

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.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 20 March, 1969.*

New South Wales



ANNO OCTAVO DECIMO

ELIZABETHÆ II REGINÆ

Act No. , 1969.

An Act to make further provision with respect to the constitution of the Board of Architects of New South Wales, the registration of architects, the Architects Fund and penalties under the Architects Act, 1921-1965; for these and other purposes to amend the said Act; and for purposes connected therewith.

BE

Architects (Amendment).

BE it enacted by the Queen'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, 1969".

Short title, citation and commencement.

(2) The Architects Act, 1921, as subsequently amended and as amended by this Act, may be cited as the 10 Architects Act, 1921-1969.

(3) This Act shall, except where otherwise expressly provided, commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

15 2. (1) The Architects Act, 1921-1965, is amended—

Amendment of Act No. 8, 1921.

(a) (i) by omitting from subsection two of section five the words "in practice who shall be";

Sec. 5.

(Constitution of board, and election of president.)

20 (ii) by omitting from the same subsection the words "the Professor of Architecture in the New South Wales University of Technology" and by inserting in lieu thereof the words "the Dean of the Faculty of Architecture in The University of New South Wales";

25 (iii) by inserting next after the same subsection the following new subsection :—

(2A) No person shall be appointed as a member if he has attained the age of seventy years.

30 (b) (i) by omitting from subsection one of section six the words "The Governor for sufficient cause may remove any member.";

Sec. 6.

(Tenure and remuneration of members.)

(ii)

Architects (Amendment).

- (ii) by omitting from subsection five of the same section the words "two dollars ten cents" and by inserting in lieu thereof the words "such amount as may be prescribed";
- 5 (iii) by omitting from the same subsection the words "fifty-two dollars fifty cents" and by inserting in lieu thereof the words "the prescribed amount";
- 10 (c) by omitting subsection one of section seven and by **Sec. 7.** inserting in lieu thereof the following subsection :— (Vacancies.)
- (1) The office of a member shall become vacant if such member—
- (a) dies;
- 15 (b) resigns his office by writing under his hand addressed to the Governor;
- (c) becomes bankrupt, compounds with his creditors, or makes an assignment of his estate for their benefit;
- 20 (d) is absent without leave of the board from three consecutive meetings of which due notice has been given to him personally or in the ordinary course of post;
- (e) becomes a mentally ill person, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, as subsequently amended;
- 25 (f) ceases to be an architect or hold the qualifications by virtue of which he was appointed as a member;
- 30 (g) attains the age of seventy years;
- (h) is removed from office by the Governor.

The Governor may for any cause which appears to him sufficient remove any member from office.

(d)

Architects (Amendment).

- (d) (i) by omitting subsection two of section 8A and Sec. 8A.
by inserting in lieu thereof the following (Architects Fund.)
subsection :—
- 5 (2) All moneys received by the board or
the registrar shall be paid into the Architects
Fund which shall be under the control of the
board and shall be operated by the board in
pursuance of this Act; and the board shall for
10 its purposes cause such banking accounts to be
kept as it shall deem proper.
- (ii) by omitting subsection four of the same
section;
- (iii) by omitting from subsection six of the same
15 section the words "by the Colonial Treasurer
on behalf of and as recommended by the
board";
- (e) (i) by omitting from section eleven the word Sec. 11.
"July" wherever occurring and by inserting in (Annual roll fee.)
lieu thereof the word "March";
- 20 (ii) by omitting from the same section the word
"November" wherever occurring and by insert-
ing in lieu thereof the word "June";
- (iii) by omitting from subsection two of the same
section the word "registered";
- 25 (f) (i) by inserting in paragraph (b) of subsection Sec. 13.
one of section thirteen after the words "Uni- (Qualifica-
versity of Sydney" the words ", The University tions for
of New South Wales, The University of New registra-
castle, the New South Wales Institutes of tion.)
30 Technology and Business Studies,";
- (ii) by inserting next after paragraph (d) of the
same subsection the following new para-
graph :—
- 35 (di) has in the opinion of the board such
special qualifications and has had such
special

Architects (Amendment).

special experience in the practice of architecture as would justify his registration as an architect; or

5 (iii) by inserting next after the same subsection the following new subsection :—

10 (1A) (a) This subsection applies to persons who obtain the qualifications for registration under paragraph (a), (b) or (c) of subsection one of this section on or after the first day of July, one thousand nine hundred and seventy-one.

15 (b) No person to whom this subsection applies shall be entitled to be registered under paragraph (a), (b) or (c) of subsection one of this section unless—

20 (i) he has completed in the aggregate not less than two years practical experience in an architectural capacity approved by the board, at least one year of which has been subsequent to obtaining the qualifications referred to in the said paragraph (a), (b) or (c), as the case may be, and

25 (ii) he has after the completion of such period of practical experience passed the prescribed examination in Professional Practice and Practical Experience :

30 Provided that the board may, in the case of an applicant for registration under paragraph (a) or (c) of subsection one of this section who has in the opinion of the board had adequate general experience in excess of two years in an architectural capacity, dispense with the foregoing requirement as to at least one year's practical experience in an architectural capacity approved by the board

35 subsequent

Architects (Amendment).

subsequent to obtaining the qualifications referred to in the said paragraph (a) or (c) and in any such case the applicant may at any time undertake the prescribed examination in Professional Practice and Practical Experience.

5

(g) (i) by omitting paragraph (c) of subsection one of section seventeen and by inserting in lieu thereof the following paragraphs :—

Sec. 17.
(Removal from register.)

