



UNION OF  
ARCHITECTURAL  
WORKERS

# ARCHITECTS REGULATIONS 2015 SUNSET REVIEW

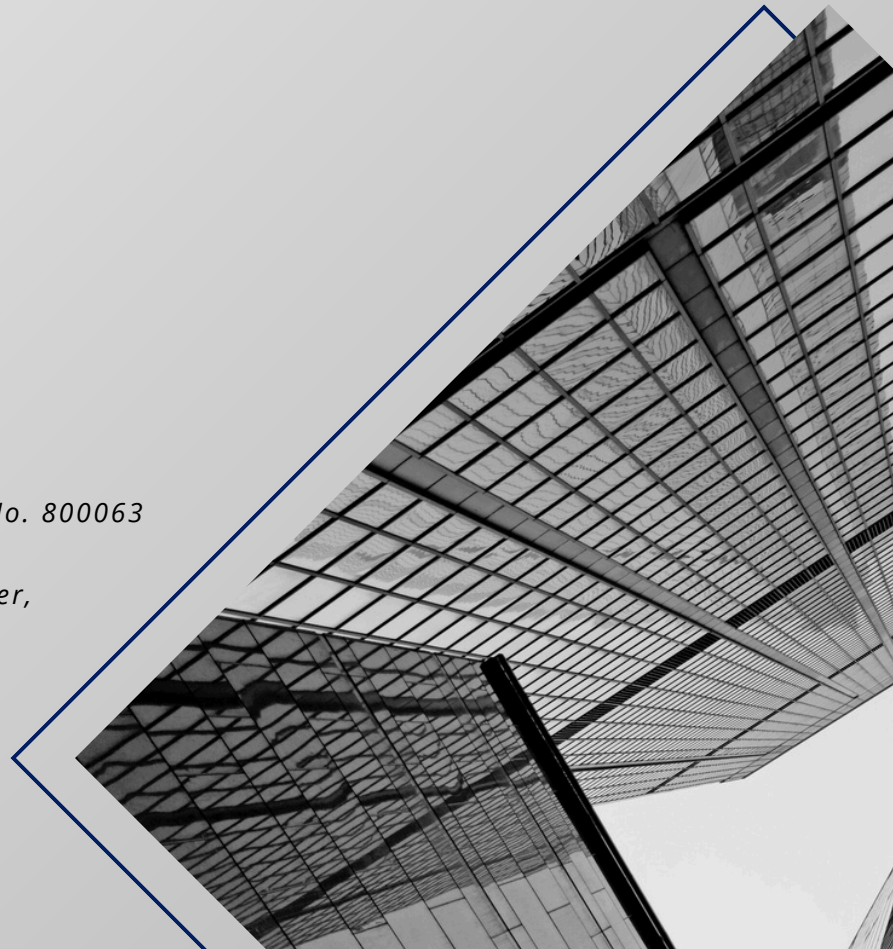
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**Architects Division (Union of Architectural Workers) -  
Professionals Australia.**

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of Transport and Planning  
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## EXECUTIVE SUMMARY

Professionals Australia welcomes the opportunity to provide this submission on the Architects Regulations 2025 Exposure Draft as part of the sunset review of the Architects Regulations 2015.

We support the Department's objectives of ensuring architects are well-equipped to deliver services, operate competently and with integrity, and that the regulatory framework effectively protects consumers. The evidence demonstrates that achieving these objectives requires addressing a structural gap in the proposed Regulations: while compliance obligations rightly apply to individual architects, the capacity of employed architects to meet those obligations depends substantially on employer decisions about resourcing, project timelines, and support for professional development.

The ARBV's own Strengthening Compliance Culture in the Architecture Sector report (June 2025) identifies "commercial pressures" as a root cause of the 40–50 percent CPD non-compliance rate. The Parlour Wellbeing of Architects research found that 86 percent of architects reported the amount of work required of them had a negative effect on their wellbeing, with unpaid overtime occurring on a weekly or daily basis. The Association of Consulting Architects has noted that despite the existence of the Architects Award 2020, "the profession still hears of unpaid overtime, unrealistic expectations and pressures to meet impossible deadlines." The pattern here is systematic workplace exploitation that undermines professional standards and consumer protection.

From 1 January 2025, intentional wage underpayment became a criminal offence under Commonwealth law. Many of the directors orchestrating this underpayment are registered architects. The ARBV's published guidance on Architects' Overarching Duties confirms that architects must "comply with all applicable laws." Yet the Exposure Draft treats director obligations identically to employed architects, without recognition that directors who systematically breach workplace laws are engaging in conduct inconsistent with professional standards.



