

Architects Board Appointment 2020 (No 3)

Disallowable instrument DI2020–247

made under the

Architects Act 2004, s 70 (Board membership)

EXPLANATORY STATEMENT

This disallowable instrument appoints the commercial lawyer member to the Australian Capital Territory Architects Board (the **Board**) for a period of two years.

Section 64 of the *Architects Act 2004* (the **Act**) provides for the establishment of the Board. The functions of the Board are to:

- register architects;
- investigate complaints about registered people and people who have been registered;
- take disciplinary action where necessary;
- consider and report to the Minister about issues referred to the Board by the Minister;
- advise the Minister in relation to the practice of architecture;
- further common legislative approach through cooperation with other jurisdictions;
- accredit courses of study in architecture; and
- provide general advice to consumers about professional conduct and standards of competence expected of registered architects.

Registration as an architect is not compulsory to practise as an architect, but is required to use the title of ‘architect’.

Under section 66 of the Act the Board must exercise its functions independently, impartially and in the public interest. However, the Board is required to respond to ministerial directions to the Board.

Section 70 of the Act requires the Minister to appoint five members to the Board.

Section 70 of the Act stipulates the requirements for each position:

- one member must be nominated in writing by a representative body;
- one member must be, or have recently been, an academic architect;
- one member must be a registered architect;

- one member must be a commercial lawyer; and
- one member is to represent community interests and must not be a registered architect.

Under section 71 of the Act, the appointments are for a period not longer than three years.

Members of the Board are paid for sitting hours only at a maximum rate of \$480 per diem for members and \$555 per diem for the chairperson.

Commercial lawyer appointment

This instrument appoints the commercial lawyer member of the board. The position was advertised on the ACT Government Careers and Employment website. Notification of the Expression of Interest process was sent to the ACT Law Society.

The appointee is a practising commercial lawyer and is the Litigation and Dispute Resolution Partner at Trinity Law. The appointee is not an ACT public servant.

In accordance with section 228 of the *Legislation Act 2001* the appointment was referred to the Legislative Assembly Standing Committee on Planning and Urban Renewal. The Committee had no comment regarding the appointment.