



Western Australia

# **Architects' Board of Western Australia By-laws 1965**

Compare between:

[08 Apr 2003, 01-u0-02] and [16 Nov 2005, 01-v0-10]



Western Australia

ARCHITECTS ACT 1921

## **Architects' Board of Western Australia By-laws 1965**

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*[Heading inserted in Gazette 14 August 1987 p.3175.]*

### **Preliminary**

#### **1. Citation**

These by-laws may be cited as the *Architects' Board of Western Australia By-laws 1965*.

*[By-law 1 inserted in Gazette 14 August 1987 p.3175.]*

#### **1A. Interpretation**

In these by-laws unless the contrary intention appears —

“**Architect**” means a natural person, corporation or firm registered as an architect under the Act;

“**Chairman**” means the Chairman for the time being of the Board and any person appointed temporarily to perform the duties of Chairman;

“**Registrar**” means the person appointed by the Board to act as Registrar, and any person appointed temporarily to perform the duties of Registrar.

*[By-law 1A inserted in Gazette 14 August 1987 p.3175.]*

### **Election of members of Board**

#### **2. Election of members, retirement, etc.**

- (a) All elected members of the Board holding office at the date upon which these by-laws become effective<sup>1</sup> shall continue in office until they retire as hereinafter provided.
- (b) Two elected members of the Board being those who have been longest in office since the date of their election or last re-election shall retire from office at 31 January in each year commencing with the year 1964. As between members elected or re-elected on the same date the member or members to retire shall be determined by lot.
- (c) Retiring members shall be eligible to be nominated for re-election.
- (d) Two members shall be elected annually in the month of January on the day appointed by the Board to fill the vacancies and the Board shall appoint a day and time for receiving nominations for each such election.

#### **3. Delivery of nomination paper**

The Board shall cause to be delivered or sent by post to every architect, being a natural person, at his registered address a nomination paper with notice of the day and time appointed to be the last day for receiving nominations.

*[By-law 3 amended in Gazette 23 February 1979 p.509.]*

**4. Provisions relating to nomination papers**

Every nomination shall be in writing, and shall be signed by the person nominating himself, and must be received by the Board on or before the day and time appointed for the receipt of nominations. Notices calling for nominations, and of nomination, shall be in forms A and B, respectively, or to the like effect.

*[By-law 4 amended in Gazette 23 February 1979 p.509.]*

**5. Voting papers**

The Board shall cause to be delivered or sent by post to every architect, being a natural person, at his registered address a voting paper on which shall be written or printed a list of all candidates nominated, with notice of the day and time appointed for election, and that one or more (as the case may be) members are to be elected, and that the elector must record his vote by striking out the names of all the candidates for whom he does not vote, and return the voting paper to the Board before the date and time fixed for the election.

*[By-law 5 amended in Gazette 23 February 1979 p.509.]*

**6. Voting paper to be signed and form of voting paper**

Every voting paper shall be signed by the Chairman, or the Registrar, before it is issued. The voting paper shall be in form "C".

*[By-law 6 amended in Gazette 23 February 1979 p.510.]*

**7. Counting of voting papers**

As soon as may be after the day appointed for the return of the voting papers the Board shall hold a meeting and shall there examine and count the voting papers duly returned (rejecting all informal voting papers), and shall by resolution declare the result of the election. The voting papers shall be opened by the Chairman or a nominee of the Chairman.

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*[By-law 7 amended in Gazette 14 August 1987 p.3175.]*

**8. Resolution to be published in *Gazette***

The resolution so passed by the Board shall be notified in the *Gazette*, and shall be conclusive proof that the election has been in all respects duly conducted, and that the person or persons so declared to be elected is or are members of the Board.

**9. Resolution of equal votes**

In any case in which 2 or more candidates have received the same number of votes, the Board shall determine, in such manner as it thinks fit, which of those candidates is to be elected.

**10. Where nominations do not exceed number to be elected**

If the number of persons nominated for election does not exceed the number to be elected, it shall not be necessary to send or return voting papers, and the Board may at the meeting convened to receive nominations decide by resolution that the person or persons so nominated has or have been duly elected, and the name or names of such person or persons shall be published in the *Gazette*.

**11. Where seat of a member of the Board becomes vacant under section 5 (5) of the Act**

If the seat of any member of the Board shall become vacant as provided by section 5 (5) of the Act, an election to fill the vacancy shall be held as soon as practicable thereafter on a date to be fixed by the Board. Such date shall be not more than 28 days nor less than 21 days after the vacancy occurs. Notice of the vacancy shall be advertised, or given in such other manner as the Board may direct.

**12. Where insufficient nominations received**

If a sufficient number of candidates be not nominated for election, or elected to fill any vacancy, or vacancies, the Board shall appoint a qualified person or persons to fill the vacancy.

**13. Term where vacancy filled**

A person elected, or appointed by the Board, to fill a vacancy, shall hold office for so long as the person whose seat has become vacant would have held the same.

**14. Filling of casual vacancies**

The rules set out in the Second Schedule to the Act shall, mutatis mutandis, apply to elections to fill casual vacancies on the Board.

*[Bylaw 14 amended in Gazette 23 February 1979 p.510.]*

**15. Late nomination, notice or voting paper not to affect any election**

The non- receipt of any nomination paper, notice, or voting paper by any person entitled to receive the same, or receipt thereof after the time at which the same ought to be delivered or sent, shall not invalidate or affect any election under these by-laws.

**Conduct of the Business of the Board**

**16. Adoption of rules**

Except as hereby modified or altered, the rules set out in the Second Schedule of the Act are hereby adopted as part of these by-laws as if the same were set out verbatim herein.

**17. General meeting after election**

A general meeting of architects shall be held within 30 days of the holding of the annual election, and shall be held at such time and place as the Board may determine.



**18. Annual meeting**

The annual meeting of the Board shall be held on a day after the annual election and prior to the general meeting of architects; the date, time and place of the meeting to be determined by the Board.

**19. Election of Chairman**

At each annual meeting of the Board, the members then present shall elect one of their number to be the Chairman of the Board for the ensuing year; Provided that if, through illness, absence or other cause, the Chairman so elected shall be unable to perform his duties, or shall resign or die, the members may appoint another of their number to act temporarily as Chairman or as Chairman to fill any vacancy in that Office, as the case may be.

**20. Any matter may be brought up at annual general meeting**

At the annual general meeting of architects, any architect then present may bring up any matter for general discussion, or for subsequent consideration by the Board, but the Board shall not be bound by any resolution passed at such meeting.

**20A. Special general meeting**

A special general meeting of architects may be called at any time by the Board, and shall be called on the written request of 12 architects. Such written request shall state the business proposed to be transacted at the special meeting and this shall be incorporated in the notice convening the meeting. No business other than that stated in the notice shall be transacted at a special meeting.

*[By-law 20A amended in Gazette 23 February 1979 p.510.]*

**21. Quorum**

At any general meeting of architects 12 architects, being natural persons present in person or represented by proxy and entitled to vote, shall constitute a quorum.

