

UNEDITED

# *The Saskatchewan Architects Act*

*being*

Chapter 139 of *The Revised Statutes of Saskatchewan, 1920*  
(assented to November 10, 1920).

FOR HISTORICAL REFERENCE ONLY

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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## CHAPTER 139

### An Act respecting The Saskatchewan Association of Architects

#### SHORT TITLE

##### Short title

- 1 This Act may be cited as *The Saskatchewan Architects Act*.

1910–11, c.30, s.1; R.S.S. 1920, c.139, s.1.

#### INTERPRETATION

##### Interpretation

- 2 In this Act, unless the context otherwise requires, the expression:

##### “Architect”

1. “**Architect**” means any person who is engaged for hire, gain or hope of reward in the planning or supervision for others of the erection, enlargement or alteration of buildings by persons other than himself; but does not include a draughtsman, student, clerk of works, superintendent or other employee of a registered architect acting under the direction and control of his employer, or a superintendent of buildings paid by the owner thereof acting under the direction and control of a registered architect;

##### “Building”

2. “**Building**” means a structure consisting of foundation, walls and roofs, with or without other parts.

1910–11, c.30, s.2; R.S.S. 1920, c.139, s.2.

#### ASSOCIATION AND COUNCIL

##### Incorporation

- 3 The Saskatchewan Association of Architects is hereby continued as a body politic and corporate, herein called “**the association.**”

1910–11, c.30, s.3; R.S.S. 1920, c.139, s.3.

##### Membership

- 4 Every person registered under the provisions of this or any former Act shall be a member of the association.

1910–11, c.30, s.4; R.S.S. 1920, c.139, s.4.

##### Council

- 5 There shall continue to be a council of management of the association to be constituted in the manner hereinafter mentioned and herein referred to as “**the council.**”

1910–11, c.30, s.6; R.S.S. 1920, c.139, s.5.

**Council, how composed**

**6** The council shall continue to consist of seven members; one of such members to be a member of the faculty of the University of Saskatchewan and the remaining six to be architects residing in Saskatchewan who have been practising the profession of architecture for at least three years before the respective dates of their election or appointment.

(2) Any five members of the council shall form a quorum.

1910–11, c.30, ss. 6 and 7 (in part); R.S.S. 1920, c.139, s.6.

**Election of members**

**7** The member of the council who is a member of the faculty of the University of Saskatchewan shall be appointed by the Lieutenant Governor in Council. All other members shall be elected by ballot in such manner as may be provided by the bylaws of the association at the annual meeting of the association or at a special meeting called for that purpose, and the members obtaining the greatest number of votes shall be declared elected.

1910–11, c.30, s.9; R.S.S. 1920, c.139, s.7.

**Qualification of members**

**8** No person shall be eligible for election to the council or qualified to fill a vacancy thereon, or to vote for members thereof, unless duly qualified under the provisions of this Act and the bylaws of the association.

1910–11, c.30, s.10; R.S.S. 1920, c.139, s.8.

**Term of office**

**9** Elected members of the council shall hold office for the term of three years except as hereinafter provided, two of such members retiring each year.

1910–11, c.30, s.11, (in part); R.S.S. 1920, c.139, s.9.

**Vacancies**

**10(1)** In case of the resignation or death of an elected member or of a number of elected members of the council not exceeding three, the other members may fill the vacancy so caused until the next annual meeting, provided such meeting is not to be held within a period of three months after the vacancy occurs.

(2) In case of the resignation or death of four or more elected members of the council, the president or vice president of the association, or in case of their or either of their default for a period of ten days any five members in good standing, may call a special meeting of the association upon a notice of not less than ten days for the purpose of filling the vacancies so caused

(3) In case of an election to fill the vacancies referred to in subsection (2), the member receiving the highest number of votes shall fill the vacancy which will require the longest time to expire, and so on until all the vacancies are filled.

(4) For the purposes of this section the expression “**elected member**” includes a person who has taken the place of an elected member under the provisions of this section.

1910–11, c.30, s.12 (amended) ; R.S.S. 1920, c.139, s.10.

