

Hon. Mr. Herdman.

NEW ZEALAND INSTITUTE OF ARCHITECTS.

ANALYSIS.

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A BILL INTITULED

AN ACT to make Provision for the Registration of Architects.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the New Zealand Institute of Architects Act, 1913.

Short Title.

2. In this Act, except where a different intention appears,—

Interpretation.

“Board” means the Architects’ Registration Board constituted under this Act:

“Council” means the Council of the Institute;

“Institute” means the New Zealand Institute of Architects incorporated under this Act; and “the registered Institute” means the New Zealand Institute of Architects (Registered) as existing at the commencement of this Act:

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“Prescribed” means prescribed by this Act or by regulations made thereunder:

“Member” means a member of the Institute:

“Registered” means registered under this Act; and the term “registered member” includes a person who, on the passing of this Act, is a member of the registered Institute.

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The New Zealand Institute of Architects.

Establishment and purposes of New Zealand Institute of Architects.

3. (1.) The body registered under the provisions of the Incorporated Societies Act, 1908 (and hitherto known as “The New Zealand Institute of Architects (Registered)”) is hereby established and constituted a body corporate, with perpetual succession, to be called “The New Zealand Institute of Architects.”

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(2.) Upon the passing of this Act all property of the New Zealand Institute of Architects (Registered) shall become vested in the Institute.

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(3.) The said body corporate (which is hereinafter referred to as the Institute) is established for the general advancement of civil architecture, and for promoting and facilitating the acquirement of the knowledge of the various arts and sciences connected therewith, and, in particular, is established—

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(a.) To make provision for the training, education, examination, and registration of persons practising or intending to practise the profession of architecture in New Zealand:

(b.) To grant or issue diplomas or certificates or degrees to members of the Institute or to other persons in recognition of their proficiency in architecture or in any matters relating to the duties of an architect:

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(c.) To control and regulate the practice of the profession of architecture in New Zealand:

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(d.) To hold or assist in conferences on architecture and allied subjects:

(e.) To publish a journal, giving an account of the proceedings of the Institute and such other matter as may be of interest:

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(f.) To acquire, form, and maintain an art and science library and museum:

(g.) To grant prizes or scholarships or subsidize lectureships in any school, college, or university in connection with any subjects of study relating to architecture or to the duties of an architect:

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(h.) To grant pecuniary or other assistance to any society, school, college, or university established in New Zealand in the interests of the profession of architecture:

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(i.) To establish a Benevolent Fund for the assistance of members of the Institute, or the wife, widow, or children of any member:

(j.) To raise money on mortgage of the property of the Institute or by issue of debentures charged on all or any of the property or rights of the Institute :

(k.) To do all such things as are incidental or conducive to the attainment of the above objects.

5 4. (1.) The business of the Institute shall, until the constitution of the Council as hereinafter provided, be carried on by the persons who on the passing of this Act are officers of the registered Institute. On the date of such constitution the said officers (hereinafter referred
10 to as the governing body) shall cease to act.

Business of Institute to be carried on temporarily by officers of registered Institute.

(2.) The rules of the registered Institute in force at the commencement of this Act shall be and remain the rules of the Institute, in so far as they are not inconsistent with the provisions of this Act, until other rules of the Institute have been adopted.

15 5. (1.) All members of the registered Institute at the time of the commencement of this Act, and also such persons as are from time to time registered as members in accordance with the provisions of this Act, shall be members of the Institute.

Members of Institute.

(2.) Every person who on the passing of this Act is a Fellow of
20 the registered Institute shall be classified as a Fellow of the Institute, and every person who on the said date is an Associate of the registered Institute shall be classified as an Associate of the Institute.

6. (1.) A member of the Institute may at any time resign his membership by writing under his hand delivered to the secretary.

Resignation and expulsion of members.

25 (2.) A member may have his certificate of membership suspended for such time and in such manner as may be prescribed by the regulations of the Institute which are for the time being in force.

(3.) A member may be expelled from the Institute in the cases
30 and in the manner prescribed by the regulations of the Institute which are for the time being in force.

Architects' Registration Board.

7. (1.) An Architects' Registration Board is hereby established, consisting of six persons, three of whom shall be appointed by the Governor in Council and three of whom shall, within *two* months
35 after the commencement of this Act, be appointed by the governing body under section *four* hereof.

