

Oireachtas Press Release

'Grandfather' clause should be considered in legislation defining title of architect - Environment Committee

The Minister for Environment, Community and Local Government should consider the inclusion of a typical, self-extinguishing 'grandfather' clause in defining the term of Architect in in the Building Control Act 2007, as is provided in other State legislation, a report on the Title of Architect from the Committee on Environment, Culture and the Gaeltacht published today, Wednesday, 17th July 2013 recommends.

Michael McCarthy, Cathaoirleach of the Oireachtas Joint Committee on Environment, Culture and the Gaeltacht, said: "When a state starts to protect the use of the term 'Architect' and confines it to those on the architects' register, issues can arise relating to the position of existing self-trained practitioners, colloquially termed 'grandfathers'. These issues have been successfully addressed by other Member States in so-called 'grandfather' clauses in legislation.

From 1 May 2008, the Building Control Act 2007 introduced Registration of the Title 'Architect' in Ireland. Under the terms of the Act, the Royal Institute of the Architects of Ireland (RIAI) was appointed as the State Registration Body and Competent Authority for architects. However, the 'grandfather' provisions introduced in the Act have been opposed by a grouping of those affected by them.

Our hearings on this issue have been very challenging and the Committee has sought, in its Report, to balance the interests of the various parties, while at the same time recognising the importance of maintaining high standards in the profession of Architecture and in ensuring that the State can be confident that those practising in this profession and using the title of Architect are fully competent in the knowledge and skills required."

Among the report's recommendations are:

- That the Minister for Environment, Community and Local Government, notwithstanding the existence of the Technical Assessment, give consideration to the inclusion of a typical, self-extinguishing 'grandfather' clause in the Building Control Act 2007 – as is provided in other State legislation.
- The Special Distinction Route for registration as an architect should be made more open by allowing 'grandfathers' to enter architectural competitions conducted in the State.
- That the process by which professionally trained graduate architects and experienced practitioners in the profession (those applying under a 'grandfather' clause) can apply for registration as architects be rationalised.
- That the Royal Institute of the Architects of Ireland does all in its power to ensure the process and completion of the task of applying for registration as an architect be simplified. That any unnecessary costs are removed and that every assistance and advice possible is given to candidates and potential candidates.
- Qualifications Quality Ireland should be given a specific role in providing education to potential applicants for registration as architects and that it be given a monitoring and overseeing role in the examination process for applicants applying for registration as architects.
- Qualifications Quality Ireland, in consultation with the Royal Institute of the Architects of Ireland, should set the standards necessary for Technical Assessment.
- That the Technical Assessment Board established by the Minister for Environment, Community and Local Government to look at the issue of the Title of Architect be asked to advise on the applicability of Irish law and how it facilitates or not the easy transfer of skills across the European Union and the recognition of skills gained outside Ireland in Ireland.

- The formal qualifications required under Irish domestic legislation for registration as an architect should not exceed the formal qualifications required for mutual recognition under the relevant European Directive.
- The Minister for Environment, Community and Local Government should take pre-emptive steps to prevent any intervention at European Union level into the operation of the Building Control Act 2007.
- That the Minister for Environment, Community and Local Government consult with the Minister for Education and Skills on the appropriateness of any proposals that are put in place with respect to the training to be provided and the educational standard required of applicants seeking registration as architects under any 'grandfather' clause.

Deputy McCarthy said: "What the recommendations in this Report seek to do is to provide a means by which practitioners can engage in a process, without unnecessary expense or undue delay, by which they can prove that they have the skills and knowledge necessary to be awarded the title of Architect and by which they can be facilitated in continuing to practice in the profession of Architecture.

We urge the Minister for Environment, Community and Local Government to study this Report and our recommendations with care and to bring forward proposals that will, on the one hand, protect the integrity of Irish Architecture, while at the same time facilitating those who have proven their expertise in obtaining official recognition and certification of this expertise."

Access the report here: <http://bit.ly/15lI2dB>

Michael McCarthy, Cathaoirleach of the Committee discusses the report: bit.ly/192FSUg

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