

Frequently Asked Questions

1. Why should an architect be aware about Consumer Protection Act? Whether an architect is liable towards his client under The Consumer Protection Act?

An architect's service to his client comes well within the purview of Consumer Protection Act. Hence, if there is any deficiency in his service, his client can approach the appropriate forum under the Act, (i.e. District, State or National forum) hence, it is necessary for an architect to be aware about his duties and responsibilities towards his client.

2. What is extent of liability an architect incurred towards his client?

The extent of liability of an architect towards his client can be derived from the terms of contract as well the implied terms. A reference can be made to Architects (Professional conduct) Regulations, 1989 and Architects' Professional Liability in the council of architecture website.

3. Why should architects learn copyright law?

The Copyright Act protects the intellectual labour of an architect. An Architect's designs, is the fruit of his/her creativity. In such circumstances, architect's work should be protected in lines of how a tangible property is protected against theft. Thus, an architect should be equipped with knowledge to fight infringement.

4. What is the extent of copyright protection for work of architecture under the Copyright Act?

Under the Act, Work of architecture means any building or structure having an artistic character and design or any model for such building or structure. However, copyright shall subsist only in the artistic character and design and shall not extend to process or methods of construction.

5. Whether an architect commits infringement if he undertakes to renovate a building?

Yes, if the reconstruction of the building is in accordance with the architectural drawings or plans by reference to which the building or structure was originally constructed, and if no consent or license was obtained from owner of copyright during original construction.