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Regulatory Notice

February 6, 2024

Changes to the Path to Becoming an Architect in Ontario

This Regulatory Notice updates OAA members, as well as Intern Architects and Student Associates, on new rules affecting the path to becoming licensed in Ontario. These changes—now in force with a transition period until the end of the year—are due to recently introduced amendments to fair registration practices legislation.

The OAA worked with both the provincial government and the Office of the Fairness Commissioner to examine how the Association's licensure requirements could satisfy these new rules, while maintaining the standards of the profession and administering the *Architects Act* to serve and protect the public interest.

One of the major changes involves the conditions under which a regulator can require direct Canadian experience as a qualification for licence. The result has an impact on both future participants in the Internship in Architecture Program (IAP) as well as some existing Intern Architects.

Without changing the number of required experience hours or revising the current IAP categories, the OAA proposed a method to assess the architectural competencies required for Ontario practice and an alternative to acquire knowledge of practice in Canada prior to licensure.

This *Regulatory Notice* email outlines both the background on the new legislation as well as the OAA's response and the ensuing changes to regulation. You can also find information on the [OAA Website](#). After reading the notice, if you have immediate questions, email officeoftheregistrar@oaa.on.ca.

Background on the New Legislation

Upon receiving Royal Assent, the **suite of Working for Workers Acts** offers protections for employees such as enhanced rights to disconnect from work, abolishment of non-compete contracts, and the removal of certain barriers for internationally trained workers in Ontario—including Canadian Experience Requirements (CERs).

These Acts included amendments to the **Fair Access to Regulated Professions and Compulsory Trades Act, 2006** (FARPACTA) in important ways that have a direct effect on the path to licensure for those who are, or will be, pursuing the **Internship in Architecture Program (IAP)** in Ontario.

The amendments to FARPACTA have gone through several iterations. With each new proposal, the OAA meets with the **Office of the Fairness Commissioner (OFC)** and the **Ministry of Labour, Immigration, Training, and Skills Development (MLITSD)**, along with the other Ontario regulators to better understand, explore, and prepare for changes.

The OFC assesses the registration practices of all **regulated professions and trades**, including architecture, to ensure they are transparent, objective, impartial, and fair for anyone applying to practise in Ontario. It assesses every element of regulated professional registration processes, acting on a mandate set out by FARPACTA. (The Association also completes an **Annual Fair Registration Practices Report** for the OFC each year.)

As mentioned, one of the changes involves the conditions under which a regulator—like the OAA—can require direct Canadian experience as a qualification for licence for regulated professions, including architecture.

With respect to these Canadian Experience Requirements, Section 10.2(1.1) received Royal Assent on October 26, 2023:

10.2 (1) A regulated profession shall not require as a qualification for registration that a person's experience be Canadian experience, unless an exemption from the prohibition is granted by the Minister for the purposes of public health and safety in accordance with the regulations. 2021, c. 35, Sched. 3, s. 5.

(1.1) A regulated profession may accept Canadian experience in satisfaction of a qualification for registration only if it also accepts alternatives to Canadian experience that meet the criteria prescribed by the regulations.

Almost all regulators have developed a mechanism for accepting alternatives to their CERs. As with other registration requirements, it is important these alternatives be accessible, affordable, and sustainable. As a best practice, the focus should be on outcomes-based competencies, rather than credentials.

To this end, the OAA worked closely with OFC and MLITSD to establish procedures and policies that will satisfy the new FARPACTA requirements.

The OAA's Response

As detailed in the November 16, 2023 edition of [OAA News](#) (as well as Regulatory Notice emails on [July 24, 2023](#) and [December 12, 2023](#)), discussion on changes to FARPACTA has been a regular agenda item for the OAA's governing Council since early 2022. You can also find more information in the meeting packages on the [OAA Website](#), and in various articles, including:

- ["Policy and Government Relations Round Up;"](#)
- ["OAA Council Highlights: September 2022;"](#)
- ["OAA Council Highlights: January 2023;"](#) and
- ["Changes Coming to the Path to Becoming an Architect;"](#) and
- a new webpage, ["Licensing Changes."](#)

You can also read correspondence with the provincial government on the [OAA Website](#).