## ARCHITECTS

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**Disputed election**

**11** In case of any doubt or dispute as to who have been elected members of the council or as to the legality of the election of a member, the remaining members may as a committee inquire and decide who have been legally elected, and the persons, if any, whom they decide to have been elected shall be deemed to have been legally elected, and if an election is found to have been illegal the committee may order a new election.

1910–11, c.30, s.13; R.S.S. 1920, c.139, s.11.

## OFFICERS

**Election**

**12** The council shall annually elect front its members a president and two vice presidents, and shall appoint a secretary and a treasurer and such other officers as may be necessary for carrying out the provisions of this Act. The appointed officers shall hold office during the pleasure of the council, and shall be officers of the council as well as officers of the association.

1910–11, c.30, s.19; R.S.S. 1920, c.139, s.12.

**Salaries**

**13** The council may fix by bylaw the salaries or fees to be paid to such officers and to examiners appointed under the provisions of this Act.

1910–11, c.30, s. 20; R.S.S. 1920, c.139, s.13.

## MEETINGS

**Meetings**

**14** Meetings of the association and of the council shall be held at such times and places as may be fixed by the bylaws of the association or council respectively, and, in the absence of any rule or regulation on the subject, the president or in the event of his absence, resignation or death, the secretary may, by circular letter mailed to each member of the association or of the council, as the case may be, summon a meeting at such time and place as to him seems meet.

1910–11, c.30, s.14; R.S.S. 1920, c.139, s.14.

**Casting vote**

**15** At all meetings the president for the time being shall have a casting vote only.

1910–11, c.30, s.17; R.S.S. 1920, c.139, s.15.

**Who to preside at meeting**

**16** In the event of the absence of the president from a meeting, either of the vice presidents or in their absence some member to be chosen from the members present shall act as president.

1910–11, c.30, s. 15; R.S.S. 1920, c.139, s.16.

**Voting**

**17** All questions submitted to the association or the voting council shall be decided by a majority of the members present, not being less than five in number in case of the council and ten in case of the association.

1910–11, c.30, s.16; R.S.S. 1920, c.139, s.17.

**Expenses of councillors**

**18** There shall be paid to the members of the council such fees for attendance and such reasonable traveling expenses as may be fixed by bylaw passed by the association at the annual meeting.

1910–11, c.30, s.18; R.S.S. 1920, c.139, s.18.

## POWERS OF THE ASSOCIATION

**Property**

**19** The association shall have power:

1. To acquire and hold such property as is necessary for the purposes for which it is constituted, and to alienate the same at pleasure:

Provided that the annual value of the real property held at any one time for the actual use of the association shall not exceed five thousand dollars;

**Bylaws**

2. To make and pass bylaws in accordance with this Act for the direction and management of the association and for admission to the study and practice of the profession of architecture and to make such rules as may be deemed necessary for maintaining the dignity and honour of that profession and to alter and amend the same when deemed advisable:

Provided that no such bylaws or amendments thereto shall be valid or take effect until approved by the Lieutenant Governor in Council.

1910–11, c.30, s.21; R.S.S. 1920, c.139, s.19.

## MEMBERSHIP

**Members of other associations**

**20(1)** The council shall admit to membership all members of associations of architects in any province of Canada, all members of The Royal Institute of British Architects and all foreign associations of architects of equal standing on presentation of their credentials, and payment of the prescribed fees; and the Lieutenant Governor in Council may at any time declare any association of architects to be an association whose members shall be admitted to membership under this section.

**Persons with five years practice**

(2) Architects who are not members of such associations as are referred to in subsection (1), and who have practiced for five years, shall be admitted on payment of the proper fees without serving as students, but shall be required to pass the final examination.

**Graduate of school of architecture**

(3) The council shall admit, after sufficient examination and on payment of the prescribed fees, every graduate of a recognised school of architecture or technology after one year's study under a principal approved by the council, provided the course of study followed by such candidate has been not less than four years in duration.

1910–11, c.30, ss. 22 (in part), and 27 (amended);  
R.S.S. 1920, c.139, s.20.