(c) is convicted in New South Wales or elsewhere of any felony or misdemeanour or of an offence punishable summarily by imprisonment for six months or upwards; or

10

(ci) has been registered by means of any false or fraudulent representation or declaration made either verbally or in writing; or

15

(cii) becomes a mentally ill person, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, as subsequently amended; or

20

(ciii) applies in writing to have his name removed from the register; or

25

(ii) by inserting next after the same subsection the following new subsection :—

30

(1A) The board as an alternative to removing from the register the name of any person who is guilty of infamous conduct in a professional respect under paragraph (e) of subsection one of this section may reprimand such person or impose a fine on such person not exceeding two hundred dollars.

35

The imposition of any fine as aforesaid shall operate as an order by a stipendiary magistrate for the payment of money under the Small

Architects (Amendment).

Small Debts Recovery Act, 1912, as subsequently amended, and be enforceable as such under the provisions of that Act, as so amended.

- 5 (iii) by inserting in subsection three of the same section after the word "register" the words "or a reprimand or imposition of a fine under this section";
- 10 (iv) by inserting at the end of the same subsection the following new paragraph :—
- Any such appeal shall be made within twenty-eight days of the decision of the board and shall be in accordance with the rules of court of the district court.
- 15 (h) by omitting from subsection four of section nineteen the words "forty dollars" and by inserting in lieu thereof the words "two hundred dollars"; Sec. 19. (Prohibited practices.)
- 20 (i) by inserting in section twenty after the word "trustee" the words ", and upon cessation of such executorship, administration or trusteeship, some other person"; Sec. 20. (Continuation of name of deceased architect.)
- (j) (i) by inserting in paragraph (a) of subsection one of section twenty-five after the word "proceedings" the words "and meetings"; Sec. 25. (Regulations.)
- 25 (ii) by inserting next after the same paragraph the following new paragraph :—
- (ai) regulating the manner in which, and the procedure which is to be followed by the board in, the exercise of its powers under section seventeen of this Act and without limiting the generality of this paragraph the manner in which complaints or charges against an architect may be preferred for the exercise of the powers conferred on the board by that section;
- 30
- 35 (iii)

Architects (Amendment).

- (iii) by omitting from subsection two of the same section the words "forty dollars" and by inserting in lieu thereof the words "two hundred dollars".
- 5 (2) The amendments made by paragraph (e) of subsection one of this section shall commence on the first day of January, one thousand nine hundred and seventy.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969

[10c]

Architects (Amendment)

BE it enacted by the Queen'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 1969.

(2) The Architects Act, 1921, as amended and as amended by this Act may be cited as the Architects Act, 1921-1969.

(3) This Act shall, except where otherwise expressly provided, commence upon a day to be proclaimed by the Governor and notified by proclamation in the

No. 1969.

A BILL

To make further provision with respect to the constitution of the Board of Architects of New South Wales, the registration of architects, the Architects Fund and penalties under the Architects Act, 1921-1965; for these and other purposes to amend the said Act; and for purposes connected therewith.

[MR WADDY on behalf of MR CUTLER—13 March, 1969.]

Architects (Amendment).

BE it enacted by the Queen'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, 1969".

Short title, citation and commencement.

(2) The Architects Act, 1921, as subsequently amended and as amended by this Act, may be cited as the Architects Act, 1921-1969.

(3) This Act shall, except where otherwise expressly provided, commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. (1) The Architects Act, 1921-1965, is amended—

Amendment of Act No. 8, 1921.

(a) (i) by omitting from subsection two of section five the words "in practice who shall be";

Sec. 5. (Constitution of board, and election of president.)

(ii) by omitting from the same subsection the words "the Professor of Architecture in the New South Wales University of Technology" and by inserting in lieu thereof the words "the Dean of the Faculty of Architecture in The University of New South Wales";

(iii) by inserting next after the same subsection the following new subsection :—

(2A) No person shall be appointed as a member if he has attained the age of seventy years.

(b) (i) by omitting from subsection one of section six the words "The Governor for sufficient cause may remove any member.";

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

(ii)

Architects (Amendment).

- (ii) by omitting from subsection five of the same section the words "two dollars ten cents" and by inserting in lieu thereof the words "such amount as may be prescribed";
- 5 (iii) by omitting from the same subsection the words "fifty-two dollars fifty cents" and by inserting in lieu thereof the words "the prescribed amount";
- 10 (c) by omitting subsection one of section seven and by inserting in lieu thereof the following subsection :— (Vacancies.)
- (1) The office of a member shall become vacant if such member—
- (a) dies;
- 15 (b) resigns his office by writing under his hand addressed to the Governor;
- (c) becomes bankrupt, compounds with his creditors, or makes an assignment of his estate for their benefit;
- 20 (d) is absent without leave of the board from three consecutive meetings of which due notice has been given to him personally or in the ordinary course of post;
- (e) becomes a mentally ill person, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, as subsequently amended;
- 25 (f) ceases to be an architect or hold the qualifications by virtue of which he was appointed as a member;
- 30 (g) attains the age of seventy years;
- (h) is removed from office by the Governor.

The Governor may for any cause which appears to him sufficient remove any member from office.

(d)

Architects (Amendment).

