



Building Safety Act 2022

2022 CHAPTER 30

PART 5

OTHER PROVISION ABOUT SAFETY, STANDARDS ETC

Architects

158 Architects: Appeals Committee

- (1) The Architects Act 1997 is amended as follows.
- (2) In section 1 (the Board)—
 - (a) after subsection (2) insert—

“(2A) There is to be an Appeals Committee of the Board.”;
 - (b) after subsection (4) insert—

“(4A) Part 2A of that Schedule makes provision about the Appeals Committee.”
- (3) In section 4 (registration: general)—
 - (a) in subsection (4)(b) for “refer the application to the Board” substitute “refuse the application”;
 - (b) in subsection (6)—
 - (i) omit “(4) or”;
 - (ii) for the words from “direct” to the end substitute “—
 - (a) direct the Registrar to enter the person’s name in the Register if it is satisfied that the person is entitled to be registered, or
 - (b) direct the Registrar to refuse the application if it is not so satisfied.”
- (4) In section 6(4B) (notice of refusal of application) for the words from “in the case” to “section 4(2A)” substitute “of an application”.

Changes to legislation: There are currently no known outstanding effects for the Building Safety Act 2022, Section 158. (See end of Document for details)

(5) In section 9 (competence to practise) after subsection (2) insert—

“(2A) A notice under subsection (2) must state reasons for the decision.”

(6) In Part 5 (general and supplementary) before section 22 insert—

“21A Appeals to the Appeals Committee

(1) A person may appeal to the Appeals Committee against—

- (a) a decision to refuse the person’s application for registration, or
- (b) if the person is a person to whom paragraph (b) of section 9(1) applies, a decision to remove or not to re-enter the person’s name in the Register as a result of section 9(1).

(2) The Board may make rules about appeals to the Appeals Committee, including in particular rules about—

- (a) the period within which any appeal must be made;
- (b) the way in which an appeal is to be made or withdrawn;
- (c) the fee that must be paid on the making of an appeal (including circumstances in which that fee may or must be refunded);
- (d) the procedure to be followed by the Appeals Committee in relation to an appeal;
- (e) the effect of the making of an appeal, pending its determination, on the decision appealed against.

(3) On the determination of an appeal, the Appeal Committee may make any decision that could have been made by the person who made the decision appealed against.

(4) The Appeals Committee must, within the prescribed period after determining a person’s appeal, serve on the person written notice of the decision made on that determination.”

(7) In section 22 (appeals)—

(a) in subsection (1)—

(i) for paragraph (a) substitute—

“(a) a decision of the Appeals Committee under section 21A, on an appeal made by the person;”;

(ii) for paragraph (c) substitute—

“(c) the person’s name not being re-entered in the Register under section 18 as a result of section 9(1);”;

(b) in subsection (2) omit “Subject to subsection (3),”;

(c) omit subsection (3);

(d) in the heading at the end insert “to the court”.

(8) In section 24(2) (service of documents) for “or 15(3)” substitute “, 15(3) or 21A(4)”.

(9) In Schedule 1 (the Board and its committees) after Part 2 insert—

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“PART 2A

THE APPEALS COMMITTEE

- 17B (1) The Board may make rules about—
- (a) the composition of the Appeals Committee;
 - (b) the selection and term of office of members of the Appeal Committee (including casual vacancies);
 - (c) the meetings and procedure (including chairing and quorum) of the Appeal Committee;
 - (d) votes of the Appeal Committee (including providing for a casting vote and the way in which it is to be exercised).
- (2) Before making rules about the composition of the Appeals Committee, the Board must consult the Secretary of State.”

(10) In Part 4 of that Schedule (general provisions), after “Professional Conduct Committee”, in each place it occurs, insert “, the Appeals Committee”.

Commencement Information

II S. 158 in force at 28.6.2022, see s. 170(3)(f)

Changes to legislation:

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