

## **BCSLA & Professional Governance Act (PGA) Frequently Asked Questions**

The following Questions and Answers apply to the [Professional Governance Act](#). Answers provided with the assistance of the Office of the Superintendent of Professional Governance (OSPG)

### **Practice**

1. What is the impact of the PGA on Landscape Architecture in BC if the BCSLA's application for designation is not approved?

The BCSLA would continue to regulate title under the existing Architects (Landscape) Act as it does today.

2. Would the BCSLA apply for reserved practice under the PGA?

Yes, likely with a recommendation that if reserved practice were to be granted, that it aligns with areas of regulated practice in jurisdictions with existing practice acts in landscape architecture, such as the USA. The OSPG offers information on these measures for the regulatory bodies:

<https://professionalgovernancebc.ca/app/uploads/sites/498/2021/09/practice-rights-key-messages-with-QAs-20210903.pdf>

3. Will the PGA affect Landscape Schedules L and CL?

Any changes to the BCSLA Schedules of Assurance would depend on whether the BCSLA is designated and is granted Reserved Practice, and how such changes may relate to the BC Building Code and municipal bylaws and policies.

4. Will BCSLA be included on the list of professionals for QEP's (Qualified Environmental Professionals) like the five that are included now?

Landscape architects are not currently included in this regulatory definition, and decisions made about changes to such practice are made by the Ministries.

5. Would designation under the PGA clarify the overlapping and intersecting areas of practice between landscape architects and collateral professions?

Designation would provide for the continuation of existing title rights held by landscape architects. Any future establishment of reserved practice under the PGA will be contingent on establishing the required technical knowledge and experience in areas where it is in the public interest for a qualified professional to have exclusive rights. Any overlapping or intersecting areas of practice would be defined as part of this process.

6. Do you see municipalities standardizing their requirements and bylaws in response to the PGA?

Municipal requirements and bylaws are established, and revised, where necessary, by the municipalities themselves. The role of the OSPG is to ensure information and implications of the PGA is shared and understood.

## **BCSLA & PGA (continued)**

### **Questions and Answers**

#### **Risk**

7. Why is the BCSLA applying to be regulated under the PGA?

The BCSLA sees value in bringing its regulatory functions under the new legislation to rationalize them with a common set of standards and requirements, and to improve coordination of professional responsibility in the public interest.

8. What kind of discussions will the BCSLA have with the other professions already designated under the PGA?

The BCSLA will continue to have follow up discussions with the professions recently designated to better understand the changes that will impact BCSLA members in their day-to-day practice. It will be important to explore intersections and alignments between professions and ensure that identified areas of collaboration are resourced.

9. Landscape architects work in areas that are potentially shared between disciplines, many of which are related to climate change. Do you have a sense of how this work may be interpreted?

The OSPG recognizes emerging areas of responsibility and offers suggestions for general standards of competence in bylaws and technical standards. While each professional offers knowledge and expertise in their own area of practice, it is important to have a shared understanding of when to involve another discipline. Consistency in Codes of Ethics and conduct offered by the PGA are important for multidisciplinary teams.

10. In your conversations with existing and imminent PGA members, did you get any sense that there might be opposition to designating Landscape Architecture. Previous efforts to gain a Practice Act were opposed.

The decision to designate rests with government. Existing regulatory bodies do not play a part in these decisions. Regardless, the BCSLA has been receiving consistent support and encouragement from the other professions.

11. The government has stated that the PGA was brought about to 'restore faith 'in resource development and to regulate and protect public interest, health and safety'. How does this relate to landscape architectural practice?

The central purpose of regulation is to address risks to the public and the environment. The areas of risk in landscape architectural practice are well understood in case law and are outlined in detail in the BCSLA's application to the OSPG.

#### **Internship**

12. Will the BCSLA's examination and intern admission processes change?

The OSPG has indicated that they will take a hands-off approach to the management of a profession and only play a role when they see or anticipate issues that conflict with the new law.

**BCSLA & PGA (continued)**  
**Questions and Answers**

**Governance**

13. Why might the BCSLA want both a Title Act and a Practice Act?

Regulating use of title and practice are separate responsibilities and relate to different areas of regulation and oversight. A Title Act (Regulated Practice) regulates the use of title without defining specific areas of practice, whereas Reserved Practice defines aspects of the practice which call for qualified individuals to address health and safety and environmental protection. This also increases interdisciplinary recognition of the areas of work and respective responsibilities.