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*[By-law 21 amended in Gazette 23 February 1979 p.510.]*

**22. Representation by proxy**

At any general meeting of architects, any architect entitled to attend may be represented by proxy. The instrument appointing a proxy shall be in writing according to form D signed by the appointer. No person shall be appointed a proxy who is not an architect and himself entitled to attend the meeting. The instrument appointing a proxy shall be deposited with the Registrar not less than 24 hours before the time appointed for the holding of the meeting at which the proxy will be used. The instrument appointing a proxy shall be valid only for the meeting specified on the form or any adjournment thereof. The proxy shall not be used at any meeting attended personally by the appointer.

*[By-law 22 amended in Gazette 23 February 1979 p.510.]*

[23. ~~By-law 23 repealed~~[Repealed](#) in Gazette 23 February 1979 p.510.]

**24. Special meetings**

Special meetings of the Board shall be called by the Registrar whenever requested so to do by the Chairman or any 5 members.

**25. Amendments, rescission, etc., of any matter**

Any resolution passed, or act, matter or thing done, at any meeting of the Board, or authorized by any meeting may be rescinded or amended at any subsequent meeting, but the Chairman may, if he thinks fit instead of allowing any proposed rescission or amendment to proceed to a vote, direct that the proposal be placed on the agenda for the next meeting of the Board (whether specially convened for that purpose or otherwise) and require that notice of the intended rescission or amendment be given in the notice convening the meeting at which it is to be proposed.

*[By-law 25 inserted in Gazette 14 August 1987 p.3175.]*

**26. Minutes to be kept**

Minutes of every meeting shall be kept by the Registrar, and such minutes, when signed by the Chairman, shall be conclusive evidence for all purposes and before all courts, of the validity and proceedings of such meeting.

*[27. ~~By-law 27 repealed~~ Repealed in Gazette 23 February 1979 p.510.]*

**28. Omission to give notice not to invalidate meeting**

The accidental omission to give notice of a meeting as hereinbefore provided to one or more members of the Board, or the non-receipt thereof, shall in no manner affect the validity of or prejudice anything done or agreed to at such meeting.

**29. Committees may be appointed**

The Board may from time to time appoint, for any special purpose, a committee of 3 of its members and may by resolution at any time dissolve any committee so appointed. Any such committee shall submit its recommendations to the Board.

*[By-law 29 amended in Gazette 23 February 1979 p.510.]*

**The Registrar**

**30. Board to appoint Registrar**

- (i) The Board shall appoint a Registrar, who shall —
  - (a) hold office, subject to these by-laws, and during the pleasure of the Board;
  - (b) receive such remuneration as the Board may determine, payable from the funds of the Board;
  - (c) be in attendance at his office at such hours and days as the Board from time to time may direct;

**bl. 31**

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- (d) consult the Chairman on any business requiring attention between the various meetings of the Board, and be responsible for the safe custody of the Seal, and all documents and property belonging to the Board;
  - (e) present to the Board a monthly statement showing receipts and expenditure for the past month, and prepare and present to the Board a yearly balance-sheet in the month of January in each year, in accordance with section 33 of the Act;
  - (f) prepare a copy of the Register for publication in the *Gazette* annually;
  - (g) receive and be responsible for all moneys payable to the Board; and shall bank the same within 24 hours of the receipt thereof;
  - (h) perform such other duties as shall be directed by the Board.
- (ii) If through illness, absence or other cause, the Registrar shall be incapable of performing, or unable to perform, his duties, the Board may appoint an acting Registrar to perform the same.
  - (iii) If the Registrar shall die, resign, or be removed from office the Board may appoint some person to act temporarily as Registrar pending the appointment of a Registrar.

**Annual Subscription**

**31. Annual subscription**

The annual subscription payable to the funds of the Board by —

- (a) every architect who is a natural person shall be \$165.
- (b) every architect which is a corporation shall be \$275.
- (c) every architect which is a firm shall be \$165.

*[By-law 31 inserted in Gazette 23 February 1979 p. 510; amended in Gazettes 6 June 1980 p.1690; 17 June 1983 p.1923; 7 February 1986 p.437; 22 January 1988 p.166; 29 December 1989 p.4686; 2 July 1993 p.3259; 1 February 2000 p.379; 8 April 2003 p.1105.]*

**32. Preliminary application**

A preliminary application under section 15 (1a) of the Act shall be made on form E and shall be accompanied by the fee specified in by-law 48A (a).

*[By-law 32 inserted in Gazette 23 February 1979 p.510.]*

**33. Registration**

Subject to section 15 of the Act —

- (a) every natural person desirous of being registered as an architect shall apply for registration on form F;
- (b) every corporation, other than a foreign corporation, desirous of being registered as an architect shall apply therefor on form G;
- (c) every foreign corporation desirous of being registered as an architect shall apply therefor on form H;
- (d) every firm desirous of being registered as an architect shall apply therefor on form I,

and submit that form, together with the appropriate registration fee set out in by-law 48A and the appropriate annual subscription for one year set out in by-law 31, to the Registrar.

*[By-law 33 inserted in Gazette 23 February 1979 p.510.]*

**33A. Indemnity insurance for foreign corporation**

- (1) Prior to the registration of a foreign corporation as an architect, there shall be lodged with the Registrar a copy of a policy of professional indemnity insurance which —
  - (a) is effected in the name of the foreign corporation;

**bl. 33A**

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- (b) complies with section 22C of the Act; and
  - (c) is certified by the director having the actual personal supervision and management of the business of the foreign corporation in the State to be a true copy of the original.
- (2) The Board may, as a condition of granting an application for registration as an architect by a foreign corporation, stipulate a limit on the amount, being an amount of not less than \$200 000.00, for which the insurance company issuing the policy referred to in sub-bylaw (1) is liable in the aggregate or in respect of any one claim.
- (3) If the Board does not stipulate a limit under sub-bylaw (2), the appropriate amount referred to in section 22C (2) (c) of the Act is \$200 000.00.
- (4) The Board may, subject to this by-law, from time to time review the limit stipulated by it under sub-bylaw (2) and require the foreign corporation concerned to raise that limit to an amount stipulated by the Board.
- (5) Before requiring the foreign corporation concerned to raise the limit stipulated by the Board under sub-bylaw (2), the Board shall give that foreign corporation one month's notice of its intention so to require and the foreign corporation may within 14 days of receiving that notice make submissions in writing to the Board objecting to the intended requirement.
- (6) After the expiry of the notice referred to in sub-bylaw (5), the Board shall, having considered any submissions made under that sub-bylaw, confirm, vary or cancel its intended requirement and its decision shall be final and binding on the foreign corporation concerned.
- (7) There shall be lodged with the Registrar with each Annual Statement lodged under section 19A (1) of the Act in respect of the foreign corporation concerned a copy of the current certificate of renewal of the policy of professional indemnity

insurance or of the receipt for payment of the first premium of a new policy thereof which complies with section 22C of the Act and is effected in the name of that foreign corporation, which copy is certified by the director having the actual personal supervision and management of the business of that foreign corporation in the State to be a true copy of the original.

*[By-law 33 inserted in Gazette 23 February 1979 pp.510-511.]*

**34. Form of certificate of registration**

A certificate of registration delivered under section 17 of the Act shall be on form J.

