
Guidelines for Completion of an
Application for Certificate of Practice

Partnership

Under Section 23 of the *Architects Act*
R.S.O. 1990

OAA-12-21



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of Architects

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When filing an Application for Limited Certificate of Practice, include the following:

1. Application for Exemption from annual professional liability insurance coverage with Pro-Demnity Insurance Company
2. Undertaking to continue Temporary Licence and Limited Certificate of Practice for one year after Substantial Performance
3. Temporary Licensee Seal Application
4. Payment of applicable fees by cash, cheque, bank draft, money order, Visa, or MasterCard

IMPORTANT

In order to provide any architectural services in the Province of Ontario, the person providing these services must be licensed as an Architect by the Ontario Association of Architects (OAA) and the person or entity must be the holder of a Certificate of Practice issued by the OAA. However, a Sole Proprietor Temporary Licensee is not required to hold a Certificate of Practice.

As an alternative to the process of full licensure as an Architect and issuance of a Certificate of Practice, or in the case of an Architect who is licensed in a jurisdiction that does not have reciprocity with the OAA, the process of Temporary Licence and Limited Certificate of Practice under the *Architects Act* is available for the purpose of providing architectural services on a **specific project. This option requires collaboration with an Ontario holder of a Certificate of Practice/OAA member.**

When an Architect licensed outside Ontario is approached by a client to provide architectural services in Ontario, and is contemplating doing so, it is mandatory that the legislation governing the practice of architecture in Ontario be complied with. The onus is on the licensed Architect to contact the OAA to obtain the pertinent information and fully comply with the requirements.

Prior to the awarding of a commission when only interviews or requests for proposals are underway, the persons or entities are advised to notify the OAA in writing by contacting the officeoftheregistrar@oaa.on.ca that they are being considered for a commission in the province and that they will comply with the requirements for licensing immediately upon obtaining the commission. By so doing, they avoid any potential perception that the *Architects Act* (the Act) is being contravened by holding themselves out as engaging in the practice of architecture without a Licence and Certificate of Practice in Ontario.



General

1. Allow approximately **three weeks** of processing time from the date of receipt of the completed application and all required documentation. An incomplete application will be delayed as it may be returned for completion. **NOTE: ENSURE YOU HAVE ANSWERED ALL QUESTIONS OR YOUR APPLICATION WILL BE DEEMED INCOMPLETE.**
2. All sections of the application are to be completed. The terms "Not Applicable" and "N/A" may be used where sections do not apply.
3. Confirmation must be received directly from the licensing authority that the name on the application for the Limited Certificate of Practice is authorized to practise architecture in that jurisdiction. Where the licensing authority does not regulate the practice of architecture by corporations or partnerships, an applicant may submit in lieu of such authorization:
 - a) a copy of the Articles of Incorporation showing the practice of architecture as one of the corporation's objects; or
 - b) an affidavit confirming that the entity may lawfully engage in the practice of architecture in the jurisdiction.
4. The **Limited Certificate of Practice Term** is the date of issuance to anniversary date each year. An invoice for the annual fee is issued approximately one month prior to the due date for payment. The fee must be paid on or before the due date. **Failure to pay the fee may result in cancellation of the Limited Certificate of Practice.**
5. An application for a Temporary Licence and a Limited Certificate of Practice must be made for **each** architectural project, and each project must be undertaken **in collaboration** with a holder of a Certificate of Practice issued by the OAA.
6. A **Sole Proprietor** requires only a Temporary Licence and is not required to apply for a Limited Certificate of Practice. Failing submission of an application for Temporary Licence when the project is awarded, when the OAA is provided information to the effect that architectural services have been or are being provided for a project in Ontario without licensure, the out-of-jurisdiction architectural firm is advised to cease and desist from providing any services whatsoever in the province. If an application for Temporary Licence is then submitted, the application may be refused and the applicant is advised to divest him/her/itself of any involvement in that particular project. There have been situations where the services have reached a stage where this action would cause undue hardship on a client. In these cases, the application has been considered based on payment of the Temporary Licence fee retroactive to the date on which the services commenced, in order that the client is protected in that there can be no question of refusal of liability insurance coverage on the grounds of services provided illegally. The refusal of a Temporary Licence for one particular project does not preclude its issuance for another project or projects, provided that all requirements of the Act and Regulation are met.
7. A Temporary Licensee is entitled to receive a Seal **for the project** for which the Temporary Licence and Limited Certificate of Practice has been issued. Complete and enclose the application for seal and the requirement payment.
8. Applicants for a Limited Certificate of Practice are required to submit an application for Exemption from **professional liability insurance** coverage with Pro-Demnity Insurance Company. Refer to the Exemption application form included.
9. It is a requirement that the holder of a Limited Certificate of Practice **must maintain insurance** with respect to the architectural project for which the Limited Certificate of Practice was issued for a period ending one year following substantial performance of the project, therefore, the Temporary Licensee must maintain the Limited Certificate of



