

Register of Disciplinary Actions

The Register of Disciplinary Actions below is published in accordance with section 74A of the *Architects Act 2002* which states that:

"Where the Board decides to caution or reprimand an architect under s73(2)(C) of the Act or to impose a condition on an architect's registration under s73(2)(d) the Board may notify the decision and the reasons for the decision on the Board's website."

The intent of publication is two-fold:

- To educate architects to continuously improve their standard of practice; and
- To assist in the protection of the public.

Description

Pursuant to section 73(2)(c) of the Architects Act 2002 (the Act), the Board has issued a REPRIMAND and a CAUTION to the architect on the grounds that the architect has behaved in a way that constitutes unsatisfactory professional conduct. In particular, the architect:

- failed to enter into a written agreement with his clients in relation to the services to be provided that complied with the requirements of sections 14 and 15 of the Code;
- failed to ensure that the fees and costs charged in relation to the services provided reflected the fee structure detailed in his quote in breach of section 16 of the Code;
- in breach of section 18 of the Code, the architect failed to: respond unambiguously and clearly to his clients' reasonable queries and questions; act according to his clients' instructions; and adequately explain to his clients how the project might proceed; and
- in breach of sections 31 and 32 of the Code, the architect failed, through his conduct, to engender confidence and respect for the provision of architecture and/or to maintain the standards and integrity of the profession of architecture including through his manner of communication with his clients.

The Board considers the architect's various breaches of the Code in turn constituted conduct that was of a lesser standard than that which might reasonably be expected of the architect by the public or the architect's professional peers or conduct that demonstrates a lack of adequate judgment in the practice of architecture which in turn constituted unsatisfactory professional conduct as defined in the Act.

The architect is **REPRIMANDED** for unprofessional conduct relating to the matter which was the subject of the Complaint, and **CAUTIONED** about future professional conduct, and also entered into various agreed undertakings with the Board.

Description

Pursuant to section 73(2)(c) of the Architects Act 2002 (the Act), the Board has issued a REPRIMAND to the architect for:

- submitting a false or misleading document to the Board in their Application for Renewal of Registration for the 2017/2018 year that was relied upon by the Board in deciding about the renewal of the architect's registration;
- failing to meet the Board's "continuing registration requirements" for practising Queensland architects pursuant to section 16 of the Architects Act 2002, which must be satisfied in order to demonstrate to the Board at renewal that the architect has maintained competency in the practice of architecture; and
- failing to take the necessary professional care to ensure the architect had undertaken the required minimum CPD hours, or to ensure the statements declared to the Board in relation to completion of CPD were, in fact, "true and correct in every particular".

The Board considers that the architect's conduct likely constitutes a failure to comply with the Act, which falls within the disciplinary grounds established in section 36(b) of the Act. Also, that the conduct is a failure of endeavour to maintain the standards and integrity of the profession of architecture which is at odds with the objects of the Act.

The architect is **REPRIMANDED**, and is directed to make up the missing CPD hours.

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<p>Description</p> <p>Pursuant to section 73(2)(c) of the Architects Act 2002 (the Act), the Board has issued a REPRIMAND to the architect for:</p> <ul style="list-style-type: none"> • submitting a false or misleading document to the Board in their Application for Renewal of Registration for the 2017/2018 year that was relied upon by the Board in deciding about the renewal of the architect's registration; • failing to meet the Board's "continuing registration requirements" for practising Queensland architects pursuant to section 16 of the Architects Act 2002, which must be satisfied in order to demonstrate to the Board at renewal that the architect has maintained competency in the practice of architecture; and • failing to take the necessary professional care to ensure the architect had undertaken the required minimum CPD hours, or to ensure the statements declared to the Board in relation to completion of CPD were, in fact, "true and correct in every particular". <p>The Board considers that the architect's conduct likely constitutes a failure to comply with the Act, which falls within the disciplinary grounds established in section 36(b) of the Act. Also, that the conduct is a failure of endeavour to maintain the standards and integrity of the profession of architecture which is at odds with the objects of the Act.</p> <p>The architect is REPRIMANDED, and is directed to make up the missing CPD hours.</p>
<p>Description</p> <p>the architect for:</p> <ul style="list-style-type: none"> • submitting a false or misleading document to the Board in their Application for Renewal of Registration for the 2017/2018 year that was relied upon by the Board in deciding about the renewal of the architect's registration; and • failing to take the necessary professional care to ensure the statements declared to the Board in relation to completion of CPD were, in fact, "true and correct in every particular". <p>The Board considers that the architect's conduct likely constitutes a failure to comply with the Act, which falls within the disciplinary grounds established in section 36(b) of the Act. Also, that the conduct is a failure of endeavour to maintain the standards and integrity of the profession of architecture which is at odds with the objects of the Act.</p> <p>The architect is CAUTIONED.</p>
<p>Description</p> <p>Pursuant to section 28(a) of the Architects Act 2002 (the Act), the Board has decided to CANCEL the registration of the architect on the grounds that the architect "was registered because of a materially false or misleading representation or document". Through consideration of the investigation report, the Board found that the architect had:</p> <ul style="list-style-type: none"> • made statements to the Board that were false or misleading in a material particular in relation to the architect's Application for Renewal of Registration for the 2017/2018 year; • submitted a document containing information that was false or misleading in a material particular; • failed to meet the Board's continuing professional development (CPD) requirements; and • failed to take the necessary professional care to ensure the statements declared to the Board were, in fact, "true and correct in every particular". <p>The architect's registration is CANCELLED.</p>
<p>Description</p> <p>Pursuant to section 73(2)(c) of the Architects Act 2002 (the Act), the Board has issued a CAUTION to the architect for "unsatisfactory professional conduct" and failing in the architect's professional duty to comply with section 31 of the Board's Code of Practice which requires that an architect registered with the Board "should, by his or her conduct, endeavour to engender confidence in and respect for the profession of architecture". The Board considers the architect's marketing material (removed at the Board's direction) had the potential to degrade public confidence in the architectural profession generally, including the services that architects provide.</p> <p>The Board considers the architect's conduct is likely to be considered to be <i>"conduct that is a lesser standard than that which might reasonably be expected of the architect by the public or the architect's professional peers"</i>, which falls within the definition of unsatisfactory professional conduct in the Act and, therefore, falls within the disciplinary grounds established in section 36 of the Act.</p> <p>The architect is CAUTIONED to ensure that in future communications with the public that the architect does not fail in their duty to the public and the profession under the Act and Code of Practice in respect to endeavouring to engender confidence in and respect for the profession of architecture.</p>
<p>Description</p> <p>Pursuant to section 73(2)(c) of the Architects Act 2002 (the Act), the Board has issued a REPRIMAND to the architect for "unsatisfactory professional conduct" and failing in their professional duty to comply with section 31 of the Board's Code of Practice which requires that an architect registered with the Board "should, by his or her conduct, endeavour to engender confidence in and respect for the profession of architecture". The Board considers the architect's promotional materials have the potential to degrade public confidence in the architectural profession generally, including the services that architects provide.</p> <p>The Board considers the architect's conduct is likely to be considered <i>"conduct that is a lesser standard than that which might reasonably be expected of the architect by the public or the architect's professional peers"</i>, which falls within the definition of unsatisfactory professional conduct in the Act and, therefore, falls within the disciplinary grounds established in section 36 of the Act.</p> <p>The architect is REPRIMANDED, and is directed to remove the offending promotional materials.</p>