

House of Representatives

Supplementary Order Paper

Tuesday, 5 April 2005

Registered Architects Bill

Proposed amendments

Hon Chris Carter, in Committee, to move the following amendments:

Clause 2

To omit from subclause (1) the expression “**1 July 2004**” (line 4 on page 3), and substitute the expression “**1 July 2005**”.

To omit from subclause (2) the expression “**1 July 2005**” (line 5 on page 3), and substitute the expression “**1 July 2006**”.

Clause 7

To omit the heading to clause 7 (line 1 on page 5), and substitute the words “**Protection of titles registered architect and architect**”.

To insert, after subclause (1) (after line 9 on page 5), the following subclause:

- (1A) No person who designs buildings, prepares plans and specifications for buildings, or supervises the construction of buildings may use the title “architect” unless he or she is a registered architect.

To omit *new subclause (2)* (lines 18 to 21 on page 5), and substitute the following subclause:

- (2) Despite **subsections (1) and (1A)**, a person may use the title “registered architect” or “architect” (or words, initials, or abbreviations of those titles), in accordance with the rules, in representing qualifications or titles awarded by overseas agencies.

To omit from subclause (3) the expression “**subsection (1)**” (line 22 on page 5), and substitute the words “**subsection (1) or subsection (1A)**”.

Clause 24

To insert, after subclause (2) (after line 15 on page 11), the following subclause:

- (2A) If the Board determines not to proceed with a complaint because the matter relates to a building practitioner who is licensed under the Building Act 2004, the Board must refer the complaint to the Registrar of Licensed Building Practitioners appointed under that Act.

Clause 26

To omit subclause (5) (lines 9 to 11 on page 13), and substitute the following subclause:

- (5) In addition to notifying the action taken by the Board in the register, the Board—
- (a) must notify the Registrar of Licensed Building Practitioners appointed under the Building Act 2004 of the action and the reasons for it; and
 - (b) may publicly notify the action in any other way that it thinks fit.

Clause 46

To omit from subclause (3) the expression “IV” (line 27 on page 19), and substitute the expression “4”.

Clause 50

To omit from paragraph (a) the expression “1 July 2005” (line 24 on page 20), and substitute the expression “1 July 2006”.

To omit from paragraph (e) the words “and the distinction between registered architects and other persons who may call themselves architects” (lines 2 to 4 on page 21).

Clause 67

To omit from subclause (1) the expression “1 July 2005” (line 32 on page 25), and substitute the expression “1 July 2006”.

To omit from subclause (2) the expression “1 July 2005” (line 7 on page 26), and substitute the expression “1 July 2006”.

To insert in subclause (2)(b), before the words “is used in” (line 17 on page 26), the words “or ‘architect’ ”.

To omit the heading above subclause (2)(d) (line 26 on page 26), and substitute the following heading:

Registration of registered architects

To insert in subclause (2)(i), after the words “in relation to registration” (line 9 on page 27), the words “, renewal of registration,”.

Clause 78

To omit subclause (1) (lines 3 to 25 on page 31), and substitute the following subclause:

- (1) The general scheme and effect of the transitional and consequential provisions is as follows:
- (a) the Board is established on **1 July 2005**;
 - (b) between **1 July 2005** and **1 July 2006**, the rules must be made:
 - (c) on **1 July 2006**,—

- (i) the rest of this Act comes into force; and
 - (ii) the Architects Act 1963 is repealed; and
 - (iii) people who, at that date, are registered under the Architects Act 1963 (**existing architects**) are deemed to be registered as a registered architect under this Act until, at the latest, **30 June 2007**;
- (d) between **1 July 2006** and **30 June 2007**,—
- (i) persons may be registered as registered architects under this Act and are subject to this Act in full; and
 - (ii) existing architects are subject to this Act in full, and must apply for registration under this Act at some point before the end of that period, if they wish to continue as registered architects after **30 June 2007**;
- (e) on **30 June 2007**, the transitional period ends.

