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[CONFIDENTIAL.]

No. , 1914.

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# A BILL

To provide for the registration of ~~architects~~ **engineers** and ~~engineers~~ **architects** qualified to practise in New South Wales.

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**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

*Preliminary.*

**1.** This Act may be cited as the "~~Architects~~ **Short title. Engineers and Engineers, Architects Registration Act, 1914.**"

2607      77—(3)      **2.**

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NOTE.—The words to be *omitted* are *ruled through*; those to be *inserted* are printed in **black letter**.

**2.** In the construction of this Act, unless the context otherwise indicates, the following terms shall have the respective meanings hereby assigned to them, that is to say:—

- (1) "The board"—The board appointed under the provisions of this Act.
- (2) "Prescribed"—Prescribed by this Act or by any regulations made thereunder.
- (3) "Registrar" means registrar appointed under the provisions of this Act.
- (4) "Registered" means registered under the provisions of this Act.

*Constitution of board.*

**3.** There shall be a two boards to be called the ~~"Architects and Engineers Registration Board of New South Wales,"~~ respectively "Engineers Registration Board of New South Wales" and "Architects Registration Board of New South Wales," each consisting of seven persons, including the president, who shall with the exception of the president shall hold office for three years.

**4.** Three of the members of the board shall be architects in practice elected by the architects whose names are on the register, and three shall be engineers elected by the engineers whose names are on the register. The remaining member shall be the Permanent Head for the time being of the Public Works Department, and who shall be ex officio president of the board:

**4.** The members of the boards shall in the first place be appointed by the Governor, and after the expiry of three years shall be elected in November triennially respectively by the engineers or architects whose names are on the register, with the exception of the president, who shall be the Permanent Head for the time being of the Public Works Department, and who shall be ex officio president of the board: Provided that such Permanent Head is entitled to be registered as an engineer or architect, failing which the Governor shall appoint some other member of the staff of the Public Works Department who is entitled to be registered as an engineer or architect.

Each

Each board shall appoint from its members a deputy president.

Provided that any person elected or appointed to fill a vacancy caused by the death or retirement of a member before the expiration of his term of office shall only hold office for the balance of such term :

Provided further that the first members of the board shall, in lieu of being elected, be appointed by the Governor as soon as may be after the commencement of this Act for a term of three years from the date of their appointment, and any vacancy caused by the death or retirement of any such member during the said term of three years shall be filled by the appointment by the Governor of a member to such office for the balance of the term.

*Powers and duties of boards.*

- 5.** The duties of the boards shall be as follows :— Duties of boards.
- (a) To appoint examiners.
  - (b) To decide upon the places where and the time when examinations shall be held.
  - (c) To appoint a registrar and such other officers as it may think fit for the purpose of this Act.
  - (d) To decide upon the suspension of any ~~architect~~ ~~engineer~~ ~~architect~~ ~~engineer~~ ~~architect~~ from practice as a registered ~~architect~~ ~~or~~ ~~engineer~~ ~~or~~ ~~architect~~, or the removal from the register of the name of any person for disobeying the rules and regulations from time to time laid down under this Act by the boards, or for other misconduct, and also to decide upon the restoration to the register of the name of any person so removed.
  - (e) To issue or cancel certificates ; and generally to do any other act or duty which may be necessary for the due and proper carrying out of the provisions of this Act.
  - (f) **The two boards shall sit conjointly for the purpose of appointing or removing the registrar or other officers, and fixing fees for registration and examination, and the registrar or other officers shall be responsible to the boards, through**

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through their deputy presidents, who together with the president shall have control of all matters appertaining to the management of the affairs of the conjoint boards.

*Regulations.*

6. The board may make regulations—

Regulations.

- (a) governing their own proceedings, and defining the duties of their own officers ;
- (b) regulating the method of electing the elected members of the board ;
- (c) regulating the issue of certificates to ~~architects~~ **engineers and engineers, architects**, and the fees payable ;
- (d) prescribing the duties of ~~architects~~ **engineers and engineers, architects**, and the conditions under which an **engineer or architect** may be suspended from practising ;
- (e) deciding the conditions under which an architect or engineer may be prevented from practising as a registered ~~architect or engineer ;~~ **or architect ;**
- (f) generally to carry out the provisions of this Act.