Constitution and meetings of Registration Board

(2.) If any member of the Board dies, retires, or becomes disqualified to act, the vacancy so created shall, within *two* months from the occurrence thereof, be filled by the authority entitled to
40 appoint the vacating member.

(3.) Where any appointment to the Board is to be made, or any vacancy therein is to be filled by the governing body aforesaid, and the governing body fails to make an appointment or to fill such vacancy within the time limited in that behalf, the Governor in
45 Council shall thereupon make the appointment or fill the vacancy, as the case may be.

(4.) The first meeting of the Board shall be held at such time and place as may be determined by the Registrar-General.

(5.) At every meeting of the Board four members thereof shall
50 form a quorum, and no business shall be transacted at any meeting unless a quorum is present.

(6.) The Board shall at its first meeting choose one of its members to be Chairman, who shall have both a deliberative and, in the case of an equality of votes, a casting vote.

(7.) Every question before the Board shall be determined by a majority of the votes of the members present at a meeting of the Board. 5

(8.) A meeting of the Board may be demanded at any time by notice signed by any two members thereof, and sent to the Registrar-General, who shall thereupon convene the meeting.

(9.) Until the establishment of a Council under the provisions of this Act the registration of members of the Institute shall be effected by the Board. 10

(10.) After the establishment of the said Council the registration of members of the Institute shall be effected by the Council.

(11.) The Board shall cease to exist on the first meeting of the Council of the Institute. 15

Registration of Members of Institute.

Who entitled to be registered as members of Institute.

8. (1.) Every person shall be entitled to be registered by the Board or the Council as a member of the Institute who—

(a.) Holds some recognized certificate as hereinafter defined; or 20

(b.) Has attained the age of twenty-four years, and has for a period of three consecutive years before the commencement of this Act been *bona fide* engaged in New Zealand as a principal in the exclusive practice of architecture (whether exclusively or not, and whether solely or in partnership with any other person) as a principal in the practice of architecture in New Zealand, and who makes application for registration within ~~six~~ twelve months after the commencement of this Act; or 25

(c.) Has attained the age of twenty-five years, and has been engaged during a period of not less than seven years before the commencement of this Act in the acquirement of professional knowledge in architecture, in a manner satisfactory to the Board, and who makes application for registration within ~~six~~ twelve months after such commencement; or 30 35

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(d.) Has attained the age of twenty-one years, and has been a pupil or apprentice for a period of not less than three years to an architectural practitioner whose qualifications would entitle him to be registered as a member under this Act, and has before the commencement of this Act had two years' further experience in New Zealand to the satisfaction of the Board, and who makes application for registration within six months after such commencement; or 40 45

New.

(d.) Is an engineer with not less than *five* years' experience in architectural work and who satisfies the Board as to his proficiency in the duties of an architect, and makes application for registration within twelve months after the commencement of this Act; or 50

(e.) Has at any time before the commencement of this Act during a period of three consecutive years been engaged in New Zealand for part of that period in manner described in paragraph (b) of this section, and for parts thereof in manner described in paragraphs (c) and (d) of this section, and satisfies the Board as to his proficiency in the duties of an architect, and who makes application for registration within ~~six~~ *twelve* months after such commencement; or

New.

(f.) Has attained the age of twenty-one years and has been a pupil or apprentice for a period of not less than *three* years to an architectural practitioner who upon the commencement of this Act either becomes a member of the Institute or possesses any of the qualifications prescribed by this Act, sufficient to entitle such architectural practitioner to have become a member of the Institute if due application had been made by him: Provided that no such pupil or apprentice shall be entitled to become a member of the Institute unless he satisfies the Board or the Council of due diligence during such apprenticeship and makes application for registration within *five* years after the commencement of this Act; or

(g.) Has attained the age of twenty-one years and has either—

(i.) Served for a period of less than three years as pupil or apprentice to an architectural practitioner as mentioned in the *last preceding* paragraph; or

(ii.) Completed a course of study in architectural subjects at any college, school, or educational institution;

and has, in addition to either of the foregoing qualifications, had such practical experience either in building or architecture as, in the opinion of the Board or the Council, will fit him to be a member of the Institute, and who makes application for registration within *five* years after the commencement of this Act; or

(h.) At any time before the passing of this Act has for a period of three years continuously, or with no greater interval than three months at any one time, been employed in New Zealand in the service of any one or more employers in any position in which his sole or principal duties were those of an architect, and who satisfies the Board or the Council as to his proficiency in the duties of an architect; or

(i.) Has, in the opinion of the Board or the Council, attained great eminence in the profession of architecture and as to whom the Board or Council considers it just and fitting that he be registered as a member of the Institute; or

(j.) Passes or has passed an examination or examinations required by the Institute under the provisions of this Act and its regulations.