# CRITICAL RECOMMENDATIONS

This submission makes nine key recommendations:

|   | <b>Recommendation</b>                                                                                                             | <b>Regulatory Provision</b> | <b>Priority</b> |
|---|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------|-----------------|
| 1 | Clarify that director responsibilities include providing employees reasonable time and resources to meet professional obligations | Schedule 1, Division 1      | Critical        |
| 2 | Pro-rate CPD requirements for part-time practitioners (consistent with existing Regulation 28(2) principle)                       | Regulation 28               | Critical        |
| 3 | Recognise CPD as mandatory training requiring employer support under the Fair Work Act                                            | Regulations 27–32           | Critical        |
| 4 | Require graduated response and procedural fairness before registration suspension                                                 | Regulation 35               | High            |
| 5 | Ensure CPD determinations include accessible, low-cost options                                                                    | Regulation 32               | High            |
| 6 | Implement meaningful stakeholder consultation including unions on CPD matters                                                     | Regulation 31               | High            |
| 7 | Define specific hardship criteria for fee waivers                                                                                 | Regulation 36               | Medium          |
| 8 | Pro-rate fees for part-time practitioners                                                                                         | Division 4                  | Medium          |
| 9 | Protect architects from adverse action for asserting professional obligations                                                     | Schedule 1                  | Medium          |

Without incorporating the critical recommendations, the Regulations will fail to address documented systemic workplace law violations that undermine their stated objectives and create conditions for professional failure.



# ABOUT PROFESSIONALS AUSTRALIA

Professionals Australia is a registered trade union and professional association representing over 205,000 engineers, scientists, pharmacists, architects and other professionals across Australia. Our Architects Division (Union of Architectural Workers) provides industrial representation, professional development support, and policy advocacy for architects and architectural workers.

Many of our members are employed architects working in small, medium and large practices in Victoria. We have a direct interest in ensuring that professional regulation operates fairly for employed practitioners who must meet compliance obligations while having limited control over workplace conditions and business practices.

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## PART 1: Context and Objectives

### 1.1 The Sunset Review Objectives

The Department of Transport and Planning has identified five objectives for the Architects Regulations 2015 sunset review:

1. Architects are well-equipped to deliver architectural services in an evolving industry;
2. Architects are skilled and operate competently and with integrity;
3. The ARBV is effective, focused on protecting consumers and has a strong presence;
4. Administrative burden on the ARBV is reduced, improving efficiency so it can be more focused on consumer protection and practitioner compliance; and
5. Provisions introduced by the Building Legislation Amendment and Other Matters Act 2024 (BLAOM Act), and other amendment Acts, are enabled.

We support these objectives. This submission demonstrates that achieving them requires attention to the employment context within which the majority of Victorian architects practise.

### 1.2 The Employment Reality: Australian Evidence

The architecture sector is characterised by small to medium practices and project-driven workloads. According to the Australian Institute of Architects, the profession comprises approximately 14,500 members nationally, with the majority working as employees rather than principals.

Research conducted by Parlour, the Association of Consulting Architects, and the Australian Institute of Architects provides extensive evidence about working conditions in Australian architecture.

**Parlour Wellbeing of Architects Practitioner Survey (2021), 2,066 respondents:**

- 86 percent of architects reported the amount of work required of them had a mild or strong negative effect on their wellbeing, with unpaid overtime identified as a key contributing factor
- Researchers found that architects work beyond contracted hours weekly or daily, not occasionally, indicating “something systemic going on”
- Respondents recorded personal wellbeing scores significantly below the Australian average (60 versus 74 national average in 2023)
- 42 percent reported their work in architecture had a detrimental overall impact on their wellbeing
- Respondents reported “surprisingly low personal wellbeing scores, elevated levels of psychological distress and higher-than-average levels of burnout”

**Parlour Wellbeing of Architects Research (2021–2023):**

- More than one-third of respondents reported their actual weekly work time exceeded 45 hours, and almost 10 percent worked more than 55 hours per week
- The research explicitly links low fees and unrealistic deadlines to unpaid labour and exploitation of younger workers

**Association of Consulting Architects:**

- The ACA President has observed that despite the existence of the Architects Award 2020 with “minimum pay, specified hours and restrictions on unpaid internships,” the profession still experiences “unpaid overtime, unrealistic expectations and pressures to meet impossible deadlines”
- The ACA National Salary Survey (2022) found that “some practices appear to still be paying below the minimums stipulated by the Architects Award”
- 7.8 percent of practices were paying students below the Award rate in 2022
- The ACA warns that “underpaying staff is illegal and breaching the Award can incur hefty fines”

