A L B N L

ARCHITECTS LICENSING BOARD OF NEWFOUNDLAND AND LABRADOR

HOUSE OF ASSEMBLY
15TH ANNUAL REPORT

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ARCHITECTS LICENSING BOARD OF NEWFOUNDLAND AND LABRADOR

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REPORT FROM THE CHAIR

ARCHITECTS LICENSING BOARD OF NEWFOUNDLAND AND LABRADOR

15th Annual General Meeting
November 20, 2024

I would like to thank our board members and our executive director, Lynda Hayward-Kirkland, for their time and attention during this past year.

After six years on the ALBNL board, including one as board chair, I have decided not to seek reelection for a third term.

2023-4 ALBNL board members

Richard Symonds
Rob Menchenton
Paul Chafe
Carl Yetman
Tina Birmingham
Sheldon Peddle, appointed
Alex Templeton, appointed

Our longstanding layperson vacancy was filled in October 2024 when Alex Templeton, lawyer with McInnes Cooper and chair of the board of directors of Econext, began in the role, fulfilling the provincial government requirement that the board maintains two layperson members.

Issues

Usual business (licence renewals, new applications and participating in the Regulatory Organizations of Architecture in Canada (ROAC)

National

- At the national level, representatives of the board attended two national conferences this year, in the spring and fall.

- Correspondence with federal Department of Immigration, Population Growth and Skills outlined funding and projects to streamline the Foreign Qualification Recognition process to address gaps and barriers faced by internationally educated applicants towards licensure/registration in Newfoundland and Labrador.

- Public Services and Procurement Canada (PSPC), responsible for developing policy and guidance on procurement, is currently revising its policy in respect of the Official Languages Act. Professionally sealed documents published online as part of real property construction requirements, must be in both English and French. PSPC recognizes that not all jurisdictions include provisions allowing for issued for tender translations of professionally sealed documents. To ensure that PSPC policy respects the architectural practices established by the provincial and territorial regulators, they have reached out to each regulatory body for their

input. PSPC shared the portion of their policy that considers the translation of sealed documents in NL.

- Fair Access to Regulated Professions and Compulsory Trades Act was discussed at the spring ROAC meetings by the regulators and the OAA, AIBC and NSAA. Reports are that some provincial governments are looking at removing Canadian experience as a registration requirement. This raises questions of how jurisdictions are adapting, and how the legislation will affect Broadly Experienced Foreign Architects administered by the Canadian Architectural Certification Board.

- Immigration, Refugees and Citizenship Canada designated the Canadian Architectural Certification Board (CACB) as the professional body to issue educational credential assessments (ECAs) for architects interested in immigrating to Canada. ECAs issued by the CACB will determine how foreign educational credentials compare to Canadian credentials required to practise architecture. ECAs also confirm eligibility for the Academic Certification Program. Effective May 20, 2024, the CACB started receiving ECA applications for those whose primary occupation is architecture. ECA applications are received through an online application system. CACB-issued ECA holders may consider pursuing the pathway to becoming a licensed architect in Canada through either the Academic Certification Program, followed by registration with the Internship in Architecture Program and completion of the Examination for Architects in Canada; or the Broadly Experienced Foreign Architects Program if they are licensed architects in their country and have at least seven years of post-licensure experience.

- In May several regulators, including the Atlantic Canadian jurisdictions, received questions from interns about the release of the Preparation Guide for the 2024 ExAC. The preparation guide is intended to be updated each year and issued with registration information when registration opens for that year's examination. In practice, the co-administrators have been updating and issuing the preparation guides early. This year, the release was not as early as usual, but ahead of the June 3 milestone included in the exam's 2024 calendar. There was some additional work this year as the guide was reworked – partly in response to the "modernization" report commissioned by ROAC. The administrators worked to shorten and simplify the guide to focus on exam preparation with other items moved to the website (registration information, results, passing scores, reviews, governance, etc.).

- The International Mobility Committee (IMC) has been negotiating with the Architects Regulation Board in the U.K. with the goal of implementing a mutual recognition agreement (MRA) between the two countries. Salient updates from the report: Canada submitted to the U.K. the source documentation that details the educational and experience requirements for initial registration as an architect in Canada; the U.K. had previously sent their corresponding documentation; the IMC met in November 2023 and did an extensive review of the U.K. documents; the committee detected minor differences, there is significant and substantial equivalence between the regulatory systems for registration/licensure and recognition of the privilege and obligations of architects registered/licensed to practise in the U.K. and Canada. Both parties committed to working toward implementing the agreement within the 2024 calendar year – this will be a traditional profession-to-profession agreement, and not subsumed

into a free trade agreement. The U.K. provided a draft MRA document for review; it is in the process of being reviewed and the committee will meet to conclude the review.

Provincial

In Newfoundland and Labrador, the board worked on ongoing issues throughout the year, many that were carried over from last year, including the following:

- Project drawings for the Container Hotel in Middle Arm (Baie Verte) were stamped by engineer Reginald Hedges in contravention of the Architects Act. The board filed a letter of allegation with PEGNL. PEGNL stated the process follows the Act and Regulations requirements and that it would inform ALBNL if the Complaints Authorization Committee (CAC) needs to investigate the complaint further and when the final decision is reached. The CAC's inaction prompted the board to engage legal counsel to appeal the PEGNL decision or take a complaint through the board and possibly deal with an appeal on that basis. The board sent a follow-up email to PEGNL for an update on Oct. 5, currently awaiting reply.

- In February, 2023, the project drawings for the Alexis Hotel in Port Hope Simpson were stamped by engineer Dean Reid in contravention of the Architects Act. The board submitted an ATIPP request to government. The drawings clearly portrayed the engineer's design breached applicable building codes. A copy of the ATIPP documentation was sent to legal. The documentation was forwarded to PEGNL as per their request, as was a larger complaint letter.

- Subsequently, a third-party building code consultant (RJ Bartlett) was engaged to review both the Alex Hotel project and the Container Hotel. Once those reports are completed, they will be forwarded to government and other relevant parties.

- The ALBNL solicitor was engaged to ascertain if an architect in a firm applies for a Newfoundland and Labrador licence, is it possible to require other architects in that firm to be licensed as well. Initially, the board explored the possibility of instituting corporate licences, a tiered fee based on the number of architects at the corporation. Also being considered is requiring all architects who are partners in a firm be licensed in Newfoundland and Labrador, if that firm is practicing here. This is similar to the other Atlantic provinces. Currently, only one architect in a firm is required be registered with the ALBNL for that firm to practice. Legal's drafted documentation is currently under the board's review.

- An inquiry was made to Atlantic Architectural Associations to ascertain if guidelines are in place for the length of time an intern can remain an intern when they have completed the IAP in other provinces. It was found that Nova Scotia and New Brunswick have guidelines but Newfoundland and Labrador had none. It was decided the wording "within 10 years from the date the individual was first admitted as an intern architect" should be added to the association's regulations. It was also decided that a licence applicant submit evidence satisfactory to the board that the individual holds a certificate (of certification) issued by the Canadian Architectural Certification Board or has completed other education as the board considers

equivalent; submit evidence of having completed the minimum number of hours of experience to meet the requirements of the Internship in Architecture Program; and successfully complete the Examination for Architects in Canada within 10 years from the date the individual was first admitted as an intern architect. A letter indicating these required changes to the regulations for interns has been sent to the provincial Department of Digital Services and Service N.L., and we are awaiting a reply.

