

ARCHITECTS (AMENDMENT) BILL.

*SCHEDULE showing the Legislative Assembly's Disagreements from the Legislative Council's Amendments referred to in Message of 28th March, 1941.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*

Amendment No. 2.—Page 3, clause 3, line 19. *Reinsert* “to a court of petty sessions or” *omit* “shall have the right of appeal to a court of petty sessions or to a district court, and such appeal shall be in the nature of a rehearing, and the decision of the court shall be final, and the board shall give effect thereto” and by inserting in lieu thereof the words “may, within six months after the date on which he applied for registration, appeal against such refusal to the Supreme Court.”

Amendment No. 4.—Page 4, clause 3, lines 29 and 30. *Reinsert* “a court of petty sessions or” *omit* “shall have the right of an appeal to a court of petty sessions or a district court: such appeal shall be in the nature of a rehearing, and the decision of the court shall be final and the board shall give effect thereto” and by inserting in lieu thereof the words “may, within three months after the date on which notice is given to him by the Registrar that his name has been so removed, appeal against such refusal to the Supreme Court”;

Amendment No. 5.—Page 5, clause 3, lines 1 to 23. *Omit*—

(e) by inserting next after section seventeen the following new section:—

17A. Any appeal to the Supreme Court under section Appeals. sixteen or section seventeen of this Act shall be in the nature of a rehearing, and shall be made in accordance with rules of court.

Upon any such appeal, the Supreme Court may summon witnesses, hear evidence, and determine the matter, having regard to this Act, the regulations, the circumstances of the case, and the public interest, and may make such order as it deems fit.

The decision of the Supreme Court upon any such appeal shall be final, and shall be binding upon the Board and the appellant, and for the purposes of this Act shall be deemed to be the final decision of the Board.

If in any decision by the Supreme Court under this section costs are awarded, such costs may be enforced and recovered in like manner to costs awarded in a judgment of the Supreme Court.

The jurisdiction conferred on the Supreme Court by this section may be exercised by a single judge thereof.







ARCHITECTS (AMENDMENT) BILL.

*Schedule of the Amendments referred to in Message of 25th March, 1941.*

No. 1.—Page 3, clause 3, lines 6 and 7. *Omit* paragraph (b).

No. 2.—Page 3, clause 3, line 19. *Omit* “to a court of petty sessions or”  
*insert* “shall have the right of appeal to a court of petty sessions or to a district court, and such appeal shall be in the nature of a rehearing, and the decision of the court shall be final, and the board shall give effect thereto” and by inserting in lieu thereof the words “may, within six months after the date on which he applied for registration, appeal against such refusal to the Supreme Court”

No. 3.—Page 3, clause 3. *After* line 33, *insert*—

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

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

No. 4.—Page 4, clause 3, lines 29 and 30. *Omit* “a court of petty sessions or”  
*insert* “shall have the right of an appeal to a court of petty sessions or a district court: such appeal shall be in the nature of a rehearing, and the decision of the court shall be final and the board shall give effect thereto” and by inserting in lieu thereof the words “may, within three months after the date on which notice is given to him by the Registrar that his name has been so removed, appeal against such refusal to the Supreme Court.”

No. 5.—Page 4, clause 3. *After* line 39 *insert*—

- (e) by inserting next after section seventeen the following new section:—

17A. Any appeal to the Supreme Court under section sixteen or section seventeen of this Act shall be in the nature of a rehearing, and shall be made in accordance with rules of court. Appeals.

Upon any such appeal, the Supreme Court may summon witnesses, hear evidence, and determine the matter, having regard to this Act, the regulations, the circumstances of the case, and the public interest, and may make such order as it deems fit.

The decision of the Supreme Court upon any such appeal shall be final, and shall be binding upon the Board and the appellant, and for the purposes of this Act shall be deemed to be the final decision of the Board.

If in any decision by the Supreme Court under this section costs are awarded, such costs may be enforced and recovered in like manner to costs awarded in a judgment of the Supreme Court.

The jurisdiction conferred on the Supreme Court by this section may be exercised by a single judge thereof.







