



ARCHITECTS LICENSING BOARD OF NEWFOUNDLAND AND LABRADOR

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2011-2012 HOUSE OF ASSEMBLY REPORT

THIRD ANNUAL REPORT OF THE ARCHITECTS LICENSING BOARD OF NEWFOUNDLAND AND LABRADOR (ALBNL), AS REQUIRED BY SECTION 10 OF THE ARCHITECTS ACT



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to the Minister

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Report of the Chair of the Architects Licensing Board of Newfoundland and Labrador

Prepared by Paul Blackwood NLAA, Chair, 28 November 2012

Immediately following the Board's 2011 AGM I was re-elected as its Chair, David Dewling as its Registrar, and Stan Hampton as its Secretary-Treasurer. This represents mine and David's second year of our three year term, Dominic Lippa's and Stan Hampton's second of their two year term, and the first of Gerry Cook's three year term. Jackie Manuel and Louise Pinsent Parsons continue on as the Board's two government appointees.

Below are highlights of some of the issues the Board has addressed over the last twelve months:

- The Board wrote the Department of Education to solicit their support that consultants appointed by the department to provide them with design services comply with provincial legislation; essentially only those who hold a license issued by the Board should be providing architectural services. The Board received a reply from the Department supporting the Board's position, but went further and stated there were grey areas between architectural services and civil engineering services that the Board should address with PEGNL. The Board has subsequently replied stating it would be in the public's interest to reduce the number of grey areas as possible and asked for examples so that these can be appropriately addressed. The Board is waiting on a reply.
- The Board invited the Chair and Executive Director of PEGNL to one of its Board meetings to discuss the exemption contained in the Architect's Act for civil engineering. The Board's understanding of PEGNL's position is that civil engineering is essentially the design of almost anything, but excludes mechanical or electrical engineering. It was also stated in the meeting that should the Board ever charge an engineer for providing architectural services that PEGNL would put forward the position that civil engineering includes the design of buildings, and therefore exempt under the Architects Act. This position poses a significant challenge should the Board ever have a need to prosecute an engineer for providing architectural services without a license.
- I attended a meeting with the new Chair of PEGNL and the Executive Director just last month where we discussed the civil engineering exemption contained in the Architects Act. It was worthy to note that PEGNL's Chair stated that civil engineering was not architecture, but further details were somewhat limited. The discussions eventually lead to the activation of an ALBNL/PEGNL liaison committee, which had been agreed in principle a year earlier. This Liaison Committee would effectively be a replacement of the Joint Board of Practise, which had been disbanded as a result of the new Act. PEGNL has provided the Board with written terms of reference that the Board is now considering. I have recommended, as a precondition for activating the Liaison Committee that the Committee report back with their recommendation concerning the exemption in the Act for civil engineering no later than May 2013. It is not in the public's interest for confusion to continue to exist on this issue.

