



# Architects Act 1997

## 1997 CHAPTER 22

An Act to consolidate the enactments relating to architects. [19th March 1997]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### PART I

#### THE ARCHITECTS REGISTRATION BOARD

##### **1 The Board.**

- (1) There shall continue to be a body corporate known as the Architects Registration Board.
- (2) There shall continue to be a Professional Conduct Committee of the Board.
- [<sup>F1</sup>(2A) There is to be an Appeals Committee of the Board.]
- (3) Part I of Schedule 1 makes provision about the Board.
- (4) Part II of that Schedule makes provision about the Professional Conduct Committee.
- [<sup>F2</sup>(4A) Part 2A of that Schedule makes provision about the Appeals Committee.]
- (5) Part III of that Schedule gives the Board power to establish other committees and makes provision about committees established by the Board.
- (6) Part IV of that Schedule makes general provision about the Board and its committees.

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#### **Textual Amendments**

**F1** S. 1(2A) inserted (28.6.2022) by [Building Safety Act 2022 \(c. 30\)](#), ss. **158(2)(a)**, 170(3)

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

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**F2** S. 1(4A) inserted (28.6.2022) by [Building Safety Act 2022 \(c. 30\)](#), **ss. 158(2)(b)**, 170(3)

**[<sup>F3</sup>1AA. Authorisation for Board to enter into regulator recognition agreements**

The Board is authorised to enter into regulator recognition agreements in respect of architects.]

**Textual Amendments**

**F3** S. 1AA inserted (18.1.2023) by [The Architects Act 1997 \(Amendment\) Regulations 2023 \(S.I. 2023/50\)](#), regs. 1(2), **2(2)** (with reg. 5)

**<sup>F4</sup>1A Designation of the Board as competent authority**

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**Textual Amendments**

**F4** S. 1A omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **4** (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)

## 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>F5</sup>(3ZA) The Registrar may delegate any of those functions to a member of the staff of the Board who is nominated by the Board for the purpose of this subsection.]**

**<sup>F6</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.

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

#### Textual Amendments

- F5** S. 2(3ZA) inserted (28.7.2022) by Professional Qualifications Act 2022 (c. 20), ss. 11(2), 21(2) (with s. 12)
- F6** 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.
- <sup>F7</sup>(1A) . . . . .
- (2) The Register shall show the regular business address of each registered person.
- [<sup>F8</sup>(2A) The Register shall show disciplinary orders made in relation to a registered person for such period as may be prescribed.]
- (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.
- [<sup>F9</sup>(4A) The Board may exclude the whole or any part of the regular business address of a registered person from the published version of the Register if—
- (a) the registered person has applied in the prescribed manner requesting the address or part of it to be excluded from the published version, and
  - (b) the Board is satisfied that the address is also a residential address of the registered person.]
- (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

- F7** 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)
- F8** S. 3(2A) inserted (28.6.2022) by Building Safety Act 2022 (c. 30), ss. 157(2), 170(3)

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

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**F9** S. 3(4A) inserted (28.7.2022) by Professional Qualifications Act 2022 (c. 20), ss. 11(3), 21(2) (with s. 12)

## Registration

### 4 <sup>F10</sup>Registration <sup>F11</sup>...: general]

- (1) A person who has applied to the Registrar in the prescribed manner for registration <sup>F12</sup>... is entitled to be registered <sup>F13</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).

<sup>F14</sup>(1A) But the Board may by rules provide that a person who satisfies subsection (1)(a) by reason of holding overseas qualifications or gaining overseas practical experience is entitled to be registered only if the person has undertaken such training, passed such test or met such other condition as is prescribed.]

- (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>F15</sup>(2A) .....

- (3) Before <sup>F16</sup>...—
- (a) [<sup>F17</sup>prescribing] qualifications or practical experience for the purposes of subsection (1)(a);
  - <sup>F18</sup>(aa) making rules under subsection (1A);] or
  - (b) [<sup>F19</sup>prescribing] 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>F20</sup>...—
- (a) if the Registrar is satisfied that the person is entitled to be registered <sup>F21</sup>..., he shall enter his name in <sup>F22</sup>... the Register; but
  - (b) if the Registrar is not so satisfied, he shall [<sup>F23</sup>refuse the application].

- (5) The Registrar shall not consider an application for registration <sup>F24</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 <sup>F25</sup>... (5), the Board shall [<sup>F26</sup>—
- (a) direct the Registrar to enter the person's name in the Register if it is satisfied that the person is entitled to be registered, or
  - (b) direct the Registrar to refuse the application if it is not so satisfied.]

<sup>F27</sup>(7) .....

<sup>F28</sup>(8) In this section—

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“overseas practical experience” means practical experience obtained mainly outside the United Kingdom;

“overseas qualification” means a qualification issued by a body that is based outside the United Kingdom.

(9) For the purposes of subsection (8) a body is based—

- (a) where its registered office is,
- (b) if it does not have a registered office, where its head office is, or
- (c) if it does not have a registered office or a head office, where its principal place of operation is.]

### Textual Amendments

- F10** 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)**
- F11** 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)
- F12** 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)
- F13** 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)
- F14** S. 4(1A) inserted (31.12.2022) by [Professional Qualifications Act 2022](#) (c. 20), **ss. 11(4)(a)**, 21(4)(e) (with s. 12); S.I. 2022/1384, reg. 2
- F15** S. 4(2A) omitted (7.2.2023) by virtue of [The Architects Act 1997 \(Amendment\) Regulations 2023](#) (S.I. 2023/50), regs. 1(3), **3(2)** (with reg. 5)
- F16** Word in s. 4(3) omitted (31.12.2022) by virtue of [Professional Qualifications Act 2022](#) (c. 20), **ss. 11(4)(b)(i)**, 21(4)(e) (with s. 12); S.I. 2022/1384, reg. 2
- F17** Word in s. 4(3)(a) inserted (31.12.2022) by [Professional Qualifications Act 2022](#) (c. 20), **ss. 11(4)(b)(ii)**, 21(4)(e) (with s. 12); S.I. 2022/1384, reg. 2
- F18** S. 4(3)(aa) inserted (31.12.2022) by [Professional Qualifications Act 2022](#) (c. 20), **ss. 11(4)(b)(iii)**, 21(4)(e) (with s. 12); S.I. 2022/1384, reg. 2
- F19** Word in s. 4(3)(b) inserted (31.12.2022) by [Professional Qualifications Act 2022](#) (c. 20), **ss. 11(4)(b)(iv)**, 21(4)(e) (with s. 12); S.I. 2022/1384, reg. 2
- F20** 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)
- F21** 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)
- F22** 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)
- F23** Words in s. 4(4)(b) substituted (28.6.2022) by [Building Safety Act 2022](#) (c. 30), **ss. 158(3)(a)**, 170(3)
- F24** 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)
- F25** Words in s. 4(6) omitted (28.6.2022) by virtue of [Building Safety Act 2022](#) (c. 30), **ss. 158(3)(b)(i)**, 170(3)
- F26** Words in s. 4(6) substituted (28.6.2022) by [Building Safety Act 2022](#) (c. 30), **ss. 158(3)(b)(ii)**, 170(3)

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

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- F27** S. 4(7) omitted (7.2.2023) by virtue of [The Architects Act 1997 \(Amendment\) Regulations 2023](#) (S.I. 2023/50), regs. 1(3), **3(2)** (with reg. 5)
- F28** S. 4(8)(9) inserted (31.12.2022) by [Professional Qualifications Act 2022](#) (c. 20), ss. **11(4)(c)**, 21(4)(e) (with s. 12); S.I. 2022/1384, reg. 2

**F30 4A Registration<sup>F29</sup> ...: European qualifications**

.....

**Textual Amendments**

- F29** 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)
- F30** S. 4A omitted (7.2.2023) by virtue of [The Architects Act 1997 \(Amendment\) Regulations 2023](#) (S.I. 2023/50), regs. 1(3), **3(3)** (with reg. 5)

**F31 5A Registration in Part 2 of the Register : Directive-rights nationals providing services**

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**Textual Amendments**

- F31** 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)

**F31 5B Titles to be used by persons registered in Part 2 of the Register**

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**Textual Amendments**

- F31** 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)

**F31 5C Information to be given to recipients of the service**

.....

**Textual Amendments**

- F31** 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)

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## <sup>F31</sup>**5D Administrative co-operation with other relevant European States**

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### **Textual Amendments**

- F31** 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)

## <sup>F31</sup>**5E Complaints by recipients of services**

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### **Textual Amendments**

- F31** 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>F32</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>F33</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>F34</sup>....

