



## Application for Corporation Licence

Form 06

3 August 2015

### Use of this Form

This form is to be used by people wishing to apply for a licence on behalf of a corporation wanting to carry out architectural work using the term “architect”.

If the corporation operates under a name other than the name recorded in the register, a Trading Name Approval form (Form 05) must also be completed.

### Licensed Corporation Requirements

Licensed corporations are required to ensure all architectural work is done under the direct control and supervision of a registered architect who is an officer or employee of the corporation. In addition, at least one registered architect who is an officer or employee of the corporation must have ultimate responsibility for the architectural work done by the corporation. For more information about responsible architects please see Information Sheet 05 – Responsible Architect which can be downloaded from the Board’s website.

Licensed corporations must at all times ensure that their responsible architect/s are:

- a director or employee of the corporation; and
- currently registered with the Architects Board of WA.

### Professional Indemnity Insurance

Professional indemnity insurance is required for corporations. A copy of the corporation’s certificate of currency must be provided to the Board. The certificate of currency must show the amount (minimum \$1,000,000) and period of cover.

### Display of Licence

The Board recommends licensed corporations clearly display licence certificates and publish licence numbers on all correspondence and advertising.

### Notifications to the Board

Following licensing, a corporation must inform the Board in writing of any changes to its recorded details. This includes:

- change of name;
- changes in contact details;
- changes in insurance cover;
- changes in directors;
- changes in responsible architects;
- amendments to the constitution;
- changes in whether the corporation is practising architecture or not; and
- de-listing of the corporation.

Please use Form 08 – Notification of Change of Recorded Details which can be downloaded from the Board’s website.

### Annual Renewal of Licence

The current renewal period is from 1 July 2015 to 30 June 2016.

### Fees

Application Fee -	\$255 (GST free)
Licence Fee -	<u>\$355</u> (GST free)
Total fees payable -	<u>\$610</u> (GST free)

In the event the application is declined, the licence fee of \$355 will be refunded.

### Privacy laws and use of this information

Information requested by the Board is strictly confidential. Only that information which is available for publication in the register may be provided to other registration authorities and to the public.

### Further Information

Please contact the Board if you require further information.



ABWA use only

Date Received / /	Date Approved / /	Fees Paid \$	Receipt No.	Licence No.	Date Annual Cert Sent / /
----------------------	----------------------	-----------------	-------------	-------------	------------------------------

## Application for Corporation Licence

**Form 06**

**3 August 2015**

### Corporation Details

Name \_\_\_\_\_

Trading Name (if applicable) \_\_\_\_\_

If the corporation operates under a name other than the name recorded in the register, a Trading Name Approval form (Form 05) must also be completed.

ABN \_\_\_\_\_

ACN \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Postcode \_\_\_\_\_

Contact Person \_\_\_\_\_

Phone \_\_\_\_\_

Mobile \_\_\_\_\_

Email \_\_\_\_\_

### Website

Contact details for the corporation can be made available via the *Search the Register* function on the Board's website.

I would like the corporation's address, phone number and email address to be made available on the Board's website.

### Professional Indemnity Insurance

Professional indemnity insurance is required for licensed corporations. You must provide a copy of the certificate of currency showing the amount (minimum \$1,000,000) and period of cover.

A copy of the certificate of currency is attached.

## Details of Directors/Officers

### Director/Officer 1

Full Name

---

Address

---

---

---

Architects Board of WA Registration Number (if applicable)

1. Have you been convicted of any offence in this State or elsewhere which has not been dealt with by a spent conviction order?

Yes  No

2. Do you have any prosecutions pending against you?

Yes  No

3. Are you, or have you previously been, registered as an architect in any State or Territory?

Yes  No

4. If you answered 'Yes' to question 3:

(a) has your registration ever been suspended or cancelled?

Yes  No

(b) have you ever been dealt with for misconduct?

Yes  No

(c) are there any unresolved complaints pending against you?

Yes  No

5. Have you ever been a director, officer, shareholder or employee of a corporation which has been the subject of disciplinary proceedings for the contravention of any statute in Western Australia or any other jurisdictions?

Yes  No

6. Are there any other matters which may be relevant to your suitability as a Director of a licenced architectural corporation about which the Board should be informed?

Yes  No

If you have answered 'Yes' to any of the above, excluding question 3, please provide details in a sealed envelope and submit with this application.

I certify that the information supplied by me on this form is true and correct.

Signature

---

### Director/Officer 2

Full Name

---

Address

---

---

---

Architects Board of WA Registration Number (if applicable)

1. Have you been convicted of any offence in this State or elsewhere which has not been dealt with by a spent conviction order?

Yes  No

2. Do you have any prosecutions pending against you?

Yes  No

3. Are you, or have you previously been, registered as an architect in any State or Territory?

Yes  No

4. If you answered 'Yes' to question 3:

(a) has your registration ever been suspended or cancelled?

Yes  No

(b) have you ever been dealt with for misconduct?

Yes  No



(c) are there any unresolved complaints pending against you?

