

THE STATUTES OF THE REPUBLIC OF SINGAPORE

**ARCHITECTS ACT
(CHAPTER 12)**

**Act
14 of 1976**

**Amended by
5 of 1980
5 of 1981**

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Architects Act

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An Act to provide for the registration of architects and to regulate the qualifications and practice of architects.

[21st January 1977]

PART I

PRELIMINARY

Short title.

1. This Act may be cited as the Architects Act.

Interpretation.

2. In this Act, unless the context otherwise requires —
- “Board” means the Board of Architects established under section 3;
- “building authority” means the Deputy Director-General, Development and Building Control Division of the Public Works Department and any other person required under the provisions of any written law to approve building plans;
- “registered architect” means a person registered as an architect under this Act;
- “Registrar” means the Registrar of the Board.

PART II

BOARD OF ARCHITECTS

Establishment of Board of Architects. 5/81.

3.—(1) There shall be a Board to be called the Board of Architects which shall be a body corporate with perpetual succession and a common seal and may sue and be sued.

- (2) The Board shall consist of the following members:
- (a) a President to be appointed by the Minister;

- (b) the Deputy Director (Development and Building Control) of the Public Works Department;
- (c) an architect of the Public Works Department to be appointed by the Minister;
- (d) the Head of the School of Architecture, National University of Singapore;
- (e) four registered architects of at least 5 years' standing in Singapore to be appointed by the Minister, two of whom shall be appointed on the nomination of the Singapore Institute of Architects; and
- (f) one professional engineer to be appointed by the Minister on the nomination of the Professional Engineers Board.

(3) The President and members of the Board under subsection (2) (c), (e) and (f) shall be appointed for a term not exceeding 3 years but may from time to time be re-appointed, and may at any time be removed from office by the Minister.

(4) If any appointed member of the Board dies, resigns, or is removed from office, the vacancy so created shall as soon as practicable be filled in the manner in which the appointment to the vacant office was made; and every person so appointed shall hold office for the residue of the term for which his predecessor was appointed.

(5) The powers of the Board shall not be affected by any vacancy in the membership thereof.

(6) At any meeting of the Board 5 members thereof shall form a quorum and no business shall be transacted at any meeting unless a quorum is present.

(7) At any meeting of the Board the President of the Board shall preside and in his absence the members present shall elect one of their number to preside over the meeting.

(8) If on any question to be determined by the Board there is an equality of votes, the President of the Board or the member presiding over that meeting shall have a casting vote.

(9) Subject to the provisions of this Act, the Board may determine its own procedure.

(10) The Board shall cause proper records of its proceedings to be kept.

Common seal
of Board.

4.—(1) The common seal of the Board shall bear such device as the Board may approve and the seal may from time to time be broken, changed, altered or made anew by the Board as it thinks fit.

(2) The common seal shall be kept in the custody of the President of the Board and shall be authenticated by him or other member acting in his absence and any document purporting to be sealed by that seal and authenticated as aforesaid shall, until the contrary is proved, be deemed to be validly executed.

Functions
of Board.

5. The functions of the Board shall be —

- (a) to keep and maintain a register of architects;
- (b) to hold or arrange for the holding of such examinations as the Board considers necessary for the purpose of enabling persons to qualify for registration under this Act;
- (c) to determine and regulate the professional conduct and ethics of the architectural profession;
- (d) to hear and determine disputes relating to professional conduct or ethics of registered architects or to appoint a committee or arbitrator to hear and determine those disputes;
- (e) to appoint arbitrators for the purpose of hearing and determining disputes between registered architects and other persons; and
- (f) generally to do all such acts, matters and things as are necessary to be carried out under the provisions of this Act.

PART III

REGISTRATION OF ARCHITECTS

Register.

6. The Board shall keep and maintain a register of architects in which shall be entered the names of all persons registered under this Act, the qualifications by virtue of which they are so registered and such other particulars in relation thereto as may from time to time be determined by the Board.