- Lastly, earlier this month, two local interns wrote the Examinations of Architects in Canada licensing exams, Kathy Oke and Chris Friel. We look forward to a positive outcome when the results are published in the new year.

Respectfully submitted,

R. Symonds

Richard Symonds, NLAA
ALBNL Chair

REGISTRAR'S REPORT
Architects Licensing Board of Newfoundland and Labrador
15th Annual General Meeting
November 20, 2024

I have just completed my first year as the Board Registrar. I would like to thank the Board members and, our Executive Director, Lynda Hayward-Kirkland, for their continued input, support and contributions this year.

Our membership (as of September 30th) is as follows

Full Members (License Holders)	154
Associate Member	1
Intern Architects	5
Life Members	12
Retired	1
Students	4
Total (all categories):	177

National Update

Regulatory Organization of Architecture in Canada (ROAC) most recently met in person Saturday and Sunday, October 19th and 20th in Toronto. The following are some of the highlights:

Board of Directors and Governance Documents

With the establishment of the new organization, the Board of Directors agreed with the Administrator's Committee recommendation that a Governance Guide and Governance Documents be developed for ROAC. As such, a consultant was hired, and the draft document was presented at the October Meetings in Toronto last year. The resulting Governance Manual came into affect March 21, this year.

Strategic Plan

At its meeting on May 3, 2024, the Board of Directors mandated a working group to overview the work to develop the first ROAC strategic plan. The intent of this Strategic Plan is to articulate future development and initiatives of the ROAC, such as its mandate, public presence, priorities, and maintenance.

Feedback from interviews conducted by the consultant were used to form a one-day facilitated workshop I attended with Jeremy on October 19th in Toronto during the Fall ROAC meetings. A draft of the plan provided to the ROAC by the consultant is expected in December 2024.

Broadly Experienced Foreign Architect (BEFA) Program

As of August 31, 2024, a grand total of 654 applications were received since the official launch of the BEFA Program on September 21, 2012. Since 2021 the total of new applications received is higher than 65. This is distributed as follows:

- Ontario: 215
- British Columbia: 169
- Alberta: 83
- Quebec: 84
- Saskatchewan: 67
- Nova Scotia: 16
- Manitoba: 14
- New Brunswick: 3
- Northwest Territories: 1
- Newfoundland and Labrador: 1
- PEI: 1

A total of 184 applicants have been granted BEFA Certification as of August 31, 2024, with the Jurisdictions distribution below:

- Ontario: 60
- British Columbia: 52
- Alberta: 28
- Quebec: 23
- Saskatchewan: 4
- Nova Scotia: 8
- Manitoba: 6
- Northwest Territories: 1
- Newfoundland and Labrador: 1
- New Brunswick: 1
- PEI: 0

Egypt, Iran, and India are the Top 3 countries of origin.

Canadian Architectural Certification Board (CACB)

The regulators continue to task the CACB with the responsibility to provide certification, accreditation, and administration of the BEFA program services to the profession. The CACB is governed by a Board of Directors. They have been actively scheduling reviewing Accreditations of the Architecture Schools in Canada and corresponding with the ROAC on issues over the RAIC Syllabus.

Examination for Architects in Canada (ExAC)

The 2024 year's sitting took place November 4 and 5 across Canada. The ExAC Committee met several times in the last year to update exam item. Items testing Interns' experience with the energy code were added to Section 2 of the ExAC (open-book code exam) this year.

The National Building Code of Canada used as a reference for Section 2 of the ExAC (open-book code exam) is intended to be changed from 2015 to the 2020 version this year.

A motion to approve an RFP for a consultant to develop ExAC Modernization/Software & delivery was carried in May of 2024. A report by the consultant was submitted to the ROAC for review at the October meeting, with further direction to be provided by the ROAC.

International Relations

As reported at our AGM last year, a motion for consideration by the ROAC was made and passed that the name of the International Relations Committee be changed to the International Mobility Committee (IMC), which is now in effect.

- **Canada – Europe MRA**
  The IMC is pleased to announce that the adoption of the CETA MRAA will be taking place on October 10th. With this signing the agreement is now fully implemented and Architects from the signatories' countries can take advantage of the MRA. This is a momentous achievement that has been in the works for many decades. Past members of the Committee should be recognized for all their hard work in contributing to making this agreement possible – especially Dave Edwards and our own Charlie Henley.

- **United Kingdom**
  The IMC announced at the ROAC AGM that negotiations with the United Kingdom are nearing completion and provided the fifth and final draft of the MRA, which incorporates all changes suggested by the Administrators after their detailed review.

  The committee is asking ROAC to adopt this agreement in principle, recommending approval by each Canadian regulator. The Committee is in the process of organizing corresponding signing ceremonies in both Canada and the

UK in the spring. Once dates have been confirmed, the Committee will inform ROAC. It is anticipated that the agreement will be fully implanted in the spring of 2025.

- **Taiwan**
  No update has been received from Taiwan. As reported at the Spring meeting, The Taiwanese architectural regulator underwent a staff change such that all the staff working on this file were reassigned by a new Chairman. At this time the Committee has simply shelved the project and will attempt to re-engage later next year.

- **Canada – México – USA TriNational MRA**
  The IRC provided a Press Release regarding the updates to the Canada /US/ Mexico Trinational MRA that was issued on October 1st to formally announce the updates to the Tri-National MRA. Updates to that agreement were approved by each of the ROAC member jurisdictions in early 2024 and then ratified by the ROAC Board at the May 2024 meeting. Over the summer months much work has gone into updating the appropriate documents and accompanying information to reflect the changes.

  A new Manual has been created which provides clear step-by-step guide to the MRA including eligibility criteria, application process, dossier preparation, requirement competencies as well as other important details. The press release has been shared with each of the architectural regulators.

- **Canada – USA**
  The International Mobility Committee (IMC) NCARB/ROAC MRA Monitoring Committee held a successful meeting on September 4th and 5th in Toronto. The meeting was focussed on several items that have been raised overtime that the group collectively felt needed updating or modernization. In general, the IMC has voiced agreement with the changes and suggested that the changes are straight forward and in compliance with the efforts to update all MRA's and harmonize them.

  Of note, NCARB wants to align the fees for all agreements with licensing organizations in high-income countries (per the World Bank). The fee is currently $3,500 USD. In response to this proposal, ROAC representatives suggest that each Canadian jurisdiction, at their discretion, add a ROAC / NCARB MRA application fee of $3,500.

- **APEC**
  The Philippines (APEC Architect) have changed their legislation removing all post-licensure requirements of residency & local collaboration, thus making them eligible for a reciprocity agreement. The Philippines is the fourth largest source of foreign architects going through the BEFA program. The IMC is assuming that a profession-to-profession agreement would be negotiated and that the MRA would not bound to any governmental trade agreement. Global Affairs has expressed strong support for such an agreement.

Newfoundland and Labrador Member of the ROAC

December 18th this year represents the end of my term as a Director of the ROAC, as one of the original 6 Board members.

Under the ROAC Bylaws, my current term remains in affect until the Semi-AGM this coming May or June until a new Director is installed in my place.

Therefore, we can nominate to the ROAC a candidate for this position as Newfoundland and Labrador's ROAC Director, with a deadline of March 1, 2025.

The ALBNL welcomes nominations for this position as my intention is not to put my name forward as a nominee. If anyone would like to suggest a nominee, please do so by directing that nomination to our Executive Director on or before March 1st.

