

SCHEDULES

SCHEDULE 1

Section 1.

THE BOARD AND ITS COMMITTEES

PART I

THE BOARD

Membership

- 1 The Board shall consist of—
- (a) seven elected members; and
 - (b) eight appointed members.

Elected members

- 2 (1) The elected members shall be elected in accordance with an electoral scheme made by the Board, with the approval of the Privy Council, after consultation with such bodies as appear to the Board to be representative of architects.
- (2) An electoral scheme under sub-paragraph (1) may be amended by the Board with the approval of the Privy Council and after consultation with such bodies as are mentioned in that sub-paragraph.
- (3) The persons qualified—
- (a) to elect the elected members; and
 - (b) to be elected as elected members,
- are all those who are registered persons when the election is held.

Appointed members

- 3 (1) The appointed members shall 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, to represent the interests of users of architectural services and the general public.
- (2) No registered person shall be eligible for appointment as an appointed member.

Term of office

- 4 (1) Subject to sub-paragraphs (2) and (3), the term of office of a member of the Board is three years.
- (2) A member may resign at any time by notice in writing addressed to the Registrar.

Status: This is the original version (as it was originally enacted).

- (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.
- 5 A person who has held office as a member of the Board for a continuous period of six years may not be elected or appointed as a member until at least three years have elapsed since he last held office.

Casual vacancies

- 6 (1) Where a vacancy occurs among the members of the Board otherwise than by the expiry of a member's term of office—
- (a) if the vacancy is among the elected members, the Board shall appoint a registered person to fill it; and
 - (b) if the vacancy is among the appointed members, the Privy Council shall appoint a person to fill it.
- (2) Subject to paragraph 4(2) and (3), a person appointed under sub-paragraph (1) to fill a vacancy holds office until the date on which the term of office of the member whose vacancy he fills would have expired.
- (3) A person appointed under sub-paragraph (1)(a) shall be regarded as an elected member and a person appointed under sub-paragraph (1)(b) shall be regarded as an appointed member.

Chairman

- 7 (1) The members of the Board shall elect a chairman from among themselves.
- (2) The chairman—
- (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 Board.
- (3) Rules made by the Board may make provision for the appointment of a person to act as chairman in the event of a vacancy in the office of chairman or in such other circumstances as may be prescribed.
- 8 In the event of a tie in any vote of the Board the chairman shall have an additional casting vote.

Procedure

- 9 The quorum of the Board shall be nine, of whom at least four shall be elected members and at least four shall be appointed members.
- 10 The Board may make rules governing its meetings and procedure.

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.

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- (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

- 13 The Professional Conduct Committee shall consist of—
- (a) four elected members of the Board, including at least one whose address in the Register is in Scotland, or (if there is no elected member whose address in the Register is in Scotland or no such elected member who is willing to act) three elected members and one registered person whose address in the Register is in Scotland;
 - (b) three appointed members of the Board; and
 - (c) two persons nominated by the President of the Law Society.
- 14 (1) The members of the Professional Conduct Committee shall elect a chairman from among themselves.
- (2) The chairman—
- (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 chairman in the event of a vacancy in the office of chairman or in such other circumstances as may be prescribed.
- 15 (1) The quorum of the Professional Conduct Committee shall be one elected member of the Board, one appointed member of the Board and one person nominated by the President of the Law Society.
- (2) 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 registered person and whose address in the Register is in Scotland.
- 16 In the event of a tie in any vote of the Professional Conduct Committee the chairman 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.
- 17 The Board may make rules governing the selection and term of office of members of the Professional Conduct Committee (including casual vacancies).

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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 4(1) or (2), 5(1), 6(3), 9(1) or 13(1), (2) or (3).
- 19 (1) Any committee established by the Board may include persons who are not members of the Board; but if a committee is established to discharge any function of the Board, the majority of the members of the committee must be members of the Board.
- (2) Subject to that, the membership of any committee established by the Board shall be determined by the Board.
- 20 No vote of any committee established by the Board for the discharge of any of its functions shall be valid unless the majority of those voting are members of the Board.
- 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 chairmanship and quorum) of any committee established by the Board.

PART IV

GENERAL

- 22 (1) The Board, the Professional Conduct 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 or any committee established by the Board are invalidated by any defect in the election or appointment of a member.
- 23 The Board may by rules provide for the payment to members of the Board, the Professional Conduct 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.
- 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.