



# Architects Act 1997

## 1997 CHAPTER 22

### PART II

#### REGISTRATION ETC.

##### *The Registrar and the Register*

### 2 The Registrar.

- (1) The Board shall appoint a person to be known as the Registrar of Architects.
- (2) The Board shall decide the period for which, and the terms on which, the Registrar is appointed.
- (3) The Registrar shall have the functions provided by or by virtue of this Act and any other functions which the Board directs.

<sup>F1</sup>(3A) .....

- (4) The Board may, in addition to paying to the Registrar a salary or fees, pay pensions to or in respect of him, or make contributions to the payment of such pensions, and pay him allowances, expenses and gratuities.

#### Textual Amendments

**F1** S. 2(3A) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/717), regs. 1(2), 5 (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

### 3 The Register.

- (1) The Registrar shall maintain the Register of Architects in which there shall be entered the name of every person entitled to be registered under this Act.

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

<sup>F2</sup>(1A) .....

- (2) The Register shall show the regular business address of each registered person.
- (3) The Registrar shall make any necessary alterations to the Register and, in particular, shall remove from the Register the name of any registered person who has died or has applied in the prescribed manner requesting the removal of his name.
- (4) The Board shall publish the current version of the Register annually and a copy of the most recently published version shall be provided to any person who requests one on payment of a reasonable charge decided by the Board.
- (5) A copy of the Register purporting to be published by the Board shall be evidence (and, in Scotland, sufficient evidence) of any matter mentioned in it.
- (6) A certificate purporting to be signed by the Registrar which states that a person—
  - (a) is registered;
  - (b) is not registered;
  - (c) was registered on a specified date or during a specified period;
  - (d) was not registered on a specified date or during a specified period; or
  - (e) has never been registered,
 shall be evidence (and, in Scotland, sufficient evidence) of any matter stated.

**Textual Amendments**

**F2** S. 3(1A) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), 6 (with regs. 22-47) (as amended by [S.I. 2019/810](#), regs. 1(3), 4 and [S.I. 2020/1038](#), regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

*Registration*

**4** [<sup>F3</sup>**Registration** <sup>F4</sup>...: general]

- (1) A person who has applied to the Registrar in the prescribed manner for registration <sup>F5</sup>... is entitled to be registered <sup>F6</sup>... 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.

[<sup>F7</sup>(2A) For the purposes of subsection (1), a [<sup>F8</sup>person] shall be treated as having achieved a standard of competence equivalent to that demonstrated by satisfying subsection (1)

- (a) if—
  - (a) he produces [<sup>F9</sup>the evidence described] in section 4A(1) [<sup>F10</sup>which provides access to the profession of architect in the relevant European State in which that evidence was issued];
  - <sup>F11</sup>(b) .....
  - <sup>F11</sup>(c) .....]

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

- (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 <sup>F12</sup>...—
- (a) if the Registrar is satisfied that the person is entitled to be registered <sup>F13</sup>..., he shall enter his name in <sup>F14</sup>... 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 <sup>F15</sup>... in any case in which it is inappropriate for him to do so (for instance because 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 <sup>F16</sup>... the Register if it is satisfied that he is entitled to be registered <sup>F17</sup>....
- [<sup>F18</sup>(7) For the purposes of subsection (2A)(a), evidence is to be treated as issued in a relevant European State if it is issued in a country (or former country) whose territory at any time consisted of, or included, the whole or part of the territory of that State.]

#### Textual Amendments

- F3** S. 4 sidenote substituted (20.6.2008) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **6(1)(a)**
- F4** Words in s. 4 heading omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(a)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in s. 4(1) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(b)(i)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in s. 4(1) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(b)(ii)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F7** S. 4(2A) substituted (20.6.2008) for s. 4(2A)(2B) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **6(1)(c)**
- F8** Word in s. 4(2A) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(c)(i)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F9** Words in s. 4(2A)(a) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(c)(ii)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in s. 4(2A)(a) substituted (12.9.2011) by [The Architects \(Recognition of European Qualifications\) Regulations 2011 \(S.I. 2011/2008\)](#), regs. 1, **2**
- F11** S. 4(2A)(b)(c) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(c)(iii)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

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- F12** Words in s. 4(4) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(d)(i)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F13** Words in s. 4(4)(a) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(d)(ii)(aa)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F14** Words in s. 4(4)(a) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(d)(ii)(bb)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F15** Words in s. 4(5) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(e)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F16** Words in s. 4(6) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(f)(i)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F17** Words in s. 4(6) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **7(f)(ii)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F18** S. 4(7) inserted (20.6.2008) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **6(3)**

#### **[<sup>F20</sup>4A Registration <sup>F19</sup>...: European qualifications**

**[<sup>F21</sup>(1)** The evidence that a person is required to produce for the purposes of section 4(2A) (a) is evidence of formal qualifications listed in respect of a relevant European State in point 5.7.1 of Annex V to the Directive (qualifications in architecture satisfying the minimum training conditions mentioned in Article 46 of the Directive, including training which is, under Article 22(a), to be treated as meeting those conditions) accompanied, where appropriate, by the certificate listed in relation to that evidence in the column of that point of that Annex entitled “Certificate accompanying the evidence of qualifications”.]