- (d) (i) by omitting subsection two of section 8A and Sec. 8A.
by inserting in lieu thereof the following (Architects Fund.)
subsection :—
- 5 (2) All moneys received by the board or
the registrar shall be paid into the Architects
Fund which shall be under the control of the
board and shall be operated by the board in
pursuance of this Act; and the board shall for
10 its purposes cause such banking accounts to be
kept as it shall deem proper.
- (ii) by omitting subsection four of the same
section;
- (iii) by omitting from subsection six of the same
15 section the words "by the Colonial Treasurer
on behalf of and as recommended by the
board";
- (e) (i) by omitting from section eleven the word Sec. 11.
"July" wherever occurring and by inserting in (Annual roll fee.)
lieu thereof the word "March";
- 20 (ii) by omitting from the same section the word
"November" wherever occurring and by insert-
ing in lieu thereof the word "June";
- (iii) by omitting from subsection two of the same
section the word "registered";
- 25 (f) (i) by inserting in paragraph (b) of subsection Sec. 13.
one of section thirteen after the words "Uni- (Qualifica-
versity of Sydney" the words ", The University tions for
of New South Wales, The University of New registra-
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Technology and Business Studies,";
- 30 (ii) by inserting next after paragraph (d) of the
same subsection the following new para-
graph :—
- (di) has in the opinion of the board such
35 special qualifications and has had such
special

Architects (Amendment).

special experience in the practice of architecture as would justify his registration as an architect; or

5 (iii) by inserting next after the same subsection the following new subsection :—

10 (1A) (a) This subsection applies to persons who obtain the qualifications for registration under paragraph (a), (b) or (c) of subsection one of this section on or after the first day of January, one thousand nine hundred and seventy-one.

15 (b) No person to whom this subsection applies shall be entitled to be registered under paragraph (a), (b) or (c) of subsection one of this section unless—

20 (i) he has completed in the aggregate not less than two years practical experience in an architectural capacity approved by the board, at least one year of which has been subsequent to obtaining the qualifications referred to in the said paragraph (a), (b) or (c), as the case may be, and

25 (ii) he has after the completion of such period of practical experience passed the prescribed examination in Professional Practice and Practical Experience :

30 Provided that the board may, in the case of an applicant for registration under paragraph (a) or (c) of subsection one of this section who has in the opinion of the board had adequate general experience in excess of two years in an architectural capacity, dispense with the foregoing requirement as to at least one year's practical experience in an architectural capacity approved by the board

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Architects (Amendment).

5 subsequent to obtaining the qualifications referred to in the said paragraph (a) or (c) and in any such case the applicant may at any time undertake the prescribed examination in Professional Practice and Practical Experience.

(g) (i) by omitting paragraph (c) of subsection one of section seventeen and by inserting in lieu thereof the following paragraphs :— Sec. 17. (Removal from register.)

10 (c) is convicted in New South Wales or elsewhere of any felony or misdemeanour or of an offence punishable summarily by imprisonment for six months or upwards; or

15 (ci) has been registered by means of any false or fraudulent representation or declaration made either verbally or in writing; or

20 (cii) becomes a mentally ill person, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, as subsequently amended; or

(ciii) applies in writing to have his name removed from the register; or

25 (ii) by inserting next after the same subsection the following new subsection :—

30 (1A) The board as an alternative to removing from the register the name of any person who is guilty of infamous conduct in a professional respect under paragraph (e) of subsection one of this section may reprimand such person or impose a fine on such person not exceeding two hundred dollars.

35 The imposition of any fine as aforesaid shall operate as an order by a stipendiary magistrate for the payment of money under the Small

Architects (Amendment).

Small Debts Recovery Act, 1912, as subsequently amended, and be enforceable as such under the provisions of that Act, as so amended.

- 5 (iii) by inserting in subsection three of the same section after the word "register" the words "or a reprimand or imposition of a fine under this section";
- 10 (iv) by inserting at the end of the same subsection the following new paragraph :—
- Any such appeal shall be made within twenty-eight days of the decision of the board and shall be in accordance with the rules of court of the district court.
- 15 (h) by omitting from subsection four of section nineteen the words "forty dollars" and by inserting in lieu thereof the words "two hundred dollars"; Sec. 19. (Prohibited practices.)
- 20 (i) by inserting in section twenty after the word "trustee" the words ", and upon cessation of such executorship, administration or trusteeship, some other person"; Sec. 20. (Continuation of name of deceased architect.)
- (j) (i) by inserting in paragraph (a) of subsection one of section twenty-five after the word "proceedings" the words "and meetings"; Sec. 25. (Regulations.)
- 25 (ii) by inserting next after the same paragraph the following new paragraph :—
- 30 (ai) regulating the manner in which, and the procedure which is to be followed by the board in, the exercise of its powers under section seventeen of this Act and without limiting the generality of this paragraph the manner in which complaints or charges against an architect may be preferred for the exercise of the powers conferred on the board by that section;
- 35 (iii)

Architects (Amendment).

