



Architects Act 1997

1997 CHAPTER 22

PART II

REGISTRATION ETC.

Registration

4 Registration: general

- (1) A person who has applied to the Registrar in the prescribed manner for registration in pursuance of this section is entitled to be registered 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.
- (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 in pursuance of this section—
 - (a) if the Registrar is satisfied that the person is entitled to be registered, he shall enter his name in the Register; but
 - (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 in pursuance of this section in any case in which it is inappropriate for him to do so (for instance because

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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 the Register if it is satisfied that he is entitled to be registered.

5 Registration: EEA qualifications

- (1) A national of an EEA State who has applied to the Registrar in the prescribed manner for registration in pursuance of this section is entitled to be registered if he holds—
- (a) a recognised EEA qualification;
 - (b) an established EEA qualification; or
 - (c) a relevant EEA certificate.
- (2) A qualification is a recognised EEA qualification for the purposes of this section if it is required to be recognised under Article 2 of the Directive (recognition of qualifications satisfying the requirements of Articles 3 and 4 of the Directive which are included in a list published in the Official Journal in accordance with Article 7).
- (3) A qualification is an established EEA qualification for the purposes of this section if it is required to be recognised under Article 10 or 14 of the Directive (recognition of established qualifications set out in Article 11 and certain equivalent qualifications).
- (4) A certificate is a relevant EEA certificate for the purposes of this section if it is issued by a competent authority of an EEA State in accordance with Article 5 or 12 of the Directive and states—
- (a) in the case of a certificate issued in accordance with Article 5 of the Directive, that the person concerned is, by reason of his distinguished achievements in the field of architecture, entitled to use the title of architect; or
 - (b) in the case of a certificate issued in accordance with Article 12 of the Directive, that the person concerned has been, no later than the date on which that State implemented the Directive, authorised in that State to use the title of architect and that he has pursued activities in the field of architecture effectively for at least three consecutive years during the five years preceding the issue of the certificate.
- (5) A recognised EEA qualification or an established EEA qualification shall be accompanied by—
- (a) a certificate issued by a competent authority of an EEA State, in accordance with Article 23(2) of the Directive, stating that the person concerned has gained at least two years' practical training experience in that State under the supervision of a person established as an architect in that State; or
 - (b) a certificate issued by a competent authority of the Federal Republic of Germany, in accordance with Article 4(1) of the Directive, stating that the person concerned has gained at least four years' appropriate professional experience in the Federal Republic of Germany.
- (6) An application by a person for registration in pursuance of this section may be refused if there is a disqualifying decision in another EEA State in force in respect of that person.
- (7) A person who is registered in pursuance of this section shall, when using his academic title or any abbreviation of it, express the title or abbreviation in the language or one

of the languages of the EEA State in which the body conferring the title is located and shall follow the title or abbreviation with the name and location of the body conferring the title.

6 Registration: further procedural requirements

- (1) The Board may require an applicant for registration in pursuance of section 4 or 5 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.
- (3) The Board may prescribe the information and evidence to be provided to the Registrar in connection with an application for registration in pursuance of section 4 or 5.
- (4) The Registrar shall serve on an applicant for registration in pursuance of section 4 or 5 written notice of the decision on his application—
 - (a) where the application is made on the ground that he satisfies section 4(1)(a) or in pursuance of section 5, within three months of his application being duly made; and
 - (b) where the application is made on the ground that he satisfies section 4(1)(b), within six months of his application being duly made.
- (5) If, in pursuance of Article 17(4) or 18(2) of the Directive, the Board consults an EEA State in respect of an application for registration in pursuance of section 5, the period mentioned in subsection (4)(a) shall be extended by such period as may elapse between initiating the consultation and the receipt by the Board of a final reply from that State.

7 Penalty for obtaining registration by false representation

- (1) A person commits an offence if he intentionally becomes or attempts to become registered under this Act by making or producing, or causing to be made or produced, any false or fraudulent representation or declaration (whether oral or written).
- (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.