ACA surveys have identified that a significant proportion of practices lack formal resource management systems, contributing to “a culture of long hours and unpaid overtime”

**Australian Institute of Architects:**

- The AIA’s summary of The State of Wellbeing in the Architectural Profession (based on 2021 and 2023 surveys) records “poor and deteriorating scores for personal wellbeing and psychological distress,” stating that architects rate “substantially lower than the Australian average on the Personal Wellbeing Index”

- The AIA Diversity and Inclusion Survey (2023, 1,673 respondents) found 31 percent of female respondents combined a career in architecture with a caring role, compared to only 6 percent of male respondents
- 65 percent of women reported that taking parental leave hindered their career prospects (compared to 10 percent of men)
- The Acumen practice note on gender equity confirms that “the participation rate and progression of women in architecture is disproportionately low compared with the number of female graduates and other professions”

### 1.3 The Architects Award 2020: Legal Obligations

The Architects Award 2020 [MA000079] establishes clear minimum standards for employed architects:

- **Standard hours:** Full-time employees are entitled to a 38-hour work week (Part 3 - 12.1)
- **Overtime compensation:** Hours worked beyond 38 must be compensated at overtime rates of 150 percent for the first two hours and 200 percent thereafter (Part 5 - 17.1)
- **Minimum wages:** The Award prescribes minimum weekly rates for each classification level, currently ranging from \$1247.90 for Graduate of Architecture to \$1,532 for Level 2(b)—Registered Architect - 2nd pay point (Schedule B, as at January 2026)

As the Australian Institute of Architects has confirmed, *“full-time employees are entitled to a 38-hour work week, and hours beyond this must be compensated at overtime rates.”*

The documented prevalence of unpaid overtime in architecture represents systematic breach of legally binding Award conditions.

### 1.4 Workplace Exploitation Undermines Consumer Protection

The Regulatory Impact Statement identifies “consumer protection” as a core objective. It fails to recognise that workplace conditions directly affect the quality and safety of architectural services.

Architects working excessive unpaid hours experience:

- Fatigue-related errors in design and documentation
- Insufficient time for proper site supervision and quality control
- Inability to maintain current knowledge through CPD
- Burnout affecting professional judgment

The Wellbeing of Architects research found architects rating significantly lower than the Australian population average for wellbeing, with elevated psychological distress and burnout. Public health research consistently demonstrates that productivity declines and error rates increase beyond 50 hours per week.

A regulatory framework that intensifies individual obligations while ignoring systematic workplace exploitation does not protect consumers. It creates the conditions for professional failure.

## 1.5 The ARBV's Own Findings

The ARBV's Strengthening Compliance Culture in the Architecture Sector report (June 2025) provides critical context for this submission. The ARBV found:

- 40 percent of architects audited in 2023 had not satisfactorily completed their CPD obligations
- This figure rose to 50 percent in 2024
- *"Compliance issues do exist within the architecture profession"*
- Contributing factors include *"project complexities, unclear roles and responsibilities, and commercial pressures"*

The ARBV report correctly identifies that *"a focus on compliance culture, which goes to the root causes of non-compliance, is necessary to drive lasting change."*

We submit that workplace conditions are among those root causes. The commercial pressures the ARBV identifies are created by director decisions about fees, resourcing and working conditions. A regulatory framework that addresses only individual compliance while ignoring the structural conditions that make compliance impossible will not achieve lasting change.

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## PART 2: Director Responsibilities and Professional Conduct

### 2.1 The ARBV's Published Guidance on Professional Duties

The ARBV's published guidance on Architects' Overarching Duties confirms that architects owe duties of:

- Care and competence
- Honesty and integrity
- Compliance with all applicable laws, including health and safety, planning regulations, and (by extension) employment law

These duties underlie the argument that repeated workplace law breaches by architect-employers should be treated as conduct inconsistent with professional standards.

## **2.2 Wage Theft by Architect-Directors Is Already Inconsistent with Professional Standards**

The Code of Professional Conduct requires architects to “comply with all applicable Victorian and Commonwealth laws” (Schedule 1, Clause 2(1)). The Fair Work Act 2009 and Architects Award 2020 are Commonwealth laws. Systematic non-payment of overtime by architect-directors is, on its face, already conduct inconsistent with the Code.

The ACA National Salary Survey has consistently found practices paying below Award minimums. The 2022 survey explicitly states that “some practices appear to still be paying below the minimums stipulated by the Architects Award.”

