



Architects Act 1997

1997 CHAPTER 22

An Act to consolidate the enactments relating to architects. [19th March 1997]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

THE ARCHITECTS REGISTRATION BOARD

1 The Board.

- (1) There shall continue to be a body corporate known as the Architects Registration Board.
- (2) There shall continue to be a Professional Conduct Committee of the Board.
- (3) Part I of Schedule 1 makes provision about the Board.
- (4) Part II of that Schedule makes provision about the Professional Conduct Committee.
- (5) Part III of that Schedule gives the Board power to establish other committees and makes provision about committees established by the Board.
- (6) Part IV of that Schedule makes general provision about the Board and its committees.

^{F1}1A Designation of the Board as competent authority

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*Status: Point in time view as at 31/12/2020.
Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)*

Textual Amendments
F1 S. 1A omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), 4 (with regs. 22-47) (as amended by [S.I. 2019/810](#), regs. 1(3), 4 and [S.I. 2020/1038](#), regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

PART II

REGISTRATION ETC.

The Registrar and the Register

2 The Registrar.

- (1) The Board shall appoint a person to be known as the Registrar of Architects.
- (2) The Board shall decide the period for which, and the terms on which, the Registrar is appointed.
- (3) The Registrar shall have the functions provided by or by virtue of this Act and any other functions which the Board directs.

^{F2}(3A)

- (4) The Board may, in addition to paying to the Registrar a salary or fees, pay pensions to or in respect of him, or make contributions to the payment of such pensions, and pay him allowances, expenses and gratuities.

Textual Amendments
F2 S. 2(3A) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), 5 (with regs. 22-47) (as amended by [S.I. 2019/810](#), regs. 1(3), 4 and [S.I. 2020/1038](#), regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

3 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.

^{F3}(1A)

- (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 the current version of the Register annually and a copy of the most recently published version shall be provided to any person who requests one on payment of a reasonable charge decided by the Board.

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- (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—
- (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.

Textual Amendments

F3 S. 3(1A) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), 6 (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

Registration

4 ^{F4}Registration ^{F5}...: general

- (1) A person who has applied to the Registrar in the prescribed manner for registration ^{F6}... is entitled to be registered ^{F7}... 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.

^{F8}(2A) For the purposes of subsection (1), a ^{F9}[person] shall be treated as having achieved a standard of competence equivalent to that demonstrated by satisfying subsection (1) (a) if—

- (a) he produces ^{F10}[the evidence described] in section 4A(1) ^{F11}[which provides access to the profession of architect in the relevant European State in which that evidence was issued];

^{F12}(b)

^{F12}(c)]

- (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) Where a person has duly applied for registration ^{F13}...—

- (a) if the Registrar is satisfied that the person is entitled to be registered ^{F14}..., he shall enter his name in ^{F15}... the Register; but

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- (b) if the Registrar is not so satisfied, he shall refer the application to the Board.
- (5) The Registrar shall not consider an application for registration ^{F16}... 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.
- (6) Where a person's application is referred to the Board under subsection (4) or (5), the Board shall direct the Registrar to enter the person's name in ^{F17}... the Register if it is satisfied that he is entitled to be registered ^{F18}....
- [^{F19}(7) For the purposes of subsection (2A)(a), evidence is to be treated as issued in a relevant European State if it is issued in a country (or former country) whose territory at any time consisted of, or included, the whole or part of the territory of that State.]

Textual Amendments

- F4** S. 4 sidenote substituted (20.6.2008) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **6(1)(a)**
- F5** Words in s. 4 heading omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(a)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in s. 4(1) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(b)(i)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in s. 4(1) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(b)(ii)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F8** S. 4(2A) substituted (20.6.2008) for s. 4(2A)(2B) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **6(1)(c)**
- F9** Word in s. 4(2A) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(c)(i)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in s. 4(2A)(a) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(c)(ii)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F11** Words in s. 4(2A)(a) substituted (12.9.2011) by [The Architects \(Recognition of European Qualifications\) Regulations 2011 \(S.I. 2011/2008\)](#), regs. 1, **2**
- F12** S. 4(2A)(b)(c) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(c)(iii)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in s. 4(4) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(d)(i)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in s. 4(4)(a) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(d)(ii)(aa)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F15** Words in s. 4(4)(a) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(d)(ii)(bb)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

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- F16** Words in s. 4(5) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(e)** (with regs. 22-47) (as amended by [S.I. 2019/810](#), regs. 1(3), 4 and [S.I. 2020/1038](#), regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F17** Words in s. 4(6) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(f)(i)** (with regs. 22-47) (as amended by [S.I. 2019/810](#), regs. 1(3), 4 and [S.I. 2020/1038](#), regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F18** Words in s. 4(6) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(f)(ii)** (with regs. 22-47) (as amended by [S.I. 2019/810](#), regs. 1(3), 4 and [S.I. 2020/1038](#), regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F19** S. 4(7) inserted (20.6.2008) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **6(3)**

[^{F21}4A Registration ^{F20}...: European qualifications

[^{F22}(1) The evidence that a person is required to produce for the purposes of section 4(2A) (a) is evidence of formal qualifications listed in respect of a relevant European State in point 5.7.1 of Annex V to the Directive (qualifications in architecture satisfying the minimum training conditions mentioned in Article 46 of the Directive, including training which is, under Article 22(a), to be treated as meeting those conditions) accompanied, where appropriate, by the certificate listed in relation to that evidence in the column of that point of that Annex entitled “Certificate accompanying the evidence of qualifications”.]

(2) Where a person applies for registration in pursuance of section 4 and, in doing so, relies on subsection (2A) of that section—

- (a) the Registrar may, for the purposes of deciding whether the person is entitled to be registered in pursuance of section 4, demand any documents within Annex VII to the Directive and may, where the demand relates to a document within point 1(d), (e) or (f) of that Annex, treat the demand as unsatisfied if the document submitted to the Registrar in response to the demand is more than 3 months old when submitted;
- (b) in the event of justified doubts as to whether the person is entitled to be registered in pursuance of section 4, the Registrar may require [^{F23}the person to produce written confirmation from the competent authority in a relevant European State] of the authenticity of the ^{F24}... evidence of formal qualifications awarded in that ^{F25}... relevant European State, as well as confirmation of the fact that the person fulfils the minimum training conditions set out in Article 46 of the Directive (including training which is, under Article 22(a), to be treated as meeting those conditions);
- (c) in case of justified doubt as to whether the person is entitled to be registered in pursuance of section 4, where [^{F26}the person has produced confirmation from a competent authority in a relevant European State (see paragraph (b)) which] includes evidence as to training received in whole or in part in an establishment legally established in the territory of another relevant European state, the Registrar [^{F27}may require the person to produce written confirmation from the competent authority in the relevant European State of origin of the award as to] —
- (i) whether the training course at the establishment which gave the training has been formally certified by the educational establishment based in the relevant European State of origin of the award;

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- (ii) whether the evidence of formal qualifications issued is the same as that which would have been awarded if the course had been followed entirely in the relevant European State of origin of the award; and
 - (iii) whether the evidence of formal qualifications confers the same professional rights in the territory of the relevant European State of origin of the award.
- (3) Subsection (4) applies to a person who is registered ^{F28} ... in pursuance of section 4 in reliance on subsection (2A) of that section.
- (4) The person, when using his academic title or any abbreviation of it—
- (a) may express the title or abbreviation in the language, or one of the languages, of the relevant European State in which the body conferring the title is located;
 - (b) must follow the title or abbreviation with the name and location of the body conferring the title.]

