



Regulatory Impact Analysis

For the

**Establishment of a Registration Authority to
administer the Statutory Register**

for

Registered Architectural Technologists

under

The Building Control Act 2007

Executive Summary

In September 2016 at a meeting with the Department of Housing, Planning, Community and Local Government¹, it was confirmed that the Minister for Housing and his Departments supported the implementation of a Statutory Register for competent Architectural Technologists in order for such Registered Professionals to act as Assigned and Design Certifiers under the Building Control (Amendment) Regulations 2015².

In order to commence the process to implement a Register a Regulatory Impact Analysis (RIA) is required.

This document presents the RIA following the Guidelines as issued by the Department of the Taoiseach (June 2009).

It responds to the seven stages detailed within the RIA and provides additional supporting information within the appendices.

CIAT

December 2017

¹ The Principal Regulations and these Regulations may be cited together as the Building Control Regulations 1997 to 2015 and shall be construed together as one.

² *Formally the Building Control (Amendment) Regulations 2014 effective 1 March 2014*

Introduction

The introduction of the Building Control (Amendment) Regulations, BC(A)R, in 2014 which were subsequently amended to become the BC(A)R 2015, resulted in the previously unprecedented protection of functions relating to the new roles of Assigned and Design Certifiers. Only those professionals who are on a Statutory Register as listed in the Building Control Act 2007 are eligible to undertake these roles, thereby inhibiting other professionals from continuing to provide services.

Minister's Direction

Following a sustained campaign by the Chartered Institute of Architectural Technologists (CIAT), its members and others who practise Architectural Technology throughout Ireland, and on negotiation with the Department of Housing, Planning, Community and Local Government³, in 2016 the Minister for Housing confirmed his support for a Statutory Register for competent Architectural Technologists in order for such Registered Professionals to act as Assigned and Design Certifiers, and be afforded the same rights as Building Surveyors, Architects and Engineers, who have their own Statutory Registers.

In preparation for the Building Control Act Legislation and BC(A)Regulations to be amended, as is required, this Regulatory Impact Analysis has been produced to provide the necessary information to demonstrate the justification of a new Register for Architectural Technologists, and the establishment of a Registration Authority to administer the Statutory Register.

About the Chartered Institute of Architectural Technologists, CIAT

Established in 1965, the Institute is the lead professional and qualifying body in Architectural Technology and its Chartered Architectural Technologist qualification is well established and recognised on a par with those offered by its fellow Chartered Institutes.

In July 2005, the Institute was Incorporated by Royal Charter of its predecessor, the British Institute of Architectural Technologists (BIAT), in formal recognition of the standards set and maintained by CIAT and the integrative role, skills and expertise of its members. Its Full Members were granted the use of the title Chartered Architectural Technologist, a protected title which CIAT alone has the authority to award.

The UK Government's Office of National Statistics includes Chartered Architectural Technologists as recognised professionals within Major Group 2 – Professional Occupations, subsection 243 alongside architects, town planners and surveyors, ensuring that employers recognised the parity of respective professional qualifications.

In tandem with the Institute's successful Grant of Incorporation by Royal Charter, CIAT was recognised as the UK Competent Authority for Chartered Architectural Technologists within the EU. This means that the 'Chartered Architectural Technologist' is a regulated profession within the UK under EU Directive 2005/36/EC and its amendment 2013/55/EU.

CIAT is an active Principal Member of the Association of Building Surveyors and Construction Experts (AEEBC) alongside a number of other European bodies within construction. The AEEBC facilitates the promotion of construction professions in Europe.

Within its structure, CIAT has robust, assured and monitored education and development processes, which include accrediting Architectural Technology qualifications up to Masters degree level.

³ And in its former incarnations

Architectural Technology in the Republic of Ireland

In the Republic of Ireland, Architectural Technology has its own distinct Awards standard, the Quality Qualifications Ireland (QQI) Awards standard in Architectural Technology, thereby setting the base underpinning knowledge which was developed in 2015 by educational institutes, professional bodies (including CIAT) and industry, with endorsement from the Irish Government. The intended academic level of the Statutory Register and the current requirement for the Voluntary Register is possession of an Honours degree (QQI Level 8) in Architectural Technology or equivalent.

In the UK, equivalent Built Environment professional disciplines have their own Quality Assurance Agency (QAA) Subject Benchmark Statement (SBS) and each SBS provides the academic threshold for these disciplines within higher education. Architectural Technology as a distinct profession and academic discipline has its own SBS, demonstrating the highest level of recognition within Higher Education, underpinning the CIAT Accredited Honours and Masters degrees in Architectural Technology.

With this recognition and profile, CIAT and the discipline have strengthened their position, reputation and international reach. CIAT is a global professional body providing career, qualifying and support mechanisms.

CIAT and the Regulatory Impact Analysis (RIA)

As the recognised lead body in Architectural Technology, CIAT has prepared this Regulatory Impact Analysis submission to support the introduction of a Statutory Register of competent Architectural Technologists.

It has the standards, processes, recognition, profile, skills, expertise and presence within the Republic of Ireland and internationally. It has trained Chartered Members who are able to act as assessors of competence for entry onto the Statutory Register for competent Architectural Technologists to undertake the role of Assigned and Design Certifiers.

Architectural Technology: The discipline

Architectural Technology is a core discipline within the built environment. It is the technology of architecture; a creative, innovative design discipline rooted in science and engineering.

As a design function, it relates to the anatomy and physiology of buildings and their production performance and processes and is based upon the knowledge and application of science, engineering and technology which are compliant with regulatory, statutory and legal requirements.

Architectural Technology achieves efficient and effective construction and robust sustainable design solutions that perform and endure over time.

Architectural Technology Professionals, as defined by the Chartered Institute of Architectural Technologists:

Chartered Architectural Technologists are qualified to offer design services and manage projects from inception to completion. They lead the technological design of a project; forming the link between concept, innovation and realisation. They:

- specialise in design, underpinned by building science, engineering and technology applied to architecture within projects, playing a pivotal role in project and design management and legal and statutory compliance;
- design and manage all project types from small scale to large commercial, industrial, residential including contractual advice and services;
- design and manage including public projects;
- range from being sole practitioners to working in multinational and multidisciplinary practices;
- work collaboratively with other professionals such as architects and engineers and are recognised on a par with all Chartered professionals in the built environment sector;

- hold a valued, respected and regulated professional qualification and protected designation, transferable and recognised across borders which can only be awarded by the Chartered Institute of Architectural Technologists; and
- abide by a set of professional ethics in the Institute's Code of Professional Conduct which includes mandatory Continuing Professional Development (CPD) and the maintenance of Professional Indemnity Insurance⁴.

⁴ CIAT Members must obtain and maintain professional indemnity insurance if providing service direct to clients

Background:

Meetings and presentations

Since 2011 when the Building Control (Amendment) Regulations were drafted for consultation, CIAT has lobbied for inclusion of Architectural Technologists. This included representation to the Minister in written form, and formal presentations to the Department outlining the discipline, the profession, the qualification, the need and the benefits to the sector and the consumer/client/end user i.e. society.

Quality Qualifications Ireland (QQI) Awards standard in Architectural Technology

The work leading to the Minister's direction also included the development and introduction of the Quality Qualifications Ireland (QQI) Awards standard in Architectural Technology, thereby setting the base underpinning knowledge. The intended academic level of the Statutory Register and the current requirement for the Voluntary Register is possession of an Honours degree (QQI Level 8) in Architectural Technology or equivalent.

