
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the United Kingdom from the European Union (and in particular, the deficiencies under paragraphs (c), (d), and (e) of section 8(2)).

Part 2 of these Regulations amends the Architects Act 1997 (c.22) (“the 1997 Act”) to remove provisions on reciprocal arrangements or rights between the UK and EU member states that are no longer in place or are no longer appropriate in relation to the recognition of the professional qualifications of architects. Regulation 4 removes the status of the Architects Registration Board (ARB) as a competent authority for the purposes of Directive 2005/36/EC of the European Parliament and of the Council of 7th September 2005 on the recognition of professional qualifications. Regulation 7 amends sections 4 and 4A of the 1997 Act to make provision for the recognition of architects. Regulation 8 amends section 4A of the 1997 Act in relation to supporting evidence for applications for qualification. Regulations 9 and 21 make provision to end the temporary and occasional provision of services. Regulations 10, 12 to 16 and 20 make further provision arising from the cessation of the temporary and occasional provision of services. Regulations 17 and 18 amend sections 22B and 22C of the 1997 Act to enable the existing provision with respect to administrative cooperation with competent authorities of European Union member states and the confidentiality of information to continue to apply to ARB once it is no longer a competent authority.

Part 3 of these Regulations makes transitional and saving provision for applications for inclusion in the Register of Architects made before exit day and for visiting practitioners in respect of the provision of temporary and occasional services.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the public, private or voluntary sector is foreseen.