- On the same theme of what the civil engineering exemption means in the Act, the Board wrote government to ask for a minor amendment to its Act clarifying that the exemption for civil engineering was not intended to exclude a person holding a license issued by the Board from providing the required architectural services. Government has replied indicating they will consider the amendment.
- The Board has been working on clarifying the mandatory insurance requirements for licensing. An issue came to light when an insurance certificate submitted by an applicant stated that their insurance coverage was merely limited to work performed on certain projects. The Act states a person holding a license must hold insurance against errors and omissions. The Board wrote government for guidance, and in turn it indicated all architectural services provided must be insured and the public must not assume the risk that the license holder may not be insured. Government also suggested the Board contact other jurisdictions; in turn the Board has done so. Of those jurisdictions where there are mandatory insurance requirements, all but one requires the practice (or firm) to obtain the license to practise and requires it to have insurance. Quebec and NL are the only two jurisdictions that do not license firms but instead licenses the individual. In Quebec the licensing authority provides mandatory insurance coverage to all its license holders.
- The Board has been working on a Leave of Absence Policy. This policy is expected to be adopted in early 2013.
- Service NL has revised its application forms and bulletins to acknowledge the need for stamped architectural drawings.
- In recent months I have received numerous requests concerning the Act from developers, and municipalities, and can state that there is a heightened awareness of the Architects Act by many authorities. As a result, license holders report receiving more inquiries than ever to review drawings for the sole purpose of stamping them. License Holders are reminded the regulations clearly state that this is prohibited; only drawings prepared under one's direct supervision may be stamped. As this issue has been discussed on a number of previous occasions, I would anticipate in 2013 the Board will initiate actions against those license holders who are in clear violation of the Act.
- The BEFA (Broadly Experienced Foreign Architects) Program has concluded its testing, and has now been adopted by various Canadian jurisdictions, included NL.
- In response to a request the Board issued a clarification to Interns concerning the use of the term "architectural". The Act contains a restriction on this term as an occupational descriptor. This is also in keeping with the IAP Program, which refers to an intern as an "Intern in Architecture".
- The Board also wrote government supporting any request by AETNL to limit the use of the term "Architectural Technologist" to those individuals who have completed a formal education in architectural technology and have post-graduate work experience under the direct supervision of a license holder. The Board also asked that it be consulted should government give any consideration to a scope of practise act by AETNL. Government has acknowledged receipt of the letter. The Board subsequently received a written request from AETNLs for a letter of support

for legislation governing technologists. The Board felt its earlier letter outlined the level of support the Board was willing to provide at this time. Further to the issue of licensing technologists, PEGNL has exercised power granted to it under its Act and will shortly start issuing restricted licenses to technologists. I made an inquiry if they would be issuing licenses to architectural technologists but it is unclear at the moment the extent their restricted licenses may be.

- The Board settled on the wording for and issued its first License Certificates this past year.
- The Board issued a clarification on the issue of late fees for Interns who failed to submit their log books to the Board in a timely basis and in accordance with guidelines contained in the IAP program.
- The Board issued a letter to many client groups outlining the requirements of the new Act, as part of its education campaign. It also sent similar letters to some engineers who may have provided architectural services and may not have been aware of the requirements of the new Act.
- The Board adopted the IAP2012 Guidelines as revised admission requirements for licensing. This includes a reduction in the number of work experience hours. While amendments to the current regulations will be required, the current regulations do provide discretion to the Board to issue licenses to other persons it so feels are qualified. This clause shall be used in the interim to issue licenses to interns who meet the IAP 2012 requirements, while the regulations are being revised.
- The Board chaired the CCAC meetings held at the RAIC Festival in St. John's this past summer. The Registrar also attended the CCAC meetings this past month in Yellowknife.
- The Board invited the provider of Directorship insurance to make a brief presentation on the insurance coverage being provided to the Board. This quickly identified significant shortcomings to the policy, which was subsequently addressed.
- The Board received a number of notices from license holders indicating a change in the firms they were providing direct supervision to. License Holders are reminded that they are required to notify the Board in advance should there be a change in the firm they supervise.
- The Board continues to make repeated requests to meet with the City's Planning Department regarding the requirements of the Architects Act.
- The Board wrote AETNL expressing its concern about the advocacy for technologists to apply their own seals to drawings as this might cause confusion with the public regarding stamped architectural drawings. AETNL replied assuring the Board that their members will not affix their stamp or seal to any work that requires an Architect and that if the Board believes that an AETNL member is not abiding by this to notify their Board.
- The Board was notified just this past week that government is amending our Act and many other SRO Acts to include staggered term limits on its appointments to licensing boards.

The Board take seriously its mandate to ensure that the public's interests are protect by ensuring only those individuals who have been judged qualified to provide architectural services and hold appropriate insurance coverage are granted a license to do so; to take it upon itself to educate the public of the

requirements of the Act; and to seek compliance with the Act by those who provide architectural services.

I hope it is obvious that the Board has had full agenda of issues it has to deal with and will continue to do so. This is only possible with the hard work of all its members and to Linda Hayward, the Board's Administrative Director. I extend a sincere thank you to all.

