeting:
 - (a) Minutes of the last annual meeting and of any special meetings held since the last annual meeting;
 - (b) Business arising from the Minutes;
 - (c) Address of the President;
 - (d) Reports of representatives of the Association;
 - (e) Reports of committees;
 - (f) Auditor's report;
 - (g) Appointment of auditor;
 - (h) New business;
 - (i) Fixing the date and place of the next annual meeting;
 - (j) Announcement of the results of the annual election;
 - (k) Objection, if any, to the election results as announced; and
 - (l) Induction of the president.

Notice of Annual General Meeting

12. (1) Notice of an annual meeting shall be sent to all members at least sixty (60) days in advance of the meeting.
- (2) Notice printed in an Association publication sent to all members at least sixty (60) days in advance of the meeting shall be compliant with this requirement.

Special General Meeting

13. (1) A special meeting shall be held at the request of Council or upon written request to the Registrar signed by not less than five (5) Voting Members.
- (2) A special meeting called by members shall be held not more than forty-five (45) days after receipt of the request.

Notice of Special General Meeting

14. (1) Written notice of a special meeting shall be sent to all members at least fourteen (14) days in advance of the meeting and shall clearly state the object of the meeting.

- (2) No business, other than the object stated in the meeting notice, shall be transacted at the meeting.

Resolutions by Members

15. Any resolution passed at an annual or special general meeting shall be considered by Council at the next regular meeting of Council.

Rules of Procedure

16. The proceedings at any meeting of the Association and of Council shall be governed by the most current edition of *Robert's Rules of Order*, unless otherwise noted in these bylaws.

Mail Vote

17. (1) Council may hold a mail vote on any matter or question, except for the enactment, amendment or repeal of these bylaws.
 - (2) The form of the question or the matter to be put to a mail vote shall be determined by Council.
 - (3) When the form of the question or matter has been settled, it shall be sent to each Voting Member with
 - (a) such instructions for voting as Council considers necessary,
 - (b) such information as background or explanation as Council directs, and
 - (c) a date and time, specified by Council, before which the mail vote must be received by the Registrar.
 - (4) Immediately following the closing of the mail vote, at least two (2) scrutineers appointed by Council shall count the votes and certify the results to the President, who shall notify the membership accordingly.

Part 3: Election to Council

Disqualification

18. If a person ceases to be an Architect or Restricted Practitioner, they are disqualified from:
 - (a) nominating or being nominated as a candidate for election to Council,
 - (b) continuing to stand as a candidate for election to Council, and
 - (c) voting in an election for Council membership.
19. If a candidate is disqualified or dies before nominations close and, as a result, the number of candidates is less than the number of vacancies on Council, the Nominating Committee shall nominate one or more Architects or Restricted Practitioners to replace the former candidate or candidates.

20. (1) If a candidate becomes disqualified or dies between the date nominations close and the date the election results are announced and the disqualification or death results in fewer candidates than there are vacancies to be filled, the election shall proceed in all respects as if the candidate had not become disqualified or died until immediately after they were elected.
- (2) A person elected pursuant to subsection (1) shall not be considered as having been elected to, or as having served on, Council except for the purpose of this section.

Nominations

21. (1) Each nomination requires the signature of two members.
- (2) The written consent of each nominee to act if elected shall be secured and shall accompany the list of nominees submitted to the Registrar.
22. (1) The names of all nominees shall be placed on the ballot form in groups relating to each office, and the number and duration of vacancies to be filled shall be clear on the ballot.
- (2) The Registrar shall send to each member a list of the nominations made by the Nominating Committee no less than forty-five (45) days prior to an annual meeting.
- (3) A list of the nominees published in an Association publication sent to all members at least seventy-five (75) days in advance of the meeting shall be compliant with this requirement.

Withdrawal of Nomination

23. (1) A nominee may withdraw provided written notification is received by the Registrar at least thirty-five (35) days before an annual meeting.
- (2) In the event that one or more candidates withdraw, become disqualified or die, if the number of candidates does not exceed the number of vacancies to be filled, no further withdrawals shall be made or accepted.

Election by Acclamation

24. (1) If there is only one nominee for a position, that nominee is awarded that position by acclamation.
- (2) If there is more than one nominee for a position, the nominee receiving the higher number of votes shall fill that position.

Ballots Mailed

25. (1) Elections shall be conducted by mail ballot.
- (2) The Registrar shall send to each Voting Member a ballot in a form approved by Council at least forty-five (45) days before an annual meeting.
- (3) Each ballot paper shall contain:

- (a) the name of each candidate, arranged alphabetically by surname then given name, and
 - (b) a brief explanation of the maximum number of candidates for which a vote may be cast to make the ballot valid.
- (4) A ballot may be accompanied by a brief biography of each candidate with such information as prescribed by Council.