*[By-law 34 inserted in Gazette 23 February 1979 p.511.]*

**Continuing Requirements of Registration**

*[Heading inserted in Gazette 23 February 1979 p.511.]*

**34A. Form of notice under section 19A (1) of the Act**

- (1) A notice lodged under section 19A (1) of the Act shall be on form K and shall be accompanied by the fee specified in by-law 48A (c).
- (2) Every practising corporation shall within one month after a change in the particulars of any person who is a director or member of that corporation lodge with the Registrar a notice on form K giving details of that change.
- (3) A notice lodged under section 19B (1) of the Act shall be on form L and shall be accompanied by the fee specified in by-law 48A (e)
- (4) Every practising firm shall within one month after a change in the particulars of any person who is a member of that firm, or is a director or member of a corporation included amongst the members of the partnership, lodge with the Registrar a notice on form L giving details of that change.

*[By-law 34A inserted in Gazette 23 February 1979 p.511.]*

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**34B. Annual Statement**

- (1) An Annual Statement lodged under section 19A (1) of the Act shall be on form M.
- (2) An Annual Statement lodged under section 19B (1) of the Act shall be on form N.

*[By-law 34B inserted in Gazette 23 February 1979 p.511.]*

**35. Interpretation of candidate and examination.**

- (1) In by-laws 35 to 45 “candidate” means a person desiring to be registered as an architect under section 14 (1).
- (2) A candidate shall, where the Board thinks necessary, pass the Board Practice Examination in accordance with either by-law 38 or 38A.

*[By-law 35 inserted in Gazette 14 August 1987 p.3175.]*

*[~~36., 37.~~ ~~By laws 36 and 37 repealed~~ Repealed in Gazette 14 August 1987 p.3175.]*

**38. Examinations before the coming into operation of the Architects' Board of Western Australia Amendment By-laws 1987**

In respect of candidates who make application to sit for their first examination before the coming into operation of the *Architects' Board of Western Australia Amendment By-laws 1987*<sup>1</sup>, the following shall apply —

- (a) The subjects of the Board's examination shall be: —

Group A (Intermediate):

- Subject 1 — Delineation.
- Subject 2 — History of Architectural Development.
- Subject 3 — Architectural Design (Intermediate).
- Subject 4 — Architectural Construction.
- Subject 5 — Materials.



Subject 6 — Structural Mechanics (Intermediate).  
Subject 7 — Hygiene.  
Subject 8 — Testimonies of Study (Intermediate).  
Subject 9 — Oral Examination.

Group B (Final-Stage 1):

Subject 10 — Architectural Design (Advanced).  
Subject 11 — Town Planning.  
Subject 12 — Architectural Construction  
(Advanced).  
Subject 13 — Structural Mechanics (Advanced).  
Subject 14 — Specifications.  
Subject 15 — Equipment of Buildings.  
Subject 16 — Testimonies of Study (Advanced).  
Subject 17 — Oral Examination.

Group C (Final-Stage 2):

Subject 18 — Professional Practice.  
Subject 19 — Practical Experience.

- (b) A candidate shall not be admitted to an examination in any group until he has passed or been granted an exemption in all subjects in the preceding group or groups.
- (c) A candidate who produces satisfactory evidence of having passed one or more subjects of examination recognized by the Board as equivalent to the Board examination may be granted exemption from further examination in such subject or subjects as the Board may determine.
- (d) Four months before the first date fixed for the Group B examination the approved architectural project will be announced by the Board. The solution, addressed to the Chairman of the Board, must be lodged with the Registrar 2 weeks before the first day fixed for the examination. A candidate must submit a signed

**bl. 38A**

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statement with the solution certifying that the same is his own work.

- (e) A candidate may at the discretion of the Board be granted permission to sit for a supplementary examination if he requires one subject only to complete either the Group A or Group B examination.
- (f) A candidate shall sit for Group A examination in one year; for Group B examination in one year or in 2 parts in successive years. Not sooner than 12 months after completing Group B a candidate shall present himself in Group C.

*[By-law 38 amended in Gazette 14 August 1987 p.3175.]*

**38A. Examinations after the coming into operation of the Architects' Board of Western Australia Amendment By-laws 1987**

In respect of candidates who make application to sit for their first examination on or after the coming into operation of the *Architects' Board of Western Australia Amendment By-laws 1987*<sup>1</sup>, the following shall apply —

- (a) the subjects of the Board's examination shall be —
  - (i) testimonies of practical experience;
  - (ii) architectural practice;
- (b) the candidate shall at least one month before the first day fixed for examination —
  - (i) give written notice to the Board of intention to sit the examination; and
  - (ii) produce and deposit evidence of at least 12 months practical experience to a standard acceptable to the Board.

*[By-law 38A inserted in Gazette 14 August 1987 p.3175.]*

**39. Committee of Architectural Education**

A committee of Architectural Education (hereinafter called "the Committee") shall be appointed annually by the Board, and all examinations shall be conducted under the supervision of the Committee by examiners from time to time appointed by the Board. Three members of the Committee shall form a quorum. Examinations shall be held in November of each year on a date or dates in that month, and at a place appointed by the Committee, but the Board may at its discretion alter the month in which examinations are to be held.

**40. Transmission of examination results and issue of certificate**

The examiners shall transmit the result of each examination to the Committee which shall thereupon transmit their report to the Board. Upon the adoption by the Board of the report of the Committee, a certificate in form O (unless withheld for any cause deemed reasonable by the Board) shall be issued to every person who has passed the examination. Such certificate shall be signed by the Chairman of the Board, one member of the Committee, and countersigned by the Registrar. The decision of the Board as to the result of an examination shall be final.

*[By-law 40 amended in Gazette 23 February 1979 p.511.]*

**41. Examination fees**

The following fees shall be paid to the Board by candidates for examination —

- (a) for the practice examination \$550;
- (b) for a supplementary examination \$250;
- (c) for a modified examination \$350.

*[By-law 41 inserted in Gazette 14 August 1987 p.3176; amended in Gazettes 10 June 1988 p.1910; 29 December 1989 p.4686; 2 July 1993 p.3259; 1 February 2000 pp.379-80.]*

[42. ~~By-law 42 repealed~~ *Repealed in Gazette*  
*14 August 1987 p.3176.*]

**43. Examination supervisor may be appointed**

The Committee of Architectural Education may appoint a person to supervise examinations and such person may in his discretion expel any candidate from the examination room for fraudulent or improper practices and shall forthwith report the occurrence in writing to the Committee.

**44. Fees payable to examiners**

The fees payable to the examiners shall be determined by the Board.

**45. Record of fees, expenses, etc., in relation to exams**

The Registrar shall keep a separate record of fees received and of payments to examiners and other expenses incidental to the conduct of examinations.

**The Register**

**46. Register of Architects**

A Register of Architects shall be kept by the Registrar as required by section 12 of the Act.

**47. File of change of address**

During the month of December in each year every architect shall file with the Registrar a memorandum setting out any change in the address of that architect.

*[By-law 47 amended in Gazette 23 February 1979 p.511.]*

**48. Register to be published in Gazette**

In every year the Registrar shall publish in the *Government Gazette* a list of all names which are then on the Register.

*[By-law 48 amended in Gazette 23 February 1979 p.511.]*

**Fees Payable to Registrar**

*[Heading inserted in Gazette 23 February 1979 p.511.]*

**48A. Various fees to be paid**

There shall be payable to the Registrar in respect of —

- (a) a preliminary application under section 15 (1a) of the Act a fee of \$50.00;
- (b) an application for registration by a natural person a fee of \$110.00;
- (c) an application for registration by a corporation a fee of \$150.00;
- (d) an application for registration by a firm a fee of \$100.00;
- (e) a notice lodged under section 19A (1) or section 19B (1) of the Act a fee of \$10.00.