Textual Amendments

- F20** Words in s. 4A heading omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), **8(a)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F21** S. 4A substituted (20.6.2008) for s. 5 by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008](#) (S.I. 2008/1331), regs. 1, 7
- F22** S. 4A(1) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), **8(b)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F23** Words in s. 4A(2)(b) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), **8(c)(i)(aa)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F24** Words in s. 4A(2)(b) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), **8(c)(i)(bb)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F25** Word in s. 4A(2)(b) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), **8(c)(i)(cc)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F26** Words in s. 4A(2)(c) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), **8(c)(ii)(aa)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F27** Words in s. 4A(2)(c) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), **8(c)(ii)(bb)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F28** Words in s. 4A(3) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), **8(d)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

^{F29}5A Registration in Part 2 of the Register : Directive-rights nationals providing services

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Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

Textual Amendments

F29 Ss. 5A-5E omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), **9** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

F29 5B Titles to be used by persons registered in Part 2 of the Register

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Textual Amendments

F29 Ss. 5A-5E omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), **9** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

F29 5C Information to be given to recipients of the service

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Textual Amendments

F29 Ss. 5A-5E omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), **9** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

F29 5D Administrative co-operation with other relevant European States

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Textual Amendments

F29 Ss. 5A-5E omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), **9** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

F29 5E Complaints by recipients of services

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Textual Amendments

F29 Ss. 5A-5E omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), **9** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 31/12/2020.

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6 Registration: further procedural requirements.

- (1) The Board may require an applicant for registration ^{F30}... to pay a fee of a prescribed amount.
- (2) The Board may require a candidate for any examination under section 4(2) to pay a fee of a prescribed amount.
- ^{F31}(2A)
- (3) The Board may prescribe the information and evidence to be provided to the Registrar in connection with an application for registration ^{F32}....
- ^{F33}(3A) The reference in subsection (3) to an application for registration ^{F34}... does not include an application for registration ^{F35}... made by a [^{F36}person] who, in making the application, relies on section 4(2A).
- (3B) Where a [^{F37}person] applies to be registered ^{F38}... and, in doing so, relies on section 4(2A), the Board shall—
- (a) acknowledge receipt of the application within one month of receipt; and
 - (b) inform the applicant of any missing document required for the purposes of the application.
- (3C) The Registrar shall deal expeditiously with all applications for registration.]
- ^{F39}(4) The Registrar shall serve on an applicant ^{F40}... written notice of the decision on his application.
- ^{F41}(4A) A notice under subsection (4) shall be served—
- (a) in the case of an application by a person who in making the application—
 - (i) relies on subsection (1)(a) of section 4 without also relying on subsection (2A), or
 - (ii) relies on section 4(2A),
 within three months beginning with the date on which the application is made;
 - (b) in any other case, within six months beginning with the date on which the application is made.]
- (4B) Notice of a refusal in the case of an application [^{F42}by a person who in making the application relies on section 4(2A)] shall state reasons for the refusal.]
- ^{F43}(5)

Textual Amendments

- F30** Words in s. 6(1) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **10(a)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F31** S. 6(2A) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **10(b)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F32** Words in s. 6(3) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **10(c)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F33** S. 6(3A)-(3C) inserted (20.6.2008) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **9(d)**

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- F34** Words in s. 6(3A) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **10(d)(i)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F35** Words in s. 6(3A) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **10(d)(ii)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F36** Word in s. 6(3A) substituted (31.12.2020) by The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **10(d)(iii)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F37** Word in s. 6(3B) substituted (31.12.2020) by The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **10(e)(i)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F38** Words in s. 6(3B) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **10(e)(ii)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F39** S. 6(4)-(4B) substituted for s. 6(4) (23.12.2002) by S.I. 2002/2842, **art. 4(2)**
- F40** Words in s. 6(4) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **10(f)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F41** S. 6(4A) substituted (20.6.2008) by Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **9(f)**
- F42** Words in s. 6(4B) substituted (20.6.2008) by Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **9(g)**
- F43** S. 6(5) omitted (20.6.2008) by virtue of Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **9(h)**

[^{F44}6A. Issuing of certificates of architectural education

- (1) Where a person requests the Board to issue a certificate of architectural education confirming that the person's training as an architect—
- (a) meets the minimum training conditions in Article 46 of the Directive,
 - (b) gives that person entitlement under section 4 to be registered ^{F45}..., or
 - (c) includes prescribed or equivalent qualifications,
- the Board may issue such a certificate to that person if the training does meet those conditions, gives that entitlement or includes those qualifications.
- (2) The Board may require a person making a request under subsection (1) to pay a fee of a prescribed amount.]

Textual Amendments

- F44** S. 6A inserted (20.6.2008) by Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **10**
- F45** Words in s. 6A(1)(b) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **11** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

7 Penalty for obtaining registration^{F46} or recognition] by false representation.

- [^{F47}(1) A person commits an offence if the person intentionally—

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

- (a) becomes or attempts to become registered under this Act, or
 - (b) does any of the things mentioned in subsection (1A) anywhere in or outside the United Kingdom.
- (1A) Those things are—
- (a) making to the Board or to the Registrar,
 - (b) producing to the Board or to the Registrar,
 - (c) causing to be made to the Board or to the Registrar, or
 - (d) causing to be produced to the Board or to the Registrar]
- (2) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Textual Amendments

- F46** Words in s. 7 side-note inserted (20.6.2008) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **11(a)**
- F47** S. 7(1)(1A) substituted (20.6.2008) for s. 7(1) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **11(b)**

Removal from Register etc.

8 Retention of name in Register.

- (1) The Board may require a registered person to pay a retention fee of a prescribed amount if he wishes his name to be retained in ^{F48}... 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 ^{F48}... the Register.
- (3) Where a person whose name has been removed from ^{F48}... 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 ^{F48}... the Register (without his having to make an application under section 4 ^{F49}...); and
 - (b) if the Board so directs, it shall be treated as having been re-entered on the date on which it was removed.

Textual Amendments

- F48** Words in s. 8 omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **12** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F49** Words in s. 8(3)(a) omitted (20.6.2008) by virtue of [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **12(b)**

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

9 Competence to practise.

- (1) Where the Board is not satisfied that a person who—
- (a) applies for registration in pursuance of section 4^{F50} ...;
 - (b) wishes his name to be retained or re-entered in^{F51} ... the Register under section 8; or
 - (c) applies for his name to be re-entered in^{F51} ... the Register under section 18,
- has gained such recent practical experience as the Board may prescribe, his name shall not be entered or re-entered in^{F51} ... the Register, or shall be removed from it, 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,^{F51} ... the Register, the Registrar shall serve written notice of the decision on him within the prescribed period after the date of the decision.

Textual Amendments

- F50** Words in s. 9(1)(a) omitted (20.6.2008) by virtue of [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **13(b)**
- F51** Words in s. 9 omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **12** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

10 Disqualification in [^{F52}a relevant European State].

- (1) The Board may order the Registrar to remove a person's name from^{F53} ... the Register if—
- [^{F54}(a) the person relied on section 4(2A) in making the application that led to the person's name being entered in^{F53} ... the Register ;
 - (aa) at the time when the person's name was entered in^{F53} ... the Register , there was a disqualifying decision in force in respect of the person in a relevant European State^{F55} ...;]
 - (b) at that time the Board was unaware of that fact; and
 - (c) the Board is satisfied that the person was at that time and is still subject to that disqualifying decision.
- (2) Where the Board orders the Registrar to remove a person's name from the Register under this section, the Registrar shall serve written notice of the removal on him as soon as is reasonably practicable.

Textual Amendments

- F52** Words in s. 10 side-note substituted (20.6.2008) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **14(a)**
- F53** Words in s. 10(1) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **13(a)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

- F54** S. 10(1)(a)(aa) substituted (20.6.2008) for s. 10(1)(a) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **14(c)**
- F55** Words in s. 10(1)(aa) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **13(b)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

11 Failure to notify change of address.

Where the Registrar serves notice in writing on a [^{F56}registered person] asking if he has changed his regular business address—

- (a) if no answer is received within six months from the sending of the notice, the Registrar shall serve further written notice on him; and
- (b) if no answer is received within three months from the sending of the further notice, the Registrar may remove his name from the Register.

