

GHANA INSTITUTE OF ARCHITECTS

3, Ninth Road, Ridge
P.O. Box MB 272, Ministries
Accra, Ghana



Tel: (021) 7010552
Tel./Fax: (021) 229464
E-mail : gia@idngh.com

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THE REGULATIONS

These Regulations are made by the Council of the Ghana Institute of Architects under powers conferred upon it by the Construction of the Ghana Institute of Architects.

1.00 QUALIFICATIONS

1.01 Subject to the provisions of paragraph 1.02 of these Regulations, any person is entitled to apply for membership of the Ghana Institute of Architects on payment of the prescribed fees, if he is;

- (a) A person who has passed the qualifying examinations of any Institute the courses of which are prescribe and approved by the Council,
OR
- (b) A person who has passed the qualifying examinations of any society or any other Institute of Architects or any association of equivalent status recognised and approved by the Council of the Ghana Institute of Architects; and a person who completed practical training of such description and for such period as may be prescribed by the Council, and has passed the examination in professional practice in Ghana prescribed by the Council.

1.02 Subject to the provisions of paragraph 2.03 of these Regulations, any firm, corporate entity or partnership is entitled to apply for registration as an Architectural Firm on the payment of the prescribed fees, if:

- (a) Its objects include the practice of Architecture;
- (b) In the case of Corporate bodies, the majority of directors are members of the Ghana Institute of Architects with 5 years minimum post-qualification experience;
- (c) In the case of a group practice, majority of the partners are members of the Ghana Institute of Architects or of the Professional Bodies of the disciplines of building and are, in the opinion of the Council, of equivalent status to a registered Architect;
- (d) In the case of an international practice, operating in Ghana, such a company should seek registration with the Institute and also establish an association with a local Ghana architectural firm (2.03 (c))

2.00 General Disqualification

2.01 No person shall be registered as an architect

- (a) unless he has:
 - (i) become resident in Ghana for a period of not less than six months;
 - (ii) attained the age of twenty-one years, and]
 - (iii) paid the prescribed fees;
- (b) if he has been:
 - (i) adjudged by the court of competent jurisdiction to be of unsound mind
 - (ii) convicted by a court of competent jurisdiction, whether in Ghana or elsewhere, of any offence involving fraud or dishonesty – or

(iii) adjudged an insolvent or bankrupt but has not been granted by a court of competent jurisdiction, a certificate to the effect that his insolvency or bankruptcy has risen wholly or partly from unavoidable losses or misfortunes.

2.02 Notwithstanding anything in this paragraph a non-resident person or firm being otherwise qualified may make a special application for temporary registration for the purposes of executing a specific project in conjunction with a Ghanaian firm of architects.

2.03 No firm shall registered as an architectural firm if:

(a) it is not authorised by its objects to carry on the business of architecture;

(b) in the case of a group practice, fewer than two of its partners or directors are members of the Ghana Institute of Architects;

(c) In the case of an international practice, the Ghanaian architects are not in the majority.

2.04 Notwithstanding anything in sub-paragraph 2.3(b) of this paragraph a group practice which a member of the Ghana Institute of Architects is a partner or a director, may apply for the right to use the term "architect", may apply for the right to use the term "architect" "architecture" in combination with the terms applicable to the other disciplines provided that nothing in the use of the terms implies that the practice is primary an architectural practice.

3.00 **REGISTRATION OF ARCHITECTS & ARCHITECTURAL FIRMS**

3.01 The Council shall keep a register of architects in which the name of every person immediately on being accepted for membership by the Council shall be registered showing against its name such particulars, as the Council may from time deem necessary.

3.02 The Council shall keep a register of architectural firms in which the names of every firm, immediately on being accepted for registration by the Council, shall be registered showing against its name, the names of the partners in the case of a partnership or directors in the case of a corporate body, their professional qualifications and such particulars as the Council may from time to time deem necessary.

4.00 **REGISTRAR**

4.01 The Council shall appoint from the membership of the Institute a Registrar who shall hold office for a period of two years from the date of his appointment.

4.02 The Registrar shall be responsible for the up-keep of the registers in the form prescribed by resolution of the Council and he shall be responsible for the entries therein, and shall act on such directions as may be given by the Council in relation to entity and removal of any name in or from the Registers.

4.03 The Registrar shall prepare lists of Registered Architects and Architectural Firms by the 31st December each year and the Council shall submit the said lists to the Registrar General before the 31st of the following January.