*[By-law 48A inserted in Gazette 23 February 1979 pp.511-12; amended in Gazette 8 April 2003 p.1105.]*

**Common Seal**

**49. Board may adopt Common Seal**

The Board may adopt a Common Seal which shall be kept in the custody of the Registrar and be deposited in the office of the Board.

**50. Seal to be affixed as authorized**

When authorized by a resolution of the Board, but not otherwise, the Seal shall be affixed to any certificate, document, or writing, by the Registrar in the presence of the Chairman.

**51. Commencement**

These by-laws shall take effect on the date of their publication in the *Gazette*.

**bl. 51**

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*[Schedule A, Schedule B, Schedule C, Schedule D,  
Schedule E, Schedule F, Schedule G repealed in Gazette  
23 February 1979 p.512.]*

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**Schedule**

PRESCRIBED FORMS

Form A

*ARCHITECTS ACT 1921, AS AMENDED*  
NOTICE CALLING FOR NOMINATIONS  
(By-law 4)

THE ARCHITECTS' BOARD OF  
WESTERN AUSTRALIA

.....  
.....

Sir,

I enclose herewith a nomination form for the election of .....  
members of The Architects' Board of Western Australia.

Should you desire to nominate yourself as a candidate for election to the Board,  
please sign the enclosed form and return it, addressed to .....  
Chairman of the Board, care of the undersigned, at the above address.

Nominations must be received on or before ..... the  
day of ..... at ..... p.m.

Date:

.....  
Registrar.

Form B

*ARCHITECTS ACT 1921, AS AMENDED*  
NOTICE OF NOMINATION  
(By-law 4)

TO: THE REGISTRAR,  
THE ARCHITECTS' BOARD OF  
WESTERN AUSTRALIA

I nominate myself as a candidate for election as a member of the Board.

Dated this ..... day of. .... 19 .....

Name in full .....

Address .....

.....  
Architect.

*Note:* This nomination paper must be sent to Mr ....., Chairman of  
the Board, care of Mr ....., Registrar of the Board. ....  
..., Perth (P.O. Box ..... ) and must be received on or before .....  
.... the ..... day ..... of 19.....



Form C

*ARCHITECTS ACT 1921, AS AMENDED*  
ELECTION OF MEMBERS OF THE BOARD  
VOTING PAPER  
(By- law 6)  
List of Candidates

Names in alphabetical order.

.....  
.....  
.....  
.....

..... Members to be elected.

Record your vote by striking out the names of the Candidates for whom you do NOT vote, leaving ..... names.

The day and time appointed for the return of the Voting Paper is day of .....  
..... 19..... up to ..... p.m., and the Voting Paper must be enclosed in the attached envelope addressed to the Chairman of the Board, or to Mr .....

Registrar ..... Perth, so as to be received by him at or before that time and date.

Should a greater or lesser number than..... names be left without being struck out, the Voting Paper shall be invalid.

.....  
Registrar.

Form D

*ARCHITECTS ACT 1921, AS AMENDED*

APPOINTMENT OF PROXY

(By-law 22)

I ..... of .....  
being an architect, hereby appoint .....  
another architect, as my proxy to vote for me and on my behalf at the general  
meeting of architects to be held in the month of ..... and at any  
adjournment thereof.

Signed this ..... day of ..... 19 .....  
at .....

.....  
Architect.

Form E

*ARCHITECTS ACT 1921, AS AMENDED*  
PRELIMINARY APPLICATION UNDER SECTION 15 (1A)  
(By-law 32)

TO: THE REGISTRAR,  
THE ARCHITECTS' BOARD OF  
WESTERN AUSTRALIA

The undermentioned corporation/firm\*, being desirous of obtaining registration as an architect, hereby makes preliminary application for the directions of The Architects' Board of Western Australia as to whether or not, in the opinion of the Board, that corporation/firm\* is capable of complying with the requirements of the *Architects Act 1921*, as amended, and if it is not so capable, the matters which require amendment.

1.      Name/proposed name\* of corporation/firm\*  
.....
2.      Address/proposed address\*  
.....
3.      Copy of memorandum and articles of association of corporation/copy of deed of partnership\* accompanies this application.
4.      Names, addresses and professions or occupations of directors/partners\* (or proposed directors/partners\*).

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Name	Address	Profession or Occupation
.....	.....	.....
.....	.....	.....
.....	.....	.....

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- \*5.      Full names, addresses and profession or occupations of all shareholders of the abovementioned corporation and the numbers and classes of shares [proposed to be] held by them are as follows —

Name	Address	Profession/ Occupation	No. and class of shares
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\*6.     The corporation \*proposes/does not propose to enter into a Deed of Trust \*particulars of which are proposed as follows —

\*NAME/DESIGNATION OF

TRUST:

.....

\*UNIT/DISCRETIONARY

TRUST:

.....

\*ESTABLISHED BY  
SETTLEMENT/  
FOUNDATION/SUB-  
SCRIPTION:

BY:     (detail full name,  
          address/registered officer  
          of Settlor/Founder/  
          Subscribers)

.....

\* The beneficiaries/unit holders are:

Please detail full names, address/registered office of beneficiaries/unit holders:

\* The natural persons ultimately in \*receipt/beneficial entitlement of all income of the corporation under the terms of the Trust and their relationship to the director(s) of the corporation are:

Name	Address	Relationship to Director(s)
Signed this ..... day of. .... 19 .....,		
at .....		

.....  
Director/partner\*  
(or proposed director/partner\*)  
of abovementioned corporation/firm\*  
on behalf of same.

\* Delete inapplicable.

Form F

*ARCHITECTS ACT 1921, AS AMENDED*  
**APPLICATION BY NATURAL PERSON FOR REGISTRATION**  
 (By-law 33 (a))

TO: THE CHAIRMAN  
 THE ARCHITECTS' BOARD OF  
 WESTERN AUSTRALIA

I, .....  
 of .....  
 do solemnly and sincerely declare that —

1. I apply to be registered as an architect and to have my name enrolled on the Register under the *Architects Act 1921*, as amended.
2. I am a person of good character and reputation.
3. My age is . . . . . years.
4. The qualification(s) under which I apply for registration is/are stated below: —  
 .....  
 .....

5. I declare that no application of mine for registration as an architect has been declined by any State Registration Board of the Commonwealth of Australia nor has any registration of mine been cancelled.
6. The information set forth in this application is true and correct.  
 And I make this solemn declaration by virtue of section 106 of the *Evidence Act 1906*, as amended.

DECLARED at ..... }  
 ..... }  
 on the ..... }  
 day of ..... } .....  
 19..... }      Declarant

Before me:  
 .....  
 Justice of the Peace or  
 Commissioner for Declarations

Form G

*ARCHITECTS ACT 1921, AS AMENDED*  
APPLICATION BY CORPORATION, OTHER THAN FOREIGN  
CORPORATION, FOR REGISTRATION

(By-law 33 (b))

TO: THE CHAIRMAN,  
THE ARCHITECTS' BOARD OF  
WESTERN AUSTRALIA

I, .....  
of .....  
do solemnly and sincerely declare that —

1. I am registered as an architect under the *Architects Act 1921*, as amended, and am a director of the following corporation (not being a foreign corporation) —  
. . . . .
2. I am the director of the abovementioned corporation who has the actual personal supervision and management of the business of that corporation in Western Australia.
3. I apply on behalf of the abovementioned corporation for the registration of the corporation as a practising corporation.
4. The registered office of the abovementioned corporation is . . . . .  
. . . . .
5. The abovementioned corporation was incorporated on the . . . . .  
day of 19 . . . . .
- 5A. Preliminary approval of an application under section 15 (1a) HAS/HAS  
NOT been granted.
6. The nominal capital of the abovementioned corporation is \$ . . . . .  
. . . . .  
. . . . . and is divided into the following classes . . . . .  
. . . . .