- (iii) by omitting from subsection two of the same section the words "forty dollars" and by inserting in lieu thereof the words "two hundred dollars".
- 5 (2) The amendments made by paragraph (e) of subsection one of this section shall commence on the first day of January, one thousand nine hundred and seventy.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969

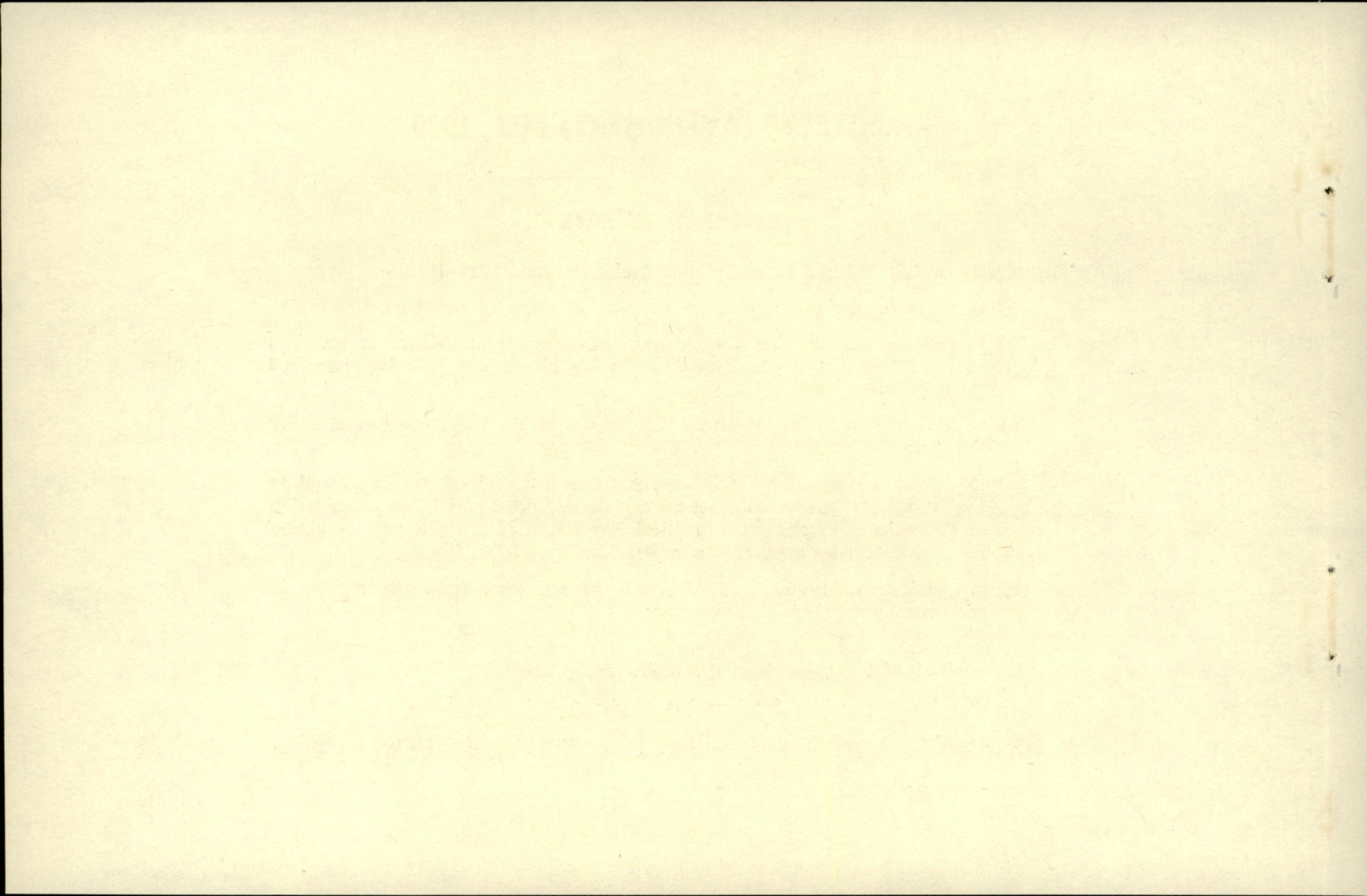
[10c]

ARCHITECTS (AMENDMENT) BILL, 1969

EXPLANATORY NOTE

THE objects of this Bill are to amend the Architects Act, 1921-1965—

- (a) to make further provision as to vacation of office of members;
- (b) to provide that the fee payable to a member for attendance at meetings of the Board and the limit of fees payable in any one year be prescribed by Regulation;
- (c) to allow the Board of Architects full control of the Fund constituted under the Act;
- (d) to extend the classes of qualifications for registration of Architects and to require at least two years practical experience and a pass in an examination in Professional Practice and Practical Experience as a preliminary condition for registration by applicants after 1st January, 1971;
- (e) to provide for the removal of names of architects from the register in additional prescribed circumstances;
- (f) to empower the Board to reprimand or fine a person as an alternative to removal of his name from the register;
- (g) to increase penalties for breaches of the Act;
- (h) to make other amendments ancillary to or consequential upon the foregoing.



PROOF

No. , 1969.

A BILL

To make further provision with respect to the constitution of the Board of Architects of New South Wales, the registration of architects, the Architects Fund and penalties under the Architects Act, 1921-1965; for these and other purposes to amend the said Act; and for purposes connected therewith.

[MR WADDY *on behalf of* MR CUTLER—13 March, 1969.]

BE

Architects (Amendment).

BE it enacted by the Queen'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, 1969".

Short title, citation and commencement.

(2) The Architects Act, 1921, as subsequently amended and as amended by this Act, may be cited as the Architects Act, 1921–1969.

(3) This Act shall, except where otherwise expressly provided, commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

2. (1) The Architects Act, 1921–1965, is amended—

Amendment of Act No. 8, 1921.

(a) (i) by omitting from subsection two of section five the words "in practice who shall be";

Sec. 5.

(Constitution of board, and election of president.)

(ii) by omitting from the same subsection the words "the Professor of Architecture in the New South Wales University of Technology" and by inserting in lieu thereof the words "the Dean of the Faculty of Architecture in The University of New South Wales";

(iii) by inserting next after the same subsection the following new subsection :—

(2A) No person shall be appointed as a member if he has attained the age of seventy years.

