
STATUTORY INSTRUMENTS

2019 No. 717

**The Architects Act 1997 (Amendment)
(EU Exit) Regulations 2019**

[^{F1}PART 4

Swiss citizens' rights agreement

[^{F1}Transitional provision

- 37.**—(1) This regulation and regulations 38 to 47 apply to —
- (a) a relevant applicant for the purposes of regulation 33;
 - (b) a qualifying applicant for the purposes of regulation 34.
- (2) Subject to paragraph (3)—
- (a) the provisions of the 1997 Act continue to apply on and after IP completion day in relation to a relevant applicant as they had effect immediately before IP completion day, but subject to the modifications specified in regulations 39 to 47, until—
 - (i) the end of the period of five years beginning with IP completion day; or
 - (ii) where the period referred to in paragraph (i) is extended in accordance with Article 23(2) of the Swiss citizens' rights agreement, the end of that period as extended;
 - (b) [^{F2}subject to sub-paragraph (c),] the provisions of the 1997 Act continue to apply to a qualifying applicant on and after IP completion day as they had effect immediately before IP completion day without the amendments made by Part 2 of these Regulations, but subject to the modifications specified in regulations 39 to 47, in relation to—
 - (i) the application concerned; and
 - (ii) any appeal made under section 22 of the 1997 Act against a decision under that Act in relation to that application;
- [^{F3}(c) where the qualifying applicant is a UK or Swiss national, sub-paragraph (b) only applies in relation to—
- (i) an application for registration made before the end of the period of four years beginning with IP completion day; and,
 - (ii) any appeal made under section 22 of the 1997 Act in relation to such an application.]
- (3) The provisions of the 1997 Act mentioned in regulations 39 to 47 cease to have effect in relation to a qualifying applicant at the end of the period of four years beginning with IP completion day unless—
- (a) the qualifying applicant is registered under section 4(2A) of the 1997 Act immediately before the end of that period;
 - (b) the qualifying applicant had applied before the end of that period for registration under section 4(2A) of the 1997 Act and—

- (i) that application had not been decided before the end of that period;
 - (ii) the application had been refused by the Registrar and an appeal against that decision had not been finally determined or withdrawn before the end of that period; or
 - (iii) the application had been refused by the Registrar but an appeal against that decision was not made within that period;
- (c) the qualifying applicant's registration as a registered architect was suspended before the end of the period of four years beginning with IP completion day and that suspension does not end within that period; or
- (d) the qualifying applicant's name was not re-entered or the qualifying applicant's name was removed from the Register by the Board before the end of the period of four years beginning with IP completion day and—
- (i) an appeal against that decision of the Board had not been finally determined or withdrawn before the end of that period; or
 - (ii) an appeal against that decision of the Board was not made within that period.]

Textual Amendments

- F1** Pts. 3, 4 substituted for Pt. 3 (31.12.2020 immediately before IP completion day) by [The Professional Qualifications and Services \(Amendments and Miscellaneous Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1038\)](#), reg. 1(3), **Sch. 3 para. 4**
- F2** Words in [reg. 37\(2\)\(b\)](#) inserted (31.1.2023) by [The Architects \(Fees, Electronic Communications and Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/1388\)](#), regs. 1(1), **4(2)(a)**
- F3** [Reg. 37\(2\)\(c\)](#) inserted (31.1.2023) by [The Architects \(Fees, Electronic Communications and Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/1388\)](#), regs. 1(1), **4(2)(b)**
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Commencement Information

- I1** Reg. 37 in force at 31.12.2020 on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019, Section 37.