Voluntary Register, Architectural Technology Register (ATR)

As part of the negotiations with the Department, CIAT established a Voluntary Register, (ATR) which currently has 252 architectural technologists as Registrants with another 83 who have registered their intent to join.

Data on Architectural Technologist numbers

Within the Republic of Ireland there are 331 members of CIAT with the opportunity for all to join the Register over time, with 163 RIAI "Architectural Technologists⁵" listing themselves on the RIAI Register. A survey by a group called the Irish Architectural Technology Network in early 2017 received 803 responses of which 604 described themselves as Architectural Technologists or Technicians. Of those who responded 81% considered that Architectural Technologists should be able to act as either the Assigned Certifier and/or Design Certifier.

At a meeting in September 2016 with the Department of Housing, Planning, Community and Local Government which was attended by representatives from CIAT and RIAI, it was agreed that a Regulatory Impact Analysis should be prepared to demonstrate the need and value of an amendment to the Building Control Act 2007 and the Building Control (Amendment) Regulations 2015 in order to provide for the establishment for a Statutory Register for Architectural Technologists.

Numbers taken from most closely related Registers:

- Building Surveyors' Register: approx. 300.
- Architects' Register: the RIAI site does not have a section on the Independent Register however there are 1394 on the RIAI Register.

Established Registers: Building Surveyors, Architects and Engineers

As part of the preparations, the current established Registers were reviewed to assess if Architectural Technologists could be added within their structures under their own profession i.e. as Registered Architectural Technologists rather than Registered Building Surveyors, Registered Architects or Registered Engineers. Meetings were held with the Society of Chartered Surveyors Ireland (SCSI) and Royal Institute of Architects Ireland (RIAI) who act as the Registration Bodies and administer the Building Surveyors' Register and Architects' Register respectively, however both said that this would not be possible without intervention by the Minister and amendments to the Building Control Act and BC(A)R.

⁵ The RIAI Architectural Technologist requirements for qualification are different to CIAT's Chartered Architectural Technologists.

Irish Competitions Authority

The Irish Competitions Authority stated in a letter to CIAT on 15 February 2014:

“The Authority voiced concerns in relation to the issues raised in your complaint in a May 2012 submission to the Department of Environment, Community and Local Government (<http://www.tca.ie/images/uploaded/documents/S-12-003%20Submission%20to%20DECLG.pdf>).

In particular, we stated that:

“2. From a competition perspective, the fact that the individuals that would be eligible to inspect or certify building works are limited to three professions may raise concerns. The proposed regulations specify that only Registered Architects, Registered Building Surveyors and Chartered Engineers may inspect and certify works (Page 12 of the Draft Regulations, Notice of Assignment of Person to Inspect and Certify Works).

3. As a general principle, new legislation should not impose any unnecessary restrictions on the pool of people eligible to offer a service.

The consultation document does not explain why these three professions were chosen. Chartered Architectural Technologists may also warrant consideration, and there may be other groups who can demonstrate the necessary levels of professional competence.”

EU Commission

Due to the nature of the restrictions and prevention of Architectural Technologists from providing a service for which they are competent in their own right; those working within the profession of Architectural Technology, together with CIAT submitted formal complaints to the EU Commission. These complaints were considered by the EU Commission with a direction being given to the Irish Government.

An example of a response “Subject: Building Control Regulations - Ireland - EU Pilot 6509/14

Dear Mr Fletcher⁶,

I am referring to your complaint of 28 February 2014 in regards to the ROI Building Control (Amendment) Regulations S.I 9 of 2014 (registered as CHAP (2013)03916 and transferred to EU Pilot (2015) 6509/14/MARKT).

I am happy to inform you that in reply to our enquires with the Irish authorities regarding the alleged restrictions on the exercise of certain activities by the Chartered architectural technologists in Ireland, the Irish authorities have informed us about their agreement-in-principle to work towards the statutory registration of the profession of architectural technologist and have provided a timeline for intended changes.

According to the Department of Environment, Community and Local Govern of the Republic of Ireland, statutory registration would allow suitably qualified and experienced architectural technologists, among other things, to independently sign statutory certificates of compliance for building control purposes. The Department informed us that they were involved with the Royal Institute of Architects of Ireland (RIAI) and the Chartered Institute of Architectural Technologists (CIAT) concerning the approach to regulation and clarified the necessary steps to be taken.

As a first step, an agreed national standard for qualifications in the discipline of Architectural Technology was defined in the National Qualifications Framework maintained by Quality and Qualifications Ireland. The standard was published and took effect in February 2016.

⁶ Ms Fletcher is referred to as Mr Fletcher.
In line four of the letter enquires should read “enquiries”

It is envisaged that both CIAT and the RIAI will establish the registers, in consultation with other industry stakeholders and in keeping with those already in place for related professional groupings under the Building Control Act 2007. These registers will operate on an administrative basis pending their being recognised in law in due course. The Department intends to meet with the RIAI and CIAT in July 2016 to review the progress in the development of their arrangements for registration and to identify the criteria which would form the basis for the regulation of the architectural technologist profession in Ireland.

The Department will then bring forward legislative proposals to amend the Building Control Act 2007 to provide for a statutory register of architectural technologists. It is estimated that this could take 18 months to 2 years from initial drafting to the parliamentary process to signature into law.”

Practising Architectural Technologists in Ireland have requested that the EU Commission keep their complaints open until successful establishment of the Register.

Step 1 – Summary of RIA

What policy options have been considered? Please summarise the costs, benefits and impacts relating to each of the options below and indicate whether a preferred option has been identified.

OPTIONS:

Three options were considered:

Option 1: Widen the pool of those competent to act as Assigned and/or Design Certifiers under BC(A)R 2015 to include Architectural Technologists with the establishment of a Statutory Register for competent Architectural Technologists;

Option 2: That Architectural Technologists join one of the other Statutory Registers in place, within a distinct part of said Register specifically for Architectural Technologists;

Option 3: No change.

Option 1: Widen the pool of those competent to act as Assigned and/or Design Certifiers under BC(A)R 2015 to include Architectural Technologists with the establishment of a Statutory Register for competent Architectural Technologists

The current legislation does not allow for Architectural Technologists to be registered as Architectural Technologists - a distinct and recognised discipline – and for them to provide the certification services to the market place. This therefore, allows for restrictive and uncompetitive practices to a select group of professionals, to the detriment of the consumer/client/end user.

Option 1 is for competent Architectural Technologists to have their own Statutory Register to permit them to act as Assigned and/or Design Certifier under the BC(A)R 2015.

Value and Positive Impact to Society:

The creation of such a Statutory Register will provide the following benefits:

- Widen and improve choice to the consumer from a pool of all competent professionals on who to engage as an Assigned and/or Design Certifier.
- Ensure that Architectural Technology as a key discipline within the design and construction process is recognised for the application and enforcement of statutory and legal requirements.
- Give added protection to consumers with a Code of Conduct, robust complaints procedure and mandatory Professional Indemnity insurance and with the knowledge that the Register is established under the Minister's express direction.
- Improve accessibility of all specialists within the built environment who have the necessary skills to undertake certification. Architectural Technologists with their training and experience are one of the best placed professional disciplines to act as Certifiers of Compliance with Building Regulations.
- Provide fair and open competition and subsequent competitiveness on fees charged to market/client.
- Ensure fair and transparent recognition for competent professionals.
- Comply with EU legislation on free movement of people/trade.
- Comply with the EU rights on provision of services.