Respectfully Submitted,

Rob Menchenton, NLAA
ALBNL Registrar

ARCHITECTS LICENSING BOARD OF NEWFOUNDLAND AND LABRADOR

Financial Statements

Year Ended September 30, 2024

ARCHITECTS LICENSING BOARD OF NEWFOUNDLAND AND LABRADOR

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Year Ended September 30, 2024

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INDEPENDENT AUDITOR'S REPORT

To the Board of Directors of Architects Licensing Board of Newfoundland and Labrador

Opinion

I have audited the financial statements of Architects Licensing Board of Newfoundland and Labrador (the association), which comprise the statement of financial position as at September 30, 2024, and the statements of revenues and expenditures, changes in net assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies and other explanatory information.

In my opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the association as at September 30, 2024, and the results of its operations and cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations (ASNPO)

Basis for Opinion

I conducted my audit in accordance with Canadian generally accepted auditing standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report. I am independent of the association in accordance with ethical requirements that are relevant to my audit of the financial statements in Canada, and I have fulfilled my other ethical responsibilities in accordance with these requirements. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with ASNPO, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the association's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the association or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the association's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

My objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

(continues)

As part of an audit in accordance with Canadian generally accepted auditing standards, I exercise professional judgment and maintain professional skepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the association's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the association's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the association to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Martin & Associates

Mount Pearl, Newfoundland and Labrador
November 1, 2024

Chartered Professional Accountant

ARCHITECTS LICENSING BOARD OF NEWFOUNDLAND AND LABRADOR

Statement of Financial Position

September 30, 2024

	2024	2023
ASSETS		
CURRENT		
Cash	$ 64,605	$ 26,121
Accounts receivable	2,046	77
Prepaid expenses	6,454	6,189
	$ 73,105	$ 32,387
LIABILITIES AND NET ASSETS		
CURRENT		
Accounts payable	$ 7,593	$ 5,000
Harmonized sales tax payable	7,199	415
Deferred contributions *(Note 4)*	1,225	4,599
	16,017	10,014
Refundable seal deposits	2,600	700
	18,617	10,714
NET ASSETS		
Unrestricted	54,488	21,673
	$ 73,105	$ 32,387

ON BEHALF OF THE BOARD

R. Symonds *Director*

See notes to financial statements

ARCHITECTS LICENSING BOARD OF NEWFOUNDLAND AND LABRADOR

Statement of Revenues and Expenditures

Year Ended September 30, 2024

	2024 Budget (Note 5)	**2024**	2023
REVENUES			
Licenses and fees	$ 128,680	**$ 149,174**	$ 104,873
Other income	4,000	**6,248**	4,423
Education (EPP)	3,500	**4,200**	3,500
ExAC application fees	3,121	**3,120**	1,840
Professional stamps	2,500	**2,850**	1,650
Interest income	500	**599**	620
	142,301	**166,191**	116,906
EXPENSES			
Administrative services	71,250	**71,899**	72,606
Professional fees	16,000	**20,192**	13,817
Travel	9,700	**10,006**	9,679
Luncheon meetings	7,000	**6,454**	7,576
Insurance	5,500	**4,506**	4,910
CExAC/ExAC	4,672	**4,493**	3,000
Office	3,200	**3,369**	4,856
Other national levies	1,894	**2,713**	1,481
Annual general meeting and banquet	2,500	**2,512**	1,928
National levy (CACB)	2,810	**1,849**	1,420
Continuing education (website)	1,500	**1,500**	1,500
Courier	1,725	**1,286**	2,219
Website	1,200	**1,200**	1,200
Telephone	750	**754**	714
Interest and bank charges	600	**643**	559
Bad debts	-	**-**	(400)
Succession planning	10,000	**-**	-
Public education	2,000	**-**	-
	142,301	**133,376**	127,065
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENSES	$ -	**$ 32,815**	$ (10,159)

See notes to financial statements

ARCHITECTS LICENSING BOARD OF NEWFOUNDLAND AND LABRADOR

Statement of Changes in Net Assets

Year Ended September 30, 2024

	2024	2023
NET ASSETS - BEGINNING OF YEAR	**$ 21,673**	$ 31,832
Excess of revenues over expenses	**32,815**	(10,159)
NET ASSETS - END OF YEAR	**$ 54,488**	$ 21,673

See notes to financial statements

ARCHITECTS LICENSING BOARD OF NEWFOUNDLAND AND LABRADOR

Statement of Cash Flows

Year Ended September 30, 2024

	2024	2023
OPERATING ACTIVITIES		
Excess (deficiency) of revenues over expenses	**$ 32,815**	$ (10,159)
Changes in non-cash working capital:		
Accounts receivable	**(1,969)**	2,022
Accounts payable	**2,593**	702
Refunds owing on seal returns	**1,900**	700
Prepaid expenses	**(265)**	(273)
Harmonized sales tax payable	**6,784**	244
Deferred contributions	**(3,374)**	2,759
	5,669	6,154
INCREASE (DECREASE) IN CASH FLOW	**38,484**	(4,005)
Cash - beginning of year	**26,121**	30,126
CASH - END OF YEAR	**$ 64,605**	$ 26,121

See notes to financial statements

1. PURPOSE OF THE ASSOCIATION

Architects Licensing Board of Newfoundland and Labrador (the "association") is a not-for-profit organization of Newfoundland and Labrador. The association is exempt from payment of income tax under Section 149(1) of the Income Tax Act.

The association was created to oversee and enforce the rules governing architects in Newfoundland and Labrador under the Architects Act, 2008, as well as to promote and increase the knowledge, skill and proficiency of its members.

2. BASIS OF PRESENTATION

The financial statements were prepared in accordance with Canadian accounting standards for not-for-profit organizations (ASNPO).

3. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Cash and cash equivalents

Cash is defined as cash on hand, cash on deposit and short-term deposits with maturity dates less than 90 days, net of cheque's issued and outstanding at the reporting date.

Revenue recognition

Architects Licensing Board of Newfoundland and Labrador follows the deferral method of accounting for contributions.

Restricted contributions are recognized as revenue in the year in which the related expenses are incurred. Unrestricted contributions are recognized as revenue when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

Licenses and examination fees, ExAC application fees and professional stamps related to operations are recognized as revenue in the year in which the related expenses are incurred.

Other income and education fees are recognized when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

Interest income is recognized when earned.

Measurement uncertainty

The preparation of financial statements in conformity with Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amount of assets and liabilities, disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the period. The association has estimates relating to allowance for doubtful accounts included in accounts receivable, as well as accrued liabilities. Such estimates are periodically reviewed and any adjustments necessary are reported in earnings in the period in which they become known. Actual results could differ from these estimates.

Financial instruments

Financial instruments are recorded at fair value when acquired or issued. In subsequent periods, financial assets with actively traded markets are reported at fair value, with any unrealized gains and losses reported in income. All other financial instruments are reported at amortized cost, and tested for impairment at each reporting date. Transaction costs on the acquisition, sale, or issue of financial instruments are expensed when incurred.

4. DEFERRED CONTRIBUTIONS

Deferred contributions consist of ExAC fees for two members (2023 - four members). These fees are recognized as revenue as expenses occur.

5. BUDGET COMPARATIVE FIGURES

The budget figures presented in the statement of operations are figures provided by management and have not been audited. These figures are included for the convenience of the reader only.

6. FINANCIAL INSTRUMENTS

The association is exposed to various risks through its financial instruments and has a comprehensive risk management framework to monitor, evaluate and manage these risks. The following analysis provides information about the association's risk exposure and concentration as of September 30, 2024.

