

Status: Point in time view as at 07/01/2019.

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

[^{F1}Membership

Textual Amendments

F1 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 registered in Part 1 of the Register;
 - (b) five other persons not registered in Part 1 of the Register, and
 - (c) five persons registered in Part 1 of the Register.
- (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.]

Elected members

^{F12}

Textual Amendments

F1 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

^{F13}

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Textual Amendments

- F1** 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) [^{F2}and paragraph 5], the term of office of a member of the Board is [^{F3}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

- F2** 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)
- F3** 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)**

- [^{F4}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

- F4** 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)

Casual vacancies

- [^{F5}6

Textual Amendments

- F5** 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)

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[^{F6}Chair]

Textual Amendments

F6 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)

- [^{F7} (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 registered in Part 1 of the Register is eligible for appointment under this paragraph.]

Textual Amendments

F7 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)

- 8 In the event of a tie in any vote of the Board the [^{F6}chair] shall have an additional casting vote.

Procedure

- [^{F8}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

F8 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.

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.

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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

- [^{F9}13 The Professional Conduct Committee is to consist of—
- (a) at least three persons who are legally qualified;
 - (b) at least three persons registered in Part 1 of the Register 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 registered in Part 1 of the Register.]

Textual Amendments

- F9** 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)

- 14 (1) The members of the Professional Conduct Committee shall elect a [^{F6}chair] from among themselves.
- (2) The [^{F6}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 [^{F6}chair] in the event of a vacancy in the office of [^{F6}chair] or in such other circumstances as may be prescribed.

Textual Amendments

- F6** 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 [^{F10}(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) ^{F11}... 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 [^{F12}person registered in Part 1 of the Register] and whose address in the Register is in Scotland.

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Textual Amendments

- F10** 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)
- F11** 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)
- F12** Words in Sch. 1 para. 15(2) substituted (20.6.2008) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **23(b)**

- 16 In the event of a tie in any vote of the Professional Conduct Committee the ^{F6}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

- F6** 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).

- ^{F13}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

- F13** 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)

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.

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- (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 [^{F14}chairing] and quorum) of any committee established by the Board.

Textual Amendments

F14 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 ^{F15}... appointment of a member.

Textual Amendments

F15 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—
- (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.

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1^{F16}SCHEDULE1A

Section 5A(1)

VISITING ARCHITECTS FROM RELEVANT EUROPEAN STATES

Textual Amendments

F16 Sch. 1A inserted (20.6.2008) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, 8(2), **Sch.**

Application and interpretation

1. This Schedule applies to a Directive-rights national who is lawfully established as an architect in a relevant European State other than the United Kingdom.
2. (1) In this Schedule—
 - (a) “visiting practitioner” means a person to whom this Schedule applies;
 - (b) “home State”, in relation to a visiting practitioner, means the relevant European State in which the practitioner is lawfully established as an architect; and
 - (c) a reference to the provision of occasional services is a reference to the provision in the United Kingdom, on a temporary and occasional basis, of services as an architect.
- (2) Sub-paragraph (3) applies where, for purposes of this Schedule, it falls to be assessed whether the provision of services is on a temporary and occasional basis.
- (3) The temporary and occasional nature of the provision of the services shall be assessed case by case, in particular in relation to its duration, its frequency, its regularity and its continuity.

Entitlement to be registered in respect of provision of occasional services: first year

3. (1) A visiting practitioner who proposes to provide occasional services for the first time is entitled to be registered in Part 2 of the Register if the practitioner sends or produces to the Registrar—
 - (a) the required declaration, and
 - (b) the other required documents,but paragraph 5 contains provision about the duration of entitlement under this sub-paragraph.
- (2) The Registrar shall give effect to entitlement under sub-paragraph (1), except that the Registrar may refuse to do so if, even though there is at least one other State in which the visiting practitioner—
 - (a) is lawfully established as an architect, and
 - (b) is not prohibited (even temporarily) from practising as an architect,there is also at least one other State where a disqualifying decision is in force in respect of the practitioner; and in this sub-paragraph “other State” means a relevant European State other than the United Kingdom.
- (3) For the purposes of sub-paragraph (1) “the required declaration” is a written declaration that—

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- (a) states the practitioner’s wish to provide occasional services, and
 - (b) contains details of the insurance cover, or other means of personal or collective protection, that the practitioner has with regard to professional liability.
- (4) For the purposes of sub-paragraph (1) “the other required documents” are—
- (a) if the practitioner is a national of a relevant European State, proof of nationality;
 - (b) if the practitioner is not a national of a relevant European State, proof of the Community right by virtue of which the practitioner is a Directive-rights national;
 - (c) evidence certifying successful completion of any professional training undertaken by the practitioner that is relevant to practise as an architect;
 - (d) evidence of any actual and lawful pursuit of the profession of architect undertaken by the practitioner in any relevant European State;
 - (e) a certificate (or certificates) issued by a competent authority in the practitioner’s home State confirming—
 - (i) that the practitioner is lawfully established as an architect in that State, and
 - (ii) that the practitioner is not prohibited (whether on a permanent or temporary basis) from practising as an architect there.
- (5) A declaration under sub-paragraph (3) may be supplied by any means.