There is a very clear demand from Architectural Technologists for the establishment of a Statutory Register and also from their clients and potential clients.

Fees for providing Assigned and/or Design Certifier services will vary from project to project dependent on complexity, scope of work and contract value, and also the experience of the practitioner.

The introduction of an additional Statutory Register of professionals to provide certification will make the market open and competitive. To make assumptions on costs for these services is therefore difficult.

Information is available on options and how to calculate fees, and surveys are regularly undertaken by professionals. It is likely that greater competition from skilled professionals would help to ensure fair (for all parties) proportional and affordable fees are charged across the market and to the consumer.

As a professional body, CIAT provides information on options on how to cost projects. It also has a number of other practice administration documents for those who run projects. Such documents can be adapted and developed for use by those registered on the Statutory Register to support and inform registrants and their clients where it is most needed.

Registration Body Fees

These are set by the Minister.

Conclusion:

This option is the preferred way forward and the one supported by the Minister and profession

Option 2 - That Architectural Technologists join one of the other Statutory Registers in place, within a distinct part of said Register specifically for Architectural Technologists.

Currently there are three Statutory Registers recognised under the Building Control Act 2007 and the BC(A)R 2015. These Registers are for:

1. Architects
2. Building Surveyors
3. Engineers

Such professionals must be registered with the relevant Registration Body running the Statutory Register in order to act as Assigned and/or Design Certifiers.

Prior to 2014, the Statutory Registers served to protect titles but not functions. The current legislation does not provide for Architectural Technologists to be registered as Architectural Technologists, a distinct and recognised discipline, and provide the certification services to the market place. This has therefore led to restrictive and uncompetitive practices in the selection of those able to act as an Assigned and/or Design Certifier, to the detriment of the consumer/client/end user.

To extend one of the Statutory Registers to include Architectural Technologists

2 a) Some Architectural Technologists have chosen to join one of the other Registers; most commonly the Building Surveyors' Register. However, this has been unreasonable as well as unfair to those Architectural Technologists who have a specialist and recognised qualification in their own right and who have, in some instances, had to join another professional body and undertake additional study or training which does not affect their existing competence, together with unnecessary additional annual subscription fees.

This would be unnecessary if there was a Register for their discipline, and registration time/costs borne by these individuals would be significantly reduced as they have already afforded time and money in qualifying in their own discipline.

2b) Consideration has been given to working with the other Registration bodies, but there was little appetite from either the Building Surveyors Register or Architects Register to consider an extension due to process and costs; and also because they do not have the specialist infrastructure and skills to assess Architectural Technology professionals. It would require a change to both the Building Control Act 2007 and BC(A)R 2015 in any event.

2c) The Register for Engineers is not appropriate and not open for Architectural Technologists.

Registration Body Fees

These are set by the Minister.

Conclusion:

Neither 2a) or 2b) are realistic options to pursue. 2c) is irrelevant for the purposes of the Regulatory Impact Assessment.

Option 3: No change

Architectural Technologists requalify and apply to one of the three Statutory Registers.

As for option 2 the costs and time taken to qualify are unjust to such individuals as they are more than adequately qualified to undertake this function.

Conclusion:

The decision that there should be no change is a moot point since the Minister's agreement for change.

Recommendation: OPTION 1

Following successful negotiations with the Department of Housing, Planning, Community and Local Government (and its predecessors), the Minister for Housing determined in 2016 the support of a Statutory Register for competent Architectural Technologists in order for such Registered Professionals to act as Assigned and/or Design Certifiers. This was followed by a meeting with the Department in September 2016 confirming the position of the Minister and the cause of action which had to be followed in order for a Statutory Register to be established.

This is further supported by the statement of the Irish Competitions Authority - In its letter to CIAT dated 15 February 2014:

"The Authority voiced concerns in relation to the issues raised in your complaint in a May 2012 submission to the Department of Environment, Community and Local Government (<http://www.tca.ie/images/uploaded/documents/S-12-003%20Submission%20to%20DECLG.pdf>).

In particular, we stated that:

"2. From a competition perspective, the fact that the individuals that would be eligible to inspect or certify building works are limited to three professions may raise concerns. The proposed regulations specify that only Registered Architects, Registered Building Surveyors and Chartered Engineers may inspect and certify works (Page 12 of the Draft Regulations, Notice of Assignment of Person to Inspect and Certify Works).

3. As a general principle, new legislation should not impose any unnecessary restrictions on the pool of people eligible to offer a service.

The consultation document does not explain why these three professions were chosen. Chartered architectural technologists may also warrant consideration, and there may be other groups who can demonstrate the necessary levels of professional competence."

This is further supported by requests from the EU Commission to take the necessary actions in favour of Architectural Technology professionals.

An example of a response “Subject: Building Control Regulations - Ireland - EU Pilot 6509/14

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I am happy to inform you that in reply to our enquires with the Irish authorities regarding the alleged restrictions on the exercise of certain activities by the Chartered architectural technologists in Ireland, the Irish authorities have informed us about their agreement-in-principle to work towards the statutory registration of the profession of architectural technologist and have provided a timeline for intended changes.

According to the Department of Environment, Community and Local Govern of the Republic of Ireland, statutory registration would allow suitably qualified and experienced architectural technologists, among other things, to independently sign statutory certificates of compliance for building control purposes. The Department informed us that they were involved with the Royal Institute of Architects of Ireland (RIAI) and the Chartered Institute of Architectural Technologists (CIAT) concerning the approach to regulation and clarified the necessary steps to be taken.

As a first step, an agreed national standard for qualifications in the discipline of Architectural Technology was defined in the National Qualifications Framework maintained by Quality and Qualifications Ireland. The standard was published and took effect in February 2016

It is envisaged that both CIAT and the RIAI will establish the registers, in consultation with other industry stakeholders and in keeping with those already in place for related professional groupings under the Building Control Act 2007. These registers will operate on an administrative basis pending their being recognised in law in due course. The Department intends to meet with the RIAI and CIAT in July 2016 to review the progress in the development of their arrangements for registration and to identify the criteria which would form the basis for the regulation of the architectural technologist profession in Ireland.

The Department will then bring forward legislative proposals to amend the Building Control Act 2007 to provide for a statutory register of architectural technologists. It is estimated that this could take 18 months to 2 years from initial drafting to the parliamentary process to signature into law.”

Option 1 is the preferred way forward and the one agreed by the Minister:

To widen the pool of those qualified to act as Assigned and/or Design Certifiers under BC(A)R 2015 to include a Statutory Register for competent Architectural Technologists for the benefit of society.

⁷ Ms Fletcher is referred to as Mr Fletcher.
In line four of the letter enquires should read “enquiries”

Step 2 -Description of policy context and objectives

Context

Following the introduction of the Building Control (Amendment) Regulations, BC(A)R, which were subsequently amended to become the BC(A)R 2015), only those professionals who are on a Statutory Register as listed in the Building Control Act 2007 are eligible to act as Assigned and Design Certifiers.