This represents more than incidental non-compliance. From 1 January 2025, intentional wage underpayment became a criminal offence under Commonwealth law, with potential sanctions including imprisonment and significant financial penalties.

Many of the directors orchestrating this underpayment are registered architects. Yet the Exposure Draft treats director obligations identically to employed architects, without explicit recognition that directors who systematically breach workplace laws, or who create conditions that prevent employees from meeting professional obligations, are engaging in conduct that undermines the profession’s integrity.

## **2.3 Director Control Over Employee Compliance**

Architect-directors and principals make decisions that directly affect their employees’ capacity to comply with professional obligations. These decisions include:

- Fee structures and project budgets that determine available time for quality work
- Staffing levels and workload allocation
- Whether CPD is supported with paid time and funding
- Whether client agreements comply with Code requirements
- Whether overtime is paid in accordance with the Architects Award

The ARBV’s compliance culture research acknowledges that “commercial pressures” contribute to compliance issues. Director decisions about fees, resourcing and working conditions create those commercial pressures for employed architects.

When a practice consistently undercharges, employees bear the consequences through unpaid overtime and insufficient time to maintain professional standards. When directors fail to provide time or resources for CPD, employees face disciplinary consequences for the resulting non-compliance.

Individual compliance is required, but organisational control determines whether compliance is possible.

## 2.4 Recommendation: Clarify Director Responsibilities

We recommend that the Code of Professional Conduct be amended to include, under Division 1 (General practice standards), a new clause clarifying director and principal responsibilities:

### Director and Principal Responsibilities

An architect who is a director, partner or principal of a practice must:

(a) provide employees with reasonable time and resources to meet obligations under this Code and the Regulations, including CPD requirements and maintenance of professional competence;

(b) not direct or permit practices that would cause employees to breach this Code or compromise their ability to deliver services to the standard required by this Code.

### Rationale for this formulation:

- **Focuses on professional obligations:** This clause addresses the professional dimension of director responsibilities, enabling employees to meet Code and Regulatory requirements, rather than duplicating general workplace law
- **Responds to ARBV's own findings:** The ARBV compliance culture report identifies "commercial pressures" as a root cause of non-compliance. This clause directly addresses that finding
- **Narrows scope appropriately:** The clause concerns enabling employees to meet professional standards, not general employment conditions
- **Clarifies rather than creates:** This articulates what is already implicit in the requirement to comply with the Regulations, that directors who control practice operations have responsibilities flowing from that control
- **Aligns with ARBV published duties:** The ARBV's Overarching Duties guidance already establishes that architects must comply with all applicable laws and act with honesty and integrity

### Enforcement pathway:

- Employed architects or unions may lodge complaints with the Board regarding practices that prevent Code compliance
- Board investigations would examine whether directors provided reasonable resources for professional obligations
- Disciplinary outcomes could include reprimand, practice audit requirements, conditions on registration, or more serious sanctions for systematic breaches
- This creates professional accountability within the existing disciplinary framework

## **PART 3: CPD Framework and Compliance**

### **3.1 The CPD Requirements**

Part 4 of the exposure draft mandates that practising architects complete 20 CPD points each financial year, with at least half obtained through formal learning activities. Points are earned at one point per hour of participation.

We support mandatory CPD as essential to maintaining professional competence. The framework does not adequately address the structural barriers to compliance that contribute to the 40–50 percent non-compliance rate identified by the ARBV.

### **3.2 CPD Is Additional Work Beyond Normal Practice**

The WA Architects Board CPD FAQ (aligned with national standards) confirms that architects must complete 20 CPD points per year (approximately 20 hours). The FAQ states that informal CPD points “must be in addition to activities already undertaken in the normal course of practice or employment.”

This has significant implications:

- Employers cannot claim that normal project work counts toward employees’ CPD obligations
- CPD hours are inherently extra hours beyond contracted work
- The 20-hour CPD requirement represents 20 additional hours of professional activity each year

For architects already working 45–55 hours per week (37 percent and 8 percent respectively, per Parlour research), requiring an additional 20 hours of CPD outside paid time effectively mandates further unpaid labour.

### **3.3 CPD as Mandatory Training Under the Fair Work Act**

The legal position on mandatory training is clear. Employment law authorities confirm:

- Employees are entitled to payment for any mandatory training
- If training occurs outside normal hours, it must be treated as additional hours and typically paid at overtime rates
- Under the Fair Work Act, employees must be paid for hours dedicated to training, including mandatory training outside normal hours

CPD is mandatory for architects to maintain their registration. Registration is required by employers to deliver architectural services. CPD is effectively mandatory training directed by the employer.