Textual Amendments

- F56** Words in s. 11 substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **14** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

F57 ...

Textual Amendments

- F57** S. 12 italic heading omitted (20.6.2008) by virtue of [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **16**

^{F58}12 Visiting EEA architects.

.....

Textual Amendments

- F58** S. 12 omitted (20.6.2008) by virtue of [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **16**

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

PART III

DISCIPLINE

Professional standards

13 Code of practice.

- (1) The Board shall issue a code laying down standards of professional conduct and practice expected of registered persons.
- (2) The Board shall keep the code under review and vary its provisions whenever it considers it appropriate to do so.
- (3) Before issuing or varying the code, the Board shall—
 - (a) consult such professional bodies and such other persons with an interest in architecture as it considers appropriate; and
 - (b) publish in such manner as it considers appropriate notice that it proposes to issue or vary the code, stating where copies of the proposals can be obtained.
- (4) Failure by a registered person to comply with the provisions of the code—
 - (a) shall not be taken of itself to constitute unacceptable professional conduct or serious professional incompetence on his part; but
 - (b) shall be taken into account in any proceedings against him under section 14.
- (5) The Board shall provide a copy of the code to any person who requests one on payment of a reasonable charge decided by the Board (and may provide a copy free of charge whenever it considers appropriate).

14 Professional misconduct and incompetence.

- (1) Where an allegation is made that a registered person is guilty of—
 - (a) unacceptable professional conduct (that is, conduct which falls short of the standard required of a registered person); or
 - (b) serious professional incompetence,or it appears to the Registrar that a registered person may be so guilty, the case shall be investigated by persons appointed in accordance with rules made by the Board.
- (2) Where persons investigating a case under subsection (1) find that a registered person has a case to answer, they shall report their finding to the Professional Conduct Committee.
- (3) Where the Professional Conduct Committee receives a report under subsection (2) in relation to a registered person, the Committee shall consider whether he is guilty of unacceptable professional conduct or serious professional incompetence.
- (4) Before considering whether a registered person is guilty of unacceptable professional conduct or serious professional incompetence the Professional Conduct Committee shall—
 - (a) serve written notice on him outlining the case against him; and
 - (b) give him the opportunity to appear before the Committee to argue his case.
- (5) At any such hearing the registered person is entitled to be legally represented.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

- (6) The Board may make rules as to the procedure to be followed by the Professional Conduct Committee in any proceedings under this section.
- (7) If the Board does not make rules for the appointment of persons to investigate whether registered persons have been guilty of unacceptable professional conduct or serious professional incompetence, the Professional Conduct Committee shall consider such questions without any prior investigation.

Disciplinary orders

15 Disciplinary orders.

- (1) The Professional Conduct Committee may make a disciplinary order in relation to a registered person if—
- (a) it is satisfied, after considering his case, that he is guilty of unacceptable professional conduct or serious professional incompetence; or
 - (b) he has been convicted of a criminal offence other than an offence which has no material relevance to his fitness to practise as an architect.
- (2) In this Act “disciplinary order” means—
- (a) a reprimand;
 - (b) a penalty order;
 - (c) a suspension order; or
 - (d) an erasure order.
- (3) Where the Professional Conduct Committee makes a disciplinary order in relation to a person, the Registrar shall serve written notice of the order on him as soon as is reasonably practicable.
- (4) The Professional Conduct Committee shall, at appropriate intervals and in such manner as it considers appropriate, publish—
- (a) the names of persons whom it has found guilty of unacceptable professional conduct or serious professional incompetence or in relation to whom it has made a disciplinary order under subsection (1)(b); and
 - (b) in the case of each person a description of the conduct, incompetence or offence concerned and the nature of any disciplinary order made.
- (5) Where, after considering the case of a registered person, the Professional Conduct Committee is not satisfied that he is guilty of unacceptable professional conduct or serious professional incompetence, it shall, if he so requests, publish a statement of that fact in such manner as it considers appropriate.

^{F59}(6)

Textual Amendments

F59 S. 15(6) omitted (20.6.2008) by virtue of [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, 17

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

16 Penalty orders.

- (1) Where a penalty order is made in relation to a registered person, he shall pay to the Board the sum specified in the order.
- (2) A penalty order may not specify a sum exceeding the amount which, at the relevant time, is the amount specified as level 4 on the standard scale of fines for summary offences.

In this subsection “the relevant time” means—

- (a) in a case within subsection (1)(a) of section 15, the time of the conduct or incompetence of which the registered person is found guilty; and
 - (b) in a case within subsection (1)(b) of that section, the time when he committed the criminal offence of which he has been convicted.
- (3) A penalty order shall specify the period within which the sum specified in it is to be paid.
 - (4) If the person in relation to whom a penalty order is made does not pay the sum specified in the order within the period so specified, the Professional Conduct Committee may make a suspension order or an erasure order in relation to him.
 - (5) The Board shall pay into the Consolidated Fund any sum paid under a penalty order.

17 Suspension orders.

Where a suspension order is made in relation to a registered person, the Registrar shall remove his name from the Register but shall re-enter it in the Register at the end of such period not exceeding two years as is specified in the order.

18 Erasure orders.

- (1) Where an erasure order is made in relation to a registered person, the Registrar shall remove his name from the Register and it shall not be re-entered in the Register unless the Board so directs.
- (2) No application shall be made for the name of a person in relation to whom an erasure order has been made to be re-entered in the Register—
 - (a) before the end of the period of two years beginning with the date of the erasure order or such longer period specified in the erasure order as the Professional Conduct Committee considers appropriate in a particular case; or
 - (b) where he has made a previous application for his name to be re-entered in the Register, before the end of the prescribed period beginning with the date of the decision of the Board on that application.
- (3) The Registrar shall serve on a person who applies for his name to be re-entered in the Register under this section written notice of the decision on his application within the prescribed period after the date of the decision.
- (4) The Board may require a person whose name is re-entered in the Register under this section to pay a fee of a prescribed amount.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

F60 ...

Textual Amendments

- F60** S. 19 italic heading omitted (20.6.2008) by virtue of [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **18**

F61 19 **Application of discipline provisions to visiting EEA architects.**

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Textual Amendments

- F61** S. 19 omitted (20.6.2008) by virtue of [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **18**

PART IV

USE OF TITLE “ARCHITECT”

20 Use of title “architect”.

- (1) A person shall not practise or carry on business under any name, style or title containing the word “architect” unless he is a [^{F62}registered person] .
- (2) Subsection (1) does not prevent any use of the designation “naval architect”, “landscape architect” or “golf-course architect”.
- (3) Subsection (1) does not prevent a body corporate, firm or partnership from carrying on business under a name, style or title containing the word “architect” if—
 - (a) the business of the body corporate, firm or partnership so far as it relates to architecture is under the control and management of a [^{F62}registered person] who does not act at the same time in a similar capacity for any other body corporate, firm or partnership; and
 - (b) in all premises where its business relating to architecture is carried on it is carried on by or under the supervision of a [^{F62}registered person].
- (4) The Board may by rules provide that subsection (3) shall not apply in relation to a body corporate, firm or partnership unless it has provided to the Board such information necessary for determining whether that subsection applies as may be prescribed.
- ^{F63}(5)
- (6) For the purposes of this section a person is not treated as not practising by reason only of his being in the employment of another person.
- (7) In this section “business” includes any undertaking which is carried on for gain or reward or in the course of which services are provided otherwise than free of charge.
- (8) Nothing in this section affects the validity of any building contract in customary form.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

