

Important changes to the regulatory framework for architects

Glenice Fox | CEO, ARBV

Lisa Tickell | Manager, Complaints & Investigation, ARBV

ā rbv

Architects
Registration Board
of Victoria



Acknowledgment of Traditional Owners

This presentation is being delivered on the lands of the Wurundjeri People and I wish to acknowledge them as Traditional Owners.

I would also like to pay my respects to their Elders, past and present, and extend that respect to all Aboriginal and Torres Strait Islander people here today.



CPD Questionnaire

- Attending this webinar live and submitting this form will qualify you for 2 formal CPD points.
- Certificates will be sent to the email address used to complete this form, please ensure your name and contact details are correct.
- This form will close 24 hours after the webinar has commenced.
- Certificates will be issued within 1 week of the closure of the quiz.

<https://forms.office.com/r/QKSzKazNzS>

ARBV CPD Webinar Quiz -
Important changes to the regulatory
framework for architects



OVERVIEW OF REGULATORY FRAMEWORK

**Architects
Act**

**Architects
Regulations**

**Code of
Professional
Conduct**

Main requirements under the regulatory framework

REGISTRATION/ APPROVAL

Requirement to register as an architect or obtain approval as a partnership/ company and to renew on an annual basis



PROHIBITED CONDUCT

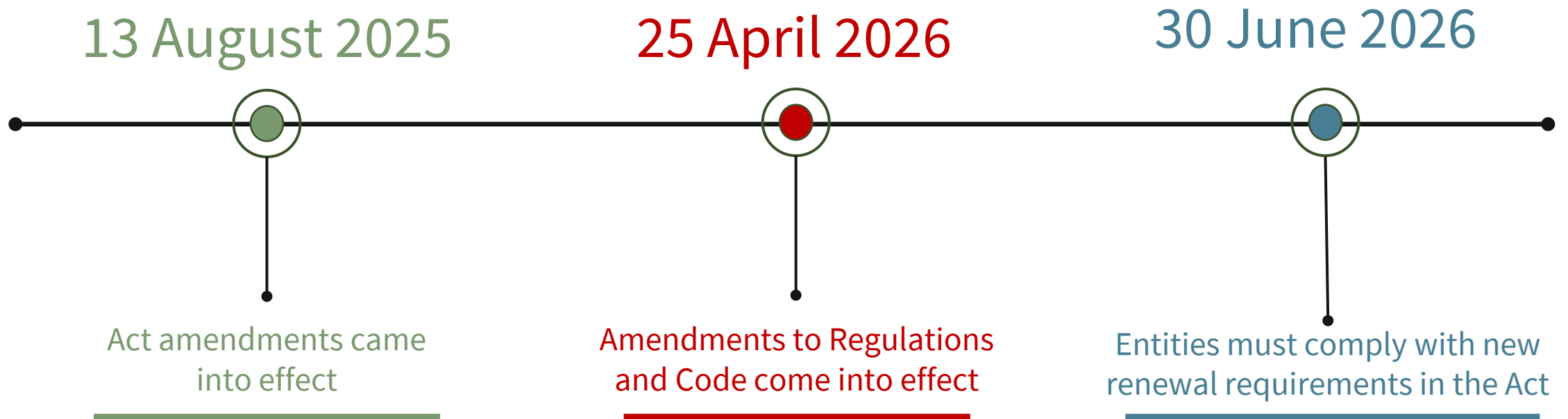
Prohibitions on representing person as architect without registration or body as approved company or partnership without approval



PROFESSIONAL CONDUCT

Architects must uphold standards of professional conduct in the Architects Code of Professional Conduct

Timeline of regulatory change



ACT AMENDMENTS



Act Amendments – renewal requirements

- All Architects (including non-practising), companies and partnerships must renew by **30 June**
- Renewal requirements include:
 - Renewal deadline
 - Renewal fees
 - Renewal documentation:
 - Proof of insurance
 - CPD declaration
 - Fit and proper person declaration