(b) (i) by omitting from subsection one of section six the words "The Governor for sufficient cause may remove any member.";

Sec. 6.

(Tenure and remuneration of members.)

(ii)

Architects (Amendment).

- (ii) by omitting from subsection five of the same section the words "two dollars ten cents" and by inserting in lieu thereof the words "such amount as may be prescribed";
- 5 (iii) by omitting from the same subsection the words "fifty-two dollars fifty cents" and by inserting in lieu thereof the words "the prescribed amount";
- 10 (c) by omitting subsection one of section seven and by inserting in lieu thereof the following subsection :— (Vacancies.)
- (1) The office of a member shall become vacant if such member—
- (a) dies;
- 15 (b) resigns his office by writing under his hand addressed to the Governor;
- (c) becomes bankrupt, compounds with his creditors, or makes an assignment of his estate for their benefit;
- 20 (d) is absent without leave of the board from three consecutive meetings of which due notice has been given to him personally or in the ordinary course of post;
- (e) becomes a mentally ill person, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, as subsequently amended;
- 25 (f) ceases to be an architect or hold the qualifications by virtue of which he was appointed as a member;
- 30 (g) attains the age of seventy years;
- (h) is removed from office by the Governor.

The Governor may for any cause which appears to him sufficient remove any member from office.

(d)

Architects (Amendment).

- (d) (i) by omitting subsection two of section 8A and by inserting in lieu thereof the following subsection :— Sec. 8A.
(Architects Fund.)
- 5 (2) All moneys received by the board or the registrar shall be paid into the Architects Fund which shall be under the control of the board and shall be operated by the board in pursuance of this Act; and the board shall for its purposes cause such banking accounts to be kept as it shall deem proper.
- 10 (ii) by omitting subsection four of the same section;
- (iii) by omitting from subsection six of the same section the words "by the Colonial Treasurer on behalf of and as recommended by the board";
- 15 (e) (i) by omitting from section eleven the word "July" wherever occurring and by inserting in lieu thereof the word "March"; Sec. 11.
(Annual roll fee.)
- 20 (ii) by omitting from the same section the word "November" wherever occurring and by inserting in lieu thereof the word "June";
- (iii) by omitting from subsection two of the same section the word "registered";
- 25 (f) (i) by inserting in paragraph (b) of subsection one of section thirteen after the words "University of Sydney" the words ", The University of New South Wales, The University of Newcastle, the New South Wales Institutes of Technology and Business Studies,"; Sec. 13.
(Qualifications for registration.)
- 30 (ii) by inserting next after paragraph (d) of the same subsection the following new paragraph :—
- 35 (di) has in the opinion of the board such special qualifications and has had such special

Architects (Amendment).

special experience in the practice of architecture as would justify his registration as an architect; or

5 (iii) by inserting next after the same subsection the following new subsection :—

10 (1A) (a) This subsection applies to persons who obtain the qualifications for registration under paragraph (a), (b) or (c) of subsection one of this section on or after the first day of January, one thousand nine hundred and seventy-one.

15 (b) No person to whom this subsection applies shall be entitled to be registered under paragraph (a), (b) or (c) of subsection one of this section unless—

20 (i) he has completed in the aggregate not less than two years practical experience in an architectural capacity approved by the board, at least one year of which has been subsequent to obtaining the qualifications referred to in the said paragraph (a), (b) or (c), as the case may be, and

25 (ii) he has after the completion of such period of practical experience passed the prescribed examination in Professional Practice and Practical Experience :

30 Provided that the board may, in the case of an applicant for registration under paragraph (a) or (c) of subsection one of this section who has in the opinion of the board had adequate general experience in excess of two years in an architectural capacity, dispense with the foregoing requirement as to at least one year's practical experience in an architectural capacity approved by the board

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subsequent to obtaining the qualifications referred to in the said paragraph (a) or (c) and in any such case the applicant may at any time undertake the prescribed examination in Professional Practice and Practical Experience.

(g) (i) by omitting paragraph (c) of subsection one of section seventeen and by inserting in lieu thereof the following paragraphs :— Sec. 17. (Removal from register.)

(c) is convicted in New South Wales or elsewhere of any felony or misdemeanour or of an offence punishable summarily by imprisonment for six months or upwards; or

(ci) has been registered by means of any false or fraudulent representation or declaration made either verbally or in writing; or

(cii) becomes a mentally ill person, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, as subsequently amended; or

(ciii) applies in writing to have his name removed from the register; or

(ii) by inserting next after the same subsection the following new subsection :—

(1A) The board as an alternative to removing from the register the name of any person who is guilty of infamous conduct in a professional respect under paragraph (e) of subsection one of this section may reprimand such person or impose a fine on such person not exceeding two hundred dollars.

The imposition of any fine as aforesaid shall operate as an order by a stipendiary magistrate for the payment of money under the Small

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Small Debts Recovery Act, 1912, as subsequently amended, and be enforceable as such under the provisions of that Act, as so amended.

