



Jersey

## ARCHITECTS (REGISTRATION) (AMENDMENT No. 2) (JERSEY) LAW 2011

### Arrangement

---

#### Article

1	Interpretation.....	3
2	Article 1 substituted .....	3
3	Article 2 amended .....	4
4	Article 3 substituted .....	4
5	Article 3A inserted .....	4
6	Article 5 substituted .....	5
7	Article 6 amended .....	5
8	Article 7 amended .....	5
9	Article 8A inserted .....	5
10	Citation and commencement.....	6





Jersey

## **ARCHITECTS (REGISTRATION) (AMENDMENT No. 2) (JERSEY) LAW 2011**

**A LAW** to amend further the Architects (Registration) (Jersey) Law 1954

*Adopted by the States*

*9th June 2011*

*Sanctioned by Order of Her Majesty in Council*

*12th October 2011*

*Registered by the Royal Court*

*21st October 2011*

**THE STATES**, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law –

### **1 Interpretation**

In this Law “principal Law” means the Architects (Registration) (Jersey) Law 1954<sup>1</sup>.

### **2 Article 1 substituted**

For Article 1 of the principal Law there shall be substituted the following Article –

#### **“1 Interpretation**

(1) In this Law, unless the context otherwise requires –

‘Court’ means the Royal Court;

‘Minister’ means the Minister for Economic Development;

‘registered person’ means a person registered as an architect in pursuance of this Law;

(2) A person shall not, for the purposes of this Law, be treated as not practising by reason only that the person is in the employment of another person.”

**3 Article 2 amended**

In Article 2 of the principal Law for paragraph (2) there shall be substituted the following paragraph –

- “(2) A person who contravenes paragraph (1) shall be guilty of an offence and liable to a fine of level 4 on the standard scale.”.

**4 Article 3 substituted**

For Article 3 of the principal Law there shall be substituted the following Article –

**“3 Registration**

- (1) No person shall be entitled to be registered as an architect in pursuance of this Law unless the person fulfils the requirements for registration prescribed by Order of the Minister.
- (2) An application for registration as an architect in pursuance of this Law shall be made to the Court and shall contain such particulars and shall be accompanied by such proof, as may be prescribed by Order of the Minister, that the person fulfils the requirements for registration prescribed under paragraph (1).
- (3) The prescribed requirements by virtue of which a person is registered as an architect in pursuance of this Law shall be set out in the act of the Court ordering the registration.
- (4) An Order made under paragraph (1) or (2) may make such transitional provision and savings as the Minister thinks fit.”.

**5 Article 3A inserted**

After Article 3 of the principal Law there shall be inserted the following Article –

**“3A Mandatory condition of registration**

- (1) It shall be a condition of a person’s registration as an architect in pursuance of this Law that the person notifies the Judicial Greffier, without delay, of any of the following events –
  - (a) a change in the person’s name or address;
  - (b) the person ceasing to fulfil the requirements for registration prescribed under Article 3(1).
- (2) The Court may, in making a decision in pursuance of Article 4(1) in respect of a person, have regard to any failure of the person to comply with a condition imposed by paragraph (1) of this Article.”.

---

**6 Article 5 substituted**

For Article 5 of the principal Law there shall be substituted the following Articles –

**“5 Requirement to cancel registration**

- (1) The Court, on the motion of the Attorney General, shall order that the registration of any registered person be cancelled where the person ceases to fulfil the requirements for registration prescribed under Article 3(1).
- (2) The Court may, on the application of a person whose registration has been cancelled under paragraph (1), rescind the order made under paragraph (1) and direct that the person’s name be restored to the list, if the Court is satisfied that the qualification or authority to practise by virtue of which the person fulfilled the requirements for registration prescribed under Article 3(1) has been reinstated.”

**7 Article 6 amended**

In Article 6 of the principal Law –

- (a) at the beginning, there shall be inserted the paragraph number “(1)”;
- (b) in paragraph (1), for the words “the qualifications” there shall be substituted the words “the prescribed requirements”;
- (c) after paragraph (1) there shall be added the following paragraphs –
  - “(2) The Judicial Greffier shall, as directed by orders of the Court under this Law, add names to the list, or remove them.
  - (3) The Judicial Greffier shall also –
    - (a) amend an entry in the list for a person, when notified of a change in the person’s name or address; and
    - (b) remove a person’s name from the list –
      - (i) upon receipt of the registered person’s written request that his or her registration is cancelled, or
      - (ii) if satisfied that the person has died.”

**8 Article 7 amended**

In Article 7 of the principal Law for the words commencing “be liable to” to the end of the paragraph there shall be substituted the words “be liable to imprisonment for a term of 2 years and to a fine”.

**9 Article 8A inserted**

After Article 8 of the principal law there shall be inserted the following Article –

**“8A Validation**

- (1) The registration of a person in pursuance of this Law, on or after 21st July 1997 and before the commencement of the Architects (Registration) (Amendment No. 2) (Jersey) Law 2011<sup>2</sup>, shall not be invalid by reason only that, at the time of such registration, the person was not registered in pursuance of the Architects (Registration) Act 1931, if the person was, at that time, registered in pursuance of the Architects Act 1997.
- (2) A person to whom paragraph (1) applies shall not, by reason only of any defect in his or her registration before the commencement of the Architects (Registration) (Amendment No. 2) (Jersey) Law 2011<sup>3</sup>, incur any civil or criminal liability.”.

**10 Citation and commencement**

This Law may be cited as the Architects (Registration) (Amendment No. 2) (Jersey) Law 2011 and shall come into force one month after it is registered.

**M.N. DE LA HAYE**

*Greffier of the States*

- 
- <sup>1</sup> *chapter 05.025*  
<sup>2</sup> *L.14/2011*  
<sup>3</sup> *L.14/2011*