14. With respect to advocacy, how would the restructuring of BCSLA's committees affect the Public and Professional Relations Committee and the Sitelines Magazine Editorial Board? Would the magazine be discontinued or otherwise impacted?

Regulatory bodies need to assess their programs and ensure they have a documented rationale for compliance with the advocacy requirements in the PGA. A future task for the BCSLA will be to assess its programs to ensure their alignment with the framework:

<https://professionalgovernancebc.ca/app/uploads/sites/498/2021/02/2020-GD-02-Advocacy-Framework-Web-20210205.pdf>

15. Would there be a Board of Examiners if the BCSLA is designated as a regulator under the PGA?

As the BCSLA Board of Examiners is a requirement of the Architects (Landscape) Act, the OSPG would determine any changes as part of designating the BCSLA under the PGA and repealing the current enabling legislation.

16. Who will be responsible for drafting BCSLA bylaws under the PGA?

The BCSLA would draft new bylaws to comply with the Act before they are reviewed by the OSPG for compliance. The bylaw approval process under the PGA does not require ratification by the membership of the individual regulatory body.

17. Could you give us the major changes (if any) to the BCSLA bylaws?

The bylaws would be revised to ensure compliance with the Professional Governance Act {PGA}, and are likely to include:

- Additional responsibilities for both registrants and firms.
- Increased emphasis on the public interest.
- Changes to committees and their responsibilities.
- The structure and responsibilities of the Board of Directors would be changed and the body would become a Council.

## **BCSLA & PGA (continued)**

### **Questions and Answers**

18. How would the appointment of and term limits for BCSLA Directors change?

Future Councilors (7 registrants, 4 lay / non registrants, and 1 non-voting) would be elected from a slate of candidates preselected by a new Nominations Committee in accordance with principles prescribed by the Lieutenant Governor in Council. Prescribed terms of office defined by Section 24 of the Act dictate staggered terms of office to ensure continuity of leadership.

19. Does CSLA have any role in this matter?

No. As a national body the CSLA focuses on advocacy, coordinating information and continuing education opportunities between the component organizations, and providing services such as the Landscape Architectural Accreditation Council (LAAC).

### **Registration / Membership**

20. Would the categories of Landscape Architects - Registered LAs and LAs- be combined under the PGA?

Specific professional designations and responsibilities would be confirmed as new bylaws are drafted.

21. Will our annual fees increase?

If the BCSLA is designated under the PGA there will be changes to the budget with both increase and decreases in costs and revenue, but it is too early to know whether this will affect professional dues.

22. How would designation under the PGA affect Landscape Architects across Canada?

In Canada professions are regulated by the provinces and territories, and as a provincial law, the PGA is applicable only to British Columbia. The current reciprocity requirements for applicants from outside BC would be unlikely to change. Given that the BCSLA maintains consistent standards for reciprocity and labour mobility, no change would be anticipated.

23. Would all the LA chapters in the province be regulated by the PGA?

All Regional Chapters fall under the Architects (Landscape) Act and are regulated by the BCSLA. This would not change under the PGA.

24. Would the physical BCSLA stamps be replaced?

All requirements associated with physical and / or digital seals are determined by the bylaws of the regulator (in this case, the BCSLA) which would have to comply with the OSPG guidelines. However, there is no reason to expect the changes will affect professional seals.

**BCSLA & PGA (continued)**  
**Questions and Answers**

Administration

25. What would be the benefits of registering firms?

Registration of firms contributes to public transparency and supports the responsibilities borne by individual professionals. It's important to note that with the exception of the EGBC, it will be 3 to 5 years before other regulatory bodies are authorized to regulate firms.

Continuing Education

26. Would Landscape Architects be required to take indigenous awareness and or training?

Yes. The PGA describes the role of the OSPG in facilitating cultural awareness and reconciliation among regulatory bodies. This includes the requirement that continuing education programs address legal rights and principles informing engagement and reconciliation with BC First Nations.

*The BCSLA formally expressed interest in joining the PGA on May 28, 2020. The draft application was submitted on July 8, 2021. On August 20, 2021 the Office of the Superintendent of Professional Governance confirmed that it will undertake an investigation in response to the BCSLA's application for designation under the PGA. Notice of this proceeding was published in the British Columbia Gazette. This investigation is expected to last for approximately eight months. Please contact Tara Culham at the BCSLA office for more information or if you have any questions*