The Royal Incorporation of Architects in Scotland (RIAS)

The UK Government is now considering which EU regulations will be transferred into UK law.

The RIAS acknowledges that the current body of EU legislation is significant, with around 20,000 EU Instruments of which around 5,000 are directly applicable to the UK, while the remainder have been transposed into UK law.

Many of these regulations affect the architectural profession and the construction industry in Scotland and in the wider UK. RIAS members will have justifiable queries over what effects the repeal will have. Much is not known and cannot be determined at this stage not least because the outcome is subject to Brexit negotiations.

The reported official aim is that the ‘Great Repeal Bill’ should incorporate, rather than repeal, EU regulations where possible. However there is great uncertainty over which particular EU laws the UK government will deem necessary to repeal, or indeed when this might happen. The RIAS is aware that there will be a wide range of views on the subject amongst its membership.

Members are asked to consider the following draft Position Statement:

“With over 5000 members the Royal Incorporation of Architects in Scotland (RIAS) is the professional body for all of Scotland’s chartered architects. Our members work in over 1000 architectural practices of all sizes, as well as in areas of construction from housebuilding to local and central government. The RIAS has charitable status and offers a wide range of products and services for architects, students of architecture, construction industry professionals and all those with an interest in the built environment and the design process.

The RIAS supports EU Environmental legislation which has delivered very positive improvements for the environment in the UK. The Incorporation will be looking for a continuation of these benefits.

There is provision under European Legislation for mutual recognition of educational and professional qualifications within the EEA which applies to qualifications listed in Directive 2005/36/EC. The RIAS’ view is that it is essential to retain the recognition of qualifications in
the interest of the profession. The continuation of programmes such as Erasmus is also essential for RIAS student members.

The RIAS supports advances in employment law, including particularly those concerned with health and safety which govern safe working practices, and the Working Time Directive which lays down minimum requirements for working conditions and the organisation of working time.

The RIAS supports advances and improvements in efficiency within regulations aimed at allocating public sector commissions.

The RIAS acknowledges that the transfer of legislative competence from the EU to the UK will involve reconsideration of the devolution settlements in place within Scotland, Wales and Northern Ireland, particularly Section 29(2)(d) of the Scotland Act. This in itself may affect outcomes for the architectural profession in Scotland. However we seek reassurance that the process of assimilation of EU legislation will recognise the standing of the Incorporation as an autonomous representative body.”

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