Renewal for non-practising architects

- Non-practising architects must now renew their registration by **30 June**
- To renew, non-practising architects must declare:
 - their intention to remain non-practising and advise the ARBV if that intention changes
 - they are a fit and proper person to be registered
- No renewal fees apply

Renewal deadline

- Renewal must be completed by **30 June** instead of 1 July
- If completed by 30 June, you will experience little change compared to previous process
- If renewal occurs after 30 June, new requirements apply:
 - Additional fees (for practising architects, companies and partnerships)
 - Removal from the Register of Architects if you have not renewed by **1 August**
 - 2 months from 1 August to apply for reinstatement i.e. by 1 October
 - If no reinstatement by **1 October**, you will need to satisfy the Board that it is reasonable to accept your reinstatement application
- Once you are removed from the Register you cannot call yourself an architect and provide architectural services

Renewal fees

- By **30 June** each year, practising architects, companies and partnerships must pay a renewal fee
- A **late fee** is payable if renewal requirements are not completed by 30 June:
 - late fee is calculated on 12 fee units
- Where registration or approval is not renewed and an application for reinstatement is made, a **reinstatement fee** will apply **in addition to a renewal fee**:
 - reinstatement fee is calculated on 18 fee units
 - plus renewal fee (24 units practising architects, 29 units partnerships, 34 units companies)
- Given additional fees now apply, it's important that architects who wish to make a financial hardship application do so before 30 June.

Renewal documentation

Provide proof of Insurance

CPD declaration

Fit and proper person declaration

Question 1: What are the renewal requirements for a practising architect?

You need to:

- (a) Just pay the renewal fee by 30 June
- (b) Complete the Fit and Proper person declaration, provide proof of insurance and complete the CPD declaration
- (c) Complete the Fit and Proper person declaration, provide proof of insurance, complete the CPD declaration and pay the renewal fee by 30 June
- (d) Provide proof of insurance, complete the CPD declaration and pay the renewal fee by 30 June

ARBV CPD Webinar Quiz -
Important changes to the regulatory framework for architects



Question 1: What are the renewal requirements for a practising architect?

You need to:

- (a) Just pay the renewal fee by 30 June
- (b) Complete the Fit and Proper person declaration, provide proof of insurance and complete the CPD declaration
- (c) Complete the Fit and Proper person declaration, provide proof of insurance, complete the CPD declaration and pay the renewal fee by 30 June**
- (d) Provide proof of insurance, complete the CPD declaration and pay the renewal fee by 30 June

ARBV CPD Webinar Quiz -
Important changes to the regulatory framework for architects



Question 2: At what point during the renewal process will the late fee become applicable for practising architects, companies and partnerships?

- (a) From 1 July, as renewal must be completed by 30 June
- (b) From 1 August, as renewal must be completed by 31 July
- (c) From 1 September, as renewal just needs to be completed within three months after 30 June
- (d) No late fees apply as renewal can be completed at any time during calendar year

ARBV CPD Webinar Quiz -
Important changes to the regulatory framework for architects



Question 2: At what point during the renewal process will the late fee become applicable for practising architects, companies and partnerships?

- (a) From 1 July, as renewal must be completed by 30 June**
- (b) From 1 August, as renewal must be completed by 31 July
- (c) From 1 September, as renewal just needs to be completed within three months after 30 June
- (d) No late fees apply as renewal can be completed at any time during calendar year

ARBV CPD Webinar Quiz -
Important changes to the regulatory framework for architects



Professional indemnity insurance

- Professional indemnity insurance critical for consumer protection
- Section 15A **Proof of required insurance** provides:
 - (1) Every architect who is required under this Act to be covered by insurance must, by the end of each financial year in which the architect's registration is granted or renewed, give written proof to the Board that the architect will be covered by the required insurance-
 - (a) until 30 June of the following year; or
 - (b) subject to such conditions as the Board may impose, any lesser period approved by the Board
- **Required insurance** means the insurance required by Ministerial order under section 17A
- Must hold the required insurance **and** ensure the Board is given written proof of coverage