Where an employer requires an employee to maintain registration as a condition of employment, and that registration requires CPD completion, the employer is directing the employee to undertake mandatory training. Under the Fair Work Act and the Architects Award, this training time should be paid.

Yet the Exposure Draft and RIS proceed on the assumption that CPD is an individual responsibility with no employer obligation. This assumption is inconsistent with established employment law principles.

### **3.4 The Causal Link: Workplace Conditions Drive CPD Non-Compliance**

The ARBV reports 50 percent CPD audit non-compliance in 2024. Simultaneously, Parlour research documents 86 percent of architects experiencing negative wellbeing impacts from workload demands, with unpaid overtime occurring weekly or daily. These problems are directly connected.

Architects working 50–60 hour weeks without compensation have no capacity to complete an additional 20 hours of CPD outside paid time. Those working in practices that refuse to pay overtime are unlikely to receive paid time or funding for professional development. The RIS characterises CPD non-compliance as a “competency gap” requiring increased enforcement. This diagnosis fundamentally misunderstands the problem.

CPD non-compliance is not primarily a failure of individual competence. It is a predictable consequence of systematic workplace conditions.

Increasing enforcement against individual architects without addressing the employment conditions that make compliance impossible will:

- Punish architects for circumstances substantially beyond their control
- Create further financial hardship through disciplinary penalties
- Drive competent architects out of the profession
- Fail to improve actual professional standards

### **3.5 Internal Inconsistency in Pro-Rata Provisions**

Regulation 28(2) already recognises the pro-rata principle, allowing architects registered for only part of a year to complete CPD proportionate to that period. This provision does not extend to architects working part-time hours.

The logic underpinning Regulation 28(2), that compliance obligations should reflect actual time engaged in practice, applies equally to practitioners working part-time. If the Board accepts that an architect registered for 6 months should complete 10 CPD units rather than 20, the same principle supports an architect working 0.6 FTE completing 12 units.

The current framework creates an internal inconsistency: time-based pro-rata is recognised, but hours-based pro-rata is not.

An architect working three days per week pays the same renewal fee and must complete the same 20 CPD hours as an architect working full-time. This disproportionately affects practitioners with caring responsibilities, predominantly women, and contributes to the persistent gender imbalance in the profession.

### **3.6 Recommendations**

#### **Recommendation 1: Pro-Rate CPD for Part-Time Practitioners**

We recommend amending Regulation 28 to provide:

Architects working less than 0.6 FTE (24 hours per week average) may complete CPD pro-rata to hours worked, with a minimum threshold of 10 CPD units annually (including at least 5 formal learning units).

**Verification mechanism:** Part-time status would be verified through statutory declaration at renewal, subject to audit consistent with existing CPD compliance processes. This imposes minimal administrative burden while ensuring equitable treatment.

#### **Recommendation 2: Recognise CPD as Mandatory Training**

We recommend that Board guidelines and materials explicitly state:

CPD undertaken at an employer's direction or as a requirement of continued employment should be treated as mandatory training under the Fair Work Act 2009 and the Architects Award 2020. Where CPD is required to maintain registration, and registration is required by the employer, CPD time should be paid at ordinary rates (if during normal hours) or overtime rates (if outside normal hours).

This does not create a new obligation. It clarifies the application of existing employment law to CPD requirements.

### **Recommendation 3: Ensure Accessible CPD Options**

When making determinations under Regulation 32, the Board should be required to ensure that:

- At least 50 percent of approved formal learning activities are available at no cost or for less than \$100 per CPD unit
- Approved activities include online options accessible to regional practitioners
- At least one activity addressing NCC compliance is offered quarterly in online format

This ensures CPD requirements do not create financial barriers for early-career or part-time practitioners, and supports the RIS objective of improving NCC compliance across the profession.

### **Recommendation 4: Meaningful Union Consultation**

Regulation 31 requires the Board to consult with “relevant architecture industry stakeholders” before making determinations about additional CPD requirements. Regulation 31(4)(b)(ii) explicitly includes “a union which represents practising architects” among relevant stakeholders.

Union consultation should occur not only for additional CPD requirements under Regulation 30, but also when the Board develops guidelines and determinations about CPD activities under Regulation 32.