5.00 STRIKING OFF & CANCELLATION OF REGISTRATION

- 5.01 Subject to the provisions of paragraph 6 of these Regulations, the Council may strike off the register of architects the name of an architect if satisfied that he is unfit to practise the professional misconduct or has become subject to any disqualification mentioned in sub-paragraph 2.1(a) , (b) and (c) of paragraph 2 of these Regulations.
- 5.02 The Council may strike off the register of architects the name of an architect if the prescribed fees remain unpaid for a period exceeding six months after due demand.
- 5.03 A person whose name has been struck off the register of architects under sub-paragraph 5.1 of this paragraph may have his name restored if the Council is satisfied that he has become subsequently a fit and proper person to practice the profession of architecture, on the settlement of such penalties as may be decided by the Council
- 5.04 The Council may strike off the register of architectural firms the name of a firm which has become subject to any disqualification mentioned in sub-paragraph 2.3 (a), (b) and (c) of paragraph 2 of these Regulations or if the prescribed fees remain unpaid for a period exceeding six months.
- 5.04 Any firm whose name has been struck off the register of architectural firms under sub-paragraph 5.4 of this paragraph may have its name restored if Council is satisfied that it subsequently ceases to be subject of penalties, which may be decided by the Council.

6.00 INQUIRIES BY DISCIPLINARY COMMITTEES

- 6.01 The name of a person or firm shall not be struck off the register unless a disciplinary committee has after due inquiry, made a report to the Council that the person or firm concerned has been guilty under the provisions of or is otherwise disqualified under the provisions of paragraph 1.1 of these Regulations.
- 6.02 Where the Council has reasonable cause to believe, whether upon complaint made to it or otherwise, that any person or firm who or which is a registered architect or firm has been guilty of professional misconduct, the Council may appoint an Investigating Committee for the purpose of holding an enquiry into the conduct of the person or firm.
- 6.03 The Constitution and powers of , and the procedure to be followed by the disciplinary committees appointed under this paragraph shall comply with the requirements of the Regulations of the Professional Bodies Registration Instruments.

7.00 SUSPENSION

- 7.01 The Council may, in lieu of exercising its powers under paragraph 5 of these Regulations suspend the person or firm concerned from membership of the Institute for such period as the Council may deem fit.

8.00 MEANING OF " PROFESSIONAL MIS-CONDUCT"

- 8.01 Each of the following acts on the part of an architect shall constitute professional misconduct, namely:
- (a) allowing any other person to practice in his name as an architect unless such person is his name as an architect unless such person is also an architect and is in partnership with or employed by him

- (b) entering into corporate entity/ partnership with any person other than architect or person practising any of the disciplines as set out in session 2.01 of the Constitution , or securing by means which are not open to an Architect any professional business;
- (c) entering into corporate entity/ partnership with any company purporting to be an architectural firm.

8.02 Each of the following acts or omission on the part of an architect shall constitute professional misconduct, namely:

- (a) holding or assuming or consciously accepting a positions in which the interest of the architect is in conflict with his professional duty;
- (b) accepting any remuneration other than professional fees, contract sums or salary payable by his employer, from any source in connection with the works and duties entrusted to him when acting in his professional capacity as Architectural consultant;
- (c) failing to uphold and apply the scale of Professional charges of the Institute;
- (d) accepting any gift or commission from contractors or tradesmen when employed in the role consultant, supervisor of manager or works;
- (e) being involved in actions and situations inconsistent with his professional obligations or likely to raise doubts about his integrity;
- (f) advertising or offering his professional services to any person or body corporate by means of circulars or making paid announcements in the media except when;
 - (i) applying to prospective employers for a salaried appointment;
 - (ii) advertising a professional appointment open or wanted, directed only to members of the professional concerned;
 - (iii) responding to an advertisement addressed to members of the profession inviting them to submit their names for inclusion in a panel or list of architects, provided his response does not contravene any clause in the code of Professional Conduct for the time being in force;
 - (iv) notifying the architectural professional Press once of change of address, and
 - (v) notifying his correspondents by post, once , of any change of address;
- (g) giving monetary considerations for illustrations and description of his work to be published in the press or allowing such publications to be used by the publishers for extorting advertisement from contributors, or for attempting to distribute the publications to potential clients;
- (h) exhibiting his name or signature on his buildings, outside his office or buildings in the course of construction, alteration or extension in an ostentatious manner or in lettering exceeding 50mm height;
- (i) attempting to supplant another architect or competing with another architect by means of a reduction of fees or other inducements;
- (j) failing to notify the Ghana Institute of Architects and another architect of the facts when approached or statutory body, and by reason of his office he is in a position to grant or influence the granting of any form of statutory approval, he undertakes

private work, notwithstanding any permission from his employers to do so, unless he is satisfied that his position and action in the matter will be free from any suspicious or suggestion of abuse;