(1A.) No person shall be entitled to make application for registration under paragraph (f) or (g) of the *last preceding* subsection unless on or before the commencement of this Act he was actually a pupil or apprentice, or had entered upon a course of study, or was actually engaged in the acquirement of practical experience as mentioned in those paragraphs.

Recognized
certificate.

(2.) For the purposes of this section the term "recognized certificate" means a certificate, diploma, membership, degree, license, letters, testimonial, or other title, status, or document granted by some university, college, or other public institution in a British possession or foreign country, which is recognized by the Board or the Council as entitling the holder thereof to practise architecture in that possession or country, and as furnishing sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of architecture. 5

Members to be over
twenty-one years,
and of good
character.

9. No person shall be registered as a member of the Institute if he is less than twenty-one years of age, or if, in the opinion of the Board or the Council, as the case may be, he is not of good character and reputation, ~~or is engaged or concerned in any business or occupation inconsistent with the profession of architecture.~~ 10

Application for
registration.

10. (1.) Every application by any person to the Board or the Council to be registered as a member of the Institute shall be in writing, and the statements made therein shall be verified by a statutory declaration made by the applicant. 15

(2.) Every such application shall be accompanied by a registration fee of twenty-one shillings, which shall be returned to the applicant if the application is refused. 20

(3.) All moneys so received by the Board shall be paid into a bank to the credit of an account in the name of two members of the Board. All expenses incurred by the Board in the execution of its functions shall be paid out of those moneys, and the residue (if any) shall be paid over by the Board to the Council on its establishment. 25

Board or Council to
consider and
determine
applications
for registration.
Appeals.

11. (1.) It shall be the duty of the Board or the Council to receive, consider, and determine all applications so made to it for registration.

(2.) Any applicant who is dissatisfied with the determination of the Board or the Council may appeal from that determination to the Supreme Court. Notice of appeal shall be lodged in the Supreme Court within fourteen days from the date of the determination aforesaid. 30

(3.) Any such appeal may be by motion for an order directed to the Board and its secretary or to the Council and its secretary that the person applying be registered, and the facts may be proved by affidavit unless the Court or a Judge shall order witnesses to be examined *viva voce*, and the Court may order that the person applying shall be registered, or that he shall be registered conditionally or upon terms, or may decline to make any order, and with or without costs, and the Court may in such case make such order as may be proper, with or without costs, as it thinks fit. 35 40

Method of effecting
registration.

12. (1.) The registration of members of the Institute by the Board or the Council shall be effected by the entry of the following particulars in a book or books to be kept for that purpose:— 45

- (a.) The name of the member :
- (b.) The qualifications by virtue of which he is registered :
- (c.) The district, within the meaning of subsection *four* hereof, in which he resides :
- (d.) His postal address :
- (e.) Such other particulars (if any) as the Board or Council thinks fit. 50

(2.) When and as often as it is proved to the satisfaction of the Board or the Council that any member has transferred his residence from one district to another, or has altered his postal address, a corresponding alteration shall be made in the registration of those
5 particulars.

(3.) The name and address of every ~~architect~~ *person* from time to time registered by the Board shall be forwarded to the governing body, within the meaning of section *four* hereof, and the governing body, after considering the qualifications of each such person, shall
10 place him in the class of either "Fellow" or "Associate."

(4.) For the purposes of this Act, and for the time being, New Zealand is divided into five districts as follows:—

- (a.) Auckland—comprising the Provincial District of Auckland, excepting the County of Cook :
- 15 (b.) Wellington—comprising the Provincial Districts of Wellington, Taranaki, Hawke's Bay, Marlborough, Nelson, and the County of Cook :
- (c.) Canterbury—comprising the Provincial Districts of Canterbury and Westland :
- 20 (d.) Otago—comprising the Provincial District of Otago, excepting the County of Southland :
- (e.) Southland—comprising the County of Southland.

(5.) The Council may at its discretion and from time to time alter, enlarge, or subdivide such districts or create new ones
25 whenever the development of the Institute renders such a course necessary or desirable.

The Council.

13. (1.) The Institute shall be governed by a Council consisting (until and unless the regulations of the Institute otherwise provide) of the following persons, that is to say:—
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Council of the Institute.