This concludes the second full year of operations for the Board. Following presentation of other Board reports there will be an election for two seats on the Board. Both Dominic Lippa and Stan Hampton's terms expire. They have offered themselves for a second term. All Board terms on a go-forward basis are three year terms.

Sincerely yours,

Paul Blackwood NLAA
Chair, 2011-2012
Architects Licensing Board of Newfoundland and Labrador



ARCHITECTS LICENSING BOARD OF NEWFOUNDLAND & LABRADOR

Report to the AG M
November 2012

The Registrar, was well supported by Lynda Hayward, thanks, as always you keep me organized as well as the files and the web page up to date.

The work of the office of the registrar is to look after the process for renewal and new applications, as we are going into our third year under this organization structure, things are starting to work much smoother. Lynda is successfully obtaining new insurance certificates when existing certificates expire throughout the year, if everyone did their part and filed their renewals paying attention to ensuring they are named in the appropriate location on the certificate this would be very helpful to both Lynda and myself.

Everyone is reminded that if they are not a sole proprietor/practitioner they need to have insurance coverage if they take on work outside of their employers workplace, and in fact they would be considered as a sole practitioner if they were so inclined and should declare their intentions on their application.

From the Registry as of October 30 2012, those holding Licenses:

NL...41
Maritimes...21
QU...9
ON...18
Other...13

Other classifications:

Honorary...4
Retired...2
Associates...2
Interns ...10

Those wishing to review the complete registry listings may do so by visiting the ALBNL web site at <http://www.newfoundlandarchitects.com/home/>

In closing I thank the membership for the privilege to serve them, and as always to Lynda for her patience and support.

Respectively submitted

A handwritten signature in black ink, appearing to read 'David Dewling'.

David Dewling, Architect MNLAA
Registrar

**Architects Licensing Board of
Newfoundland and Labrador
Financial Statements
September 30, 2012**



**SOOLEY &
ASSOCIATES**

Architects Licensing Board of
Newfoundland and Labrador
Financial Statements
September 30, 2012

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SOOLEY &
ASSOCIATES



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Independent Auditor's Report

To The Members
Architects Licensing Board
of Newfoundland and Labrador

We have audited the accompanying financial statements of Architects Licensing Board of Newfoundland and Labrador which comprise the statement of financial position as at September 30, 2012 and the statements of operations and changes in fund balance and of cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian accounting standards for not-for-profit organizations, 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.

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.


An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements 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 entity's internal control.

An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

Independent Auditor's Report

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

In our opinion, these financial statements present fairly, in all material respects, the financial position of Architects Licensing Board of Newfoundland and Labrador as September 30, 2012 and its financial performance and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.


Sooley & Associates
Certified General Accountants

Mount Pearl, Newfoundland and Labrador
October 23, 2012

Architects Licensing Board of
Newfoundland and Labrador
Statement of Financial Position
as at September 30, 2012

	<u>2012</u>	<u>2011</u>
ASSETS		
Current assets		
Cash	\$ 13,007	\$ 4,917
Accounts receivable	-	696
Prepaid expenses	<u>1,808</u>	<u>1,312</u>
	<u>\$ 14,815</u>	<u>\$ 6,925</u>
 LIABILITIES & FUND BALANCES		
Current liabilities		
Accounts payable and accruals	\$ 4,218	\$ 4,112
Deferred revenue (Note 3)	<u>13,703</u>	<u>8,715</u>
	\$ 17,921	\$ 12,827
 Fund balance:		
Unrestricted	<u>(3,106)</u>	<u>(5,902)</u>
	<u>(3,106)</u>	<u>(5,902)</u>
	<u>\$ 14,815</u>	<u>\$ 6,925</u>

On Behalf of the Board:


, Director

, Director

The accompanying notes are an integral part of these financial statements

Architects Licensing Board of
Newfoundland and Labrador
Statement of Operations and Changes in Fund Balances
for the year ended September 30, 2012

