

## FREQUENTLY ASKED QUESTIONS

### **Q. Is it important to use a 'registered architect'?**

A. The use of the title 'architect' is protected by law. Only people registered with the NSW Architects Registration Board may use the title. To check a person's registration status see the NSW Register of Architects on the Board's website.

If you choose an architect, you know that person has attained the necessary qualifications, completed specific practical experience and has passed the Board's examination before registration. Architects are subject to the NSW Architects Code of Professional Conduct governing their service to clients.

Architects maintain professional indemnity insurance and each year must undertake professional education appropriate to the services they provide.

### **Q. What level of fees can I expect to pay for the services of an architect?**

A. Architects' fees are subject to open market competition. There is no central fee control system. Fees may be based on a percentage of the cost of the works, a lump sum or an hourly rate. Don't hesitate to ask for clarification of fees and look for this information in the Terms of Engagement or Client/Architect Agreement that should be provided before your architect undertakes any work for you.

### **Q. What services will the architect provide? Can I request services up to a particular stage of my project?**

A. Be sure to discuss your needs with your architect at the beginning of your project and clarify together what you need. Check the stages of service listed in this pamphlet and the cost associated with them.

### **Q. Does the architect retain copyright on his or her drawings plans and documentation?**

A. Yes. Your architect retains copyright on this work. The drawings and documentation may be used only for the purpose and on the site for which they are produced.

### **Q. When am I expected to pay for work done?**

A. You will be expected to pay for work produced at the stages defined in your Client/Architect Agreement. It is therefore important to clearly understand the terms of your agreement to avoid confusion later.

### **Q. Does the architect supervise the work of the builder and other contractors?**

A. It is important to clarify the difference between supervision and contract administration. The builder would normally be contracted directly to the client and supervises the ongoing building work. Depending on the agreement between you, your architect may administer the building contracts, checking that the builder is completing the project according to the contract; will periodically inspect the works, check the quality and deal with the builder regarding any defects and their rectification.

## ABOUT THE BOARD

The NSW Architects Registration Board is a statutory authority charged with registering architects, approving architectural education, conducting enquiries into the conduct of architects, investigating misuse of the title Architect and promoting a better understanding of architectural matters in the community.

### **You can contact us to:**

- Check a person's registration status
- Enquire about making a complaint about an architect
- Notify possible misuse of the title Architect by persons or corporations and firms.

### **You can check our website for information about these matters and for copies of this brochure.**

It is important to note the difference between the NSW Architects Registration Board and the Royal Australian Institute of Architects (RAIA). As the professional association, the RAIA's primary objective is to promote architecture and provide a range of services to their members. The Board is the licensing and regulatory authority and protects the interest of consumers and the community.

## CONTACT THE BOARD

### **NSW Architects Registration Board**

Telephone 02 9241 4033

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Email: [mail@architects.nsw.gov.au](mailto:mail@architects.nsw.gov.au)

Web: [www.architects.nsw.gov.au](http://www.architects.nsw.gov.au)

THE CLIENT/ARCHITECT RELATIONSHIP IS ONLY ONE OF A NUMBER REQUIRED TO ACHIEVE A SUCCESSFUL PROJECT. THIS BROCHURE SPECIFICALLY FOCUSES ON THE CLIENT/ARCHITECT RELATIONSHIP.

## AN ARCHITECT'S ROLE AND OBLIGATIONS

Architects are obliged to abide by the NSW Architects Code of Professional Conduct. The Code details the standards expected of architects in their professional practice, and relate to general ethical standards, dealings with clients, insurance coverage, continuing professional education, alternative dispute resolution dealings with the public and professional relationships with other architects.

As the client, you are entitled to rely on the skills of your architect; but you do have an important role to play alongside the architect. Depending on your agreement, your architect has a number of obligations and services to provide.