Practice and Temporary Licence for one additional year following substantial performance of the project. **Please complete the undertaking and return with the application.**

10. Guidelines for Providing Architectural Services (Appendix 3) sets out how to proceed prior to making the application. It should be noted that the **provision of architectural services**, as defined in the *Architects Act* **prior to** issuance of a Limited Certificate of Practice and Temporary Licence may be prejudicial to the granting of a Limited Certificate of Practice and Temporary Licence for that particular project.
11. Identified in Appendix 3 are services to be provided by the **collaborating** holder of a Certificate of Practice. Details of the agreed areas of responsibility form part of the application form. Signing and co-signing the form confirms that the minimum extent of services set out in Appendix 3 are being complied with.
12. The **fees** listed below are in Canadian funds and include the Harmonized Sales Tax (HST). Visit the OAA Website page, [Methods of Payment](#). If you wish to pay via credit card, see specific instructions below.

Fees	
Application for Limited Certificate of Practice	
Application Fee (non-refundable)	<input type="checkbox"/> \$532.23
Annual Fee	<input type="checkbox"/> \$4,817.19
Total	

Credit Card

- 1) Complete the application package and submit by email to officeoftheregistrar@oaa.on.ca.
- 2) Visit secure.oaa.on.ca/store to pay the Limited Certificate of Practice application fee and annual fee by credit card. **Please note** that to pay the annual fee you will select the Limited Certificate of Practice Renewal fee under Other Fees and Items.

13. Suspension/Cancellation of Temporary Licence and Limited Certificate of Practice

- a) When a project is to be in abeyance for an indefinite period, upon receipt of the invoice for the succeeding year, the holder may return the Temporary Licensee seal and request **in writing** a suspension of the Temporary Licence and Limited Certificate of Practice for one year, on the basis that if the project is resumed during the course of that year, the OAA will be notified so that an invoice may be issued as at the new anniversary date. Failing such notification, an **invoice** is sent at the end of the year of suspension, and a second year of suspension may be requested. At the end of the second year of suspension, if the project is still in abeyance, the Temporary Licence and Limited Certificate of Practice are cancelled, and a new application must be made if, and when the project is re-activated.
- b) Failure to either pay the annual Temporary Licence and Limited Certificate of Practice fees or request a suspension on or before the due date for payment may result in cancellation of the Temporary Licence and Limited Certificate of Practice. In order to have the Temporary Licence and Limited Certificate of Practice reinstated, fees in arrears as well as the fees for the year of renewal will be payable.
- c) Any applicant who has payment of fees in arrears will be required to pay these fees prior to the issuance of a Temporary Licence and Limited Certificate of Practice for any other projects in Ontario.



Appendix 1 – Section 23, *Architects Act* R.S.O. 1990

Limited certificate of practice

23. (1) The Registrar shall issue a certificate of practice,

- (a) to a corporation incorporated under the laws of a jurisdiction other than Ontario;
- (b) Repealed: 2010, c. 16, Sched.2, s. 1 (19).
- (c) to a partnership formed under the laws of a jurisdiction other than Ontario,

if the corporation or partnership is licensed or authorized to practise architecture by the jurisdiction other than Ontario, applies in accordance with the regulations and meets the requirements and qualifications set out in the regulations for the issuance of the Certificate of Practice. R.S.O. 1990, c. A.26, s. 23 (1); 2010, c. 16, Sched.2, s. 1 (19-21).