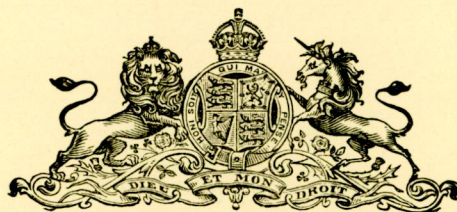
*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
Legislative Assembly Chamber,  
Sydney, 11 March, 1941.

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.*

W. K. CHARLTON,  
*Clerk of the Parliamēnts.*  
Legislative Council Chamber,  
Sydney, 25th March, 1941.

## New South Wales.



ANNO QUINTO

# GEORGII VI REGIS.

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Act No. . 1941.

An Act to amend the Architects Act, 1921, in certain respects; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Architects (Amendment) Act, 1941."

39197 217—

(2)

Short title,  
citation and  
commence-  
ment.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.



*Architects (Amendment).*

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

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

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

2. The Principal Act is amended—

Amendment of  
Act No. 8,  
1921.

10 (a) (i) by omitting from subsection two of section five the word "head" and by inserting in lieu thereof the word "Dean";

Sec. 5.  
(Constitution of  
board, etc.)

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

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

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

Sec. 6.  
(Tenure and remuneration of members.)

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

3. The Principal Act is further amended—

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

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

(2) A document purporting to be a certificate under the hand of the Registrar and stating that any person was or was not on any date or during any



*Architects (Amendment).*

any period mentioned in the certificate registered under this Act shall in all courts and before all persons and bodies authorised by law to receive evidence be prima facie evidence of the facts stated.

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(b) ~~by inserting in section twelve after the word "years" the words "is a British subject."~~

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

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Sec. 13.  
(Qualifications for registration.)

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

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(d) (c) by omitting from section sixteen the words ~~"to a court of petty sessions or"~~ **"shall have**

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**the right of appeal to a court of petty sessions or to a district court, and such appeal shall be in the nature of a rehearing, and the decision of the court shall be final, and the board shall give effect thereto"** and by inserting in lieu thereof the words **"may, within six months after the date on which he applied for registration, appeal against such refusal to the Supreme Court."**

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

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or

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

Sec. 17.  
(Removal from register.)

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

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(i) in connection with any building designed or supervised by him



*Architects (Amendment).*

- 5 him enters into collusion with the builder or any other person in any way prejudicial to the owner's interests and rights under the building contract;
- (ii) allows any person other than an architect who is his partner to practise in his name as an architect;
- 10 (iii) directly or indirectly gives or offers, or agrees to give or offer, any person any valuable consideration whatever as a remuneration for securing or attempting to secure for him any employment or work as an architect;
- 15 (iv) fails to render to the client upon demand at the completion of the contract between the client and the builder an accurate and detailed statement of accounts;
- 20 (v) acts as architect and builder of any building without the full knowledge and consent of the client.
- 25 (ii) by omitting from subsection three of the same section the words "~~a court of petty sessions or~~" "shall have the right of an appeal to a court of petty sessions or a district court: such appeal shall be in the nature of a rehearing, and the decision of the court shall be final and the board shall give effect thereto" and
- 30 by inserting in lieu thereof the words "may, within three months after the date on which notice is given to him by the Registrar that his name has been so removed, appeal against such refusal to the Supreme Court";
- 35

(e)



*Architects (Amendment).*

- (e) by inserting next after section seventeen the following new section:—

17A. Any appeal to the Supreme Court under section sixteen or section seventeen of this Act shall be in the nature of a rehearing, and shall be made in accordance with rules of court. Appeals.

Upon any such appeal, the Supreme Court may summon witnesses, hear evidence, and determine the matter, having regard to this Act, the regulations, the circumstances of the case, and the public interest, and may make such order as it deems fit.

The decision of the Supreme Court upon any such appeal shall be final, and shall be binding upon the Board and the appellant, and for the purposes of this Act shall be deemed to be the final decision of the Board.

If in any decision by the Supreme Court under this section costs are awarded, such costs may be enforced and recovered in like manner to costs awarded in a judgment of the Supreme Court.

The jurisdiction conferred on the Supreme Court by this section may be exercised by a single judge thereof.

- (f) (i) by inserting in subsection three of section nineteen after the word "abbreviation" the words "or derivative"; Sec. 19. (Prohibited practices.)