Provide proof of PII

- By **30 June**, practising architects, companies and partnerships must provide proof of coverage
- Proof of insurance for a period of **less than 12 months** may be accepted **subject to conditions** imposed by the ARBV
- Conditions about period of coverage:
 - If insurance does not cover the period 1 July to 30 June, **a declaration must be made at renewal** that:
 - insurance cover will not be allowed to lapse; and
 - updated proof will be provided to the ARBV before the insurance expires
- Avoid expiry of coverage in July, August or September

Question 3: Which statement is correct?

- (a) It doesn't matter if I don't provide the ARBV with proof of my PII as long as I have it in place
- (b) If my PII lapses during the year, I don't need to provide proof of my new PII until 30 June
- (c) I must ensure that the ARBV has proof of my PII at all times
- (d) It doesn't matter if I don't provide the ARBV with proof of my PII as the ARBV does not have any power to immediately suspend my registration for failing to do so

ARBV CPD Webinar Quiz -
Important changes to the regulatory framework for architects



Question 3: Which statement is correct?

- (a) It doesn't matter if I don't provide the ARBV with proof of my PII as long as I have it in place
- (b) If my PII lapses during the year, I don't need to provide proof of my new PII until 30 June
- (c) I must ensure that the ARBV has proof of my PII at all times**
- (d) It doesn't matter if I don't provide the ARBV with proof of my PII as the ARBV does not have any power to immediately suspend my registration for failing to do so

ARBV CPD Webinar Quiz -
Important changes to the regulatory framework for architects



CPD and Fit and Proper Person Declarations

Compliance with CPD requirements

- Practising architects must make declarations at renewal that:
 - they have complied with CPD requirements; and
 - will give written proof of compliance if requested by the ARBV
- CPD requirements are now prescribed in the Regulations

Fit and Proper Person requirement

- All architects must declare that they are a fit and proper person to be registered as an architect
 - e.g. no serious criminal offences, no disciplinary action
 - see section 10A of the Architects Act for a complete list

ARBV immediate suspension powers

- Power to immediately suspend registration in section 36A of the Architects Act
- Grounds for immediate suspension include:
 - Failure to meet PII requirements (including providing proof to the ARBV)
 - Failure to meet CPD requirements (including providing proof to the ARBV if requested)
- 4 architects were recently suspended for failing to meet PII requirements and are awaiting Tribunal hearing
- Architects face sanction by the Tribunal and cannot practise while their registration is suspended
- It is preferable for architects to comply, rather than the ARBV having to take such serious action

Renewal recap

	Practising Architects	Non-Practising Architects
Due by 30 June	Renewal Requirements <ol style="list-style-type: none">1. Pay renewal fee2. Provide PII3. Fit and proper person declaration4. CPD declaration	Renewal Requirements <ol style="list-style-type: none">1. Declare intention to remain non-practising2. Fit and proper person declaration
Post 1 July	Late Renewal <ol style="list-style-type: none">1. Pay renewal fee + late fee2. Provide PII3. Fit and proper person declaration4. CPD declaration	Late Renewal <ol style="list-style-type: none">1. Declare intention to remain non-practising2. Fit and proper person declaration
After 1 August	Reinstatement within 2 months <ol style="list-style-type: none">1. Pay renewal fee + reinstatement fee2. Provide PII3. Fit and proper person declaration4. CPD declaration	Reinstatement within 2 months <ol style="list-style-type: none">1. Declare intention to remain non-practising2. Fit and proper person declaration
	Reinstatement after 2 months <ol style="list-style-type: none">1. Pay renewal fee + reinstatement fee2. Provide PII3. Fit and proper person declaration4. CPD declaration5. Explain why you did not renew on time6. Complete a competency assessment (required after more than 2 years)	Reinstatement after 2 months <ol style="list-style-type: none">1. Declare intention to remain non-practising2. Fit and proper person declaration3. Complete a competency assessment (required after more than 2 years)