Textual Amendments

- F62** Words in s. 20 substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **15(a)** (with regs. 22-47) (as amended by [S.I. 2019/810](#), regs. 1(3), 4 and [S.I. 2020/1038](#), regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F63** S. 20(5) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **15(b)** (with regs. 22-47) (as amended by [S.I. 2019/810](#), regs. 1(3), 4 and [S.I. 2020/1038](#), regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

21 Offence.

- (1) If any person contravenes section 20(1) he commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (2) A person is not guilty of an offence by reason of contravening section 20(1) on any particular date if—
 - (a) the contravention is occasioned by the fact that an application on his part for registration under this Act has not been granted; and
 - (b) notice of the decision not to grant the application had not been duly served under this Act before that date.
- (3) A person is not guilty of an offence by reason of contravening section 20(1) on any particular date if the contravention is occasioned by the removal of his name from the Register in circumstances in which notice is required to be served on him and—
 - (a) the notice had not been duly served before that date;
 - (b) the time for bringing an appeal against the removal had not expired at that date; or
 - (c) such an appeal had been duly brought, but had not been determined, before that date.
- (4) In relation to an offence under subsection (1)—
 - (a) section 127(1) of the ^{M1}Magistrates’ Courts Act 1980 (information to be laid within six months of offence);
 - (b) Article 19(1) of the ^{M2}Magistrates’ Courts (Northern Ireland) Order 1981 (complaint to be made within that time); and
 - (c) section 136(1) of the ^{M3}Criminal Procedure (Scotland) Act 1995 (proceedings to be commenced within that time),

shall have effect as if for the references in them to six months there were substituted references to two years.

Marginal Citations

- M1** 1980 c. 43.
M2 [S.I. 1981/1675 \(N.I. 26\)](#).
M3 1995 c. 46.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

PART V

GENERAL AND SUPPLEMENTARY

General

[^{F64}22 Appeals.

- (1) A person may appeal to the High Court or, in Scotland, to the Court of Session if he is aggrieved by—
 - (a) refusal of his application for registration ^{F65}... ;
 - (b) failure of the Registrar to comply with section 6(4);
 - (c) his name not being re-entered in, or his name being removed from, ^{F66}...the Register by virtue of section 9;
 - (d) the Board's ordering under section 10 that the Registrar remove his name from ^{F67}...the Register; or
 - (e) the making of a disciplinary order in relation to him.
- (2) Subject to subsection (3), an appeal under subsection (1)(a), (c), (d) or (e) must be made not later than three months after the date on which notice of the decision or order concerned is served on the person.
- (3) Where an appeal under subsection (1)(a) is made by a person who relied on subsection (2A) of section 4 in applying for registration in pursuance of that section, the appeal must be made not later than four months after the date on which notice of the refusal is served on the person.
- (4) The time limits for making an appeal under subsection (1)(b) are—
 - (a) where the appeal is made by a person who relied on subsection (2A) of section 4 in applying for registration in pursuance of that section, within seven months, and
 - (b) where the appeal is made by a person who, in applying for registration in pursuance of that section, relied on subsection (1)(a) of that section without also relying on subsection (2A) of that section, within six months, beginning with the date on which the person's application for registration is made.
- (5) An appeal under subsection (1)(b) to which subsection (4) does not apply must be made within nine months beginning with the date on which the person's application for registration is made.
- ^{F68}(6)
- (7) On an appeal under this section the court concerned may make any order which appears appropriate, and no appeal shall lie from any decision of a court on such an appeal.]

Textual Amendments

F64 S. 22 substituted (20.6.2008) for ss. 22, 22A by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, 20

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

- F65** Words in s. 22(1)(a) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **16(a)(i)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F66** Words in s. 22(1)(c) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **16(a)(ii)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F67** Words in s. 22(1)(d) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **16(a)(ii)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F68** S. 22(6) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **16(b)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

[^{F69}22B Administrative co-operation

- ^{F70}(1) The Board may, for the purposes of facilitating the recognition of the qualifications of architects—
- (a) collaborate with competent authorities of relevant European States, and
 - (b) provide assistance to competent authorities of relevant European States in order to facilitate the accreditation in a relevant European State of registered persons or persons holding qualifications or experience prescribed under section 4(1)(a).
- (2) The Board may exchange professional-regulation information about—
- (a) persons who have made an application for registration under section 4(2A);
 - (b) registered persons who are practising or are seeking to practice as architects in a relevant European State,
- with competent authorities of relevant European States.]
- (3) In this section “professional-regulation information” means information regarding—
- (a) disciplinary action taken,
 - (b) criminal sanctions imposed, or
 - (c) any other serious, specific circumstances,
- where the action is, or the sanctions or circumstances are, likely to have consequences for the pursuit of the profession of architect by a person.
- (4) If in any case the Board receives professional-regulation information from a competent authority of [^{F71}a] relevant European State [^{F72}or a person who applies for registration], the Board—
- (a) [^{F73}may investigate and establish] the position in the case, and
 - (b) [^{F74}may] pass on its conclusions in the case to a competent authority in each relevant European State in which the person concerned is established as an architect or (without being established) is providing services as an architect.
- (5) The Board may make enquiries of registered persons where the Board considers it necessary to do so for the purposes of enabling it to discharge its [^{F75}functions] under subsections (1)(b) and (4)(a).
- (6) Where a registered person receives enquiries under subsection (5), the person shall reply and, in replying, shall use the person’s best endeavours to assist the Board.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

- (7) The power under subsection (5) is not to be taken to prejudice any other power to make enquiries of registered persons.

Textual Amendments

- F69** Ss. 22B, 22C inserted (20.6.2008) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **21**
- F70** S. 22B(1)(2) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **17(a)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F71** Word in s. 22B(4) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **17(b)(i)(aa)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F72** Words in s. 22B(4) inserted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **17(b)(i)(bb)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F73** Words in s. 22B(4)(a) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **17(b)(ii)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F74** Word in s. 22B(4)(b) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **17(b)(iii)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F75** Word in s. 22B(5) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **17(c)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

22C Confidentiality

- (1) The Board, the Registrar, and persons acting on behalf of either of them, are prohibited from disclosing information to which subsection (2) applies.
- (2) This subsection applies to information if—
- (a) the information is received in the course of the carrying-out of functions of the Board or the Registrar;
 - ^{F76}(b) and
 - (c) the information—
 - (i) is provided by a competent authority of [^{F77}a] relevant European State, or
 - (ii) relates to an application made by [^{F78}in reliance on section 4(2A)] for registration in the Register.
- (3) Subsection (1) does not apply to disclosure which is—
- (a) to the Secretary of State; or
 - (b) necessary in order to facilitate the carrying-out of functions of the Board, or of functions of the Registrar, under this Act or any other enactment.
- (4) An authority within subsection (5) must, so far as it is within the authority's power to do so, ensure the confidentiality of information [^{F79}which in the course of the carrying out of the authority's functions under section 4 or 4A is disclosed by or on behalf of the authority to a competent authority of a relevant European State].

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

(5) The authorities within this subsection are—

- (a) the Board; and
- (b) the Registrar.]

Textual Amendments

- F69** Ss. 22B, 22C inserted (20.6.2008) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008](#) (S.I. 2008/1331), regs. 1, **21**
- F76** S. 22C(2)(b) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), **18(a)(i)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F77** Word in s. 22C(2)(c)(i) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), **18(a)(ii)(aa)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F78** Words in s. 22C(2)(c)(ii) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), **18(a)(ii)(bb)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F79** Words in s. 22C(4) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), **18(b)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

23 Rules.

- (1) The Board may make rules generally for carrying out or facilitating the purposes of this Act.
- (2) The Board shall, before making any rules under this Act, publish a draft of the rules and give those to whom the rules would be applicable an opportunity of making representations to the Board.
- (3) The Registrar shall on payment of the prescribed charges supply a copy of any rules made under this Act and of any forms prescribed by such rules to any person applying for them.