Voting

26. (1) Voting for election to Council commences on the day the ballots are mailed to Voting Members and ends at noon five (5) days before an annual meeting, unless otherwise set by Council.
- (2) No person shall campaign for or against a candidate during the period that voting is permitted.
27. (1) Each Voting Member is entitled to the same number of votes as there are vacancies on Council, but is not required to use all votes entitled to them.
- (2) A Voting Member may not cast more than one vote for each candidate.

Marking Ballots

28. (1) A Voting Member shall mark their ballot by placing a cross or “X” on the right hand side opposite the name of the candidate or candidates for whom they wish to vote.
- (2) A marked ballot shall be enclosed in a sealed envelope marked on the outside only with the word “ballot”, then placed in another envelope signed on the outside by the voter in a place indicated on the envelope.
- (3) No mark that identifies the voter shall be placed on the ballot.
- (4) The envelope described in subsection (2) shall be sent to the Registrar.

Ballot Box

29. (1) Upon receipt of an envelope signed in accordance with bylaw 20(2), 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(2) 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.
30. (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

31. (1) The poll shall close at noon five (5) days prior to an annual meeting and no ballots received after that time shall be considered.
- (2) A ballot envelope that is received by the Registrar after the poll closes shall be destroyed unopened.

Ballot Count

32. (1) At least fifteen (15) days before an annual meeting, the President shall appoint a Past President and two (2) members not seeking election to Council to act as scrutineers.
- (2) At least three (3) days prior to the annual meeting, the scrutineers shall meet at a time and place designated by the President 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 and a sealed package containing the ballots and tally sheets.

Secrecy

33. The 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

34. (1) In the event of a tie vote for Councilor, the President shall cast the deciding vote.
- (2) In the event of a tie vote for President, the most recent Past President who is not a candidate shall cast the deciding vote.

Election Results Certified

35. (1) The 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 the Registrar.
- (3) At the opening of an annual meeting, the Registrar shall give the envelope containing the election results to the current President.

Election Announcement

36. (1) At the opening of an annual meeting, the President or Registrar shall inform the candidates of the results of the election.
 - (2) Any objection by a candidate to the results of the election will be valid only if made immediately upon being informed and a motion for a recount will then be in order.
 - (3) If a motion under subsection (2) is made and carried, the President shall appoint no less than four (4) members to recount all ballots, and candidates may be present or represented at such recount.
 - (4) On completion of the recount, the results shall be delivered in writing to the President, who shall then immediately announce it to the annual meeting, and such recount shall be final and binding.
37. In the event of any failure to comply with procedure relating to an election, Council shall have the power to take any action it deems necessary to validate the nomination, the counting of the ballots or the election.
38. The President shall announce the results of the election at the annual meeting and shall call for a motion for destruction of the ballots and associated election records and material.

Part 4: Council

Taking Office

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

Appointment of Officers

40. (1) At the conclusion of an annual meeting, Council shall hold a meeting wherein the President shall designate the Vice-President, Secretary and Treasurer from among the Councilors.
- (2) A Council member not holding an office shall be referred to as “Councilor”.

Lengths of Office

41. (1) The member appointed by the Minister may be appointed for a time specified by the Minister.
- (2) The President holds office for a full term regardless of the term of their election to Council, and is then immediate Past President.
- (3) The immediate Past President may hold office consistent with any consecutive terms of office of the immediate President.
- (4) Notwithstanding anything in these bylaws,
 - (a) a Council member who ceases to be an Architect or Restricted Practitioner shall be automatically removed from Council, and
 - (b) a Council member whose registration is suspended shall also be suspended from Council until their registration is reinstated.

Vacancies on Council

42. If 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.
43. If the Vice-President is unable to retain their office or the office of President, Council shall elect another Council member to act as Vice-President for the remainder of that term.
44. (1) If an officer other than the President or Vice President is unable to retain their office, Council may
 - (a) elect another Council member to fill that office for the remainder of the term, or
 - (b) leave that office vacant.
- (2) If an elected Council member ceases to be a Council member, Council may
 - (a) appoint another Architect or Restricted Practitioner to fill the vacancy for the remainder of the term, or
 - (b) leave the vacancy unfilled.
- (3) Notwithstanding a vacancy in the membership of Council, the powers and duties of Council may be exercised and performed if at least one (1) elected Council member and, if available, the Minister's appointee remains on Council.

Failure to Attend Council Meetings

45. (1) Any Council member who is unable to attend a meeting of Council shall so inform the Registrar prior to the meeting.
- (2) Any Council member who is absent from three consecutive meetings of Council without the approval of Council may have their seat declared vacant by Council.

