
STATUTORY INSTRUMENTS

1988 No. 2241

ARCHITECTS

The Architects' Qualifications (EC Recognition) Order 1988

Made - - - - 21st December 1988
Laid before Parliament 9th January 1989
Coming into force - - 1st February 1989

At the Court at Buckingham Palace, the 21st day of December 1988

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred on Her by section 2(2) of the European Communities Act 1972⁽¹⁾, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Citation and commencement

1. This Order may be cited as the Architects' Qualifications (EC Recognition) Order 1988 and shall come into force on 1st February 1989.

Recognition of EC Qualifications in Architecture

2. The Architects (Registration) Act 1931⁽²⁾ shall be amended by substituting for section 6A⁽³⁾ the following section and for the Fourth and Fifth Schedules⁽³⁾ the Schedules set out in the Schedule to this Order:—

“6A.—(1) Subject to the provisions of this Act, a national of a member State who satisfies any of the requirements mentioned in subsection (2) shall, on application made to the Council in the prescribed manner and on payment of the prescribed fee, be entitled to be registered under this Act in pursuance of this section.

(2) The requirements referred to in subsection (1) are that the person holds—

(a) a qualification which—

(1) 1972 c. 68.

(2) 1931 c. 33.

(3) Inserted by S.I.1987/1824.

(3) Inserted by S.I.1987/1824.

- (i) is mentioned in the Fourth or Fifth Schedules, or
 - (ii) satisfies the requirements of Articles 3 and 4 of the Directive and is included in a list published from time to time in the Official Journal of the European Communities in accordance with Article 7 of the Directive;
- (b) a certificate issued by a competent authority of a member State, in accordance with Article 12 of the Directive, stating that he has been, no later than the date on which that member State implemented the Directive, authorised in that member 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;
- (c) a certificate issued by a competent authority of a member State, in accordance with Article 5 of the Directive, stating that he is, by reason of his distinguished achievements in the field of architecture, entitled to use the title of architect.
- (3) A qualification mentioned in Part I of the Fourth Schedule, Part I of the Fifth Schedule, or which complies with subsection (2)(a)(ii), shall be accompanied by a certificate issued by a competent authority of a member State, in accordance with Article 23(2) of the Directive, stating that he has gained at least two years practical training experience in that member State under the supervision of a person established as an architect in that member State.
- (4) A qualification mentioned in Part II of the Fourth or Part II of the Fifth Schedule shall be accompanied by a certificate issued by a competent authority of the Federal Republic of Germany, in accordance with Article 4(1) of the Directive, stating that he has gained at least four years appropriate professional experience in the Federal Republic of Germany.
- (5) The course of study leading to a qualification mentioned in the Fifth Schedule shall, subject to any earlier date specified in that Schedule in respect of the award of any such qualification, have commenced not later than the beginning of the first academic year after 5th August 1987.
- (6) Where a person holds a certificate issued by a competent authority of the Federal Republic of Germany stating that a qualification awarded to that person by an institution in the German Democratic Republic after 8th May 1945 is of equivalent effect to a qualification listed in the Fourth or Fifth Schedule to this Act or complies with subsection (2)(a)(ii), that person shall, for the purposes of this Act, be deemed to hold a qualification which satisfies the requirements of this section.
- (7) The Council may refuse to register a person in pursuance of this section if they are aware that there is a disqualifying decision in another member State in force in respect of that person.
- (8) The Council shall cause a written notice of their decision on any application for registration in pursuance of this section to be served on the applicant within three months of his application being duly made.
- (9) If, in pursuance of Article 17(4) or 18(2) of the Directive, the Council consult a member State in respect of an application under this section, the period mentioned in subsection (8) shall be extended by such period as may elapse between initiating the consultation and the receipt by the Council of a final reply from that member State.
- (10) A person who is registered in accordance with this section shall, when using his academic title or any abbreviations of it, express such title or abbreviation in the language or one of the languages of the member State in which the body conferring the title is located and shall follow the title or any abbreviation of it with the name and location of the body conferring the title.”