Credit risk

Credit risk arises from the potential that a counter party will fail to perform its obligations. The association is exposed to credit risk from members. The association was established under the Architects Act 2008 and is authorized to license architects in the province of Newfoundland and Labrador. In order to practice as a professional architect, the individual must be licensed. The association has a significant number of members requiring licences which minimizes concentration of credit risk. Management believes that this risk is minimal. There has been no change to this risk exposure from the prior year.

Liquidity risk

Liquidity risk is the risk that an entity will encounter difficulty in meeting obligations associated with financial liabilities. The association is exposed to this risk mainly in respect of its receipt of funds from its members and accounts payable. Management believes that this risk is minimal. There has been no change to this risk exposure from the prior year.

Unless otherwise noted, it is management's opinion that the association is not exposed to significant other price risks arising from these financial instruments.

BY-LAWS

As of 18 October 2010
Revised 14 February 2020

PART 1 - GENERAL

.1 This document shall be known as the By-laws of the Architects Licensing Board of Newfoundland and Labrador.

.2 The by-laws of the Board are presented in the order outlined in article 9 of the Act; and followed by additional by-laws as required to outline the administrative procedures of the Board.

PART 2 - DEFINITIONS

.1 Unless otherwise noted, a *member of the Board* is any person elected or appointed to the Board.

- .1 An *elected member of the Board* is any person of the Board elected by the membership of the Association.
- .2 An *appointed member of the Board* is any person appointed to the Board by government.

.2 The *Association* is the Newfoundland and Labrador Association of Architects.

.3 A *License Holder* is a person granted a license to practise architecture by the Board.

PART 3 - BY-LAWS

3.1 List of By-Laws

.1 By-laws Prescribed by Section 9 of the Act are:

- .1 Holding and Procedure of Board Meetings.
- .2 The Appointment of Committees and the Duties and Responsibilities of Those Committees.
- .3 Election of Members of the Board Under Subsection 5 (2) of the Act and Setting the Terms of Office.
- .4 Payment of Travel and Other Expenses of Elected Members of the Board.
- .5 Employment and Remuneration of Staff and Consultants.
- .6 Code of Ethics.
- .7 Remuneration and Payment of Travel Expenses of Members of Adjudication Tribunals.
- .8 Participation of Members at a Meeting of the Board by Telephone or Other Telecommunications Device under Section 7.
- .9 Voting by Members by Mail or Electronic Means.

.2 Other By-laws Governing Administrative Procedures of the Board

- .1 Role of the Chairperson
- .2 Role of the Registrar
- .3 Remuneration of the Registrar
- .4 The Register
- .5 The Regulations
- .6 Banking
- .7 Signing Authority
- .8 Seal
- .9 License Certificate
- .10 Operating Agreement with the NLAA
- .11 Place of Business
- .12 Board Name

.13 Miscellaneous

3.1.1.1 Holding and Procedure of Board Meetings (Act Article 9(1)(A))

.1 Annual General Meeting (Act Article 7(5)

- The Board shall hold an annual general meeting in November of each year, at a date, time, and place to coincide with the annual general meeting of the Association.
- Notice of the annual general meeting shall be given to all members 30 days in advance of the meeting.
- The agenda for the annual general meeting shall include:

.1 A report from the Chairperson.
.2 A report from the Registrar.
.3 A report from each standing committee.
.4 The Auditor's report.
.5 Appointment of auditors for the up-coming year. (Act Article 7(6))
.6 Questions from the membership.
.7 New business.
.8 Nominations and election of members to the Board.

.2 Other Board Meetings

.1 The Board shall hold regular Board meetings one per month from September to June at a predetermined day and time set by the Board.
.2 The Board shall meet between June and September upon the request of the Registrar.
.3 The Board shall meet at all other times with the consent of not less than one half the membership of the Board.

.3 Decision Making

.1 Decisions of the Board shall be by majority vote of Board members except when specifically indicated as being a decision of elected Board members only.

.4 Record of Board Meetings

.1 The Board shall appoint a person to maintain a record of all Board meetings.
.2 The record of all Board meetings and Board meetings shall be public except as it pertains to:

- Personnel issues.
- The Board shall be guided by the spirit of the government of Newfoundland and Labrador's Access to information and Protection of Privacy Act, 2015 in deciding on what information shall be held in confidence and what information shall be made available to the public.

.5 Election of the Chair

.1 The election of the chair shall take place at the first Board meeting following the annual general meeting.
.2 Any elected member of the Board shall be eligible to hold the chair.
.3 The election of the Chair shall be by secret ballot of all Board members administered by an appointed member of the Board.
.4 The term of the Chair shall be for one year.

- The Chairperson may be replaced for the duration of the term by a majority vote of all Board members at a regularly scheduled Board meeting.

.5 Nothing prevents the Board from electing the same person to the Chair each year.
.6 The Chair shall not hold the office of the Registrar or the chair of the Finance Committee.

.6 Election of The Registrar

.1 The election of the Registrar shall take place at the first Board meeting following the annual general meeting.
.2 Any elected member of the Board shall be eligible to become the Registrar.
.3 The election of the Registrar shall be by secret ballot of all Board members administered by an appointed member of the Board.
.4 The term of the Registrar shall be for one year.

- The Registrar may be replaced for the duration of the term by a majority vote of all Board members at a regularly scheduled Board meeting.

.5 Nothing prevents the Board from electing the same person to the position of the Registrar each year.

.6 The Registrar shall not hold the office of the Chair of the Board or the chair of the Finance Committee.

.7 Proxy

.1 No member shall grant a proxy to another person to attend and vote at a Board meeting on his/her behalf.

3.1.1.2 The Appointment of Committees & the Duties and Responsibilities of those Committees (Act Article 9(1)(B))

.1 The Board shall establish the following standing committees.

.1.1 Complaints Authorization Committee

- The responsibilities for the Complaints Authorization Committee shall be per the requirements of the Act, including Article 18.

.1.2 Disciplinary Panel

- The responsibilities of the Disciplinary panel shall be per the requirements of the Act.

.1.3 Standing Committee on Finance

- The Standing Committee on Finance shall be a committee of one consisting of a member of the Board elected by the Board.
- The Committee shall be responsible for the financial records of the Board.
- The Committee shall have no power to expend monies without Board approval.
- The Committee Chair shall not hold the office of the Board Chair or Registrar.

.1.4 Standing Committee on Continuing Education

- The Standing Committee on Continuing Education shall be responsible for developing and administering the requirements for continuing education.

.1.5 Standing Committee on Legislative Change

- The Standing Committee on Legislative Change shall oversee any amendments required to the Act, Regulations, By-laws, and Code of Ethics.

.2 The Board may establish other committees as required to support the mandate of the Board.

.3 The Board shall appoint committee members, except for the Finance Committee, as follows:

.1 The Board, at its annual general meeting, shall request persons interested in sitting on any committee of the Board to make themselves known by placing their name on a list.

.2 The Board shall appoint committee members within 30 days of the Board's annual general meeting.

- While the Board shall consult the list of names compiled at the annual general meeting, the Board may proceed and appoint any willing persons who, in the Board's sole opinion, is best suited.

.3 Committee members shall hold office until such time as new members are appointed.

.4 Members of standing committees shall be limited to only those persons who hold a license or who are appointed members of the Board.

.5 The Board shall appoint persons to the Complaints Authorization Committee and the Disciplinary Panel in accordance with the requirements of the Act.

3.1.1.3 Election of Board Members under Subsection 5 (2) of the Act and setting the Terms of Office (Act Article 9(1)(C)

.1 Board members elected by the membership of the Association prior to the proclamation of the Architects Act 2008 shall constitute the elected members of the Board until such time as an election of new Board members is held at the Board's first annual general meeting.