**Admission of other persons**

**21** Any person other than one of those mentioned in section 20 who applies for admission to registration as an architect:

- (a) shall be not less than, twenty-one years of age;
- (b) shall have served as a student for not less than four years with one or more principals entitled to register under this Act or approved by the council; and
- (c) shall have passed such qualifying examinations as may be required by the bylaws of the association except in the cases provided for by this Act.

1910–11, c.30, s.23; R.S.S. 1920, c.139, s.21.

**STUDENT ASSOCIATES****Admission**

**22(1)** The council shall admit as student associates those desirous of entering the profession of architecture.

(2) Candidates shall give one month's notice to the secretary, furnishing therewith their full names and addresses.

(3) They shall pay such fees and submit to such examinations as shall be necessary in that behalf.

(4) Any student who has matriculated in arts in any university in His Majesty's dominions, and any graduate in arts, sciences or letters of any university in His Majesty's dominions shall not be required to pass a preliminary examination.

1910–11, c.30, s.24 (in part); R.S.S. 1920, c.139, s.22.

**Service under indenture**

**23** Students shall serve under indenture to a registered architect for such term as is required by the provisions of this Act which indenture and any assignment thereof with an affidavit of execution thereto attached shall be filed with the secretary upon payment of such fee as the council may direct.

1910–11, c.30, s.25; R.S.S. 1920, c.139, s.23.

**Shortening term of indenture**

**24** The council may shorten the period of studentship to a term of not less than three years in favour of graduates of any recognised college or school of architecture or technology.

1910–11, c.30, s.26; R.S.S. 1920, c.139, s.24.

## EXAMINERS

**Examiners**

**25(1)** The council shall appoint or more examiners for the purpose of ascertaining and reporting on the qualifications of all persons who present themselves for admission to the study or practice of architecture under the provisions of this Act; such examiners to be approved by the Lieutenant Governor in Council.

(2) The council shall also prescribe the subjects for such examinations which shall take place in January and July in each year on dates previously fixed and advertised by the council.

1910–11, c.30, s.28; R.S.S. 1920, c.139, s.25.

## REGISTRATION

**Register of members and students**

**26(1)** The secretary shall in every year cause to be printed, published and kept for inspection at his office free of charge under the direction of the council a correct register of the names in alphabetical order according to the surnames, with the respective residences, of all persons appearing on the register on the first day of January in every year; and such register shall be called **“the architects’ register.”**

(2) The secretary shall keep a similar register of student associates.

1910–11, c.30, s.30; R.S.S. 1920, c.139, s.26.

**Annual fee**

**27(1)** Members and student associates shall pay on such registration such annual fee as shall be required by the bylaws.

(2) The names of those in default shall be removed from the respective registers by the council after one month’s notice to the parties, and shall not be reinserted except upon the payment of all arrears and of such line, if any, as may be imposed by the bylaws of the association.

1910–11, c.30, s.31; R.S.S. 1920, c.139, s.27.

**Removal of names from register**

**28(1)** The council may direct that a name be removed from the register in the following cases, that is to say:

- (a) at the request or with the written consent of the person whose name is to be removed;
- (b) where the name has been incorrectly entered;
- (c) where a person registered has after the passing of this Act been convicted either in His Majesty’s dominions or elsewhere of an offence which if committed in His Majesty’s dominions would be punishable by imprisonment for five years or more;
- (d) where a person registered is shown to have been guilty after his registration either in His Majesty’s dominions or elsewhere of any conduct or breach of the bylaws, orders or regulations of the association, or of conduct infamous in a professional respect.



(2) When the council has removed the name of any person from the register the name of that person shall not again be entered upon the register except in accordance with a resolution of the council or an order of a judge of the Court of King's Bench.

(3) The council may by resolution direct the secretary to restore to the register any name removed therefrom, either without fee or upon payment of such fee not exceeding the fees in arrears or unpaid and one additional renewal fee as the council prescribes and the secretary shall restore the name accordingly.

(4) The name of any person removed from the register at his own request or with his consent shall, unless it might if not so removed have been removed by order of the council, be restored to the register on his application and on payment of such fees not exceeding the fees in arrears or unpaid and one additional registration fee as the council prescribes.

