

Guidance Note 2

Use of the Title “Architect” and its Derivatives

Purpose

This guidance note explains the legal restrictions on the use of the title architect and its derivatives in South Australia. The title is protected under the Architectural Practice Act 2009 (the Act) to uphold professional standards, maintain public confidence, and protect the public interest.

It also provides guidance on alternative titles that may be used by those who are not registered and answers common questions about lawful title use.

Introduction

The title architect is a valuable and prestigious one, earned only after demonstrating high levels of competence and knowledge. For this reason, its use is restricted by legislation.

The Architectural Practice Act 2009 is the primary legislation regulating the practice of architecture in South Australia. Its objectives are to:

- register architects
- regulate the professional practice of architecture
- protect the public interest.

The Act is available from the office of the Architectural Practice Board of South Australia (the Board) or on the Board’s website at www.archboardsa.org.au.

The maintenance of strict standards, enforced by a statutory authority rather than a professional body, is regarded as extremely important in allowing consumers to make an informed choice and enabling Australian architects to gain overseas commissions. In addition, local universities would not be able to attract overseas students to architecture courses without this statutory recognition.

Guidance Note 2

Use of the Title “Architect” and its Derivatives

Key Principles

- The title architect is legally restricted to individuals and entities registered with the Board.
- Use of the title without registration is an offence and may result in penalties or prosecution.
- Holding a degree in architecture does **not** entitle a person to use the title architect.

Legal Framework

Under section 38 of the Act, a person, partnership or body corporate must not hold themselves out to be an architect unless registered in South Australia. The maximum penalty is \$50,000 or imprisonment for six months.

Section 40 of the Act defines *architect* as a prescribed word. Use of the word—except in specific circumstances set out in section 41—is prohibited for those who are not registered.

Some limited exceptions apply. For example, the following titles are not restricted:

- landscape architect
- naval architect
- computer systems architect
- architectural engineer
- golf course architect
- information technology architect
- IT architect
- system architect

A person holding an architectural qualification may describe himself or herself as holding that qualification. It is therefore permissible for a person to state that he or she holds a particular professional degree, for instance a B Arch or M Arch, provided the use does not imply that the person is a registered architect.

Guidance Note 2

Use of the Title “Architect” and its Derivatives

Permissible Alternatives

Individuals who are not registered as architects may use alternative terms that do not breach the Act, such as:

- *graduate of architecture*
- *graduate of architectural studies*

The term *graduate architect* must not be used, as it constitutes improper use of the prescribed title.

Architect Registration Requirements

The most usual method of obtaining registration is through:

- an approved qualification or entry pathway
- a period of prescribed practical experience
- a pass in all sections of the Architectural Practice Examination
- successful application for registration as an architect with the Architectural Practice Board of South Australia

For further information on registration eligibility, please contact the Board.

Use of the Title by Companies and Partnerships Use of the Title by Companies and Partnerships

A company or partnership is not required to be registered simply because it employs a registered architect.

However, if the company or partnership intends to:

- offer architectural services in South Australia under the title architect or architectural
- describe itself as an architectural firm, architectural practice or similar

Guidance Note 2

Use of the Title “Architect” and its Derivatives

- use the word architect in its business name or promotional materials

then it must be registered with the Architectural Practice Board of South Australia.

Mutual Recognition and AMR

Architects registered in another Australian state or territory must be registered in South Australia before using the title architect here.

This can occur through:

- **Mutual Recognition (MR)** – via application under the *Mutual Recognition Act 1992*
- **Automatic Mutual Recognition (AMR)** – by notifying the Board under the *Mutual Recognition (Automatic Mutual Recognition of Occupational Registrations) Act 2020*

More information about both pathways is available at www.archboardsa.org.au

Retired or Non-Practising Architects

Registered architects who have retired or are not currently practising may continue to use the title, provided they maintain registration with the Board.

Unlawful Use of the Title

The following uses of the title *architect* or related terms are **not** permitted unless the person or entity is registered:

- Describing oneself as an *architect* based solely on holding a degree in architecture
- Using the title *graduate architect*
- Referring to oneself as an *interior architect*
- Using “architectural” in a way that implies registration, for example in business names or job titles

Guidance Note 2

Use of the Title “Architect” and its Derivatives

Frequently Asked Questions

Can I use the post-nominals from my degree (e.g. B Arch or M Arch)?

Yes, as long as you do not use them in a way that suggests you are a registered architect.

I’m registered in another Australian state. Can I use the title in South Australia?

Only after registering in South Australia, either through Mutual Recognition or by notifying the Board under Automatic Mutual Recognition (AMR).

Does my company or partnership need to be registered?

Yes, if it intends to describe itself as offering architectural services.

Need help?

If you are unsure whether your use of the title *architect* or a related term is lawful, please contact the Board for advice.