



Queensland

Architects Act 2002

Architects Regulation 2003

Current as at 1 July 2018

© State of Queensland 2018



This work is licensed under a Creative Commons Attribution 4.0 International License.



Queensland

Architects Regulation 2003

Contents

		Page
Part 1	Preliminary	
1	Short title	3
2	Dictionary	3
Part 2	Election of an architect to the board	
Division 1	Preliminary	
3	Purpose of pt 2	3
Division 2	Notice of election and nomination procedure	
4	Notice of election	3
5	Notice calling for nominations	4
6	Requirements for nominations	4
Division 3	Procedure if only 1 candidate nominated	
7	Candidate taken to be elected unopposed	4
8	Registrar to give notice of elected candidate	5
Division 4	Procedure if more than 1 candidate nominated	
9	Registrar to conduct ballot	5
10	Voting material	5
11	How votes are cast	6
12	Registrar must keep ballot box	6
13	Candidate may appoint scrutineer	6
14	Registrar must count votes	7
15	Candidate with the highest number of votes is elected	7
16	Registrar to give notice to candidates	8
17	Ballot papers to be kept	8
Part 3	Miscellaneous	
18	Prescribed school of architecture—Act, s 82	8
18A	Code of practice approved—Act, s 108	9
19	Fees	9

Contents

20	Repeal	9
Schedule 1	Fees	10
Schedule 2	Dictionary	11

Architects Regulation 2003

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Architects Regulation 2003*.

2 Dictionary

The dictionary in schedule 2 defines words used in this regulation.

Part 2 Election of an architect to the board

Division 1 Preliminary

3 Purpose of pt 2

This part states the procedures for electing, for section 82(2)(c) of the Act, an architect for appointment as a member of the board.

Division 2 Notice of election and nomination procedure

4 Notice of election

- (1) The registrar must publish a notice of the election day for the election of an architect for appointment as a member of the board.

[s 5]

- (2) The notice must be published at least 2 months before the election day.

5 Notice calling for nominations

- (1) The registrar must publish a notice inviting nomination of a candidate for election.
- (2) The notice must—
 - (a) state the day and time by which a nomination of a candidate must be received by the registrar; and
 - (b) be published at least 28 days before the day by which nominations must be received.

6 Requirements for nominations

- (1) A nomination of a candidate for election must—
 - (a) be in the approved form; and
 - (b) be received by the registrar before the nomination day and time.
- (2) A nomination may be accompanied by the candidate's written statement.
- (3) A statement mentioned in subsection (2) must not be more than 200 words.

Division 3 Procedure if only 1 candidate nominated

7 Candidate taken to be elected unopposed

If only 1 candidate is nominated by the nomination day and time—

- (a) the registrar is not required to conduct a ballot for the election; and
- (b) the candidate is taken to be elected unopposed.

8 Registrar to give notice of elected candidate

- (1) The registrar must give the candidate written notice of the candidate's election.
- (2) Also, the registrar must publish a notice of the candidate's election as soon as practicable after the candidate's appointment to the board.

Division 4 Procedure if more than 1 candidate nominated

9 Registrar to conduct ballot

If more than 1 candidate is nominated by the nomination day and time, the registrar must conduct a ballot for the election under this division.

10 Voting material

- (1) The registrar must send the following things to each eligible architect at least 28 days before the election day—
 - (a) a ballot paper;
 - (b) an unsealed envelope for the ballot paper (the *ballot envelope*);
 - (c) an unsealed envelope addressed to the registrar (the *return envelope*).
- (2) The ballot paper must—
 - (a) state the election day and election time; and
 - (b) list, in alphabetical order, the name of each candidate; and
 - (c) provide instructions on how an architect may cast a vote; and
 - (d) be accompanied by any statements submitted by the candidates.

(3) In this section—

eligible architect means a person who was an architect on the day the notice of the election was published under section 4(1).

11 How votes are cast

An architect may vote only by—

- (a) marking a ballot paper with a cross opposite the name of 1 candidate; and
- (b) putting the ballot paper in the ballot envelope and sealing the ballot envelope; and
- (c) putting the ballot envelope in the return envelope and sealing the return envelope; and
- (d) returning the return envelope to the registrar by the election time.

12 Registrar must keep ballot box

- (1) The registrar must keep a ballot box for the election.
- (2) The registrar must place each sealed ballot envelope received by the registrar in the ballot box.
- (3) The ballot box must be sealed in a way preventing ballot envelopes from being taken from it until the election time.

13 Candidate may appoint scrutineer

- (1) A candidate may appoint 1 person as a scrutineer for the election.
- (2) The candidate must give written notice of the appointment to the registrar at least 5 days before the election day.

