

ABE Irish Branch (formerly the Incorporated Association of Architects & Surveyors)

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16th January, 2004

The Competition Authority
Parnell House
14, Parnell Square
Dublin 1

Attention: Reuben Irvine

A Chairde,

Re: **Study of Competition Professional Services in Ireland
Consultation Document 2 Architects**

Thank you for permitting me and my colleague Dan O'Riordan to meet with your officers Dermot Nolan and Reuben Irvine on the 8th January to discuss the above

Enclosed as promised are brief notes on some of the matters discussed

We confirm that we are available to meet at your convenience discuss any points which may require further clarification

Yours sincerely



Michael H Cassidy Dip Arch (IAAS) FCSD FIAA
Chairman Irish Branch
Vice President ABE (formerly the Incorporated Association of Architects and Surveyors)

NOTES IN CONNECTION WITH THE PRELIMINARY REPORT FROM THE
COMPETITION AUTHORITY ON ARCHITECTS BY DAN O'RIORDAN

1. Because the Government allows the proposed amendment to the Architect's Directive, 85/384, to be defeated the "overlooked" and "grandfather" Architects have no opportunity to practice in the EU, outside Ireland, other than through membership of RIAI.

The RIAI has agreed to open up membership of the Institute to those qualified for membership of the proposed Register. This would considerably increase the number of Architects qualified to practice in Ireland and the EU.

The Architect members of the IAAS/ABE Irish Branch have accepted the foregoing and are satisfied with the safeguards proposed by the DOE.

2. At present there is nothing to prevent clients from seeking alternative fee estimates from Architects. A source of independent information for the public will be important.

3. It is important to note there will be no pressure on Architects qualified to join the Register to also join the RIAI, except if they wish to practice in the EU.

4. Section 4 of the Competition Act 2002 should take care of any concern that the RIAI will manipulate circumstances to suit their members even in an expanded institute.

5. Registration should eliminate the current practice where non RIAI Architects in private practice must employ an RIAI member and pay a premium to the RIAI to obtain company recognition.

6. The present situation where non-nationals can obtain membership of the RIAI and take up employment in Ireland and non-RIAI Irish architects may have considerable difficulty, if not total exclusion, from some Government Departments and Organisations.

7. Registration would level the playing field and eliminate the discrimination which the minister's most recent letter has tried to address.

8. The Building Regulations and Certificates of Compliance should improve quality and control. However co-operation and exchange of information on a formal basis between Architects and Building Control Departments must be improved and formalised.

3.24 A Certificate of Compliance is about Planning Conditions and not Building Regulations unless specifically raised in a Planning condition.

The proposal to impose mandatory requirements on Architects to "sign off" on the work of Building Contractors, developers and other consultants would be unreasonable and does not take into account insurances, qualifications and increased costs for time.

Note At present Local authorities require consultants to be members of certain bodies, to confirm qualifications and evidence of Professional Indemnity Insurance for certification of some planning conditions.

10. How does the competition authority see itself being able to support non RIAI Architects to ensure elimination of discrimination in the event that a register is abandoned

3.40 11 What Architects have not been consulted? Why did they not apply for registration or apply for inclusion on the "Ministers List".

12. At present the public are not faced with a problem regarding alternative fee quotations. However it appears there is a problem with identification of a qualified architect to carry out their project and to certify satisfactory completion to meet the requirements of solicitors, local authority planning building control and fire departments and financial institutions. The establishment of a register would ensure at least minimal qualifications for architects and the client can then seek additional experience or qualifications should this be necessary and would again be in a position to compare fees for specific project work.

The government could also at least promote the basics of the register, policy, admin. etc. and inform the public where the information is available from a central national office. the public would have a central information centre and not have to rely on local individuals and would open up the competitive element.

13. Control proposed for non-Architects?

People who can overcharge for minimum works without being qualified to carry out full requirements for a project and where a client may not be sufficiently informed on what is required.