



Housing Grants, Construction and Regeneration Act 1996

1996 CHAPTER 53

PART III

ARCHITECTS

Miscellaneous

123 Offence of practising while not registered

- (1) In section 1 (prohibition on practising or carrying on business under title of architect by person who is not registered) of the Architects Registration Act 1938 (“the 1938 Act”), after subsection (1) insert—

“(1A) In this Act (and in section 17 of the principal Act) “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.”.

- (2) In section 3 of the 1938 Act (offence of practising while not registered), for the words from “to a fine” to “therefor:” substitute “to a fine not exceeding level 4 on the standard scale:”.

- (3) Re-number that section as subsection (1) of that section and after that subsection as so renumbered insert—

“(2) In relation to an offence under subsection (1)—

- (a) section 127(1) of the Magistrates' Courts Act 1980 (information to be laid within six months of offence);
- (b) Article 19(1) of the Magistrates' Courts (Northern Ireland) Order 1981 (complaint to be made within that time); and
- (c) section 136(1) of the Criminal Procedure (Scotland) Act 1995 (proceedings to be commenced within that time),

Status: This is the original version (as it was originally enacted).

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

- (4) Re-number section 17 of the 1931 Act (defence for certain bodies corporate, firms and partnerships) as subsection (1) of that section and after that subsection as so renumbered insert—

“(2) The Board may by rules provide that subsection (1) 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.”.

124 The Education Fund

- (1) No fees received under the 1931 Act shall be credited to the Architects' Registration Council Education Fund (“the Fund”) constituted under the Architects Registration (Amendment) Act 1969 (“the 1969 Act”).
- (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) A person to whom the assets of the Fund are transferred under subsection (2) 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).

125 Supplementary

- (1) The amendments made by Part II of Schedule 2, and the transitional provisions and savings in Part III of that Schedule, shall have effect.
- (2) In this Part—
“the 1931 Act” means the Architects (Registration) Act 1931,
“the 1938 Act” means the Architects Registration Act 1938, and
“the 1969 Act” means the Architects Registration (Amendment) Act 1969.
- (3) In this Part “the Fund” means the Architects' Registration Council Education Fund.
- (4) The 1931 Act, the 1938 Act and this Part may be cited together as the Architects Acts 1931 to 1996.