Council Meetings

46. (1) Council shall meet a minimum of six (6) times per year on such dates and at such times and places as it decides.
- (2) Council shall meet at the call of the President or upon written request to the Registrar signed by not less than three Council members.
- (3) The time and place of Council meetings shall be fixed by the President or by the Council members, whoever called the meeting.
- (4) The President may call a meeting of Council at any time.

Council Quorum

47. (1) A quorum shall consist of 50% of Council members.
- (2) Council members may attend meetings via telephone or other electronic device, and shall have all the rights of members present at the meeting.

Notice of Council Meetings

48. Notice of the date, time and place of Council meetings shall be given by the Registrar to each Council member at least twenty-four (24) hours before the meeting.

Meeting Expenses

49. (1) Council members and, at the discretion of Council, appointed representatives and committee members of the Association, members invited for special purposes and representatives of other organizations may be reimbursed for reasonable out-of-pocket expenses for attending meetings of 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 reimbursed unless such expenditures are pre-authorized by Council.

Duties of Elected Officers

50. (1) The President shall:
 - (a) preside at all meetings of the Association and Council, and
 - (b) perform such other functions as are required of them under these bylaws or by Council.
 - (2) The President is an *ex officio* member of all committees except for the Complaints Review Committee.
51. The Secretary shall:
- (a) sign such documents as are necessary when the Common Seal is affixed unless they are absent or otherwise unable to do so, and
 - (b) sign certificates of registration issued pursuant to the Act.

52. The Treasurer shall:

- (a) report to Council on the finances of the Association,
- (b) present a financial statement at the annual general meeting, and
- (c) perform such other functions as are required under these bylaws or by Council.

Appointment of Registrar

53. Council shall appoint a Registrar who will not be entitled a vote on any matter and who will be responsible to Council.

Duties of the Registrar

54. (1) The Registrar shall:

- (a) perform such duties as are specified in the Act and these bylaws,
- (b) keep the Register, Roll and records up to date,
- (c) perform such other duties as are assigned to them by Council,
- (a) post a security bond, at the expense of the Association, in a sum to be fixed by Council, and receive remuneration as established by Council, and
- (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.

(2) 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 to the Association are collected and deposited to the funds 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 such information and reports as may be requested by Council or which the Registrar 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 holders,
- (h) maintaining a register of graduate architects,
- (i) maintaining a register of restricted practitioners,
- (j) publishing annually copies of these registers and rolls,
- (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 bylaws and the affairs of the Association generally.

Acting Registrar

55. (1) If the Registrar is absent or unable to act as Registrar, or if the office of Registrar is vacant, Council may appoint a person as acting Registrar.
- (2) An acting Registrar will have all the powers and duties of the Registrar under the Act, regulations under the Act and these bylaws.

Minister's Appointee

56. The person appointed to Council by the Minister may attend meetings of Council and to take part in the proceedings of Council but shall not be entitled to vote on any question.

Intern Architect Representative

57. Council shall appoint an Intern Architect, nominated from among current registered Intern Architects, as available, as Intern Architect Representative for a term of one year, who may
 - (a) attend meetings of Council,
 - (b) take part in proceedings and vote on any resolution, and
 - (c) complete their term notwithstanding their registration as an Architect.

External Representatives

58. (1) 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.
- (2) 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.

Part 5: Committees

Standing Committees

59. (1) The standing committees of the Association are the:
 - (a) Complaints Review Committee,
 - (b) Practice Review Board,
 - (c) Registration and Licensing Review Committee, and
 - (d) Nominating Committee.
- (2) Unless otherwise noted, nothing in this Part applies to the committees in subsection (1).

Nominating Committee

60. (1) A Nominating Committee shall be appointed by Council prior to an annual general meeting to serve for the ensuing year.
- (2) The committee shall consist of three (3) members, one of whom shall be a Past President who shall serve as the Chair.

- (3) Council shall appoint members to fill any vacancies which may occur in the Committee.

Other Committees

61. The terms of reference of all committees shall be determined by Council, including:

- (a) the membership and terms of office,
- (b) the Chairs and, if necessary, Vice-Chairs, and
- (c) the functions, duties and responsibilities of each committee.

62. (1) Council may appoint committees as it deems necessary.
- (2) A committee may include persons who are not Architects or Restricted Practitioners or members of the Association.
- (3) Individuals appointed to a committee may be appointed for a fixed period or periods of time, and committee members may be appointed for different periods of time.
- (4) Council may terminate committee memberships and revoke Chair and Vice-Chair appointments at any time.

Vacancies

63. (1) If a vacancy occurs on a committee, 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, if a quorum remains on the committee, the remaining members have and may exercise the functions and responsibilities of the committee.
- (4) If a committee Chair is absent or unable to act, a Vice-Chair shall act as Chair.
- (5) If a committee Vice-Chair is absent or unable to act, the members present at the meeting shall elect a member to act as Chair for that meeting.

