

OAA Professional Seal

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Regulatory Framework

OAA membersⁱ (members) must use the professional sealⁱⁱ issued to them by the OAA in accordance with the rules governing the use of professional seals contained in the Ontario [Regulation 27](#) (the regulations) under the [Architects Act](#) (the Act) and any applicable laws, regulations, and bylaws that may apply in a particular scenario. Specific seal provisions are established in Section 42 of the regulations, including:

For the purpose of the Act, “professional misconduct” means,

18. Using a seal that has not been issued under this Regulation.

19. Affixing a seal or permitting a seal to be affixed to a design that was not prepared in its entirety under the personal supervision and direction of a member or a holder of a temporary licence.

21. Failure of a member or holder to affix his or her seal and signature through the imprint of his or her seal to every design prepared under his or her personal supervision and direction and issued or exhibited to a person who is not a holder and is either submitted as part of an application for a building permit or is issued for the construction, enlargement, or alteration of a building, except in the case of an open competition in which anonymity is a requirement.

22. Failure of a member or holder to return a seal to the Registrar upon cancellation, revocation, or suspension of a licence, certificate of practice, certificate of practice issued under Section 23 of the Act or temporary licence, dissolution of a corporation or partnership, termination of a practice of architecture or project described in a temporary licence or certificate of practice issued under Section 23 of the Act, or when no longer required to use a seal in his or her capacity as an employee.

Further, Section 1 of the Act defines design as follows:

“design” means a plan, sketch, drawing, graphic representation, or specification intended to govern the construction, enlargement, or alteration of a building or a part of a building; (“plan”)

The ownership of every seal issued by the OAA is retained by the OAAⁱⁱⁱ. The public interest (and the legislation) demands that a member’s seal always remain the property, and under regulatory control, of the OAA. As stipulated in the above regulation reference, a member’s seal must be returned when that person ceases to be a member or able to practise and in other circumstances established in the regulations.

To meet these regulatory requirements, an OAA member can only obtain a seal from the OAA, and it must be returned on demand.

Background and Considerations

The following are key considerations that must be addressed when contemplating the use of an OAA seal, delivery of documents issued for the construction, alteration, or enlargement of a building, and digital authentication of documents.

Descriptions in this Regulatory Notice relating to “sealing” documents are shorthand and include the expectation that the application of a member’s seal will include the member’s signature and date.

An OAA seal is a representation to the public—including clients, other consultants, approval-granting entities such as local governments and authorities having jurisdiction, contractors, consultants, and sub-trades—that not only does the OAA member who applied it take responsibility for the document, but also the document was prepared by that OAA member or under their personal supervision and direction.

The seal is a solemn confirmation that a qualified, licensed member is sufficiently aware of the relevant considerations that went into the design such that, in the member's opinion, the design is ready for publication and intended to be relied upon and used by others for the purposes intended.

An OAA member's essential obligations with respect to the seal are not affected by the size or type of the project or the stage of approval. The fact that a building, such as a single-family home, may not require a member's services under the Act does not diminish the professional responsibility associated with sealing a design. As long as the architectural services are being provided by an OAA member (having the required certificate of practice [CoP]), the member's responsibilities and the public's expectations are no less than if the building required a member under the Act. Similarly, the member's responsibilities to seal designs, and the public's expectations, are no less at an earlier approval stage, such as for development permit application.

Practical Use and Procedures

Subsection 42(21) of the regulations establishes the documents that require the application of a seal by the member who prepared them or who provided supervision and direction of their preparation. It is not relevant to a member's statutory and professional conduct obligations whether an authority (or client) has a seal requirement or expectation that differs from the obligations of the regulations.

For example, it is not acceptable to dispense with the sealing requirements merely because a particular authority does not require development permit drawings to be sealed—whether that "requirement" derives from advice, policy, or customary practice. The proper use of an OAA member's seal is a matter for the Act and the Regulations, not expectations established by local governments, clients, or others.

In general, any item prepared in its entirety under the personal supervision and direction of an OAA member as verification that the requirements under legislation are met and that the design can be used to govern the construction of a building is to be sealed.

