



# Architects Act 1997

## 1997 CHAPTER 22

### 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 person registered [<sup>F1</sup>in Part 1 of the Register].
- (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 [<sup>F2</sup>person registered in Part 1 of the Register] 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>F2</sup>person registered in Part 1 of the Register].
- (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>F3</sup>(5) Subsection (1) does not prevent a person registered in Part 2 of the Register using—
  - (a) the title recorded for the person in that Part; or
  - (b) any other title that could have been recorded for the person in that Part.]
- (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.

*Status: Point in time view as at 20/06/2008.*

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

- (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**

- F1** Words in s. 20(1) substituted (20.6.2008) by Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **19(a)**
- F2** Words in s. 20(3)(a)(b) substituted (20.6.2008) by Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **19(b)**
- F3** S. 20(5) substituted (20.6.2008) by Architects (Recognition of European Qualifications etc and Saving and Transitional Provision) Regulations 2008 (S.I. 2008/1331), regs. 1, **19(c)**

## **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);
  - (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.

#### **Marginal Citations**

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

**Status:**

Point in time view as at 20/06/2008.

**Changes to legislation:**

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