	(Note 4)		
	2012	2012	2011
	<u>Budget</u>	<u>Actual</u>	<u>Actual</u>
Revenue			
License	\$ 44,733	\$ 55,750	\$ 35,053
Examination fees	770	772	1,470
Other income	<u>500</u>	<u>37</u>	<u>200</u>
	<u>46,003</u>	<u>56,559</u>	<u>36,723</u>
 Expenses			
Administrative services	22,250	35,017	21,126
Annual general meeting and banquet	1,000	767	1,318
Continuing education	910	627	290
Courier	800	1,229	1,040
Examination of Architects in Canada	6,500	2,944	7,364
Insurance	1,200	1,369	348
Interest and bank charges	150	307	114
Luncheon meetings	2,900	1,874	865
License and fees	2,050	2,091	1,551
Office	1,138	2,159	3,104
Professional fees	3,000	2,700	2,500
Telephone	930	1,407	927
Travel	1,300	1,002	578
Website	500	270	1,500
Task force	175	-	-
Contingency	<u>1,200</u>	<u>-</u>	<u>-</u>
	<u>46,003</u>	<u>53,763</u>	<u>42,625</u>
 Excess of revenue over expenses (expenses over revenues) for year	 -	 2,796	 (5,902)
 Fund balance, beginning of year	 <u>-</u>	 <u>(5,902)</u>	 <u>-</u>
 Fund balance, ending of year	 <u>\$ -</u>	 <u>\$ (3,106)</u>	 <u>\$ (5,902)</u>

The accompanying notes are an integral part of these financial statements



Architects Licensing Board of
Newfoundland and Labrador
Statement of Cash Flows
for the year ended September 30, 2012

	<u>2012</u>	<u>2011</u>
Sources of Cash		
Licence and application fees	\$ 56,446	\$ 34,357
Examination fees	772	1,470
Other income	37	200
Deferred revenue	<u>4,988</u>	<u>8,715</u>
	<u>62,243</u>	<u>44,742</u>
 Use of cash		
Purchase of materials and services	53,657	38,513
Purchase of prepaid expenses	<u>496</u>	<u>1,312</u>
	<u>54,153</u>	<u>39,825</u>
 Change in cash during the year	8,090	4,917
 Cash and cash equivalents, beginning	<u>4,917</u>	<u>-</u>
 Cash and cash equivalents, ending	<u>\$ 13,007</u>	<u>\$ 4,917</u>

The accompanying notes are an integral part of these financial statements



Architects Licensing Board of
Newfoundland and Labrador
Notes to Financial Statements
September 30, 2012

1. Purpose of the organization

Architects Licensing Board of Newfoundland and Labrador is 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. Summary of Significant Accounting Policies

Basis of accounting

The Association prepares its financial statements in accordance with Canadian accounting standards for not-for-profit organizations.

Fund accounting

The Association follows the restricted fund method of accounting for contributions.

The General Fund accounts for the organization's program delivery and administrative activities. This fund reports unrestricted resources.

Cash and cash equivalents

Cash equivalents are comprised of highly liquid terms deposits that are readily convertible to cash with maturities that are less than three months from the date of acquisition.

Revenue recognition

Contributions related to general operations are recognized as revenue of the General Fund in the year in which the related expenses are incurred.

3. Deferred revenue

Deferred revenue is comprised of the unexpired portion of license fees charged.

4. Budget comparative figures

The 2012 budget figures presented in the statement of operations are figures provided by management and have not been audited. These figures are included for convenience of the reader only.