Conditions

(2) Every Certificate of Practice issued under subsection (1) is subject to the conditions prescribed by the regulations. R.S.O. 1990, c. A.26, s. 23 (2).

Limitation

(3) A Certificate of Practice issued under subsection (1) is not valid except in respect of the architectural project described in the Certificate of Practice. R.S.O. 1990, c. A.26, s. 23 (3).



Appendix 2 – Section 36 to 39, Ontario Regulation 27

36. The requirements and qualifications for the issuance of a certificate of practice issued under section 23 of the Act are:

1. Evidence that,
 - i. in the case of a corporation, an officer, director or full-time employee of the corporation,
 - ii. in the case of a partnership of corporations, an officer, director or full-time employee of a member of the partnership or a full-time employee of the partnership, or
 - iii. in the case of a partnership, a member or full-time employee of the partnership,is the holder of a temporary licence.
2. Evidence that the applicant will engage in the practice of architecture with respect to the architectural project for which the certificate of practice is sought in collaboration with a member who has been approved by the Council or in collaboration with a holder of a certificate of practice.
3. Evidence that the applicant and the collaborating holder of a certificate of practice or the collaborating member who has been approved by the Council are,
 - i. insured against professional liability by an insurance corporation referred to in subsection 2 (5) of the Act, or
 - ii. exempted from the requirements of clauses 40 (a) and (b) of the Act.
4. Payment of the fees prescribed by the by-laws for the certificate of practice when filing the application for the certificate of practice. R.R.O. 1990, Reg. 27, s. 36; O. Reg. 205/02, s. 3.

37. Every certificate of practice issued under section 23 of the Act is subject to the following terms and conditions:

1. The holder of the certificate of practice will engage in the practice of architecture with respect only to the project described in the certificate of practice and in collaboration with a member who has been approved by the Council or in collaboration with a holder of a certificate of practice.
2. The holder of the certificate of practice must have an officer, director or full-time employee who is the holder of a temporary licence.
3. The certificate of practice issued under section 23 of the Act is valid only for twelve months from the date of its issuance, but is renewable annually subject to subsection 20 (1) of the Act.
4. The holder of the certificate of practice must comply with the Act and the regulations. R.R.O. 1990, Reg. 27, s. 37.

38. The requirements and qualifications for the issuance of a temporary licence are:

1. Evidence that the applicant,
 - i. is a member of an organization of architects that is recognized by the Council and that has objects, standards of practice and requirements for admission to membership or issuance of temporary licences similar to those of the Association, or
 - ii. is engaged in the practice of architecture outside Ontario and, in the opinion of the Council upon reasonable grounds, has sufficient academic and practical qualifications to engage in the practice or architecture with competence in Ontario.
2. Evidence that the applicant will engage in the practice of architecture with respect to the architectural project for which the temporary licence is sought in collaboration with a member who has been approved by the Council or in collaboration with a holder of a certificate of practice.



3. Evidence that the applicant and the collaborating holder of a certificate of practice or the collaborating member who has been approved by the Council are,
 - i. insured against professional liability by an insurance corporation referred to in subsection 2 (5) of the Act, or
 - ii. exempted from the requirements of clauses 40 (a) and (b) of the Act.
 4. Payment of the temporary licence fees prescribed by the by-laws when filing the application for the temporary licence. R.R.O. 1990, Reg. 27; s. 38; O. Reg. 205/02, s. 4.
39. Every temporary licence is subject to the following terms and conditions:
1. The holder of the temporary licence will engage in the practice of architecture with respect only to the project described in the temporary licence and in collaboration with a member who has been approved by the Council or in collaboration with a holder of a certificate of practice.
 2. The temporary licence is valid, only for twelve months from the date of its issuance, but is renewable annually subject to subsection 24 (2) of the Act.
 3. The holder of the temporary licence must comply with the Act and the regulations. R.R.O. 1990, Reg. 27, s. 39.