.2 Each member of the Association is eligible to run in an election for Board members provided that member is first nominated by another member of the Association.

.3 The deadline to nominate a person to the Board shall be immediately prior to the election.

.4 Each member of the Association is eligible to cast a ballot for the election of Board members.

- A member must attend the election in order to cast a ballot.

.5 The election of Board members shall be by secret ballot administered by an appointed member of the Board.

.6 The individuals who receive the most votes shall be elected to the Board. In the case of a tie, the names of the individuals tied shall be placed into a hat and the name of the individual drawn randomly from the hat shall be declared elected.

.7 Terms of Office for Elected Members (Article 5(6) of the Act)

- At the first Board meeting following the first election of Board members, the elected Board members shall attempt to agree among themselves which two members will hold a 3 year term, which two members will hold a 2-year term, and which one member shall hold a 1 year term, and failing that, names shall be drawn randomly from a hat for each term by an appointed member.
- The term of office for every Board member after the first election, shall be for three years.

.8 Appointment of Replacement Board Members (Act Article 5(8)

- The Chair shall provide 7 days' notice to all other Board members when an election of a replacement Board member is required.
- Any member of the Board may put forward one or more names of members who have expressed a willingness to sit on the Board.
- The Board shall elect the replacement member by secret ballot.
- Where no candidate receives 50 percent plus 1 of the votes cast, then the candidate who has received the least number of votes shall be dropped and a subsequent vote held, until such time as a candidate is elected.

3.1.1.4 Payment of Travel and other Expenses of elected Members of the Board (Act Article 9(1)(D)

.1 The Board shall reimburse reasonable expenses of elected members incurred in their role provided approval of such expenses is first obtained from the Board and the expenses are documented by original receipts.

.2 The Board may adopt, by resolution, guidelines for travel and other reimbursable expenses of its elected members.

3.1.1.5 Employment and Remuneration of Staff and Consultants (ACT ARTICLE 9(1)(E)

.1 Executive Director

- The Board may retain the services of an Executive Director to conduct the day-to-day affairs of the Board.
- The Board shall set the terms and conditions of service for the Executive Director.
- The Board shall not enter a contract for service for an Executive Director greater than 12 months in length at any one time.
- The Executive Director shall report to the Chairperson.

.2 Financial Auditor

- The Finance Committee shall, at the Board's annual general meeting, make a recommendation for the appointment of an auditor of the Board's finances and indicate the associated cost.
- The License Holders shall vote on the appointment of auditor of the Board's finances at that meeting.
- The auditor of the Board's finances in the first year of operation shall be the same auditor engaged by the Association.

.3 Other Consulting Services

- The Board may retain the services of other consultants the Board deems necessary.
- The Board shall attempt to obtain not less than three proposals for any consulting services in excess of $1,000 prior to the selection of the consultant.

3.1.1.6 Code of Ethics (Act Article 9(1)(F)

.1 The Code of Ethics shall be the Code of Ethics dated 18 October 2010 and adopted by the Board.

3.1.1.7 REMUNERATION AND PAYMENT OF TRAVEL EXPENSES OF MEMBERS OF ADJUDICATION TRIBUNALS (Act Article 9(1)(G)

.1 The Board shall reimburse reasonable expenses of members of adjudication tribunals incurred in their role provided approval of such expenses is first obtained from the Board and the expenses are documented by original receipts.

.2 The Board may adopt, by resolution, guidelines for travel and other reimbursable expenses of members of adjudication tribunals.

3.1.1.8 Participation of Members at a Board Meeting by Telephone or other Telecommunications Device under Section 7 (Act Article 9(1)(H)

.1 Attendance at an Annual General Meeting

- Nothing prohibits a member from attending an annual general meeting of the Board via teleconference, if so, arranged in advance and at the cost to the member.

.2 Attendance at Other Board Meetings (Act Article 7(2)

- Nothing prohibits a member of the Board from attending a Board meeting via teleconference, if so, arranged in advance.

3.1.1.9 Voting by Members by Mail or Electronic Means (Act Article 9(1)(I)

.1 Voting at an Annual General Meeting of the Board

- Voting at an annual general meeting shall be limited to those members physically present at the meeting venue.

.2 Voting at Other Board Meetings

- Where, in the opinion of the Chair, it is in the best interest of the Board to make a ruling on an issue between scheduled Board meetings, and it is an issue that the Chair is of the opinion can be easily decided on by a yes-no vote without need for discussion by the Board, the Chair may call for an electronic vote, which is to have the same effect as if the decision were made at a regularly scheduled Board meeting.

3.1.2 Other By-Laws Governing Administrative Procedures of the Board

3.1.2.1 Role of the Chair:

.1 The role of the Chair includes:

- Chairing meetings of the Board and the annual general meeting.
- Public spokesperson of the Board.
- The immediate supervisor of any employees of the Board
- Filing an annual report to the Minister. (Act Article 10(1))
- Other duties as prescribed from time to time by a majority vote of the Board.
- Report to the Board.

3.1.2.2 Role of the Registrar:

.1 The role of the Registrar is to:

- Maintain a registry of license holders.
- Enter and remove names in the registry as directed by the Board.

- Review applications for license and license renewal and make recommendations to the Board.
- Attend meetings of regulators on behalf of and at the approval of the Board.
- Report to the Board.

3.1.2.3 Remuneration of the Registrar (Act Article 5(11)

.1 The Registrar shall not be paid except for out-of-pocket expenses approved by the Board.

3.1.2.4 THE Registrar (Act Article 12(1)

.1 The Registrar shall maintain a register containing the names of all persons granted a licence, together with a record of renewals and cancellations, submissions required for licensing and renewals, and any disciplinary actions taken, and associated dates.

.2 The Register shall be a public document and made readily available for viewing by the public.

3.1.2.5 Regulations

.1 The Board shall only request the Minister to modify the Regulations provided that first:

- The Standing Committee on Legislative Change has reviewed the proposed amendment;
- License Holders are notified in writing of the draft amendment and given 30 days to file comments to the Committee.
- The Committee has reviewed comments received and has proposed wording of the amendment to the Board.
- The Board has approved the proposed amendment.

.2 The Board shall notify License Holders immediately upon a change to the Regulations.

3.1.2.6 Banking

.1 The bank of the Board shall be a Canadian Chartered Bank.
.2 The Board shall maintain a chequing account and other accounts as approved by the Board from time-to-time.
.3 The Board shall maintain no credit facility with the bank or other lending authority but may hold credit facilities with its trade suppliers, but only to the extent needed to conduct the Board's business.

3.1.2.7 Signing Authority

.1 The Chair shall sign documents on behalf the Board, and in his absence, the Registrar may sign; unless otherwise noted.

.2 Banking documents, including cheques, shall be signed by any two of the following:

- The Chair;
- The Registrar;
- The chair of the Standing Committee on Finance.

3.1.2.8 Seal

.1 The Board shall approve a design for the seal referenced in Article 37 of the Act. The Board shall own the copyright of the design.

.2 The Board shall grant each License Holder a license to apply the design of the seal to documents reference in Article 37 of the Act as long as the License Holder holds a valid license.

.3 For each License holder, the Board shall have made a rubber stamp containing the design of the seal and the name of the License Holder, and shall loan such rubber stamp to the License Holder on the condition it is immediately returned to the Board when the License Holder no longer holds a license.

3.1.2.9 License Certificate

.1 The Board shall approve a design for a license certificate. The Board shall own the copyright of the design.