REGULATION AMENDMENTS



Context

- › Like all regulations, the Architect Regulations “sunset” after 10 years.
- › Architects Regulations 2015 expired and have been replaced by Architects Regulations 2026
- › A sunset review was undertaken by the Department of Transport and Planning (DTP) to ensure that the remade Architect Regulations:
 - › remain fit for purpose in a changing building and construction environment
 - › address ongoing risks associated with professional competency, CPD compliance and building quality
 - › strengthen consumer protection
 - › are aligned with amendments made to the Architects Act in 2025

Overview of changes to the Regulations

Changes have been made to:

- CPD
- Fees
- Information published on the public Register of Architects
- Victorian Architects Code of Professional Conduct (the Code)

CPD changes

- CPD requirements are now prescribed in the Regulations
 - Follow the National CPD Framework
 - CPD must be linked to performance criteria set out in Schedule 3 (which adopts the National Standard of Competency for Architects)
 - Must retain evidence of compliance for 5 years. Evidence must include the information specified in regulation 34

Part 4—CPD requirements

26 Definitions

In this Part—

CPD activity means an activity that may be undertaken or attended (including online) that—

- (a) aims to refresh, update or develop knowledge and skill relevant to the work and professional competency of a practising architect; and
- (b) is undertaken in the category of formal learning or informal learning, in the form of—
 - (i) an online or face-to-face course or module (including a self-paced course or module), lecture, seminar, workshop, conference, forum or information or trade session; or
 - (ii) private study or research or writing for publication; or
 - (iii) any other form of learning or training which the Board determines is a CPD activity under regulation 32(1)(a); and
- (c) is directly linked to the relevant performance criteria outlined in Table 1 of Schedule 3; and

Question 4: Which statement is correct?

- (a) Practising architects don't need to record their CPD activities unless the ARBV specifically asks them to provide evidence of completion
- (b) CPD activities must be linked to performance criteria set out in Schedule 3 of the Regulations (which adopts the National Standard of Competency for Architects)
- (c) It doesn't matter if I don't provide the ARBV with proof of my CPD upon request as the ARBV does not have any power to suspend my registration for failing to do this
- (d) I only need to retain my CPD records for 12 months

ARBV CPD Webinar Quiz -
Important changes to the regulatory framework for architects



Question 4: Which statement is correct?

- (a) Practising architects don't need to record their CPD activities unless the ARBV specifically asks them to provide evidence of completion
- (b) CPD activities must be linked to performance criteria set out in Schedule 3 of the Regulations (which adopts the National Standard of Competency for Architects)**
- (c) It doesn't matter if I don't provide the ARBV with proof of my CPD upon request as the ARBV does not have any power to suspend my registration for failing to do this
- (d) I only need to retain my CPD records for 12 months

ARBV CPD Webinar Quiz -
Important changes to the regulatory framework for architects



Fee changes

- Renewal fee instead of annual fee
- Late payment fee if you do not renew by 30 June
- Reinstatement fee if you do not renew by 1 August (plus renewal fee)

Publication requirements Register of Architects

- Register of Architects promotes transparency and accountability
- Publication requirements for the information on the publicly available Register have been clarified:
 - ARBV's authority to publish information on the Register
 - Record of disciplinary or criminal sanction must be published on the Register that is:
 - imposed on an architect under the Act or the Regulations
 - imposed on an architect other than under the Act or these Regulations, if the disciplinary or criminal sanction is relevant to the architect's practice as an architect
 - remains on the Register for 5 years

CODE AMENDMENTS



Context

Code of Conduct

- Sets out the minimum standards for professional conduct and practice
- Provides guidance to clients about the standard of architectural services they are entitled to expect
- Failure to comply with the Code is unprofessional conduct

Amended Code of Conduct

- Amendments to the Code are intended to make it easier for Architects to understand and comply with their professional standards obligations
- New Code consolidates professional standards obligations in one place