Appendix 3 – Guidelines for Providing Architectural Services Through a Temporary Licence and Limited Certificate of Practice of the *Architects Act*, R.S.O. 1990

References: Ontario Regulation 27, Subsection 36(1), 37(1), 38(2) AND 39(1)

Providing Architectural Services

When an Architect or architectural practice located in a jurisdiction outside of Ontario is approached by a client or invited to respond to a Request for Proposal (RFP) for a project in Ontario, the Architect is required to advise the Ontario Association of Architects in writing that they will be responding to the RFP, attending interviews, etc., and, if selected for the project, will immediately make application for Licence and Certificate of Practice **or** Temporary Licence under Section 24 and Limited Certificate of Practice under Section 23 before undertaking any work whatsoever.

Collaborating Member in Ontario

It is a condition of a Temporary Licence and Limited Certificate of Practice that the applicant or holder will engage in the practice of architecture, with respect to the architectural project for which the Limited Certificate of Practice and/or Temporary Licence is sought, in collaboration with an OAA Certificate of Practice (holder)/OAA member (member) who has been approved by the Council.

An applicant for Temporary Licence and Limited Certificate of Practice is required to complete the Application(s) and include all of the documentation stipulated. The collaborating holder/member must be named and must co-sign the Application(s).

The Application(s) contain a section to identify the areas of responsibility of both the applicant and the collaborating holder/member with respect to the project. The following are guidelines for the establishment of these areas of responsibility.

Guidelines re: Services

These guidelines relate to the architectural services controlled by legislation and interrelated with local construction conditions and methods of construction or materials, all of which are part of the services provided under the Canadian Standard Form of Contract for Architectural Services. The areas of responsibility also include those aspects of the services for which the understanding and involvement of the collaborating holder/member are essential in order to carry out the services noted below.

The Temporary Licensee and/or holder of a Limited Certificate of Practice shall arrange through written agreement with the collaborating holder/member that architectural services provided under the client/member contract will be provided as follows:

(1) Schematic Design

The collaborating holder/member must:

- study the program of requirements furnished by the Client.
- review all applicable statutes, regulations, codes, and bylaws and where necessary review the same with the authorities having jurisdiction and report the findings to the Temporary Licensee and/or holder of the Limited Certificate of Practice.



(2) Design Development Phase

The collaborating holder/member must:

- continue to review all applicable statutes, regulations, codes, and bylaws in relation to the design of the project and report the findings to the Temporary Licensee and/or holder of the Limited Certificate of Practice.

(3) Construction Documents Phase

The collaborating holder/member must:

- advise the Client on the bidding documents (where the Temporary Licensee and/or holder of the Certificate of Practice is a non-Canadian practice).
- review all statutes, regulations, codes, and bylaws applicable to the design and where necessary review the same with the authorities having jurisdiction in order that the required consents, approvals, licences, and permits necessary for the project can be applied for and obtained, and report the findings to the Temporary Licensee and/or holder of the Limited Certificate of Practice.

(4) Construction Phase – Contract Administration

The collaborating holder/member must:

- carry out the general review of the Work at intervals appropriate to the stage of construction which the collaborating holder/member considers necessary to determine if the Work is in general conformity with the Contract Documents for matters that are governed by the Building Code;
- be the interpreter of the requirements of the Contract Documents and shall make findings as to the performance thereunder by the Contractor;
- render interpretations necessary for the proper execution or progress of the Work for matters that are governed by the Building Code;
- have the authority to reject Work for matters that are governed by the Building Code that does not conform to the Contract Documents and shall have authority to require special inspection or testing of the Work by others, whether or not such work has been fabricated, installed, or completed;
- review or take other appropriate action with reasonable promptness upon the Contractor's submittals such as shop drawings, product data, and samples, for conformance with the general design concept of the Work as indicated in the Contract Documents for matters that are governed by the Building Code; and
- prepare change orders for the Client's approval and signature in accordance with the Contract Documents and have authority to order minor changes in the Work not involving an adjustment in the contract price or an extension of the contract time that are consistent with the intent of the Contract Documents for matters governed by the Building Code.