(5) In the event of removal or expulsion, an appeal shall be to the association which at a general meeting may reverse the decision of the council.

1910–11, c.30, s.32; R.S.S. 1920, c.139, s.28.

#### **Notices and documents by registered mail**

**29(1)** All notices and documents required to be sent by or for the purposes of this Act may be sent by registered post prepaid and shall be deemed to have been received at the time when the letter containing the same would be delivered in the ordinary course of the mail; and in proving such sending it shall be sufficient to prove that the letter containing the notices or documents was prepaid and properly addressed and registered and put in the post.

(2) Such notices and documents, when sent to the council or other authorities, shall be deemed to be properly addressed if addressed to the said council or other authorities or to some officer of the council or authority at the principal place of business of the council or authority, and, when sent to a person registered under this Act, shall be deemed to be properly addressed if addressed to him according to his address registered in the register of the association.

1910–11, c.30, s.33; R.S.S. 1920, c.139, s.29.

#### **Secretaries' duties**

**30(1)** It shall be the duty of the secretary to keep the registers in accordance with the provisions of this Act and the bylaws, orders and regulations of the council.

(2) All deeds of the association shall be signed by the president and the secretary and sealed with the common seal of the association.

1910–11, c.30, s.35; R.S.S. 1920, c.139, s.30.

## FEES

**Disposition of fees**

**31(1)** All moneys arising from fees payable on registration or from the annual fees, or from the sale of copies of the register or otherwise, shall be paid to the secretary of the council and by him paid over to the treasurer to be applied in accordance with such regulations as may be made by the council, towards defraying the expenses of registration and the other expenses of the execution of this Act, and subject thereto towards the support of museums, libraries or memberships or for other public purposes connected with the profession of architecture or towards the promotion of learning and education in connection with architecture.

(2) The council may invest in the name of the association any sum not expended as above in such securities as shall be approved by the Lieutenant Governor in Council, and may change the same at will, and any income derived from such invested sums shall be added to and considered as part of the ordinary income of the association.

1910–11, c.30, s.34; R.S.S. 1920, c.139, s.31.

**Fees**

**32** Nothing in this Act shall authorise the association to impose any fees higher than the following:

Admission as student associate.....	\$20
Each examination .....	10
Student's annual fee .....	5
Admission to practice.....	25
Member's annual fee.....	15
Fines .....	10

1910–11, c.30, s.36; R.S.S. 1920, c.139, s.32.

## SEAL

**Architect's seal**

**33** Every architect registered in accordance with the provisions of this Act shall have a seal the expression of which shall contain the name of the architect, his place of business and the words "Registered Architect, Saskatchewan," with which he shall stamp all working drawings and specifications issued from his office for use in Saskatchewan.

1910–11, c.30, s.37; R.S.S. 1920, c.139, s.33.

## PROHIBITIONS AND PENALTIES

**Unauthorised persons supplying plans, etc.**

**34(1)** Any person who, not being an architect and registered under this Act, supplies, for hire, gain, or hope of reward, plans, blueprints or specifications for use in the erection, enlargement or alteration of a building not being built or to be built for himself or by himself as contractor for another person, shall be liable on summary conviction to a fine not exceeding \$25 for a first offence and not exceeding \$100 for every subsequent offence, and he shall be incapable of recovering any fees, reward or disbursements on account thereof.

**Use of title “architect”**

(2) No unregistered person shall advertise, use or display any sign, card or other device representing that he is entitled to practise as an architect.

**Penalty**

(3) Any unregistered person so representing himself shall be liable, upon summary conviction, to a fine not exceeding \$25 for the first offence and not exceeding \$100 for every subsequent offence.

**Burden of proof**

(4) In any prosecution hereunder the burden of proving registration shall rest upon the accused.

1910–11, c.30, s.29; 1915, c.43, s.29; R.S.S. 1920, c.139, s.34.

## RETURNS

**Returns**

**35** The secretary shall whenever required by the Lieutenant Governor in Council so to do transmit to the Provincial Secretary a certified return under the seal of the association setting forth such information and particulars relating to the association as may from time to time be required or asked for.

1910–11, c.30, s.88; R.S.S. 1920, c.139, s.34.

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