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BY-LAWS

As of 18 October 2010

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

3.2 HOLDING AND PROCEDURE OF BOARD MEETINGS (Act Article 9(1)(A))

- .1 Annual General Meeting (Act Article 7(5))
 - .1 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.
 - .2 Notice of the annual general meeting shall be given to all members 30 days in advance of the meeting.
 - .3 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 pertain to:
 - .1 Personnel issues.
 - .2 Items that are deemed to be in the best interest of the Public to be kept confidential, as decided by not less than 5 members of the Board, one of which shall be an appointed member.
- .5 Election of the Chairperson
 - .1 The election of the chairperson 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 Chairperson shall be by secret ballot of all Board members administered by an appointed member of the Board.
 - .4 The term of the Chairperson shall be for one year.
 - .1 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 Chairperson each year.
 - .6 The Chairperson 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.
 - .1 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.
- 3.3 THE APPOINTMENT OF COMMITTEES AND THE DUTIES AND RESPONSIBILITIES OF THOSE COMMITTEES (Act Article 9(1)(B))
- .1 The Board shall establish the following standing committees.
 - .1 Complaints Authorization Committee
 - .1 The responsibilities for the Complaints Authorization Committee shall be per the requirements of the Act, including Article 18.
 - .2 Disciplinary Panel
 - .1 The responsibilities of the Disciplinary panel shall be per the requirements of the Act.
 - .3 Standing Committee on Finance
 - .1 The Standing Committee on Finance shall be a committee of one consisting of a member of the Board elected by the Board.
 - .2 The Committee shall be responsible for the financial records of the Board.
 - .3 The Committee shall have no power to expend monies without Board approval.
 - .4 The chair of the Committee shall not hold the office of the Chair of the Board or Registrar.
 - .4 Standing Committee on Continuing Education
 - .1 The Standing Committee on Continuing Education shall be responsible for developing and administering the requirements for continuing education.
 - .5 Standing Committee on Legislative Change
 - .1 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.
 - .1 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.

3.4 ELECTION OF MEMBERS OF THE BOARD 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.
 - .1 A member must be in attendance at 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)
 - .1 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.
 - .2 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))
 - .1 The Chair shall provide 7 days notice to all other Board members when an election of a replacement Board member is required.
 - .2 Any member of the Board may put forward one or more names of members who have expressed a willingness to sit on the Board.
 - .3 The Board shall elect the replacement member by secret ballot.
 - .4 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.

3.5 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.

3.6 EMPLOYMENT AND REMUNERATION OF STAFF AND CONSULTANTS (ACT ARTICLE 9(1)(E))

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

- .2 Financial Auditor
 - .1 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.
 - .2 The License Holders shall vote on the appointment of auditor of the Board's finances at that meeting.
 - .3 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
 - .1 The Board may retain the services of other consultants the Board deems necessary.
 - .2 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.
- 3.7 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.
- 3.8 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.
- 3.9 PARTICIPATION OF MEMBERS AT A MEETING OF THE BOARD BY TELEPHONE OR OTHER TELECOMMUNICATIONS DEVICE UNDER SECTION 7 (Act Article 9(1)(H))
 - .1 Attendance at an Annual General Meeting
 - .1 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))
 - .1 Nothing prohibits a member of the Board from attending a Board meeting via teleconference, if so arranged in advance.
- 3.10 VOTING BY MEMBERS BY MAIL OR ELECTRONIC MEANS (Act Article 9(1)(I))
 - .1 Voting at an Annual General Meeting of the Board
 - .1 Voting at an annual general meeting shall be limited to those members physically present at the meeting venue.
 - .2 Voting at Other Board Meetings
 - .1 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.

PART 4 - OTHER ADMINISTRATIVE BY-LAWS

4.1 ROLE OF THE CHAIRMAN

- .1 The role of the Chairman includes:
 - .1 Chairing meetings of the Board and the annual general meeting.

- .2 Public spokesperson of the Board.
- .3 The immediate supervisor of any employees of the Board
- .4 Filing an annual report to the Minister. (Act Article 10(1))
- .5 Other duties as prescribed from time to time by a majority vote of the Board.
- .6 Report to the Board.

4.2 ROLE OF THE REGISTRAR

- .1 The role of the Registrar is to:
 - .1 Maintain a registry of license holders.
 - .2 Enter and remove names in the registry as directed by the Board.
 - .3 Review applications for license and license renewal and make recommendations to the Board.
 - .4 Attend meetings of regulators on behalf of and at the approval of the Board.
 - .5 Report to the Board.

4.3 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.