- 5 (iii) by inserting in subsection three of the same section after the word "register" the words "or a reprimand or imposition of a fine under this section";
- 10 (iv) by inserting at the end of the same subsection the following new paragraph :—
- Any such appeal shall be made within twenty-eight days of the decision of the board and shall be in accordance with the rules of court of the district court.
- 15 (h) by omitting from subsection four of section nineteen the words "forty dollars" and by inserting in lieu thereof the words "two hundred dollars"; Sec. 19. (Prohibited practices.)
- 20 (i) by inserting in section twenty after the word "trustee" the words ", and upon cessation of such executorship, administration or trusteeship, some other person"; Sec. 20. (Continuation of name of deceased architect.)
- (j) (i) by inserting in paragraph (a) of subsection one of section twenty-five after the word "proceedings" the words "and meetings"; Sec. 25. (Regulations.)
- 25 (ii) by inserting next after the same paragraph the following new paragraph :—
- 30 (ai) regulating the manner in which, and the procedure which is to be followed by the board in, the exercise of its powers under section seventeen of this Act and without limiting the generality of this paragraph the manner in which complaints or charges against an architect may be preferred for the exercise of the powers conferred on the board by that section;
- 35 (iii)

Architects (Amendment).

(iii) by omitting from subsection two of the same section the words "forty dollars" and by inserting in lieu thereof the words "two hundred dollars".

5 (2) The amendments made by paragraph (e) of subsection one of this section shall commence on the first day of January, one thousand nine hundred and seventy.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969

New South Wales



ANNO OCTAVO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 16, 1969.

An Act to make further provision with respect to the constitution of the Board of Architects of New South Wales, the registration of architects, the Architects Fund and penalties under the Architects Act, 1921-1965; for these and other purposes to amend the said Act; and for purposes connected therewith. [Assented to, 2nd April, 1969.]

BE

Architects (Amendment).

BE it enacted by the Queen'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 :—

Short title,
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1. (1) This Act may be cited as the "Architects (Amendment) Act, 1969".

(2) The Architects Act, 1921, as subsequently amended and as amended by this Act, may be cited as the Architects Act, 1921-1969.

(3) This Act shall, except where otherwise expressly provided, commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment
of Act
No. 8, 1921.
Sec. 5.
(Constitu-
tion of
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election of
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2. (1) The Architects Act, 1921-1965, is amended—

(a) (i) by omitting from subsection two of section five the words "in practice who shall be";

(ii) by omitting from the same subsection the words "the Professor of Architecture in the New South Wales University of Technology" and by inserting in lieu thereof the words "the Dean of the Faculty of Architecture in The University of New South Wales";

(iii) by inserting next after the same subsection the following new subsection :—

(2A) No person shall be appointed as a member if he has attained the age of seventy years.

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

(b) (i) by omitting from subsection one of section six the words "The Governor for sufficient cause may remove any member.";

(ii)

Architects (Amendment).

- (ii) by omitting from subsection five of the same section the words "two dollars ten cents" and by inserting in lieu thereof the words "such amount as may be prescribed";
- (iii) by omitting from the same subsection the words "fifty-two dollars fifty cents" and by inserting in lieu thereof the words "the prescribed amount";
- (c) by omitting subsection one of section seven and by Sec. 7. inserting in lieu thereof the following subsection :— (Vacancies.)
 - (1) The office of a member shall become vacant if such member—
 - (a) dies;
 - (b) resigns his office by writing under his hand addressed to the Governor;
 - (c) becomes bankrupt, compounds with his creditors, or makes an assignment of his estate for their benefit;
 - (d) is absent without leave of the board from three consecutive meetings of which due notice has been given to him personally or in the ordinary course of post;
 - (e) becomes a mentally ill person, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, as subsequently amended;
 - (f) ceases to be an architect or hold the qualifications by virtue of which he was appointed as a member;
 - (g) attains the age of seventy years;
 - (h) is removed from office by the Governor.

The Governor may for any cause which appears to him sufficient remove any member from office.

(d)

Architects (Amendment).

Sec. 8A.
(Architects
Fund.)

- (d) (i) by omitting subsection two of section 8A and by inserting in lieu thereof the following subsection :—

(2) All moneys received by the board or the registrar shall be paid into the Architects Fund which shall be under the control of the board and shall be operated by the board in pursuance of this Act; and the board shall for its purposes cause such banking accounts to be kept as it shall deem proper.

- (ii) by omitting subsection four of the same section;
- (iii) by omitting from subsection six of the same section the words “by the Colonial Treasurer on behalf of and as recommended by the board”;

Sec. 11.
(Annual
roll fee.)

- (e) (i) by omitting from section eleven the word “July” wherever occurring and by inserting in lieu thereof the word “March”;
- (ii) by omitting from the same section the word “November” wherever occurring and by inserting in lieu thereof the word “June”;
- (iii) by omitting from subsection two of the same section the word “registered”;

Sec. 13.
(Qualifica-
tions for
registra-
tion.)

- (f) (i) by inserting in paragraph (b) of subsection one of section thirteen after the words “University of Sydney” the words “, The University of New South Wales, The University of Newcastle, the New South Wales Institutes of Technology and Business Studies,”;
- (ii) by inserting next after paragraph (d) of the same subsection the following new paragraph :—

(di) has in the opinion of the board such special qualifications and has had such special

Architects (Amendment).

special experience in the practice of architecture as would justify his registration as an architect; or

- (iii) by inserting next after the same subsection the following new subsection :—

(1A) (a) This subsection applies to persons who obtain the qualifications for registration under paragraph (a), (b) or (c) of subsection one of this section on or after the first day of July, one thousand nine hundred and seventy-one.