Expenses

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

Appointment to Other Bodies

65. 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

66. (1) Council may establish rules of order and procedure for the conduct of business of a committee.
- (2) If rules of order and procedure are not established by 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.
- (3) Any dispute in a committee meeting shall be settled by the Chair of the meeting and their decision will be final.

Ex Officio Members

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

Part 6: Registration & Membership

Application for Registration

68. (1) Applications for registration as an Architect, Licensee, Permit Holder, Graduate Architect and all applicable associate memberships shall be made to the Registrar in a form approved by Council and shall be accompanied by the appropriate registration fee.
- (2) Applications shall be reviewed by the Registrar and the Registration and Licensing Review Committee and forwarded to the Council with a recommendation for disposition.
69. 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 and Licensing Review Committee.

Architects

70. (1) An Architect is entitled to
- (a) attend annual and special general meetings and to vote at them,
- (b) receive publications of the Association,
- (c) receive such information as directed by Council,

- (d) the benefits conferred and the duties and responsibilities imposed under the Act and these bylaws, and
 - (e) to use the title and letters “Architect NWTAA” after their name to indicate that they are an Architect and a member of the Association.
- (2) An Architect shall pay such fees, dues and levies as are specified by Council pursuant to these bylaws.

Restricted Practitioners

71. (1) A Restricted Practitioner is entitled to
- (a) attend annual and special general meetings and to vote at them,
 - (b) receive publications of the Association,
 - (c) receive such information as directed by Council,
 - (d) the benefits conferred and the duties and responsibilities imposed under the Act, regulation and bylaws, and
 - (e) use the title and letters “Restricted Practitioner NWTAA” after their name to indicate that they are 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 these bylaws.

Graduate Architects

72. (1) A Graduate Architect is entitled to
- (a) enroll in an internship program approved by Council,
 - (b) attend annual and special general meetings,
 - (c) receive publications of the Association,
 - (d) receive such information as directed by Council,
 - (e) the benefits conferred and the duties and responsibilities imposed under the Act, regulations and bylaws, and
 - (f) use the title “Graduate Architect”.
- (2) A Graduate Architect cannot vote at annual or special general meetings.
- (3) A Graduate Architect shall pay such fees, dues, levies as are specified by Council pursuant to these bylaws.

ADMISSION

73. (1) Council may consult the Canadian Architectural Certification Board concerning the educational qualifications of a Graduate Architect applicant.
- (2) Council shall, upon being satisfied as to the good character of the applicant, and as to their intention to qualify and apply, in due course, for registration as an Architect, admit an applicant as a Graduate Architect.

RESTRICTIONS

74. (1) Council may, in its discretion, for failure to pay the prescribed fees, strike the name of any Graduate Architect from the record, and that person shall no longer be a Graduate Architect.
- (2) No person shall remain as a Graduate Architect for more than five (5) years after graduation unless Council, in its discretion, extends this period.
- (3) No person shall be admitted as a Graduate Architect if, at the time of their application, they are qualified to become an Architect.

Associate Membership

75. (1) The following associate membership categories are established:
- (a) Associate,
 - (b) Student Associate,
 - (c) Retired Member,
 - (d) Honourary Member, and
 - (e) Life Member.
- (2) The Registrar shall maintain a record of the members in the membership categories established in this bylaw.
- (3) The record shall contain, unless otherwise directed by Council, with respect to each individual,
- (a) full name,
 - (b) address,
 - (c) date of membership,
 - (d) category of membership,
 - (e) date of cessation of membership, and
 - (f) such other information as Council may direct.
- (4) Each member shall notify the Registrar in writing of any changes to the information in their record.
- (5) Persons holding a membership established in this bylaw are not permitted to practice architecture.

Associate

76. (1) An Associate is entitled to
- (a) attend annual 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) receive publications of the Association, and
 - (c) receive such information as directed by Council.

- (2) An Associate shall pay such annual dues as are specified by Council pursuant to these bylaws.

APPLICATION

- 77. (1) A person may apply for membership as an Associate if they
 - (a) hold a degree in architecture or interior design or its equivalent from a recognized post-secondary institution, or
 - (b) hold a certificate with respect to their academic qualifications, as accepted by Council.
- (2) On payment of the appropriate fee, Council may approve the entry of an individual referred to in subsection (1) in the category of Associate and issue them a certificate of membership.

Student Associate

- 78. (1) A Student Associate is entitled to
 - (a) attend annual 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) receive publications of the Association, and
 - (c) receive such information as directed by Council.
- (2) A Student Associate shall pay such annual dues as are specified by Council pursuant to these bylaws.