- 
7.      The number of issued shares in each of the abovementioned classes and the amount paid up on each share in each such class are as follows —  
class on which there is paid up \$ . . . . . per share  
class on which there is paid up \$ . . . . . per share.
8.      The full names, addresses, professions or occupations and dates of appointment of all the directors of the abovementioned corporation are \*as follows with particulars set forth in form E.

---

Full Name	Address	Profession or Occupation	Date of Appointment
.....			
.....			
.....			
.....			

---

9.      The full names, addresses and professions or occupations of all shareholders of the abovementioned corporation and the numbers and classes of shares held by them are \*as follows-/identical with particulars set forth in form E.

---

Name	Address	Profession or Occupation	Number and class of shares held
.....			
.....			
.....			
.....			

---

9A.    The corporation \*proposes/does not propose to enter into a Deed of Trust particulars of which are \*as follows/identical with particulars set forth in form E to this Application.

\*NAME/DESIGNATION OF  
TRUST:

.....  
\*UNIT/DISCRETIONARY  
TRUST:

.....  
\*ESTABLISHED BY  
SETTLEMENT/  
FOUNDATION/SUB-  
SCRIPTION:

BY:    (detail full name,  
          address/registered officer  
          of Settlor/Founder/  
          Subscribers)

\* The beneficiaries/unit holders are:

Please detail full names, address/registered office of beneficiaries/unit holders:

\* The natural persons ultimately in \*respect/beneficial entitlement of all income of the corporation under the terms of the Trust and their relationship to the director(s) of the corporation are-/are identical with particulars set forth in form E to this application

Name	Address	Relationship to Director(s)
------	---------	-----------------------------

\* Delete inapplicable.

10.    The information set forth in this application is true and correct.  
          And I make this solemn declaration by virtue of section 106 of the  
          *Evidence Act 1906*, as amended.

DECLARED at .....	}	
	}	
on the .....	}	
day of .....	}	.....
19.....	}	Declarant



Before me:

.....

Justice of the Peace or  
Commissioner for Declarations

*ARCHITECTS ACT 1921, AS AMENDED*  
APPLICATION BY FOREIGN CORPORATION FOR REGISTRATION  
(By-law 33 (c))

TO: THE CHAIRMAN,  
THE ARCHITECTS' BOARD OF  
WESTERN AUSTRALIA

I, .....

of .....

do solemnly and sincerely declare that —

1. I am registered as an architect under the *Architects Act 1921*, as amended, and am a director of the following foreign corporation —
2. I am the director of the abovementioned foreign corporation who has the actual personal supervision and management of the business of that foreign corporation in Western Australia.
3. I apply on behalf of the abovementioned foreign corporation for the registration of that foreign corporation as a practising corporation.
4. The abovementioned foreign corporation —
  - (a) being a foreign corporation which is not registered under the *Corporations Act 2001* of the Commonwealth, has as its registered office in Western Australia .....
  - or
  - (b) being a foreign corporation which is registered under the *Corporations Act 2001* of the Commonwealth, has as its principal office in Western Australia
5. The name and address of the agent in Western Australia of the abovementioned foreign corporation (being a foreign corporation which is not registered under the *Corporations Act 2001* of the Commonwealth, and which was incorporated outside the State) are —
6. The abovementioned foreign corporation —
  - (a) was incorporated in ..... on the . . .  
..... day of ..... ; or

(b) in the case of a corporation that is registered under the *Corporations Act 2001* of the Commonwealth, is taken to be registered in ..... and was registered on the ..... day of .....  
 .....

7. The nominal capital of the abovementioned foreign corporation is \$ ..... and is divided into the following classes. ....
8. The number of issued shares in each of the abovementioned classes and the amount paid up on each share in each such class are as follows —  
 ..... class on which there is paid up \$ ..... per share. .... class on which there is paid up \$ ..... per share.
9. The full name, address, profession or occupation and date of appointment of each of the directors of the abovementioned corporation are as follows —

Full Name	Address	Profession or Occupation	Date of Appointment
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

10. The full names, addresses and professions or occupations of all shareholders of the abovementioned foreign corporation and the number(s) and class(es) of shares held by them are as follows —

Full Name	Address	Profession or Occupation	Number and class of shares held
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

11. (1) The abovementioned foreign corporation has and maintains in force the following policy of professional indemnity insurance —  
Policy No . . . . . issued by in the sum of \$
- (2) One copy of the abovementioned policy and one copy of —  
(a) the receipt for payment of the first premium; or  
(b) the current certificate of renewal of premium,  
on the policy, each certified by a director of the abovementioned foreign corporation to be a true copy of the original, are attached to this application.
- 11A. The corporation \*proposes/does not propose, to enter into a Deed of Trust particulars of which are \*as follows/identical with particulars set forth in form E

\*NAME/DESIGNATION OF

TRUST:

.....

\*UNIT/DISCRETIONARY

TRUST:

.....

\*ESTABLISHED BY  
SETTLEMENT/  
FOUNDATION/SUB-  
SCRIPTION:

BY: (detail full name,  
address/registered officer  
of Settlor/Founder/  
Subscribers)

\* The beneficiaries/unit holders are:

Please detail full names, address/registered office of beneficiaries/unit holders:

The natural persons ultimately in \* receipt/beneficial entitlement of all income of the corporation under the terms of the Trust and their relationship to the director(s) of the corporation \* are: — /are identical with particulars set forth in form E to this application

Name	Address	Relationship to Director(s)
------	---------	-----------------------------

\* Delete inapplicable

12. One copy of the memorandum and of the articles of association, or of the constitution, of the abovementioned foreign corporation (being a foreign corporation which was incorporated, or is taken to be registered, outside the State), each certified by a director of the foreign corporation to be a true copy of the original, are attached to this form.

(*Note: If the original document is not in the English language, a translation of that document into English, certified by an Australian Consular Officer or a Notary Public in the country where the abovementioned foreign corporation was incorporated to be a correct translation into the English language of that original, must be attached to this application.*)

13. The information set forth in this application is true and correct.  
And I make this solemn declaration by virtue of section 106 of the *Evidence Act 1906*, as amended.

DECLARED at .....	}	
	}	
on the .....	}	
day of .....	}	.....
19. ....	}	Declarant

Before me:

.....