(2) Where a person applies for registration in pursuance of section 4 and, in doing so, relies on subsection (2A) of that section—

- (a) the Registrar may, for the purposes of deciding whether the person is entitled to be registered in pursuance of section 4, demand any documents within Annex VII to the Directive and may, where the demand relates to a document within point 1(d), (e) or (f) of that Annex, treat the demand as unsatisfied if the document submitted to the Registrar in response to the demand is more than 3 months old when submitted;
- (b) in the event of justified doubts as to whether the person is entitled to be registered in pursuance of section 4, the Registrar may require [<sup>F22</sup>the person to produce written confirmation from the competent authority in a relevant European State] of the authenticity of the <sup>F23</sup>... evidence of formal qualifications awarded in that <sup>F24</sup>... relevant European State, as well as confirmation of the fact that the person fulfils the minimum training conditions set out in Article 46 of the Directive (including training which is, under Article 22(a), to be treated as meeting those conditions);
- (c) in case of justified doubt as to whether the person is entitled to be registered in pursuance of section 4, where [<sup>F25</sup>the person has produced confirmation from a competent authority in a relevant European State (see paragraph (b)) which] includes evidence as to training received in whole or in part in an

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establishment legally established in the territory of another relevant European state, the Registrar [<sup>F26</sup> may require the person to produce written confirmation from the competent authority in the relevant European State of origin of the award as to] —

- (i) whether the training course at the establishment which gave the training has been formally certified by the educational establishment based in the relevant European State of origin of the award;
  - (ii) whether the evidence of formal qualifications issued is the same as that which would have been awarded if the course had been followed entirely in the relevant European State of origin of the award; and
  - (iii) whether the evidence of formal qualifications confers the same professional rights in the territory of the relevant European State of origin of the award.
- (3) Subsection (4) applies to a person who is registered <sup>F27</sup> ... in pursuance of section 4 in reliance on subsection (2A) of that section.
- (4) The person, when using his academic title or any abbreviation of it—
- (a) may express the title or abbreviation in the language, or one of the languages, of the relevant European State in which the body conferring the title is located;
  - (b) must follow the title or abbreviation with the name and location of the body conferring the title.]

#### Textual Amendments

- F19** Words in s. 4A heading omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **8(a)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F20** S. 4A substituted (20.6.2008) for s. 5 by Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, 7
- F21** S. 4A(1) substituted (31.12.2020) by The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **8(b)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F22** Words in s. 4A(2)(b) substituted (31.12.2020) by The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **8(c)(i)(aa)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F23** Words in s. 4A(2)(b) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **8(c)(i)(bb)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F24** Word in s. 4A(2)(b) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **8(c)(i)(cc)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F25** Words in s. 4A(2)(c) substituted (31.12.2020) by The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **8(c)(ii)(aa)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F26** Words in s. 4A(2)(c) substituted (31.12.2020) by The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **8(c)(ii)(bb)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F27** Words in s. 4A(3) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **8(d)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

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**F28 5A Registration in Part 2 of the Register : Directive-rights nationals providing services**

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**Textual Amendments**  
**F28** Ss. 5A-5E omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **9** (with regs. 22-47) (as amended by [S.I. 2019/810](#), regs. 1(3), 4 and [S.I. 2020/1038](#), regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

**F28 5B Titles to be used by persons registered in Part 2 of the Register**

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**Textual Amendments**  
**F28** Ss. 5A-5E omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **9** (with regs. 22-47) (as amended by [S.I. 2019/810](#), regs. 1(3), 4 and [S.I. 2020/1038](#), regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

**F28 5C Information to be given to recipients of the service**

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**Textual Amendments**  
**F28** Ss. 5A-5E omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **9** (with regs. 22-47) (as amended by [S.I. 2019/810](#), regs. 1(3), 4 and [S.I. 2020/1038](#), regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

**F28 5D Administrative co-operation with other relevant European States**

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**Textual Amendments**  
**F28** Ss. 5A-5E omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **9** (with regs. 22-47) (as amended by [S.I. 2019/810](#), regs. 1(3), 4 and [S.I. 2020/1038](#), regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

**F28 5E Complaints by recipients of services**

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### Textual Amendments

**F28** Ss. 5A-5E omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **9** (with regs. 22-47) (as amended by [S.I. 2019/810](#), regs. 1(3), 4 and [S.I. 2020/1038](#), regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

## 6 Registration: further procedural requirements.

(1) The Board may require an applicant for registration <sup>F29</sup>... 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.