APPLICATION

- 79. (1) An individual may apply for membership as a Student Associate if they
 - (a) have a Northwest Territories high school diploma or, in the opinion of Council, an equivalent diploma and satisfies Council that they are engaged or are about to be engaged in work of some branch of architecture,
 - (b) are a member of an architecture students' society at a Canadian university, the Canadian Architectural Student Association, or another organization approved by Council,
 - (c) are engaged in a course of study related to the practice of architecture, as approved by Council, or
 - (d) have successfully completed Part 1 of the RAIC Syllabus Program, or equivalent, and are about to commence or have commenced Part 2, or equivalent.
- (2) On payment of the appropriate fee, Council may approve the entry of an individual referred to in subsection (1) in the category of Student Associate and issue them a certificate of membership.

- (3) Council shall, upon being satisfied as to the good character of the applicant, and as to their intention to qualify and apply, in due course, for registration as an Architect, admit the applicant as a Student Associate.

RESTRICTIONS

80. A Student Associate complying with 80(1)(b) must continue enrolment in the RAIC Syllabus program, or equivalent.
81. (1) Council may, in its discretion, for conduct considered unbecoming, strike the name of any Student Associate from the record and that person shall no longer be a Student Associate.
- (2) No person shall remain a Student Associate for more than ten years, unless they are making satisfactory progress towards membership.
- (3) No person shall be admitted as a Student Associate if, at the time of their application, they are qualified to become a Graduate Architect.

Retired Members

82. (1) Council may, on written request, approve the entry of an Architect or Restricted Practitioner who has retired from the practice of architecture and tenders their resignation to Council in the category of Retired Member and issue them a certificate of membership.
- (2) A Retired Member is entitled to
 - (a) attend annual 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) receive publications of the Association,
 - (c) receive such information as directed by Council, and
 - (d) use the title “Architect (Retired)” or “Restricted Practitioner (Retired)” after their name to indicate that they are a Retired Member of the Association.
- (3) A Retired Member shall pay such annual dues as are specified by Council pursuant to these bylaws.

Honourary Members

83. (1) Council may elect an individual who has rendered the profession of architecture valuable service or who has notably contributed to the advancement of architecture as a Honourary Member.
- (2) A Honourary Member is entitled to
 - (a) attend annual 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) receive publications of the Association,
 - (c) receive such information as directed by Council, and
 - (d) use the letters “NWTAA (Hon)” after their name to indicate that they are a Honourary Member of the Association.
- (3) There shall be no more than five (5) honourary members at any time.
 - (4) Honourary members shall not be entitled to practice as an Architect.
 - (5) Honourary members shall be exempted from payment of fees.

Life Members

- 84. (1) Council may elect an Architect or Restricted practitioner who has been a member for ten or more years, has practiced their profession with distinction and notably contributed to the advancement of the profession of architecture as a Life Member.
- (2) Council may elect an allied professional who has practiced their profession with distinction and notably contributed to the advancement of the allied profession as a Life Member.
- (3) Life members shall be exempted from payment of fees.

Non-Practicing Members

- 85. (1) 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.
- (2) The annual fee for non-practicing members shall be determined by Council.

Annual Registration Requirements

- 86. Each Architect and Restricted Practitioner shall, annually, provide the Registrar with the title, business address(es) and contact information of their place of business.
- 87. Each Permit Holder shall, annually, provide the Registrar:
 - (a) the title, business address(es) and contact information of the Firm, and
 - (b) the names of the partners, shareholders, directors and officers of the Firm and the ownership and participation among them,
 - (c) each named person's place of residence, and
 - (d) the registered office of the Firm.

Mandatory Continuing Education

- 88. (1) Council shall prescribe mandatory continuing education criteria as a condition of registration for Architects and Restricted Practitioners.
- (2) Mandatory continuing education criteria shall include

- (a) a reporting period that is twenty-four (24) months, beginning July 1st of each even-numbered year and concluding June 30th of the second year following, and
 - (b) a required minimum of seventy (70) learning hours per reporting period, including a minimum of twenty-five (25) hours in a structured environment, as determined by Council.
89. (1) An Architect or Restricted Practitioner shall demonstrate, at the end of each reporting period and in a form prescribed by Council, that they have satisfied the mandatory continuing education criteria set by Council.
- (2) An Architect or Restricted Practitioner who does not comply with subsection (1) shall pay a penalty fee prescribed by Council and shall fulfill the requirements no later than August 15th of the same year.
- (3) An Architect or Restricted Practitioner who does not comply with subsection (1) by August 15th after the end of a reporting period shall pay a second penalty fee prescribed by Council and shall fulfill the requirements no later than September 30th of the same year.
- (4) An Architect or Restricted Practitioner who does not comply with subsection (1) by September 30th may have such terms and conditions placed on their registration or their registration suspended or revoked, as determined by Council.