In the process of implementing this legislation, cognisance was not taken of the shift in protecting titles to protecting services, culminating in the situation where competent Architectural Technologists who should be able to act as Assigned and Design Certifiers under the BC(A) Regulations and be afforded the same rights as Building Surveyors, Architects and Engineers – all of whom have their own Statutory Registers – are not currently able to do so.

Meetings and presentations

Since 2011 when the Building Control (Amendments) Regulations were drafted for consultation, CIAT has lobbied for inclusion of competent Architectural Technologists. This included representation to the Minister in written form, and formal presentations to the Department outlining the discipline, the profession, the qualification, the need and the benefits to the sector and the consumer/client/end user i.e. society.

Quality Qualifications Ireland (QQI) educational standard in Architectural Technology

The work leading to the Minister's direction also included the development and introduction of the Quality Qualifications Ireland (QQI) educational standards in Architectural Technology, thereby setting the base underpinning knowledge. The intended academic level of the Statutory Register and the current requirement for the Voluntary Register is possession of an Honours degree (QQI Level 8) in Architectural Technology or equivalent.

Voluntary Register, Architectural Technology Register (ATR)

As part of the discussion with the Department, CIAT established a Voluntary Register, ATR and currently has 252 as Registrants with another 83 registered their intent to join the Register.

Within the Republic of Ireland there are 331 members of CIAT with the opportunity for all to join the Register over time. A survey by a group called the Irish Architectural Technology Network in early 2017 received 803 responses of which 604 described themselves as Architectural Technologists or Technicians. Of those who responded 81% considered that Architectural Technologists should be able to act as either the Assigned Certifier and/or Assigned Designer.

Established Registers: Building Surveyors, Architects and Engineers

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EU Commission

Due to the nature of the restrictions and prevention of competent Architectural Technologists to practise their own profession; those working within the profession of Architectural Technology, together with CIAT submitted formal complaints to the EU Commission. These complaints were considered by the EU Commission with a direction being given to the Irish Government.

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Architectural Technology achieves efficient and effective construction and robust sustainable design solutions that perform and endure over time.

Architectural Technology Professionals, defined by the Chartered Institute of Architectural Technologist:

Chartered Architectural Technologists are qualified to offer design services and manage projects from inception to completion. They lead the technological design of a project; forming the link between concept, innovation and realisation. They:

- specialise in design, underpinned by building science, engineering and technology applied to architecture within projects, playing a pivotal role in project and design management and legal and statutory compliance;
- design and manage all project types from small scale to large commercial, industrial, residential including contractual advice and services;
- design and manage including public projects;
- range from being sole practitioners to working in multinational and multidisciplinary practices;
- work collaboratively with other professionals such as architects and engineers and are recognised on a par with all Chartered professionals in the built environment sector;
- hold a valued, respected and regulated professional qualification and protected designation, transferable and recognised across borders which can only be awarded by the Chartered Institute of Architectural Technologists; and
- abide by a set of professional ethics in the Institute’s Code of Professional Conduct which includes mandatory Continuing Professional Development (CPD) and the maintaining of Professional Indemnity Insurance⁹.

Those qualified with the lead professional body for Architectural Technology as Chartered Architectural Technologists are able to lead the technological design within a project, forming the link between concept, innovation and realisation.

They specialise in design, underpinned by building science, engineering and the technology applied to architecture within projects and play a pivotal role in project and design management and the construction process. They are competent to design and manage all types of project at all levels, from small domestic projects, as a sole practitioner, to very large, commercial buildings in multinational and multidisciplinary practices, up to Director level.

They are qualified to offer full architectural design services, and lead and manage projects from inception to completion. They can also be team leaders, heads of departments, procurement leads, senior associates, contract administrators, expert witnesses, BIM managers etc.

Functions of Architectural Technologists generally include:

| | |
|----------------------------------|-------------------------------------|
| Client and user requirements | Feasibility studies |
| Concept design development | Design proposals |
| Sustainable development | Project planning |
| Health and safety | Regulations/statutory approvals |
| Technical design development | Design information management |
| Specifications | Tenders and contracts |
| Contract compliance and sign off | Project completion and handover |
| Management of meetings | Post occupancy |
| Professional relationships | Continuing professional development |

For the purpose of this RIA the critical competences are:

| | |
|------------------------------|---------------------------------|
| Concept design development | Design proposals |
| Health and safety | Regulations/statutory approvals |
| Technical design development | Design information management |
| Contract administration | Certifying compliance |

Attached with this RIA are appendices providing detail on Architectural Technology as a discipline.

⁹ CIAT Members must obtain and maintain professional indemnity insurance if providing service direct to clients

Objective

Option 1: Widen the pool of those competent to act as Assigned and/or Design Certifiers under BC(A)R 2015 to include Architectural Technologists with the establishment of a Statutory Register for Architectural Technologists

The current legislation does not allow for Architectural Technologists to be registered as Architectural Technologists - a distinct and recognised discipline – and for them to provide the certification services to the market place. This therefore, allows for restrictive and uncompetitive practices to a select group of professionals to the detriment of the consumer/client/end user.

Option 1 is for Registered Architectural Technologists to have their own Statutory Register to permit them to act as Assigned and/or Design Certifiers under the BC(A)R 2015.

Value and Positive Impact to Society:

The creation of such a Statutory Register will provide the following benefits:

- Widen and improve choice to the consumer from a pool of all competent professionals on who to engage as an Assigned and/or Design Certifier.
- Ensure that Architectural Technology as a key discipline within the design and construction process is recognised for the application and enforcement of statutory and legal requirements.
- Give added protection to consumers with a Code of Conduct, robust complaints procedure and mandatory Professional Indemnity insurance and with the knowledge that the Register is established under the Minister's express direction.
- Improve accessibility of all specialists within the built environment who have the necessary skills to undertake certification. Architectural Technologists with their training and experience are one of the best placed professional disciplines to act as Certifiers of compliance with Building Regulations.
- Provide fair and open competition and subsequent competitiveness on fees charged to market/client.
- Ensure fair and transparent recognition for competent professionals.
- Comply with EU legislation on free movement of people/trade.
- Comply with the EU rights on provision of services.

There is a very clear demand from Architectural Technologists for the establishment of a Statutory Register and also from their clients and potential clients.

Fees for providing Assigned and/or Design Certifier's services will vary from project to project dependent on complexity, scope of work and contract value, and also the experience of the practitioner.

The introduction of an additional Statutory Register of professionals to provide certification will make the market open and competitive. To make assumptions on costs for these services is therefore difficult.

Information is available on options and how to calculate fees, and surveys are regularly undertaken by professionals. It is likely that greater competition from skilled professionals would help to ensure fair (for all parties) proportional and affordable fees are charged across the market and to the consumer.

As a professional body, CIAT provides information on options on how to cost projects. It also has a number of other practice administration documents for those who run projects. Such documents can be adapted and developed for use by those registered on the Statutory Register to support and inform registrants and their clients where it is most needed.

In terms of potential numbers to take advantage of Statutory Register

The CIAT established Voluntary Register, ATR, currently has 252 as Registrants with another 83 who have registered their intent to join.

Within the Republic of Ireland there are 252 members of CIAT with the opportunity for all to join the Register over time. A survey by a group called the Irish Architectural Technology Network in early 2017 received 803 responses of which 604 described themselves as Architectural Technologists or Technicians. Of those who responded 81% considered that Architectural Technologists should be able to act as either the Assigned Certifier and/or Design Certifier under the BC(A)R 2015.

