

Credit for Authorship – Misrepresentation of a Practice

©2025, 2021, 2008 Ontario Association of Architects (OAA). OAA members in good standing may reproduce or distribute this Regulatory Notice provided this copyright notice is affixed to any reproduced or distributed copy. No rights are granted to any other person, except with express prior written consent from the OAA. The OAA reserves all other rights.

Regulatory Framework

Providing appropriate credit for authorship of designs engages OAA members¹ professional obligations under the [Architects Act](#) (the Act) and Ontario [Regulation 27](#) (the regulations) as well as other legal and contractual obligations including those under copyright, corporate, and employment law.

Specific provisions of the Act relevant to providing appropriate credit for authorship include, but are not limited to, the following:

11. (1) *No person shall engage in the practice of architecture or hold himself, herself or itself out as engaging in the practice of architecture unless,*

(a) the person is licensed under this Act;

(b) the person is the holder of a certificate of practice or the person is doing so as a member of a partnership that holds a certificate of practice; or

(c) the person is the holder of a temporary licence under this Act.

(2) *No person shall provide to a member of the public a service that is part of the practice of architecture except under and in accordance with a certificate of practice or a temporary licence.*

22. (1) *It is a condition of every certificate of practice held by a corporation or a partnership that the holder of the certificate of practice shall provide services that are within the practice of architecture only under the personal supervision and direction, on a full-time basis, of a member of the Association who is,*

(a) in the case of a corporation, an officer, director, or employee of the corporation; or

(b) in the case of a partnership, a member, or employee of the partnership or an officer, director or employee of a member of the partnership.

(2) *A member of the Association who personally supervises and directs the practice of architecture by a holder of a certificate of practice is subject to the same standards of professional conduct and competence in respect of such practice of architecture as if the member personally engaged in the practice of architecture.*

Specific provisions of the regulations relevant to providing appropriate credit for authorship include, but are not limited to, the following:

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

31. *Misrepresenting the practice of architecture carried on by the member or holder, or the qualifications, experience or capabilities of the member or holder or an officer, director, partner or employee of the member or holder.*

Background and Considerations

The credit for authorship belongs to the certificate of practice (CoP) that was engaged by the client to provide architectural services for the project (author-practice). As a consequence, the author-practice must be given appropriate credit for authorship whenever authorship is described.

Issues arise in the case of merged or severed practices or when a practice purchases another practice. Practices and members may include projects in their promotional materials and in their CVs, provided that they provide honest, fair, and transparent credit to the original author-practice in addition to identifying their personal contribution(s).

In general, practices may display projects they have authored without identifying the contributions of specific individuals within the holder. This is because the author-practice generally maintains copyright in a design regardless of the specific individuals involved and their current employment, subject to private contractual arrangements to the contrary.

OAA members must ensure their qualifications and capabilities are fairly and accurately represented. Their personal contribution to projects must be listed clearly and accurately in their CVs and any promotional materials, while also fairly and transparently identifying the author-practice.

Procedure

Designs must be prepared under the personal supervision and direction of the holder of a certificate of practice (author-practice). The author-practice must be given clear and accurate credit for authoring a design.

Credit for authorship should be addressed expressly in the arrangements governing partnerships, corporations, joint ventures, and employment. The arrangements should address the present and future recognition of each member's contribution to projects.

Members must treat other members of the profession honestly and fairly. Where there are multiple holders working on a project, each practice should be able to identify its contribution to the project accurately and transparently.

Promotional materials must be fair, honest, and transparent. Only projects actually designed by the member or holder can be promoted as such. Wherever a project is displayed (e.g. via brochures, articles, websites, or social media), care must be taken to make credit for the project clear and unambiguous. For example, it is generally not sufficient to feature a photograph of a project in one part of promotional material and then reference the author-practice in a different part of the promotional material; the author-practice should be identified along with the photograph.

In listing previous experience of the members and/or employees of a practice, the name of the author-practice should be identified for all projects so that it is clear to a reader of the material.

Members and holders should act in the client's interest. When a client decides to change their OAA practice, the predecessor practice and successor practice should make arrangements to ensure continuity of service and should also make arrangements regarding ownership of the designs. See Regulatory Notice.RN.03—When a Client Changes their OAA Practice.

Practices and members should consider making arrangements with clients at the outset of projects to address promotion in order to comply with their professional obligations. For example, the client may wish to state the names of practices or members in promotional materials (e.g. signs). The practice(s) involved should make clear to the client there can be no ambiguity or misunderstanding regarding the contributions to the project.

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.