An OAA seal is required on the following documents that govern the construction, enlargement, or alternation of a building:

Drawings

All designs that govern the construction, enlargement, or alteration of a building issued by an OAA member for approval by an authority or for reliance by a client or third party, including the general public, must be sealed. This includes (but is not limited to) drawings submitted for rezoning, committee of adjustment, site plan control, building permit, tender, construction drawings, addenda, issued for construction, and drawings accompanying change orders, change directives, and site instructions.^{iv} Drawings submitted for amendments to applications must also be sealed.

Documents prepared for approval purposes under seal may be qualified as incomplete. Sealed documents that do not represent a final design ready for construction, such as pre-tender drawings, or development permit applications must state specific purpose of the documents to avoid misinterpretation; such as "Preliminary," "Issued for SPA," and/or "Not for Construction." Members sealing documents must clearly indicate any qualifications.

Drawings used for internal purposes within the architectural firm generally need not be sealed. Similarly, drawings prepared solely for discussion purposes between architectural firm and authority having jurisdiction, client, or consultants need not be sealed; indeed, if such drawings were not prepared by or under the supervision and direction of an OAA member, they must not be sealed. Drawings prepared and delivered for the purpose of seeking fee proposals from consultants, including other OAA members, need not be sealed, but the drawings themselves should include a notice to indicate the specific purpose behind their preparation and delivery.

Specifications

All specifications for the construction, enlargement, or alteration of a building issued by an OAA member for approval or reliance by a client or third party must be signed and sealed. Where specifications are issued in separately bound or binder format, as opposed to already "sealed" as an integral part of sealed drawings, the first appropriate page of the specification document should be sealed. When bound specifications include drawings (or any other instrument of

service) that must be sealed on their own merits, such documents should be sealed separately within the bound document.

In summary, members must seal:

- drawings, specifications, reports, or documents that govern the construction, enlargement, or alteration of a building, that are complete and intended to be relied upon.
- documents issued to authorities having jurisdiction for development permit and building permit purposes— additionally, sketches and drawings accompanying applications for site plan control, committee of adjustment, or rezoning documents as they govern the construction, enlargement, or alteration of a building.
- construction documents that govern the construction, enlargement, or alteration of a building issued to the contractor and owner.
- drawings and accompanying site instructions, change orders, or change directives that alter a document that has already been sealed or is to be added to the contract documents.

Inappropriate Use of a Professional Seal

Given the importance of an OAA seal—symbolically, professionally, and from a liability point of view—it should not be used indiscriminately. The seal is intended for application on designs produced in connection with rendering architectural service; it is not a “business seal” for use on fee proposals, business letters, contracts, etc. An OAA professional seal should not be confused with a corporate business seal, which is intended for entirely different purposes. Application of a member’s seal when corresponding with authorities or with the OAA is inappropriate and may signify a lack of understanding of the nature and purpose of the seal. The mere fact that a document is issued from a member’s practice is itself insufficient grounds to warrant application of the seal.

“Record” or “as-built” drawings must never be sealed. Such drawings are largely produced by, or based on information provided by, other parties, and typically include information that represents concealed conditions. OAA members must not attest to the accuracy of record or “as-built” documents by applying a signature and seal.

An OAA member must never apply a seal to title blocks on blank drawing sheets, blank letters, or any other incomplete or unchecked document. Any apparent convenience of “pre-sealing” such documents is dramatically outweighed by significant liability, insurance coverage, and professional conduct consequences.

An OAA member must never apply a seal to other consultants’ documents.

An OAA member must not seal documents that were not prepared by them personally or under their personal supervision and direction.

In summary, members must not seal:

- documents not prepared under an OAA member’s personal supervision and direction (including, for example, “progress” drawings used for internal coordination or discussion between the OAA member, client, and consultants);
- as-built documents produced by the contractor or based on information provided by others;
- blank drawing sheets, blank letters of assurance, or blank schedules for authorities having jurisdiction;
- competition documents where anonymity is a requirement; and
- legal documents requiring a corporate seal or other kinds of business documents such as fee proposals.