24 Service of documents.

- (1) Any notice or document required to be served by or for the purposes of this Act may be sent by post, and when sent to any registered person shall be deemed to be properly addressed if addressed to him at his address in the Register.
- (2) Any notice relating to the refusal to register any person or required to be served by section 9(2), 10(2), 11(a), 14(4)(a) or 15(3) shall be sent by post as a registered letter.

Supplementary

25 Interpretation.

[^{F80}(1)] In this Act—

“the Board” means the Architects Registration Board;

[^{F81} “competent authority” means any authority or body designated by a relevant European State for the purposes of the Directive as competent to—

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

- (a) issue, or receive, evidence of qualifications or other information or documents, or
(b) receive applications, and take the decisions, referred to in the Directive, in connection with the profession of architect;]

[^{F82}“the Directive” means Council Directive 2005/36/EC on the recognition of professional qualifications as it had effect immediately before IP completion day and any reference to the Directive includes (without prejudice to the operation of section 20A of the Interpretation Act 1978) a reference to the Directive as extended by the EEA Agreement and by the Swiss Agreement as those Agreements had effect immediately before IP completion day;]

^{F83}
...

“disciplinary order” has the meaning given by section 15;

[^{F84}“disqualifying decision”, in relation to any person, means a decision which—

- (a) is made by a competent authority of a relevant European State ^{F85}..., and
(b) has the effect in that State that the person is no longer lawfully established as an architect there or that the person is prohibited (even temporarily) from practising as an architect there;]

^{F86}
...

“erasure order” shall be construed in accordance with section 18;

^{F86}
...

^{F86}
...

“penalty order” shall be construed in accordance with section 16;

“prescribed” means prescribed by rules made by the Board and “prescribe” means prescribe by rules;

“the Register” means the Register of Architects;

“registered person” means a person whose name is in the Register;

“the Registrar” means the Registrar of Architects;

[^{F87}“relevant European State” means an EEA State [^{F88}or Switzerland];]

“suspension order” shall be construed in accordance with section 17; ^{F89}...

[^{F90}“the Swiss Agreement” means the Agreement between the European Community and its member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons signed at Luxembourg on 21st June 1999;]

[^{F91}“third country” means a country other than a relevant European State; and]

“unacceptable professional conduct” has the meaning given by section 14.

^{F92}(2)

Textual Amendments

- F80** Words in s. 25 (which becomes subsection (1)) inserted (23.12.2002) by S.I. 2002/2842, art. 6(1)
F81 Words in s. 25(1) substituted (20.6.2008) by Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, 22(1)(a)
F82 Words in s. 25(1) substituted (31.12.2020 immediately after S.I. 2019/717 comes into force) by The Architects Act 1997 (Swiss Qualifications) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/810), regs. 1(3), 3; 2020 c. 1, Sch. 5 para. 1(1) (as amended by The Professional Qualifications and Services

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

- (Amendments and Miscellaneous Provisions) (EU Exit) Regulations 2020 (S.I. 2020/1038), regs. 1(3), **8(a)**
- F83** Words in s. 25 omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **19(b)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F84** Words in s. 25(1) substituted (20.6.2008) by Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **22(1)(c)**
- F85** Words in s. 25 omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **19(c)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F86** Words in s. 25(1) omitted (20.6.2008) by virtue of Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **22(1)(d)**
- F87** Words in s. 25(1) inserted (20.6.2008) by Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **22(1)(e)**
- F88** Words in s. 25(1) inserted (10.2.2014) by The Architects Act 1997 (Amendments etc) Order 2014 (S.I. 2014/4), arts. 1(1), **2(a)**
- F89** Word in s. 25(1) omitted (20.6.2008) by virtue of Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **22(1)(d)**
- F90** Words in s. 25(1) inserted (5.4.2019) by The Architects Act 1997 (Swiss Qualifications) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/810), regs. 1(2), **2(b)**
- F91** Words in s. 25(1) inserted (20.6.2008) by Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **22(1)(f)**
- F92** S. 25(2) omitted (20.6.2008) by virtue of Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **22(2)**

26 Consequential amendments.

In—

- ^{F93}(a)
- (b) section 52(1) of the ^{M4}Cathedrals Measure 1963, in the definition of “architect”; and
- (c) section 20(1) of the ^{M5}Care of Cathedrals Measure 1990, in the definition of “architect”,
- for “Architects Acts 1931 to 1996” substitute “ Architects Act 1997 ”.

Textual Amendments

- F93** S. 26(a) repealed (E.) (1.9.2018) by Ecclesiastical Jurisdiction and Care of Churches Measure 2018 (No. 3), s. 99(2), **Sch. 5** (with Sch. 4 Pt. 1); S.I. 2018/720, art. 2

Marginal Citations

- M4** 1963 No. 2.
M5 1990 No. 2.

27 Transitionals, repeals etc.

Schedule 2 (transitional provisions and savings) and Schedule 3 (repeals and revocations) have effect.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

28 Short title, commencement and extent.

- (1) This Act may be cited as the Architects Act 1997.
- (2) This Act (apart from this section) shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint.
- (3) This Act extends to Northern Ireland.

Subordinate Legislation Made

P1 S. 28(2) power fully exercised (9.7.1997): 21.7.1997 appointed day by [S.I. 1997/1672](#)

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 1.

THE BOARD AND ITS COMMITTEES

PART I

THE BOARD

[^{F94}Membership

Textual Amendments

F94 Sch. 1 para. 1 substituted for Sch. 1 paras. 1-3 (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **3(2)** (with art. 7)

- 1 (1) The Board is to consist of eleven members—
- (a) a person appointed to be chair of the Board who is not [^{F95}a registered person];
 - (b) five other persons [^{F96}who are not registered persons], and
 - (c) five [^{F97}registered persons].
- (2) The members are to be appointed by the Privy Council after consultation with the Secretary of State and such other persons or bodies as the Privy Council thinks fit.
- (3) Rules made by the Board may make provision for the temporary appointment of a person to act as a member of the Board in such circumstances as may be prescribed.]

Textual Amendments

F95 Words in Sch. 1 para. 1(1)(a) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **20(2)(a)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

F96 Words in Sch. 1 para. 1(1)(b) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **20(2)(b)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

F97 Words in Sch. 1 para. 1(1)(c) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **20(2)(c)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

Elected members

^{F94}2

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

Textual Amendments

- F94** Sch. 1 para. 1 substituted for Sch. 1 paras. 1-3 (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **3(2)** (with art. 7)

Appointed members

F94₃

Textual Amendments

- F94** Sch. 1 para. 1 substituted for Sch. 1 paras. 1-3 (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **3(2)** (with art. 7)

Term of office

- 4 (1) Subject to sub-paragraphs (2) and (3) [^{F98}and paragraph 5], the term of office of a member of the Board is [^{F99}four] years.
- (2) A member may resign at any time by notice in writing addressed to the Registrar.
- (3) The Board may prescribe grounds (such as repeated absence from meetings or unacceptable professional conduct) on which any member may be removed from office and the procedure for removal.

Textual Amendments

- F98** Words in Sch. 1 para. 4(1) inserted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **3(3)** (with art. 7)
- F99** Word in Sch. 1 para. 4(1) substituted (10.2.2014) by [The Architects Act 1997 \(Amendments etc.\) Order 2014 \(S.I. 2014/4\)](#), arts. 1(1), **2(b)(i)**

- [^{F100}5 (1) A person who has been a member of the Board may be appointed for one or more further periods (whether consecutive or not).
- (2) The length of any further period is to be determined by the Privy Council after consultation with the Secretary of State and such other persons or bodies as the Privy Council thinks fit, but any further term must not extend a person's period of membership beyond eight years (whether consecutive or not).
- (3) A person who has been removed from the Board under rules made under paragraph 4(3) may not be appointed to the Board for a further term.
- (4) A person who has been a member of the Board may not be appointed to the Professional Conduct Committee.]