<sup>F35</sup>(3A) .....

<sup>F36</sup>(3B) .....

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

[<sup>F37</sup>(4) The Registrar shall serve on an applicant <sup>F38</sup>... written notice of the decision on his application.

[<sup>F39</sup>(4A) A notice under subsection (4) shall be served—

- [<sup>F40</sup>(a) in the case of an application by a person who in making the application relies on section 4(1)(a), 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 [<sup>F41</sup>of an application] shall state reasons for the refusal.]

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



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

### Textual Amendments

- F32** 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)
- F33** 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)
- F34** 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)
- F35** S. 6(3A) omitted (7.2.2023) by virtue of [The Architects Act 1997 \(Amendment\) Regulations 2023](#) (S.I. 2023/50), regs. 1(3), **3(4)(a)** (with reg. 5)
- F36** S. 6(3B) omitted (7.2.2023) by virtue of [The Architects Act 1997 \(Amendment\) Regulations 2023](#) (S.I. 2023/50), regs. 1(3), **3(4)(a)** (with reg. 5)
- F37** S. 6(4)-(4B) substituted for s. 6(4) (23.12.2002) by S.I. 2002/2842, **art. 4(2)**
- F38** 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)
- F39** 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)**
- F40** S. 6(4A)(a) substituted (7.2.2023) by [The Architects Act 1997 \(Amendment\) Regulations 2023](#) (S.I. 2023/50), regs. 1(3), **3(4)(b)** (with reg. 5)
- F41** Words in s. 6(4B) substituted (28.6.2022) by [Building Safety Act 2022](#) (c. 30), **ss. 158(4)**, 170(3)
- 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—
- <sup>F44</sup>(a) .....  
 (b) gives that person entitlement under section 4 to be registered <sup>F45</sup>..., or  
 (c) includes prescribed or equivalent qualifications,
- the Board may issue such a certificate to that person if the training <sup>F46</sup>... 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**
- F44** S. 6A(1)(a) omitted (7.2.2023) by virtue of [The Architects Act 1997 \(Amendment\) Regulations 2023](#) (S.I. 2023/50), regs. 1(3), **3(5)(a)** (with reg. 5)
- F45** 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)



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

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**F46** Words in s. 6A(1) omitted (7.2.2023) by virtue of [The Architects Act 1997 \(Amendment\) Regulations 2023 \(S.I. 2023/50\)](#), regs. 1(3), **3(5)(b)** (with reg. 5)

## **7 Penalty for obtaining registration<sup>F47</sup> or recognition] by false representation.**

- [<sup>F48</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**

- F47** 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)**
- F48** 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>F49</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>F49</sup>... the Register.
- (3) Where a person whose name has been removed from <sup>F49</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>F49</sup>... the Register (without his having to make an application under section 4 <sup>F50</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.

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

### Textual Amendments

- F49** 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)
- F50** 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>F51</sup>...;
  - (b) wishes his name to be retained or re-entered in <sup>F52</sup>... the Register under section 8; or
  - (c) applies for his name to be re-entered in <sup>F52</sup>... the Register under section 18, has gained such recent practical experience [<sup>F53</sup>or undertaken such recent training] as the Board may prescribe, his name shall not be entered or re-entered in <sup>F52</sup>... the Register, or shall be removed from it, unless he satisfies the Board of his competence to practise.
- [<sup>F54</sup>(1A) Before prescribing recent practical experience or training for the purposes of subsection (1), 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.]
- (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>F52</sup>... the Register, the Registrar shall serve written notice of the decision on him within the prescribed period after the date of the decision.
- [<sup>F55</sup>(2A) A notice under subsection (2) must state reasons for the decision.]
- [<sup>F56</sup>(3) 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 Part 1 of the Register—
- (a) the person shall be entitled to apply to the Board within a prescribed period for an extension of time to gain the prescribed experience or undertake the prescribed training or to otherwise satisfy the Board of the person's competence to practise, and
  - (b) the Board shall not remove the name of the person from the Register unless—
    - (i) the person has not made an application for an extension of time within the prescribed period,
    - (ii) an extension of time granted by the Board has expired and the Board is not satisfied that the person has gained the prescribed experience or undertaken the prescribed training or is otherwise competent to practise, or
    - (iii) the Board has decided not to grant an extension of time in respect of an application made by the person.

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

- (4) For the purposes of this section, a person is competent to practise if the person has the skills, knowledge, experience and behaviours required for a person to practise as an architect.]

#### Textual Amendments

- F51** 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)**
- F52** 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)
- F53** Words in s. 9(1) inserted (28.6.2022) by [Building Safety Act 2022 \(c. 30\)](#), **ss. 157(3)(a)**, 170(3)
- F54** [S. 9\(1A\)](#) inserted (28.6.2022) by [Building Safety Act 2022 \(c. 30\)](#), **ss. 157(3)(b)**, 170(3)
- F55** [S. 9\(2A\)](#) inserted (28.6.2022) by [Building Safety Act 2022 \(c. 30\)](#), **ss. 158(5)**, 170(3)
- F56** [S. 9\(3\)\(4\)](#) inserted (28.6.2022) by [Building Safety Act 2022 \(c. 30\)](#), **ss. 157(3)(c)**, 170(3)

#### <sup>F58</sup>**10 Disqualification in [<sup>F57</sup>a relevant European State].**

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#### Textual Amendments

- F57** 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)**
- F58** [S. 10](#) omitted (7.2.2023) by virtue of [The Architects Act 1997 \(Amendment\) Regulations 2023 \(S.I. 2023/50\)](#), regs. 1(3), **3(6)** (with reg. 5)

#### **11 Failure to notify change of address.**

Where the Registrar serves notice in writing on a [<sup>F59</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

- F59** 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)

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

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F60 ...

#### Textual Amendments

- F60** 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>F61</sup>12 Visiting EEA architects.

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#### Textual Amendments

- F61** 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**

## PART III

### DISCIPLINE

#### *Professional standards*

### 13 Code of practice.

- (1) The Board shall issue a code laying down standards of professional conduct and practice expected of registered persons.
- (2) The Board shall keep the code under review and vary its provisions whenever it considers it appropriate to do so.
- (3) Before issuing or varying the code, the Board shall—
  - (a) consult such professional bodies and such other persons with an interest in architecture as it considers appropriate; and
  - (b) publish in such manner as it considers appropriate notice that it proposes to issue or vary the code, stating where copies of the proposals can be obtained.
- (4) Failure by a registered person to comply with the provisions of the code—
  - (a) shall not be taken of itself to constitute unacceptable professional conduct or serious professional incompetence on his part; but
  - (b) shall be taken into account in any proceedings against him under section 14.
- (5) The Board shall provide a copy of the code to any person who requests one on payment of a reasonable charge decided by the Board (and may provide a copy free of charge whenever it considers appropriate).

### 14 Professional misconduct and incompetence.

- (1) Where an allegation is made that a registered person is guilty of—

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- (a) unacceptable professional conduct (that is, conduct which falls short of the standard required of a registered person); or
  - (b) serious professional incompetence,or it appears to the Registrar that a registered person may be so guilty, the case shall be investigated by persons appointed in accordance with rules made by the Board.
- (2) Where persons investigating a case under subsection (1) find that a registered person has a case to answer, they shall report their finding to the Professional Conduct Committee.
- (3) Where the Professional Conduct Committee receives a report under subsection (2) in relation to a registered person, the Committee shall consider whether he is guilty of unacceptable professional conduct or serious professional incompetence.
- (4) Before considering whether a registered person is guilty of unacceptable professional conduct or serious professional incompetence the Professional Conduct Committee shall—
  - (a) serve written notice on him outlining the case against him; and
  - (b) give him the opportunity to appear before the Committee to argue his case.
- (5) At any such hearing the registered person is entitled to be legally represented.
- (6) The Board may make rules as to the procedure to be followed by the Professional Conduct Committee in any proceedings under this section.
- (7) If the Board does not make rules for the appointment of persons to investigate whether registered persons have been guilty of unacceptable professional conduct or serious professional incompetence, the Professional Conduct Committee shall consider such questions without any prior investigation.