Registration in respect of provision of occasional services after first year

4. (1) Sub-paragraph (2) applies where the Registrar receives the required renewal documents from a visiting practitioner who is entitled under this Schedule to be registered in Part 2 of the Register .
- (2) The visiting practitioner continues to be entitled to be registered in Part 2 of the Register , but paragraph 5 contains provision about the duration of entitlement continued under this sub-paragraph.
- (3) Sub-paragraph (4) applies where the Registrar receives the required renewal documents from a visiting practitioner who—
- (a) is not entitled under this Schedule to be registered in Part 2 of the Register , but
 - (b) has been previously entitled under this Schedule to be registered in that Part.
- (4) The visiting practitioner is once again entitled to be registered in Part 2 of the Register , but paragraph 5 contains provision about the duration of entitlement continued under this sub-paragraph.
- (5) The Registrar shall give effect to entitlement under sub-paragraph (2) or (4).
- (6) In relation to a visiting practitioner “the required renewal documents” are—
- (a) a renewal declaration; and
 - (b) each evidence of change document (if any).
- (7) In this paragraph “renewal declaration”, in relation to a visiting practitioner, means a written declaration that—

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- (a) states the practitioner’s wish to provide occasional services in a further year; and
 - (b) contains details of the insurance cover, or other means of personal or collective protection, that the practitioner has with regard to professional liability.
- (8) Where a document—
- (a) is, in relation to a visiting practitioner, one of the other required documents for the purposes of paragraph 3(1), and
 - (b) substantiates a matter as respects which there has been a material change since the practitioner last (whether under paragraph 3 or this paragraph) supplied the then-current version of the document to the Registrar,
- the version of the document current when under this paragraph the practitioner supplies a renewal declaration to the Registrar is an “evidence of change” document for the purposes of sub-paragraph (6)(b).
- (9) A renewal declaration supplied under this paragraph may be supplied by any means.

Duration of entitlements to be registered in Part 2 of the Register

5. (1) Unless an entitlement under paragraph 3 or 4(4) is continued (or further continued) by paragraph 4(2), the entitlement ceases at the end of the year that begins with the day after the day on which the Registrar received the documents whose receipt gave rise to the entitlement.
- (2) Where an entitlement under paragraph 3 or 4(4) is continued (or further continued) by paragraph 4(2), the entitlement is extended so as to cease at the end of the year that begins with the day after the relevant day.
- (3) For the purposes of sub-paragraph (2)—
- (a) if the day on which the Registrar receives the documents whose receipt gives rise to the continuation (or further continuation) is an anniversary of the start day, “the relevant day” means the day on which the Registrar receives those documents;
 - (b) otherwise, “the relevant day” means the anniversary of the start day that is the first such anniversary to occur after the Registrar receives the documents whose receipt gives rise to the continuation (or further continuation).
- (4) In sub-paragraph (3) “the start day”, in relation to an entitlement under paragraph 3 or 4(4), means the day on which the Registrar receives the documents whose receipt gives rise to the entitlement.
- (5) An entitlement under this Schedule to be registered in Part 2 of the Register ceases if—
- (a) the visiting practitioner concerned becomes established in the United Kingdom as an architect; or
 - (b) it becomes the case—
 - (i) that the practitioner is not lawfully established as an architect in any of the other States, or
 - (ii) that the practitioner is prohibited (on a permanent or temporary basis) from practising as an architect in each other State in which the practitioner is lawfully established as an architect;

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and here “other State” means a relevant European State other than the United Kingdom.

Deemed registration where person entitled to be registered is not registered

6. A visiting practitioner who is entitled under this Schedule to be registered in Part 2 of the Register, but who is not registered in that Part, shall be treated as registered in that Part.

Registrar’s power to remove person’s name from Part 2 of the Register

7. (1) Sub-paragraph (3) applies where a person’s entitlement under this Schedule to be registered in Part 2 of the Register ceases by reason of the operation of provisions of this Schedule.
- (2) Sub-paragraph (3) also applies where—
- (a) a visiting practitioner is lawfully established as an architect in a relevant European State other than the United Kingdom and is not prohibited (whether on a permanent or temporary basis) from practising as an architect there, and
 - (b) a disqualifying decision is made against the practitioner in a different relevant European State that is not the United Kingdom.
- (3) If the person is registered in Part 2 of the Register, the Registrar may remove the person’s name from that Part.

Saving for other powers to de-register or suspend registration

8. Paragraphs 3 to 7 are not to be taken to prejudice the application, in relation to persons registered in Part 2 of the Register on the basis of entitlement under this Schedule, of any other provision of this Act under which a registered person’s name may be removed from Part 2 of the Register.

Registrar’s duty to notify person appearing not to have entitlement

9. Where the Registrar receives documents from a person and it appears to the Registrar—
- (a) that the documents were sent or produced to the Registrar for the purpose of establishing that the person is entitled to be registered, to continue to be registered or once again to be registered in Part 2 of the Register, but
 - (b) that the person is not so entitled,
- the Registrar shall, as soon as may be reasonably practicable after the Registrar comes to be of that view, serve on the person written notice that the Registrar is of that view.]

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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.
- 5 Paragraphs 1 to 4 have effect in place of section 17(2) of the ^{M1}Interpretation Act 1978 (but are without prejudice to any other provision of that Act).

Marginal Citations

M1 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

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- (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,
- 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.

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- (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.
- (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 ^{M2}Architects (Registration) Act 1931;
- (b) “the 1969 Act” means the ^{M3}Architects Registration (Amendment) Act 1969; and
- (c) “the 1996 Act” means the ^{M4}Housing Grants, Construction and Regeneration Act 1996.
- (2) In this Schedule—

*Status: Point in time view as at 07/01/2019.**Changes to legislation: There are currently no known outstanding effects for the Architects Act 1997. (See end of Document for details)*

- (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**M2** 1931 c. 33.**M3** 1969 c. 42.**M4** 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.
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—

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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)	
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).

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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).
(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).

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

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.
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).

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“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.
Sch. 2	
Sch. 3	

Status:

Point in time view as at 07/01/2019.

Changes to legislation:

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