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

Provided that nothing in this subsection shall prohibit—

(a) a person practising naval architecture from using the name "naval architect"; or

(b) any employee of an architect from using the name "architectural assistant" or "architectural draftsman"; or

(c).



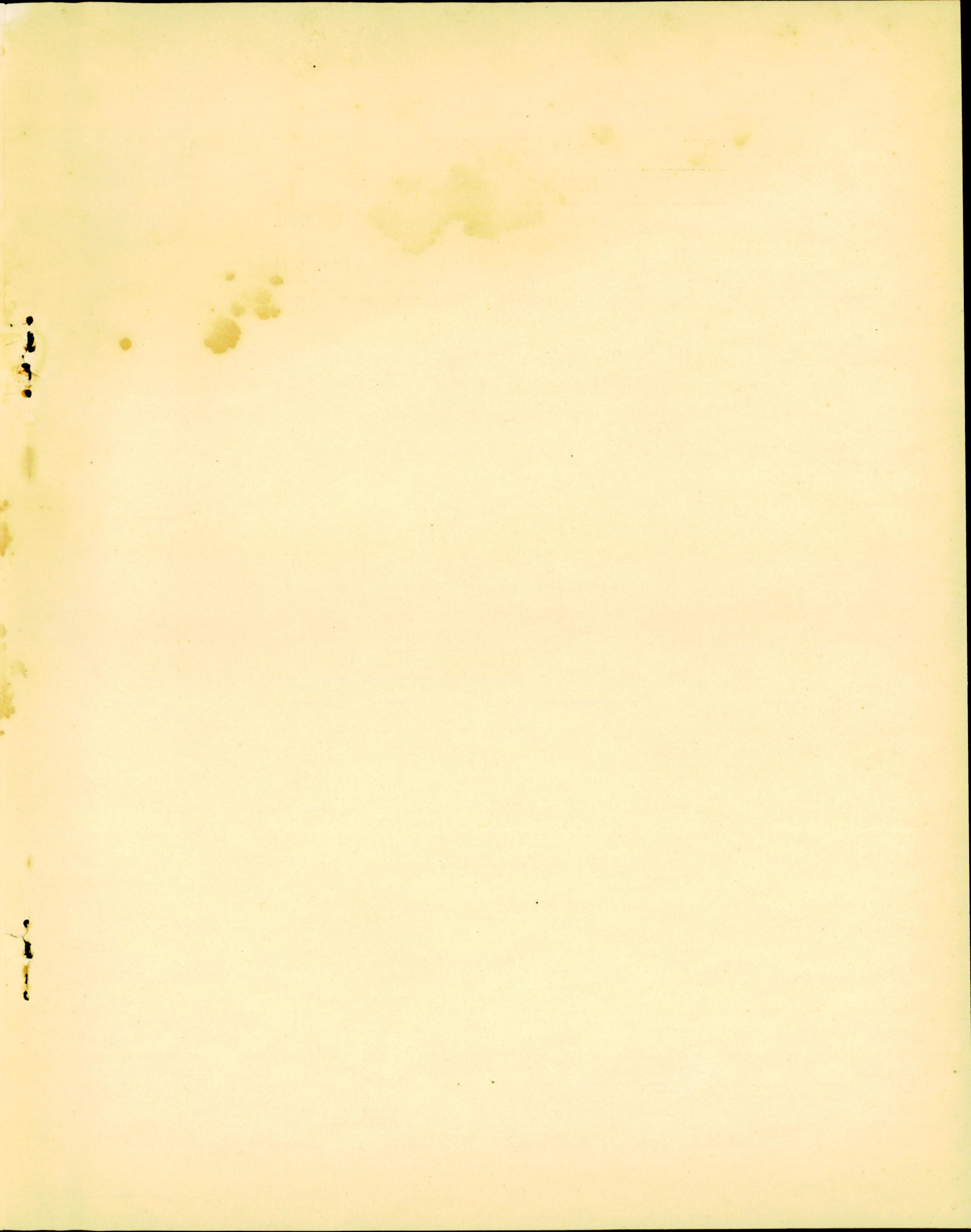
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*Architects (Amendment).*

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- 5 (c) persons from using the term  
 "architectural," only as indicating  
 that they carry on the business of  
 suppliers of wares, instruments, or  
 materials used in connection with  
 architecture";
- 10 (g) (i) by inserting at the end of paragraph (d) of Sec. 25.  
 subsection one of section twenty-five the (Regula-  
 words "and for prescribing the standard of tions.)  
 the educational attainments of candidates  
 for the prescribed examination";
- (ii) by inserting at the end of the same subsec-  
 tion the following new subsection:—
- 15 (1A) The regulations may provide for  
 the exemption of any class of per-  
 sons from the provisions of the  
 regulations relating to the pre-  
 scribed standard of educational  
 attainments.







