

Board use only

date received / /	date approved / /	fees paid \$	receipt number	date notified / /
Notification of changes to recorded details of an architect corporation or firm				Form 08CF Architects Act 2003 ss 27, 29

You should complete this form if you wish to change any of the recorded details about your architect corporation or firm and/or the details of your nominated architect/s.

If a nominated architect ceases to be responsible for the provision of architectural services by your corporation or firm, the corporation or firm must notify the Board within 7 days of that cessation, as per the requirements of section 29(2) of the Architects Act. Failure to do so may incur a penalty of \$5,500.

You must also inform the Board of any changes to the recorded details of your corporation or firm within 14 days as per the requirements of section 29(1). A failure to do so may incur a penalty of up to \$1,100.

If you have changed any details about your corporation or firm you need to attach the appropriate documentation from the Australian Securities and Investments Commission (ASIC). A new certificate will be issued if there is a change of corporation or firm name/business name; or if there have been changes to the names of nominated architects.

The applicable fee is \$35.00 (exempt from GST). However, if you are just changing your address or any contact detail, no fee is payable.



### Company details

**NEW** name of corporation or firm (if applicable)

new trading name (if applicable)

**PREVIOUS** name of corporation or firm

previous trading name

abn

acn

### Contact details

office address

telephone

email

### Changes to the nominated architects

If you have changed your nominated architect/s please complete this section:

By signing this form, the architect consents to be nominated as an architect responsible for the provision of architectural services for the corporation or firm.

**Nominated architects must sign this form**

I declare that

- ☐ I am a director of the company
- ☐ I am a partner in the firm
- ☐ I am a member of the governing body of the architect corporation or firm
- ☐ I am an employee of the company

name

nsw registration no.

I consent to this nomination (signature)

#### Nominated architects must sign this form

I declare that

- ☐ I am a director of the company
- ☐ I am a partner in the firm
- ☐ I am a member of the governing body of the architect corporation or firm
- ☐ I am an employee of the company

name

nsw registration no.

I consent to this nomination (signature)

#### Nominated architects must sign this form

I declare that

- ☐ I am a director of the company
- ☐ I am a partner in the firm
- ☐ I am a member of the governing body of the architect corporation or firm
- ☐ I am an employee of the company

name

nsw registration no.

I consent to this nomination (signature)

#### Cancel nominated architects

The following architects have ceased to be responsible for the provision of architectural services for this corporation or firm

name

nsw registration number

name

nsw registration number

(Add more names in a separate sheet if necessary)

#### Declaration of the person completing this form

I, (print name)

declare that I am:

- ☐ a director of the company
- ☐ a partner in the firm
- ☐ a member of the governing body of the corporation or firm
- ☐ an employee of the firm
- ☐ a person concerned in the management of the corporation or firm
- ☐ sole trader
- ☐ proprietor of the business

I declare that the details given in this application are true and correct in every particular.

signed

at

on

#### Checklist

- ☐ Have you and your nominated architect/s completed and signed the form? The nominated architect must signify his/her position in the company by ticking the appropriate box in the Nominated Architect Declaration
- Failure to do so may result in delayed or refused registration.
- ☐ Have all nominated architects completed a separate undertaking?
- ☐ Have you attached a copy of evidence of your business/corporation registration with ASIC?
- ☐ Have you enclosed your cheque or completed the attached form to authorise payment of the \$35 fee?

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

## Nomination of a responsible architect Undertaking

I, \_\_\_\_\_ hereby undertake to the NSW Architects Registration Board (Board) that I have read and understood the below and understand my role as the nominated responsible architect.

In the Board's view, being nominated as the responsible architect for the provision of architectural services may include;

- (a) being aware of the nature and scope of these services;
- (b) knowing the identity, qualifications and experience of those individuals designated to provide, or assist in providing, these services;
- (c) having processes in place to ensure that individuals report relevant information to the nominated architect;
- (d) putting written directives or written policies in place to make clear to subordinates their obligations to the nominated architect;
- (e) either working from the same location as those providing the services or having a regime of regular meetings to ensure familiarity with the work being undertaken;
- (f) not being the nominated architect for more than one corporation or firm if such an arrangement would prevent the proper discharge of his or her obligations; and
- (g) not to assume the role of the nominated architect for a volume of work that is beyond the reasonable capabilities of one person to supervise.

I undertake to ensure compliance with all provisions of the NSW Architects Code of Professional Conduct and relevant sections of the *Architects Act 2003* (NSW), including but not limited to:

### *Section 10 of the Architects Act – Representing a corporation or firm to be an architect*

- (1) A corporation or firm must not represent itself to be an architect, and must not allow itself to be represented to be an architect, unless the corporation or firm has at least one nominated architect who is responsible for the provision of architectural services by the corporation or firm.

Maximum penalty: 200 penalty units.