### *Disciplinary orders*

## **15 Disciplinary orders.**

- (1) The Professional Conduct Committee may make a disciplinary order in relation to a registered person if—
  - (a) it is satisfied, after considering his case, that he is guilty of unacceptable professional conduct or serious professional incompetence; or
  - (b) he has been convicted of a criminal offence other than an offence which has no material relevance to his fitness to practise as an architect.
- (2) In this Act “disciplinary order” means—
  - (a) a reprimand;
  - (b) a penalty order;
  - (c) a suspension order; or
  - (d) an erasure order.
- (3) Where the Professional Conduct Committee makes a disciplinary order in relation to a person, the Registrar shall serve written notice of the order on him as soon as is reasonably practicable.
- (4) The Professional Conduct Committee shall, at appropriate intervals and in such manner as it considers appropriate, publish—

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- (a) the names of persons whom it has found guilty of unacceptable professional conduct or serious professional incompetence or in relation to whom it has made a disciplinary order under subsection (1)(b); and
  - (b) in the case of each person a description of the conduct, incompetence or offence concerned and the nature of any disciplinary order made.
- (5) Where, after considering the case of a registered person, the Professional Conduct Committee is not satisfied that he is guilty of unacceptable professional conduct or serious professional incompetence, it shall, if he so requests, publish a statement of that fact in such manner as it considers appropriate.

<sup>F62</sup>(6) . . . . .

#### Textual Amendments

**F62** S. 15(6) 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, 17

## 16 Penalty orders.

- (1) Where a penalty order is made in relation to a registered person, he shall pay to the Board the sum specified in the order.
- (2) A penalty order may not specify a sum exceeding the amount which, at the relevant time, is the amount specified as level 4 on the standard scale of fines for summary offences.

In this subsection “the relevant time” means—

- (a) in a case within subsection (1)(a) of section 15, the time of the conduct or incompetence of which the registered person is found guilty; and
  - (b) in a case within subsection (1)(b) of that section, the time when he committed the criminal offence of which he has been convicted.
- (3) A penalty order shall specify the period within which the sum specified in it is to be paid.
  - (4) If the person in relation to whom a penalty order is made does not pay the sum specified in the order within the period so specified, the Professional Conduct Committee may make a suspension order or an erasure order in relation to him.
  - (5) The Board shall pay into the Consolidated Fund any sum paid under a penalty order.

## 17 Suspension orders.

Where a suspension order is made in relation to a registered person, the Registrar shall remove his name from the Register but shall re-enter it in the Register at the end of such period not exceeding two years as is specified in the order.

## 18 Erasure orders.

- (1) Where an erasure order is made in relation to a registered person, the Registrar shall remove his name from the Register and it shall not be re-entered in the Register unless the Board so directs.

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

- (2) No application shall be made for the name of a person in relation to whom an erasure order has been made to be re-entered in the Register—
- (a) before the end of the period of two years beginning with the date of the erasure order or such longer period specified in the erasure order as the Professional Conduct Committee considers appropriate in a particular case; or
  - (b) where he has made a previous application for his name to be re-entered in the Register, before the end of the prescribed period beginning with the date of the decision of the Board on that application.
- (3) The Registrar shall serve on a person who applies for his name to be re-entered in the Register under this section written notice of the decision on his application within the prescribed period after the date of the decision.
- (4) The Board may require a person whose name is re-entered in the Register under this section to pay a fee of a prescribed amount.

F63  
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#### Textual Amendments

- F63** S. 19 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, 18

### F64 19 Application of discipline provisions to visiting EEA architects.

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#### Textual Amendments

- F64** S. 19 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, 18

## PART IV

### USE OF TITLE “ARCHITECT”

#### 20 Use of title “architect”.

- (1) A person shall not practise or carry on business under any name, style or title containing the word “architect” unless he is a [F65registered person] .
- (2) Subsection (1) does not prevent any use of the designation “naval architect”, “landscape architect” or “golf-course architect”.
- (3) Subsection (1) does not prevent a body corporate, firm or partnership from carrying on business under a name, style or title containing the word “architect” if—
- (a) the business of the body corporate, firm or partnership so far as it relates to architecture is under the control and management of a [F65registered person]



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- who does not act at the same time in a similar capacity for any other body corporate, firm or partnership; and
- (b) in all premises where its business relating to architecture is carried on it is carried on by or under the supervision of a [<sup>F65</sup>registered person].
- (4) The Board may by rules provide that subsection (3) 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.
- <sup>F66</sup>(5) . . . . .
- (6) For the purposes of this section a person is not treated as not practising by reason only of his being in the employment of another person.
- (7) In this section “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.
- (8) Nothing in this section affects the validity of any building contract in customary form.

#### Textual Amendments

- F65** Words in s. 20 substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **15(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)
- F66** S. 20(5) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **15(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)

## 21 Offence.

- (1) If any person contravenes section 20(1) he commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (2) A person is not guilty of an offence by reason of contravening section 20(1) on any particular date if—
- (a) the contravention is occasioned by the fact that an application on his part for registration under this Act has not been granted; and
  - (b) notice of the decision not to grant the application had not been duly served under this Act before that date.
- (3) A person is not guilty of an offence by reason of contravening section 20(1) on any particular date if the contravention is occasioned by the removal of his name from the Register in circumstances in which notice is required to be served on him and—
- (a) the notice had not been duly served before that date;
  - (b) the time for bringing an appeal against the removal had not expired at that date; or
  - (c) such an appeal had been duly brought, but had not been determined, before that date.
- (4) In relation to an offence under subsection (1)—
- (a) section 127(1) of the <sup>M1</sup>Magistrates’ Courts Act 1980 (information to be laid within six months of offence);

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- (b) Article 19(1) of the <sup>M2</sup>Magistrates' Courts (Northern Ireland) Order 1981 (complaint to be made within that time); and
  - (c) section 136(1) of the <sup>M3</sup>Criminal Procedure (Scotland) Act 1995 (proceedings to be commenced within that time),
- shall have effect as if for the references in them to six months there were substituted references to two years.

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**Marginal Citations**

- M1** 1980 c. 43.  
**M2** S.I. 1981/1675 (N.I. 26).  
**M3** 1995 c. 46.

**PART V**

GENERAL AND SUPPLEMENTARY

*General*

[<sup>F67</sup> **21A Appeals to the Appeals Committee**

- (1) A person may appeal to the Appeals Committee against—
  - (a) a decision to refuse the person's application for registration, or
  - (b) if the person is a person to whom paragraph (b) of section 9(1) applies, a decision to remove or not to re-enter the person's name in the Register as a result of section 9(1).
- (2) The Board may make rules about appeals to the Appeals Committee, including in particular rules about—
  - (a) the period within which any appeal must be made;
  - (b) the way in which an appeal is to be made or withdrawn;
  - (c) the fee that must be paid on the making of an appeal (including circumstances in which that fee may or must be refunded);
  - (d) the procedure to be followed by the Appeals Committee in relation to an appeal;
  - (e) the effect of the making of an appeal, pending its determination, on the decision appealed against.
- (3) On the determination of an appeal, the Appeal Committee may make any decision that could have been made by the person who made the decision appealed against.
- (4) The Appeals Committee must, within the prescribed period after determining a person's appeal, serve on the person written notice of the decision made on that determination.]

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**Textual Amendments**

- F67** S. 21A inserted (28.6.2022) by [Building Safety Act 2022 \(c. 30\)](#), ss. **158(6)**, 170(3)

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

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## [<sup>F69</sup>22 Appeals [<sup>F68</sup>to the court]

- (1) A person may appeal to the High Court or, in Scotland, to the Court of Session if he is aggrieved by—
  - [<sup>F70</sup>(a) a decision of the Appeals Committee under section 21A, on an appeal made by the person;]
  - (b) failure of the Registrar to comply with section 6(4);
  - [<sup>F71</sup>(c) the person's name not being re-entered in the Register under section 18 as a result of section 9(1);]
  - <sup>F72</sup>(d) .....
  - (e) the making of a disciplinary order in relation to him.
- (2) <sup>F73</sup>... An appeal under subsection (1)(a), (c) <sup>F74</sup>... or (e) must be made not later than three months after the date on which notice of the decision or order concerned is served on the person.
- <sup>F75</sup>(3) .....
- [<sup>F76</sup>(4) Where an appeal under subsection (1)(b) is made by a person who, in applying for registration in pursuance of section 4, relied on subsection (1)(a) of that section, the appeal must be made within six months beginning with the day on which the person's application for the registration is made.]
- (5) An appeal under subsection (1)(b) to which subsection (4) does not apply must be made within nine months beginning with the date on which the person's application for registration is made.
- <sup>F77</sup>(6) .....
- (7) On an appeal under this section the court concerned may make any order which appears appropriate, and no appeal shall lie from any decision of a court on such an appeal.]

