

# INTERNSHIP REGULATIONS

Royal Decree of 13 May 1965 approving the Internship Regulations established by the National Council of the Order of Architects as amended by the Royal Decree of 18/08/2010 (Belgian Official Gazette 25/08/2010)

**To initial on each page and to sign « for agreement » by the internship supervisor and the trainee.**  
**To be returned with the application form.**

## SCOPE OF APPLICATION

### Article 1

These Internship Regulations are applicable to all persons included on the registries of trainees held by the Councils of the Order.

### Article 2

Any person not registered with the roll of the Order and wishing to exercise the profession of architect in Belgium, either permanently or temporarily, is required to be registered with a registry of trainees.

Applications for full exemption from the internship on the basis of Article 52 of the Law of 26 June 1963 creating an Order of Architects, by reason of pursuing the profession abroad, are submitted to the Council of the Order in the jurisdiction within which the applicant intends to establish his or her principal place of business. If approved, the Council of the Order directly registers the person concerned in its roll.

## INCLUSION ON THE REGISTRY OF TRAINEES

### Article 3

Any person applying for inclusion on a registry of trainees is required to provide supporting evidence establishing that he or she meets the conditions required by the Law of 20 February 1939 on the protection of the title and profession of architect.

### Article 4

The application for registration is sent to the Council of the Order within whose jurisdiction the member of the Order with whom the applicant is planning to undertake the internship operates, or in the district in which the applicant wishes to perform the internship.

The application mentions the name and address of the member of the Order who has agreed to act as internship supervisor or, failing this, contains a request for the Council of the Order to appoint an internship supervisor.

The application for registration is accompanied by the following documents:

1. a copy 1[...] of the diploma or qualification entitling the applicant to exercise the profession of architect;
2. a certificate of good conduct;
3. a certificate of nationality.

*Legislative history*

*Subpara. 3(1) amended by Article 2 of the Royal Decree of 18 August 2010 (Belgian Official Gazette, 25 August 2010).*

**Article 5**

Upon receipt of the applicant's application, the Council of the Order sends two copies to the applicant.

The applicant returns one copy to the Council of the Order, duly signed by him or her, by way of acceptance.

**Article 6**

If, during the internship, the trainee is hired by an internship supervisor falling within the remit of a Council of the Order other than the one holding the registry of trainees on which he or she is listed, the trainee sends to the newly competent Council of the Order an application for inclusion on the registry of trainees held by this latter Council of the Order.

The file of the trainee concerned is immediately forwarded by the previously competent Council of the Order to this new Council of the Order at the request of the latter.

**Article 7**

Inclusion on the registry of trainees incurs the obligation to complete the internship and to pay the fees fixed by the National Council of the Order.

Any trainee who, for any reason whatsoever and in particular due to the performance of military service, is unable to fulfil any of their obligations, advises the competent Council of the Order which, where applicable, will delist the trainee concerned from the registry of trainees.

**ORGANISATION OF THE INTERNSHIP**

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**Article 8**

The duration of the internship is two years. It may nevertheless be extended to three years or reduced by decision of the Council of the Order making a ruling in application of Article 51 or 52 of the Law of 26 June 1963 creating an Order of Architects.

Applications to reduce the duration of the internship must be made by a reasoned request containing evidence of fulfilment of the conditions stipulated for this purpose by the law.

Only internship periods that are governed by an Internship Agreement approved by a Council of the Order, and completed in accordance with the provisions of these Regulations, can be taken into consideration for the calculation of the duration of the internship.

**Article 9**

The applicant wishing to complete all or part of the internship abroad sends his or her application to the Council of the Order within whose remit he or she falls at the time of submission of this application or, if this application is submitted prior to registration in a registry of trainees, to the Council of the Order within whose remit his or her home address falls. The application is accompanied by all documents capable of informing the Council of the Order as to the competence and good professional standing of the internship supervisor established abroad and as to the guarantees that can be provided by this internship with regard to the applicant's training.

If approved, the Council of the Order lays down the procedures for monitoring the internship performed abroad.

### **Article 10**

The internship must be performed with a person who fulfils the legal requirements, save as otherwise provided by a Council of the Order for the completion of the internship abroad.

### **Article 11**

The trainee is free to choose his or her internship supervisor. However, in order to facilitate finding an internship supervisor, each Council of the Order keeps a permanent list of members of the Order who fulfil the legal conditions and declare themselves prepared to take responsibility for the training of one or more trainees. Councils of the Order can refuse to register, or can delist, members of the Order who have demonstrated, or currently demonstrate, negligence in the performance of their obligations as an internship supervisor. In this event, the appeal procedures provided for in law are applied.

As required, the Councils of the Order take all measures necessary to provide an internship supervisor for any person wishing to perform the internship provided for in law.