- (k) when employed as a salaried and official architect by a central or local government department or statutory body, and by reason of his office he is in a position to grant or influence the granting of any form of statutory approval, he undertakes private work, notwithstanding any permission from his employers to do so, unless he is satisfied that his position and action in the matter will be free from any suspicious or suggestion of abuse;
- (l) failing to act in an impartial manner in all cases of dispute between owner and contractor;
- (m) permitting the insertion in tenders, bills of quantities or other contract documents which provide for payment to be made to him by the contractor whatever may be the consideration, unless with the full knowledge and approval of the employer;
- (n) taking part in an architectural competition which the Council shall have declared by a resolution that members must not take part, because conditions are not in accordance with Institute's Regulations for Architectural competitors, or being associated in any way with carrying out of a design selected as a result of a competition as to which the Council has declared by resolution that members must not take part;
- (o) failing to notify at once, the secretary upon being asked to take part in a limited competition, the particulars of the competition, etc and
- (p) acting as an architect or joint architect for a work which has been the subject of a competition in which he is or has been assessor, or act as consulting architect unless appointed before the inception of the competition, or having been approached by the promoters to advise on the holding of a competition, with the view to his acting as an assessor, acting as architect for the work if it is eventually decided not to hold a competition, but to appoint an architect to carry out the work.

8.03 Notwithstanding anything to the contrary contained in the sub-paragraph 8.1 of this paragraph an architect shall not be guilty of professional misconduct by reason only of any of the following acts, namely:

- (a) entering into or being in partnership with any person outside Ghana who is a member of a society or institute of architects which is in the opinion of the Council of equivalent status to the Ghana Institute of Architects;
- (b) securing professional business by reason of such partnership;
- (c) allowing such partnership to be carried on in his name;
- (d) paying or allowing or agreeing to pay or allow to any such partner any share out of fees or profits, and
- (e) being a director or partner of a company, firm or group of persons engaged in building contracting, project management, manufacturing of building material, production of furniture, real estate development, landscape development works specialised installation works or manufacture's representation.

BYE-LAWS

9.00 ELECTION OF MEMBERS

- 9.01 Every candidate for admission to the institute other than an honorary fellow or honorary associate member shall make and subscribe a statement first that he is eligible under the constitution regulations and bye-laws; secondly, that he is willing, if elected, to be bound by the constitution and bye-laws of the institution for the time being in force. He shall be proposed (a) by the council or (b) in writing on a form provided by the institution by three members of whom one must be a fellow and the others fellows or associates.
- 9.02 An elected candidate shall be admitted on the payment of his first annual subscription and an enrolment or entrance fee to which shall be added a development levy. Members shall pay a development levy up, election at rates determined.
- 9.03 Enrolment fees and subscription for the categories of membership shall be determined by the council from time to time.
- 9.04 Enrolment fees shall be paid in respect of one class only.
- 9.05 Architectural firms shall pay a registration fee and an annual subscription to be registered, as architectural firms .all architectural firms shall pay a development levy upon registration. Architectural firms shall be subjected to the constitution, bye-laws and regulations of the institution.
- 9.06 Cheques etc. for fees and subscriptions shall be made payable to the Ghana institute of architects and with a letter addressed to the Honorary Treasure.
- 9.07 All architects and firms shall be in good standing after having paid all dues, levies and development fees.

10.00 ANNUAL SUBSCRIPTIONS

- 10.01 All annual subscriptions shall become due and payable in advance on the first day of January in every year.
- 10.02 If the date of the election falls in the second half of the year only half of the subscription will be payable.
- 10.03 If any member fails to pay his annual subscription within six months after it has become due and demanded, he may be suspended or expelled by resolution of the council and may be reinstated by resolution of the council upon the payment of a penalty. To be prescribed by the council for fellows and associates and firms, and all outstanding monies due.

11.00 **DISCIPLINARY POWERS.**

11.01 Any practicing member or firm who or which in the opinion of the council has been guilty of unprofessional conduct shall be liable to reprimand, suspension or expulsion as may be determined by council, and any person or firm convicted of any criminal offence will, ipsofacto, cease to be a member of the institution.