## PART 4: Individual Cost Burden and Distribution

### 4.1 Quantifying the Compliance Cost Burden

Over a 40-year career, an employed practising architect faces significant compliance costs:

| Cost Component                   | Annual Cost      | 40-Year Total    | % of Total |
|----------------------------------|------------------|------------------|------------|
| CPD (RIS estimate)               | \$5,250*         | \$210,000        | 73%        |
| Professional indemnity insurance | \$1,500 (est.)** | \$60,000         | 21%        |
| Registration fees                | \$403            | \$16,138         | 6%         |
| <b>Total</b>                     | <b>\$7,153</b>   | <b>\$286,138</b> | 100%       |

\*CPD cost estimate attributed to the Regulatory Impact Statement. \*Insurance estimate based on industry averages and varies by coverage level and claims history.

Sources: Fee calculation based on 24 fee units × \$16.81 (Victorian Government Gazette S245, 22 May 2025).

These costs are borne individually despite primarily benefiting employers, who derive commercial value from employees' registration, professional competence, and insurance coverage.

### 4.2 Impact on Early-Career Architects

For a graduate of architecture earning \$65,099–\$71,982 annually (Award minimum rates for Level 1 classifications as of January 2026), the first-year compliance burden of approximately \$7,150 represents 9–10 percent of gross income. This is paid from after-tax income, meaning the effective pre-tax equivalent is approximately 13–15 percent of earnings.

Registration fees, while representing only 6 percent of total compliance costs, are part of a cumulative burden that disproportionately affects:

- Part-time practitioners (who pay full fees for partial practice)
- Early-career architects on Award-minimum salaries
- Those returning from career breaks
- Regional practitioners with higher CPD travel costs

### **4.3 Cost Distribution Inequity**

The Exposure Draft places compliance costs solely on individual architects, regardless of employment status. Employed architects must fund their own registration, CPD, and insurance contributions from after-tax income, while the value of their registration and competence accrues primarily to their employers.

This cost distribution is inequitable. When an employed architect's registration enables their employer to offer architectural services and charge professional fees, the employer derives commercial benefit from that registration. Yet the regulatory framework imposes no corresponding expectation that employers support their employees' compliance.

### **4.4 Recommendation: Strengthen Hardship Provisions**

Regulation 36 provides that fees may be "reduced, waived or refunded in whole or in part if the Board is satisfied that payment of the fee will cause a person to suffer financial hardship."

We recommend that hardship criteria be defined and published. These criteria should be published on the ARBV website with application processes clearly outlined. Financial hardship for purposes of Regulation 36 should include:

### **4.5 Recommendation: Pro-Rate Fees for Part-Time Practitioners**

We recommend that the fee structure allow reduced renewal fees for architects working below a specified hours threshold (e.g., 0.6 FTE), consistent with the pro-rata principle already established in Regulation 28(2) for CPD.

| Circumstance                                                     | Evidence Required                             | Recommended Relief                  |
|------------------------------------------------------------------|-----------------------------------------------|-------------------------------------|
| Unemployment or redundancy                                       | Centrelink statement or statutory declaration | Fee waiver for 12 months, renewable |
| Parental leave or carers leave                                   | Statutory declaration confirming leave status | Fee waiver during leave period      |
| Serious illness or disability                                    | Medical certificate                           | Fee waiver with annual review       |
| Part-time employment below 0.4 FTE (16 hours/week)               | Statutory declaration                         | 50% fee reduction                   |
| Annual income below Award minimum for Level 1 Graduate Architect | Tax return or payslip evidence                | 50% fee reduction                   |

## PART 5: Disciplinary Powers and Procedural Fairness

### 5.1 Immediate Suspension Powers

Regulation 35 provides that the Board may “immediately suspend” an architect’s registration if they contravene section 17C of the Act (failure to maintain required insurance).

We acknowledge the consumer protection rationale for this power. Clients and the public should not be exposed to risk from uninsured practitioners.

Suspension has severe consequences for an employed architect. It may result in termination of employment, reputational damage, and inability to practise while the matter is resolved.

### 5.2 Distinguishing Circumstances

Not all insurance lapses are equivalent. Regulation 35 does not distinguish between:

- **Willful non-compliance** (fraud, deception, deliberate non-renewal), where immediate suspension is justified
- **Administrative lapses or circumstances beyond the architect’s control** (employer failure to renew policy, payment processing delays, administrative error), where notice and opportunity to remedy would better serve regulatory objectives

### 5.3 Recommendation: Graduated Response with Procedural Fairness

We recommend that Regulation 35 be amended to provide:

**Immediate suspension without notice** reserved for cases involving:

- Fraud or deception regarding insurance status
- Refusal to obtain insurance after written direction
- Imminent risk to public safety

**For other insurance contraventions**, a graduated response:

- Written notice of the alleged contravention and evidence relied upon
- 14 days for the architect to respond, provide explanation, or remedy the contravention
- Consideration of whether the contravention resulted from circumstances beyond the architect's control
- Written reasons for any suspension decision
- Confirmation of right to seek review by VCAT under Architects Act s.55

This approach balances consumer protection with procedural fairness and aligns with graduated enforcement approaches in other professional regulatory frameworks.