7.—(1) The Minister may appoint a Registrar of the Board.

Appointment and duties of Registrar.

(2) The Registrar shall be under the general direction of the Board and shall sign all certificates of registration and record all entries of registration, cancellation and reinstatement in the register.

(3) The Registrar shall attend all meetings of the Board and record the proceedings thereof, and shall conduct the correspondence and deal with such matters as may be assigned to him by the President of the Board or by the Board.

(4) The Registrar shall —

(a) as soon as possible after 1st January each year, prepare and publish in the *Gazette* a list containing the names, qualifications and addresses of all registered architects; and

(b) from time to time publish in the *Gazette* the names, qualifications and addresses of registered architects added to or removed from the register.

(5) In any proceedings a list published under subsection (4) shall be sufficient evidence that the persons whose names appear therein are registered architects.

8.—(1) Subject to this section, the following persons shall, on payment of the prescribed fee, be entitled to registration under this Act:

Qualifications for registration. 5/81.

(a) any person holding the Degree of Bachelor of Architecture from the National University of Singapore or the University of Singapore or the Diploma in Architecture from the Singapore Polytechnic;

(b) any person holding any other degree, diploma or qualification which the Minister may after consultation with the Board approve for the purpose of entitling the holder thereof to be registered under this Act;

(c) any person who satisfies the Board that he is otherwise qualified by having proper and recognised training in architecture and who passes such examinations as may be required by the Board; and

- (d) any person who immediately before the commencement of this Act was registered under the Architects Act repealed by this Act.

1970 Ed.
Cap. 213.

5/80.

(2) No person shall be entitled to registration under subsection (1) (a), (b) or (c) unless he can satisfy the Board that he has after qualifying —

- (a) practical experience in architectural work in Singapore for a continuous period of 12 months and has passed such professional practice examination as may be prescribed or approved by the Board;
- (b) practical experience in architectural work for not less than 5 years, of which at least two years shall be practical experience gained in architectural work in Singapore; or
- (c) such practical experience in architectural work for not less than 10 years as may be recognised by the Board:

Provided that the Minister may after consultation with the Board exempt, subject to such conditions as he thinks fit, any person from the requirements of this subsection.

(3) The Board may refuse to register any applicant who is in the opinion of the Board —

- (a) not of good character and reputation; or
- (b) unable to carry out the duties of an architect effectively in Singapore.

(4) Any person whose application for registration has been refused by the Board may appeal to the High Court whose decision shall be final.

(5) The Board may register any Government architect or any architect in the service of the Housing and Development Board or the Urban Redevelopment Authority without payment of the prescribed fee.

Application
for registra-
tion.

9. Every application for registration under this Act shall be made to the Board in such form or manner as may be prescribed.

Certificates
of registra-
tion.

10.—(1) Every registered architect shall, on payment of the prescribed fee, be entitled to receive a certificate of registration under the hand of the Registrar.

(2) Every such certificate of registration shall, subject to the provisions of this Act, expire on 31st December of the year in which it is issued and shall thereafter be renewable annually upon payment of the prescribed fee.

(3) This section shall not apply to a Government architect or an architect in the service of the Housing and Development Board or the Urban Redevelopment Authority registered under this Act.

11. Every registered architect shall notify the Registrar of any change in his business address.

Notification of change of address.

PART IV

CANCELLATION, SUSPENSION, REMOVAL AND REINSTATEMENT

12.—(1) Subject to this section, the Board may by order cancel the registration of any registered architect or suspend him from practice for a period not exceeding one year under any of the following circumstances:

Cancellation of registration or suspension from practice.