Textual Amendments

- F100** Sch. 1 para. 5 substituted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **3(4)** (with art. 7)

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

Casual vacancies

F1016

Textual Amendments

F101 Sch. 1 para. 6 omitted (7.1.2019) by virtue of [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **3(5)** (with art. 7)

[^{F102}Chair]

Textual Amendments

F102 Word in Act substituted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), **art. 2** (with art. 7)

[^{F103}7 (1) Rules made by the Board may make provision for the appointment of a person to act as chair of the Board for any period when there is no person appointed under paragraph 1 or in such other circumstances as may be prescribed.

(2) No person who is [^{F104}a registered person] is eligible for appointment under this paragraph.]

Textual Amendments

F103 Sch. 1 para. 7 substituted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **3(6)** (with art. 7)

F104 Words in Sch. 1 para. 7(2) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **20(3)** (with regs. 22-47) (as amended by [S.I. 2019/810](#), regs. 1(3), 4 and [S.I. 2020/1038](#), regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

8 In the event of a tie in any vote of the Board the [^{F102}chair] shall have an additional casting vote.

Procedure

[^{F105}9 The quorum of the Board is—
(a) the chair of the Board;
(b) three members appointed under paragraph 1(1)(b), and
(c) three members appointed under paragraph 1(1)(c).]

Textual Amendments

F105 Sch. 1 para. 9 substituted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **3(7)** (with art. 7)

10 The Board may make rules governing its meetings and procedure.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

Staff

- 11 (1) The Board may appoint staff.
- (2) The Board shall determine the period for which, and the terms on which, its staff are appointed.
- (3) Staff appointed by the Board shall have the duties which the Board directs.
- (4) The Board may, in addition to paying salaries to its staff, pay pensions to or in respect of them, or make contributions to the payment of such pensions, and pay them allowances, expenses and gratuities.

Seal

- 12 The Board shall have a common seal which shall be authenticated in the prescribed manner; and any document purporting to be sealed with the seal authenticated in that manner shall be receivable as evidence of the particulars stated in it.

PART II

THE PROFESSIONAL CONDUCT COMMITTEE

- [^{F106}13 The Professional Conduct Committee is to consist of—
- (a) at least three persons who are legally qualified;
- (b) at least three [^{F107}registered persons] of whom at least one must be a person whose address in the Register is in Scotland; and
- (c) at least three persons who are not legally qualified and are not [^{F108}registered persons].]

Textual Amendments

F106 Sch. 1 para. 13 substituted (7.1.2019) by The Architects Act 1997 (Amendments etc.) Order 2018 (S.I. 2018/947), arts. 1(1), 4(2) (with art. 7)

F107 Words in Sch. 1 para. 13(b) substituted (31.12.2020) by The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), 20(4)(a) (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

F108 Words in Sch. 1 para. 13(c) substituted (31.12.2020) by The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), 20(4)(b) (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

- 14 (1) The members of the Professional Conduct Committee shall elect a [^{F102}chair] from among themselves.
- (2) The [^{F102}chair]—
- (a) may resign by notice in writing addressed to the Registrar; and
- (b) may be removed by a majority vote of the other members of the Professional Conduct Committee.
- (3) Rules made by the Board may make provision for the appointment of a person to act as [^{F102}chair] in the event of a vacancy in the office of [^{F102}chair] or in such other circumstances as may be prescribed.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

Textual Amendments

F102 Word in Act substituted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), [art. 2](#) (with [art. 7](#))

15^[F109](1) Subject to sub-paragraph (2), the quorum of the Professional Conduct Committee is —

- (a) one member appointed under paragraph 13(a);
- (b) one member appointed under paragraph 13(b); and
- (c) one member appointed under paragraph 13(c).]

(2)^{F110}... Where the Committee is considering the case of a person whose address in the Register is in Scotland, the Committee is not quorate unless there is present a member of the Committee who is a ^[F111]registered person] and whose address in the Register is in Scotland.

Textual Amendments

F109 Sch. 1 para. 15(1) substituted for Sch. 1 para. 15(1)(1A) (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), [arts. 1\(1\), 4\(3\)\(a\)](#) (with [art. 7](#))

F110 Words in Sch. 1 para. 15(2) omitted (7.1.2019) by virtue of [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), [arts. 1\(1\), 4\(3\)\(b\)](#) (with [art. 7](#))

F111 Words in Sch. 1 para. 15(2) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), [regs. 1\(2\), 20\(5\)](#) (with [regs. 22-47](#)) (as amended by [S.I. 2019/810](#), [regs. 1\(3\), 4](#) and [S.I. 2020/1038](#), [regs. 1\(3\), Sch. 3 para. 4](#)); 2020 c. 1, Sch. 5 para. 1(1)

16 In the event of a tie in any vote of the Professional Conduct Committee the ^[F102]chair] shall have an additional casting vote; and in any proceedings relating to a registered person the additional vote shall be cast in favour of that person.

Textual Amendments

F102 Word in Act substituted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), [art. 2](#) (with [art. 7](#))

17 The Board may make rules governing the selection and term of office of members of the Professional Conduct Committee (including casual vacancies).

^[F112]17A. In paragraph 13 the reference to a person who is legally qualified means—

- (a) a person who for the purposes of the Legal Services Act 2007 is an authorised person in relation to an activity that constitutes a reserved legal activity (within the meaning of that Act);
- (b) a solicitor or barrister in Northern Ireland; or
- (c) a solicitor or advocate in Scotland.]

Textual Amendments

F112 Sch. 1 para. 17A inserted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), [arts. 1\(1\), 4\(4\)](#) (with [art. 7](#))

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

PART III

OTHER COMMITTEES

- 18 (1) The Board may establish such committees as it considers appropriate—
- (a) to discharge any of its functions under this Act other than those to which sub-paragraph (2) applies; or
 - (b) to assist the Board in the discharge by the Board of any of its functions.
- (2) This sub-paragraph applies to the following functions—
- (a) prescribing fees under section 6(1) or (2), 8(1) or (3) or 18(4); and
 - (b) acting under section 4(1) or (2), 5(1), 6(3), 9(1) or 13(1), (2) or (3).
- 19 (1) Any committee established by the Board may include persons who are not members of the Board; but if a committee is established to discharge any function of the Board, the majority of the members of the committee must be members of the Board.
- (2) Subject to that, the membership of any committee established by the Board shall be determined by the Board.
- 20 No vote of any committee established by the Board for the discharge of any of its functions shall be valid unless the majority of those voting are members of the Board.
- 21 The Board may make rules governing the term of office of members of any committee established by the Board (including casual vacancies) and the meetings and procedure (including [^{F113}chairing] and quorum) of any committee established by the Board.

Textual Amendments

F113 Word in Sch. 1 para. 21 substituted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), 5 (with art. 7)

PART IV

GENERAL

- 22 (1) The Board, the Professional Conduct Committee and any committee established by the Board may exercise its functions even though there is a vacancy among its members.
- (2) No proceedings of the Board, the Professional Conduct Committee or any committee established by the Board are invalidated by any defect in the ^{F114}... appointment of a member.

Textual Amendments

F114 Words in Sch. 1 para. 22(2) omitted (7.1.2019) by virtue of [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), 6 (with art. 7)

- 23 The Board may by rules provide for the payment to members of the Board, the Professional Conduct Committee or any committee established by the Board of—

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

- (a) fees for attendance at meetings of the Board or committee; and
 - (b) travelling and subsistence allowances in respect of attendance at such meetings or the conduct of business of the Board or committee.
- 24 (1) The Secretary of State may, after consultation with the Board and such other persons or bodies as he thinks fit, by order amend the provisions of this Schedule.
- (2) An order under sub-paragraph (1) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

F115 SCHEDULE 1A

Section 5A(1)

Textual Amendments

F115 Sch. 1A omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), [regs. 1\(2\)](#), [21](#) (with [regs. 22-47](#)) (as amended by [S.I. 2019/810](#), [regs. 1\(3\)](#), [4](#) and [S.I. 2020/1038](#), [regs. 1\(3\)](#), [Sch. 3 para. 4](#)); [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)

SCHEDULE 2

Section 27.

