



Memorandum of Understanding
On the
Mutual Recognition of
Professional Qualifications in Architecture



Between

The Royal Institute of the Architects of Ireland (RIAI) and the Architects
Registration Board (ARB)

Section 1: Parties to Understanding

The Parties to this Understanding are:

The Royal Institute of the Architects of Ireland (the RIAI), a company limited by guarantee, designated as the registration body for architects under Part 3 of the Building Control Act 2007 and as the competent authority in Ireland as respects architects for the purpose of Directive 2005/36/EU so far relating to architects; and

The Architects Registration Board (the ARB), the body established by section 1 of the Architects Act 1997 (UK), and prior to 1 January 2021, designated as the competent authority for architects in the United Kingdom as set out in section 1A(1) of the Architects Act 1997 (UK).

Section 2: Purpose of Understanding:

To facilitate the mutual recognition of Formal Qualifications in architecture recognised by the RIAI and the ARB in Ireland and the UK respectively pending the implementation of any EU-UK mutual recognition agreement concerning Formal Qualifications in architecture by both Parties.

Section 3: Definitions

A word or expression used in this Understanding and which is also used in the Directive has the same meaning in that part as it has in the Directive.

“Directive” means Directive 2005/36/EC of the European Parliament and of the Council of 7 September 2005 as it had effect on 31 December 2020;

“Registrar” means a person appointed under section 19 of the Building Control Act 2007 (Ireland) or section 2 of the Architects Act 1997 (UK) as the context requires;

“Registration Body” means the RIAI or the ARB as the context requires;

“Formal Qualification” means a qualification listed in column 2, Annex V of the Directive;

“Awarding Body” means the body awarding the evidence of formal qualifications in column 3, Annex V of the Directive;

“Accompanying Certificate” means the certificate accompanying the evidence of qualifications listed in column 4, Annex V of the Directive;

“Annex V” means Annex 5.7.1 of the Directive entitled *Evidence of formal qualifications of architects recognised pursuant to Article 46*;

“Mixed Qualification” means a combination of UK and Irish qualifications in architecture one of which is a Formal Qualification together with an Irish or UK Accompanying Certificate.

“Full Package” means a person with a Formal Qualification and Accompanying Certificate from only one of the UK or Ireland.

Section 4: Scope of the Understanding

- a) This Understanding is to facilitate the recognition of a professional qualification in architecture awarded in the holder’s home jurisdiction by the host jurisdiction;
- b) The Understanding aims to:
 - i. Minimise duplication of assessment process;
 - ii. Maintain confidence in quality of professional assessment decisions of the respective Parties’ jurisdiction;
 - iii. Avoid restrictions based on qualifications;
- c) The Understanding relates to applicants wishing to pursue the profession of architecture in either Ireland or the UK who hold the Full Package or a Mixed Qualification;
- d) The Understanding relates to formal qualifications in architecture that are listed in Annex V of the Directive as at 31 December 2020.
- e) The Parties agree to implement a system for consideration of the recognition of qualifications that are inserted in Annex V or are accredited by the RIAI or ARB from 01 January 2021 onwards. This will be an administrative process to be agreed between each of the parties.
- f) The effective date of this agreement is 01 January 2021.

Section 5 Recognition Processes

A. Recognition of UK Formal Qualifications by the RIAI:

Persons with UK qualifications or Mixed Qualifications should apply for admission to the Irish Register for Architects through Route B (section 14(2)(b)) of the Building Control Act 2007. Applicants benefiting from this understanding are not be required to undertake any further assessment prior to entry to the Register of Architects.

It should be noted that the RIAI, as Registration Body, is governed by the Building Control Act 2007 and all actions and decisions must be made within the framework of that legislation. All those entered in the Irish Register will be subject to Irish domestic regulation.

Applicants to the RIAI register will be required to provide:

- a) Completed Application Form
- b) Copy of Passport/National ID
- c) Copy of UK Degree/Diploma or equivalent Qualification in Architecture
- d) Verification of Qualification in Architecture Form sent directly from educational Institution to RIAI
- e) Statement from ARB confirming that the qualification satisfies the requirements of Directive 2005/36/EC and is listed in the relevant Annex to the Directive or has been recognised further to its system for the recognition of qualifications;
- f) Accompanying Certificate from ARB;
- g) Administration Fee

B. Recognition of Irish Formal Qualifications by the ARB:

Persons with Irish qualifications or Mixed Qualifications should apply for admission to the UK Register of Architects through section 4(1)(b) of the Architects Act 1997 or any subsequent legislation that may be made in the UK. Applicants benefiting from this understanding are not be required to undertake any further assessment prior to entry to the Register of Architects.

It should be noted that the ARB as Registration Body is governed by the Architects Act 1997 (as amended) and all actions and decisions must be made within the framework of that legislation. All those entered in the UK Register will be subject to UK domestic regulation.

Applicants to the ARB register will be required to provide:

- a) Completed Application Form
- b) Copy of Passport/National ID
- c) Copy of IRL Degree/Diploma or equivalent Qualification in Architecture
- d) Statement from RIAI confirming that the qualification satisfies the requirements of Directive 2005/36/EC and is listed in the relevant Annex to

the Directive or has been recognised further to its system for the recognition of qualifications and has been verified with the awarding body;

e) Accompanying Certificate from RIAI;

f) Administration Fee

Section 6: Information Exchange & Supplementary information

For the purpose of the prevention of fraud and to aid in the authentication of certificates the Home Registration Body shall copy the Host Registration Body on email correspondence with the Applicant in relation to the Statements required at sections 5(A)(e) and (f) and 5(B)(e) and (f) above.

Subject to agreement by both parties, supplementary annexes or guidance may be published to facilitate the administration of this Understanding.

Section 7: Dispute Resolution

Should any dispute arise in relation to this Understanding the Parties shall attempt to resolve the dispute by negotiation. Where the Parties are unable to resolve any differences through negotiation then the Parties agree to refer the matter to the Chartered Institute of Arbitrators (CIARB) in order to mediate an agreement. If the dispute remains unresolved, the Parties agree to escalate the matter to be resolved through their respective government Department/Ministry within their respective jurisdictions.

Section 8: Terms of Understanding

If the EU and UK reach an agreement for the recognition for professional qualifications this Memorandum of Understanding shall be reviewed, or if appropriate ceased.

Section 9: Periodic Review and Amendment

The Parties shall establish a committee known as the Monitoring Group to monitor and review the Understanding and to assure the effective and efficient implementation of it. The Monitoring Group shall comprise no more than 3 individuals appointed by RIAI and no more than 3 individuals appointed by ARB. The Monitoring Group shall convene at least once per calendar year either by phone, video conference, or in person, and more frequently if circumstances so require. At any meeting, there must be at least one member from each of the parties.

This Understanding may only be amended with the written consent of the RIAI and the ARB.

Section 10: Termination

Either Party may withdraw from this Memorandum of Understanding giving 12 months' written notice.

In the event of withdrawal, all registrations granted to architects within scope of this Understanding shall remain valid as long as they would otherwise do so in

accordance with the relevant law.

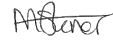
RIAI Registrar on behalf of the RIAI



Frank Turvey

Date: 21 December 2020

ARB Registrar on behalf of the ARB



Marc Stoner

Date: 21 December 2020