### Textual Amendments

- F68** Words in s. 22 heading inserted (28.6.2022) by Building Safety Act 2022 (c. 30), ss. 158(7)(d), 170(3)
- F69** S. 22 substituted (20.6.2008) for ss. 22, 22A by Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, 20
- F70** S. 22(1)(a) substituted (28.6.2022) by Building Safety Act 2022 (c. 30), ss. 158(7)(a)(i), 170(3)
- F71** S. 22(1)(c) substituted (28.6.2022) by Building Safety Act 2022 (c. 30), ss. 158(7)(a)(ii), 170(3)
- F72** S. 22(1)(d) omitted (7.2.2023) by virtue of The Architects Act 1997 (Amendment) Regulations 2023 (S.I. 2023/50), regs. 1(3), 4(2)(a) (with reg. 5)
- F73** Words in s. 22(2) omitted (28.6.2022) by virtue of Building Safety Act 2022 (c. 30), ss. 158(7)(b), 170(3)
- F74** Word in s. 22(2) omitted (7.2.2023) by virtue of The Architects Act 1997 (Amendment) Regulations 2023 (S.I. 2023/50), regs. 1(3), 4(2)(b) (with reg. 5)
- F75** S. 22(3) omitted (28.6.2022) by virtue of Building Safety Act 2022 (c. 30), ss. 158(7)(c), 170(3)
- F76** S. 22(4) substituted (7.2.2023) by The Architects Act 1997 (Amendment) Regulations 2023 (S.I. 2023/50), regs. 1(3), 4(2)(c) (with reg. 5)
- F77** S. 22(6) omitted (31.12.2020) by virtue of The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), 16(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)

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

[<sup>F78</sup>**22B** [<sup>F79</sup>**Professional-regulation information**]

- <sup>F80</sup>(1) .....
- <sup>F81</sup>(2) .....
- (3) In this section “professional-regulation information” means information regarding—
- (a) disciplinary action taken,
  - (b) criminal sanctions imposed, or
  - (c) any other serious, specific circumstances,
- where the action is, or the sanctions or circumstances are, likely to have consequences for the pursuit of the profession of architect by a person.
- (4) If in any case the Board receives professional-regulation information from <sup>F82</sup>... [<sup>F83</sup>a person who applies for registration], the Board—
- (a) [<sup>F84</sup>may investigate and establish] the position in the case, <sup>F85</sup>...
  - <sup>F85</sup>(b) .....
- (5) The Board may make enquiries of registered persons where the Board considers it necessary to do so for the purposes of enabling it to discharge its [<sup>F86</sup>function] under [<sup>F87</sup>subsection (4)(a)].
- (6) Where a registered person receives enquiries under subsection (5), the person shall reply and, in replying, shall use the person’s best endeavours to assist the Board.
- (7) The power under subsection (5) is not to be taken to prejudice any other power to make enquiries of registered persons.]

**Textual Amendments**

- F78** Ss. 22B, 22C inserted (20.6.2008) by Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **21**
- F79** S. 22B heading substituted (7.2.2023) by The Architects Act 1997 (Amendment) Regulations 2023 (S.I. 2023/50), regs. 1(3), **4(3)(a)** (with reg. 5)
- F80** S. 22B(1) omitted (7.2.2023) by virtue of The Architects Act 1997 (Amendment) Regulations 2023 (S.I. 2023/50), regs. 1(3), **4(3)(b)** (with reg. 5)
- F81** S. 22B(2) omitted (7.2.2023) by virtue of The Architects Act 1997 (Amendment) Regulations 2023 (S.I. 2023/50), regs. 1(3), **4(3)(b)** (with reg. 5)
- F82** Words in s. 22B(4) omitted (7.2.2023) by virtue of The Architects Act 1997 (Amendment) Regulations 2023 (S.I. 2023/50), regs. 1(3), **4(3)(c)(i)** (with reg. 5)
- F83** Words in s. 22B(4) inserted (31.12.2020) by The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **17(b)(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))
- F84** Words in s. 22B(4)(a) substituted (31.12.2020) by The Architects Act 1997 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/717), regs. 1(2), **17(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))
- F85** s. 22B(4)(b) and word omitted (7.2.2023) by virtue of The Architects Act 1997 (Amendment) Regulations 2023 (S.I. 2023/50), regs. 1(3), **4(3)(c)(ii)** (with reg. 5)
- F86** Word in s. 22B(5) substituted (7.2.2023) by The Architects Act 1997 (Amendment) Regulations 2023 (S.I. 2023/50), regs. 1(3), **4(3)(d)(i)** (with reg. 5)
- F87** Words in s. 22B(5) substituted (7.2.2023) by The Architects Act 1997 (Amendment) Regulations 2023 (S.I. 2023/50), regs. 1(3), **4(3)(d)(ii)** (with reg. 5)

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

## <sup>F88</sup>22C Confidentiality

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### Textual Amendments

**F88** S. 22C omitted (7.2.2023) by virtue of [The Architects Act 1997 \(Amendment\) Regulations 2023 \(S.I. 2023/50\)](#), regs. 1(3), **4(4)** (with reg. 5)

## 23 Rules.

- (1) The Board may make rules generally for carrying out or facilitating the purposes of this Act.
- (2) The Board shall, before making any rules under this Act, publish a draft of the rules and give those to whom the rules would be applicable an opportunity of making representations to the Board.
- (3) The Registrar shall on payment of the prescribed charges supply a copy of any rules made under this Act and of any forms prescribed by such rules to any person applying for them.

## 24 Service of documents.

- (1) Any notice or document required to be served by or for the purposes of this Act may be sent by post, and when sent to any registered person shall be deemed to be properly addressed if addressed to him at his address in the Register.
- <sup>F89</sup>(1A) Any notice required to be served by section 11(a) is to be sent by post as a registered letter.]
- (2) Any notice relating to the refusal to register any person or required to be served by section 9(2), <sup>F90</sup>... <sup>F91</sup>... 14(4)(a) [<sup>F92</sup>, 15(3) or 21A(4)] shall be <sup>F93</sup>sent—
  - (a) by post as a registered letter, or
  - (b) in accordance with subsection (4).]
- <sup>F94</sup>(3) Where a notice or document required to be served by or for the purposes of this Act is sent to a person in accordance with subsection (4), it is to be treated as having been served on the person unless the contrary is proved—
  - (a) if the notice or document is sent on a working day, on the day on which it is sent, or
  - (b) if the notice or document is sent on a day which is not a working day, on the next working day.
- (4) A notice or document is sent to a person in accordance with this subsection if—
  - (a) it is sent by a prescribed electronic communications method,
  - (b) where rules made by the Board make such provision as is described in subsection (8), the method is prescribed for the purpose of serving a notice or document of that description, and
  - (c) the conditions mentioned in subsection (5) are satisfied in relation to the sending of the notice or document.
- (5) The conditions referred to in subsection (4)(c) are—

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- (a) that the person to whom the notice or document is sent has agreed with a relevant body that a notice or document of that description may be served by that method and the agreement has not been withdrawn in accordance with subsection (6) before the notice or document is sent;
  - (b) that, if that method consists of or involves sending an email to the person, the email is sent to an email address specified by the person for the purposes of the agreement.
- (6) A person who has agreed to be served by a prescribed electronic communications method may give notice withdrawing the agreement to any of the relevant bodies.
- (7) A withdrawal under subsection (6) takes effect five working days after the day on which the notice is received by the relevant body.
- (8) Rules made by the Board under this section prescribing electronic communications methods may prescribe different methods for the purpose of serving different descriptions of notices or documents.
- (9) In this section—
  - “electronic communications method” means a method of sending a notice or document that uses electronic communications (within the meaning of the Electronic Communications Act 2000);
  - “relevant body” means the Board, the Registrar or a committee of the Board;
  - “working day” means a day other than a Saturday, a Sunday, Christmas Day, Good Friday or a bank holiday under the Banking and Financial Dealings Act 1971 in any part of the United Kingdom.]