Legislation to be amended

- Building Control Act 2007
- Subsequent Statutory Instruments specifically naming architectural technology professionals to be able to act as Assigned and Design Certifiers

See Appendices 1 - 14

Step 3 – Identification and Description of Options

Identify and describe options (usually this means a minimum of three should be examined) including the “no policy change” option. Alternatives to regulation/ alternative models of regulation should be considered wherever possible. For more information see Page 18 of the Revised RIA Guidelines.

Option 1: Widen the pool of those competent to act as Assigned and/or Design Certifiers under BC(A)R 2015 to include Architectural Technologists with the establishment of a Statutory Register for competent Architectural Technologists

The current legislation does not allow for Architectural Technologists to be registered as Architectural Technologists - a distinct and recognised discipline – and for them to provide the certification services to the market place. This therefore, allows for restrictive and uncompetitive practices to a select group of professionals, to the detriment of the consumer/client/end user.

Option 1 is for competent Architectural Technologists to have their own Statutory Register to permit them to act as Assigned and/or Design Certifier under the BC(A)R 2015.

Value and Positive Impact to Society:

The creation of such a Statutory Register will provide the following benefits:

- Widen and improve choice to the consumer from a pool of all competent professionals on who to engage as an Assigned and/or Design Certifier.
- Ensure that Architectural Technology as a key discipline within the design and construction process is recognised for the application and enforcement of statutory and legal requirements.
- Give added protection to consumers with a Code of Conduct, robust complaints procedure and mandatory Professional Indemnity insurance and with the knowledge that the Register is established under the Minister’s express direction.
- Improve accessibility of all specialists within the built environment who have the necessary skills to undertake certification. Architectural Technologists with their training and experience are one of the best placed professional disciplines to act as Certifiers of Compliance with Building Regulations.
- Provide fair and open competition and subsequent competitiveness on fees charged to market/client.
- Ensure fair and transparent recognition for competent professionals.
- Comply with EU legislation on free movement of people/trade.
- Comply with the EU rights on provision of services.

There is a very clear demand from Architectural Technologists for the establishment of a Statutory Register and also from their clients and potential clients.

Fees for providing Assigned and/or Design Certifiers services will vary from project to project dependent on complexity, scope of work and contract value, and also on the experience of the practitioner.

The introduction of an additional Statutory Register of professionals to provide certification will make the market open and competitive. To make assumptions on costs for these services is therefore difficult.

Information is available on options and how to calculate fees, and surveys are regularly undertaken by professionals. It is likely that greater competition from skilled professionals would help to ensure fair (for all parties) proportional and affordable fees are charged across the market and to the consumer.

As a professional body, CIAT provides information on options on how to cost projects. It also has a number of other practice administration documents for those who run projects. Such documents can be adapted and developed for use by those registered on the Statutory Register to support and inform registrants and their clients where it is most needed.

Registration Body Fees

These are set by the Minister.

Conclusion:

This option is the preferred way forward and the one supported by the Minister.

Option 2 - That Architectural Technologists join one of the other Statutory Registers in place, within a distinct part of said Register specifically for Architectural Technologists.

Currently there are three Statutory Registers recognised under the Building Control Act 2007 and the BC(A)R 2015. These Registers are for:

1. Architects
2. Building Surveyors
3. Engineers

Such professionals must be registered with the relevant Registration Body running the Statutory Register in order to act as Assigned and/or Design Certifiers.

Prior to 2014, the Statutory Registers served to protect titles but not functions. The current legislation does not provide for Architectural Technologists to be registered as Architectural Technologists, a distinct and recognised discipline, and provide the certification services to the market place. This has therefore led to restrictive and uncompetitive practices in the selection of those able to act as an Assigned and/or Design Certifier, to the detriment of the consumer/client/end user.

To extend one of the Statutory Registers to include Architectural Technologists

2 a) Some Architectural Technologists have chosen to join one of the other Registers; most commonly the Building Surveyors' Register. However, this has been unreasonable as well as unfair to those Architectural Technologists who have a specialist and recognised qualification in their own right and who have, in some instances, had to join another professional body and undertake additional study or training, which does not affect their current competence, together with unnecessary additional annual subscription fees.

This would be unnecessary if there was a Register for their discipline, and registration time/costs borne by these individuals would be significantly reduced as they have already afforded time and money in qualifying in their own discipline.

2b) Consideration has been given to working with the other Registration bodies, but there was little appetite from either the Building Surveyors Register or Architects Register to consider an extension due to process and costs; and also because they do not have the specialist infrastructure and skills to assess Architectural Technology professionals. It would require a change to both the Building Control Act 2007 and BC(A)R 2015 in any event.

2c) The Register for Engineers is not appropriate and not open for Architectural Technologists.

Registration Body Fees

These are set by the Minister.

Conclusion:

Neither 2a) or 2b) are realistic options to pursue. 2c) is irrelevant for the purposes of the Regulatory Impact Assessment.

Option 3: No change

Architectural Technologists requalify and apply to one of the three Statutory Registers.

As for option 2 the costs and time taken to qualify are unjust to such individuals as they are more than adequately qualified to undertake this function.

Conclusion:

The decision that there should be no change is a moot point since the Minister's agreement for change.

Recommendation: OPTION 1

Following successful negotiations with the Department of Housing, Planning, Community and Local Government (and its predecessors), the Minister for Housing determined in 2016 the support of a Statutory Register for competent Architectural Technologists in order for such Registered Professionals to act as Assigned and/or Design Certifiers. This was followed by a meeting with the Department in September 2016 confirming the position of the Minister and the cause of action which had to be followed in order for a Statutory Register to be established.

This is further supported by the statement of the Irish Competitions Authority - In its letter to CIAT dated 15 February 2014:

"The Authority voiced concerns in relation to the issues raised in your complaint in a May 2012 submission to the Department of Environment, Community and Local Government (<http://www.tca.ie/images/uploaded/documents/S-12-003%20Submission%20to%20DECLG.pdf>). In particular, we stated that:

"2. From a competition perspective, the fact that the individuals that would be eligible to inspect or certify building works are limited to three professions may raise concerns. The proposed regulations specify that only Registered Architects, Registered Building Surveyors and Chartered Engineers may inspect and certify works (Page 12 of the Draft Regulations, Notice of Assignment of Person to Inspect and Certify Works).

3. As a general principle, new legislation should not impose any unnecessary restrictions on the pool of people eligible to offer a service.

The consultation document does not explain why these three professions were chosen. Chartered architectural technologists may also warrant consideration, and there may be other groups who can demonstrate the necessary levels of professional competence."

This is further supported by requests from the EU Commission to take the necessary actions in favour of Architectural Technology professionals.

An example of a response "Subject: Building Control Regulations - Ireland - EU Pilot 6509/14"

Dear Mr Fletcher¹⁰,

I am referring to your complaint of 28 February 2014 in regards to the ROI Building Control (Amendment) Regulations S.I 9 of 2014 (registered as CHAP (2013)03916 and transferred to EU Pilot (2015) 6509/14/MARKT).