- (2) A person must not represent a corporation or firm to be an architect if the person knows, or ought reasonably to know, that any such representation by the corporation or firm itself would constitute a contravention of subsection (1).

Maximum penalty: 100 penalty units (in the case of an individual) or 200 penalty units (in the case of a corporation).

- (3) In this Act, a corporation or firm that represents itself to be an architect or that allows itself to be represented to be an architect is referred to as an architect corporation or architect firm (as appropriate).

### *Section 11 of the Architects Act – Architectural services provided by architect corporation or architect firm*

- (1) An architect corporation or architect firm must ensure that at all times there is at least one nominated architect who is nominated by the corporation or firm and responsible for the provision of architectural services by the corporation or firm.

Maximum penalty: 200 penalty units.

- (2) An architect corporation or architect firm must ensure that:
  - (a) any written business correspondence issued by the corporation or firm bearing the name of the corporation or firm indicates the name of an architect who is a nominated architect responsible for the provision of architectural services by the corporation or firm, and
  - (b) the name of an architect who is a nominated architect responsible for the provision of architectural services by the corporation or firm is prominently displayed at each place of business of the corporation or firm, so as to be clearly visible to a person from outside or immediately on entering the place of business.

Maximum penalty: 200 penalty units.

Note. A temporary project or site office does not constitute a place of business of a corporation or firm.

- (3) The Board may in a particular case grant a corporation or firm an exemption from compliance with a particular provision or provisions of this section. The exemption may be granted unconditionally or subject to conditions.
- (4) An exemption remains in force for such period as the Board may specify or, if no period is specified, until it is revoked by the Board by notice in writing to the corporation or firm concerned.
- (5) Proceedings for an offence against this section are not to be commenced without the written consent of the Board given in the particular case.

**Section 27 of the Architects Act – Nomination of responsible architects for architectural services**

- (1) A corporation or firm that provides architectural services may nominate one or more architects to be responsible for the provision of architectural services by the corporation or firm.
- (2) A corporation or firm may nominate an architect under subsection (1) only if:
  - (a) the architect is a director or member of the governing body of the corporation or firm, is a partner in the firm or is otherwise concerned in the management of the corporation or firm, or
  - (b) the architect is an employee of the corporation or firm.
- (3) A nomination for the purposes of this section and any revocation or amendment of such a nomination is to be made to the Board in a form approved by the Board and must be accompanied by any approved fee.

**Section 29 of the Architects Act – Change in particulars to be notified**

- (1) An architect must comply with the requirements of section 53 (as applied by this Act) of the *Licensing and Registration (Uniform Procedures) Act 2002*.

Maximum penalty: 10 penalty units.

- (2) If a nominated architect ceases to be responsible for the provision of architectural services by the corporation or firm concerned,

the corporation or firm must notify the Board of that fact within 7 days of that cessation.

Maximum penalty: 50 penalty units.

**Section 83 of the Architects Act – Liability of directors and managers of corporations**

- (1) If a corporation contravenes (whether by act or omission) any provision of this Act or the regulations, each person who is a director of the corporation or who is concerned in the management of the corporation is taken to have contravened the same provision if the person knowingly authorised or permitted the contravention.
- (2) A person may be proceeded against and convicted under a provision pursuant to subsection (1) whether or not the corporation has been proceeded against or has been convicted under the provision.
- (3) Nothing in this section affects any liability imposed on a corporation for an offence committed by the corporation under this Act or the regulations.

**Clause 19 of the NSW Architects Code of Professional Conduct – Dealings with the public**

- (2) A nominated architect responsible for the provision of architectural services by an architect corporation or an architect firm should ensure that:
  - (a) he or she is identified clearly and accurately as the nominated architect for the architect corporation or architect firm on stationery, sign boards and public notices, and in publications, used or placed by the architect corporation or architect firm in connection with the provision of architectural services, and
  - (b) his or her registration number is included on any stationery, presentation or construction documents (including drawings, specifications and schedules), illustrations, sign boards, public notices and architectural plans, and in publications, used or placed by the architect corporation or architect firm in connection with the provision of architectural services.

Name: \_\_\_\_\_ Registration No.: \_\_\_\_\_

Firm(s) for which I am nominated: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Authorisation for Credit Card Payment

I authorise the NSW Architects Registration Board to debit my credit card the amount of \*\$35.00 to change registered details to the architect corporation or firm.

Name of Business			
Cardholder's Name			
Address			
Credit Card Details	Card type: Visa <input type="checkbox"/> Mastercard <input type="checkbox"/>		
	Credit Card Number _ _ _ _ / _ _ _ _ / _ _ _ _ / _ _ _ _		
	Expiry Date _ _ / _ _	CCV _ _ _	
Cardholder's Signature			

\*Note: Credit card payments will incur a merchant surcharge