### 5.4 Recommendation: Protect Architects from Adverse Action

We recommend inserting a new provision making it conduct inconsistent with professional standards for an architect, approved partnership or approved company to take adverse employment action (dismissal, demotion, harassment) against an architect because they:

- Refused to perform work that would breach the Act, Regulations or Code
- Refused to falsify timesheets or under-record hours
- Asserted entitlement to overtime payment under the Architects Award
- Reported suspected contraventions to the Board or Fair Work Ombudsman
- Requested time or resources to meet CPD obligations

This aligns professional regulation with Fair Work Act general protections and ensures architects can exercise professional duties without career destruction.

## PART 6: Equity and Access

### 6.1 Gender and Caring Responsibilities

As documented in Part 1, women in architecture disproportionately bear caring responsibilities and are more likely to work part-time. The profession continues to experience significant gender attrition, with women leaving at higher rates than men despite entering in near-equal numbers.

The Acumen practice note on gender equity confirms that “the participation rate and progression of women in architecture is disproportionately low compared with the number of female graduates and other professions.”

Parlour research has documented that:

- Women’s representation in the profession remains significantly below their graduation rates, with Parlour census analysis showing persistent gender attrition
- The “long hours culture” creates particular barriers for those with caring responsibilities
- Flexibility is often accommodated for some purposes (e.g., study, teaching) but not for family commitments

Fixed fees and CPD requirements that do not account for part-time work effectively penalise those who cannot sustain full-time hours.

## **6.2 Regional and Socioeconomic Access**

Early-career architects on modest salaries face significant compliance costs. Graduate architects under the Architects Award 2020 earn minimum salaries that, while above the national minimum wage, leave limited capacity for professional expenses after tax and living costs.

Regional architects face additional barriers, including higher travel costs for CPD activities and limited local options for formal learning.

## **6.3 Recommendation: Demographic Data Collection**

We recommend that the Board collect and publish demographic data to monitor equity impacts. Data collection should:

- Be voluntary and anonymous, collected through the online renewal portal
- Use ABS standard categories for gender and cultural background
- Include: hours worked per week, caring responsibilities (yes/no), region (metropolitan/regional/remote)
- Be published annually in aggregated form
- Inform the mid-term review (2029–2031) as specified in the RIS evaluation plan

This data is essential to assess whether pro-rata and hardship provisions effectively address equity concerns and whether the regulatory framework operates fairly for all practitioners.

## **PART 7: Regulatory Consolidation Context**

We note that the ARBV will be absorbed into the Business and Professions Regulator alongside surveyors and veterinarians, and that the VBA, VMIA and DBDRV are consolidating into the Building and Plumbing Commission.

This consolidation creates an opportunity to ensure consistent standards across construction professions. Professional conduct requirements that recognise the employment context, including expectations that employers support employee compliance, should be standard across all professions within the new regulatory structure.

Establishing these principles in the Architects Regulations 2025 creates a model for broader application across the consolidated regulatory framework.

## **PART 8: Consultation Process**

We note that the consultation period (closing 2 February 2026) spans the summer holiday period when many practices are closed or operating with reduced capacity. While we have prepared this submission within the timeframe, the compressed period may limit the breadth of stakeholder input.

We welcome ongoing engagement with the Department and ARBV as the regulations are finalised. Professionals Australia is committed to constructive participation in regulatory processes that affect our members.



## CONCLUSION

The Architects Regulations 2025 present an opportunity to strengthen consumer protection while supporting the practitioners who deliver architectural services. The evidence from Australian research is unambiguous:

- 86 percent of architects report negative wellbeing impacts from workload demands
- More than one-third work more than 45 hours per week, and almost 10 percent work more than 55 hours
- 50 percent of architects audited failed CPD compliance in 2024
- Practices continue to pay below Award minimums despite this being unlawful
- Women with caring responsibilities face systematic disadvantage
- The ARBV itself identifies “commercial pressures” as a root cause of non-compliance
- CPD is required to be “in addition to” normal practice activities, yet employers routinely fail to provide time or resources

These problems are interconnected consequences of a regulatory framework that mandates individual compliance while ignoring the organisational conditions that determine whether compliance is possible.