Who Can Apply an OAA Seal

Section 41 of the regulations provides that a seal may be issued to an OAA member who is:

- a holder of a certificate of practice;
- a member of a partnership that holds a certificate of practice;
- an employee of the Crown of Canada, a crown agency, sole proprietorship, partnership, or a corporation, if required to use a seal in the member's capacity as an employee; or
- an officer, director, or full-time employee of a holder of a certificate of practice who personally supervises and directs the practice of architecture by the holder of the certificate of practice.

Members are reminded that an OAA member's seal must never be applied by a member (whatever the member's title or role) simply upon a perfunctory check without due personal supervision and direction.

The regulations establish an expectation that the OAA member who prepared the documents or who had direct knowledge, supervised, and controlled the preparation of documents requiring a seal, must seal them. This means that the member having comprehensive, coordinated knowledge of the documents and who has exercised professional judgment that the documents are ready for publication and reliance by others should be the one applying a seal, not a colleague (principal or otherwise) with inadequate knowledge of, or involvement with, a project.

The ability of member employees to obtain and use a seal strikes a balance between the restrictions on the use of a seal and the requirement to obtain a certificate of practice and the need for architectural firms to manage risk and the limits of authority of those working for them. The regulations do not dispense with the expectation that owners, sole proprietors, and partners will continue to sign and seal documents prepared by them or under their personal supervision and direction. Rather, to ensure that such members, often referred to as "principals" of firms, are not sealing documents simply because they are "principals," the member(s) most directly involved in the preparation, supervision, and direction of the preparation of key documents should be the individual applying their seal. This allows firms to establish which members have the authority to sign and seal documents issued under the firm's title block, in keeping with the requirements in the regulations.

No firm is entitled to force or pressure an OAA member to sign and seal a document for which that member is not prepared to take the requisite responsibility. Conversely, if a firm is not prepared to authorize individual members who are preparing documents or who are supervising and directing their preparation to sign and seal such documents, it must ensure another member can and does satisfy the expectations established by the regulations to seal those documents.

Seal application and control are tied to insurance. OAA members applying their seals should have risk, control, liability, and insurance discussions to ensure that any risks, real or perceived, are understood and appropriately managed. OAA members who had not previously been applying their seals on behalf of a firm should ensure that the firm's professional liability (errors and omissions) insurance policy coverage provides adequate coverage, or that suitable alternative insurance is in place. OAA members and firms concerned about longer-term liability should review "retirement/post action" policies and other means of addressing liability after retirement, change of employment, firm closure, key-person loss, etc. All parties should seek out appropriate legal and insurance advice for these discussions.

Care and Control of an OAA Seal

Seals are issued by the OAA to certain members for their use while they are registered as members. As set out in subsection 42(22) of the regulations, any person who ceases to be a member "must return the seal to the Registrar." This statutory expectation applies upon cancellation, revocation, or suspension of a licence, certificate of practice, certificate of practice issued under Section 23 of the Act or temporary licence, dissolution of a corporation or partnership, termination of a practice of architecture or project described in a temporary licence or certificate of practice issued under Section 23 of the Act, or when no longer required to use a seal in their capacity as an employee. As part of their cessation and estate planning, members should provide suitable instructions to their executors, administrators, agents, or family to ensure that the seal is returned to the OAA.

The seal should be kept safely secured. Members are expected to advise the OAA promptly if the seal is lost, stolen, or compromised and to bring in a damaged seal to the OAA for replacement. The seal must never be altered for any reason.

Misuse of an OAA Seal

In general, misuse of an OAA seal is considered among the more serious breaches of a member's duty to the public. Underscoring the gravity of the matter is the fact that the use of the seal is addressed specifically in the regulations. Many of the concerns relating to misuse of the seal are found throughout this Regulatory Notice, including the fundamental expectation that the OAA member who prepared the document or personally supervised and directed its preparation must apply the seal and signature.