Revocation

3. Articles 5 and 6 of, and the Schedule to, the Architects' Qualifications (EEC Recognition) Order 1987(4) are hereby revoked.

G.I. de Deney
Clerk of the Privy Council

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SCHEDULE

Article 2

“FOURTH SCHEDULE

Section 6A

EUROPEAN COMMUNITY QUALIFICATIONS IN ARCHITECTURE

PART I

Belgium

1. The diplomas awarded by the higher national schools of architecture or the higher national institutes of architecture (architecte-architect).
2. The diplomas awarded by the Higher Provincial School of architecture at Hasselt (architect).
3. The diplomas awarded by the Royal Academies of Fine Arts (architecte-architect).
4. The diplomas awarded by the “écoles Saint-Luc” (architecte-architect).
5. The civil engineering/architecture diplomas and architecture/engineering diplomas awarded by the faculties of applied sciences of the universities and by the Polytechnic Faculty of Mons (ingénieur-architecte, ingénieur-architect).

Denmark

The diplomas awarded by the School of Architecture of the Copenhagen Academy of Fine Arts and the Aarhus School of Architecture (arkitekt cand. arch.).

France

1. The Government diploma of architect awarded by the Minister responsible for architecture (diplome d'architecte DPLG).
2. The diploma of architect awarded by the Special School of Architecture in Paris (diplome d'architecte ESA).
3. The diploma of architect awarded by the Higher National School of Art and Industry in Strasbourg, architecture department (diplome d'architecte ENSAIS).

Germany

1. The diplomas (Diplom-Ingenieur, Diplom-Ingenieur Univ.) awarded by architecture departments of the universities (Architektur/Hochbau), the architecture departments of the Technische Hochschulen (Architektur/Hochbau), the architecture departments of the technical universities (Architektur/Hochbau), the architecture departments of Gesamthochschulen (Architektur/Hochbau), higher institutes of arts and higher institutes of fine arts.
2. The diplomas (Diplom-Ingenieur, Diplom-Ingenieur FH) awarded by the architecture departments of the Fachhochschulen (Architektur/Hochbau) and by the architecture departments of Gesamthochschulen (Architektur/Hochbau) insofar as the training corresponds to that given in the Fachhochschulen where the period of study is not less than four years.

Ireland

1. The degree of Bachelor of Architecture awarded by the National University of Ireland (B.Arch. (NUI)) to architecture graduates of University College, Dublin.

2. The diploma of degree standard in architecture awarded by the College of Technology, Bolton Street, Dublin (Dip. Arch).
3. The certificate of associateship of the Royal Institute of Architects of Ireland (ARIAI).
4. The certificate of membership of the Royal Institute of Architects of Ireland (MRIA).

Italy

The diplomas of graduate in architecture (laurea in architettura) awarded by the universities of Chieti, Florence, Genoa, Naples, Palermo, Reggio Calabria and Rome La Sapienza, by the Polytechnic Institutes of Milan and Turin, and by the University Institute of Architecture of Venice, accompanied in each case by a diploma admitting the holder to the self-employed exercise of the profession, awarded by the Minister of Education after the candidate has passed the State examination before a competent examining board.

Netherlands

1. The certificate attesting success in the examination as graduate in architecture studies in the department of architecture studies (studierichting bouwkunde, afstudeerrichting architectuur) at the Technical University of Delft.

2. The certificate attesting success in the examination as graduate in architecture studies in the department of architecture and urban studies (studierichting bouwkunde, differentiatie architectuur en urbanistiek) at the Technical University of Eindhoven.