.2 The Board shall, upon approval of a license or the renewal of a license, issue a license certificate to the License Holder.

3.1.2.10 Operating Agreement with the NLAA

.1 The Board may enter into an operating agreement with the Newfoundland Association of Architects for such items common to the Board and the Association which, if administered jointly, would be administratively efficient or result in a cost savings, provided no item undermines the independence of the Board from the Association.

.2 The operating agreement may include such items as:

- Common invoicing and collection of license and full-membership fees.
- Common telephone, fax, and e-mail facilities.
- Common web site provided information published by the Board is separately identified from that of the Association.
- Selection of a common date and venue for annual general meetings.

3.1.2.11 Place of Business

.1 The Board's official place of business, for purposes of receipt of notices, shall be:
P.O. Box 5204
St. John's, Newfoundland and Labrador, Canada, A1C 5V5

3.1.2.12 Board Name

.1 The Board shall be known as the Architects Licensing Board of Newfoundland and Labrador.
.2 The acronym of the Board shall be ALBNL.

PART 4 - MISCELLANEOUS

4.1 Votes

.1 Every vote at a Board meeting and at an annual general meeting shall be public unless specifically noted otherwise in these By-laws.

.2 Ballots of a secret vote shall be available for viewing by any *License Holder* upon receipt of a request immediately following the vote.

4.2 Standard Forms

- Application to Practise Architecture In Newfoundland and Labrador
- Application For License Renewal Form
- Letter Granting License
- Notice of License Expiration

4.3 Confidentiality Agreement

Each person, immediately following their election or appointment to the Board, shall enter into a confidentiality agreement, adapted and amended by the Board from time-to-time, before attending Board meetings and before having access to records of the Board.

PART 5 - APPROVAL OF THE BY-LAWS

5.1 This is to certify this document is the official record of all current by-laws of the Architects Licensing Board of Newfoundland and Labrador as of the date prescribed below.

ALBNL Registrar and Acting Chair:

Date accepted by the Board: 14 February 2020

ARCHITECTS LICENSING BOARD OF NEWFOUNDLAND AND LABRADOR
P.O. BOX 5204
ST. JOHN'S, NL
CANADA A1C 5V5
TEL (709) 726-8550
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albnl@albnl.com / www.albnl.com

CODE OF ETHICS

As of 18 October 2010

PART 1 - GENERAL

.1 This document shall be known as the Code of Ethics of the Architects Licensing Board of Newfoundland and Labrador.

.2 This document has been modelled after the Code of Ethics and Professional Conduct published by the Nova Scotia Association of Architects 22 January 1998.

PART 2 - DEFINITIONS

.1 The *Association* is the Newfoundland and Labrador Association of Architects.

.2 A *License Holder* is a person granted a license to practice architecture by the *Board*.

PART 3 - CODE OF ETHICS

3.1 COMPETENCE

.1 In practicing architecture, a *License Holder* shall act with reasonable care and competence, and shall apply the knowledge, skill and judgement which is ordinarily applied by *License Holders* currently practicing in the Province of Newfoundland and Labrador.

.2 A *License Holder* shall remain informed with respect to the practice of architecture in the Province of Newfoundland and Labrador.

.3 A *License Holder* shall undertake to perform professional services only when qualified, together with those whom the *License Holder* may engage as consultants, by education, training and experience in the specific areas involved.

- .1 A *License Holder* shall limit professional practice to areas of personal competence or shall engage others (including staff) who are competent in supplementary areas.
- .2 Where so governed under Provincial statute, other professionals must be engaged to practice their professions.

3.2 CONFLICT OF INTEREST

.1 Except as permitted hereunder and with full disclosure under Section 3.5, a *License Holder* shall avoid actions and situations where the *License Holder*'s personal interests conflict or

appear to conflict with professional obligations to the public, the client and to other *License Holders*.

.1 A *License Holder* shall not accept compensation for services from more than one party on a project unless the circumstances are fully disclosed to and agreed to (such disclosure and agreement to be in writing) by all interested parties.

.2 All parties compensating the *License Holder* must so agree prior to the *License Holder*'s rendering services to the second and subsequent parties.

.2 A *License Holder* having a personal association or interest which relates to a project shall fully disclose in writing the nature of the association or interest to the *License Holder*'s client or employer. If the client or employer objects, then the *License Holder* will either terminate such association or interest or offer to give up the commission or employment.

.1 Personal association includes (but is not limited to) friendship or family relationship; personal interest includes (but is not limited to) direct or indirect potential for financial or material gain.

.2 The *License Holder* is required to make disclosure as soon as there is a personal association or interest, or an awareness of a potential or perceived conflict of interest, to which a client or employer might object.

.3 Except as permitted under Clause 5.3.7, a *License Holder* shall not solicit or accept compensation or benefit from material or equipment suppliers in return for specifying or endorsing their products.

.1 Under this Clause, "endorsing" means "accepting" or "approving" for use on a project.

.2 Pursuing or receiving a "kickback" is disallowed.

.3 A *License Holder* must make recommendations based on independent professional judgement and uncompromised evaluation.

.4 Neither agreement between the parties nor disclosure (in whole or part) of the receipt of benefits in exchange for recommending products will eliminate or waive the *License Holder*'s conflict of interest under this Clause.

.4 A *License Holder* acting as the interpreter of construction contract documents and reviewing construction for conformance with the contract documents shall render decisions impartially.

.1 Regardless of which party in a project's administrative structure had engaged and pays the *License Holder*, the *License Holder* shall interpret construction contract documents impartially, as if disinterested.

.5 A *License Holder* who is a juror or advisor for an approved competition shall not subsequently provide any services to the winner or, if there is not winner, for any derivative commission.

.1 This applies equally to a *License Holder* who was, or who had agreed to serve as, a juror or advisor but was discharged or withdrew.

3.3 FULL DISCLOSURE

.1 A *License Holder* shall disclose if the *License Holder* has a related personal or business interest when making a public statement on an architectural issue.

.1 Personal interest includes (but is not limited to) friendship or family relationship or direct or indirect potential for financial or material gain.

.2 A *License Holder* serving on an advisory design panel or other like committee, reviewing either a proposal's character or a candidate's qualifications, must make known any involvement in an

application being reviewed or any other relationship that might constitute a conflict of interest and withdraw from the meeting and any discussion or evaluation of the merits of that matter.

.2 A *License Holder* shall accurately represent to the public, a prospective or existing client or employer the *License Holder*'s qualifications and the scope of the *License Holder*'s responsibility in connection with work for which the *License Holder* is claiming credit.

.1 An architectural firm's representations must accurately reflect current principals and staff capacities.

.3 A *License Holder* who, in the provision of services, becomes aware of an action taken by the *License Holder*'s employer or client, against the *License Holder*'s advice, which violates applicable building laws or regulations, shall, (i.) refuse, in writing to the employer or client, to consent to the violation; and (ii.) should the employer or client refuse to take action to correct the violation, report the violation, in writing, to the authority having jurisdiction.

.1 A *License Holder* in such a situation must take all reasonable steps to convince such an employer or client to comply with the building laws or regulations.

.4 A *License Holder* shall not knowingly make or assist others to make, either a false or misleading statement or an omission or material fact about education, training, experience or character when applying for or renewing registration as a *License Holder*.

.5 A *License Holder* who knows of an apparent violation of the Architects Act, Regulations, By-Laws, Code of Ethics, or *Board* rulings shall report such knowledge to the Association.