Yes  No

5. Have you ever been a director, officer, shareholder or employee of a corporation which has been the subject of disciplinary proceedings for the contravention of any statute in Western Australia or any other jurisdictions?

Yes  No

6. Are there any other matters which may be relevant to your suitability as a Director of a licenced architectural corporation about which the Board should be informed?

Yes  No

If you have answered 'Yes' to any of the above, excluding question 3, please provide details in a sealed envelope and submit with this application.

I certify that the information supplied by me on this form is true and correct.

Signature

**Director/Officer 3**

Full Name

Address

Architects Board of WA Registration Number (if applicable)

1. Have you been convicted of any offence in this State or elsewhere which has not been dealt with by a spent conviction order?

Yes  No

2. Do you have any prosecutions pending against you?

Yes  No

3. Are you, or have you previously been, registered as an architect in any State or Territory?

Yes  No

4. If you answered 'Yes' to question 3:

(a) has your registration ever been suspended or cancelled?

Yes  No

(b) have you ever been dealt with for misconduct?

Yes  No

(c) are there any unresolved complaints pending against you?

Yes  No

5. Have you ever been a director, officer, shareholder or employee of a corporation which has been the subject of disciplinary proceedings for the contravention of any statute in Western Australia or any other jurisdictions?

Yes  No

6. Are there any other matters which may be relevant to your suitability as a Director of a licenced architectural corporation about which the Board should be informed?

Yes  No

If you have answered 'Yes' to any of the above, excluding question 3, please provide details in a sealed envelope and submit with this application.

I certify that the information supplied by me on this form is true and correct.

Signature

Please attach separate pages for additional Directors.

### Responsible Architects

At least one registered architect who is an officer or employee of the corporation must have ultimate responsibility for the architectural work done by the corporation. For more information about responsible architects please see Information Sheet 05 – Responsible Architects which can be downloaded from the Board’s website.

By signing below, the architect/s consent to being the person/s who will have ultimate responsibility for the architectural work to be done by the corporation.

\_\_\_\_\_

Full Name

\_\_\_\_\_

Registration Number

I consent to being a responsible architect for the corporation

\_\_\_\_\_

Signature

\_\_\_\_\_

\_\_\_\_\_

Full Name

\_\_\_\_\_

Registration Number

I consent to being a responsible architect for the corporation

\_\_\_\_\_

Signature

\_\_\_\_\_

\_\_\_\_\_

Full Name

\_\_\_\_\_

Registration Number

I consent to being a responsible architect for the corporation

\_\_\_\_\_

Signature

\_\_\_\_\_

Please attach a separate page for additional nominations.

### Licence Requirement

Licensed corporations are required to ensure all architectural work is done under the direct control and supervision of a registered architect who is an officer or employee of the corporation. The supervising architect may or may not be a “responsible architect” of the corporation. Please outline the means by which the corporation proposes to comply with this requirement. For example:

- sole practitioner – architect directly responsible for all architectural work;
- small practice - company directors are architects and all architectural work undertaken by staff is under their direct control and supervision;
- large practice - project teams are led by a project architect who has direct control and supervision of the architectural work undertaken by the team; and
- building or other company with an architectural division - employed architect has direct control and supervision of the architectural work undertaken by the business.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Constitution

If you are establishing a new corporation, the Board has a model constitution that complies with the *Architects Act 2004* which is available for purchase.

Please note that adoption of the Board's model constitution is voluntary. Contact the Board's office to purchase a model constitution (\$165 including GST).

1. Has the corporation adopted the Board's model constitution?  
Yes  go to Supporting Documentation Required section  
No  go to question 2
2. Does the corporation's constitution contain any professional indemnity insurance provisions?  
Yes  go to question 3  
No  go to Supporting Documentation Required section
3. Are the insurance provisions consistent with the *Architects Act 2004* and *Architects Regulations 2005* (see page 7 for relevant sections of the Act and Regulations)?  
Yes  go to Supporting Documentation Required section  
No  go to question 4
4. Does the constitution include an overriding provision which clarifies that any inconsistency would not remove the corporation's obligations to comply with the *Architects Act* and *Regulations*?  
Yes  go to Supporting Documentation Required section  
No  Please contact the Board office

## Supporting Documentation Required

Please attach the following documents to this application form (assemble in the order as listed).

- ASIC Certificate of Registration of Company;
- ASIC Company Statement that lists all company directors (can be downloaded from the ASIC website);
- Curriculum vitae for all directors;
- Copy of the certificate of currency for professional indemnity insurance; and
- Copy of corporation's constitution (if not using the Board's model constitution).

## Declaration by Applicant

I,

\_\_\_\_\_  
Full Name of Applicant

declare that this application is true and correct and I know that it is an offence to make a declaration knowing that it is false or misleading in a material particular.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## Submission of Application

This application form and supporting documents can be provided to the Board as original documents or via electronic transmission i.e. facsimile or email.



## Payment

Fees can be paid using one of the following methods.