An OAA seal is not for sale, and the term "rubber stamping" is an appropriately derogatory term to describe any member who applies a seal to documents that they did not personally prepare or personally supervise and direct. Requests to do so are often sparked by clients looking to have their 'in-house' design (or that provided by a non-member consultant) sanctioned by a professional. Such misuse of the seal brings the architectural profession and the validity of the seal as a public representation of professional qualifications and responsibility into disrepute. The stakes are even higher when an OAA member applies a seal to a non-member's drawing, because it appears to legitimize, and thereby aids and abets, the unauthorized practice of architecture by unregistered individuals and businesses. Aiding and abetting unauthorized practice is professional misconduct under the regulations.

Sealing and Translated Documents

The *Official Languages Act* requires Public Services and Procurement Canada (PSPC) to communicate with the public in both English and French. When professionally sealed documents are published online as part of PSPC's obligations, they must generally be in both official languages. However, not all jurisdictions include provisions allowing for issued for tender translations of professionally sealed documents. OAA members and practices must make arrangements to address any necessary translation of their documents in a manner that complies with their professional obligations, including the requirement that all sealed documents are prepared under the personal supervision and direction of the member/holder.

Applying for a Seal

The OAA seal is purchased directly via the Office of the Registrar. Upon successful application, the OAA issues a seal and the applicant will be provided with high-resolution images of their seal in several file formats. These images are meant to be used alongside the seal for the convenience of members. If members elect to use the image of their seal, they must ensure it is not altered in any way and applied clearly. More information is available on the [OAA Website](#).

If a seal is required to be returned to the Registrar, any images of the seal must be deleted from every storage device, electronic file folders, etc.^v The Registrar must be advised in writing that all images of the seal have been destroyed.

Before sharing drawing files with consultants, owners, contractors, or any other party to the project, ensure the files no longer contain the seal image. The seal information must be removed in its entirety before files are shared.

Digital Authentication of OAA Member Documents

This section addresses the appropriate use of digital authentication of OAA member documents. It is applicable to all OAA members and holders of a certificate of practice issued by the OAA.

Definitions

- *Digital Authentication*: The use of electronic signatures or other approved digital methods to verify the identity of an OAA member and confirm the authenticity of a document.
- *OAA Seal*: A physical imprint or electronic image issued by the Ontario Association of Architects that represents an OAA member's registration and is used to certify documents as accurate and compliant with OAA's professional standards.
- *Electronic Signature*: A legally recognized digital mark that an OAA member can use to authenticate documents.

OAA members should authenticate electronic documents using secure, legally compliant platforms alongside the OAA-issued seal to ensure the integrity of designs and protect the public.

Standards for digital authentication and OAA seal application include:

- **approved platforms:** use only digital authentication platforms that comply with relevant laws, including those respecting electronic commerce;
- **secure access:** platforms should offer strong data encryption, audit trails, and multi-factor authentication to maintain document integrity and accountability;
- **traceability:** electronic signatures should provide traceability for identity verification and reliable digital authentication records; and
- **OAA seal requirement:** every digitally authenticated document should display the OAA-issued seal as proof of authority.

Members are responsible for controlling their digital authentication tools and the OAA-issued seal to prevent unauthorized use. They must ensure their methods align with OAA standards and relevant legal requirements, including the Architects Act, the regulations, OAA Bylaws, and Canadian and Ontario digital laws. Members are encouraged to seek expert guidance on the appropriate use of digital authentication and approved technologies.

The OAA does not provide legal, insurance, or accounting advice. Readers should consult their own legal, insurance, or accounting advisors to obtain appropriate professional advice. OAA members are responsible for ensuring that they comply with all applicable laws, regulations, policies, and bylaws. Regulatory Notices do not comprehensively address all laws, regulations, policies, and bylaws that may apply in a particular scenario.

ⁱ OAA member: Every person issued a licence or limited licence by the Ontario Association of Architects is a member of the Association, subject to any term, condition, or limitation to which the licence is subject. R.S.O. 1990, c. A.26, s. 5 (1).

ⁱⁱ "Seal" means a seal issued by the Registrar.

ⁱⁱⁱ R.R.O. 1990, Reg. 27, s. 41 (3)

^{iv} Note that not all change orders require a seal—only those that alter a document that has already been sealed (generally, a drawing).

^v Members are reminded to maintain complete hard copies or PDFs of all their sealed drawings for record keeping before the seal image is deleted.