.1 A *License Holder* must not withhold information from the *Board* about an apparent infraction regardless of who might ask the *License Holder* or require the *License Holder* under an agreement, to do so.

.2 A *License Holder* acting in the capacity of a mediator or arbitrator, under an agreement which includes a confidentiality provision, is not obliged to report information so received to the *Board*.

.6 Except as prohibited by Clause 5.2.3, a *License Holder*, whether compensated or not, may permit the *License Holder*'s name, portrait or reputation to be attached to an endorsement of other's services or products.

.7 A *License Holder* having a financial interest in any building material or device which the *License Holder* proposes to specify for a project shall disclose this interest to the client and shall request and receive written approval for such specification from the client and shall include a copy of this approval in the construction contract documents.

.1 This permits a *License Holder* to have a prior or ongoing proprietary interest. The *License Holder* should also request the *License Holder*'s staff and sub consultants to make similar disclosures to the *License Holder*.

3.4 COMPLIANCE WITH LAWS

.1 In practicing architecture, a *License Holder* shall not knowingly violate any law or regulation.

.1 A *License Holder* must not counsel the *License Holder*'s employees, consultants or associates knowingly to disregard, violate or otherwise abuse any bylaw, regulation or code affecting the practice of architecture.

.2 A *License Holder* shall neither offer nor make any payment or gift to a public official (whether elected or appointed) with the intent of influencing the official's judgement in connection with a prospective or existing project.

.1 A *License Holder* must not offer or provide a bribe or "kickback" to any person.

.2 Nominal entertainment and hospitality expenditures by a *License Holder* hosting a public official are permitted.

.3 A *License Holder* shall comply with the Architects Act of Newfoundland and Labrador, the Regulations under the Architects Act, By-Laws, Code of Ethics, and *Board* rulings.

.1 A *License Holder* must not directly or indirectly condone or encourage contravention of the *License Holders*' Act, Regulations and The Board rulings by others.

.4 In practising architecture, a *License Holder* shall take into account all applicable federal, provincial and municipal building laws and regulations and a *License Holder* may rely on the advice of other professionals and other qualified persons as to the intent and meaning of such regulations.

3.5 CONDUCT

.1 Each office maintained for offering architectural service to the public shall have a *License Holder* who has direct knowledge and supervisory control of the services.

.1 A *License Holder*'s site or auxiliary office for a specific project is a convenient extension of the base office for a single project and is not itself permitted to offer or to provide independent architectural services to the public.

.2 Proposals of service; agreements; assurances; certifications; official submissions to authorities having jurisdiction; and other representations on behalf of an architectural firm must be made by a *License Holder*.

.3 When an authority having jurisdiction receives a formal presentation (e.g., to a design panel, public hearing, advisory commission or elected body) on an architectural matter, the presentation shall be made by (or under the attending, personal supervision of) a *License Holder*.

.2 A *License Holder* shall seal the *License Holder*'s work in accordance with the requirements of the Architects Act, Regulations, By-laws, Code of Ethics, and *Board* rulings.

.1 A *License Holder*'s seal is to be applied only by that *License Holder* and is to be used only on documents prepared by the *License Holder* personally or by other persons under the *License Holder*'s supervision, direction and control.

.3 A *License Holder* shall neither offer nor make any gifts, other than of nominal value (including, for example, reasonable entertainment and hospitality), with the intent of influencing the judgement of a prospective client in connection with a project in which the *License Holder* is interested.

.1 A *License Holder* must not offer or provide a bribe or "kickback" to any person.

.4 A *License Holder* shall not engage in conduct involving fraud or wanton disregard of the rights of others.

.5 A *License Holder* shall conduct the *License Holder*'s affairs in a professional manner and refrain from any act which would reflect unfavourable on the profession as a whole.

.1 A *License Holder*'s conduct towards other *License Holders* shall be characterized by courtesy and good faith.

.2 A *License Holder* shall give due regard to the professional obligations of those from whom the *License Holder* receives or to whom the *License Holder* gives authority, responsibility or employment, or of those with whom the *License Holder* is professionally associated.

.3 A *License Holder* shall give due regard for the interests of both those who commission and those who may be expected to use or be exposed to the product of the *License Holder*'s services.

.4 A *License Holder* who engages in any profession, business or occupation concurrent with the practice of architecture must not allow such outside interests to jeopardize or come into conflict with the *License Holder*'s professional integrity or obligations.

.5 Dishonourable conduct in the professional or private life of a *License Holder* which reflects adversely on the integrity of the profession must be avoided.

.6 A *License Holder* shall not falsely or maliciously injure the professional reputation or business prospects of another *License Holder*.

.7 A *License Holder* shall not supplant or attempt to supplant another *License Holder* after the other *License Holder* has been retained or definite steps have been taken toward the other *License Holder*'s retention.

.8 A *License Holder* may only accept a commission for a project when the services of any *License Holder* previously retained for the project have been terminated.

.1 A *License Holder*, on being either approached or instructed to proceed with services for which the *License Holder* knows or can ascertain by reasonable inquire that another *License Holder* is or has been engaged by the same client, shall notify the other *License Holder* in writing of that fact.

.2 The foregoing notwithstanding, there are several necessary pre-conditions to a "successor" firm's providing services which are based upon and which continue and complete those initiated by its predecessor: (i.) there must have been no supplanting of the original firm by a successor firm; (ii.) the resignation or termination of the original firm must have been done in accordance with the terms of its client/*architect* agreement; (iii.) the original owner must have paid for the services of the original firm; (iv.) in the case of property transfer to a new owner, there must have been legal acquisition by the new owner of the original architectural firm's copyright and drawings (either directly from the original firm or from the original owner, if that owner was legally entitled to sell them).

.9 A *License Holder* may only provide the same service for the same client on the same project as another *License Holder* through the medium of an approved competition.

.1 The "same client" includes technically different clients, authorities or departments connected to or part of a broader client.

.2 Any attempt to circumvent the Regulations by sequential engagement and disengagement of a series of *License Holders* is considered a non-approved form of competition.

.10 Except in an approved competition, a *License Holder* shall provide no form of service until retained and in receipt of the client's instructions.

.1 Speculative services to lure or entice a client, or "loss leaders," are not permitted.

.2 Prior to being retained, a *License Holder* is not permitted to provide solutions, suggestions, ideas or evidence of same (in any format) which have value to the client or upon which the client might be expected to rely.

.3 A *License Holder* has a duty to communicate with a client and to keep a client reasonable informed.

.4 A *License Holder* who provides personal input to a public organization, occupies political office or is a board or committee member (on either a paid or voluntary basis) must not provide any form of architectural services to that organization in that capacity (but may do so in accordance with Clause 3.5.16).

.11 An approved architectural competition is either a competition conducted according to the current "Canadian Rules for the Conduct of Architectural Competitions" or an

alternate arrangement, specifically approved in writing by the *Association*, that assures equitable treatment and equal and adequate remuneration to participating *License Holders*.

.1 Prior to a *License Holder*'s participation, an architectural competition's "approved" status must be confirmed with the *Association*.

.2 A *License Holder* invited to participate in a non-approved architectural competition must decline the invitation and advise the *Association* of the competition.

.12 A *License Holder*'s conduct when participating in an approved competition must comply with the "Canadian Rules for the Conduct of Architectural Competitions" or as directed by the *Association*.

.13 A *License Holder* shall not attempt to influence the awards of an approved competition, except as a jury member

.1 Any actions which involve bribery, pressure or unusual contact with the competition authorities are prohibited.

