

Response ID ANON-CZCY-Q8GM-P

Submitted to UK Internal Market: the continuity of exclusions from the principles of mutual recognition and non-discrimination for services
Submitted on 2021-05-07 17:03:17

About you

1 What is your name?

Name:

Jude Faloon

2 What is your email address?

Email:

jude@rsua.org.uk

3 What is the name of your organisation?

Organisation:

Royal Society of Ulster Architects (RSUA)

4 Are you happy for your response to be published?

Yes

5 If you have answered 'Yes' to the previous question, are you happy for your response to be quoted in any potential future publications relating to the Act, such as an Impact Assessment?

Yes

Introductory questions

6 Please state which nation(s) you operate in, are established in, or are a resident of

Northern Ireland

Please expand on your response here:

Royal Society of Ulster Architects (RSUA) is the professional body for architects in Northern Ireland.

7 Please choose the category you consider yourself to be a part of

A think tank or other civil society body

Please expand on your response here:

The Royal Society of Ulster Architects (RSUA) is the professional body for chartered architects in Northern Ireland with approx. 900 members.

8 Please summarise your organisation's purpose, focus, or main area of business. If you are not part of an organisation or answered 'Other' above, please state your interest in this consultation.

Please respond here:

RSUA's objectives include the general advancement of architecture and the promotion of the knowledge of the arts and sciences connected with architecture and the cultivation of interest in built environment.

RSUA is committed to a comprehensive continuing professional development strategy and as an organisation it is a vital information network for architects providing a support service on a wide range of issues including contract and legal matters, professional indemnity, changes in planning law, building regulations and government legislation.

9 If you operate under a particular piece of legislation (either for some or all of your organisation's role or remit), please state which. If you do not act under a particular piece of legislation, please write 'Not applicable'.

Please respond here:

RSUA is a registered charity under the Charities Act (Northern Ireland) 2008 and 2013.

Most RSUA members are registered under the Architects Act 1997.

Your service and the UK Internal Market Act

10 Please state in respect of which service activity or sector you are responding. If you are responding regarding multiple service activities or sectors, please identify clearly in your answers which considerations applies to which service(s)

Please respond here:

Architects

11 Please provide a high-level overview of the current regulatory regime(s) for the service(s) in question, being clear about whether it is specific to a part of the UK or UK-wide.

Please respond here:

Architects' profession in the UK is regulated by the Architects Act 1997.

Under the Architects Act 1997 architects in the UK must be registered with the Architect's Registration Board (ARB) which is the statutory body for the registration. It prescribes architectural qualifications, maintains the Register of Architects, issues a code of professional conduct and competences, and imposes sanctions.

UK architects based in Northern Ireland can also subscribe to become a joint chartered member of the Royal Institute of British Architects (RIBA) / Royal Society of Ulster Architects (RSUA) and benefit from their comprehensive continuing professional development programme, information network, social connections, promotion of architecture, involvement in policy development and government discussions on key issues while adhering to RIBA/RSUA code of professional conduct.

12 Would you consider this service to be in scope of Part 2 of the UKIM Act?

No

13 Is this service excluded from the application of the mutual recognition or non-discrimination principles in the UKIM Act, under Schedule 2?

No

If 'Yes' please specify which entries in Schedule 2 you consider apply to this service.:

Information about current cases in which the requirement to recognise authorisations issued by a regulator in another part of the UK is disapplied under the 2009 Regulations

REGULATORS

14 Do you currently disapply the requirement to recognise authorisations issued by a regulator in another part of the UK, under Regulation 15(5D) of the Provision of Services Regulations 2009?

Not applicable

15 If you answered 'Yes' to the previous question, what service activity and legislation does the derogation under Regulation 15(5D) apply to?

Not applicable

Please provide as much detail as possible:

16 If the service activity you regulate is not listed under Schedule 2 of the UKIM Act, do you believe that it should be?

Not applicable

Please explain your answer here:

17 What is the overriding reason relating to the public interest you rely on to be able to disapply the mutual recognition principle under Regulation 15(5D) of the Provision of Services Regulations 2009?

Not applicable

Please respond here:

SERVICE PROVIDERS AND OTHER STAKEHOLDERS

18 Please specify the regulator(s) relevant to your response.

Not Answered

Please respond here:

The Architect's Registration Board (ARB)

The Charity Commission for Northern Ireland

19 Does your authorisation apply across all of the UK?

Yes

20 If you answered 'No' to the previous question, does Regulation 15(5D) of the Provision of Services Regulations 2009 apply?

Not applicable

21 If you have answered 'Yes' to the previous question, please provide as much detail as possible about the service activity and legislation affected by the disapplication under Regulation 15(5D).

Not applicable

Please respond here:

22 If the service activity you are responding about is not listed under Schedule 2 of the UKIM Act, do you believe that it should be?

Not Answered

Please respond here:

No - It is imperative that the principle of mutual recognition and non-discrimination for services covering the architects' services remain unchanged including the existing authorisation scheme provided by ARB which enables UK architects to exercise their services throughout the whole of the UK.

Views on further amendments to the exclusions list under Schedule 2 of the UKIM Act

23 Do you believe that the list of exclusions at Schedule 2 of the UKIM Act should be changed, or that it should stay as it is?

Please respond here:

N/A

24 If you believe it should be amended, please state the additions and/or deletions you would suggest making to Schedule 2 of the Bill.

Please respond here:

N/A

25 Please explain the policy rationale for your position. You should seek to explain how any changes would impact the regulatory framework specific to the service(s) you are responding about.

Please respond here:

N/A

26 Please state the approximate value of the change(s).

Please respond here:

N/A

27 Please explain your analysis on how any changes would impact the functioning of the UK Internal Market. You should seek to explain any costs of providing the service, the regulatory complexity for your sector and any evidence gaps/limitations.

Please respond here:

N/A

Any additional information can be attached here:

No file uploaded

Further views on the functioning of the UK Internal Market for services

28 As part of the Government's ongoing commitment to monitor and assess the functioning of the internal market, please provide your views on any other ways to further enhance the UK Internal Market for services. This could be in the form of changes to the exclusions in Schedule 2

of the UKIM Act, or changes to the UK's Internal Market in services more broadly.

Please respond here:

N/A

29 Please explain the policy rationale for your position. You should seek to explain how any changes would impact the regulatory framework specific to the service(s) you are responding about.

Please respond here:

N/A

30 If possible, please state the approximate value of the change(s).

Please respond here:

N/A

31 What evidence can you provide in support of your answer? e.g., how these changes would impact the functioning of the UK Internal Market (explaining associated costs and benefits of the change, evidence sources, evidence gaps - additional information can be annexed).

Please respond here:

N/A

Any additional information can be uploaded here:

No file uploaded

Closing questions

32 Please provide any other information which you believe may be useful in the context of this consultation.

Please respond here:

N/A

Any additional information can be uploaded here:

No file uploaded

Would you like to be contacted when the consultation response is published?

Yes

How did you hear about this consultation?

Where did you hear of this consultation?:

Email from BEIS

Other (please specify):