¹⁰ Ms Fletcher is referred to as Mr Fletcher.
In line four of the letter enquires should read "enquiries"

I am happy to inform you that in reply to our enquires with the Irish authorities regarding the alleged restrictions on the exercise of certain activities by the Chartered architectural technologists in Ireland, the Irish authorities have informed us about their agreement-in-principle to work towards the statutory registration of the profession of architectural technologist and have provided a timeline for intended changes.

According to the Department of Environment, Community and Local Govern of the Republic of Ireland, statutory registration would allow suitably qualified and experienced architectural technologists, among other things, to independently sign statutory certificates of compliance for building control purposes. The Department informed us that they were involved with the Royal Institute of Architects of Ireland (RIAI) and the Chartered Institute of Architectural Technologists (CIAT) concerning the approach to regulation and clarified the necessary steps to be taken.

As a first step, an agreed national standard for qualifications in the discipline of Architectural Technology was defined in the National Qualifications Framework maintained by Quality and Qualifications Ireland. The standard was published and took effect in February 2016

It is envisaged that both CIAT and the RIAI will establish the registers, in consultation with other industry stakeholders and in keeping with those already in place for related professional groupings under the Building Control Act 2007. These registers will operate on an administrative basis pending their being recognised in law in due course. The Department intends to meet with the RIAI and CIAT in July 2016 to review the progress in the development of their arrangements for registration and to identify the criteria which would form the basis for the regulation of the architectural technologist profession in Ireland.

The Department will then bring forward legislative proposals to amend the Building Control Act 2007 to provide for a statutory register of architectural technologists. It is estimated that this could take 18 months to 2 years from initial drafting to the parliamentary process to signature into law.”

Option 1 is the preferred way forward and the one agreed by the Minister:

To widen the pool of those qualified to act as Assigned and/or Design Certifiers under BC(A)R 2015 to include a Statutory Register for competent Architectural Technologists for the benefit of society.

SEE STEP 1 OPTIONS

Step 4 - Analysis of Costs, Benefits and Impacts for ALL Options

Conduct a detailed and rigorous analysis of costs, benefits and impacts using multi-criteria analysis and formal cost benefit analysis where possible.

Architectural Technologist Statutory Register¹¹: Five Year Financial Forecast

There are several assumptions that had to be made in order to put together this five year forecast, with some of the variables being completely outside of the control of CIAT, i.e. controlled by the Irish Government. That being said, this forecast represents the most accurate information available at this moment in time.

It is also important to understand that this is based on an assumption that CIAT will operate the Registration Authority.

Membership

Based on the assumption that the 150 MCIAT members based in Ireland will all register to join the Statutory Register straight away and in year 1 there are also 150 new applicants, CIAT is forecasting 300 members in year 1. In year 2 CIAT expects to gain 25 new members, increasing slightly thereafter year on year, whilst also having 20 new MCIAT members join. CIAT is not forecasting any further existing Chartered Members joining the register after year 2.

The retention rate for forecasting purposes is 90%, which is consistent with CIATs current rate.

Based on this, CIAT expects membership to look as follows:

| | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|--|------------|------------|------------|------------|------------|
| New applicants (#) | 150 | 25 | 35 | 40 | 45 |
| Existing Chartered Members (#) | 150 | 20 | - | - | - |
| Total Members, with 90% retention (#) | 300 | 315 | 319 | 327 | 339 |

New members will have to pay a submission fee (€400), which CIAT can set, and an annual subscription fee (€540) which is set by the Irish Government. Chartered Members will not have to pay the submission fee but will have to pay an administration fee of €50, which will be waived in the first 6 months of year 1. The submission fee will need to be reviewed once CIAT knows exactly what the costs of the Admissions and the Technical Assessment Boards are.

Subscription fee and processing/submission fee income is forecast to be:

| | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|--------------------------------|----------------|----------------|----------------|----------------|----------------|
| Subscription fees (€) | 162,000 | 170,100 | 171,990 | 176,391 | 183,052 |
| Processing/Submission fees (€) | 60,000 | 11,000 | 14,000 | 16,000 | 18,000 |
| Total | 222,000 | 181,100 | 185,990 | 192,391 | 201,052 |

¹¹ Registration Authority

Registration Authority - Boards and Committees

There are four Boards/Committees CIAT is currently budgeting for, as those are mandatory:

1. Admissions Board
2. Technical Assessment Board
3. Professional Conduct Committee
4. Appeals Board

The exact costs for these are still unknown, but CIAT can make an educated guess based on current boards/committees.

CIAT knows what the makeup of the boards/committees has to be (i.e. a legally qualified chair for each and varying number of Architectural Technologists and non-Architectural Technologists, some nominated by CIAT and some by the Minister), so assuming the Chair receives a fee comparable to a lawyer's day rate, the other panellists all receive a fee, all the panel receive travel expenses and 2% annual inflation, CIAT can estimate the cost per board/committee as follows:

| | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|--|--------|--------|--------|--------|--------|
| costs per Admissions and TA Boards (€) | 5,300 | 5,406 | 5,514 | 5,624 | 5,737 |
| costs per Conduct Committee (€) | 7,300 | 7,446 | 7,595 | 7,747 | 7,902 |
| costs per Appeals Board (€) | 4,900 | 4,998 | 5,098 | 5,200 | 5,304 |

This is based on the assumption that the Assessment Board can take place at the same time and use the same panellists as the Technical Assessment Board. They both have the same make-up, so in theory it should be permissible. If this is not the case, then costs would increase dramatically, as reflected in Example 2.

CIAT is able to review approximately 10 applications in a one day sitting. Assuming the same rate, we estimate the number of Boards to be as follows:

| | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|---------------------------------------|--------|--------|--------|--------|--------|
| Admissions and TA Boards (# per year) | 15 | 3 | 4 | 4 | 5 |
| Conduct Committees (# per year) | - | 1 | 2 | 3 | 3 |
| Appeals Board (# per year) | 1 | 1 | 1 | 1 | 1 |

Professional Conduct Committees will only start to be required once the Register is up and running, and at present it is not anticipated that more than one Appeals Board will be needed per annum.

There is no income for the Professional Conduct Committees, but we can charge for the Appeal Boards. Assuming a 15% mark up on the costs, the forecast income is as follows:

| | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|--------------------|--------|--------|--------|--------|--------|
| Appeals income (€) | 5,635 | 5,748 | 5,863 | 5,980 | 6,100 |

This will need to be reviewed in more detail once CIAT knows a) the exact costs involved, and b) how many per year will be required.

Overheads

Assuming that:

- CIAT will rent space in Dublin in years 1 and 2, and then rent a small office in years 3-5;
- CIAT will hire a part-time employee to work in Ireland, as first point of contact/face of the organisation;
- CIAT will hire a part-time administrator to work at 397 City Road, London;
- multiple CIAT staff members will have to make visits back and forth throughout the year;
- there will be general printing costs to include application forms, membership card, general advertising;
- IT costs will be just running costs, except for setups in years 1 and 3;
- website costs will be high in year 1, but then just running costs thereafter;
- CIAT will recharge 5% of its utility costs to CIAT ATR to cover the resources used;
- CIAT will recharge a percentage of CIAT payroll costs involved in CIAT ATR.

Total overheads are forecast to be:

| | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|---------------------|--------|--------|--------|--------|--------|
| Total Overheads (€) | 70,937 | 55,964 | 67,090 | 62,645 | 63,825 |

Irish VAT will need to be considered, in terms of what is chargeable and reclaimable under Irish VAT Regulations, and also the rules around registration and whether or not it would be beneficial.

