

Several good reasons for repealing Part IV of the Act

19 October 2010

At the time of the 2008 amendment to the Architects Act (dividing the Register into Parts 1 and 2 for EU compliance) many pages of complicated text were added to a piece of legislation which was otherwise tolerably trim, neat and comprehensible in its consolidated form in the 1997 Act (see [AARUK Note: Comments on the Government's draft amendments to the Act: why now?](#)): the page space increased by about 40% (from 25 to 35).

One of the good reasons for simply repealing Part IV of the Architects Act 1997 as amended, and which accords with modern practice, is to trim the law and at the same time make some reduction in the page space occupied by the mass of legislation in force.

Legislation affecting dishonest trading and title abuse under the general law, introduced in recent years (sometimes pursuant to EU requirements and sometimes in pursuit of departmental or party policy or all-party consensus) is certainly a formidable body of law, guidance, codes and so on which the legislators themselves must find almost as much of a tangle as before the reforms of the 19th and early 20th centuries. The main difficulty in this century seems to be that if the government decides to legislate for dismantling or improving a system of controls it will proceed by constructing a no less formidable organising activity.

A glimpse of the problem is given by the document on the Department for Business Enterprise and Regulatory Reform's official website "Regulatory Enforcement And Sanctions Act [2008]: [Guidance to the Act](#)" which introduces itself with the question "Who is this guide for?" and answers "It is aimed primarily at those affected by the provisions in the Act, namely local authorities, national regulators, business, and consumer groups." The [Act itself](#) extends to 5 Parts, 77 sections, 7 Schedules and is on 56 pages for printing. There is mention of estate agents and the registration of farriers and of vehicles, but not of architects or the Register of Architects.

By comparison, the Tribunals, Courts and Enforcement Act 2007 has 8 Parts, 149 sections and 23 Schedules on 303 pages for printing. There is mention in [this Act](#) of "judicial review" and of estate agents, but again not of architects or the Register of Architects.

There is legislation enough to protect the public against those who are not fully qualified from masquerading as qualified building architects without specifically criminalizing use of the word "architect" with or without an adjective – for which see the supplementary note: [Framework](#), adjective.