11.02 A person or firm who or which have been suspended or expelled may be reinstated by a resolution of the council if the council is satisfied that such a person or firm has been subsequently a fit and a proper person or firm to practice the profession of architecture on the settlement of such penalties which may be decided by the council.

12.00 **RESIGNATION.**

12.01 Any member, provided he is under no financial liability to the institution shall be entitled to resign his membership on giving notice in writing of his intention so as to do, and on his returning his diploma to the council for cancellation. The council shall have the power to return the cancelled **diploma** to any member.

13.00 **ELECTION OF OFFICER BEARERS**

13.01 Members nominated for the office of President shall be the existing President, a Vice President, Past President or member of the Institute who is or has been a Member of the Council. No President who has filled the office for two consecutive terms shall be again eligible for the Presidency until the expiration of two years from the end of his tenure of office.

13.02 Members nominated for the office of Vice President shall be officers or Members of the Institute who are or have been Members of the Council. No Vice President who has filled the office for two consecutive terms shall thereafter be eligible for re-election until the expiration of two years from the end of his tenure of this office.

13.03 The method of election shall be determined by the Council subject to the following conditions:

- (a) not less than seven clear days notice shall be given any meeting convened for the purposes;
- (b) the notice of the election shall include a record of the attendances of the out-going officers and members of the Council.
- (c) the notice convening the meeting shall state that the election of officers and members of the Council will take place at the meeting. Any members desiring to nominate candidates for election as officers or as Members of the Council, must forward the names of those he desires to nominate them. Nominations indicating the candidates' willingness to serve, if elected, should be received by the Honorary Secretary not less than three days before the date of the meeting, duly proposed and seconded by two members of the Institute;
- (d) the Institute will determine at the meeting the form of voting to be adopted. There shall be two Scrutineers who will be responsible for carrying out the election in a proper and orderly manner;

- (e) if nominations received by the Honorary secretary prior to meeting are insufficient to meet the number of vacancies then further names may be called for from those present at the Annual General Meeting;
 - (f) if there be an equality of votes the Annual General Meeting may give such casting vote or votes as may be necessary to remove the equality and complete the election.
- 13.04 There shall be an Annual General Meeting to be held in January of every year. Election of officers and members of the Council shall be held at every other Annual General Meeting. The term of each Council shall be two years.
- 13.05 The Council shall have power to fill vacancies on the Council or in any of the officers, which become vacant between elections.
- 13.06 The Council shall have power at any time and from time to time to co-opt persons not exceeding three to act as additional members of the Council until the next Annual General Meeting.
- 13.07 Any member of the Council may resign his office by notice in writing delivered to the Council.
- 13.08 The Council may presume the resignation of any Member who of Council who failed to attend four consecutive meetings of the Council, the member concerned to be notified within fourteen days after the meeting of the Council at which it has been decided to presume such resignation.

14.0 **MEETINGS OF THE COUNCIL**

- 14.01 The Council shall meet at such time and places as it may agree. Five members shall form a quorum. Seven clear days notice of a meeting of the Council, or not less than twenty-four hours notice in case of emergency shall be delivered or sent to each member of the Council. Such notice shall state the place, the day and hour of meeting and in case of special business the general nature of the business. Accident omission to send or non-receipt of notice by any Member shall not invalidate the proceedings of any Meeting.
- 14.02 The President or two members of the Council may require the Honorary Secretary at any time to summon a meeting of the Council.
- 14.03 The President of the Council shall be the Chairman of the meeting. In the absence of the President shall be the Chairman, or failing him any Member of the Council may be elected by the Meeting.
- 14.04 Questions arising at any meeting of the Council shall be determined by a majority of Votes the Chairman may give such second or casting vote or votes as may be necessary to remove the equality.

15.00 **COMMITTEES**

- 15.01 The Council shall appoint our their own body and other members , committees to be called the Registration Committee, the Finance and Management Committee, Education and Practice Committee, Disciplinary Committee, Arbitration Committee, Editorial Committee, Library Committee and any Advisory Committee as they may from time to

time think fit and in appointing such committees shall have regard to the composition of the Council at the time of such appointment.

The Vice –President of the Council shall be an ex-officio member of any Advisory committee appointed if he is already not a serving member.