<sup>F30</sup>(2A) .....

(3) The Board may prescribe the information and evidence to be provided to the Registrar in connection with an application for registration <sup>F31</sup>....

[<sup>F32</sup>(3A) The reference in subsection (3) to an application for registration <sup>F33</sup>... does not include an application for registration <sup>F34</sup>... made by a [<sup>F35</sup>person] who, in making the application, relies on section 4(2A).

(3B) Where a [<sup>F36</sup>person] applies to be registered <sup>F37</sup>... and, in doing so, relies on section 4(2A), the Board shall—

- (a) acknowledge receipt of the application within one month of receipt; and
- (b) inform the applicant of any missing document required for the purposes of the application.

(3C) The Registrar shall deal expeditiously with all applications for registration.]

[<sup>F38</sup>(4) The Registrar shall serve on an applicant <sup>F39</sup>... written notice of the decision on his application.

[<sup>F40</sup>(4A) A notice under subsection (4) shall be served—

- (a) in the case of an application by a person who in making the application—
  - (i) relies on subsection (1)(a) of section 4 without also relying on subsection (2A), or
  - (ii) relies on section 4(2A),

within three months beginning with the date on which the application is made;

- (b) in any other case, within six months beginning with the date on which the application is made.]

(4B) Notice of a refusal in the case of an application [<sup>F41</sup>by a person who in making the application relies on section 4(2A)] shall state reasons for the refusal.]

<sup>F42</sup>(5) .....

### Textual Amendments

**F29** Words in s. 6(1) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **10(a)** (with regs. 22-47) (as amended by [S.I. 2019/810](#), regs. 1(3), 4 and [S.I. 2020/1038](#), regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

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- F30** S. 6(2A) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **10(b)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F31** Words in s. 6(3) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **10(c)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F32** S. 6(3A)-(3C) inserted (20.6.2008) by Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **9(d)**
- F33** Words in s. 6(3A) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **10(d)(i)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F34** Words in s. 6(3A) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **10(d)(ii)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F35** Word in s. 6(3A) substituted (31.12.2020) by The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **10(d)(iii)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F36** Word in s. 6(3B) substituted (31.12.2020) by The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **10(e)(i)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F37** Words in s. 6(3B) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **10(e)(ii)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F38** S. 6(4)-(4B) substituted for s. 6(4) (23.12.2002) by S.I. 2002/2842, **art. 4(2)**
- F39** Words in s. 6(4) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **10(f)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F40** S. 6(4A) substituted (20.6.2008) by Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **9(f)**
- F41** Words in s. 6(4B) substituted (20.6.2008) by Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **9(g)**
- F42** S. 6(5) omitted (20.6.2008) by virtue of Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **9(h)**

#### [<sup>F43</sup>6A. Issuing of certificates of architectural education

- (1) Where a person requests the Board to issue a certificate of architectural education confirming that the person's training as an architect—
- meets the minimum training conditions in Article 46 of the Directive,
  - gives that person entitlement under section 4 to be registered <sup>F44</sup>..., or
  - includes prescribed or equivalent qualifications,
- the Board may issue such a certificate to that person if the training does meet those conditions, gives that entitlement or includes those qualifications.
- (2) The Board may require a person making a request under subsection (1) to pay a fee of a prescribed amount.]

#### Textual Amendments

- F43** S. 6A inserted (20.6.2008) by Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **10**



*Status: Point in time view as at 31/12/2020.*

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

**F44** Words in s. 6A(1)(b) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **11** (with regs. 22-47) (as amended by [S.I. 2019/810](#), regs. 1(3), 4 and [S.I. 2020/1038](#), regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

## 7 **Penalty for obtaining registration<sup>F45</sup> or recognition] by false representation.**

- <sup>F46</sup>(1) A person commits an offence if the person intentionally—
- (a) becomes or attempts to become registered under this Act, or
  - (b) does any of the things mentioned in subsection (1A) anywhere in or outside the United Kingdom.
- (1A) Those things are—
- (a) making to the Board or to the Registrar,
  - (b) producing to the Board or to the Registrar,
  - (c) causing to be made to the Board or to the Registrar, or
  - (d) causing to be produced to the Board or to the Registrar]
- (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.