4.4 THE REGISTER (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.

4.5 REGULATIONS

- .1 The Board shall only request the Minister to modify the Regulations provided that first:
 - .1 The Standing Committee on Legislative Change has reviewed the proposed amendment;
 - .2 License Holders are notified in writing of the draft amendment and given 30 days to file comments to the Committee.
 - .3 The Committee has reviewed comments received and has proposed wording of the amendment to the Board.
 - .4 The Board has approved the proposed amendment.
- .2 The Board shall notify License Holders immediately upon a change to the Regulations.

4.6 BANKING

- .1 The bank of the Board shall be the Royal Bank of Canada, Main Branch - Water Street, St. John's, Newfoundland and Labrador.
- .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.

4.7 SIGNING AUTHORITY

- .1 The Chairman 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:
 - .1 The Chair;
 - .2 The Registrar;

.3 The chair of the Standing Committee on Finance.

4.8 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.

4.9 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.

4.10 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:
 - .1 Common invoicing and collection of license and full-membership fees.
 - .2 Common telephone, fax, and e-mail facilities.
 - .3 Common web site, provided information published by the Board is separately identified from that of the Association.
 - .4 Selection of a common date and venue for annual general meetings.

4.11 PLACE OF BUSINESS

- .1 The Board's official place of business, for purposes of receipt of notices, shall be:
 - .1 P.O. Box 5204
St. John's, Newfoundland and Labrador, Canada, A1B 2R9

4.12 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.

4.13 MISCELLANEOUS

- .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.
- .2 Standard Forms
 - .1 Application to Practise Architecture In Newfoundland and Labrador

- .2 Application For License Renewal Form
- .3 Letter Granting License
- .4 Notice of License Expiration

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 Licensing Board of Newfoundland and Labrador Architects as of the date prescribed below.

A. Blackwood

Signature of the Chairman:

Steve Delina

Signature of the Registrar:

Date: October 18th 2010



ARCHITECTS LICENSING BOARD OF NEWFOUNDLAND AND LABRADOR

P.O. BOX 5204
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CANADA A1C 5V5

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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 practise architecture by the *Board*.

PART 3 - CODE OF ETHICS

3.1 COMPETENCE

- .1 In practising 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 practising 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 practise 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.
 - .1 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 practising 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 inquiry 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, a 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 *License 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.

Handwritten signature of A. Blackwood in black ink, with a stylized arrow pointing to the right.

Signature of the Chairman:

Handwritten signature of the Registrar in black ink, appearing to be 'Gene Delin'.

Signature of the Registrar:

Date: October 18th 2010



ARCHITECTS LICENSING BOARD OF NEWFOUNDLAND AND LABRADOR

P.O. BOX 5204
ST. JOHN'S, NL
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**3rd Annual General Meeting Minutes
Architects Licensing Board of Newfoundland & Labrador**

DATE/TIME:	November 30, 2012 10:00am	MEETING PLACE:	Murray Premises Hotel St. John's, NL
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PRESENT:

See attached attendance record.

1. MEETING CALL TO ORDER:

Paul Blackwood, Board Chair, welcomed members to the 3rd Annual General Meeting of the Architects Licensing Board; he called the meeting to order at 10:25am.

2. APPROVAL OF THE MEETING AGENDA:

Motion: To approve the Meeting Agenda as circulated.
Moved: Stan Hampton
Seconded: David Dewling
Verdict: Motion Carried

3. APPROVAL OF THE 2nd AGM MINUTES:

Motion: To approve the 2nd Annual General Meeting Minutes.
Moved: David Dewling
Seconded: Dominic Lippa
Verdict: Motion Carried

4. BUSINESS ARISING FROM THE 2nd AGM Minutes:

There was no business arising from the 2nd Annual General Meeting Minutes.

5. REPORTS:

5.1. Chair's Report:

Paul Blackwood tabled and read his report.
Motion: To approve the adoption of the Chair's Report.
Moved: Paul Blackwood
Seconded: David Dewling
Verdict: Motion Carried
Discussion centered on the topics of Civil Engineering and clarifying the mandatory insurance requirements for licensing.