TRANSITIONAL PROVISIONS AND SAVINGS

General transitionals and savings

- 1 The substitution of this Act for the provisions repealed or revoked by this Act does not affect the continuity of the law.
- 2 Anything done, or having effect as if done, (including the making of rules) under or for the purposes of any provision repealed or revoked by this Act has effect as if done under or for the purposes of any corresponding provision of this Act.
- 3 Any reference (express or implied) in this Act or any other enactment, or in any instrument or document, to a provision of this Act is (so far as the context permits) to be read as (according to the context) being or including in relation to times, circumstances and purposes before this Act comes into force a reference to the corresponding provision repealed or revoked by this Act.
- 4 (1) Any reference (express or implied) in any enactment, or in any instrument or document, to a provision repealed or revoked by this Act is (so far as the context permits) to be read as (according to the context) being or including in relation to times, circumstances and purposes after this Act comes into force a reference to the corresponding provision of this Act.
- (2) In particular, where a power conferred by an Act is expressed to be exercisable in relation to enactments contained in an Act passed before or in the same Session as the Act conferring the power, the power is also exercisable in relation to provisions of this Act which reproduce such enactments.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

- 5 Paragraphs 1 to 4 have effect in place of section 17(2) of the ^{M6}Interpretation Act 1978 (but are without prejudice to any other provision of that Act).

Marginal Citations

M6 1978 c. 30.

First appointments to the Board

- 6 The term of office of the members of the Board who were appointed by the Privy Council to take office on the day on which Part III of the 1996 Act came into force (and who remain members of the Board when this Act comes into force)—
- (a) is one year beginning with that day in the case of three of those members;
 - (b) is two years beginning with that day in the case of another three of those members; and
 - (c) is three years beginning with that day in the case of the remaining two members.

Registration

- 7 If—
- (a) a person duly applied for registration under the 1931 Act before Part III of the 1996 Act came into force; but
 - (b) no decision on the application has been made before this Act comes into force,
- the application shall be dealt with in the same way as an application duly made after this Act comes into force (except that no further fee may be required to be paid).
- 8 Examinations in architecture which immediately before the day on which Part III of the 1996 Act came into force were recognised by the Council for the purposes of section 6(1)(c) of the 1931 Act (as it had effect before Part III of the 1996 Act came into force) shall (subject to rules made by the Board) be treated as qualifications prescribed under section 4(1)(a).
- 9 The reference in subsection (3) of section 8 to a person whose name has been removed from the Register under subsection (2) of that section shall be treated as including a reference to a person whose name was removed from the Register under section 13(5) of the 1931 Act before Part III of the 1996 Act came into force.
- 10 The reference to the Board in section 10(1)(b) shall be construed, in relation to the entry of a name in the Register before Part III of the 1996 Act came into force, as a reference to the Council.

Discipline

- 11 If—
- (a) before Part III of the 1996 Act came into force, the Discipline Committee began an inquiry into any case in which it was alleged that a registered person had been guilty of conduct disgraceful to him in his capacity as an architect; but
 - (b) the case has not been decided or referred to the Professional Conduct Committee before this Act comes into force,

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

the case shall be referred to the Professional Conduct Committee which shall consider whether he is guilty of unacceptable professional conduct or serious professional incompetence.

- 12 (1) Subject to sub-paragraph (2), sections 14 to 18 have effect in relation to anything done or omitted to be done before this Act comes into force (including anything done before Part III of the 1996 Act came into force) as in relation to anything done or omitted to be done after this Act comes into force.
- (2) The Professional Conduct Committee—
- (a) may only make a disciplinary order in respect of anything done or omitted to be done by a person before Part III of the 1996 Act came into force if the Council could have removed his name from the Register under section 7 of the 1931 Act (as it had effect before Part III of the 1996 Act came into force); and
- (b) may not make a reprimand or penalty order in respect of anything done or omitted to be done before Part III of the 1996 Act came into force.
- 13 (1) If a person's name was removed from the Register under section 7 of the 1931 Act before Part III of the 1996 Act came into force, he may at any time apply to the Board for his name to be re-entered in the Register.
- (2) If he does so, the Board may direct that his name shall be re-entered in the Register.
- (3) The Registrar shall serve on a person who applies for his name to be re-entered in the Register under this paragraph written notice of the decision on his application within the prescribed period after the date of the decision.
- (4) The Board may require a person whose name is re-entered in the Register under this paragraph to pay a fee of such amount, not exceeding the fee then payable by an applicant for registration in pursuance of section 4, as may be prescribed.
- 14 If—
- (a) a person's name was removed from the Register, or the Council determined that a person be disqualified for registration during any period, before Part III of the 1996 Act came into force; and
- (b) the period of three months from the date on which notice of the removal or determination was served on him has not ended before this Act comes into force,
- he may appeal under section 22 against the removal or determination at any time before the end of that period.
- 15 Section 12(7)(c) shall have effect as if it included a reference to a period of disqualification imposed by the Council.

Offence of practising while not registered

- 16 The repeal by this Act of Schedule 2 to the 1996 Act does not affect the continued operation of paragraphs 31 and 32 of that Schedule in relation to an offence committed before Part III of the 1996 Act came into force.

The Education Fund

- 17 (1) This paragraph applies if when this Act comes into force the assets of the Architects' Registration Council Education Fund have not been transferred by the Board.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

- (2) The Board may transfer the assets of the Fund to such person and on such terms as may be approved by the Secretary of State.
- (3) The repeal by the 1996 Act of sections 1(1) and (4) to (6), 3 and 4 of the 1969 Act shall not come into force until the transfer is made; and until the transfer references in those provisions to the Council shall have effect as references to the Board.
- 18 A person to whom the assets of the Fund are transferred (whether under section 124 of the 1996 Act or paragraph 17) shall apply the assets, and all income arising from the assets, for the purposes authorised in subsection (4) of section 1 of the 1969 Act (assuming for this purpose that the reference in that subsection to the Council were a reference to the person to whom the assets of the Fund are transferred).
- 19 (1) In this Schedule—
- (a) “the 1931 Act” means the ^{M7}Architects (Registration) Act 1931;
 - (b) “the 1969 Act” means the ^{M8}Architects Registration (Amendment) Act 1969; and
 - (c) “the 1996 Act” means the ^{M9}Housing Grants, Construction and Regeneration Act 1996.
- (2) In this Schedule—
- (a) “the Council” means the Architects’ Registration Council of the United Kingdom established under the 1931 Act, which was renamed as the Board by section 118(1) of the 1996 Act; and
 - (b) “the Discipline Committee” means the Discipline Committee constituted under the 1931 Act, which was abolished by section 118(2) of the 1996 Act.

Marginal Citations

M7 1931 c. 33.

M8 1969 c. 42.

M9 1996 c. 53.

SCHEDULE 3

Section 27.

REPEALS AND REVOCATIONS

Chapter or number	Short title or title	Extent of repeal or revocation
21 & 22 Geo. 5 c. 33.	The Architects (Registration) Act 1931.	The whole Act.
1 & 2 Geo. 6 c. 54.	The Architects Registration Act 1938.	The whole Act.
S.I. 1987/1824.	The Architects’ Qualifications (EEC Recognition) Order 1987.	The whole instrument.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

S.I. 1988/2241.	The Architects' Qualifications (EC Recognition) Order 1988.	The whole instrument.
1996 c. 53.	The Housing Grants, Construction and Regeneration Act 1996.	Sections 118 to 125. In section 148, in subsection (2), the words "Part III (architects)," and, in subsection (3), the words "Part III (architects), and". Schedule 2.