3. The certificate of higher vocational education awarded after successfully passing the examination at the end of second level of training for professions in the area of architecture held by the State examining committees at:

- Amsterdamse Hogeschool der Kunsten in Amsterdam,
- Hogeschool voor Beroepsonderwijs Rotterdam en omgeving in Rotterdam,
- Hogeschool Katholieke Leergangen in Tilburg,
- Hogeschool voor de Kunsten in Arnhem,
- Rijkshogeschool Groningen in Groningen,
- Rijkshogeschool Maastricht in Maastricht,

accompanied in each case by a declaration by the Office of the Architects' Register (Stichting Bureau Architectenregister) attesting that the training corresponds to the criteria laid down in Articles 3 and 4 of the Directive.

Portugal

The Diploma as graduate in architecture (carto de curso de licenciatura em arquitectura) awarded by the faculty of architecture of the Technical University of Lisbon and the faculty of architecture of the University of Porto.

Spain

The official title of architect (título oficial de Arquitecto) awarded by the rector of one of the following establishments:

- the Polytechnic University (technical university) of Catalonia, higher technical schools of architecture of Barcelona o Del Vallés;
- the Polytechnic University of Madrid, the Higher Technical School of Architecture of Madrid;

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- the Polytechnic University of Las Palmas, the Higher Technical School of Architecture of Las Palmas;
- the Polytechnic University of Valencia, the Higher Technical School of Architecture of Valencia;
- the University of Seville, the Higher Technical School of Architecture of Seville;
- the University of Valladolid, the Higher Technical School of Architecture of Valladolid;
- the University of Santiago de Compostela, the Higher Technical School of Architecture of La Coruna;
- the University of the Pais Vasco, the Higher Technical School of Architecture of San Sebastian;
- the University of Navarra, the Higher Technical School of Architecture of Pamplona.

PART II

special provisions for germany

The diplomas (diplom-Ingenieur FH) awarded by the architecture departments of the Fachhochschulen (Architektur/Hochbau) and by the architecture departments of Gesamthochschulen (Architektur/Hochbau) insofar as the training corresponds to that given in the Fachhochschulen where the period of study leading to that diploma is less than four years but at least three years.

FIFTH SCHEDULE

ESTABLISHED EUROPEAN COMMUNITY RIGHTS

PART I

Belgium

1. The diplomas awarded by the higher national schools of architecture or the higher national institutes of architecture (architecte—architect).
2. The diplomas awarded by the Higher Provincial School of Architecture at Hasselt (architect).
3. The diplomas awarded by the Royal Academies of Fine Arts (architecte—architect).
4. The diplomas awarded by the “écoles Saint-Luc” (architecte—architect).
5. University diplomas in civil engineering, accompanied by a traineeship certificate awarded by the association of architects entitling the holder to hold the professional title of architect (architecte—architect).
6. The diplomas in architecture awarded by the central or State examining board for architecture (architecte—architect).
7. The civil engineering/architecture diplomas and architecture/engineering diplomas awarded by the faculties of applied sciences of the universities and by the Polytechnic Faculty of Mons (ingénieur-architecte, ingénieur-architect).

Denmark

1. The diplomas awarded by the National Schools of Architecture in Copenhagen and Aarhus (arkitekt).
2. The certificate of registration issued by the Board of Architects pursuant to Law No. 202 of 28th May 1975 (registreret arkitekt).
3. Diplomas awarded by the Higher Schools of Civil Engineering (bygningstekniker), accompanied by a certificate from the competent authorities to the effect that the person concerned has passed a test of his formal qualifications in accordance with Article 13 of the Directive.

France

1. The Government architect's diploma awarded by the Ministry of Education until 1959, and subsequently by the Ministry of Cultural Affairs (architecte DPLG).
2. The diplomas awarded by the "Ecole spéciale d'architecture" (architecte DESA).
3. The diplomas awarded since 1955 by the department of architecture of the "Ecole nationale supérieure des Arts et Industries de Strasbourg" (formerly the "Ecole nationale d'ingénieurs de Strasbourg") (architecte ENSAIS).