The Association of Consulting Architects has acknowledged that despite the Architects Award specifying minimum pay and conditions, the profession still experiences “*unpaid overtime, unrealistic expectations and pressures to meet impossible deadlines.*” This acknowledgment from an industry body representing employers demonstrates that the problem is recognised across the profession.

Addressing this structural gap through clearer director responsibilities, recognition of CPD as mandatory training, pro-rata requirements for part-time practitioners, strengthened hardship provisions, and procedural fairness protections will improve compliance outcomes while supporting the equity and accessibility of the regulatory framework.

Without these amendments, the Regulations will intensify individual obligations while leaving the structural barriers to compliance unaddressed. This will not improve professional standards. It will punish architects for circumstances substantially beyond their control, drive competent practitioners from the profession, and ultimately fail the consumer protection objective.

Professionals Australia commends this submission to the Department and welcomes the opportunity for further engagement.



# REFERENCES

## Legislation and Regulations

- Architects Act 1991 (Vic)
- Architects Regulations 2015 (Vic)
- Architects Regulations 2025 (Vic), Exposure Draft
- Architects Award 2020 [MA000079]
- Building Legislation Amendment and Other Matters Act 2024 (Vic)
- Fair Work Act 2009 (Cth)
- Fair Work Legislation Amendment (Closing Loopholes No. 2) Act 2024 (Cth), wage theft provisions

## Government and Regulatory Documents

- Victorian Government Gazette S245, 22 May 2025 (fee unit values)
- Architects Registration Board of Victoria, *Strengthening Compliance Culture in the Architecture Sector* (June 2025)
- Architects Registration Board of Victoria, *Architects' Overarching Duties*, <https://www.arbv.vic.gov.au/culture-compliance/architects-overarching-duties>
- Architects Registration Board of Victoria & NSW Architects Registration Board, *Systemic Risks in the Australian Architecture Sector* (2022)
- Department of Transport and Planning, *Regulatory Impact Statement: Architects Regulations 2025* (December 2025)
- Better Regulation Victoria, *Assessment of Architects Regulations 2025* (24 December 2025)
- WA Architects Board, *CPD FAQ (Info Sheet 07)*, <https://architectsboard.org.au/wp-content/uploads/2025/08/Info-Sheet-07-FAQ-re-CPD-2025.pdf>

## Research and Reports

- Parlour, *Wellbeing of Architects Practitioner Survey* (2021), 2,066 respondents
- Parlour, *Wellbeing of Architects Practitioner Survey* (2023), follow-up survey with wellbeing score findings
- Parlour, *Wellbeing of Architects Focus Group Report* (2022)
- Parlour, *Guides to Wellbeing in Architecture Practice* (2024)
- Association of Consulting Architects Australia, *National Salary Survey* (2022), Award compliance and gender pay gap findings
- Association of Consulting Architects Australia, *National Salary Survey* (2023)
- Association of Consulting Architects Australia, "When Will Architects Be in the Firing Line?" (President's comment), <https://aca.org.au/when-will-architects-be-in-the-firing-line/>
- Australian Institute of Architects, *The State of Wellbeing in the Architectural Profession*, <https://www.architecture.com.au/archives/reading-architecture/the-state-of-wellbeing-in-the-architectural-profession>
- Australian Institute of Architects, "Architects Award Update: What Employers and Employees Need to Know", [https://www.architecture.com.au/archives/news\\_media\\_articles/architects-award-update-what-employers-and-employees-need-to-know](https://www.architecture.com.au/archives/news_media_articles/architects-award-update-what-employers-and-employees-need-to-know)
- Australian Institute of Architects, *Diversity and Inclusion in the Architectural Profession Survey* (2023), 1,673 respondents
- Australian Institute of Architects, *Gender Equity Policy*
- Acumen Practice Notes, "Gender Equity", <https://acumen.architecture.com.au/practice/human-resources/gender-equity>
- Parlour, *Equity and Diversity in the Australian Architecture Profession: Women, Work and Leadership* (ARC Linkage Project)

## Industry Bodies

- Australian Institute of Architects: [www.architecture.com.au](http://www.architecture.com.au)
- Association of Consulting Architects Australia: [www.aca.org.au](http://www.aca.org.au)
- Parlour: Women, Equity, Architecture: [www.parlour.org.au](http://www.parlour.org.au)
- The Wellbeing of Architects research project: [www.thewellbeingofarchitects.org.au](http://www.thewellbeingofarchitects.org.au)