Reinstatement

90. (1) An Architect, Restricted Practitioner or Permit Holder whose name has been removed from the Register or Roll due to arrears in fees, dues, special levies or assessments may reapply in writing to 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 Architect in good standing who has allowed their registration to lapse for not more than three (3) years, who cannot re-register through reciprocity, and who wishes to be reinstated shall:
- (a) complete the terms and conditions of an application for registration,
 - (b) meet the requirements of one cycle of Mandatory Continuing Education, and
 - (c) be assessed fees and dues consisting of:
 - (i) dues in arrears for the year(s) of lapsed registration,
 - (ii) a re-registration fee, and
 - (iii) applicable dues for the current year.

- (3) An Architect in good standing who has allowed their registration to lapse for more than three (3) years but less than five (5) years, who cannot register through reciprocity, and who wishes to be reinstated shall:
 - (a) attend an interview by three (3) members appointed by Council,
 - (b) complete the terms and conditions of an application for registration,
 - (c) meet the requirements of one cycle Mandatory Continuing Education, and
 - (d) be assessed fees and dues set out in bylaw 127(3)(c).
 - (4) An Architect who has been removed from the Register for a period of more than five (5) years, and who cannot re-register through reciprocity, shall refer to Sections 23 and 24 of the Act.
91. A Permit Holder in good standing who has allowed their registration to lapse, and who wish to be reinstated shall:
- (a) complete the terms and conditions of an application for a firm permit, and
 - (b) be assessed fees and dues consisting of:
 - (i) dues in arrears for the year(s) of lapsed registration,
 - (ii) a re-registration fee, and
 - (iii) applicable dues for the current year.
92. A Restricted Practitioner in good standing who has allowed their membership to lapse cannot be reinstated.
93. An Architect, Restricted Practitioner, or Permit Holder who has been removed from the Register due to unprofessional conduct may request reinstatement in writing to Council and shall be required to satisfy any conditions for reinstatement imposed by Council.
94. A Graduate Architect or associate member whose registration is cancelled due to non-payment of fees, dues or levies may be reinstated by applying in writing to Council and submitting the unpaid sum which resulted in their cancellation plus any current fees, dues or levies.

Part 7: Fees, Dues and Levies

95. Annual fees for members shall be determined by Council, shall include an administrative charge established by Council, and shall be payable in advance on January 31st of each year, subject to such discounts as Council may direct.
96. (1) Registration fees may include an administration charge determined by Council plus any other fees payable with an application for registration.
- (2) Registration fees for new applicants shall be prorated in accordance with the portion of the calendar year remaining and shall be payable at the time of registration.

97. Annual fees for a Licensee shall be determined by Council and shall be specific to project scope and duration.
98. Each Architect and Restricted Practitioner shall pay fees in respect of each of the following matters:
 - (a) a registration fee payable upon 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, and
 - (ii) for an Architect or Restricted Practitioner not in possession of a seal at any time during the year.
99. Each Permit Holder shall pay fees in respect of each of the following matters:
 - (a) a registration fee payable upon registration of a firm permit;
 - (b) an annual fee payable at the time of registration, prorated monthly by calendar year, and, thereafter, the full annual fee payable in advance of January 31st of each year.

Refund of Annual Fees

100. (1) An annual fee refund request from an Architect or Restricted Practitioner, upon approval by Council, shall be prorated quarterly by calendar year, minus an administration charge of \$50.00.
- (2) An annual fee refund request from a Permit Holder or Licensee, upon approval by Council, shall be prorated semi-annually by calendar year, minus an administration charge of \$50.00.

Annual Fee Reduction

- (3) An Architect or Restricted Practitioner may request a reduction of annual fees, as prescribed by Council, for reasons of financial hardship, family leave, medical disability or sabbatical leave.

Fees for Associate Members

101. (1) An Associate, Retired Member, and Student Associate shall pay the Association such fees, as prescribed by Council, in respect of each of the following matters:
 - (a) a registration fee payable upon registration as a member, and
 - (b) an annual fee payable upon registration.
- (2) A person who registers in a category denoted in subsection (1) during the year shall pay an annual fee prorated for the days remaining in that year.

Special Levy

102. Council may impose a special levy of not more than \$100 per year on each Architect and Restricted Practitioner for special circumstances requiring additional funding for the Association.

Late Payment

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

Part 8: Register & Roll

Register

104. (1) The Register shall contain 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 them,
 - (v) date the person became an Architect,
 - (vi) business address,
 - (vii) date of death,
 - (viii) any suspensions or cancellations of their registration,
 - (ix) where their professional records are kept, and
 - (x) such other information as Council may direct.
- (2) The Register shall contain 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 suspensions or cancellations of their registration,
 - (viii) where their professional records are kept,
 - (ix) the restricted scope of practice in which they are permitted to engage, and
 - (x) such other information as the Council may direct.
- (3) The Registrar shall notify an Architect or Restricted Practitioner of any change to their information in the Register.