7. The board may examine any person upon oath, or take a solemn declaration for the purpose of this Act, and if any person wilfully makes any false statement upon such examination or in such declaration, or utters or attempts to utter, or put off as true before the board any false, forged, or counterfeit certificate, diploma, license, letter, testimonial, or other document or writing, he shall be guilty of a misdemeanour, and shall, on conviction, be liable to be imprisoned for any period not exceeding *twelve* months, or to be liable to a fine not exceeding *twenty* pounds.

Power to examine witnesses.

*Registration*

*Registration of architects.*

**8.** Any person who claims to be registered under this Act as an architect shall be so registered if such person— Qualification for registration.

- (a) holds some recognised certificate as hereinafter defined ;
- (b) has attained the age of twenty-one years, and has for a period of two years before the commencement of this Act been bona-fide engaged in New South Wales in practice as an architect, and who has made application for registration to the board within one year from the commencement of this Act ; or
- (c) has attained the age of twenty-five years, and has been engaged during a period of not less than ten years in the acquirement of professional knowledge in architecture, and who has made application for registration to the board within one year from the commencement of this Act ; or
- (d) has attained the age of twenty-five years, and has been engaged during a period of not less than ten years in the acquirement of professional knowledge in architecture, and has passed an examination before the board according to the prescribed regulations ; or
- (e) has attained the age of twenty-one years, and shall have been a pupil or apprentice for a period of not less than four years to an architectural practitioner entitled to be registered under the Act, and had two years further experience to the satisfaction of the board according to the prescribed regulations :

Provided that no person shall be entitled to be registered until he proves to the satisfaction of the board that he is of good character.

*Registration*

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*Registration of engineers.*

9. The provision of the preceding section shall, mutatis mutandis, apply to the registration of engineers: Provided that for the purpose of this Act "engineering" shall mean

and "engineer" shall mean

9. For the purposes of this Act "engineering" shall mean that species of knowledge which constitutes the art of directing the great sources of power in nature for the use and convenience of man, as the means of production and of traffic in States, both for external and internal trade, as applied in the construction of roads, railways, bridges, aqueducts, canals, river navigation, and docks for internal intercourse and exchange; and in the construction of ports, harbours, moles, breakwaters, and lighthouses; and in the art of the construction of ships and of navigation by artificial power for the purposes of commerce and war; and in the construction and adaptation of machinery; and in the drainage of cities and towns; the generation, supply, and utilisation of electricity; the production and treatment of metalliferous ores, coal, coke, and other mineral products; the construction of buildings, telegraphs, telephones; works for water supply, conservation, and irrigation; and vehicles; and vessels for navigating the air or the seas below the surface.

Qualification for registration.

"Engineer" shall mean any one who has the knowledge of and practises in one or more branches of engineering as defined above.

10. Any person who claims to be registered under this Act as an engineer shall be so registered, provided that he satisfies the board that he is of good character, and—

- (a) holds the diploma of corporate membership of the Institution of Civil Engineers, the Institution of Civil Engineers, Ireland, the American Society of Civil Engineers, the Canadian Society of Civil Engineers, the Institution of Mechanical Engineers, the Institution of Electrical Engineers, or other institution or society recognised by the board; or
- (b)

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- (b) a degree in engineering granted by any British university or other university recognised by the Sydney University, which would allow of his being admitted ad eundem gradum; or
- (c) has attained the age of twenty-five years, and has for a period of two years before the commencement of this Act been bona fide engaged in New South Wales in practice as an engineer, and who has made application for registration to the board within one year from the commencement of this Act; or
- (d) has attained the age of twenty-five years, has served a pupillage of not less than three years in a recognised engineer's office or an apprenticeship of five years in an engineering workshop, has subsequently followed the profession of an engineer, and passed an examination before the board according to the prescribed regulations; or
- (e) has attained the age of twenty-five years, has served a pupillage of not less than three years in a recognised engineer's office or an apprenticeship of five years in an engineering workshop, has subsequently followed the profession of an engineer for five years, and passed an examination which the board consider equivalent to the examination prescribed by the regulations; or
- (f) has for a period of five years had control of engineering works in the service of this State or of a public body or of some person, firm, or company, or on his own behalf, or in partnership with others of such magnitude as in the opinion of the board is sufficient to exempt the applicant from the examination :

Provided always that such person is not in the employ of any person, firm, or company acting as agents or manufacturers, or does not himself act as agent or manufacturer either alone or in partnership.