#### Textual Amendments

- F89** S. 24(1A) inserted (31.1.2023) by [The Architects \(Fees, Electronic Communications and Miscellaneous Amendments\) Regulations 2022](#) (S.I. 2022/1388), regs. 1(1), **3(2)(a)**
- F90** Word in s. 24(2) omitted (7.2.2023) by virtue of [The Architects Act 1997 \(Amendment\) Regulations 2023](#) (S.I. 2023/50), regs. 1(3), **4(5)** (with reg. 5)
- F91** Word in s. 24(2) omitted (31.1.2023) by virtue of [The Architects \(Fees, Electronic Communications and Miscellaneous Amendments\) Regulations 2022](#) (S.I. 2022/1388), regs. 1(1), **3(2)(b)(i)**
- F92** Words in s. 24(2) substituted (28.6.2022) by [Building Safety Act 2022](#) (c. 30), **ss. 158(8)**, 170(3)
- F93** Words in s. 24(2) substituted (31.1.2023) by [The Architects \(Fees, Electronic Communications and Miscellaneous Amendments\) Regulations 2022](#) (S.I. 2022/1388), regs. 1(1), **3(2)(b)(ii)**
- F94** S. 24(3)-(9) inserted (31.1.2023) by [The Architects \(Fees, Electronic Communications and Miscellaneous Amendments\) Regulations 2022](#) (S.I. 2022/1388), regs. 1(1), **3(2)(c)**

#### [<sup>F95</sup>24A Fees

- (1) The Secretary of State may make regulations for, and relating to, the charging of fees by the Board in respect of services which it provides.
- (2) Regulations under this section may in particular make provision about—
  - (a) the services, or types of services, in respect of which the Board may charge a fee;
  - (b) the persons who are liable to pay a fee;
  - (c) how fees charged by the Board are to be calculated;

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

- (d) how fees charged by the Board are to be paid.
- (3) In this section, a “service”—
- (a) includes any exercise by the Board of its power to prescribe qualifications for the purposes of section 4(1)(a);
  - (b) does not include any service in respect of which a fee may be prescribed under any other provision of this Act.
- (4) Regulations under this section are to be made by statutory instrument.
- (5) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.]

#### Textual Amendments

**F95** S. 24A inserted (28.6.2022) by [Building Safety Act 2022 \(c. 30\)](#), ss. **159(1)**, 170(3)

### *Supplementary*

## 25 Interpretation.

[<sup>F96</sup>(1)] In this Act—

“the Board” means the Architects Registration Board;

<sup>F97</sup>  
...

<sup>F97</sup>  
...

<sup>F98</sup>  
...

“disciplinary order” has the meaning given by section 15;

<sup>F97</sup>  
...

<sup>F99</sup>  
...

“erasure order” shall be construed in accordance with section 18;

<sup>F99</sup>  
...

<sup>F99</sup>  
...

“penalty order” shall be construed in accordance with section 16;

“prescribed” means prescribed by rules made by the Board and “prescribe” means prescribe by rules;

“the Register” means the Register of Architects;

“registered person” means a person whose name is in the Register;

“the Registrar” means the Registrar of Architects;

[<sup>F100</sup>“regulator recognition agreement” has the meaning given by section 4 of the Professional Qualification Act 2022]

<sup>F97</sup>  
...

“suspension order” shall be construed in accordance with section 17; <sup>F101</sup>...

<sup>F97</sup>  
...

<sup>F97</sup>  
...

“unacceptable professional conduct” has the meaning given by section 14.

<sup>F102</sup>(2) .....



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

#### Textual Amendments

- F96** Words in s. 25 (which becomes subsection (1)) inserted (23.12.2002) by [S.I. 2002/2842, art. 6\(1\)](#)
- F97** Words in [s. 25\(1\)](#) omitted (7.2.2023) by virtue of [The Architects Act 1997 \(Amendment\) Regulations 2023 \(S.I. 2023/50\)](#), [regs. 1\(3\), 4\(6\)\(a\)](#) (with [reg. 5](#))
- F98** Words in s. 25 omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), [regs. 1\(2\), 19\(b\)](#) (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\(1\)](#)
- F99** Words in s. 25(1) 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, 22\(1\)\(d\)](#)
- F100** Words in [s. 25\(1\)](#) inserted (7.2.2023) by [The Architects Act 1997 \(Amendment\) Regulations 2023 \(S.I. 2023/50\)](#), [regs. 1\(3\), 4\(6\)\(b\)](#) (with [reg. 5](#))
- F101** Word in s. 25(1) 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, 22\(1\)\(f\)](#)
- F102** S. 25(2) 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, 22\(2\)](#)

## 26 Consequential amendments.

- In—
- F103**(a) .....
- (b) section 52(1) of the <sup>M4</sup>Cathedrals Measure 1963, in the definition of “architect”; and
- (c) section 20(1) of the <sup>M5</sup>Care of Cathedrals Measure 1990, in the definition of “architect”,
- for “Architects Acts 1931 to 1996” substitute “ Architects Act 1997 ”.

#### Textual Amendments

- F103** S. 26(a) repealed (E.) (1.9.2018) by [Ecclesiastical Jurisdiction and Care of Churches Measure 2018 \(No. 3\)](#), [s. 99\(2\), Sch. 5](#) (with [Sch. 4 Pt. 1](#)); [S.I. 2018/720](#), [art. 2](#)

#### Marginal Citations

- M4** 1963 No. 2.
- M5** 1990 No. 2.

## 27 Transitionals, repeals etc.

Schedule 2 (transitional provisions and savings) and Schedule 3 (repeals and revocations) have effect.

## 28 Short title, commencement and extent.

- (1) This Act may be cited as the Architects Act 1997.
- (2) This Act (apart from this section) shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint.
- (3) This Act extends to Northern Ireland.

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

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**Subordinate Legislation Made**

**P1** S. 28(2) power fully exercised (9.7.1997): 21.7.1997 appointed day by [S.I. 1997/1672](#)

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

## SCHEDULES

### SCHEDULE 1

Section 1.

#### THE BOARD AND ITS COMMITTEES

#### PART I

#### THE BOARD

#### *[<sup>F104</sup>Membership*

##### Textual Amendments

**F104** Sch. 1 para. 1 substituted for Sch. 1 paras. 1-3 (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **3(2)** (with art. 7)

- 1 (1) The Board is to consist of eleven members—
- (a) a person appointed to be chair of the Board who is not [<sup>F105</sup>a registered person];
  - (b) five other persons [<sup>F106</sup>who are not registered persons], and
  - (c) five [<sup>F107</sup>registered persons].
- (2) The members are to be appointed by the Privy Council after consultation with the Secretary of State and such other persons or bodies as the Privy Council thinks fit.
- (3) Rules made by the Board may make provision for the temporary appointment of a person to act as a member of the Board in such circumstances as may be prescribed.]

##### Textual Amendments

**F105** Words in Sch. 1 para. 1(1)(a) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **20(2)(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)

**F106** Words in Sch. 1 para. 1(1)(b) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **20(2)(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)

**F107** Words in Sch. 1 para. 1(1)(c) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **20(2)(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)

#### *Elected members*

<sup>F104</sup>2 .....

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

#### Textual Amendments

**F104** Sch. 1 para. 1 substituted for Sch. 1 paras. 1-3 (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **3(2)** (with art. 7)

#### *Appointed members*

**F104**<sub>3</sub> .....

#### Textual Amendments

**F104** Sch. 1 para. 1 substituted for Sch. 1 paras. 1-3 (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **3(2)** (with art. 7)

#### *Term of office*

- 4 (1) Subject to sub-paragraphs (2) and (3) [<sup>F108</sup>and paragraph 5], the term of office of a member of the Board is [<sup>F109</sup>four] years.
- (2) A member may resign at any time by notice in writing addressed to the Registrar.
- (3) The Board may prescribe grounds (such as repeated absence from meetings or unacceptable professional conduct) on which any member may be removed from office and the procedure for removal.

#### Textual Amendments

**F108** Words in Sch. 1 para. 4(1) inserted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **3(3)** (with art. 7)

**F109** Word in Sch. 1 para. 4(1) substituted (10.2.2014) by [The Architects Act 1997 \(Amendments etc.\) Order 2014 \(S.I. 2014/4\)](#), arts. 1(1), **2(b)(i)**

- [<sup>F110</sup>5 (1) A person who has been a member of the Board may be appointed for one or more further periods (whether consecutive or not).
- (2) The length of any further period is to be determined by the Privy Council after consultation with the Secretary of State and such other persons or bodies as the Privy Council thinks fit, but any further term must not extend a person's period of membership beyond eight years (whether consecutive or not).
- (3) A person who has been removed from the Board under rules made under paragraph 4(3) may not be appointed to the Board for a further term.
- (4) A person who has been a member of the Board may not be appointed to the Professional Conduct Committee.]

