

The practice of architecture in the NWT is regulated by the *Architects Act*, which came into effect in April 2002.

THE ACT

The *Architects Act* defines the practice of architecture as follows:

- To plan, design or give advice on the design of or on the erection, construction or alteration of or an addition to a building,
- To prepare plans, drawings, detail drawings, specifications or graphic representations for the design of or for the erection, construction or alteration of or an addition to a building, or
- To inspect work and assess the performance of work under a contract for the erection, construction or alteration of or an addition to a building.

The application of a stamp indicates that an authorized practitioner is satisfied that the work has been completed to an acceptable standard. Architects, Restricted Practitioners, and Licensees (or Visiting Project Architects) can only stamp documents that they have prepared themselves or that have been prepared under their direct supervision.

The application of a stamp by a Permit Holder indicates that the documents have been prepared by the firm to whom the permit has been issued, and that the signatory of the firm assumes responsibility for the practice and professional conduct of the firm as per section 29 of the *Act*.

BUILDINGS COVERED BY THE ARCHITECTS ACT

The Architects Act applies to all buildings that exceed three storeys or have a total gross area greater than 600 square metres. Gross Area is defined as “the combined sum of the gross areas of all floors in a building, measured to the external face of the exterior walls.”

The Architects Act does not apply to buildings covered in Part 9 of the *National Building Code of Canada*, specifically buildings with a gross area of 600m² or less and three storeys or less in height that are used for:

- Residential occupancy, or
- Business and personal services occupancy, or
- Mercantile occupancy, or
- Medium and low hazard industrial occupancy, or
- A re-locatable industrial camp

An architect is not required for alterations to an existing building that do not affect exiting, fire safety, National Building Code occupancy classification, structural systems and components, or significant changes to the building envelope. As well, the routine maintenance of buildings is not affected by the *Architects Act*.

WHO CAN PRACTICE ARCHITECTURE IN THE NWT

The Architects Act states that only authorized practitioners can practice architecture in the NWT. There are four categories of authorized practitioners: **architects**, **restricted practitioners**, **licensees**, and **permit holders**.

- **Architects** can work on a full range of projects regardless of size or occupancy.
- **Restricted Practitioners** have limits on their scope of work based on building size and/or occupancy. This category of membership recognizes those individuals who practiced architecture in the NWT before the Architects Act came into effect, but who do not have the education and/or experience required for membership in the NWTAA as architects.
- **Licensees** are visiting project architects from other jurisdictions who have been issued a Licence to practice architecture by the NWTAA. This Licence is limited to a specific project and requires the licensee to collaborate with an NWTAA architect or restricted practitioner.
- **Permit holders** are firms that have been issued a permit to practice architecture by the NWTAA. A 'firm' as defined by the Architects Act includes a partnership, corporation or association of persons. It is not enough for a firm to have an architect or restricted practitioner on staff in order to practice architecture. The firm itself requires a permit from the NWTAA.

In order to be issued a permit, a firm must:

- Apply to the NWTAA and pay the required fees; and
- Have at least one director, partner or officer of the firm who is an architect or restricted practitioner registered with the NWTAA, who will serve as the professional representative of the firm, and directly supervise the practice of architecture by the firm.

Note that the *Architects Act* gives Council the authority to attach terms and conditions to a permit as it considers appropriate.

The requirement for a permit applies only to firms engaged in the practice of architecture. An architect or restricted practitioner practicing as an unincorporated sole proprietor does not require a permit, although they must be a registered member of the NWTAA.

The Northwest Territories Association of Architects' Council issues Practice Bulletins to be used as general interpretations, clarifications and/or elaborations of the requirements set in the Architects Act and NWTAA Bylaws. NWTAA does not provide legal, accounting or insurance advice and is not responsible for any errors or omissions with respect to such matters that may be contained herein. Readers are advised to consult their own legal, accounting or insurance representatives to obtain suitable professional advice in those regards. Inquiries regarding the contents of this Practice Bulletin can be directed to the NWTAA office by email at ed@nwtaa.ca. Further information relating to the registry of NWTAA members, the Architects Act and the NWTAA Bylaws can be accessed online at www.nwtaa.ca.