5.2 Registrar's Report:

David Dewling tabled and read report.

Motion: To approve the adoption of the Registrar's Report.

Moved: David Dewling

Seconded: Dominic Lippa

Verdict: Motion Carried

5.3 Finance Chair's Report:

5.3.1 Financial Report:

Stan Hampton presented the Financial Statement prepared by Sooley & Associates – Sept. 1st 2011 to August 31st 2012. There was no discussion brought forward from the Financial Statement.

5.3.2 Reappointment of the Auditors:

Motion: That the Architects Licensing Board of Newfoundland and Labrador retain the accounting services of Sooley & Associates Certified General Accountants for the year 2012-13 Fiscal Year.

Moved: Stan Hampton

Seconded: Kerry Gosse

Verdict: Motion Carried

6. COMMITTEE REPORTS:

- Standing Committee on Continuing Education: Rob Menchenton was absent; his report was presented.
- Standing Committee on Legislative change: Paul Blackwood gave a verbal update.
- Complaints Authorization Committee: Gerry Cook gave a verbal update; the issue that arose last year was dealt with at the committee level; the committee currently has no complaints to contend with.
- Disciplinary Committee: Sandy Gibbons reported there were no complaints brought forward for the Committee to act upon.

7. SOLICITATION OF INTEREST TO SIT ON BOARD COMMITTEES:

A form was distributed to the membership to seek interest to sit on Board Committees.

8. NEW BUSINESS:

8.1 The individual "off hours" Insurance issue:

- Discussion from the floor indicated that members were still unclear about the mandatory Professional Liability Insurance and "off hours".

- Paul Blackwood reported the Board has been working on clarifying the mandatory insurance requirements for licensing. An issue came to light when an insurance certificate submitted by an applicant stated that insurance coverage was merely limited to work performed on certain projects. The Act states a person holding license must hold insurance against errors and omissions. The Board wrote government for guidance, and in turn it has indicated all architectural services provided must be insured and the public must not have to assume the risk that the license holder may not be insured. Government also suggested the Board contact other jurisdictions, which in turn the Board did. Of those jurisdictions where there are mandatory insurance requirements, all but one requires the practice (or firm) to obtain the license to practice provided it has insurance. Quebec and NL are the only two jurisdictions that do not license firms and in Quebec the licensing authority provides mandatory insurance coverage to all its license holders.
- Professional Liability Insurance acceptable to the Board is that it shall be continuous, while the architect holds an active license.

9. ELECTIONS:

The election of two Board members was required for a three year term. Stan Hampton and Dominic Lippa initial term was for two years. The Board nominated these two members for re-election for a three year term. Paul Blackwood inquired if there were other nominations from the membership. He asked three consecutive times if there were any other nominations to be brought forward; with none presented a motion was put forward by Paul Blackwood and seconded by Ron Fougere that nominations cease; Stan Hampton and Dominic Lippa elected by acclamation for a three year term.

10. OTHER BUSINESS:

11. ADJOURNMENT

On a Motion by David Dewling the meeting adjourned at 12:15pm.



Paul Blackwood NLAA
Board Chair - ALBNL

Minutes recorded by:

Lynda Hayward Hon. MRAIC
ALBNL Administrative Director



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ARCHITECTS LICENSING BOARD OF
Newfoundland & Labrador

3rd Annual General Meeting
Friday Morning, November 30th 2012
Murray Premises Hotel, St. John's, NL

ATTENDANCE RECORD

Print Name	Signature
PAUL BLACKWOOD	
DAVE DEWIND	
FRANK NOSEWORTHY	
CARL YETMAN	
JEREMY BRYANT	
BEATON SHEPARD	
Chris Woodford	
Sarah Colven	
Stephen Wiseman	
Rizkaul Abdulmajeed	
Luanne Dominix	
Renaude Laberge - B.S.P.	
SUE WRIGHT	
FRANK STANLEY	
WILLIAM W. McCAULUM	
JESSICA RYAN	
TIM ROSENBERG	
Roman Halitzki	
RICHARD SYMONAS	