14 Registrar must count votes

- (1) At, or as soon as practicable after, the election time, the registrar must, in the presence of any scrutineer who wishes to attend and at least 2 other witnesses—
 - (a) open each ballot envelope in the ballot box kept for the election; and
 - (b) accept each formal ballot paper and reject each informal ballot paper; and
 - (c) count and record the number of votes for each candidate on the accepted ballot papers.
- (2) Despite subsection (1)(b), the registrar may accept an informal ballot paper if, in the opinion of the registrar, the intention of the voter is clear.
- (3) In this section—

formal ballot paper means a ballot paper marked as required under section 11(a).

informal ballot paper means a ballot paper not marked as required under section 11(a).

15 Candidate with the highest number of votes is elected

- (1) Subject to subsections (2) to (4), the candidate with the highest number of votes is elected.
- (2) Subsections (3) and (4) apply if 2 or more candidates receive the same number of votes so that the candidate entitled to be elected under subsection (1) can not be decided.
- (3) The registrar must conduct a draw by completing the following steps in the presence of any scrutineer who wishes to attend and at least 2 other witnesses—
 - (a) writing the names of the candidates with the same number of votes on separate pieces of paper that are the same kind, shape, size and colour;
 - (b) folding the pieces of paper in the same way to be the same size and thickness;

- (c) putting the pieces of paper in a container and shuffling them;
 - (d) drawing out 1 of the pieces of paper.
- (4) The candidate whose name is drawn out under subsection (3)(d) is elected.

16 Registrar to give notice to candidates

- (1) The registrar must give each candidate written notice of the candidate elected.
- (2) Also, the registrar must publish a notice of the candidate elected as soon as practicable after the candidate's appointment to the board.

17 Ballot papers to be kept

- (1) The registrar must keep the ballot papers placed in the ballot box under section 12(2) for 3 months from the election day.
- (2) At the end of the 3 month period the registrar must destroy the ballot papers in the presence of a member of the board.

Part 3 Miscellaneous

18 Prescribed school of architecture—Act, s 82

For section 82(2)(a)(i) of the Act, each of the following is a prescribed school of architecture—

- School of Design and Built Environment, Queensland University of Technology
- School of Geography, Planning & Architecture, The University of Queensland.

18A Code of practice approved—Act, s 108

For section 108(3) of the Act, the code of practice called ‘Board of Architects of Queensland Code of Practice’ made by the board on 23 November 2004 is approved.

Editor’s note—

Copies of the code of practice are available for inspection at the board’s office. The code of practice is also available for inspection on the board’s website.

19 Fees

The fees payable under the Act are stated in schedule 1.

20 Repeal

The Architects Regulation 2002 SL No. 348 is repealed.

Schedule 1 Fees

section 19

	\$
1 Application fee—Act, ss 8(2)(b)(iii) and 23(2)(b)(ii)	256.60
2 Registration fee (practising architect)—Act, s 8(2)(b)(iii)—	
(a) for a period of registration of more than 1 month but not more than 6 months	99.05
(b) for a period of registration of more than 6 months	198.10
3 Registration fee (non-practising architect)—Act, s 8(2)(b)(iii)	98.80
4 Annual registration fee (practising architect)—Act, ss 18(3)(b)(ii) and 23(2)(b)(iii)	198.10
5 Annual registration fee (non-practising architect)—Act, ss 18(3)(b)(ii) and 23(2)(b)(iii)	98.80
6 Processing refused application—Act, s 14(b)	173.90
7 Processing lapsed application—Act, s 27(7)	173.90
8 Processing withdrawn application—Act, s 35(2)(a)	88.05
9 Copy of the register or part of it—Act, s 103(1)(b)	42.55
	plus \$2.60 for each page
10 Copy of approved code of practice or part of it—Act, s 110(1)(b)	16.80
	plus \$2.60 for each page

Schedule 2 Dictionary

section 2

ballot envelope see section 10(1)(b).

election day, for an election of an architect to the board, means the day of the election, decided by the board.

election time, for an election of an architect to the board, means the time on the election day, decided by the board, and stated on the ballot papers for the election.

nomination day and time means the day and time stated in a notice given under section 5(1).

publish, in relation to a notice, means publishing the notice—

- (a) in a publication that is likely to be read by architects, including for example, a journal or newsletter given to architects; or
- (b) in an electronic form, including for example, on the board's web site on the internet.

return envelope see section 10(1)(c).

scrutineer means a scrutineer appointed by a candidate under section 13(1).