

Architect's Professional Seal

Application of Seal to Documents in Two Languages

Summary

This Practice Bulletin attempts to outline basic principles of documents prepared in two languages and relies on the ability of members to exercise good professional judgement. If you are required to seal documents in a language other than English, you may do so provided appropriate understanding and conditions exist. It is recommended that you identify which language will govern in the event of a discrepancy between the two whenever possible, unless it is specially required that the two languages are of equal status. Ensure that your insurance coverage is appropriate for project documents prepared in two languages.

BACKGROUND

Within Canada, uniform standards do not exist with respect to the application of professional seals to documents prepared in two languages. This Practice Bulletin is issued to serve as a guideline to members with regards to the required standard of care.

Where documents are provided in two languages, there are two possible scenarios:

1. One language is identified as the governing language in the event of a discrepancy between the two, or
2. Both languages are deemed to be of equal status and neither is identified as governing over the other.

OPTIONS

A. Regardless of whether both languages are of equal status or one is identified as having precedence over the other:

1. You may seal documents prepared in two languages provided your practice is fluent in both languages.

2. Participants in a joint venture may seal documents in both languages provided each firm is fluent in at least one of the languages. Alternatively, the participants in the joint venture may seal only the documents in the language in which they are fluent.
3. If your practice is not fluent in the other required language, you may engage the services of another locally registered member/firm that is fluent in the other language as a subconsultant. You may each seal documents of your respective languages or you may seal both versions provided that you receive written representation from the subconsultant that what was produced in the other language is an exact representation of what you had produced in your language. Clearly set out the extent of services of the subconsultant in a Architect/Subconsultant agreement.



REGULATORY

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4. If your practice is not fluent in the other required language, you may engage the services of a translator who is experienced in translating construction contract documents and who represents in writing to you that the translated product is an exact representation of what you produced in your language. In this case you may rely on the representation and seal documents in both languages.
5. The documents in both languages may be sealed by the architect based on the practicability of the translator's representation. It is logical to accept certification by an experienced translator, or an architect fluent in the other language (either in joint venture or as a subconsultant) that the translation is an exact representation of the original document.

Understand that the legal and professional obligation remains with the architect sealing the documents and exercise discretion and good judgement.

- B. If the languages are not required to be of equal status:
1. Affix your seal to documents in both languages under conditions described above or, alternatively, affix your seal to the construction contract documents with the qualification that the documents have been sealed for the English version only.
 2. Add an additional note on all documents clearly indicating which version shall govern in the case of a discrepancy between the two versions.

Common formats for preparing documents in two languages include the following:

1. Drawings are prepared with notes in both languages side by side.
2. Separate drawings are prepared in each language. In this case the line work should be completed first in order to have two identical sets of drawings ready for the application of notes.
3. CAD layering can provide for the application of notes with each language on a separate layer.
4. Notes can be replaced by alpha-numeric designations which can be indexed in both languages either on the drawing or separately.
5. A project manual can have the translation formatted in columns for side by side languages. Alternatively, the translation can be on the next page or in a complete separate manual.