Overview of key amendments

Obligation	Intention/Effect
Act in the public interest	Expressly confirms architects' duty to act in the public interest
Duties to clients	More clearly articulates architects' duties owed to clients
Supervision obligations	Clarifies supervision obligations for approved companies and partnerships
Client-architect agreements	Clarifies the terms that <u>must</u> be included in a client-architect agreement
Referrals, recommendations & endorsements	Clarifies obligations regarding referrals, recommendations and endorsements
Business management & processes	Requires architects to have effective systems and resources to support practice administration
Complaint management	Requires architects to have a complaint management framework

Duties to the public

Clause 3 – Act in the public interest	Practical implications
<ul style="list-style-type: none">• When carrying out work, an architect must take all reasonable steps to protect the health and safety of people• Architects must act in accordance with the public interest by giving proper consideration to:<ul style="list-style-type: none">○ natural environment○ conservation of cultural heritage, including Aboriginal cultural heritage○ conservation of natural resources	<p>Architects' duties to the public ensure that architects prioritise public safety and broader community and environmental outcomes when providing architectural services.</p>

Clarification of architects' duties to clients

Duties to clients	Practical implications
Architects must maintain a high standard of competence and diligence in their professional dealings with other architects and professionals involved in the building industry (cl. 5)	Helps minimise project delivery risks, delays, errors and disputes
Architects must conduct themselves with honesty and integrity in their professional dealings with other architects and professionals involved in the building industry (cl. 4)	Helps to maintain and model professional standards among colleagues and reduce the risk of disputes
Architects must ensure that clients are kept adequately informed about the progress of their projects (cl. 9(1)(a))	Promotes clear and effective communication with clients

Clearer supervision obligations

Supervision of work	Practical implications
<p>An architect member or director of an approved partnership or approved company must:</p> <ul style="list-style-type: none">• be responsible for the carrying out of architectural services; and• ensure that architectural services are carried out by or under the supervision of a registered architect (cl. 2(4)).	<p>Ensures that the work meets applicable professional standards and reduces risk of poor quality, incompetent work</p>
<p>Architects must not perform any work as an architect that is outside their area of expertise and experience unless under the direct supervision of an architect who holds the required expertise and experience (cl. 5(1)(c))</p>	<p>As above</p>
<p>Records must be kept of the details of the architect responsible for supervising the work carried out.</p>	<p>As above. Also encourages oversight, quality assurance and accountability</p>

Client agreements

Clause 6 – Client agreements	Practical implications
An architect must not collect fees or provide architectural services (including concept designs, sketches or reports) from a client unless a written and signed agreement with the client for the provision of those services is in place.	Ensures clients understand the scope, terms and cost of services before work begins Reduces the risk of misunderstandings and disputes
An architect must provide a proposed client agreement to the client at least 7 business days before requesting the client's signature .	As above
An architect must keep records to demonstrate that the client has provided written acceptance of the client agreement and any variation of the agreement.	Ensures clear evidence of agreed terms and any variations Reduces the risk of misunderstandings and disputes

Client agreements (continued)

Clause 6 – Client agreements	Practical implications
A client agreement must not contain retrospective terms that apply to services provided before the agreement was signed.	Protects clients from being bound by retrospective agreement terms or charges they had no opportunity to agree to in advance
An architect or firm must, on entering into a client agreement , provide to the client the names of all officers and employees who will be involved in the provision of the architectural services, their role and their registration status.	Ensures transparency about who will be involved in delivering architectural services

Client agreements (continued)