### **Article 12**

The trainee can change his or her internship supervisor. However, an uninterrupted internship of at least six months' duration with the same internship supervisor is regarded as an important condition for the completion of a successful internship, except in special circumstances.

### **Article 13**

The relationship between the internship supervisor and the trainee is governed by an Internship Agreement conforming to a model determined by the National Council of the Order of Architects and approved by the Minister for Small and Medium-sized Businesses. Three original copies of the Agreement are drawn up and signed by both parties concerned.

One copy each is retained by the internship supervisor and the trainee; the third is sent by the trainee to the competent Council of the Order.

With as little delay as possible, this Council notifies its agreement to or sets out its observations on the Internship Agreement.

### **Article 14**

The Internship Agreement shows the identity of the internship supervisor and of the trainee and officially records their mutual commitment to a collaboration that complies with the conditions of these Regulations.

It sets out the special conditions of that collaboration and determines the minimum amount of the trainee's remuneration.

## **Rights and obligations of the internship supervisor**

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### **Article 15**

By signing the Internship Agreement, the internship supervisor undertakes to:

- personally oversee the training of the trainee as far as is possible, in particular by involving him or her in office work, site visits and administrative procedures;
- personally ensure the good conduct of the trainee in accordance with the ethics of the profession of architect
- in a completely objective way, inform the Internship Committee, and the Council of the Order, of the professional conduct of the trainee and, in particular, to notify them of any

non-performance of the obligations of the internship and any interruption to the performance thereof.

#### **Article 16**

In principle, the internship is remunerated. In each case, the remuneration is fixed under the oversight of the competent Council of the Order, prorated on the basis of the services performed.

#### **Article 17**

The internship supervisor assumes no responsibility for the professional activities carried out by the trainee in a personal capacity.

### **Rights and obligations of the trainee**

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#### **Article 18**

By signing the Internship Agreement, the trainee undertakes to:

- act as a respectful colleague vis-à-vis the internship supervisor.
- conscientiously perform all assignments assigned to him or her with a view to furthering his or her professional training;
- work with other members of the architectural practice, in a spirit of close collaboration;
- maintain strict professional confidentiality.

#### **Article 19**

In principle, the trainee's services must be carried out over a minimum of one hundred and twenty hours per month, to be spread as mutually agreed between the parties.

However, in exceptional circumstances the competent Council of the Order can reduce the period of these services in order to allow the trainee to attend additional training courses or to prepare for architectural award or civil service examinations.

### **MONITORING OF THE INTERNSHIP**

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#### **Article 20**

Each Council of the Order oversees and monitors the internships falling within its jurisdiction. In order to facilitate the performance of this task, each Council of the Order appoints an Internship Committee from among its members.

The Council of the Order determines the number of members who sit on this committee. The terms of office of the committee members are of the same duration as the terms of office of these members within the Council of the Order. In principle, this is four years except in the event of completion of the term of an office falling vacant.

#### **Article 21**

The mission of the Internship Committee is as follows:

- to examine Internship Agreements;
- to monitor each internship at least twice a year;
- to deal with any disputes as might arise between an internship supervisor and a trainee;
- to maintain an internship file containing all the documents necessary for an appraisal of the results of the internship;

- to report to the Council of the Order on actions implemented in the course of its mission.

### **Article 22**

The results of the monitoring activities carried out by the Internship Committee are set down in a form adhering to a model laid down by the National Council.

This form is countersigned by the internship supervisor and the trainee and is filed in the trainee's file.

### **Article 23**

Upon completion of the internship period, in the light of a report from the Internship Committee, the Council of the Order makes a ruling on the results of the internship. If these results are favourable, it issues an internship certificate authorising the trainee's inclusion on a roll to the Order. If these results are unfavourable, it can decide to extend the internship to three years. In this case, the rules of procedure and appeal laid down for disciplinary matters should be applied.

## **SANCTIONS**

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### **Article 24**

Non-performance of the obligations specified in these Regulations can lead to the application of the disciplinary penalties provided for in law, against the internship supervisor or the trainee.

## **TRANSITIONAL PROVISION**

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### **Article 25**

The Councils of the Order can treat internship periods performed prior to the entry into force of these Regulations, by persons meeting the conditions required by the Law of 20 February 1939 on the protection of the title and profession of architect and not registered on a roll of the Order, as an internship governed by these Regulations.

Requests to obtain this equivalence must be submitted, under penalty of being time barred, within of one year of the entry into force of the Royal Decree approving these Regulations.

<p><b>For agreement, The internship supervisor Name and surname</b></p> <p><b>Date and signature</b></p>	<p><b>For agreement, The trainee Name and surname</b></p> <p><b>Date and signature</b></p>
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