Justice of the Peace or  
Commissioner for Declarations

*ARCHITECTS ACT 1921, AS AMENDED*  
APPLICATION BY FIRM FOR REGISTRATION  
(By-law 33 (d))

TO: THE CHAIRMAN,  
THE ARCHITECTS' BOARD OF  
WESTERN AUSTRALIA

I,  
of

do solemnly and sincerely declare that —

1. I am registered as an architect under the *Architects Act 1921*, as amended, and am a member of the following firm
2. I am the member of the abovementioned firm who has the actual personal supervision and management of the business of the firm in Western Australia.
3. I apply on behalf of the abovementioned firm for the registration of the firm as a practising firm.
4. The name of the abovementioned firm was registered under the *Business Names Act 1962*, as amended, on the day of 19 .....
5. The principal place of business of the abovementioned firm in Western Australia is
6. The full name, address, profession or occupation and date of admission as a member of the abovementioned firm of, and, if the agreement between the members of that firm provides for the exercise of votes by those members, proportion of votes which may be exercised by, each member of that firm are as follows —

Full Name	Address	Profession or Occupation	Date of admission as member	Proportion of votes exercisable
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

7.        The information set forth in this application is true and correct.  
             And I make this solemn declaration by virtue of section 106 of the  
             *Evidence Act 1906*, as amended.

DECLARED at .....	}	
	}	
on the .....	}	
day of .....	}	.....
19.....	}	Declarant

Before me:  
.....  
Justice of the Peace or  
Commissioner for Declarations

Form J

*ARCHITECTS ACT 1921, AS AMENDED*  
THE ARCHITECTS' BOARD OF WESTERN AUSTRALIA  
CERTIFICATE OF REGISTRATION

(By-law 34)

ARCHITECTS' BOARD OF WESTERN AUSTRALIA

This is to certify that the Architects' Board of Western Australia has registered

as an architect in Western Australia in accordance with the *Architects Act 1921*,  
and subsequent amendments.

.....  
Chairman

(Large seal)

.....  
Registrar

Date .....

Registration No .....



Form K

*ARCHITECTS ACT 1921, AS AMENDED*  
NOTICE OF CHANGE IN BOARD OF DIRECTORS OR  
MEMBERSHIP OF CORPORATION

(By-law 34A (1) and (2))

TO: THE REGISTRAR,  
THE ARCHITECTS' BOARD OF  
WESTERN AUSTRALIA

PART I: CHANGE IN BOARD OF DIRECTORS

You are hereby notified, in respect of the following practising corporation . . . . .  
. . . . ., that the person whose particulars are given below has  
become/ceased be a director of that corporation —

Full Name	Usual residential address	Profession or Occupation	Date on which person became or ceased to be director
-----------	---------------------------	--------------------------	--

.....  
.....  
.....  
.....

The board of directors of the abovementioned corporation now consists of the persons whose particulars are given below —

Full Name	Usual residential address	Profession or Occupation	Date on which person became director
-----------	---------------------------	--------------------------	--------------------------------------

.....  
.....  
.....  
.....

PART II: CHANGE IN MEMBERSHIP

You are hereby notified, in respect of the following practising corporation . . . . .  
. . . . ., that the person whose particulars are given below has  
become/ceased to be a member of that corporation —

---

Full Name	Usual residential address	Profession or Occupation	Date on which person became or ceased to be member
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

The membership of the abovementioned corporation now consists of the persons whose particulars are given below —

Full Name	Usual residential address	Profession or Occupation	Date on which person became member
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

**PART III: CHANGE IN PARTICULARS OF DIRECTOR OR MEMBER**

You are hereby notified, in respect of the following practising corporation, that the particulars of ....., who is a director/member of that corporation, have changed as follows —

Dated this ..... day of ..... 19. ....

Director of abovementioned practising  
corporation on behalf of same.

*Note:* This notice must be lodged with the Registrar of the Board within one month after the person concerned became or ceased to be a director or member of the abovementioned practising corporation or after the change in the particulars of a director or member thereof.

Form L

*ARCHITECTS ACT 1921, AS AMENDED*  
NOTICE OF CHANGE IN MEMBERSHIP OF FIRM  
(By-law 34A (3) and (4))

TO: THE REGISTRAR  
THE ARCHITECTS' BOARD OF  
WESTERN AUSTRALIA

PART I: CHANGE IN MEMBERSHIP

You are hereby notified, in respect of the following practising firm  
....., that the person whose particulars are given below has  
become/ceased to be a member of the firm or has become/ceased to a director or  
member of the following corporation  
which is included among the members of the following partnership . . . —

Full Name	Usual residential address	Profession or Occupation	Date on which person became or ceased to be member of firm or director/member of corporation
-----------	---------------------------------	-----------------------------	--

---

.....  
.....  
.....  
.....

The membership of the abovementioned firm or board of directors or  
membership of the abovementioned corporation now consists of the persons  
whose particulars are given below —

Full Name	Usual residential address	Profession or Occupation	Date on which person became member of firm or director/member of corporation
-----------	---------------------------------	-----------------------------	---

---

.....  
.....  
.....  
.....

---

**PART II: CHANGE IN PARTICULARS  
OF MEMBERSHIP**

You are hereby notified, in respect of the following practising firm  
....., that the particulars of  
who is a member of that firm or a director or member of the following  
corporation ..... which is included among the members of the  
following partnership  
....., have changed as follows X

Dated this ..... day of ..... 19. ....

Member of abovementioned practising  
firm on behalf of same.

*Note:* This notice must be lodged with the Registrar of the Board within one month after the person concerned became or ceased to be a member of the abovementioned practising firm or to be a director or member of the abovementioned corporation or after the change in the particulars of such a member or such a director or member.

Form M

*ARCHITECTS ACT 1921, AS AMENDED*  
ANNUAL STATEMENT OF PRACTISING CORPORATION  
(By-law 34B (1))

TO: THE REGISTRAR,  
THE ARCHITECTS' BOARD OF  
WESTERN AUSTRALIA

This Annual Statement relates to the affairs of the following practising corporation . . . . . as at the 30 June 19. . . .

1.      The registered office or principal office of the abovementioned corporation is . . . . .
2.      The full name and address of the director who has the actual personal supervision and management of the business of the abovementioned corporation in Western Australia is  
         of
3.      The nominal capital of the abovementioned corporation is \$  
         and is divided into the following classes
  
4.      The number of issued shares in each of the abovementioned classes and the amount paid up on each share in each such class are as follows —  
         . . . . . class on which there is paid up \$ . . . . . per share.  
         . . . . . class on which there is paid up \$ . . . . . per share.

5.        The full name, usual residential address, profession or occupation and date of appointment of every person who on the 30 June 19 . . . . ., was a director of the abovementioned corporation are as follows —

Full Name	Usual residential address	Profession or Occupation	Date of appointment
.....			
.....			
.....			
.....			

*Note:* It must be stated, under the heading “Profession or Occupation”, whether or not each director is a practising architect as defined by section 2 of the *Architects Act 1921*, as amended.

6.        The full name, usual residential address, profession or occupation of, and number and class of shares held by, any person who on the 30 June 19 . . . . ., was a member of the abovementioned corporation are as follows —

Full Name	Usual residential address	Profession or Occupation	Date on which person became member of corporation
.....			
.....			
.....			
.....			

*Note:* It must be stated, under the heading “Profession or Occupation”, whether or not each member is a practising architect as defined by section 2 of the *Architects Act 1921*, as amended.

7.        The voting rights attaching to each class of issued shares in the abovementioned corporation are as follows —

Class . . . . . Shares . . . . . Votes per share.

Class . . . . . Shares . . . . . Votes per share.

