

Provincial Association	Requirement for Partnerships
AIBC	<p>65. (1) A member, architectural firm or licensee must not practise architecture in partnership with a person not entitled to practise architecture, or make an agreement or arrangement or do an act that will enable the person to practise architecture contrary to this Act.</p>
AAA	<p>A registered architect may practise architecture as a partner in a partnership only if the partnership meets all of the following requirements:</p> <p>One or more registered architects or architects corporations:</p> <ul style="list-style-type: none"> <li>▪ hold more than 50% of the interest in the partnership, or not less than 50% of the interest in the partnership, if</li> <li>▪ the remainder of the interest in the partnership is held by licensed interior designers or professional engineers, or both;</li> </ul> <p>The partners in the partnership who are not authorized entities:</p> <ul style="list-style-type: none"> <li>▪ do not engage in the practice of architecture,</li> <li>▪ are of good character, and</li> <li>▪ are satisfactory to the Council.</li> </ul> <p>Subject to section 3 of the Act and notwithstanding subsection (1), a registered architect may enter into a partnership with one or more engineers or engineers firms, as those terms are defined in Section 17 of the Act.</p> <p>Applicable Legislation: Architects Act General Regulation – Section 33(1) and 33 (3).</p>
SAA	<p>13.01 An architectural corporation, partnership or registered member that holds a Licence to Practice may engage in the practice of architecture in Saskatchewan.</p> <p>13.02 Where a firm other than an architectural corporation is constituted for the practice of architecture, the majority of the directors of the firm must be registered members of the Association. If at any time the majority of directors are not members of the Association, the Licence to Practice of the firm may be automatically terminated.</p> <p>13.03 The name of the firm shall not be worded in such a manner that it might mislead the public.</p>

<p><b>SAA (Cont.)</b></p>	<p>13.04 All firms are required to obtain from the Association an annual Licence to Practice Architecture.</p> <p>13.05 A firm shall not be entitled to a Licence to Practice Architecture unless and until the following conditions are met:</p> <p>.1 The firm pays to the Association the annual fees as set out in the schedule of fees to these Bylaws.</p> <p>.2 The firm annually forwards to the Association, by the first business day of January next following the year of the return, the following information:</p> <p>.1 the name and business address(es) of the firm; and</p> <p>.2 the names and addresses of the director(s) of the firm, and the distribution of the firm’s ownership amongst them; and</p> <p>.3 a sample of the firm’s current letterhead and business card(s).</p> <p>If no changes have been made to this information in the preceding year, the signing of a declaration to this effect is acceptable. The SAA retains the right to request and review these documents if deemed necessary by council. (Bylaw 13);</p> <p>“firm” means a person or body that carries on the practice of architecture and includes an architect, a partnership and a licensed corporation (Bylaw 1.01.5);</p> <p>“partnership” means an association of authorized entities or authorized entities and other persons that carry on the practice of architecture, whether on a full-time, part-time or limited basis (Bylaw 1.01.6).</p>
<p><b>MAA</b></p>	<p>15 (1) No person or firm is entitled to practise as an architect in Manitoba, or to take or use in Manitoba the designation “architect” or “architects”, either alone or in combination with any other words or any name, title, or description, implying that he or they is or are an architect or architects unless the person or each member of the firm is a member of the association in good standing and registered as such. (<i>Architects Act</i>)</p> <p>“firm” means a partnership; (<i>Architects Act</i> 1(1))</p> <p>13.3 (1) For the purpose of these by-laws, an Architectural Firm is a partnership where each member of the firm is a Registered Architect. (By-Laws)</p>
<p><b>OAA</b></p>	<p>Architects who are OAA Members must own at least 51% of the voting interest and financial interest in any partnership.</p>
<p><b>OAQ</b></p>	<p>Architects may carry on their professional activities within a joint-stock company (corporation) or a limited liability partnership if more than 50% of the voting rights (shares) or partnership units are held by architects and the majority of the directors are architects.</p> <p>In addition, manufacturers and wholesalers of materials may not hold a majority of the voting shares or units, and the president of the firm must be an architect.</p> <p>Architects may also associate with other architects within a partnership. This form of enterprise implies that the architects are jointly liable for the obligations contracted by the partnership (Civil Code of Quebec, article 2221).</p> <p>Source: Chapter A-21, r. 9.1: Regulation respecting the practice of the profession of architect within a partnership or a joint-stock company.</p>