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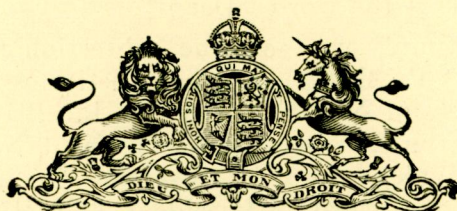
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*This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

W. R. McCOURT,  
*Clerk of the Legislative Assembly.*  
*Legislative Assembly Chamber,*  
*Sydney, 11 March, 1941.*

## New South Wales.



ANNO QUINTO

GEORGI VI REGIS.

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Act No. . 1941.

An Act to amend the Architects Act, 1921, in certain respects; and for purposes connected therewith.

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the "Architects (Amendment) Act, 1941."

Short title,  
citation and  
commence-  
ment.

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



*Architects (Amendment).*

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

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

2. The Principal Act is amended—

Amendment of  
Act No. 8,  
1921.

- (a) (i) by omitting from subsection two of section five the word "head" and by inserting in lieu thereof the word "Dean";
- 10 (ii) by omitting from the same subsection the words "President of the Institute of Architects of New South Wales, the President of the Architects Association of New South Wales" and by inserting in lieu thereof the words "President and Vice-President of the New South Wales Chapter of the Royal Australian Institute of Architects";
- 15 (b) by omitting subsection four of the same section;
- 20 (c) by inserting at the end of subsection two of section six the following proviso:—
- Provided that where the office of an elected member becomes vacant within the last six months of the term of office of such member, the Minister may, on the application of the board, order that an election shall not be held; and may, on the like application, revoke any such order.
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Sec. 5.  
(Constitu-  
tion of  
board, etc.)

Sec. 6.  
(Tenure and  
remunera-  
tion of  
members.)

3. The Principal Act is further amended—

- 36 (a) by omitting subsection two of section ten and by inserting in lieu thereof the following subsection:—
- (2) A document purporting to be a certificate under the hand of the Registrar and stating that any person was or was not on any date or during any period mentioned in the certificate registered under
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Further  
amendment  
of Act  
No. 8, 1921.  
Sec. 10.  
(Architects  
roll.)



*Architects (Amendment).*

under this Act shall in all courts and before all persons and bodies authorised by law to receive evidence be prima facie evidence of the facts stated.

- 5 (b) by inserting in section twelve after the word "years" the words "is a British subject."
- (c) by inserting at the end of paragraph (c) of subsection one of section thirteen the following new paragraph:—
- 10 (ci) holds a degree, diploma, or license of competency, approved of by the Board, from some university, college, school, institute or other authority, and also satisfies the Board that he possesses the requisite knowledge and skill for the practice of architecture; or
- 15 (d) by omitting from section sixteen the words "to a court of petty sessions or";
- 20 (e) (i) by inserting at the end of subsection one of section seventeen the following word and new paragraph:—  
or  
(e) is guilty of infamous conduct in a professional respect.
- 25 (ii) by omitting from subsection three of the same section the words "a court of petty sessions or";
- (f) (i) by inserting in subsection three of section nineteen after the word "abbreviation" the words "or derivative";
- 30 (ii) by omitting the proviso to the same subsection and by inserting in lieu thereof the following proviso:—  
Provided that nothing in this subsection shall prohibit—
- 35 (a) a person practising naval architecture from using the name "naval architect"; or  
(b)

Sec. 13.  
(Qualifications for registration.)

Sec. 16.  
(Refusal to register.)

Sec. 17.  
(Removal from register.)

Sec. 19.  
(Prohibited practices.)