(b) No person to whom this subsection applies shall be entitled to be registered under paragraph (a), (b) or (c) of subsection one of this section unless—

- (i) he has completed in the aggregate not less than two years practical experience in an architectural capacity approved by the board, at least one year of which has been subsequent to obtaining the qualifications referred to in the said paragraph (a), (b) or (c), as the case may be, and
- (ii) he has after the completion of such period of practical experience passed the prescribed examination in Professional Practice and Practical Experience :

Provided that the board may, in the case of an applicant for registration under paragraph (a) or (c) of subsection one of this section who has in the opinion of the board had adequate general experience in excess of two years in an architectural capacity, dispense with the foregoing requirement as to at least one year's practical experience in an architectural capacity approved by the board

subsequent

Architects (Amendment).

subsequent to obtaining the qualifications referred to in the said paragraph (a) or (c) and in any such case the applicant may at any time undertake the prescribed examination in Professional Practice and Practical Experience.

Sec. 17.
(Removal
from
register.)

(g) (i) by omitting paragraph (c) of subsection one of section seventeen and by inserting in lieu thereof the following paragraphs :—

(c) is convicted in New South Wales or elsewhere of any felony or misdemeanour or of an offence punishable summarily by imprisonment for six months or upwards; or

(ci) has been registered by means of any false or fraudulent representation or declaration made either verbally or in writing; or

(cii) becomes a mentally ill person, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, as subsequently amended; or

(ciii) applies in writing to have his name removed from the register; or

(ii) by inserting next after the same subsection the following new subsection :—

(1A) The board as an alternative to removing from the register the name of any person who is guilty of infamous conduct in a professional respect under paragraph (e) of subsection one of this section may reprimand such person or impose a fine on such person not exceeding two hundred dollars.

The imposition of any fine as aforesaid shall operate as an order by a stipendiary magistrate for the payment of money under the
Small

Architects (Amendment).

Small Debts Recovery Act, 1912, as subsequently amended, and be enforceable as such under the provisions of that Act, as so amended.

- (iii) by inserting in subsection three of the same section after the word "register" the words "or a reprimand or imposition of a fine under this section";
- (iv) by inserting at the end of the same subsection the following new paragraph :—

Any such appeal shall be made within twenty-eight days of the decision of the board and shall be in accordance with the rules of court of the district court.

- (h) by omitting from subsection four of section nineteen the words "forty dollars" and by inserting in lieu thereof the words "two hundred dollars"; Sec. 19.
(Prohibited practices.)
- (i) by inserting in section twenty after the word "trustee" the words ", and upon cessation of such executorship, administration or trusteeship, some other person"; Sec. 20.
(Continuation of name of deceased architect.)
- (j) (i) by inserting in paragraph (a) of subsection one of section twenty-five after the word "proceedings" the words "and meetings"; Sec. 25.
(Regulations.)
- (ii) by inserting next after the same paragraph the following new paragraph :—
 - (ai) regulating the manner in which, and the procedure which is to be followed by the board in, the exercise of its powers under section seventeen of this Act and without limiting the generality of this paragraph the manner in which complaints or charges against an architect may be preferred for the exercise of the powers conferred on the board by that section;

(iii)

Architects (Amendment).

(iii) by omitting from subsection two of the same section the words "forty dollars" and by inserting in lieu thereof the words "two hundred dollars".

(2) The amendments made by paragraph (e) of subsection one of this section shall commence on the first day of January, one thousand nine hundred and seventy.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1969

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.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 26 March, 1969.*

New South Wales



ANNO OCTAVO DECIMO

ELIZABETHÆ II REGINÆ

Act No. 16, 1969.

An Act to make further provision with respect to the constitution of the Board of Architects of New South Wales, the registration of architects, the Architects Fund and penalties under the Architects Act, 1921-1965; for these and other purposes to amend the said Act; and for purposes connected therewith. [Assented to, 2nd April, 1969.]

BE

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

L. A. PUNCH,
Chairman of Committees of the Legislative Assembly.

Architects (Amendment).

BE it enacted by the Queen'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 :—

Short title,
citation
and com-
mencement.

1. (1) This Act may be cited as the "Architects (Amendment) Act, 1969".

(2) The Architects Act, 1921, as subsequently amended and as amended by this Act, may be cited as the Architects Act, 1921–1969.

(3) This Act shall, except where otherwise expressly provided, commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment
of Act
No. 8, 1921.
Sec. 5.
(Constitu-
tion of
board, and
election of
president.)

2. (1) The Architects Act, 1921–1965, is amended—

(a) (i) by omitting from subsection two of section five the words "in practice who shall be";

(ii) by omitting from the same subsection the words "the Professor of Architecture in the New South Wales University of Technology" and by inserting in lieu thereof the words "the Dean of the Faculty of Architecture in The University of New South Wales";

(iii) by inserting next after the same subsection the following new subsection :—

(2A) No person shall be appointed as a member if he has attained the age of seventy years.

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

(b) (i) by omitting from subsection one of section six the words "The Governor for sufficient cause may remove any member.";

(ii)

Architects (Amendment).

- (ii) by omitting from subsection five of the same section the words "two dollars ten cents" and by inserting in lieu thereof the words "such amount as may be prescribed";
- (iii) by omitting from the same subsection the words "fifty-two dollars fifty cents" and by inserting in lieu thereof the words "the prescribed amount";
- (c) by omitting subsection one of section seven and by Sec. 7. inserting in lieu thereof the following subsection :— (Vacancies.)
 - (1) The office of a member shall become vacant if such member—
 - (a) dies;
 - (b) resigns his office by writing under his hand addressed to the Governor;
 - (c) becomes bankrupt, compounds with his creditors, or makes an assignment of his estate for their benefit;
 - (d) is absent without leave of the board from three consecutive meetings of which due notice has been given to him personally or in the ordinary course of post;
 - (e) becomes a mentally ill person, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, as subsequently amended;
 - (f) ceases to be an architect or hold the qualifications by virtue of which he was appointed as a member;
 - (g) attains the age of seventy years;
 - (h) is removed from office by the Governor.