- (4) The Registrar shall maintain, in a separate record, information as to whether an Architect or Restricted Practitioner is a sole practitioner, in partnership, a director of, or an employee of a Firm.
- (5) Information entered under subsection (2)(g) may only be removed at the direction of Council.
- (6) The Registrar shall record the names of all Graduate Architects in good standing.

Roll

105. (1) The Roll shall contain the following information with respect to each Licensee:
- (i) full name,
 - (ii) license or registration number issued to them in the jurisdiction in which they are entitled to practice architecture,
 - (iii) license number in respect of the project for which they are a Visiting Project Architect,
 - (iv) date the individual became a Visiting Project Architect,
 - (v) date they cease to be licensed, to be one year following the conclusion of the project,
 - (vi) name and location of the project in respect of which they are licensed,
 - (vii) name of the Architect with whom they are collaborating,
 - (viii) business address,
 - (ix) where the professional records of the project are to be kept in respect of which they are licensed,
 - (x) any suspensions or cancellations of their license or of the registration of the Architect with whom they are collaborating,
 - (xi) date of death, if it occurs during the course of the project, and
 - (xii) such other information as Council may direct.
- (2) The Roll shall contain the following information with respect to each Permit Holder:
- (i) full name,
 - (ii) permit number,
 - (iii) date of registration,
 - (iv) business address,
 - (vi) any suspensions or cancellations of the Firm's registration,
 - (viii) full name and registration number of the Architect, Restricted Practitioner or Licensee who will serve as the professional representative of the Firm and who will supervise the Firm's practice of architecture as well as its professional conduct, and
 - (vii) such other information as Council may direct.
- (3) Information entered under subsections (1)(j) and (2)(f) may only be removed at the direction of Council.

- (4) The Registrar shall notify a Licensee or Permit Holder of any change to their information in the Roll.

Inspection of Register and Roll

106. The Registrar shall, during regular office hours, permit members of the Association to inspect the information about themselves recorded in the applicable Register or Roll.

Part 9: Professional Stamps

Issue of Stamp

107. (1) Every authorized practitioner shall, upon registration, be issued a personal stamp for their professional use.
- (2) The Registrar shall only issue a stamp to an Architect on the request of the architect .
- (3) The individual whose name is on the stamp is its custodian and is responsible for its safekeeping.
- (4) The custodian of a Permit Holder's stamp shall be an officer or employee of the Permit Holder who is authorized to control its use.

Use of Stamp

108. (1) A 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.
- (2) Each time an Architect's or Restricted Practitioner's stamp is used, the authorized practitioner shall
 - (a) either impress the stamp on their signature or sign over the stamp, so that the signature and stamp are combined, and
 - (b) indicate the date the stamp was used.
- (3) A Permit Holder's stamp shall be affixed to a document only after the professional or professionals taking responsibility have affixed their personal stamps.
- (4) The Permit Holder, or an authorized officer or employee, shall affix the stamp, sign across the imprint of the stamp and indicate the date of the signature.

Return of Stamp

109. All stamps issued by the Registrar remain the property of the Association and shall be returned:
 - (a) by an Architect or Restricted Practitioner,
 - (i) if they no longer wish to hold the stamp,
 - (ii) if they cease to be an authorized practitioner, or
 - (iii) upon their death;
 - (b) by a Permit Holder, if the Firm is wound up or otherwise ceases to be a Firm;

- (c) by a Licensee, upon the expiration of their license; or
- (d) for any such circumstance described in the Act.

Architect Stamp

110. (1) An Architect's stamp shall be engraved with
- (a) the name and registration number of the Architect to whom the stamp is issued,
 - (b) the words "Architect" and "Northwest Territories Association of Architects".
- (2) The stamp shall be engraved in the following form:
- {{IMAGE OF ARCHITECT STAMP}}
- (3) The stamp of an architect may be made of metal, rubber or other suitable material.

Permit Holder Stamp

111. (1) A Permit Holder's stamp shall be a rubber stamp engraved with
- (a) the name of the Firm to which the stamp is issued;
 - (b) the permit number of the Firm, and
 - (c) the words "issued pursuant to the Architects Act of the Northwest Territories".
- (2) The stamp shall be designed in the following form:
- {{IMAGE OF FIRM PERMIT STAMP}}
- (3) A Permit Holder's stamp may only be used when an Architect also impresses their seal in association with the stamp of the firm.