Germany

1. The diplomas awarded by higher institutes of fine arts (Dipl. -Ing., Architekt (HfbK)).
2. The diplomas awarded by the departments of architecture (Architektur/Hochbau) of "Technische Hochschulen", of technical universities, of universities and, insofar as these institutions have been merged into "Gesamthochschulen", of "Gesamthochschulen" (Dipl.-Ing., and any other title which may be laid down later for holders of these diplomas).
3. The diplomas awarded by the departments of architecture (Architektur/Hochbau) of "Fachhochschulen" and, insofar as these institutions have been merged into "Gesamthochschulen", by the departments of architecture (Architektur/Hochbau) of "Gesamthochschulen", where the period of study leading to that diploma is at least four years (Ingenieur grad. and any other title which may be laid down later for holders of these diplomas).
4. The diplomas (Prüfungszeugnisse) awarded before 1st January 1973 by the departments of architecture of "Ingenieurschulen" and of "Werkkunstschulen", accompanied by a certificate from the competent authorities to the effect that the person concerned has passed a test of his formal qualifications in accordance with Article 13 of the Directive.

Greece

1. The engineering/architecture diplomas awarded by the METSOVION POLYTECHNION of Athens, together with a certificate issued by Greece's Technical Chamber conferring the right to pursue activities in the field of architecture.
2. The engineering/architecture diplomas awarded by the ARISTOTELION PANEPISTIMION of Thessaloniki, together with a certificate issued by Greece's Technical Chamber conferring the right to pursue activities in the field of architecture.
3. The engineering/civil engineering diplomas awarded by the METSOVION POLYTECHNION of Athens, together with a certificate issued by Greece's Technical Chamber conferring the right to pursue activities in the field of architecture.

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4. The engineering/civil engineering diplomas awarded by the ARISTOTELION PANEPISTIMION of Thessaloniki, together with a certificate issued by Greece's Technical Chamber conferring the right to pursue activities in the field of architecture.

5. The engineering/civil engineering diplomas awarded by the PANEPISTIMION THRAKIS, together with a certificate issued by Greece's Technical Chamber conferring the right to pursue activities in the field of architecture.

6. The engineering/civil engineering diplomas awarded by the PANEPISTIMION PATRON, together with a certificate issued by Greece's Technical Chamber conferring the right to pursue activities in the field of architecture.

Ireland

1. The degree of Bachelor of Architecture awarded by the National University of Ireland (B.Arch. (NUI)) to architecture graduates of University College, Dublin.

2. The diploma of degree standard in architecture awarded by the College of Technology, Bolton Street, Dublin (Dip Arch.).

3. The certificate of associateship of the Royal Institute of Architects of Ireland (ARIAI).

4. The certificate of membership of the Royal Institute of Architects of Ireland (MRIA).

Italy

1. "Laurea in architettura" diplomas awarded by universities, polytechnic institutes and the higher institutes of architecture of Venice and Reggio Calabria, accompanied by the diploma entitling the holder to pursue independently the profession of architect, awarded by the Minister for Education after the candidate has passed before a competent board the State examination entitling him to pursue independently the profession of architect (dott. Architetto).

2. "Laurea in ingegneria" diplomas in building construction ("sezione costruzione civile") awarded by universities and polytechnic institutes, accompanied by the diploma entitling the holder to pursue independently a profession in the field of architecture, awarded by the Minister for Education after the candidate has passed before a competent board the State examination entitling him to pursue the profession independently (dott. Ing. Architetto or dott. Ing. in ingegneria civile).

Netherlands

1. The certificate stating that its holder has passed the degree examination in architecture awarded by the departments of architecture of the technical colleges of Delft or Eindhoven (bouwkundig ingenieur).