- (a) if he is convicted of any offence involving fraud or dishonesty or moral turpitude;
- (b) if he offers or accepts any commission which in the opinion of the Board is an illicit commission;
- (c) if his registration under this Act has been obtained by fraud or misrepresentation;
- (d) if his qualification for registration under section 8 has been withdrawn or cancelled by the authority through which it was acquired or by which it was awarded;
- (e) if he has been guilty of such improper act or conduct as renders him, in the opinion of the Board, unfit to be an architect;
- (f) if it appears to the Board that he has contravened any provision of the code of professional conduct and ethics prescribed under section 22; and
- (g) if it appears to the Board that he is no longer in a position to carry out the duties of an architect effectively in Singapore.

(2) The Board may in any case in which it considers that no cause of sufficient gravity for cancellation of registration or suspension from practice exists —

- (a) by order impose on the registered architect a penalty not exceeding \$1,000; or

(b) by writing under the hand of the President of the Board censure the registered architect.

(3) The Board shall not exercise its powers under subsection (1) or (2) unless —

(a) there has been a hearing at which at least two-thirds of the total number of the members of the Board are present; and

(b) an opportunity of being heard either personally or by counsel has been given to the registered architect against whom the Board intends to exercise its powers.

(4) Every penalty imposed by the Board under subsection (2) shall be recoverable as a debt due to the Board.

Appeal
against can-
cellation of
registration
or suspen-
sion.

13. Any registered architect who is dissatisfied with any order of cancellation or suspension or any imposition of penalty made by the Board under section 12 may, within 30 days after the order has been communicated to him, appeal to the High Court whose decision shall be final.

Removal
from register.

14. There shall be removed from the register the name and other particulars of any registered architect —

(a) who has died;

(b) who has failed to renew his certificate of registration within one month of the date of the expiry thereof; or

(c) whose registration has been cancelled under section 12.

Rein-
statement.

15.—(1) Any person whose name has been removed from the register under section 14 (b) shall be reinstated as soon as possible after he has notified the Registrar of his desire to be reinstated and upon payment of the prescribed fee.

(2) Any person whose name has been removed from the register under section 14 (c) shall, if his appeal to the High Court is allowed, be forthwith reinstated without payment of any fee.

(3) The Board may in its discretion, after the expiration of not less than two years from the cancellation of registration of any person, consider any application for registration by that person in accordance with the provisions of Part III.

PART V

OFFENCES AND PENALTIES

16. Any person who wilfully makes or causes to be made any false entry in or falsification of the register, or wilfully procures or attempts to procure for himself or any other person to be registered as an architect under this Act by making or producing or causing to be made or produced any false or fraudulent representation or declaration, either verbally or in writing, and any person who knowingly aids or assists therein shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

Penalty for wilful falsification of register and for wrongfully procuring registration.

17.—(1) Any person who not being registered under this Act —

Penalty when unregistered person practises as an architect.

- (a) uses verbally or otherwise the word “architect” or any of its derivatives in connection with his business designation or any other words, name or designation that will lead to the belief that he is an architect, or is entitled to practise as such;
- (b) advertises or holds himself out or conducts himself in any way or by any means as an architect; or
- (c) sells or supplies for gain or reward any architectural plan, drawing, tracing or the like for use in the erection or construction of buildings,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 and for a second or subsequent offence to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both.

(2) No person, other than a registered architect, shall be entitled to recover in any court any charge, fee or remuneration for any professional service rendered as an architect in Singapore.

18.—(1) No person shall employ as an architect any person who is not registered under this Act.

Employment of unregistered architect prohibited.

(2) Any person who contravenes subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 and for a second or subsequent offence to a fine not exceeding \$5,000.

PART VI

GENERAL

Application
of fees
received
by Board.

19.—(1) All fees payable under this Act shall be paid to the Board to be applied in the first place to defraying expenses of registration and other expenses of the administration of this Act, including any expenses of the Board that may be allowed under any rules made under this Act and thereafter to providing scholarships and the promotion of learning and education in connection with architecture.

(2) The Registrar shall take and receive all moneys payable to the Board under this Act.