Licensee (Visiting Project Architect) Stamp

112. (1) A Licensee's stamp shall be a rubber stamp engraved with
- (a) the name of the licensee to whom the stamp is issued,
 - (b) the license number of the Licensee,
 - (c) the location and name of the project in respect of which the Licensee is licensed,
and
 - (d) the name of the Architect or firm collaborating with the Licensee.
- (2) The stamp shall be designed in the following form:
- {{IMAGE OF LICENSEE STAMP}}
- (3) A Licensee shall use the stamp issued to them alongside the stamp issued to them in the jurisdiction in which they are entitled to engage in the practice of architecture.

Restricted Practitioner Stamp

113. (1) A Restricted Practitioner's stamp 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:

{{IMAGE OF RESTRICTED PRACTITIONER STAMP}}

Part 10: Conduct & Discipline

Practice Bulletins

- 114. (1) Council shall publish Practice Bulletins to clarify or develop the intent of the Act or Bylaws, or an extension thereof.
- (2) Practice Bulletins, once approved and published by Council, shall become a standard of conduct for all members.

Code of Ethics

- 115. (1) All registrants, permit holders and associate members shall conform to the Code of Ethics in Schedule A of these bylaws.
- (2) A breach of the Code of Ethics shall constitute conduct unbecoming and shall be subject to disciplinary action.

Notices to Public, Profession and Government

- 116. (1) 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, and such notice shall include:
 - (a) the name of the authorized practitioner;
 - (b) the nature of the complaint or conduct of which the authorized practitioner was found guilty, including brief particulars;
 - (c) the penalty imposed, including any conditions; and
 - (d) the costs imposed, if any.
- (2) Council 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.
- (3) 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.

Part 11: Miscellaneous Provisions

Time Extensions

117. (1) Where these bylaws require things or proceedings to be done, had or taken by or at a certain date, and that date is a Saturday, Sunday or holiday, the things or proceedings shall be done, had or taken on or by the following day that is not a Saturday, Sunday or holiday.
- (2) If anything to be done by Council or an individual within a number of days or at a time fixed by or under these bylaws, cannot be or is not so done, Council shall have discretion to 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.
- (3) Anything done at or within the time specified by Council is as valid as if it had been done at or within the time fixed by or under this bylaw.
- (4) Notwithstanding anything in these bylaws, where a certain date is fixed on or by which certain things are to be done or proceedings taken, and that date was fixed having regard to an earlier fixed date on or by which certain other things are to be done or proceedings taken, and if default is made in respect of the earlier date, Council may permit a like delay in respect of the later date.

Inability to Act

118. If a person is required to take some action or do something under these bylaws and is absent, unable or unwilling to do so, Council may appoint another person to take the action or do the thing in their place.

Delivery of Notices

119. (1) A notice or any other thing that is permitted or required to be given to an Architect, Restricted Practitioner, Permit Holder, Licensee or other member may be given
- (a) by delivering the notice to that person's business address as recorded in the Register or Roll, or
- (b) by personal service.
- (2) A notice or any other thing that is permitted or required to be given to Council, , an officer or appointee of Council, or the Association, the notice may be given by delivering it to the head office of the Association.
- (3) If one or more Architects or Restricted Practitioners do not receive a notice served in accordance with subsection (1), an annual or special general meeting that is the subject of the notice may nevertheless be held as if the notice or notices had been received.

Validation

120. (1) Any act or thing under the provision of these bylaws that is directed to be done within a limited time and that is not done so, or is not properly or effectually done, shall not

- vitiating any act or thing that was done prior to such omission or improper, ineffectual act and that prior act shall remain in full effect.
- (2) Council may extend the time for completing or perfecting an act or thing, either prior or subsequent to such act or thing not being properly or effectually done or omitted, and such act, when completed or perfected, shall have the same effect as if done strictly in accordance with the provision of these bylaws.

Part 12: Amendments to Bylaws

121. (1) An amendment to these bylaws shall not be submitted to a vote unless the details of the amendment have been disclosed to all members at least thirty (30) days prior to the day on which the vote is to occur.
- (2) Voting shall take place at a duly convened annual or special meeting or by mail vote.
- (3) The procedure for conducting a mail vote shall be established by Council and shall be consistent with the Act and these bylaws.
122. (1) A member who wishes to propose the enactment, amendment or repeal of bylaws at an annual or special meeting must provide the Registrar
- (a) written notice of a motion, and
- (b) a copy of the bylaw additions, amendments or repeals they will propose.
- (2) The Registrar, on receipt of such a motion, shall send a copy of the proposed enactment, amendments or repeal to each Architect at least forty-five (45) days before the annual or special meeting at which the motion is to be proposed.
123. (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.

Coming into Force

124. (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 or special general meeting.
- (2) These bylaws come into force immediately upon being passed pursuant to subsection (1).

Prior Revisions & Amendments

125. The Bylaws of the Northwest Territories Association of Architects, established in March 2002 with revisions and amendments up to and including April 2015, are repealed.