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*Architects (Amendment).*

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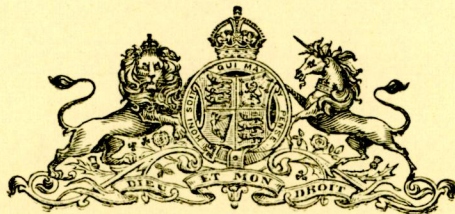
- (b) any employee of an architect from using the name "architectural assistant" or "architectural draftsman"; or
- 5 (c) persons from using the term "architectural," only as indicating that they carry on the business of suppliers of wares, instruments, or materials used in connection with architecture";
- 10 (g) (i) by inserting at the end of paragraph (d) of subsection one of section twenty-five the words "and for prescribing the standard of the educational attainments of candidates for the prescribed examination";
- 15 (ii) by inserting at the end of the same subsection the following new subsection:—
- 20 (1A) The regulations may provide for the exemption of any class of persons from the provisions of the regulations relating to the prescribed standard of educational attainments.



*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

*W. R. McCOURT,  
Clerk of the Legislative Assembly.  
Legislative Assembly Chamber,  
Sydney, 8 April, 1941.*

## New South Wales.



ANNO QUINTO

## GEORGII VI REGIS.

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### Act No. 25, 1941.

An Act to amend the Architects Act, 1921, in certain respects; and for purposes connected therewith. [Assented to, 10th April, 1941.]

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. (1) This Act may be cited as the "Architects (Amendment) Act, 1941."

(2) Short title,  
citation and  
commence-  
ment.

*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

*W. W. HEDGES,  
Chairman of Committees of the Legislative Assembly.*



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*Architects (Amendment).*

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

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

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

Amendment of  
Act No. 8,  
1921.

**2. The Principal Act is amended—**

Sec. 5.  
(Constitu-  
tion of  
board, etc.)

(a) (i) by omitting from subsection two of section five the word "head" and by inserting in lieu thereof the word "Dean";

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

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

Sec. 6.  
(Tenure and  
remunera-  
tion of  
members.)

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

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

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

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

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

(2) A document purporting to be a certificate under the hand of the Registrar and stating that any person was or was not on any date or during  
any



*Architects (Amendment).*

any period mentioned in the certificate registered under this Act shall in all courts and before all persons and bodies authorised by law to receive evidence be prima facie evidence of the facts stated.

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

Sec. 13.  
(Qualifications for registration.)

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

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

Sec. 16.  
(Refusal to register.)

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

Sec. 17.  
(Removal from register.)

or

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

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

- (i) in connection with any building designed or supervised by him enters into collusion with the builder or any other person in any way prejudicial to the owner's interests and rights under the building contract;

- (ii) allows any person other than an architect who is his partner to practise in his name as an architect;

(iii)



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*Architects (Amendment).*

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Sec. 19.  
(Prohibited  
practices.)

- (iii) directly or indirectly gives or offers, or agrees to give or offer, any person any valuable consideration whatever as a remuneration for securing or attempting to secure for him any employment or work as an architect;
  - (iv) fails to render to the client upon demand at the completion of the contract between the client and the builder an accurate and detailed statement of accounts;
  - (v) acts as architect and builder of any building without the full knowledge and consent of the client.
- (ii) by omitting from subsection three of the same section the words "a court of petty sessions or";
- (e) (i) by inserting in subsection three of section nineteen after the word "abbreviation" the words "or derivative";
- (ii) by omitting the proviso to the same subsection and by inserting in lieu thereof the following proviso:—

Provided that nothing in this subsection shall prohibit—

- (a) a person practising naval architecture from using the name "naval architect"; or
- (b) any employee of an architect from using the name "architectural assistant" or "architectural draftsman"; or
- (c) persons from using the term "architectural," only as indicating that they carry on the business of suppliers



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*Architects (Amendment).*

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suppliers of wares, instruments, or materials used in connection with architecture”;

- (f) (i) by inserting at the end of paragraph (d) of subsection one of section twenty-five the words “and for prescribing the standard of the educational attainments of candidates for the prescribed examination”;  
(ii) by inserting at the end of the same subsection the following new subsection:—

(1A) The regulations may provide for the exemption of any class of persons from the provisions of the regulations relating to the prescribed standard of educational attainments.

*In the name and on behalf of His Majesty I assent to this Act.*

WAKEHURST,  
*Governor.*

*Government House,  
Sydney, 10th April, 1941.*











