



Architects Act 1997

1997 CHAPTER 22

PART V

GENERAL AND SUPPLEMENTARY

General

22 Appeals.

Any person aggrieved by—

- (a) his name not being re-entered in, or being removed from, the Register by virtue of section 9;
- (b) the Board ordering the Registrar to remove his name from the Register under section 10; or
- (c) the making of a disciplinary order in relation to him,

may appeal to the High Court or the Court of Session within three months from the date on which notice of the decision or order concerned is served on him; and on an appeal under this section the Court may make any order which appears appropriate, and no appeal shall lie from any decision of the Court on such an appeal.

VALID FROM 23/12/2002

^{F1}22A

- (1) A person may appeal to the High Court or the Court of Session if he has made an application under section 5 or to which section 4(2B) applies and is aggrieved by—
 - (a) the refusal of his application; or
 - (b) the failure of the Registrar to comply with section 6(4A).
- (2) In the case mentioned in subsection (1)(a), an appeal must be brought within three months from the date on which notice of the refusal is served.

Status: Point in time view as at 21/07/1997. This version of this part contains provisions that are not valid for this point in time.

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

- (3) In the case mentioned in subsection (1)(b), an appeal must be brought within three months from the end of the period specified in section 6(4A)(a).
- (4) On an appeal under this section the Court may make any order which appears appropriate.
- (5) No appeal shall lie from a decision of the Court on an appeal under this section.]

Textual Amendments

F1 [S. 22A](#) added (23.12.2002) by [S.I. 2002/2842](#), [art. 5](#)

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.

In this Act—

“the Board” means the Architects Registration Board;

“competent authority”, in relation to an EEA State, means an authority or body designated by the State in accordance with the Directive;

“the Directive” means ^{M1}Council Directive [85/384/EEC](#) on the mutual recognition of diplomas, certificates and other evidence of formal qualifications in architecture, as amended;

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

“disqualifying decision in another EEA State”, in relation to any person, means a decision made by a competent authority of an EEA State other than the United Kingdom which—

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- (a) is expressed to be made on the ground that he has committed a criminal offence or has misconducted himself in a professional respect; and
- (b) has the effect in that State that he is no longer registered or otherwise officially recognised as an architect or that he is prohibited from practising as an architect there;

“EEA State” means any State which is a Contracting Party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992, as adjusted by the Protocol signed at Brussels on 17th March 1993;

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

“list of visiting EEA architects” means the list maintained under section 12;

“national” does not include a person who, by virtue of Article 2 of Protocol No.3 (Channel Islands and Isle of Man) to the Treaty of Accession, is not to benefit from Community provisions relating to the free movement of persons and services;

“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;

“suspension order” shall be construed in accordance with section 17; and

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

Marginal Citations

M1 O.J. No. L. 223/15.

26 Consequential amendments.

In—

- (a) section 6 of the ^{M2}Inspection of Churches Measure 1955, in the definition of “qualified person”;
- (b) section 52(1) of the ^{M3}Cathedrals Measure 1963, in the definition of “architect”; and
- (c) section 20(1) of the ^{M4}Care of Cathedrals Measure 1990, in the definition of “architect”;

for “Architects Acts 1931 to 1996” substitute “ Architects Act 1997 ”.

Marginal Citations

M2 1955 No. 1.

M3 1963 No. 2.

M4 1990 No. 2.

27 Transitionals, repeals etc.

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

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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](#)

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Changes to legislation:

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