

Architects Board Appointment 2013 (No 1)

Disallowable Instrument DI2013-135

made under the

Architects Act 2004, subsection 70(2)

EXPLANATORY STATEMENT

This disallowable instrument appoints members to the Australian Capital Territory Architects Board (the Board) for a period not longer than three years.

Section 64 of the Act provides for the establishment of the Board. The principal functions of the Board are:

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

Under section 66 the Board must exercise its functions independently, impartially and in the public interest. However the Board is still 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 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, the appointments are for a period not longer than three years. None of the appointments to the Board are ACT Public Servants.

Members of the Board are paid for sitting hours only at a maximum rate of \$375 for members and \$445 for the chairperson.

In accordance with section 228 of the *Legislation Act 2001* the appointments were referred to the Legislative Assembly Standing Committee on Planning, Public Works and Territory and Municipal Services for comment. The Committee advised that it had no recommendation regarding the appointments.