- 15.02 Committees appointed by the Council, shall in the exercise of the powers so delegated, conform to all regulations and terms of reference that may be decide by the Council.
- 15.03 The Council shall nominate the Chairman, of each committee unless the President shall have elected so act.
- 15.04 In the absence of the Chairman, the meeting may elect any member of the Committee present to take the chair.
- 15.05 A committee shall carry out its work with all due diligence but subject to this may meet and adjourn as it thinks proper. Failing such diligence the Council shall have power to dissolve the Committee and to appoint a new one or to assume responsibility for the said committees work.
- 15.06 Questions arising at any meeting of a Committee shall be determine by a majority of votes of the members present , and in case of an equality the Chairman shall have a second or casting vote.
- 15.07 The quorum of all Committees shall be three except in the case of Arbitration and Disciplinary Committees where all five must be present. Notice of a Committee meeting shall be delivered or sent to each Member of the Committee seven clear days before the meeting or twenty-four hours before the meeting in case of meeting to or non-receipt of notice of a meeting by a member shall not invalidate the proceedings. Each Committee shall have power to co-opt members approved of by the Council .
- 15.08 The composition of the Committees or Boards shall be as follows:

EDUCATION & PRACTCE COMMITTEE

Registration Board

1. President (Chairman)
2. Vice President
3. Hon. Secretary (Ag. Registrar)
4. Ministry of Works Representative (Chief Architect)
5. G.I.A Member

FINANCE & MANAGEMENT COMMITTEE

1. Treasure (Chairman)
2. Social Secretary (Secretary)
3. Council Member
4. G.I.A. Member
5. G.I.A. Member

EDUCATION AND TRAINING COMMITTEE

1. G.I.A Examiner to U.S.T (Chairman)
2. President
3. U.S.T Representative (Secretary)
4. Head- Dept. of Architecture U.S.T
5. Hon. Secretary

DISCIPLINARY COMMITTEE

1. President (Chairman)
2. Secretary of Institute (Secretary)
3. Ministry of Works Representative (Chief Architect)
4. G.I.A Member
5. G.I.A Member

ARBITRATION COMMITTEE

1. Vice President (Chairman)
2. Ministry of Works Representative (Chief Architect)
3. Council Member
4. G.I.A Member
5. A.G's Representative (The G.I.A Solicitor shall be Adviser)

LIBRARY COMMITTEE

1. Publicity Secretary (Hon. Editor)
2. Council/ G.I.A (Assistant)
3. Council/ G.I.A Member
4. Council/ G.I.A Member
5. Council/ G.I.A Member

16.00 ANNUAL AND ORDINARY GENERAL MEETING

- 16.01 The Annual General Meeting shall be held each year in January on or before the 31st day of the month at such a place as may be decided by the Council.
- 16.02 Ordinary General Meeting shall be held Quarterly.
- 16.03 Seven Clear days' notice at the least shall be given of a General Meeting specifying the place, the day and the hour of the general meeting and nature of the business. The accidental omission to give notice of the meeting to or non-receipt of notice of meeting shall not invalidate the proceedings.
- 16.4 A third of the total membership of the Institute at a General Meeting shall form a quorum.
- 16.05 The President shall preside as Chairman at every Annual and Ordinary General Meeting of the Institute. In his absence the Vice President shall be the Chairman, or failing him any member of the Council elected by the Meeting.
- 16.06 The Chairman at any meeting of the Council may with the consent of the members present, adjourn the meeting from time to time or place to place, but no business left unfinished at the meeting from which the adjournment took place, until the unfinished business has been concluded.

16.07 At voting decisions shall be carried by a simple majority . In the case of equality of votes, the Chairman shall be entitled to second or casting vote.

17.00 **FINANCE**

17.01 Funds for the running of the Institute shall be obtained through members subscriptions, donation, etc.

17.02 Any money belonging to the Institute and not invested shall be deposited by the Council on account of the use of the Institute with the Ghana Commercial Bank. The Council shall from time to time give directions as to how such account is to be operated. All instructions to the Bank involving payments of money shall be signed by the Treasure and either the Secretary or the President.

17.03 The Council shall appoint annually a firm of Chartered Accountants as Auditors. The Auditors shall have access to all reasonable times to the Accounts and Securities.

They shall examine the securities and the Annual Accounts before the latter are submitted to the Annual General Meeting and shall report thereon to the Institute.

18.00 **DIPLOMAS**

18.01 The Diploma or certificate of Membership of the Institute shall be granted to every Fellow and Associate and to non-professional members of the Institute who are or shall be entitled thereto. They shall remain the property of the Institute and shall remain a member. When the holder ceases to be a member he shall forthwith return the Diploma to the Institute.

19.00 **SESSION**

19.01 The session of the Institute shall commence annually on the 1st of February and continue until the last day of the following January.

19.02 The tenure of each Council shall be two sessions.