## AANB

- 13 (3) Members or licensees may practice architecture in a name other than their own and conduct their business as a partnership with members, licensees, engineers or other individuals, or with corporations meeting the requirements of paragraphs
- 13 (4) (a) and (c) if
- (a) at least two thirds of the partners who are individuals are architects or engineers and at least one of whom is an architect;
  - (b) one of the principal and customary functions of the partnership is the practice of architecture;
  - (c) the practice of architecture is carried out under the responsibility and supervision of an architect who is a partner, an employee of the partnership or an officer, director or employee of a corporate partner; and
  - (d) the partnership holds a valid Certificate of Practice. (*Architects Act*)
- 13 (4) A corporation may practice architecture in its own name or in partnership with a member, licensee or other corporation if
- (a) one of the principal and customary functions of the corporation or of each corporate partner is the practice of architecture;
  - (b) the practice of architecture is carried out under the responsibility and supervision of a director, officer or employee of the corporation or partnership who is an architect;
  - (c) at least two-thirds of the directors of the corporation or of each corporate partner are architects or engineers and at least one of whom, for each corporation, is an architect, and the majority of the issued shares of each class of voting shares of the corporation are beneficially owned by and registered in the name of the architects and engineers; and
  - (d) the corporation holds a valid Certificate of Practice.
- 13 (5) Any non-resident partnership or corporation applying for a Certificate of Practice to practice architecture in New Brunswick shall satisfy to Council that
- (a) at least two-thirds of the partners, principals or directors of the partnership or corporation as the case may be are architects or engineers and at least one of whom is an architect; and
  - (b) the majority of the issued shares of each class of voting shares of the corporation are beneficially owned by and registered in the name of architects and engineers.

For details on offering “comprehensive services” – AANB Act s13(6); 13(7).

By-Law s6.0 – 6.1(e) – In the case of partnerships, corporations or partnership of corporations, all partners, officers or directors, who are Architects, shall be Registered Members of the Association.

## NSAA

- 22 (1) A person must not enter into partnership to practise architecture with any person who is not a licensed architect, unless the other person is a person authorized to practise or to apply engineering under the Engineering Profession Act, or a person referred to in subsection (2).

**NSAA (Cont.)**

(2) A person who is not a licensed architect but who, on February 1, 1968, was a member of a partnership engaged in the practice of architecture and duly registered under the Partnerships and Business Names Registration Act may continue to be a partner in that partnership until the dissolution of the partnership, or may enter into partnership with any of the licensed architects with whom they may become associated, but the person is not entitled to practise architecture unless that person holds a licence or is acting under the responsible control of a licensed architect.

**AAPEI**

14. (3) Members or licensees may practise architecture in a name other than their own and conduct business as a partnership with other members, licensees or other individuals, or with corporations meeting the requirements of clauses (4) (a) and (c) if

- (a) at least one of the individual partners is an architect having an interest in the partnership of not less than that of any other individual or corporate partner;
- (b) one of the principal and customary functions of the partnership is the practice of architecture;
- (c) the practice of architecture is carried out under the responsibility and supervision of an architect who is a partner, or an officer or director of a corporate partner; and
- (d) the partnership holds a valid certificate of practice.

*(Architects Act)*

**NLAA / ALBNL**

Exclusion from membership

13. (1) A partnership, firm or corporation shall not be granted membership in the association or be licensed to provide architectural services in the province.

(2) Notwithstanding subsection (1), a partnership, firm or corporation may provide architectural services where the services are offered and provided under the direct supervision of an architect.

Limited liability partnerships

13.1 Two or more persons licensed under this Act to practice as architects are eligible, as required by section 56 of the *Partnership Act*, to apply to be registered under that Act as a limited liability partnership.

**NWTAA**

“firm” includes a partnership, corporation or association of persons.