Clause 79

To omit from the heading to this clause the expression “**30 June 2006**” (lines 29 and 30 on page 31), and substitute the expression “**30 June 2007**”.

To omit from subclause (1) the expression “**1 July 2005**” (line 2 on page 32), and substitute the expression “**1 July 2006**”.

To omit from subclause (1)(a) the expression “**30 June 2006**” (line 5 on page 32), and substitute the expression “**30 June 2007**”.

To omit from subclause (2) the expression “**1 July 2005**” (line 10 on page 32), and substitute the expression “**1 July 2006**”.

Clause 80

To omit the expression “**1 July 2005**” (line 19 on page 32), and substitute the expression “**1 July 2006**”.

To omit from paragraph (b)(i) the expression “**30 June 2006**” (line 28 on page 32), and substitute the expression “**30 June 2007**”.

Clause 81

To omit the expression “**1 July 2004**” (line 8 on page 33), and substitute the expression “**1 July 2005**”.

Clause 82

To omit from subclause (1) the expression “**1 July 2004**” (line 10 on page 33), and substitute the expression “**1 July 2005**”.

To omit from subsection (2) the expression “**1 July 2004**” (line 16 on page 33), and substitute the expression “**1 July 2005**”.

Clause 83

To omit the expression “**1 July 2005**” (line 23 on page 33), and substitute the expression “**1 July 2006**”.

Clause 84

To omit the expression “**1 July 2005**” (line 29 on page 33), and substitute the expression “**1 July 2006**”.

Clause 85

To omit the expression “**1 July 2005**” (line 9 on page 34), and substitute the expression “**1 July 2006**”.

To omit paragraph (c) (lines 13 to 16 on page 34).

Clause 87

To omit the expression “**1 July 2005**, the Second Schedule” (line 1 on page 35), and substitute the expression “**1 July 2006**, Schedule 2”.

Schedule 1: clause 42

To omit the words “only in accordance with section 25 of the Public Finance Act 1989” (lines 17 and 18 on page 48), and substitute the words “subject to the restrictions in section 161 of the Crown Entities Act 2004”.

Explanatory note

This Supplementary Order Paper replaces Supplementary Order Paper No 317. The Minister who is to move the amendments in this Supplementary Order Paper is now the Honourable Chris Carter. All of the dates specified in this Supplementary Order Paper have also been changed from the dates specified in Supplementary Order Paper No 317.

This Supplementary Order Paper amends the Registered Architects Bill in order to align all of the dates in the Bill with the date that the Bill may receive Royal assent. All references to **1 July 2004** are changed to **1 July 2005**. All references to **1 July 2005** are changed to **1 July 2006**. All references to **30 June 2006** are changed to **30 June 2007**.

This Supplementary Order Paper also amends *clause 7* of the Bill with the effect that no person, other than a registered architect, doing the work of an architect may call themselves by the term “architect”. This provides a protection for the title “architect”. The Bill as reported from the Government Administration Committee only protected the title “registered architect”.

Clause 24 of the Bill is amended to require the New Zealand Registered Architects’ Board to pass on complaints about persons who are not registered architects, but are building practitioners, to the Registrar of Licensed Building Practitioners to be appointed under the Building Bill if it is enacted.

Similarly, *clause 26* is amended to require the Board to inform the Registrar of Licensed Building Practitioners of disciplinary action taken under this Bill.

Clause 67(2)(b) of the Bill is amended to reflect the changes made to *clause 7*. *Clause 67(2)(i)* is amended to require the rules to cover charges for a renewal of registration. A heading in *clause 67* is also amended.

Clause 85(c) of the Bill is omitted as it contains an incorrect reference.

Clause 42 of Schedule 1 of the Bill is amended to reflect changes made to the Public Finance Act 1989 and the new requirements of the Crown Entities Act 2004.

