



THE MANITOBA ASSOCIATION OF ARCHITECTS
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MAA POLICY

CONSIDERATION OF APPLICATIONS FROM ARCHITECTS AND AUTHORIZED PRACTICES LOCATED ELSEWHERE IN CANADA AND THE USA WHERE ILLEGAL PRACTICE/MISREPRESENTATION IS EVIDENT

The MAA has seen a disturbing increase in the number of architects from elsewhere in Canada and the USA, who have been delinquent in applying for registration and authorization to practice in the Province of Manitoba; exhibiting flagrant disregard for the legislation that governs the practice of architecture in this jurisdiction.

As with most jurisdictions in Canada and the USA, registration and authorization to practice in Manitoba is required when the individual and/or firm is 'engaged for hire, gain or hope of reward in the planning or review for others of the erection, construction, enlargement or alteration of buildings ...' (as dictated by *The Architects Act*) and in advance of offering any such services; not merely at the stage when a seal might be required. Individuals and firms who are offering services in Manitoba that might fall outside the restricted scope under legislation, but are misrepresenting themselves as an architect or architectural firm (if they are not registered with the MAA), are similarly in contravention of The Act.

In light of the growing frequency of such cases, and the amount of time that is spent at both an administrative and governance level in dealing with such matters, the MAA Council has implemented the following policy:

Where there is evidence of misrepresentation and/or practice, prior to appropriate application being made to the MAA, by an individual and/or firm that is authorized to practice elsewhere in Canada or the USA, the MAA Council is prepared to enable applications for registered membership and/or firms to be submitted and considered, provided that the infraction is remedied by way of the following settlement:

- payment of the dues and fees that would have otherwise been payable, had any and all applications been addressed by the MAA at the appropriate time; and
- an additional full year's dues and fees, as applicable, are also remitted.

This policy applies only to those individuals and/or firms that have been deemed competent to practice elsewhere in Canada and/or the USA and who are able to demonstrate eligibility for registration and/or authorization to practice in Manitoba, in accordance with the MAA's requirements. Although legal remedies for contraventions such as misrepresentation and illegal practice include injunctive relief or prosecution in the courts, the MAA believes that the public interest might be better served by the offer of a settlement, that enables consideration of applications for registration / authorization to practice to move forward.