TABLE OF DERIVATIONS

Notes:

- 1 This Table shows the derivation of the provisions of the consolidation.
- 2 The following abbreviations are used in the Table—

1931	= Architects (Registration) Act 1931 (c.33)
1938	= Architects Registration Act 1938 (c.54)
1987	= Architects' Qualifications (EEC Recognition) Order 1987 (S.I. 1987/1824)
1988	= Architects' Qualifications (EC Recognition) Order 1988 (S.I. 1988/2241)
1993	= European Economic Area Act 1993 (c.51)
1996	= Housing Grants, Construction and Regeneration Act 1996 (c.53)

Provision	Derivation
1(1)	1931 s.3(1); 1996 s.118(1), Sch.2 para.3(2).
(2)	1931 s.3(2B); 1996 s.118(3).
(3)	
(4)	
(5)	
(6)	

Status: Point in time view as at 31/12/2020.

Changes to legislation: *There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)*

2	1931 s.4; 1996 s.119.
3	1931 s.5A; 1996 s.120(1).
4(1) to (3)	1931 s.6(1) to (3); 1996 s.120(2).
(4) to (6)	1931 s.6(6) to (8); 1996 s.120(2).
5(1)	1931 s.6A(1), (2); 1988 art.2; 1993 s.2(1); 1996 Sch.2 para.4(2).
(2)	1931 s.6A(2)(a); 1988 art.2.
(3)	1931 s.6A(2)(a), (5), (6); 1988 art.2.
(4)	1931 s.6A(2)(b), (c); 1988 art.2; 1993 s.2(1).
(5)	1931 s.6A(3), (4); 1988 art.2; 1993 s.2(1).
(6)	1931 s.6A(7); 1988 art.2; 1993 s.2(1); 1996 Sch.2 para.4(4).
(7)	1931 s.6A(10); 1988 art.2; 1993 s.2(1).
6(1)	1931 ss.6(4)(a), 6A(1A); 1996 s.120(2), Sch.2 para.4(3).
(2)	1931 s.6(4)(b); 1996 s.120(2).
(3)	1931 ss.6(5), 6A(1B); 1996 s.120(2), Sch.2 para.4(3).
(4)	1931 ss.6(9), 6A(8); 1988 art.2; 1996 s.120(2), Sch.2 para.4(5).
(5)	1931 s.6A(9); 1988 art.2; 1993 s.2(1); 1996 Sch.2 para.4(6).
7	1931 s.12; Criminal Justice Act 1982 (c.48) ss.38, 46; Fines and Penalties (Northern Ireland) Order 1984 (S.I. 1984/703 (N.I.3)) arts.5, 6; Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c.40) Sch.1 paras.5, 6; 1996 Sch.2 para.8.
8	1931 s.6B; 1996 s.120(3).
9	1931 s.6C; 1996 s.120(3).
10(1)	1931 s.7A(1); 1987 art.7; 1993 s.2(1); 1996 Sch.2 para.5(2).
(2)	1931 s.7A(3); 1996 Sch.2 para.5(4).
11	1931 s.11; 1996 Sch.2 para.7.
12(1)	1938 s.1A(4); 1987 art.8; 1993 s.2(1); 1996 Sch.2 para.14(2).
(2)	1938 s.1A(4); 1987 art.8; 1993 s.2(1).

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

(3)	1938 s.1A(1) to (3); 1987 art.8; 1993 s.2(1); 1996 Sch.2 para.14(2).
(4)	1938 s.1A(2); 1987 art.8; 1993 s.2(1).
(5)	1938 s.1A(3); 1987 art.8; 1993 s.2(1); 1996 Sch.2 para.14(3).
(6)	1938 s.1A(5); 1987 art.8; 1993 s.2(1).
(7)	1938 s.1A(6); 1987 art.8; 1993 s.2(1); 1996 Sch.2 para.14(4).
(8)	1938 s.1A(7); 1987 art.8; 1993 s.2(1).
(9)	1938 s.1A(9); 1987 art.8; 1993 s.2(1).
13	1931 s.7ZE; 1996 s.122.
14	1931 s.7; 1996 s.121.
15(1) to (5)	1931 s.7ZA; 1996 s.121.
(6)	1931 s.7A(2); 1987 art.7; 1993 s.2(1); 1996 Sch.2 para.5(3).
16	1931 s.7ZB; 1996 s.121.
17	1931 s.7ZC; 1996 s.121.
18	1931 s.7ZD; 1996 s.121.
19	1938 s.1A(8); 1987 art.8; 1993 s.2(1); 1996 Sch.2 para.14(5).
20(1)	1938 s.1(1).
(2)	1938 s.1(1) proviso.
(3)	1931 s.17(1); 1938 s.1(3); 1996 s.123(4), Sch.2 para.12(2), (3).
(4)	1931 s.17(2); 1996 s.123(4).
(5)	1938 s.1A(1); 1987 art.8; 1993 s.2(1).
(6)	1938 s.4(2).
(7)	1938 s.1(1A); 1996 s.123(1).
(8)	1938 s.1(1) proviso.
21(1)	1938 s.3(1); 1996 s.123(2), (3).
(2)	1938 s.3(1) proviso.
(3)	1938 s.3(1) proviso; 1996 Sch.2 para.15(b).
(4)	1938 s.3(2); 1996 s.123(3).
22	1931 s.9; 1996 Sch.2 para.6(2).
23(1), (2)	1931 s.13(1), (2); 1996 Sch.2 para.9.
(3)	1931 s.15; 1996 Sch.2 para.10.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

24(1)	1931 s.16(1); 1996 Sch.2 para.11(2).
(2)	1931 ss.11, 16(2); 1996 Sch.2 para.11(3).
25	
“the Board”	1931 s.2; 1996 Sch.2 para.2(2).
“competent authority”	1931 s.2; 1987 art.3; 1993 s.2(1).
“the Directive”	1931 s.2; 1987 art.3.
“disciplinary order”	1931 s.2; 1996 Sch.2 para.2(6).
“disqualifying decision in another EEA State”	1931 s.2; 1987 art.3; 1993 s.2(1).
“EEA State”	
“erasure order”	1931 s.2; 1996 Sch.2 para.2(6).
“list of visiting EEA architects”	
“national”	1931 s.2; 1987 art.3.
“penalty order”	1931 s.2; 1996 Sch.2 para.2(6).
“prescribed”	1931 s.2; 1996 Sch.2 para.2(4).
“prescribe”	1931 ss.6(5), 6A(1B), 6C(1); 1996 s.120(2), (3), Sch.2 para.4(3).
“the Register”	1931 s.2; 1996 Sch.2 para.2(5).
“the Registrar”	1931 s.2; 1996 Sch.2 para.2(6).
“registered person”	1931 s.2; 1996 Sch.2 para.2(3).
“suspension order”	1931 s.2; 1996 Sch.2 para.2(6).
“unacceptable professional conduct”	
26	
27	
28(1)	
(2)	
(3)	1931 s.18(2); 1938 s.6(1); 1996 Sch.2 paras.13, 17.
Sch. 1	
paras.1 to 10	1931 1st Sch. paras.1 to 10; 1996 Sch.2 para.1.
11	1931 s.4A; 1996 s.119.
12	1931 s.3(1), (2); 1996 Sch.2 para.3(3) (b).
13 to 24	1931 1st Sch. paras.11 to 22; 1996 Sch.2 para.1.

Status: Point in time view as at 31/12/2020.

Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)

Sch. 2

Sch. 3

Status:

Point in time view as at 31/12/2020.

Changes to legislation:

There are currently no known outstanding effects for the Architects Act 1997.