**11.** The term "recognised 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, and which is recognised by the board as entitling the holder thereof to practise architecture or engineering in such possession or country, and as furnishing sufficient guarantee of the possession of the requisite knowledge and skill for the efficient practice of architecture or engineering, as the case may be.

Recognised certificates of architects and engineers.

**12.** The registrar shall enter in a register in the prescribed manner and on payment of the prescribed fee, the full names and addresses, date and description of qualifications for which registration is granted, and all other prescribed particulars of all architects and engineers, and shall transmit in the month of January in each year a certified copy of such register to the Chief Secretary, who shall cause the same thereupon to be published in the Gazette. A copy of such Gazette shall be prima facie evidence in all legal proceedings that the persons mentioned therein are registered according to the provisions of this Act, and the omission of any name therefrom shall be prima facie evidence that such person is not registered.

Register.

**13.** From and after the unless registered under this Act, shall—

no person, Unregistered persons not to assume name or practise.

- (a) take, use, or adopt the title or description of **engineer or architect** ~~or engineer~~, either alone or in conjunction with any name, title, words, letters, additions or description implying or leading to the belief that he is qualified to practise as a **registered an architect or engineer or architect**, or is carrying on the practise of ~~architecture or engineering~~ **or architecture** ;
- (b) or practise as ~~an architect or engineer~~ a **registered engineer or architect** for reward.

Any person offending against this section shall be liable to a penalty not exceeding *twenty* pounds for every such offence, and to a further penalty of *one* pound for every day during which such offence is continued.

Penalty.

**14.**

**14.** Any ~~architect or~~ engineer or architect who is aggrieved by any decision of the board suspending him from practice or removing his name from the register may appeal therefrom to the district court within six months after the notification of such decision to such ~~architect or~~ engineer or architect. The boards shall not suspend any ~~architect or~~ engineer or architect, or remove any ~~architect's or~~ engineer's or architect's name from the register without sending to such ~~architect or~~ engineer or architect a statement in writing of the conduct imputed to him, and without affording him an opportunity of giving an explanation in writing or in person.

Registration of name removed.

*General.*

**15.** All fees shall be paid to the boards who shall devote same to the payment of expenses connected with examination and registration, and to the payment of salaries of the officers of the boards and to the general expenses of the boards. The boards shall, as soon as practicable after the thirty-first day of December in each year, publish a financial statement made up to that date and showing the receipts and expenditure, including the liabilities of the board during the year, which statement shall be certified as correct by a public accountant.

General fees and financial statement.

**16.** No certificate required by any Act now in force or that may hereafter be passed or that is required by custom from an ~~architect or~~ engineer or architect shall be valid unless the person signing same be registered as an ~~architect or~~ engineer or architect under this Act.

Certificates.

**17.** Any person who wilfully makes or causes to be made any false entry in or falsification of the register, and any person who wilfully procures or attempts to procure himself or any other person to be registered 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 any person aiding or assisting therein shall be guilty of a misdemeanour, and shall on conviction be liable to be imprisoned with or without hard labour for any term not exceeding twelve months or to a penalty not exceeding *twenty* pounds.

Penalties for falsification of register.

**18.** All informations ~~or~~ for offences against this Act shall be laid by the registrar or some other person appointed by the board for that purpose, and all penalties when recovered shall be paid to the boards for the purpose of this Act. All such penalties may be recovered before any stipendiary or police magistrate or two justices of the peace sitting in petty sessions.

Offences and penalties.