- (a.) All past presidents of the registered Institute ;
- (b.) All past presidents for the time being of the Institute ;
- (c.) The vice-presidents of the Institute for the time being ; and
- 35 (d.) Twelve persons to be elected annually by the members from among their number in the following proportions : three to represent the Auckland District, three to represent the Wellington District, three to represent the Canterbury District, two to represent the Otago District, and one to represent the Southland District :

40 Provided that the Council may, at its discretion, vary the number of representatives provided for under paragraph (d) of this subsection if at any time a new district is created or any existing district is altered, enlarged, or subdivided, as provided in subsection *five* of section *twelve* of this Act.

45 (2.) The members of the Council so representing any district shall be elected from time to time by the members of the Institute registered as resident in that district.

(3.) In the event of the Council being reduced in number by the death, resignation, or otherwise of a member elected under paragraph (d) of subsection *one* hereof, the Council may, upon the
50 recommendation of the district concerned, elect a Fellow of the Institute in his stead, who shall hold office only for the unexpired portion of the term of office of his predecessor.

Acts of Council not
invalidated because
of informality.

Election of Council

14. The constitution or acts of the Council shall not be invalidated or questioned on the ground that the number of the members of the Council is incomplete, or because of any error or irregularity in the election of any member thereof.

15. (1.) It shall be the duty of the Board to hold and conduct the first election of the Council so soon as practicable after the month of ~~October~~ *April*, nineteen hundred and ~~fourteen~~ *fifteen*. Subsequent elections of the Council shall be held annually in the month of November in each year. 5

(2.) For this purpose the Board or the Council, as the case may be, shall appoint a day for receiving nominations of candidates for the Council and a subsequent day for the holding of the said election. The day appointed for holding the election shall be not less than *twenty* days after the day appointed for receiving nominations. The Board or the Council, as the case may be, not less than *ten* days before the day appointed for receiving such nominations, shall, after the month of October in each year, post to every member of the Institute at his registered postal address a list of all members of the Institute and of their registered postal addresses, together with a notice of the day appointed for receiving nominations for the said election. 15 20

(3.) Every such nomination shall be made in writing, and shall be signed by the person nominated and by two other members of the Institute registered as resident in the district for which the nomination is made, and shall be delivered to the Board or the Council on or before the day so appointed. 25

(4.) After the day so appointed for the receipt of nominations, and not less than *ten* days before the day appointed for the election, the Board or the Council shall post to each member of the Institute at his registered postal address a list of all persons so nominated to represent the district in which that member resides, together with a voting-paper, a statement as to the number of persons to be elected for the district, and a notice stating the day appointed for the said election, and every voting-paper must be returned to and received by the Board or the Council on or before the last-mentioned day. 30 35

(5.) Every member of the Institute shall be entitled to vote for the number of members to be elected to represent the district in which he resides, or for any less number.

(6.) So soon as may be after the day so appointed for the return of the voting-papers the Board or Council shall hold a meeting, and shall there examine and count the voting-papers duly returned, and shall by resolution declare the result of the election. 40

(7.) The resolution so passed by the Board or Council shall be conclusive proof that the election has been in all respects validly conducted, and that the persons so declared to be elected are the members of the Council. 45

(8.) On the passing of the said resolution the Council shall be deemed to be established and constituted as from the date of the resolution. 50

(9.) If in respect of any district the number of persons nominated for election does not exceed the number to be elected, it shall not be necessary to send or return any voting-papers in respect of that

district; and the Board or Council shall, at the meeting hereinbefore in this section referred to, declare by resolution, in the manner and with the effect aforesaid, that the persons so nominated for that district have been duly elected.

5 (10.) In any case in which two or more candidates receive the same number of votes, the Board or the Council shall determine by lot, in such manner as it thinks fit, which of those candidates is to be elected.

10 16. The first meeting of the Council shall be held at such time and place as may be appointed by the Board for that purpose. **First meeting of Council.**

17. The first general meeting of the members of the Institute shall be held in Wellington, at such time and place as may be appointed by the Council, not being later than three months after the date of the first meeting of the Council. **First meeting of Institute.**

15 18. (1.) At the first meeting of the Council, or so soon thereafter as may be, and thereafter from year to year, the Council shall elect one of its members to be the president of the Institute and two of the members of the Institute to be respectively the honorary secretary and honorary treasurer thereof, who shall be *ex officio* 20 members of the Council in addition to the number elected under section *thirteen* of this Act. **Election and appointment of officers of Institute.**

(2.) In case the office of president, honorary secretary, or honorary treasurer becomes vacant, the Council shall appoint a member to such vacant office. The president so appointed shall be 25 chosen from the members of the Council.