Clause 6 – Client agreements	Practical implications
<p>The statement of how the professional fees and costs will be calculated in the client-architect agreement must be clear and unambiguous. It must also specify the circumstances in which professional fees or costs may escalate and reasonable estimates of disbursements.</p>	<p>Reduces the risk of disputes with clients about unexpected charges</p>
<p>The client agreement must include a clear and unambiguous statement identifying:</p> <ul style="list-style-type: none">• who owns copyright in any intellectual property associated with the services• the terms of any licence given to the client to use that intellectual property, including any grounds for revocation of the licence• any limits on the client's use of the intellectual property• where additional costs or consents may be required for the client's use of the intellectual property	<p>Helps clients understand ownership and permitted use of any intellectual property</p> <p>Helps avoid disputes over intellectual property rights</p>

Client agreements (continued)

Clause 6 – Client agreements	Practical implications
<p>The client agreement must include:</p> <ul style="list-style-type: none">• details of current professional indemnity insurance that provides adequate coverage for the work covered by the agreement;• the process in place for handling client complaints;• information about how a client can make a complaint to the ARBV about the architect's professional conduct or fitness to practise; and• in relation to class 1 and class 10 buildings, a requirement that the architect provide the client with a current copy of the Working with an Architect Checklist produced by the ARBV Board from time to time.	<p>Strengthens architects' accountability and enhances consumer protection</p>
<p>When an architect withdraws from the provision of services after the client has paid fees for those services, the architect must provide written reasons for the withdrawal.</p>	<p>Promotes transparency and accountability</p>

Referrals, recommendations and endorsements

Clause 13 – Referrals, recommendations and endorsements	Practical implications
<ul style="list-style-type: none">• An architect must not recommend, endorse, or specify a product, service or service provider to a client if the architect receives or expects to receive or could receive an inducement or other benefit from a third party to do so unless:<ul style="list-style-type: none">○ the inducement is in the nature of salary, wages or attributable personal services income from an approved partnership or approved company; or○ the nature and value of the inducement is first disclosed in writing to the client.• An architect or firm must disclose the nature of any referral arrangement in place between the architect or firm and another person to a client before entering into an agreement to provide architectural services to the client.	<p>Ensures clients are aware of potential conflicts of interest and can make informed decisions before deciding to proceed with those services</p>

Business management & processes

Clause 14 – Systems and resources to support practice administration

Practical implications

Architects must:

- have **effective systems in place** to ensure that their practice is run professionally and that projects are regularly monitored and reviewed
- be able to provide **adequate professional, financial and technical resources** when entering into an agreement for the provision of services and throughout its duration
- ensure they have **sufficient suitably qualified and supervised staff** to provide an effective and efficient service to clients
- **take responsibility for the work carried out by a person under their supervision.**

Ensures appropriate systems and all necessary resources are in place to administer architectural practices

Ensures professional standards can be met

Reduce the risks of poor-quality outcomes, project failure and client harm

Complaint management framework

Clause 16 – Complaint management framework	Practical implications
<p>Architects must have a written procedure that provides for prompt, professional and courteous handling of complaints and sets out:</p> <ul style="list-style-type: none">• details of any special arrangements for resolving disputes; and• the process for making a complaint to the ARBV_Board; and• a reasonable timeframe for handling complaints, as far as practicable.	<p>Engenders client trust and confidence in architects and may avoid complaints being made to the ARBV</p>

Co-operation with the ARBV

Clause 17 – Co-operation with the Board	Practical implications
Architects must respond in a timely, complete and accurate manner to a request from the ARBV for any information or document.	Assists the ARBV to efficiently and effectively carry out its functions under the Act.

Question 5: Which of the following statements are correct?

- A. The Code of Conduct sets out best practice standards for architects
- B. The Code of Conduct sets out minimum standards of professional conduct and practice for architects
- C. The Code of Conduct is a voluntary code that architects can adopt to enhance their reputation and to appear more attractive to clients
- D. Failure to comply with the Code of Conduct is unprofessional conduct

ARBV CPD Webinar Quiz -
Important changes to the regulatory framework for architects



Question 5: Which of the following statements are correct?