The current CIAT run ATR does not have a 'not-for-profit' status so any surplus would be subject to Irish corporation tax; this may apply to the Statutory Register, however this will need to be confirmed.

| | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
|---------------------|--------|--------|--------|--------|--------|
| Corporation Tax (€) | 8,468 | 12,311 | 9,823 | 10,103 | 10,186 |

Summary

Taking into account all of the above, the projected surplus for the next 5 years is:

| | | | | | |
|---------------------|--------|--------|--------|--------|--------|
| Surplus/Deficit (€) | 59,277 | 86,174 | 68,759 | 70,718 | 71,304 |
|---------------------|--------|--------|--------|--------|--------|

If the Admissions Board and the Technical Assessment Board have to be held separately, then this will change to:

| | | | | | |
|---------------------|---------|--------|--------|--------|--------|
| Surplus/Deficit (€) | -11,754 | 71,984 | 49,459 | 51,032 | 46,205 |
|---------------------|---------|--------|--------|--------|--------|

This is assuming that CIAT will not pass the increased cost of the split Boards on to the applicants.

Example 1:

5 year statement of Income, assuming the Admissions Boards and the Technical Assessment Boards are held at the same time with the same panellists

| <u>Parameters</u> | <u>Year 1</u> | <u>Year 2</u> | <u>Year 3</u> | <u>Year 4</u> | <u>Year 5</u> |
|--|----------------------|----------------------|----------------------|----------------------|----------------------|
| Members (#) | 300 | 315 | 319 | 327 | 339 |
| New applicants (#) | 150 | 25 | 35 | 40 | 45 |
| Existing MCIAT applicants (#) | 150 | 20 | | | |
| Admissions and TA Boards (# per year) | 15 | 3 | 4 | 4 | 5 |
| Conduct Committees (# per year) | - | 1 | 2 | 3 | 3 |
| Appeals Board (# per year) | 1 | 1 | 1 | 1 | 1 |
| Retention rate (%) | 90% | 90% | 90% | 90% | 90% |
| MCIAT processing fee (€) | | 50 | 50 | 50 | 50 |
| Submission fee (€) | 400 | 400 | 400 | 400 | 400 |
| Annual subscription (€) | 540 | 540 | 540 | 540 | 540 |
| Income per Appeals Board (€) | 5,635 | 5,748 | 5,863 | 5,980 | 6,100 |
| costs per admissions and TA Boards (€) | 5,300 | 5,406 | 5,514 | 5,624 | 5,737 |
| costs per Conduct Committee (€) | 7,300 | 7,446 | 7,595 | 7,747 | 7,902 |
| costs per Appeals Board (€) | 4,900 | 4,998 | 5,098 | 5,200 | 5,304 |

| <u>Income</u> | <u>Year 1</u> | <u>Year 2</u> | <u>Year 3</u> | <u>Year 4</u> | <u>Year 5</u> |
|--------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| Subscription fees (€) | 162,000 | 170,100 | 171,990 | 176,391 | 183,052 |
| Processing/Submission fees (€) | 60,000 | 11,000 | 14,000 | 16,000 | 18,000 |
| Appeals income (€) | 5,635 | 5,748 | 5,863 | 5,980 | 6,100 |

| <u>Total Income</u> | <u>227,635</u> | <u>186,848</u> | <u>191,853</u> | <u>198,371</u> | <u>207,151</u> |
|----------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
|----------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|

| <u>Direct Costs</u> | <u>Year 1</u> | <u>Year 2</u> | <u>Year 3</u> | <u>Year 4</u> | <u>Year 5</u> |
|----------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| Admissions and TA Boards (€) | 79,500 | 16,218 | 22,056 | 22,498 | 28,684 |
| Appeals board costs (€) | 4,900 | 12,444 | 20,288 | 28,440 | 29,009 |
| Bank processing charges (€) | 4,553 | 3,737 | 3,837 | 3,967 | 4,143 |
| <u>Total Direct Costs</u> | <u>88,953</u> | <u>32,399</u> | <u>46,181</u> | <u>54,905</u> | <u>61,837</u> |

| <u>Indirect Costs</u> | <u>Year 1</u> | <u>Year 2</u> | <u>Year 3</u> | <u>Year 4</u> | <u>Year 5</u> |
|-----------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| Office (desk in years 1 & 2) (€) | 1,800 | 1,845 | 6,000 | 6,150 | 6,304 |
| Staff member (in London) (€) | 7,568 | 7,682 | 7,797 | 7,914 | 8,033 |
| Staff member (in Ireland) (€) | 12,209 | 12,392 | 12,578 | 12,766 | 12,958 |
| Travel and subsistence (€) | 4,760 | 4,831 | 4,904 | 4,977 | 5,052 |
| Printing/Advertising | 11,200 | 11,480 | 11,767 | 12,061 | 12,363 |
| CIAT staff recharges | 4,467 | 4,534 | 4,602 | 4,671 | 4,741 |
| CIAT office recharges | 2,250 | 2,295 | 2,329 | 2,364 | 2,400 |
| IT costs (€) | 3,203 | 409 | 6,406 | 818 | 831 |
| Website costs (€) | 13,110 | 3,506 | 3,593 | 3,683 | 3,775 |
| Bank charges (€) | 250 | 254 | 258 | 261 | 265 |
| AGM charges | 1,120 | 1,137 | 1,154 | 1,171 | 1,189 |
| Legal fees (€) | 5,000 | 1,500 | 1,500 | 1,500 | 1,500 |
| Audit and Accountancy fees (€) | 4,000 | 4,100 | 4,203 | 4,308 | 4,415 |
| <u>Total Overheads (€)</u> | <u>70,937</u> | <u>55,964</u> | <u>67,090</u> | <u>62,645</u> | <u>63,825</u> |

| | | | | | |
|---------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| Corporation Tax (€) | 8,468 | 12,311 | 9,823 | 10,103 | 10,186 |
| <u>Surplus/Deficit €</u> | <u>59,277</u> | <u>86,174</u> | <u>68,759</u> | <u>70,718</u> | <u>71,304</u> |

Example 2:

5 year statement of Income, assuming the Admissions Boards and the Technical Assessment Boards cannot be held at the same time

| <u>Parameters</u> | <u>Year 1</u> | <u>Year 2</u> | <u>Year 3</u> | <u>Year 4</u> | <u>Year 5</u> |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Members (#) | 300 | 315 | 319 | 327 | 339 |
| New applicants (#) | 150 | 25 | 35 | 40 | 45 |
| Existing MCIAT applicants (#) | 150 | 20 | | | |
| Admissions and TA Boards (# per year) | 15 | 3 | 4 | 4 | 5 |
| Conduct Committees (# per year) | - | 1 | 2 | 3 | 3 |
| Appeals Board (# per year) | 1 | 1 | 1 | 1 | 1 |
| Retention rate (%) | 90% | 90% | 90% | 90% | 90% |
| MCIAT processing fee (€) | | 50 | 50 | 50 | 50 |
| Submission fee (€) | 400 | 400 | 400 | 400 | 400 |
| Annual subscription (€) | 540 | 540 | 540 | 540 | 540 |
| Income per Appeals Board (€) | 5,635 | 5,748 | 5,863 | 5,980 | 6,100 |
| costs per Admissions Board (€) | 5,300 | 5,406 | 5,514 | 5,624 | 5,737 |
| costs per Technical Assessment Boards (€) | 5,300 | 5,406 | 5,514 | 5,624 | 5,737 |
| costs per Conduct Committee (€) | 7,300 | 7,446 | 7,595 | 7,747 | 7,902 |
| costs per Appeals Board (€) | 4,900 | 4,998 | 5,098 | 5,200 | 5,304 |
| <u>Income</u> | | | | | |
| Subscription fees (€) | 162,000 | 170,100 | 171,990 | 176,391 | 183,052 |
| Processing/Submission fees (€) | 60,000 | 11,000 | 14,000 | 16,000 | 18,000 |
| Appeals income (€) | 5,635 | 5,748 | 5,863 | 5,980 | 6,100 |
| <u>Total Income</u> | <u>227,635</u> | <u>186,848</u> | <u>191,853</u> | <u>198,371</u> | <u>207,151</u> |

