



Province of Alberta

PROFESSIONAL AND OCCUPATIONAL
ASSOCIATIONS REGISTRATION ACT

**LANDSCAPE ARCHITECTS
REGULATION**

Alberta Regulation 228/2010

With amendments up to and including Alberta Regulation 151/2015

Office Consolidation

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(Consolidated up to 151/2015)

ALBERTA REGULATION 228/2010

**Professional and Occupational
Associations Registration Act**

LANDSCAPE ARCHITECTS REGULATION

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Definitions

1 In this Regulation,

- (a) “Act” means the *Professional and Occupational Associations Registration Act*;
- (b) “Association” means the Alberta Association of Landscape Architects;

- (c) “Association Registrar” means the Registrar of the Association appointed under the bylaws;
- (d) “Board” means the Board of Directors of the Association established under the bylaws;
- (e) “bylaws” means the bylaws of the Association;
- (f) “Discipline Committee” means the Discipline Committee established under section 13;
- (g) “landscape architect” means a person whose name is entered in the register of landscape architects;
- (h) “practice of landscape architecture” means the analysis, planning, design, management and rehabilitation of the outdoor environment for the purpose of development, restoration, preservation, conservation and enhancement of such environment;
- (i) “Practice Review Committee” means the Practice Review Committee established under section 10;
- (j) “Registration Committee” means the Registration Committee established under section 2.

Registration Committee

2(1) The Registration Committee is established consisting of at least 3 landscape architects who are not members of the Board, one of whom must be appointed by the Board as chair in accordance with the bylaws.

(2) The members of the Registration Committee must be appointed by the Board in accordance with the bylaws.

(3) A quorum at a meeting of the Registration Committee is 3 of its members.

Registers

3(1) The Association Registrar must maintain, in accordance with this Regulation and the bylaws, and subject to the direction of the Board, a register of landscape architects.

(2) The Association Registrar must enter in the register

- (a) the name of an individual who has paid the fee prescribed by the bylaws and whose registration has been approved by the Registration Committee or the Board, and

- (b) the business address of that individual or, if the business address is not in Alberta, an address in Alberta at which notices of any kind may be effectively given or served on that individual.

Powers and duties of Registration Committee

4(1) The Registration Committee must consider applications from persons to become landscape architects in accordance with this Regulation and the bylaws and may

- (a) approve the registration,
- (b) refuse to approve the registration, or
- (c) defer approval until the applicant has satisfied the requirements under section 6.

(2) The Registration Committee must send a written notice of any decision made by it to the applicant.

(3) If the decision made by the Registration Committee is to refuse the registration of the applicant, the Registration Committee must send the applicant written reasons for the decision.

Review of application

5(1) An applicant whose application for registration is refused by the Registration Committee may, by notice in writing served on the Association Registrar within 30 days of receiving a notice of refusal and the reasons for it, appeal the refusal to the Board.

(2) The notice of appeal must set out the reasons why, in the applicant's opinion, the application for registration should be approved.

(3) An applicant who appeals a decision of the Registration Committee under this section

- (a) must be notified in writing by the Association Registrar of the date, place and time that the Board is to hear the appeal, and
- (b) is entitled to appear with a lawyer or an agent and make representations to the Board when it hears the appeal.

(4) On hearing an appeal under this section, the Board may make any decision the Registration Committee may make, and must give written notice of its decision to the applicant.

Registration as landscape architect

6(1) An applicant is entitled to be registered as a landscape architect if the applicant provides proof of good character and reputation acceptable to the Registration Committee, pays the registration fee prescribed in the bylaws and either

- (a) produces documentation that satisfies the Registration Committee that the applicant
 - (i) has obtained
 - (A) a degree in landscape architecture recognized by the Board, or
 - (B) a combination of education, experience, examinations or other qualifications that demonstrate the competence required for registration,
 - (ii) has obtained at least 3 years of practical experience in the practice of landscape architecture under the supervision of a landscape architect within the 5 years immediately preceding the application, and
 - (iii) has successfully completed the entrance examination approved by the Board,

or

- (b) is registered with a professional regulatory organization in a province or territory that is a signatory to one or more domestic trade agreements, as defined in section 2 of Schedule 6 to the *Government Organization Act*, in force in Alberta at the time the application is made.

(2) Where subsection (1)(b) applies in respect of an applicant, the applicant's application must be dealt with in a manner consistent with the applicable domestic trade agreements.

AR 228/2010 s6;151/2015

Certificate of registration

7 On entering the name of a person in the register of landscape architects, the Association Registrar must issue a certificate of registration to that person.

Fees for annual renewal

8(1) A landscape architect must pay the annual fee prescribed by the bylaws to the Association Registrar or to any person authorized by the Association Registrar to accept payment of the fee.

(2) A landscape architect who applies for a renewal of registration after the annual renewal date prescribed by the Board must pay the late renewal fee prescribed by the bylaws to the Association Registrar or to any person authorized by the Association Registrar to accept payment of the fee.

(3) The Board may waive, in whole or in part, a late renewal fee imposed under subsection (2) on being satisfied that it is appropriate to do so in the circumstances.