#### Textual Amendments

**F110** Sch. 1 para. 5 substituted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **3(4)** (with art. 7)

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

### *Casual vacancies*

<sup>F111</sup>6 .....

#### Textual Amendments

**F111** Sch. 1 para. 6 omitted (7.1.2019) by virtue of [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **3(5)** (with art. 7)

### *[<sup>F112</sup>Chair]*

#### Textual Amendments

**F112** Word in Act substituted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), **art. 2** (with art. 7)

[<sup>F113</sup>7 (1) Rules made by the Board may make provision for the appointment of a person to act as chair of the Board for any period when there is no person appointed under paragraph 1 or in such other circumstances as may be prescribed.

(2) No person who is [<sup>F114</sup>a registered person] is eligible for appointment under this paragraph.]

#### Textual Amendments

**F113** Sch. 1 para. 7 substituted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **3(6)** (with art. 7)

**F114** Words in [Sch. 1 para. 7\(2\)](#) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **20(3)** (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\(1\)](#)

8 In the event of a tie in any vote of the Board the [<sup>F112</sup>chair] shall have an additional casting vote.

### *Procedure*

[<sup>F115</sup>9 The quorum of the Board is—  
(a) the chair of the Board;  
(b) three members appointed under paragraph 1(1)(b), and  
(c) three members appointed under paragraph 1(1)(c).]

#### Textual Amendments

**F115** Sch. 1 para. 9 substituted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **3(7)** (with art. 7)

10 The Board may make rules governing its meetings and procedure.

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

### *Staff*

- 11 (1) The Board may appoint staff.
- (2) The Board shall determine the period for which, and the terms on which, its staff are appointed.
- (3) Staff appointed by the Board shall have the duties which the Board directs.
- (4) The Board may, in addition to paying salaries to its staff, pay pensions to or in respect of them, or make contributions to the payment of such pensions, and pay them allowances, expenses and gratuities.

### *Seal*

- 12 The Board shall have a common seal which shall be authenticated in the prescribed manner; and any document purporting to be sealed with the seal authenticated in that manner shall be receivable as evidence of the particulars stated in it.

## PART II

### THE PROFESSIONAL CONDUCT COMMITTEE

- [<sup>F116</sup>13 The Professional Conduct Committee is to consist of—
- (a) at least three persons who are legally qualified;
  - (b) at least three [<sup>F117</sup>registered persons] of whom at least one must be a person whose address in the Register is in Scotland; and
  - (c) at least three persons who are not legally qualified and are not [<sup>F118</sup>registered persons].]

#### Textual Amendments

**F116** Sch. 1 para. 13 substituted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **4(2)** (with art. 7)

**F117** Words in Sch. 1 para. 13(b) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **20(4)(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)

**F118** Words in Sch. 1 para. 13(c) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), regs. 1(2), **20(4)(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)

- 14 (1) The members of the Professional Conduct Committee shall elect a [<sup>F112</sup>chair] from among themselves.
- (2) The [<sup>F112</sup>chair]—
- (a) may resign by notice in writing addressed to the Registrar; and
  - (b) may be removed by a majority vote of the other members of the Professional Conduct Committee.
- (3) Rules made by the Board may make provision for the appointment of a person to act as [<sup>F112</sup>chair] in the event of a vacancy in the office of [<sup>F112</sup>chair] or in such other circumstances as may be prescribed.

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

#### Textual Amendments

**F112** Word in Act substituted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), [art. 2](#) (with [art. 7](#))

- 15 <sup>F119</sup>(1) Subject to sub-paragraph (2), the quorum of the Professional Conduct Committee is —
- (a) one member appointed under paragraph 13(a);
  - (b) one member appointed under paragraph 13(b); and
  - (c) one member appointed under paragraph 13(c).]
- (2) <sup>F120</sup>... Where the Committee is considering the case of a person whose address in the Register is in Scotland, the Committee is not quorate unless there is present a member of the Committee who is a <sup>F121</sup>[registered person] and whose address in the Register is in Scotland.

#### Textual Amendments

**F119** Sch. 1 para. 15(1) substituted for Sch. 1 para. 15(1)(A) (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), [arts. 1\(1\), 4\(3\)\(a\)](#) (with [art. 7](#))

**F120** Words in Sch. 1 para. 15(2) omitted (7.1.2019) by virtue of [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), [arts. 1\(1\), 4\(3\)\(b\)](#) (with [art. 7](#))

**F121** Words in Sch. 1 para. 15(2) substituted (31.12.2020) by [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), [regs. 1\(2\), 20\(5\)](#) (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)

- 16 In the event of a tie in any vote of the Professional Conduct Committee the <sup>F112</sup>[chair] shall have an additional casting vote; and in any proceedings relating to a registered person the additional vote shall be cast in favour of that person.

#### Textual Amendments

**F112** Word in Act substituted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), [art. 2](#) (with [art. 7](#))

- 17 The Board may make rules governing the selection and term of office of members of the Professional Conduct Committee (including casual vacancies).
- <sup>F122</sup>17A. In paragraph 13 the reference to a person who is legally qualified means—
- (a) a person who for the purposes of the Legal Services Act 2007 is an authorised person in relation to an activity that constitutes a reserved legal activity (within the meaning of that Act);
  - (b) a solicitor or barrister in Northern Ireland; or
  - (c) a solicitor or advocate in Scotland.]

#### Textual Amendments

**F122** Sch. 1 para. 17A inserted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), [arts. 1\(1\), 4\(4\)](#) (with [art. 7](#))



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

## [<sup>F123</sup>PART 2A

### THE APPEALS COMMITTEE

#### Textual Amendments

**F123** Sch. 1 Pt. 2A inserted (28.6.2022) by Building Safety Act 2022 (c. 30), ss. 158(9), 170(3)

- 17B (1) The Board may make rules about—
- (a) the composition of the Appeals Committee;
  - (b) the selection and term of office of members of the Appeal Committee (including casual vacancies);
  - (c) the meetings and procedure (including chairing and quorum) of the Appeal Committee;
  - (d) votes of the Appeal Committee (including providing for a casting vote and the way in which it is to be exercised).
- (2) Before making rules about the composition of the Appeals Committee, the Board must consult the Secretary of State.]

## PART III

### OTHER COMMITTEES

- 18 (1) The Board may establish such committees as it considers appropriate—
- (a) to discharge any of its functions under this Act other than those to which sub-paragraph (2) applies; or
  - (b) to assist the Board in the discharge by the Board of any of its functions.
- (2) This sub-paragraph applies to the following functions—
- (a) prescribing fees under section 6(1) or (2), 8(1) or (3) or 18(4); and
  - (b) acting under section [<sup>F124</sup>4(1A) or (2)], 5(1), 6(3), 9(1) or 13(1), (2) or (3).

#### Textual Amendments

**F124** Words in Sch. 1 para. 18(2)(b) inserted (31.12.2022) by Professional Qualifications Act 2022 (c. 20), ss. 11(5), 21(4)(e) (with s. 12) (as amended by 2022 c. 30, ss. 159(3), 170(3)); S.I. 2022/1384, reg. 2

- 19 <sup>F125</sup>(1) . . . . .
- (2) <sup>F126</sup>... The membership of any committee established by the Board shall be determined by the Board [<sup>F127</sup>and may include persons who are not members of the Board].

#### Textual Amendments

**F125** Sch. 1 para. 19(1) omitted (31.1.2023) by virtue of The Architects (Fees, Electronic Communications and Miscellaneous Amendments) Regulations 2022 (S.I. 2022/1388), regs. 1(1), 3(3)(a)

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

**F126** Words in [Sch. 1 para. 19\(2\)](#) omitted (31.1.2023) by virtue of [The Architects \(Fees, Electronic Communications and Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/1388\)](#), regs. 1(1), **3(3)(b)**

**F127** Words in [Sch. 1 para. 19\(2\)](#) inserted (31.1.2023) by [The Architects \(Fees, Electronic Communications and Miscellaneous Amendments\) Regulations 2022 \(S.I. 2022/1388\)](#), regs. 1(1), **3(3)(b)**

**F128** 20 . . . . .

#### Textual Amendments

**F128** [Sch. 1 para. 20](#) omitted (1.4.2023) by virtue of [The Building Safety Act 2022 \(Consequential Amendments and Prescribed Functions\) and Architects Act 1997 \(Amendment\) Regulations 2023 \(S.I. 2023/229\)](#), regs. 1(1), **5**

21 The Board may make rules governing the term of office of members of any committee established by the Board (including casual vacancies) and the meetings and procedure (including [<sup>F129</sup>chairing] and quorum) of any committee established by the Board.

