



Housing Grants, Construction and Regeneration Act 1996

1996 CHAPTER 53

PART III

ARCHITECTS

Registration and discipline

120 Registration

(1) Before section 6 of the 1931 Act insert—

“5A The Register

- (1) The Registrar shall maintain the Register of Architects in which there shall be entered the name of every person entitled to be registered under this Act.
- (2) The Register shall show the regular business address of each registered person.
- (3) The Registrar shall make any necessary alterations to the Register and, in particular, shall remove from the Register the name of any registered person who has died or has applied in the prescribed manner requesting the removal of his name.
- (4) The Board shall publish annually the current version of the Register and a copy of the most recently published version of the Register shall be provided to any person who requests one on payment of a reasonable charge determined by the Board.
- (5) A copy of the Register purporting to be published by the Board shall be evidence (and, in Scotland, sufficient evidence) of any matter mentioned in it.
- (6) A certificate purporting to be signed by the Registrar which states that a person—

Status: This is the original version (as it was originally enacted).

- (a) is registered;
- (b) is not registered;
- (c) was registered on a specified date or during a specified period;
- (d) was not registered on a specified date or during a specified period; or
- (e) has never been registered,

shall be evidence (and, in Scotland, sufficient evidence) of any matter stated.”.

(2) For section 6 of the 1931 Act substitute—

“6 Entitlement to registration

- (1) A person who has applied to the Registrar in the prescribed manner for registration in pursuance of this section is entitled to be registered if—
 - (a) he holds such qualifications and has gained such practical experience as may be prescribed; or
 - (b) he has a standard of competence which, in the opinion of the Board, is equivalent to that demonstrated by satisfying paragraph (a).
- (2) The Board may require a person who applies for registration on the ground that he satisfies subsection (1)(b) to pass a prescribed examination in architecture.
- (3) Before prescribing—
 - (a) qualifications or practical experience for the purposes of subsection (1)(a); or
 - (b) any examination for the purposes of subsection (2),
 the Board shall consult the bodies representative of architects which are incorporated by royal charter and such other professional and educational bodies as it thinks appropriate.
- (4) The Board may require—
 - (a) an applicant for registration in pursuance of this section; and
 - (b) a candidate for any examination under subsection (2),
 to pay a fee of a prescribed amount.
- (5) The Board may by rules prescribe the information and evidence to be furnished to the Registrar in connection with an application for registration in pursuance of this section.
- (6) Where a person has duly applied for registration in pursuance of this section—
 - (a) if the Registrar is satisfied that the person is entitled to be registered, he shall enter his name in the Register; but
 - (b) if the Registrar is not so satisfied, he shall refer the application to the Board.
- (7) The Registrar shall not consider an application for registration in pursuance of this section in any case in which it is inappropriate for him to do so (for instance because he is in any way connected with the applicant) but in such a case he shall refer the application to the Board.
- (8) Where a person’s application is referred to the Board under subsection (6) or (7), the Board shall direct the Registrar to enter the person’s name in the Register if the Board is satisfied that the person is entitled to be registered.

- (9) The Registrar shall serve on an applicant for registration in pursuance of this section written notice of the decision on his application—
- (a) where the application is made on the ground that he satisfies subsection (1)(a), within three months of his application being duly made; and
 - (b) where the application is made on the ground that he satisfies subsection (1)(b), within six months of his application being duly made.”.

- (3) After section 6A of the 1931 Act insert—

“6B Retention of name in Register

- (1) The Board may require a registered person to pay a fee (in this section referred to as a “retention fee”) of a prescribed amount if he wishes his name to be retained in the Register in any calendar year after that in which it was entered.
- (2) Where, after the Registrar has sent a registered person who is liable to pay a retention fee a written demand for the payment of the fee, the person fails to pay the fee within the prescribed period, the Registrar may remove the person’s name from the Register.
- (3) Where a person whose name has been removed from the Register under subsection (2) pays the retention fee, together with any further prescribed fee, before the end of the calendar year for which the retention fee is payable or such longer period as the Board may allow—
 - (a) his name shall be re-entered in the Register (without his having to make an application under section 6 or 6A); and
 - (b) if the Board so directs, it shall be treated as having been re-entered on the date on which it was removed.

6C Registration: additional requirements

- (1) Where the Board is not satisfied that a person who—
 - (a) applies for registration in pursuance of section 6 or 6A;
 - (b) wishes his name to be retained or re-entered in the Register under section 6B; or
 - (c) applies for his name to be re-entered in the Register under section 7ZD,

has gained such recent practical experience as rules made by the Board require a person to have gained before he is entitled to have his name entered, retained or re-entered in the Register, his name shall not be so entered or re-entered, or shall be removed, unless he satisfies the Board of his competence to practise.

- (2) Where the Board decides that the name of a person to whom paragraph (b) of subsection (1) applies is by virtue of that subsection to be removed from, or not to be re-entered in, the Register, the Registrar shall serve on him written notice of the decision within the prescribed period after the date of the decision.”.