### Your architect will:

- Provide written terms of engagement or a Client/Architect Agreement before any work is done for you and give you a copy of the NSW architects Code of Professional Conduct
- Develop a design solution appropriate to your needs and budget
- Communicate with you to ensure that you understand important steps in the project and important decisions taken
- If engaged to administer the building contract, will act as your independent advisor on contractual matters

## TYPICAL ARCHITECTURAL SERVICES

Typically the services of an architect can be broadly divided into three phases. You may engage an architect for all or some of these phases. Whatever services you require should be agreed to before work commences and be included in a written agreement between you and your architect.

Before the design phase your architect can advise on feasibility, selection of a site, planning and scheduling if required.

**The design phase** typically moves through these stages:

- Briefing discussions to clarify your requirements
- Sketch designs to explore possibilities; usually including some cost options
- Design development to produce detailed drawings and selection of materials, fittings etc and associated cost
- Once the design is agreed, a Development Application (DA) can be prepared for submission to council

**Contract documentation** produces technical drawings and specifications to obtain a planning and building permit, invite tenders, and for use in construction.

**Contract administration.** If you have agreed to engage your architect to administer the building contract, they can advise on suitable contracts for the project and on a process of tender or negotiation to select a builder.

Your architect does not supervise the building works; that is the role of the builder.

### Your architect will:

- Liaise with the builder to assess quality of work at key stages and ensure that contract and specifications are complied with
- Keep you informed of progress
- Approve, with you, any variations
- Certify progress payments
- Identify defects and administer their rectification
- Decide when practical completion occurs for occupancy

The built works need to be certified by the council or an independent certifier to make sure they are built correctly and according to regulations. This is outside normal architectural services.

## CHOOSING AN ARCHITECT

You may know which architect you want to use; or you may look at the Royal Australian Institute of Architects website [www.architecture.com.au](http://www.architecture.com.au), the Association of Consulting Architects website [www.aca.org.au](http://www.aca.org.au) or contact Archicentre at [www.archicentre.com.au](http://www.archicentre.com.au) for advice. Whatever method you use to make initial contact with an architect, you should make sure you choose the right architect for your purpose.

- Firstly write down what it is you want. Talk to several architects about your project – don't feel embarrassed about this – architects would expect you to check several possible architects.
- Check the architect's qualifications and registration. If in doubt, check with the Board to ensure that they are registered as architects.
- Have a look at past projects designed by each architect to see if you like the designs.
- You may ask for client references. Is the client satisfied with the services they received? Is the client enjoying the solution designed for them? Would the client recommend that architect?
- When you first meet with your architect briefly outline the nature of your project and the budget you have in mind. The architect can assist you in clarifying and formulating your brief. Discuss the services the architect will provide and the stages of the project. Clarify the fees payable, don't necessarily take the cheapest fees quoted to you - make sure you have the right person for your job.

## A CLIENT'S ROLE

### What can you as client do to assist realisation of your project?

- Be as clear as possible about what you want to achieve, what you need and what you can afford.
- To avoid later confusion, don't hesitate to ask about the Client/Architect Agreement before you sign the agreement to clarify what will be done for what cost.
- Try to avoid changes once you reach the detailed drawing stage otherwise the costs may increase.
- Be clear about the different roles of architect and builder or contractors.
- If your architect is administering the building contract, avoid three-way confusion by dealing with all queries through your architect who will deal with the builder.
- It is important that you put your instructions in writing. Keep your own notes of meetings, or ask for copies of notes from the architect and discuss any areas of disagreement.
- Talk about timelines; be aware that many factors can affect these including delays in Council approval, supply of materials and delays in construction due to matters outside the control of the architect.
- Don't hesitate to ask questions, be involved, but allow your architect to do their job.
- Be aware of your rights as a consumer of architectural services. Professional conduct of architects is governed by the NSW Architects Code of Professional Conduct. Familiarise yourself with the Code which should be provided to you when you sign the contract with your architect. The Code can also be downloaded from the Board's website.
- If you have a problem, firstly talk to your architect and try to resolve these problems. If you have a complaint about the professional conduct of an architect, contact the Board.