#### Textual Amendments

**F129** Word in [Sch. 1 para. 21](#) substituted (7.1.2019) by [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **5** (with art. 7)

## PART IV

### GENERAL

- 22 (1) The Board, the Professional Conduct Committee [<sup>F130</sup>, the Appeals Committee] and any committee established by the Board may exercise its functions even though there is a vacancy among its members.
- (2) No proceedings of the Board, the Professional Conduct Committee [<sup>F130</sup>, the Appeals Committee] or any committee established by the Board are invalidated by any defect in the <sup>F131</sup>... appointment of a member.

#### Textual Amendments

**F130** Words in [Sch. 1 Pt. 4](#) inserted (28.6.2022) by [Building Safety Act 2022 \(c. 30\)](#), ss. **158(10)**, 170(3)

**F131** Words in [Sch. 1 para. 22\(2\)](#) omitted (7.1.2019) by virtue of [The Architects Act 1997 \(Amendments etc.\) Order 2018 \(S.I. 2018/947\)](#), arts. 1(1), **6** (with art. 7)

- 23 The Board may by rules provide for the payment to members of the Board, the Professional Conduct Committee [<sup>F130</sup>, the Appeals Committee] or any committee established by the Board of—
- (a) fees for attendance at meetings of the Board or committee; and
  - (b) travelling and subsistence allowances in respect of attendance at such meetings or the conduct of business of the Board or committee.

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

#### Textual Amendments

**F130** Words in Sch. 1 Pt. 4 inserted (28.6.2022) by [Building Safety Act 2022 \(c. 30\)](#), **ss. 158(10)**, 170(3)

- 24 (1) The Secretary of State may, after consultation with the Board and such other persons or bodies as he thinks fit, by order amend the provisions of this Schedule.
- (2) An order under sub-paragraph (1) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

### F132 SCHEDULE 1A

Section 5A(1)

#### Textual Amendments

**F132** [Sch. 1A](#) omitted (31.12.2020) by virtue of [The Architects Act 1997 \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/717\)](#), [regs. 1\(2\)](#), **21** (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\(1\)](#)

### SCHEDULE 2

Section 27.

#### TRANSITIONAL PROVISIONS AND SAVINGS

##### *General transitionals and savings*

- 1 The substitution of this Act for the provisions repealed or revoked by this Act does not affect the continuity of the law.
- 2 Anything done, or having effect as if done, (including the making of rules) under or for the purposes of any provision repealed or revoked by this Act has effect as if done under or for the purposes of any corresponding provision of this Act.
- 3 Any reference (express or implied) in this Act or any other enactment, or in any instrument or document, to a provision of this Act is (so far as the context permits) to be read as (according to the context) being or including in relation to times, circumstances and purposes before this Act comes into force a reference to the corresponding provision repealed or revoked by this Act.
- 4 (1) Any reference (express or implied) in any enactment, or in any instrument or document, to a provision repealed or revoked by this Act is (so far as the context permits) to be read as (according to the context) being or including in relation to times, circumstances and purposes after this Act comes into force a reference to the corresponding provision of this Act.
- (2) In particular, where a power conferred by an Act is expressed to be exercisable in relation to enactments contained in an Act passed before or in the same Session as the Act conferring the power, the power is also exercisable in relation to provisions of this Act which reproduce such enactments.

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- 5 Paragraphs 1 to 4 have effect in place of section 17(2) of the <sup>M6</sup>Interpretation Act 1978 (but are without prejudice to any other provision of that Act).

**Marginal Citations**

**M6** 1978 c. 30.

*First appointments to the Board*

- 6 The term of office of the members of the Board who were appointed by the Privy Council to take office on the day on which Part III of the 1996 Act came into force (and who remain members of the Board when this Act comes into force)—
- (a) is one year beginning with that day in the case of three of those members;
  - (b) is two years beginning with that day in the case of another three of those members; and
  - (c) is three years beginning with that day in the case of the remaining two members.

*Registration*

- 7 If—
- (a) a person duly applied for registration under the 1931 Act before Part III of the 1996 Act came into force; but
  - (b) no decision on the application has been made before this Act comes into force,
- the application shall be dealt with in the same way as an application duly made after this Act comes into force (except that no further fee may be required to be paid).
- 8 Examinations in architecture which immediately before the day on which Part III of the 1996 Act came into force were recognised by the Council for the purposes of section 6(1)(c) of the 1931 Act (as it had effect before Part III of the 1996 Act came into force) shall (subject to rules made by the Board) be treated as qualifications prescribed under section 4(1)(a).
- 9 The reference in subsection (3) of section 8 to a person whose name has been removed from the Register under subsection (2) of that section shall be treated as including a reference to a person whose name was removed from the Register under section 13(5) of the 1931 Act before Part III of the 1996 Act came into force.
- 10 The reference to the Board in section 10(1)(b) shall be construed, in relation to the entry of a name in the Register before Part III of the 1996 Act came into force, as a reference to the Council.

*Discipline*

- 11 If—
- (a) before Part III of the 1996 Act came into force, the Discipline Committee began an inquiry into any case in which it was alleged that a registered person had been guilty of conduct disgraceful to him in his capacity as an architect; but
  - (b) the case has not been decided or referred to the Professional Conduct Committee before this Act comes into force,

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the case shall be referred to the Professional Conduct Committee which shall consider whether he is guilty of unacceptable professional conduct or serious professional incompetence.

- 12 (1) Subject to sub-paragraph (2), sections 14 to 18 have effect in relation to anything done or omitted to be done before this Act comes into force (including anything done before Part III of the 1996 Act came into force) as in relation to anything done or omitted to be done after this Act comes into force.
- (2) The Professional Conduct Committee—
- (a) may only make a disciplinary order in respect of anything done or omitted to be done by a person before Part III of the 1996 Act came into force if the Council could have removed his name from the Register under section 7 of the 1931 Act (as it had effect before Part III of the 1996 Act came into force); and
  - (b) may not make a reprimand or penalty order in respect of anything done or omitted to be done before Part III of the 1996 Act came into force.
- 13 (1) If a person's name was removed from the Register under section 7 of the 1931 Act before Part III of the 1996 Act came into force, he may at any time apply to the Board for his name to be re-entered in the Register.
- (2) If he does so, the Board may direct that his name shall be re-entered in the Register.
- (3) The Registrar shall serve on a person who applies for his name to be re-entered in the Register under this paragraph written notice of the decision on his application within the prescribed period after the date of the decision.
- (4) The Board may require a person whose name is re-entered in the Register under this paragraph to pay a fee of such amount, not exceeding the fee then payable by an applicant for registration in pursuance of section 4, as may be prescribed.
- 14 If—
- (a) a person's name was removed from the Register, or the Council determined that a person be disqualified for registration during any period, before Part III of the 1996 Act came into force; and
  - (b) the period of three months from the date on which notice of the removal or determination was served on him has not ended before this Act comes into force,
- he may appeal under section 22 against the removal or determination at any time before the end of that period.
- 15 Section 12(7)(c) shall have effect as if it included a reference to a period of disqualification imposed by the Council.

#### *Offence of practising while not registered*

- 16 The repeal by this Act of Schedule 2 to the 1996 Act does not affect the continued operation of paragraphs 31 and 32 of that Schedule in relation to an offence committed before Part III of the 1996 Act came into force.

#### *The Education Fund*

- 17 (1) This paragraph applies if when this Act comes into force the assets of the Architects' Registration Council Education Fund have not been transferred by the Board.

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- (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) The repeal by the 1996 Act of sections 1(1) and (4) to (6), 3 and 4 of the 1969 Act shall not come into force until the transfer is made; and until the transfer references in those provisions to the Council shall have effect as references to the Board.
- 18 A person to whom the assets of the Fund are transferred (whether under section 124 of the 1996 Act or paragraph 17) 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).
- 19 (1) In this Schedule—
- (a) “the 1931 Act” means the <sup>M7</sup>Architects (Registration) Act 1931;
  - (b) “the 1969 Act” means the <sup>M8</sup>Architects Registration (Amendment) Act 1969; and
  - (c) “the 1996 Act” means the <sup>M9</sup>Housing Grants, Construction and Regeneration Act 1996.
- (2) In this Schedule—
- (a) “the Council” means the Architects’ Registration Council of the United Kingdom established under the 1931 Act, which was renamed as the Board by section 118(1) of the 1996 Act; and
  - (b) “the Discipline Committee” means the Discipline Committee constituted under the 1931 Act, which was abolished by section 118(2) of the 1996 Act.