8. At any meeting of the directors of the abovementioned corporation —
- (a) each director is entitled to one vote; or
  - (b) the voting rights of each director are as follows —
9. At any meeting of the members of the abovementioned corporation —
- (a) each member is entitled to one vote; or
  - (b) the voting rights of each member are as follows —
10. The particulars of any transfer of shares during the year ended 30 June 19  
are as follows —

---

Transferor	Transferee	Number and class of shares	Date of registration of transfer
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

---

11. If the abovementioned corporation is a foreign corporation to which the provisions of section 22C of the *Architects Act 1921*, as amended, apply —
- (a) the name of the insurer by whom the corporation is insured under a policy of professional indemnity insurance is  
.....; and
  - (b) the limit, if any, on the amount for which the insurer referred to in paragraph (a) above is liable is \$ .....

We, the undersigned, being 2 of the directors of the abovementioned corporation who are registered as architects, hereby certify that the above information is true and correct as at the 30 June 19 . . . . ., and that at all times during the year or period to which this statement relates to the best of our knowledge and belief —

- (a) that corporation has complied with the provisions of the *Architects Act 1921*, as amended; and

- (b) that corporation has not altered or acted in contravention of its articles of association.

DATED the ..... day of ..... 19....

Director Architect

Director Architect



Form N

*ARCHITECTS ACT 1921, AS AMENDED*  
ANNUAL STATEMENT OF PRACTISING FIRM  
(By-law 34B (2))

TO: THE REGISTRAR  
THE ARCHITECTS' BOARD OF  
WESTERN AUSTRALIA

This Annual Statement relates to the affairs of the following practising firm  
..... as at the 30 June 19

1.      The principal place of business of the abovementioned firm in Western Australia is
  
2.      The full name of the member who has the actual personal supervision and management of the business of the abovementioned firm in Western Australia is —  
.....
3.      The full name, address, profession or occupation and date of admission as a member of the abovementioned firm of, and, if the agreement between the members of that firm provides for the exercise of votes by those members, the proportion of votes which may be exercised by, each person who on the 30 June 19..... was a member of the firm are as follows —

Full Name	Usual residential Address	Profession or Occupation	Date of admission as member	Proportion of votes exercisable by member
-----------	---------------------------	--------------------------	-----------------------------	---

.....

.....

.....

.....

.....

*Note:* It must be stated, under the heading "Profession or Occupation", whether or not each member is a practising architect as defined by section 2 of the *Architects Act 1921*, as amended.

4.     If the abovementioned firm includes among its members a foreign corporation to which the provisions of section 22C of the *Architects Act 1921*, as amended, apply —
- (a)    the name of the insurer by whom that corporation is insured under a policy of professional indemnity insurance is . . . . .
  - (b)    the limit, if any, on the amount for which the abovementioned insurer is liable is \$ . . . . . ;
  - (c)    the number of the abovementioned policy is . . . . . ;
  - (d)    in the case of a policy of professional indemnity insurance which came into force before the beginning of the period to which this Annual Statement relates, a copy of the current certificate of renewal of premium thereon certified by a director of the abovementioned foreign corporation to be a true copy of the original is attached to this form; and
  - (e)    in the case of a policy of professional indemnity insurance which came into force during the period to which this Annual Statement relates, a copy of the receipt for payment of the first premium thereon and a copy of that policy, both certified by a director of the abovementioned foreign corporation to be true copies of the originals, are attached to this form.

We, the undersigned, being 2 of the members of the abovementioned firm who are registered as architects hereby certify that the above information is true and correct as at 30 June 19 . . . . . and that at all times during the year or period to which this statement relates to the best of our knowledge and belief —

- (a)    the abovementioned firm has complied with the provisions of the *Architects Act 1921*, as amended;
- (b)    the abovementioned firm has not altered or acted in contravention of the provisions of the deed of partnership under which it is constituted.

Dated the . . . . . day of . . . . . 19. . . .

Member and Architect

Member and Architect

---

Form O

*ARCHITECTS ACT 1921, AS AMENDED*  
COMMITTEE OF ARCHITECTURAL EDUCATION  
CERTIFICATE OF EXAMINATION  
(By-law 40)

This is to certify that  
has passed the examination prescribed by by-laws made under the *Architects Act 1921*, as amended.

At Perth this ..... day of ..... 19....

Chairman,  
The Architects' Board of  
Western Australia  
Member of Committee of  
Architectural Education

.....  
Registrar,  
The Architects' Board of  
Western Australia.

No.    in Register .....

---

*[Schedule inserted in Gazette 23 February 1979 pp.512-23; amended  
in Gazette 14 August 1987 p.3176; 15 March 2002 pp.1311-2.]*

### Notes

- <sup>1</sup> This is a compilation of the *Architects' Board of Western Australia By-laws 1965* and includes the amendments referred to in the following Table.

#### Compilation table

Citation	Gazettal	Commencement
<i>Architects' Board of Western Australia By-laws 1965</i>	8 Jan 1965 pp.19-28	8 Jan 1965 (see by-law 51)
<i>Amendment By-laws</i>	14 Apr 1966 pp.918-9	14 Apr 1966
<i>Amendment By-laws</i>	30 Dec 1968 p.3950	30 Dec 1968
<i>Amendment By-laws</i>	24 May 1974 p.1633	24 May 1974
<i>Amendment By-laws</i>	25 Jul 1975 p.2734	25 Jul 1975
<i>Amendment By-laws</i>	1 Apr 1977 p.944	1 Apr 1977
<i>Amendment By-laws</i>	23 Feb 1979 pp.509-23	23 Feb 1979
<i>Amendment By-laws</i>	6 Jun 1980 p.1690	6 Jun 1980
<i>The Architects' Board of Western Australia Amendment By-laws 1980</i>	7 Nov 1980 p.3777	7 Nov 1980
<i>The Architects' Board of Western Australia Amendment By-laws 1983</i>	17 Jun 1983 p.1923	17 Jun 1983
<i>The Architects' Board of Western Australia Amendment By-laws 1984</i>	30 Nov 1984 p.3981	1 Jan 1985 (see by-law 2)
<i>The Architects' Board of Western Australia Amendment By-laws 1986</i>	7 Feb 1986 p.437	1 Mar 1986 (see by-law 2)
<i>The Architects' Board of Western Australia Amendment By-laws 1987</i>	14 Aug 1987 pp.3175-77	14 Aug 1987 (see by-law 2 and Gazette 14 Aug 1987 p.3160)
<i>The Architects' Board of Western Australia Amendment By-laws (No. 2) 1987</i>	22 Jan 1988 p.166	22 Jan 1988 (see by-law 2)
<i>The Architects' Board of Western Australia Amendment By-laws 1988</i>	10 Jun 1988 p.1910	10 Jun 1988
<i>Architects' Board of Western Australia Amendment By-laws 1989</i>	29 Dec 1989 pp.4685-6	1 Jan 1990 (see by-law 2)

Citation	Gazettal	Commencement
<i>Architects' Board of Western Australia Amendment By-laws 1993</i>	2 Jul 1993 p.3259	2 Jul 1993
<i>Architects' Board of Western Australia Amendment By-laws 1999</i>	1 Feb 2000 pp.379-80	1 Feb 2000
<i>Architects' Board of Western Australia Amendment By-laws 2002</i>	15 Mar 2002 pp.1311-12	15 Mar 2002
<i>Architects' Board of Western Australia Amendment By-laws 2003</i>	8 Apr 2003 pp.1104-5	8 Apr 2003
<a href="#"><u>These by-laws were repealed by the <i>Architects Act 2004</i> s. 78(2) (No. 75 of 2004) as at 16 Nov 2005 (see s. 2 and <i>Gazette</i> 15 Nov 2005 p. 5597)</u></a>		

<sup>1a</sup> On the date as at which this compilation was prepared, provisions referred to in the following table had not come into operation and were therefore not included in this compilation. For the text of the provisions see the endnotes referred to in the table.