While the OAA worked with OFC and MLITSD to establish procedures and policies to satisfy the new FARPACTA requirements, the Ministry also prepared criteria for CER alternatives enacted within the [Regulation](#) under FARPACTA December 7, 2023. Those criteria are as follows:

Alternatives to Canadian experience

1.2 (1) A regulated profession may accept Canadian experience in satisfaction of a qualification for registration only if it also accepts alternatives to Canadian experience that meet the following criteria:

- 1. The alternative must involve international work experience or experiential training that enables a person to acquire competencies that,***
 - i. are clearly defined by the regulated profession,***
 - ii. are necessary to the practice of the regulated profession,***
 - iii. are the same as or substantially similar to those that would be acquired through Canadian experience that satisfies the qualification requirement,***
 - iv. would qualify the person for the same type of membership in the regulated profession that would be granted to an applicant whose Canadian experience satisfies the qualification requirement, and***
 - v. can be obtained in at least one country other than Canada.***
- 2. The work experience or experiential training may be obtained in any jurisdiction outside of Canada in which a person can acquire the competencies described in paragraph 1.***
- 3. If the alternative includes an individual assessment, the assessment must be available to applicants with work experience or experiential training obtained in any jurisdiction outside of Canada, and must be available to such applicants,***

- i. *on a regular basis, and*
- ii. *for a reasonable fee, if any fee is charged.*

The OAA is obligated to administer the licensure requirements established in the **Architects Act and its Regulation 27**. In order to comply with the FARPACTA requirements, the OAA, like most other professional regulators in the province, was compelled to suggest amendments to Regulation 27 to the government of Ontario.

The OAA's proposal to the Ministry of the Attorney General (MAG) was drafted to establish licensure requirements for individuals who have limited architectural experience in Canada, while also recognizing the importance of establishing Ontario practice competency or its equivalent.

As mentioned, the proposal involved neither a reduction in the required experience hours nor revisions to IAP experience categories. Rather, it proposed a method to assess the architectural competencies required for Ontario practice and an alternative to acquire knowledge of practice in Canada prior to licensure. The path to licensure will maintain all other requirements inclusive of the academic credentials, **OAA Admission Course**, and **licensing examinations**.

Regulation Change Enacted

As of February 2, 2024, the proposed Regulation change was filed by the **Registrar of Regulations** and came into force. The OAA has revised the Ontario licensure requirements in the following ways:

1. All Intern Architects are still required to complete a minimum of 3,720 hours of architectural experience as outlined in the IAP Manual. If fewer than 940 hours of that experience is obtained on projects within Canada while in the IAP, the Intern Architect is required to successfully complete the **Practice of Architecture in Canada** online course offered by the **Regulatory Organizations of Architecture in Canada** (ROAC) prior to application for licence.
2. All Intern Architects are required to complete an outcomes-based competency self-assessment to demonstrate Ontario practice knowledge prior to application for licence.

Item 1 is in place to comply with the FARPACTA requirement for an alternative to direct Canadian experience and aligns with the CER alternative criteria enumerated above.

Item 2 arises from the OAA's position that local Ontario practice knowledge is critical to public health and safety, and the provision of competent architectural services in Ontario; as solidified in the January 2023 FARPACTA **exemption request**. Given this position, the OAA will now assess that applicants can demonstrate competency in specific areas of Ontario practice. This aligns with the OFC's focus on assessing competencies rather than criteria. To learn more about the Ontario Practice Competencies (OPC), visit the **OAA Website**.

The Association will continue to communicate with those affected by these changes, as well as the wider membership, via both emails like this and updating the licensing information on the [OAA Website](#). **A transition period for these new requirements has been established, ending December 31, 2024.**

“I’m really pleased to see the Association work with its partners in the provincial government, as well as other architectural regulatory bodies, to suggest a way forward in ensuring our path to licensure in Ontario meets these new requirements,” says OAA President **Settimo Vilardi**. “The legislative amendments are important because they remove challenges facing internationally educated applicants. They will help foster equity, diversity, and inclusion among our profession without having a negative impact on the high degree of skill and education required to practise architecture.”

If you have any questions, reach out to officeoftheregistrar@oaa.on.ca.

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