The Governor may for any cause which appears to him sufficient remove any member from office.

(d)

Architects (Amendment).

Sec. 8A.
(Architects
Fund.)

- (d) (i) by omitting subsection two of section 8A and by inserting in lieu thereof the following subsection :—

(2) All moneys received by the board or the registrar shall be paid into the Architects Fund which shall be under the control of the board and shall be operated by the board in pursuance of this Act; and the board shall for its purposes cause such banking accounts to be kept as it shall deem proper.

- (ii) by omitting subsection four of the same section;

- (iii) by omitting from subsection six of the same section the words "by the Colonial Treasurer on behalf of and as recommended by the board";

Sec. 11.
(Annual
roll fee.)

- (e) (i) by omitting from section eleven the word "July" wherever occurring and by inserting in lieu thereof the word "March";

- (ii) by omitting from the same section the word "November" wherever occurring and by inserting in lieu thereof the word "June";

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Sec. 13.
(Qualifica-
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- (f) (i) by inserting in paragraph (b) of subsection one of section thirteen after the words "University of Sydney" the words ", The University of New South Wales, The University of Newcastle, the New South Wales Institutes of Technology and Business Studies,";

- (ii) by inserting next after paragraph (d) of the same subsection the following new paragraph :—

(di) has in the opinion of the board such special qualifications and has had such special

Architects (Amendment).

special experience in the practice of architecture as would justify his registration as an architect; or

- (iii) by inserting next after the same subsection the following new subsection :—

(1A) (a) This subsection applies to persons who obtain the qualifications for registration under paragraph (a), (b) or (c) of subsection one of this section on or after the first day of July, one thousand nine hundred and seventy-one.

(b) No person to whom this subsection applies shall be entitled to be registered under paragraph (a), (b) or (c) of subsection one of this section unless—

- (i) he has completed in the aggregate not less than two years practical experience in an architectural capacity approved by the board, at least one year of which has been subsequent to obtaining the qualifications referred to in the said paragraph (a), (b) or (c), as the case may be, and
- (ii) he has after the completion of such period of practical experience passed the prescribed examination in Professional Practice and Practical Experience :

Provided that the board may, in the case of an applicant for registration under paragraph (a) or (c) of subsection one of this section who has in the opinion of the board had adequate general experience in excess of two years in an architectural capacity, dispense with the foregoing requirement as to at least one year's practical experience in an architectural capacity approved by the board

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Architects (Amendment).

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(g) (i) by omitting paragraph (c) of subsection one of section seventeen and by inserting in lieu thereof the following paragraphs :—

(c) is convicted in New South Wales or elsewhere of any felony or misdemeanour or of an offence punishable summarily by imprisonment for six months or upwards; or

(ci) has been registered by means of any false or fraudulent representation or declaration made either verbally or in writing; or

(cii) becomes a mentally ill person, a protected person or an incapable person within the meaning of the Mental Health Act, 1958, as subsequently amended; or

(ciii) applies in writing to have his name removed from the register; or

(ii) by inserting next after the same subsection the following new subsection :—

(1A) The board as an alternative to removing from the register the name of any person who is guilty of infamous conduct in a professional respect under paragraph (e) of subsection one of this section may reprimand such person or impose a fine on such person not exceeding two hundred dollars.

The imposition of any fine as aforesaid shall operate as an order by a stipendiary magistrate for the payment of money under the
Small

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Small Debts Recovery Act, 1912, as subsequently amended, and be enforceable as such under the provisions of that Act, as so amended.

- (iii) by inserting in subsection three of the same section after the word "register" the words "or a reprimand or imposition of a fine under this section";
- (iv) by inserting at the end of the same subsection the following new paragraph :—

Any such appeal shall be made within twenty-eight days of the decision of the board and shall be in accordance with the rules of court of the district court.

- (h) by omitting from subsection four of section nineteen the words "forty dollars" and by inserting in lieu thereof the words "two hundred dollars"; Sec. 19. (Prohibited practices.)
- (i) by inserting in section twenty after the word "trustee" the words ", and upon cessation of such executorship, administration or trusteeship, some other person"; Sec. 20. (Continuation of name of deceased architect.)
- (j) (i) by inserting in paragraph (a) of subsection one of section twenty-five after the word "proceedings" the words "and meetings"; Sec. 25. (Regulations.)
- (ii) by inserting next after the same paragraph the following new paragraph :—
 - (ai) regulating the manner in which, and the procedure which is to be followed by the board in, the exercise of its powers under section seventeen of this Act and without limiting the generality of this paragraph the manner in which complaints or charges against an architect may be preferred for the exercise of the powers conferred on the board by that section;
 - (iii)

Architects (Amendment).

(iii) by omitting from subsection two of the same section the words "forty dollars" and by inserting in lieu thereof the words "two hundred dollars".

(2) The amendments made by paragraph (e) of subsection one of this section shall commence on the first day of January, one thousand nine hundred and seventy.

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

A. R. CUTLER,
Governor.

*Government House,
Sydney, 2nd April, 1969.*