(3) All fees and other moneys payable to the Board under this Act shall be paid forthwith into a bank account approved by the Minister.

(4) The Board may from time to time invest any moneys not immediately required by the Board in such trustee securities as the Board may determine.

(5) The Board shall keep full and proper accounts of all moneys received and expended by it and the accounts shall be audited by an auditor approved by the Minister.

(6) The Board shall as soon as practicable after the end of each accounting year but not later than 3 months from the end of that year, unless the Minister otherwise authorises in writing, submit to the Minister a report of its functions, proceedings and activities during the preceding year.

Committees.

20.—(1) The Board may appoint such committees from among its members or other registered architects as it thinks fit to assist or advise the Board on such matters arising out of its functions under this Act as are referred to them by the Board.

(2) Without prejudice to the generality of subsection (1), the Board may appoint an Investigation Committee, consisting of such number of members which may include members of the Board as the Board may determine, for the purpose of investigating into any complaint against a registered architect.

(3) The Investigation Committee shall after investigating into any complaint report to the Board on the matter.

(4) Subject to any rules made under section 22, the Investigation Committee shall have power to regulate its procedure.

21.—(1) For the purposes of any investigation by the Investigation Committee or any hearing under section 12 by the Board, the Investigation Committee or the Board may —

Powers of Board and Investigation Committee to require attendance of witnesses, etc.

- (a) require evidence to be given on oath and for that purpose the Chairman of the Investigation Committee or the President or other member of the Board presiding at the hearing may administer an oath; and
- (b) require any person to attend and give evidence before it and to produce all books, documents and papers in that person's custody or under his control relating to the subject-matter of the investigation or hearing.

(2) Every person who without lawful excuse refuses or fails to attend and give evidence when required to do so by the Investigation Committee or the Board or to answer truly and fully any question put to him by a member of the Investigation Committee or the Board or to produce to the Committee or the Board any book, document or paper required of him, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

22. The Board may, with the approval of the Minister, make rules —

Rules.

- (a) prescribing forms of application and certificates of registration under this Act;
- (b) prescribing the fees payable under this Act;
- (c) prescribing the subject-matter of examinations to be conducted by or under the direction of the Board in the case of applicants or class of applicants for registration;
- (d) prescribing the form of the register to be kept and the particulars to be entered therein;
- (e) prescribing a code of professional conduct and ethics; and
- (f) generally providing for such other matters as may be necessary or expedient for carrying out the provisions of this Act.

Exemption
and saving as
to right of
Government.

23.—(1) The Minister may exempt subject to such conditions as he thinks fit any person or class of persons from sections 17 and 18.

(2) Nothing in this Act shall apply to anything done or omitted to be done by or under the authority of the Government.

(3) Nothing in this Act shall be construed to prohibit or prevent any person not registered under this Act from carrying out work in respect of the construction of or repairs to any building in any case in which plans are not required by any written law to be submitted to a building authority.

Transfer of
assets and
property.

24. Upon the commencement of this Act, all assets and property of every description and all powers, rights and privileges in connection therewith or appertaining thereto which immediately before the commencement of this Act were vested in the Board of Architects constituted under the Architects Act repealed by this Act shall be transferred to and vest in the Board without further assurance.

1970 Ed.
Cap. 213.

Naval and
landscape
architects.

25. This Act shall not apply to naval architects and landscape architects.

Professional
engineers
registered as
architects.

26. Notwithstanding anything to the contrary in this Act, no person shall, without the approval of the Minister, be entitled to be registered under this Act after 3 years from the commencement of this Act —

Cap. 253.

(a) if such person is at the same time registered as a professional engineer under the Professional Engineers Act; or

(b) if such person, though not registered under the Professional Engineers Act, is entitled to be registered under this Act under section 8 (1) (d) by virtue of possessing one of the engineering qualifications set out in the First and Second Schedules to the Architects Act repealed by this Act.