Where all of the responsibilities noted above under this phase are established by Agreement between the Temporary Licensee and/or holder of the Limited Certificate of Practice and the collaborating holder/member on matters that are governed by the Building Code, the Agreement shall also provide that the collaborating holder/member shall be kept advised of and shall be familiar with all other matters related to Contract Administration (General Review).

General Review of the Construction of the Building as required in the Building Code shall be in accordance with the Regulation under the *Architects Act*, current OAA Regulatory Notices, and/or Practice Tips.

Approval by Registrar

Whereas applications for Temporary Licence and Limited Certificate of Practice must be approved by the Registrar, such approval shall be based upon compliance with all aspects of the Act and Regulation and these guidelines.

When the services of the collaborating holder/member are less than those defined above, approval of an application for Temporary Licence and/or Limited Certificate of Practice will be withheld pending a satisfactory explanation.



Where the collaborating member is not a holder, which is permissible only in those cases where the architectural services are not being offered to the public so that there is no contravention of Section 11(2) of the *Architects Act*, R.S.O. 1990, the responsibilities of the collaborating member must be confirmed by the owner and the Temporary Licensee/Limited Certificate of Practice, and submitted with the required Application(s) to the Registrar.

The defined services for the collaborating member are based on projects that are required by legislation to have the design and general review carried out by a member of the OAA. Adjustments can be made for those projects which do not require professional input by deleting the requirement that the collaborating member carry out general review.





Application for Limited Certificate of Practice Under Section 23 of the Architects Act

Partnership

A. IDENTIFICATION (Use supplementary sheets if necessary)

1. Name of Practice : (please print exactly how name should appear in OAA Register, including upper and lowercase and include all designations)

2. Name of the Jurisdiction in which Partnership is authorized to practice: (Enclose proof of entitlement to engage in the practice of architecture in the jurisdiction from which application is being made.)

3. Place of Business: Street Suite No. City Province/State/Territory Country Postal/Zip Code Tel: () Fax () E-mail: Voice Mail: Yes No

B. PARTNERSHIP INFORMATION (Use supplementary sheets if necessary)

List of Partners

Table with 3 columns: Name in Full, Principal Residence Address, Signature. Multiple empty rows for data entry.

C. PROJECT INFORMATION

1. Identification of architectural project for which the Certificate of Practice is sought:

Name of Project

Street & No. or Lot & Plan No. Municipality

Type of Building

Name of Client: _____

Estimated date for commencement of architectural services: _____

Estimated date for completion of construction: _____

2. Name of partner or full-time employee of the partnership who is the holder of a Temporary Licence issued by the OAA:

3. Name of OAA holder of Certificate of Practice with whom the applicant will be collaborating:

Name of Practice

Name of OAA member who is a principal or full-time employee supervising and directing the project

Address () Telephone Number

4. Name that will appear on documentation related to the project (i.e. name of applicant for Certificate of Practice issued by the OAA, name of collaborating holder, or both).

Name

D. HISTORY

- 1. Has the partnership or any partner or full-time employee ever been convicted of an offence which may be relevant to the partnership's suitability to practise architecture? Yes No
- 2. (a) Has the partnership or any partner or full-time employee ever been found guilty of professional misconduct or incompetence? and/or Yes No
- (b) Is their conduct or competence presently the subject of proceedings? Yes No

If you have answered "yes" to any of the above questions, use a supplementary sheet to provide dates and details.

E. HOLDER OF LIMITED CERTIFICATE OF PRACTICE AND COLLABORATING HOLDER/MEMBER RESPONSIBILITIES

Applicant's Areas of Responsibility for Project	Collaborating Holder/Member's Areas of Responsibility for Project

Signature of OAA member who is a principal or full-time employee of collaborating holder supervising and directing the project Date



F. DECLARATION

I DO SOLEMNLY DECLARE:

THAT the facts set out in this Application for a Limited Certificate of Practice are true and correct in every particular;

THAT I have an ongoing obligation to update the OAA if there have been any changes to the Good Character questions in this application and a failure to do so may constitute professional misconduct;

THAT I will respond within the timeframes specified by the OAA to any inquiries related to my licence and practice history and good character and I will cooperate with any investigation related thereto;

AND I MAKE THIS solemn declaration conscientiously believing it to be true.