#### Marginal Citations

**M7** 1931 c. 33.

**M8** 1969 c. 42.

**M9** 1996 c. 53.

## SCHEDULE 3

Section 27.

### REPEALS AND REVOCATIONS

Chapter or number	Short title or title	Extent of repeal or revocation
21 & 22 Geo. 5 c. 33.	The Architects (Registration) Act 1931.	The whole Act.
1 & 2 Geo. 6 c. 54.	The Architects Registration Act 1938.	The whole Act.
S.I. 1987/1824.	The Architects’ Qualifications (EEC Recognition) Order 1987.	The whole instrument.

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S.I. 1988/2241.	The Architects' Qualifications (EC Recognition) Order 1988.	The whole instrument.
1996 c. 53.	The Housing Grants, Construction and Regeneration Act 1996.	Sections 118 to 125.  In section 148, in subsection (2), the words "Part III (architects)," and, in subsection (3), the words "Part III (architects), and".  Schedule 2.

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### TABLE OF DERIVATIONS

*Notes:*

- 1 This Table shows the derivation of the provisions of the consolidation.
- 2 The following abbreviations are used in the Table—

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1931	= Architects (Registration) Act 1931 (c.33)
1938	= Architects Registration Act 1938 (c.54)
1987	= Architects' Qualifications (EEC Recognition) Order 1987 (S.I. 1987/1824)
1988	= Architects' Qualifications (EC Recognition) Order 1988 (S.I. 1988/2241)
1993	= European Economic Area Act 1993 (c.51)
1996	= Housing Grants, Construction and Regeneration Act 1996 (c.53)

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<b>Provision</b>	<b>Derivation</b>
1(1)	1931 s.3(1); 1996 s.118(1), Sch.2 para.3(2).
(2)	1931 s.3(2B); 1996 s.118(3).
(3)	
(4)	
(5)	
(6)	



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2	1931 s.4; 1996 s.119.
3	1931 s.5A; 1996 s.120(1).
4(1) to (3)	1931 s.6(1) to (3); 1996 s.120(2).
(4) to (6)	1931 s.6(6) to (8); 1996 s.120(2).
5(1)	1931 s.6A(1), (2); 1988 art.2; 1993 s.2(1); 1996 Sch.2 para.4(2).
(2)	1931 s.6A(2)(a); 1988 art.2.
(3)	1931 s.6A(2)(a), (5), (6); 1988 art.2.
(4)	1931 s.6A(2)(b), (c); 1988 art.2; 1993 s.2(1).
(5)	1931 s.6A(3), (4); 1988 art.2; 1993 s.2(1).
(6)	1931 s.6A(7); 1988 art.2; 1993 s.2(1); 1996 Sch.2 para.4(4).
(7)	1931 s.6A(10); 1988 art.2; 1993 s.2(1).
6(1)	1931 ss.6(4)(a), 6A(1A); 1996 s.120(2), Sch.2 para.4(3).
(2)	1931 s.6(4)(b); 1996 s.120(2).
(3)	1931 ss.6(5), 6A(1B); 1996 s.120(2), Sch.2 para.4(3).
(4)	1931 ss.6(9), 6A(8); 1988 art.2; 1996 s.120(2), Sch.2 para.4(5).
(5)	1931 s.6A(9); 1988 art.2; 1993 s.2(1); 1996 Sch.2 para.4(6).
7	1931 s.12; Criminal Justice Act 1982 (c.48) ss.38, 46; Fines and Penalties (Northern Ireland) Order 1984 (S.I. 1984/703 (N.I.3)) arts.5, 6; Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c.40) Sch.1 paras.5, 6; 1996 Sch.2 para.8.
8	1931 s.6B; 1996 s.120(3).
9	1931 s.6C; 1996 s.120(3).
10(1)	1931 s.7A(1); 1987 art.7; 1993 s.2(1); 1996 Sch.2 para.5(2).
(2)	1931 s.7A(3); 1996 Sch.2 para.5(4).
11	1931 s.11; 1996 Sch.2 para.7.
12(1)	1938 s.1A(4); 1987 art.8; 1993 s.2(1); 1996 Sch.2 para.14(2).
(2)	1938 s.1A(4); 1987 art.8; 1993 s.2(1).

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(3)	1938 s.1A(1) to (3); 1987 art.8; 1993 s.2(1); 1996 Sch.2 para.14(2).
(4)	1938 s.1A(2); 1987 art.8; 1993 s.2(1).
(5)	1938 s.1A(3); 1987 art.8; 1993 s.2(1); 1996 Sch.2 para.14(3).
(6)	1938 s.1A(5); 1987 art.8; 1993 s.2(1).
(7)	1938 s.1A(6); 1987 art.8; 1993 s.2(1); 1996 Sch.2 para.14(4).
(8)	1938 s.1A(7); 1987 art.8; 1993 s.2(1).
(9)	1938 s.1A(9); 1987 art.8; 1993 s.2(1).
13	1931 s.7ZE; 1996 s.122.
14	1931 s.7; 1996 s.121.
15(1) to (5)	1931 s.7ZA; 1996 s.121.
(6)	1931 s.7A(2); 1987 art.7; 1993 s.2(1); 1996 Sch.2 para.5(3).
16	1931 s.7ZB; 1996 s.121.
17	1931 s.7ZC; 1996 s.121.
18	1931 s.7ZD; 1996 s.121.
19	1938 s.1A(8); 1987 art.8; 1993 s.2(1); 1996 Sch.2 para.14(5).
20(1)	1938 s.1(1).
(2)	1938 s.1(1) proviso.
(3)	1931 s.17(1); 1938 s.1(3); 1996 s.123(4), Sch.2 para.12(2), (3).
(4)	1931 s.17(2); 1996 s.123(4).
(5)	1938 s.1A(1); 1987 art.8; 1993 s.2(1).
(6)	1938 s.4(2).
(7)	1938 s.1(1A); 1996 s.123(1).
(8)	1938 s.1(1) proviso.
21(1)	1938 s.3(1); 1996 s.123(2), (3).
(2)	1938 s.3(1) proviso.
(3)	1938 s.3(1) proviso; 1996 Sch.2 para.15(b).
(4)	1938 s.3(2); 1996 s.123(3).
22	1931 s.9; 1996 Sch.2 para.6(2).
23(1), (2)	1931 s.13(1), (2); 1996 Sch.2 para.9.
(3)	1931 s.15; 1996 Sch.2 para.10.

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24(1)	1931 s.16(1); 1996 Sch.2 para.11(2).
(2)	1931 ss.11, 16(2); 1996 Sch.2 para.11(3).
25	
“the Board”	1931 s.2; 1996 Sch.2 para.2(2).
“competent authority”	1931 s.2; 1987 art.3; 1993 s.2(1).
“the Directive”	1931 s.2; 1987 art.3.
“disciplinary order”	1931 s.2; 1996 Sch.2 para.2(6).
“disqualifying decision in another EEA State”	1931 s.2; 1987 art.3; 1993 s.2(1).
“EEA State”	
“erasure order”	1931 s.2; 1996 Sch.2 para.2(6).
“list of visiting EEA architects”	
“national”	1931 s.2; 1987 art.3.
“penalty order”	1931 s.2; 1996 Sch.2 para.2(6).
“prescribed”	1931 s.2; 1996 Sch.2 para.2(4).
“prescribe”	1931 ss.6(5), 6A(1B), 6C(1); 1996 s.120(2), (3), Sch.2 para.4(3).
“the Register”	1931 s.2; 1996 Sch.2 para.2(5).
“the Registrar”	1931 s.2; 1996 Sch.2 para.2(6).
“registered person”	1931 s.2; 1996 Sch.2 para.2(3).
“suspension order”	1931 s.2; 1996 Sch.2 para.2(6).
“unacceptable professional conduct”	
26	
27	
28(1)	
(2)	
(3)	1931 s.18(2); 1938 s.6(1); 1996 Sch.2 paras.13, 17.
Sch. 1	
paras.1 to 10	1931 1st Sch. paras.1 to 10; 1996 Sch.2 para.1.
11	1931 s.4A; 1996 s.119.
12	1931 s.3(1), (2); 1996 Sch.2 para.3(3) (b).
13 to 24	1931 1st Sch. paras.11 to 22; 1996 Sch.2 para.1.

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

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Sch. 2

Sch. 3

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**Changes to legislation:**

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