### Cheque

Send cheque or money order made payable to the Architects Board of WA.

### Credit Card

Visa       MasterCard

\_\_\_\_\_  
Card Number

\_\_\_\_\_  
Expiry Date

\_\_\_\_\_  
Name on Card

\_\_\_\_\_  
Amount Payable      \$610

\_\_\_\_\_  
Cardholder's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Cardholder's Daytime Phone Number

### In Person

Cash, credit card and eftpos payments can be made at the Board's office between 9:00am and 4:30pm Monday to Friday.

## Relevant Sections from the *Architects Act 2004* and *Architects Regulations 2005*

### **Architects Act 2004**

#### **31. Licensing of corporations**

The Board may grant a licence to a corporation that —

- (a) applies to the Board in accordance with section 33; and
- (b) satisfies the Board that the corporation complies with the requirements prescribed by the regulations for the purposes of this section.

#### **32. Conditions on grant of licences or renewal of licences**

- (1) The Board may grant a licence or renew a licence subject to the conditions that the Board specifies.
- (2) Without limiting subsection (1), the Board may impose as a condition of the grant of a licence or the renewal of a licence —
  - (a) a requirement to give the Board advice or information about the registered person who has ultimate responsibility for the architectural work done by the corporation;
  - (b) that insurance cover be in effect in respect of the corporation's civil liability for anything done or omitted by the corporation as an architect; and
  - (c) that the insurance cover be of a standard or for an amount prescribed by the regulations.

#### **33. Applications for registration and licences**

- (1) An application for registration or for the grant of a licence is to be —
  - (a) made in writing in a manner and form determined by the Board; and
  - (b) accompanied by —
    - (i) the application fee prescribed by the regulations in relation to the applicant; and

- (ii) the registration fee or licence fee (whichever is relevant) prescribed by the regulations in relation to the applicant.

- (2) The applicant is to provide the Board with any further information that the Board requires in any particular case and is to verify the information by statutory declaration if required by the Board to do so.

- (3) The Board may, in writing, require —

- (a) an applicant for registration; or
- (b) an officer of a corporation that is an applicant for the grant of a licence,

to attend before the Board for the purpose of satisfying the Board as to a matter relevant to the application and the Board may refuse the application if the person fails to attend as required.

- (4) In considering any application for registration or for the grant of a licence the Board may —

- (a) have regard to any information or advice received from the Architects Accreditation Council of Australia, or any other body selected by the Board, in relation to any applicant who has obtained or sought to obtain qualification in a place other than this State; and
- (b) pay the fees or disbursements necessary to obtain that advice.

- (5) If, on an application for registration or for the grant of a licence, the Board decides that it will not register, or not grant a licence to, the applicant the registration fee or licence fee referred to in subsection (1)(b)(ii) is to be returned to the applicant.

#### **34. Effect of registration and licensing**

Subject to this Act, registration or the grant of a licence confers on the registered person or the licensed corporation the right to carry on in the



State the practice of architecture under the title of “architect”.

**54. Information about insurance**

- (1) A registered person or a licensed corporation must give the Board the information that is prescribed by the regulations in relation to the insurance cover that is in effect in respect of the person or corporation.
- (2) The information referred to in subsection (1) must be given by the time that is prescribed by the regulations.

**Architects Regulations 2005**

**15. Licensing requirements**

For the purposes of section 31(b), the requirements in relation to a corporation are that —

- (a) the corporation’s constitution is, or the rules governing the corporation’s internal management are, acceptable to the Board;
- (b) each of the directors of the corporation is acceptable to the Board;
- (c) all architectural work to be done by the corporation is to be done under the direct control and supervision of a registered person who is an officer or employee of the corporation;
- (d) the means by which the corporation proposes to comply with paragraph (c) are acceptable to the Board;
- (e) the person who will have ultimate responsibility for the architectural work to be done by the corporation is a registered person who is an officer or employee of the corporation; and
- (f) the name under which the corporation proposes to carry on the practice of architecture is acceptable to the Board.

**17. Amount of insurance cover**

For the purposes of sections 30(2)(b) and 32(2)(c), the minimum amount of insurance cover is \$1 000 000.

**19. Information about insurance cover — licensed corporations**

- (1) For the purposes of section 54(1), the information in relation to the insurance cover that is in effect in respect of a licensed corporation is a document from the insurer or a broker showing —
  - (a) the period in respect of which the insurance cover is in effect;
  - (b) the amount of the insurance cover; and
  - (c) the categories of persons in respect of whose acts and omissions the insurance cover applies.
- (2) The time for giving the Board information mentioned in subregulation (1) is —
  - (a) in the case of the initial grant of the licence, 28 days after the day on which the licensed corporation is advised of the grant of the licence;
  - (b) in the case of a renewal of a licence, 14 days after the day on which the licensed corporation is advised of the renewal; and
  - (c) in any case where the insurer, the period of insurance or the amount or type of cover is changed after the period mentioned in paragraph (a) or (b), 14 days after the change occurs.