IN ADDITION, I consent and authorize other jurisdictions where I have been or continue to be licensed to practise architecture, to provide the OAA with all information and documents that relate to any past, current, or pending investigations or proceedings involving my conduct or competence;

AND, I consent and authorize the OAA to release and disclose to any other jurisdictions where I am seeking a licence or currently hold a licence to practise architecture, all information and documents that relate to any past, current, or pending investigations or proceedings involving my conduct, competence, or good character.

Signature of Temporary Licensee

Date





Ontario Association
of Architects

111 Moatfield Drive 416-449-6898
Toronto, ON M3B 3L6 oaamail@oaa.on.ca
Canada oaa.on.ca

Undertaking

Temporary Licence & Limited Certificate of Practice

The undersigned hereby undertakes, if granted a Limited Certificate of Practice and Temporary Licence, to maintain insurance that is adequate having regard to the nature and complexity of the project for which the Limited Certificate of Practice and Temporary Licence were granted, for a period ending **one year following substantial performance** of the project.

The undersigned also hereby undertakes **to continue the Limited Certificate of Practice and Temporary Licence** for **one year** following substantial performance of the project, and will forward to the Ontario Association of Architects a copy of the Certificate of Substantial Performance as soon as it is issued.

Name of Temporary Licensee on behalf of the holder of a Limited Certificate of Practice (*please print*)

Date

Signature



Ontario Association of Architects

111 Moatfield Drive Toronto, ON M3B 3L6 Canada 416-449-6898 oaamail@oaa.on.ca oaa.on.ca

Application for Exemption from Annual Professional Liability Insurance Coverage through Pro-Demnity Insurance Company

Holder of a Temporary Licence | Holder of a Limited Certificate of Practice

This form is the "Proof of Insurance" as required by the Architects Act, R.S.O. 1990, s. 40 and the Architects Act Regulations, R.R.O. 1990, Reg. 27, s. 48.

You are reminded that to practise in Ontario you must be insured against errors and omissions arising out of the performance or non-performance of architectural services under a professional liability insurance policy that provides for a liability limit of not less than the following amount, for each claim:

- 1. \$1,000,000, if the gross fees charged for architectural services provided under the applicable certificate of practice in the previous financial year exceeded \$1,000,000.
2. \$500,000, if the gross fees charged for architectural services provided under the applicable certificate of practice in the previous financial year exceeded \$500,000 but not \$1,000,000.
3. \$250,000 if the gross fees charged for architectural services provided under the applicable certificate of practice in the previous financial year did not exceed \$500,000, or if there is no previous financial year.

A reference to a previous financial year means, in respect of a Certificate of Practice, the financial year of the holder of the certificate that immediately precedes the financial year in which the application for professional liability insurance is made

1. Name of Insured: (Must be the name of the Limited Certificate of Practice)

(please print)

2. In the previous financial year the Named Insured had Annual Gross Fees of (select one):

- checkbox < \$500,000
checkbox >= \$500,000 but <= \$1,000,000
checkbox > \$1,000,000

3. Policy Number: Name of Insurer: (please print)

4. Policy Period: Inception Date: Expiry Date:

5. Policy Limit: \$ (CDN) Each Claim

6. Annual Aggregate: \$ (CDN)

Note: Your Professional Liability Insurance must include coverage for projects in Canada.

I, do certify that the facts set out in this Application are true and correct
Name of Applicant (please print)*

in every particular.

Signature of Applicant

Date

I, _____
Name of Temporary Licensee who will personally supervise and direct the practice of architecture by the Holder (please print)

do certify THAT the facts set out in this Application are true and correct in every particular.

Signature of Temporary Licensee

Date

***Note: Applicant must be either the sole proprietor, a partner, a director, or an officer of the Certificate of Practice.**