(3.) All appointments under the last preceding subsection shall remain in force only until the next election by the Council pursuant to subsection *one* hereof.

(4.) The Council may also appoint a secretary to the Institute 30 who shall not be a member of the Council. The Council may pay to the secretary out of the funds of the Institute such salary as it thinks fit.

35 19. The Council, president, and vice-presidents, honorary secretary, and honorary treasurer, elected or appointed under the provisions hereinbefore contained, shall hold office until the election or appointment of their successors in accordance with this Act and the regulations of the Institute. **Officers to remain in office until election or appointment of successors.**

Meetings of Council and Institute.

40 20. (1.) At every meeting of the Council *seven* shall form a quorum, and no business shall be transacted at any meeting unless a quorum is present. **Quorum at meetings of Council and Institute.**

(2.) At every general meeting of the members of the Institute, until and unless the regulations of the Institute otherwise provide, ~~seven~~ *twenty* shall form a quorum, and no business shall be transacted at any meeting unless a quorum is present. 45

(3.) If within half an hour after the time appointed for any meeting a quorum is not present, the meeting shall stand adjourned to the same day in the next week, at the same time and place, and if at such adjourned meeting a quorum is not present then, notwithstanding anything in the foregoing provisions of this section, the 50 members who are present shall be a quorum and may transact the business for which the meeting was called.

Regulations of Institute.

21. (1.) At any general meeting of the members of the Institute it shall be lawful for the members present thereat ~~from time to time~~ to make regulations, consistent with this Act, relating to any of the matters following:—
- (a.) The constitution of the Institute; 5
 - (b.) The admission of members of the Institute and the modes in which persons cease to be members thereof;
 - (c.) The constitution, election, and tenure of office of the Council: 10
 - (d.) The election, appointment, resignation, or removal of the president, vice-presidents, and other officers and servants of the Institute:
 - (e.) The qualifications and disqualifications of members of the Institute or of the Council thereof, or of any officers or servants thereof: 15
 - (f.) The holding of meetings of the Council or of the members of the Institute:
 - (g.) The use and custody of the common seal of the Institute:
 - (h.) The fees payable to the Institute by members thereof: 20
 - (i.) The powers, duties, and functions of the Council, and of the president, vice-presidents, officers, and servants of the Institute:
 - (j.) The tuition and examination of candidates for admission as members of the Institute, and the fees payable for any such examination; the establishment of scholarships, prizes, *et cetera*, and the granting of diplomas or certificates: 25
 - (k.) The classification from time to time of the members of the Institute:
 - (l.) The custody, investment, and expenditure of the funds and property of the Institute: 30
 - (m.) The manner of voting at any meeting of the Council or of the members of the Institute or at any election:
 - (n.) The regulation and good government of the Institute in all matters within its powers: 35
 - (o.) The establishment of branches of the Institute in the several districts, establishing branch Councils, defining the powers and duties of branch Councils, and the framing of rules and regulations governing their proceedings.
- (2.) No such regulations shall come into force until they have been approved by the Governor in Council *and gazetted*. 40

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- (3.) No regulation shall be made pursuant to this section and no regulation of the Institute shall be altered or revoked unless notice in writing of the proposed regulation, alteration, or revocation has been given at a previous general meeting, or has been forwarded to the Secretary of the Institute fourteen days at least before the date of the meeting at which the proposed regulation, alteration, or revocation is to be brought forward. Forthwith on receipt of a notice under this subsection, the Secretary shall transmit a copy thereof to every member of the Institute. 45 50

22. Subject to this Act and to any regulations made thereunder, the Council shall have the sole and entire management of the Institute and of the income and property thereof, and may exercise on behalf of the Institute all the powers and functions thereof not required by this Act or any regulation to be exercised by resolution of a general meeting. Powers of Council.

23. In any legal proceedings the production of any document, purporting to be a copy of any regulations made by the Institute, sealed with the seal of the Institute shall, until the contrary is proved, be sufficient proof that those regulations have been duly made and are in full force and effect. Copy under seal to be proof of regulations.

Classification of Members of Institute.