2. The diplomas awarded by State-recognised architectural academies (architect).

3. The diplomas awarded until 1971 by the former architectural colleges (Hoger Bouwkundonderricht) (architect HBO).

4. The diplomas awarded until 1970 by the former architectural colleges (Voortgezet Bouwkundonderricht) (architect VBO).

5. The certificate stating that the person concerned has passed an examination organised by the Architects Council of the "Bond van Nederlandse Architecten" (Order of Dutch Architects, BNA) (architect).

6. The diploma of the "Stichting Instituut voor Architectuur" ("Institute of Architecture" Foundation) (IVA) awarded on completion of a course organised by this foundation and extending over a minimum period of four years (architect), accompanied by a certificate from the competent

authorities to the effect that the person concerned has passed a test of his formal qualifications in accordance with Article 13 of the Directive.

7. A certificate issued by the competent authorities to the effect that, before 5th August 1985 the person concerned passed the degree examination of “Kandidaat in de bouwkunde” organised by the technical colleges of Delft or Eindhoven and that, over a period of at least five years immediately prior to that date, he pursued architectural activities the nature and importance of which, in accordance with Netherlands requirements, guarantee that he is competent to pursue those activities (architect).

8. A certificate issued by the competent authorities only to persons who have reached the age of 40 years before 5th August 1985 certifying that, over a period of at least five years immediately prior to that date, the person concerned had pursued architectural activities the nature and importance of which, in accordance with Netherlands requirements, guarantee that he is competent to pursue those activities (architect).*Note*

The certificates referred to in paragraphs 7 and 8 need no longer be recognised as from the date of entry into force of laws and regulations in the Netherlands governing the taking up and pursuit of architectural activities under the professional title of architect, in so far as under such provisions those certificates do not authorise the taking up of such activities under that professional title.

Portugal

1. The Diploma “diploma do curso especial de arquitectura” awarded by the Schools of Fine Arts of Lisbon and of Porto.

2. The Architects Diploma “diploma de arquitecto” awarded by the Schools of Fine Arts of Lisbon and of Porto.

3. The Diploma “diploma do curso de arquitectura” awarded by the Higher Schools of Fine Arts of Lisbon and Porto.

4. The Diploma “diploma de licenciatura em arquitectura” awarded by the Higher School of Fine Arts of Lisbon.

5. The Diploma “carta de curso de licenciatura em arquitectura” awarded by the Technical University of Lisbon and the University of Porto.

6. The university diploma in civil engineering awarded by the Higher Technical Institute of the Technical University of Lisbon (Licenciatura em engenharia civil).

7. The university diploma in civil engineering awarded by the Faculty of Science and Technology of the University of Porto (Licenciatura em engenharia civil).

8. The university diploma in civil engineering awarded by the Faculty of Science and Technology of the University of Coimbra (Licenciatura em engenharia civil).

9. The university diploma in civil engineering (production) awarded by the University of Minho (Licenciatura em engenharia civil (produção)).

Spain

The official formal qualification of an architect (titulo oficial de arquitecto) awarded by the Ministry of Education and Science or by the universities.

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PART II

special provisions for germany

The diplomas awarded by the departments of architecture (Architektur/Hochbau) of “Fachhochschulen” and, insofar as these institutions have been merged into “Gesamthochschulen”, by the departments of architecture (Architektur/Hochbau) of “Gesamthochschulen”, where the period of study leading to that diploma is less than four years but at least three years (Ingenieur grad. and any other title which may be laid down later for holders of these diplomas).”

EXPLANATORY NOTE

(This note is not part of the Order)

This Order under section 2 of the European Communities Act 1972 comes into force on 1st February 1989.

The Order amends the Architects (Registration) Act 1931 by—

(1) adding to the list of European qualifications, possession of which entitles a person to registration as an architect under that Act; and

(2) requiring the Architects Registration Council of the United Kingdom to have regard to any further qualifications which satisfy the requirements of Articles 3 and 4 of EC Directive 85/384 (mutual recognition by member States of qualifications in architecture).

The Order makes consequential revocations to the Architects' Qualifications (EEC Recognition) Order 1987.