| <u>Direct Costs</u> | <u>Year 1</u> | <u>Year 2</u> | <u>Year 3</u> | <u>Year 4</u> | <u>Year 5</u> |
|---------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| Admissions Boards (€) | 79,500 | 16,218 | 22,056 | 22,498 | 28,684 |
| Technical Assessment Boards (€) | 79,500 | 16,218 | 22,056 | 22,498 | 28,684 |
| Appeals board costs (€) | 4,900 | 12,444 | 20,288 | 28,440 | 29,009 |
| Bank processing charges (€) | 4,553 | 3,737 | 3,837 | 3,967 | 4,143 |
| Total Direct Costs | 168,453 | 48,617 | 68,238 | 77,403 | 90,521 |

| <u>Indirect Costs</u> | <u>Year 1</u> | <u>Year 2</u> | <u>Year 3</u> | <u>Year 4</u> | <u>Year 5</u> |
|----------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| Office (desk in years 1 & 2) (€) | 1,800 | 1,845 | 6,000 | 6,150 | 6,304 |
| Staff member (in London) (€) | 7,568 | 7,682 | 7,797 | 7,914 | 8,033 |
| Staff member (in Ireland) (€) | 12,209 | 12,392 | 12,578 | 12,766 | 12,958 |
| Travel and subsistence (€) | 4,760 | 4,831 | 4,904 | 4,977 | 5,052 |
| Printing/Advertising | 11,200 | 11,480 | 11,767 | 12,061 | 12,363 |
| CIAT staff recharges | 4,467 | 4,534 | 4,602 | 4,671 | 4,741 |
| CIAT office recharges | 2,250 | 2,295 | 2,329 | 2,364 | 2,400 |
| IT costs (€) ¹² | 3,203 | 409 | 6,406 | 818 | 831 |
| Website costs (€) | 13,110 | 3,506 | 3,593 | 3,683 | 3,775 |
| Bank charges (€) | 250 | 254 | 258 | 261 | 265 |
| AGM charges | 1,120 | 1,137 | 1,154 | 1,171 | 1,189 |
| Legal fees (€) | 5,000 | 1,500 | 1,500 | 1,500 | 1,500 |
| Audit and Accountancy fees (€) | 4,000 | 4,100 | 4,203 | 4,308 | 4,415 |
| Total Overheads (€) | 70,937 | 55,964 | 67,090 | 62,645 | 63,825 |

| | | | | | |
|---------------------|---|--------|-------|-------|-------|
| Corporation Tax (€) | - | 10,283 | 7,066 | 7,290 | 6,601 |
|---------------------|---|--------|-------|-------|-------|

| | | | | | |
|--------------------------|----------------|---------------|---------------|---------------|---------------|
| Surplus/Deficit € | -11,754 | 71,984 | 49,459 | 51,032 | 46,205 |
|--------------------------|----------------|---------------|---------------|---------------|---------------|

¹² IT is run on a three year cycle of investment

Step 5 – Consultation - ALL

Conduct a structured open consultation process. Report on who was consulted, the views raised and respond to these where possible. [Conduct a consultation process. Ensure a reasonable time frame for responses and ensure that the consultation process is open and accessible. Outline who was consulted, the views they expressed and how these were reflected in the proposals. For more information see page 32 of the Revised RIA Guidelines and Reaching Out: Guidelines on Consultation for Public Sector Bodies which is available on the Better Regulation website (www.betterregulation.ie.)]

WHO TO CONSULT

We will be working with the Department of Housing, Planning, Community and Local Government on the consultation process

Step 6 – Enforcement and Compliance

Examine in detail enforcement and compliance issues for ALL options being considered including who will enforce the proposals and the resources necessary for enforcement. [Describe the enforcement arrangements. What agency/body is to be charged with enforcement? Has this been agreed? Detail how the Better Regulation principles of consistency and accountability are to be achieved under the enforcement regime. What are the compliance targets? How are these best achieved? Are there sufficient resources for effective enforcement? If inspections are planned, how are these being targeted?]

All Registrants must comply with the Code of Conduct at all times as determined by the Registration Authority.

The object of the Code of Conduct is to provide a standard of conduct, or self-discipline, required of Registrants of the Architectural Technologists' Register in the interest of the public.

It aims to ensure:

- (a) that all Registrants conduct themselves in a manner consistent with that of a professional person;
- (b) that one Registrant does not gain an unfair advantage over another;
- (c) that Registrants do not misrepresent themselves or the discipline of Architectural Technology;
- (d) that the public may rely upon the Registrants for their integrity and professionalism.

See Appendix 12. Proposed Code of Conduct

When it is alleged that a Registrant of the Architectural Technologists' Register has acted in breach of the Code, the case shall be referred for full investigation to the Architectural Technologists' Register Professional Conduct Committee who shall inform the Registrant of the right to respond and explain the circumstances. The Professional Conduct Committee elected by the Architectural Technologists' Registration Board shall investigate the allegations and deal with them in accordance with its rules which include the right to request an appeal via an independent tribunal, except when the Professional Conduct Committee has determined that there is no case to answer.

Appeals will be considered, via the Appeals Board in accordance with the Building Control Act 1990.

See Appendix 13 – for details of the Complaints Procedure

Step 7 – Review

Identify mechanisms for review and performance indicators for ALL options. Outline the data sources which will be used to report on these indicators. [Outline review mechanisms (e.g. Annual Reports, reports to Oireachtas Committees, stakeholder surveys, etc). Specify performance indicators for each option. Identify the mechanisms for measuring these and the data which will be used.

The Registration Authority will provide relevant statistics and data as required by the Minister, Department of Housing, Planning, Community and Local Government and/or Oireachtas Committees upon request in the required format/s, with suitable notice given.

Data will be collated on unsuccessful and successful applicants/registrants and logged accordingly for review and dissemination. Recording of such data will help ensure trends and potential issues are highlighted at the earliest possible opportunity and addressed appropriately via transparent evaluation and communication to stakeholders.

Internal quality control mechanisms including training of assessors and moderation of assessment processes will ensure consistent and fair assessments for all applicants.

A stakeholder survey will be undertaken as and when deemed appropriate by the Minister, Department of Housing, Planning, Community and Local Government, Oireachtas Committees or Registration Authority.

An Annual Report will be published in line with the requirements outlined in the Regulatory Impact Assessment.

END