- A. The Code of Conduct sets out best practice standards for architects
- B. The Code of Conduct sets out minimum standards of professional conduct and practice for architects**
- C. The Code of Conduct is a voluntary code that architects can adopt to enhance their reputation and to appear more attractive to clients
- D. Failure to comply with the Code of Conduct is unprofessional conduct**

ARBV CPD Webinar Quiz -
Important changes to the regulatory framework for architects



Question 6: Which of these statements is true?

- A. It is not the architect's responsibility to protect the health and safety of people. It is the responsibility of the RBS who issues the permit
- B. Architects don't need to give their clients a client-architect agreement if the job is for less than \$5,000
- C. It's okay to start work on project before the client has provided you with written acceptance of the client-architect agreement if timeframes are tight
- D. The client-architect agreement must contain details of your professional indemnity insurance

ARBV CPD Webinar Quiz -
Important changes to the regulatory framework for architects



Question 6: Which of these statements is true?

- A. It is not the architect's responsibility to protect the health and safety of people. It is the responsibility of the RBS who issues the permit
- B. Architects don't need to give their clients a client-architect agreement if the job is for less than \$5,000
- C. It's okay to start work on project before the client has provided you with written acceptance of the client-architect agreement if timeframes are tight
- D. The client-architect agreement must contain details of your professional indemnity insurance**

ARBV CPD Webinar Quiz -
Important changes to the regulatory framework for architects



Question 7: Which statement is correct?

Architect members or directors of approved partnerships and companies:

- A. Should try their best to ensure architectural services are carried out by an architect or under the supervision of a person who is registered as an architect
- B. Must ensure architectural services are carried out by an architect or under the supervision of a person who is registered as an architect
- C. Do not need to ensure architectural services are carried out by an architect or under the supervision of a person who is registered as an architect
- D. Are the only individuals in an approved partnership or company that can be involved in the delivery of architectural services

ARBV CPD Webinar Quiz -
Important changes to the regulatory framework for architects



Question 7: Which statement is correct?

Architect members or directors of approved partnerships and companies:

- A. Should try their best to ensure architectural services are carried out by an architect or under the supervision of a person who is registered as an architect
- B. **Must ensure architectural services are carried out by an architect or under the supervision of a person who is registered as an architect**
- C. Do not need to ensure architectural services are carried out by an architect or under the supervision of a person who is registered as an architect
- D. Are the only individuals in an approved partnership or company that can be involved in the delivery of architectural services

ARBV CPD Webinar Quiz -
Important changes to the regulatory framework for architects



RESOURCES



Available resources about the amendments

- Available on our website:
 - Architects Regulations 2026
 - Code of Conduct
 - Summary of Code changes
 - A new Guideline on Client Agreements
- Enquiries can be made and clarification sought from the ARBV
- Further resources are in development

CONCLUDING REMARKS



Key messages

- The reforms to the Act, Regulations and Code do not fundamentally alter the regulatory framework.
- Instead, they are intended to:
 - modernise renewal processes
 - align the Architects Regulations with recent amendments to the Architects Act
 - prescribe CPD requirements within the Regulations
 - improve clarity and transparency, particularly in relation to the requirements under the Code

Takeaway Tips

- If you complete renewal by **30 June**, you will experience little change compared to previous years
- Non-practising architects must also complete renewal by **30 June**
- If you complete renewal **after** 30 June, that's when changes will be encountered
- If you have been **following the National CPD Framework** to meet your annual CPD requirements, you will experience **little change** with CPD
- As the legislative changes are now in place it is important for architects to **take steps to understand and comply with the changes**
- A **more favourable view** will be taken by the ARBV if an architect can demonstrate that they actively took steps to try to achieve compliance

Q&A

ARBV CPD Webinar Quiz -
Important changes to the regulatory
framework for architects



 **ā** rbv



Architects
Registration Board
of Victoria

**ARCHITECTS REGISTRATION BOARD
OF VICTORIA**

Address

Level 10, 533 Little Lonsdale Street
Melbourne VIC 3000

Phone number

03 9417 4444

Email

registrar@arbv.vic.gov.au