.14 A *License Holder* shall not attempt to obtain a commission to be awarded by an approved competition, except as an entrant.

.15 A *License Holder* receiving monies for services provided by others shall not use such monies for the *License Holder*'s own purposes, and shall distribute them promptly to those so entitled.

.1 The Clause requires a *License Holder* to fulfil the expectation that funds received by a *License Holder* on behalf of others will be properly managed.

.2 Receiving monies for services provided by others would include fees or disbursements invoiced to a client for project-related services, provided under contract to the *License Holder* by sub consultants and suppliers. This provision does not apply to employees of the *License Holder*.

3.6 SERVICES RELATED TO FIRMS

.1 A *License Holder* who chooses to provide direct supervision to a firm referenced in Section 13(2) of the Architects Act must be either an employee or contract employee of the firm, and shall limit the direct supervision to that firm, and any partnership and joint venture that the firm is a member of.

.1 The *License Holder* agrees to notify the *Board* 30 days in advance of the name of the firm, and where direct supervision is provided to any partnership or joint venture that the firm is a member of, then the name of the partnership or joint venture; and to notify the *Board* immediately when direct supervision ceases.

.2 Where the *License Holder* is a employee or contract employee of more than one firm, direct supervision shall be provided to only one firm and any partnership or joint venture that the firm is a member of.

.2 A *License Holder* who, in the provision of services to a firm operating under Section 13 of the Architects Act, suspects that the offering and provision of architectural services are not being made under the direct supervision of a *Licence Holder*, shall, immediately stop providing architectural services to the firm until such time as the *License Holder* is satisfied that the required direct supervision is being performed by a *License Holder*.

.3 A License Holder shall not provide architectural services or supervision to any firm who offered or provided architectural services and, in the preceding six months, failed to meet the requirements of Section 13 of the Architects Act.

PART 4 - APPROVAL OF THE CODE OF ETHICS

4.1 This is to certify this document is the official record of the Code of Ethics of the Architects Licensing Board of Newfoundland and Labrador *License Holders* as of the date prescribed below.

Signature of the Chairman:

Signature of the Registrar:

Date: October 18th 2010

A L B N L

Architects Licensing Board of Newfoundland & Labrador

P.O. BOX 5204, ST. JOHN'S, NL, CANADA, A1C 5V5 / Telephone: 709.726.8550 / albnl@albnl.com / www.albnl.com

ALBNL 15TH ANNUAL GENERAL MEETING MINUTES

DATE: Wednesday November 20, 2024

MEETING VENUE: Colonial Building, 90 Military Road, St. John's, NL

ATTENDANCE:

License Holders

Rob Menchenton
Jeremy Bryant
John Hancock
John Hearn
Chris Woodford
Paul Chafe
Amelia Hollingshurst
Greg Snow
Stratford Barrett
Peter Jackson
Michela Boschetti
Zac Coughlan
Nick Herder
Emily Campbell
Mark White
Devan Burry
Kelvin Nyathi
Evan Hoyles
Roman Halitzki
Gary Walsh
Glenn Barnes
Carl Yetman
Megan Burt
Ron Peters
Tina Birmingham
Richard Symonds
Luke Godden
Mark Whalen

Observers

John Follett – Intern Architect, James Case – Life Member, Sean Henderson – Intern Architect, Tom Horrocks – Retired Member, Dave Dewling – Life Member, Sandy Gibbons – Life Member, Richard Moody – Life Member, Cynthia Williams – Intern Architect

Appointed

Sheldon Peddle, J. Alex Templeton

Executive Director

Lynda Hayward-Kirkland, Hon. NLAA, Hon. MRAIC

GREETINGS

Richard Symonds, Board Chair, welcomed everyone to the 15th Annual General Meeting.

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1. MEETING CALL TO ORDER

The meeting was called to order at 11:06am.

2. BUSINESS MEETING AGENDA

Motion: That the Business Meeting Agenda, as circulated, be approved.
Moved: Rob Menchenton seconded: John Hancock, Verdict: Motion carried.

3. ALBNL 14th ANNUAL GENERAL MEETING MINUTES

Motion: That the 14th AGM Minutes of November 15, 2023, as circulated, be approved.
Moved: Jeremy Bryant seconded: Greg Snow, Verdict: Motion carried.

3.1 BUSINESS ARISING FROM THE 14TH AGM Minutes

All action items noted in the minutes were carried out.

4. BOARD REPORTS

4.1. Report of the Chair

Motion*:* That the Chair's Annual Report as circulated be approved.
Moved: Mark White, seconded: Mark Whalen, Verdict: Motion Carried.

4.2 Report of the Registrar

Motion*:* That the Registrar's Annual Report as circulated be approved.
Moved: Rob Menchenton, seconded: John Hancock, Verdict: Motion Carried.

4.3 Financial Report

4.3.1 Financial Statement

The Financial Statement prepared by Martin & Associates Chartered Professional Accountants – Oct. 1st, 2023 to September 30th, 2024 was tabled, reviewed, and discussed.
Motion*:* That the Financial Statement for the Year Ended September 30th, 2024 as circulated be approved.
Moved: Rob Menchenton, Seconded: Greg Snow, Verdict: Motion Carried.

4.3.2 Reappointment of the Auditors

Motion*:* That Martin & Associates Chartered Professional Accountants be reappointed to prepare the Financial Statement for the Year Ended September 30th, 2025.
Moved: Mark White, Seconded: Michela Boschetti, Verdict: Motion Carried.

4.3.3 Projected Budget

A copy of the Board's approved projected budget for 2024-25 was included in the meeting documentation for information purposes.

5. COMMITTEE REPORTS

5.1 Standing Committee on Continuing Education

Chair, Peter Jackson, presented his report; no discussion followed.

5.2 Standing Committee on Legislative Change

The report of the Standing Committee on Legislative Change was tabled for record purposes; no discussion followed.

5.3 Complaints Authorization Committee

No activity reported.

5.4 Disciplinary Committee

No activity reported.

5.5 Canadian Experience Record Book (CERB) Review Committee

Chair, Mark White, presented his report; no discussion followed.

6. NEW BUSINESS

7. ELECTION

Sheldon Peddle, Appointed, chaired the Election. For the upcoming year, one new Board member was required; a nomination from the floor came forward, namely, John Hancock; other nominations were requested three consecutive times with the result that a Motion was put forward that nominations cease. The motion was moved by Sheldon Peddle, seconded Jeremy Bryant, and carried. A round of applause was extended to Mr. Hancock.

Board Members for the October 1, 2024, to September 30th, 2025, are as follows:

Rob Menchenton, Paul Chafe, Carl Yetman, Tina Birmingham, and John Hancock

Sheldon Peddle and J. Alex Templeton – Appointed by Government

A round of applause was extended to the new incoming Board.

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8. OTHER BUSINESS

8.1 Call for Expressions of Interest to sit on Board Committees

A call for expressions of interest to sit on Board Committees was tabled. The new incoming Board will review the current listing in the new year. Action: Board

8.2 ALBNL License Holders Registry

The website registry of ALBNL Licence Holders was included in the meeting documentation for record purpose.

8.3 Illegal Malpractice

An overview on this topic was presented to License Holders. Discussion centred on recent correspondence received from government that had been circulated to the Board. The Board to review the correspondence at the December Board Meeting. Action: Board

9. ADJOURNMENT

On a motion made by Richard Symonds, the ALBNL 15th Annual General Meeting adjourned at 12pm.

Richard Symonds NLAA

ALBNL Chair

Minutes recorded by Lynda Hayward-Kirkland