### Provisions that have not come into operation

Short title	Number and Year	Assent	Commencement
<i>Architects Act 2004</i> s. 78(2) and (3) and Sch. 2 <sup>2</sup>	75 of 2004	8 Dec 2004	To be proclaimed (see s. 2)

<sup>2</sup> On the date as at which this compilation was prepared, the *Architects Act 2004* s. 78(2) and (3) which gives effect to Sch. 2 had not come into operation. They read as follows:

“

**78. Repeal of *Architects Act 1921*, savings and transitional provisions**

- (2) The *Architects' Board of Western Australia By-laws 1965* are repealed.
- (3) Schedule 2 has effect in relation to the repeal effected by subsection (1).

”.

Schedule 2 reads as follows:

“

## Schedule 2 — Savings and transitional provisions

[s. 78(3)]

### 1. Terms used in this Schedule

In this Schedule —

“**commencement**” means the commencement of this Act;

“**the former Board**” means The Architects' Board of Western Australia established under the repealed Act;

“**the new Board**” means Architects Board of Western Australia established under this Act;

“**the repealed Act**” means the *Architects Act 1921*.

### 2. Interpretation Act 1984 not affected

The provisions of this Schedule do not prejudice or affect the application of the *Interpretation Act 1984* to and in relation to the repeal effected by section 78(1).

### 3. Board (body corporate) continues

- (1) The new Board is the same entity as, and a continuation of, the former Board, and the rights and liabilities of or in relation to the former Board continue as rights and liabilities of or in relation to the new Board.

- (2) If in a written law or other document or instrument there is —
- (a) a reference to the former Board; or
  - (b) a reference that is read and construed as a reference to the former Board,

the reference may, where the context so requires, be read as if it had been amended to be a reference to the new Board.

- (3) If in a written law or other document or instrument there is —
- (a) a reference to the chairman or member of the former Board; or
  - (b) a reference that is read and construed as a reference to the chairman or a member of the former Board,

the reference may, where the context so requires, be read as if it had been amended to be a reference to the chairperson or a member of the new Board.

**4. Membership of new Board**

- (1) The persons who, immediately before commencement, were members of the former Board go out of office as members of the Board on commencement.
- (2) Despite Schedule 1 clause 1(1)(a), in the case of the first 4 members of the new Board appointed under section 7(1)(a) —
  - (a) 2 members are to be appointed to hold office for 2 years; and
  - (b) 2 members are to be appointed to hold office for 1 year.
- (3) Despite Schedule 1 clause 1(1)(a), in the case of the first 2 members of the new Board appointed under section 7(1)(b) —
  - (a) one member is to be appointed to hold office for 2 years; and
  - (b) one member is to be appointed to hold office for 1 year.
- (4) Despite section 7(1)(b), the Minister is to appoint the first 2 members of the new Board under that paragraph from at least 4 nominations of the Royal Australian Institute of Architects (WA Chapter) and section 7(4) applies as if that body were prescribed by the regulations for the purposes of section 7(1)(b).
- (5) Despite Schedule 1 clause 1(1)(b), in the case of the first 4 members of the new Board to be elected under section 7(1)(c) —
  - (a) 2 members are to be elected to hold office for 2 years; and
  - (b) 2 members are to be elected to hold office for 1 year.
- (6) Despite the repeal effected by section 78(1), the First Schedule to the repealed Act continues to have effect for the purposes of the first election of members of the new Board under section 7(1)(c) and, for that purpose, references in that Schedule to “the Board” are to be regarded as references to the first 4 members of the new Board appointed under section 7(1)(a) and the first 2 members of the new Board appointed under section 7(1)(b).

**5. Registrar and other staff**

- (1) The registrar of the former Board who held office immediately before commencement continues in office, under and subject to this Act, as the registrar of the new Board.
- (2) The other officers of the former Board who held office immediately before commencement continue in office, under and subject to this Act, as officers of the new Board.

- (3) A person mentioned in subclause (1) or (2) is to be regarded as having been employed or engaged, as is relevant to the terms of the person's appointment, under this Act.
- (4) Except as otherwise agreed by a person mentioned in subclause (1) or (2), the remuneration, existing or accrued rights, rights under a superannuation scheme or continuity of service of the person are not affected, prejudiced or interrupted by the operation of subclause (1) or (2) or the repeal of the *Architects Act 1921*.
- (5) The rights under a superannuation scheme of a person who was a registrar or officer of the former Board are not affected, prejudiced or interrupted by the repeal of the *Architects Act 1921*.

**6. Persons registered under repealed Act**

- (1) The registration of a natural person who immediately before commencement was registered under the repealed Act continues, under and subject to this Act, as a registration under this Act —
  - (a) until 31 December in the year of commencement or for a longer period that is prescribed by the regulations; and
  - (b) on the same terms as applied under the repealed Act to the registration.
- (2) A person mentioned in subclause (1) is to be regarded as having been registered under this Act.
- (3) The registration of a corporation that immediately before commencement was registered under the repealed Act continues, under and subject to this Act, as a licence under this Act —
  - (a) until 31 December in the year of commencement or for a longer period that is prescribed by the regulations; and
  - (b) on the same terms as applied under the repealed Act to the registration.
- (4) A corporation mentioned in subclause (3) is to be regarded as having been licensed under this Act.

**7. Register**

The register under the repealed Act as it exists immediately before commencement continues, under and subject to this Act, as the register under this Act.

**8. Certificates under repealed Act**

- (1) A certificate of registration that was issued under the repealed Act to a natural person and that is in effect immediately before commencement continues, under and subject to this Act, as a certificate of registration for the purposes of this Act and has



effect until 31 December in the year of commencement or for a longer period that is prescribed by the regulations.

- (2) A certificate of registration that was issued under the repealed Act to a corporation and that is in effect immediately before commencement continues, under and subject to this Act, as a licence document for the purposes of this Act and has effect until 31 December in the year of commencement or for a longer period that is prescribed by the regulations.

**9. Transitional provision as to applications for registration**

- (1) An application by a natural person for registration under the repealed Act that is not finalised before commencement is to be dealt with as if sections 14, 14A, 14C and 15 of the repealed Act had not been repealed by this Act.
- (2) An application by a corporation for registration under the repealed Act that is not finalised before commencement is to be dealt with as if the application had been made under section 33(1) for the grant of a licence to the corporation.

**10. First annual report**

- (1) In its first annual report under section 28 the new Board is also to report on the proceedings of the former Board for the period from 1 January in the preceding year to commencement.
- (2) Subclause (1) does not apply to the extent that the former Board has reported under section 35 of the repealed Act on those proceedings.

**11. Powers in relation to transitional provisions**

If there is no sufficient provision in this Schedule for dealing with a transitional matter the Governor may make regulations prescribing all matters that are required, necessary or convenient to be prescribed in relation to that matter.

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