24. (1.) After the establishment of the Council all persons registered shall be classed either as Fellows or Associate members of the Institute upon the following qualifications:— Fellows and Associate members of Institute.

(a2.) A Fellow of the Institute shall at the time of admission be either—

(i.) An architect holding a recognized certificate within the meaning of section *eight* hereof; or

(ii.) Any architect who has been engaged as a principal for at least seven successive years in the exclusive practice of architecture and as to whom the Council may resolve that it is desirable to elect and admit him as a Fellow :

Provided that the Council shall have power at any time to promote to the rank of Fellow any Associate member who has been engaged as a principal for at least five successive years in the exclusive practice of architecture, who makes application to the Council for such promotion, and as to whom the Council may resolve that it is desirable so to promote him.

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(b.) An Associate of the Institute shall, at the time of admission, pass or have passed an examination or examinations required by the Institute under the provisions of this Act and its regulations, and according to a standard fixed from time to time by the Council.

New.

(3.) All other members of the Institute shall be Associate members.

Examinations.

24a. (21.) It shall be lawful for the Institute to make arrangements with the University of New Zealand for the conduct by the University of all or any examinations prescribed by the regulations of the Institute.

(32.) The Institute may by its regulations recognize any examination prescribed by the University of New Zealand for the degree of Bachelor of Science (in Architecture), or any part of that examination, as equivalent to and as a substitute for the examination referred to in paragraph (b) (j) of this section *eight*, or any part of that examination.

Committee of Architectural Education.

25. (1.) The Council shall annually appoint a Committee of Architectural Education to deal with the education of students in Committee of Education.

architecture, and to conduct by examiners approved by the Council such examinations as may be required by the Institute's regulations.

(2.) The committee shall not exceed seven in number (inclusive of the president, who shall be an *ex officio* member), and shall consist of such members of the Institute and such other persons as the Council may appoint. The Council may, on the advice of the committee, invite other representative persons to act as advisory members of such committee.

(3.) The committee shall have power to elect its own officers from its members and to draw up regulations for its procedure, subject to the approval of the Council. The committee may conduct its own correspondence, but shall take no public action nor incur any pecuniary responsibility.

(4.) The committee shall submit any scheme it may devise for education and examination to the Council for its consideration; and if and when such scheme is approved by the Council, the committee shall have the supervision thereof, and shall annually report to the Council thereon, and may submit any suggestion for variations thereof to the Council for its consideration.

Offences.

26. (1.) Every person commits an offence and is liable to a fine not exceeding *fifty* pounds who, not being a member of the Institute, uses, or causes to be used, in connection with his business, trade, calling, or profession any written words, titles, initials, or abbreviation of words, titles, or initials, intended or likely to cause any person to believe that he is a member of the Institute.

Struck out.

(2.) Every person commits an offence and is liable to a fine not exceeding *fifty* pounds who, not being a member of the Institute carries on the business of an architect or describes himself in writing as a public practising architect or a registered architect.

(3.) Every person who uses in connection with his name or with the name under which he carries on business the initials F.N.Z.I.A. or A.N.Z.I.A., or any abbreviation of such initials, or the term "Architect" or any abbreviation or variation thereof, or any combination of such words, titles, initials or abbreviations, shall be deemed to have described himself in writing as a registered architect within the meaning of the *last preceding* subsection, unless it is proved that

New.

(3.) Every person who, not being a member of the Institute, uses in connection with his name or with the name under which he carries on business the title 'registered architect' or the initials F.N.Z.I.A. or A.N.Z.I.A., or any abbreviation of such title or initials, or any words liable to be understood by any person as indicating that he was a member of the Institute, commits an offence and is liable to a fine not exceeding *fifty* pounds, unless it is proved that the said words, titles, initials, or abbreviations were used under such circumstances that they were not capable of being (or were not likely to be) understood by any person as a reference to the practice of architecture.

(4.) Every person who wilfully makes, or causes to be made, any false entry in or falsification of the register, or procures or attempts to procure himself or any other person to be registered

Offences by persons
not members of the
Institute.

under this Act by making, or producing, or causing to be made or produced, any false or fraudulent representations or declarations either verbally or in writing, and every person who aids or assists therein is liable to a fine not exceeding *fifty* pounds for each offence.

5 (5.) In every prosecution for an offence against this section, the burden of proving that the defendant was at the time when the offence was committed a member of the Institute shall lie upon the defendant.

New.

10 (6.) Nothing contained in this section shall prevent or be deemed to prevent any person from practising as an architect or from using in connection with his business the word "architect."