### Textual Amendments

- F45** Words in s. 7 side-note inserted (20.6.2008) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **11(a)**
- F46** S. 7(1)(1A) substituted (20.6.2008) for s. 7(1) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **11(b)**

*Removal from Register etc.*

## 8 **Retention of name in Register.**

- (1) The Board may require a registered person to pay a retention fee of a prescribed amount if he wishes his name to be retained in <sup>F47</sup>... the Register in any calendar year after that in which it was entered.
- (2) Where, after the Registrar has sent a registered person who is liable to pay a retention fee a written demand for the payment of the fee, the person fails to pay the fee within the prescribed period, the Registrar may remove the person's name from <sup>F47</sup>... the Register.
- (3) Where a person whose name has been removed from <sup>F47</sup>... the Register under subsection (2) pays the retention fee, together with any further prescribed fee, before the end of the calendar year for which the retention fee is payable or such longer period as the Board may allow—
- (a) his name shall be re-entered in <sup>F47</sup>... the Register (without his having to make an application under section 4 <sup>F48</sup>...); and
  - (b) if the Board so directs, it shall be treated as having been re-entered on the date on which it was removed.

*Status: Point in time view as at 31/12/2020.*

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

#### Textual Amendments

- F47** Words in s. 8 omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **12** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F48** Words in s. 8(3)(a) omitted (20.6.2008) by virtue of [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **12(b)**

### 9 Competence to practise.

- (1) Where the Board is not satisfied that a person who—
- (a) applies for registration in pursuance of section 4 <sup>F49</sup> ...;
  - (b) wishes his name to be retained or re-entered in <sup>F50</sup> ... the Register under section 8; or
  - (c) applies for his name to be re-entered in <sup>F50</sup> ... the Register under section 18, has gained such recent practical experience as the Board may prescribe, his name shall not be entered or re-entered in <sup>F50</sup> ... the Register, or shall be removed from it, unless he satisfies the Board of his competence to practise.
- (2) Where the Board decides that the name of a person to whom paragraph (b) of subsection (1) applies is by virtue of that subsection to be removed from, or not to be re-entered in, <sup>F50</sup> ... the Register, the Registrar shall serve written notice of the decision on him within the prescribed period after the date of the decision.

#### Textual Amendments

- F49** Words in s. 9(1)(a) omitted (20.6.2008) by virtue of [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **13(b)**
- F50** Words in s. 9 omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **12** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

### 10 Disqualification in [<sup>F51</sup>a relevant European State].

- (1) The Board may order the Registrar to remove a person's name from <sup>F52</sup> ... the Register if—
- [<sup>F53</sup>(a) the person relied on section 4(2A) in making the application that led to the person's name being entered in <sup>F52</sup> ... the Register ;
  - (aa) at the time when the person's name was entered in <sup>F52</sup> ... the Register , there was a disqualifying decision in force in respect of the person in a relevant European State <sup>F54</sup> ...; ]
  - (b) at that time the Board was unaware of that fact; and
  - (c) the Board is satisfied that the person was at that time and is still subject to that disqualifying decision.
- (2) Where the Board orders the Registrar to remove a person's name from the Register under this section, the Registrar shall serve written notice of the removal on him as soon as is reasonably practicable.

*Status: Point in time view as at 31/12/2020.*

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

#### Textual Amendments

- F51** Words in s. 10 side-note substituted (20.6.2008) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **14(a)**
- F52** Words in s. 10(1) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **13(a)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)
- F53** S. 10(1)(a)(aa) substituted (20.6.2008) for s. 10(1)(a) by [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **14(c)**
- F54** Words in s. 10(1)(aa) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **13(b)** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

## 11 Failure to notify change of address.

Where the Registrar serves notice in writing on a [<sup>F55</sup>registered person] asking if he has changed his regular business address—

- (a) if no answer is received within six months from the sending of the notice, the Registrar shall serve further written notice on him; and
- (b) if no answer is received within three months from the sending of the further notice, the Registrar may remove his name from the Register.

#### Textual Amendments

- F55** Words in s. 11 substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **14** (with regs. 22-47) (as amended by S.I. 2019/810, regs. 1(3), 4 and S.I. 2020/1038, regs. 1(3), Sch. 3 para. 4); 2020 c. 1, Sch. 5 para. 1(1)

F56 ...

#### Textual Amendments

- F56** S. 12 italic heading omitted (20.6.2008) by virtue of [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **16**

## <sup>F57</sup>12 Visiting EEA architects.

#### Textual Amendments

- F57** S. 12 omitted (20.6.2008) by virtue of [Architects \(Recognition of European Qualifications etc and Saving and Transitional Provision\) Regulations 2008 \(S.I. 2008/1331\)](#), regs. 1, **16**

**Status:**

Point in time view as at 31/12/2020.

**Changes to legislation:**

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