Annual membership card

9(1) The Association Registrar must issue an annual membership card to a landscape architect

- (a) whose registration is not under suspension or cancelled, and
- (b) who has paid the fees required under section 8.

(2) An annual membership card expires on the date prescribed in the bylaws.

Practice Review Committee

10(1) The Practice Review Committee is established consisting of 3 landscape architects who are not members of the Board, one of whom must be appointed by the Board as chair in accordance with the bylaws.

(2) The members of the Practice Review Committee must be appointed by the Board in accordance with the bylaws.

(3) The Practice Review Committee must meet at the call of the chair.

(4) A quorum at a meeting of the Practice Review Committee is 3 members.

Powers and duties of Practice Review Committee

11 The Practice Review Committee must, at the request of the Board, inquire into and report to and advise the Board in respect of

- (a) the assessment and development of educational standards and experience requirements that are conditions precedent to registration as a landscape architect,
- (b) the evaluation of desirable standards of competence of landscape architects generally,

- (c) any other matter that the Board from time to time considers necessary or appropriate in connection with the exercise of its powers and the performance of its duties in relation to competence in the practice of landscape architecture under this Regulation, and
- (d) the practice of landscape architecture generally.

Reports and recommendations

12 After each inquiry under section 11, the Practice Review Committee

- (a) must make a written report to the Board on the inquiry, and
- (b) may make recommendations to the Board regarding the matter inquired into, together with reasons for the recommendations.

Discipline Committee

13(1) The Discipline Committee is established consisting of 3 landscape architects who are not members of the Board, one of whom must be appointed by the Board as chair in accordance with the bylaws.

(2) The members of the Discipline Committee must be appointed by the Board in accordance with the bylaws.

(3) The Discipline Committee must meet at the call of the chair.

(4) A quorum at a meeting of the Discipline Committee is 3 members.

Costs

14 In accordance with section 34 of the Act, the Discipline Committee may, with respect to hearings before it and reviews by the Board, order the investigated person to pay the following costs:

- (a) the fee payable to the lawyer advising the Discipline Committee or Board at the hearing or review and the fee payable to the lawyer acting in a prosecutory role at the hearing or review;
- (b) the cost of recording the evidence and preparing transcripts;

- (c) the expenses of the members constituting the Discipline Committee, including, without limitation, the daily allowances of those members;
- (d) any other expenses incurred by the Association that are incidental to the hearing or review.

Cancellation and suspension

15(1) The registration of a landscape architect is cancelled or suspended when the decision to cancel or suspend the registration is made in accordance with the Act or this Regulation.

(2) The Association Registrar must enter a memorandum of the cancellation or suspension of the registration in the appropriate register indicating

- (a) the date of the cancellation or suspension,
- (b) the period of the suspension, and
- (c) the nature of any finding under Part 3 of the Act.

(3) If the registration of a landscape architect is cancelled, the person whose registration is cancelled must, on request, surrender to the Association Registrar all documents and materials relating to the registration.

Cancellation on request

16 The Association Registrar must not cancel the registration of a landscape architect at the request of the landscape architect unless the request for cancellation is approved by the Board.

Non-payment of fees, etc.

17(1) The Board must direct the Association Registrar to suspend or cancel the registration of a landscape architect who is in default of payment of annual fees, penalties, costs or any other fees, dues or levies payable under the Act, this Regulation or the bylaws after the expiration of 30 days following the service on that person of a written notice by the Board unless that person complies with the notice.

(2) The notice under subsection (1) must state that the Association Registrar will suspend or cancel the registration unless the fees, penalties, costs, dues or levies are paid as indicated in the notice.

Registration in error

18 The Board must direct the Association Registrar to cancel the registration of any person that is entered in error in a register.

Use of title

19 A landscape architect may use the title “Landscape Architect” and the abbreviations “L.A.” and “LA”.

Code of ethics

20 The code of ethics of the Association is the code of ethics in the Schedule.

Transitional

21 The Association Registrar must enter in the register of landscape architects the name of a person who, on the coming into force of this Regulation, is registered as a landscape architect under the bylaws of the Association.

22 Repealed AR 151/2015 s3.

Schedule**Code of Ethics****Conduct**

1 A landscape architect must conduct himself or herself in a professional, ethical and responsible manner.

Duty to public

2 A landscape architect must consider the health, safety and welfare of the members of the public who will use the landscape architect’s products and designs.

Duty to clients and employers

3 A landscape architect must provide a professional level of service to his or her clients and employers.

Duty to consider environment

4 A landscape architect must consider the stewardship, protection, preservation and enhancement of the natural environment.

Competence

5 A landscape architect must undertake only such professional work that the landscape architect is competent to perform by virtue of his or her training and experience.

Continuing education

6 A landscape architect must maintain and upgrade the knowledge and skills necessary to carry out his or her professional work.

Conflict

7 A landscape architect must not place himself or herself in a conflict of interest with his or her client or employer and must disclose to the client or employer any situation where a conflict of interest exists or may arise.

Confidentiality

8 A landscape architect must hold in confidence information obtained during the course of his or her work unless disclosure is permitted by the client or required by the Act, any other enactment or by order of a court.

Integrity of the profession

9 A landscape architect must refrain from engaging in any practices that detract from the professional image of the Association or its members.



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