Miscellaneous.

15 27. Every student who has passed such examination for students as may be prescribed by the Institute, and has satisfied such other requirements as the Council may from time to time prescribe as applying to students, shall be entitled to be registered as a student of the Institute, subject to such conditions and to such restrictions as to continuance as the Council may determine, and a register shall be kept setting forth the students' names in the chronological order in which they have passed.

Register of students.

20 28. Until and unless the regulations of the Institute otherwise provide, the common seal of the Institute shall be in the custody of the Council, and shall not be affixed to any document except at a meeting of the Council, or by the authority thereof, and the execution of any document to which the said seal is so affixed shall be attested by two members of the Council.

Execution of documents under seal.

25 29. (1.) Every contract made by the Institute which if made by a private person would require to be by deed shall be made under the common seal of the Institute.

Mode of entering into contracts by the Institute.

30 (2.) Every contract made by the Institute which if made between private persons would require to be made in writing may be made in writing signed by any person thereunto duly authorized on behalf of the Institute.

35 (3.) Every contract made by the Institute which if made between private persons may be made without writing may be made in like manner by any person thereunto duly authorized on behalf of the Institute.

40 30. Every application for registration, notice, document, or other thing required by this Act to be made, given, or sent or delivered to the Board shall be sent or delivered to the office of the Registrar-General at Wellington, and shall then be deemed to have been received by the Board.

Notices for Board to be sent to Registrar-General.

45 31. It shall be lawful for the Institute to acquire and hold as much freehold or leasehold land as is reasonably required for offices or chambers for the use of the Institute or for any of the purposes of the Institute in any place in New Zealand.

Institute may hold land.

32. The Institute may borrow money to be expended in the purchase of such land as is mentioned in the *last preceding* section or in erecting offices or buildings for the use of the Institute.

Borrowing-powers of Institute.

50 33. The Institute may sell, lease, exchange, or mortgage any real or personal property vested in it.

Powers of Institute with respect to property.

34. (1.) Every member of the Institute shall pay to the Institute such annual or other fees as the regulations prescribe.

(2.) The fees so made payable may be different in the case of different classes of members, as the regulations prescribe.

(3.) The Council may remove from the register the name of any member who is in arrear for ~~six~~ *twelve* months in the payment of any fees payable by him, and, on notice of such removal under the hand of the secretary being delivered to that member or posted to his registered postal address, he shall cease to be a member of the Institute.

(4.) Any member whose name is so removed from the register may at any time within twelve months after the date when notice thereof is so delivered or posted to him pay to the Council all fees which are in arrear, or which would be in arrear if he had continued to be a member of the Institute, and shall thereupon be entitled to have his name restored to the register. On such restoration he shall be deemed to have been re-admitted as a member of the Institute.

Registered office of
Institute.

35. (1.) The Institute shall at all times have a registered office, and notice of the situation thereof and of any change in the situation thereof shall be given by the Council to the Registrar-General at Wellington, and shall be registered by him.

(2.) If any default is made by the Institute or Council in the observance of the requirements of this section, each member of the Council shall be liable to a fine not exceeding *one* shilling for every day during which the default continues.

(3.) All writs, notices, or other documents required or authorized to be served on or delivered or sent to the Institute or Council shall be deemed to be duly served, delivered, or sent, if left with the president or secretary at the registered office of the Institute.

Returns to be made
to Registrar-
General.

36. (1.) Within one month after the establishment of the Council, and in the month of January in every year thereafter, the Council shall send to the Registrar-General, under the hand of the president, vice-presidents, or secretary, a complete list of the names and addresses of all members of the Institute.

(2.) The said list shall at all reasonable times remain open to public inspection in the office of the Registrar-General without fee, and shall be gazetted.

(3.) As often as any new member is admitted, and as often as any member ceases by reason of his resignation, removal, or expulsion to be a member, the Council shall within seven days thereafter send a notice of the fact to the Registrar-General under the hand of the president or a vice-president, or the secretary, and the Registrar-General shall thereupon make an entry accordingly in the aforesaid list of members, which said entry shall be gazetted.

Offences to be dealt
with summarily.

37. All information of offences against this Act shall be laid by the secretary, or other officer appointed by the Council for the purpose, and such offences may be dealt with summarily in accordance with the Justices of the Peace Act, 1908. ~~All fines recovered under this Act shall be paid to the Council.~~