

---

## BOARD NOTICES RAADSKENNISGEWINGS

---

### BOARD NOTICE 77 OF 2003

The South African Council for the Property Valuers Profession, under section 37 of the Property Valuers Profession Act, 2000 (Act No. 47 of 2000), hereby makes the rules in the Schedule.

#### SCHEDULE

##### Definitions

1. In these Rules -

- (i) any word or expression to which a meaning has been assigned in the Property Valuers Profession Act, 2000 (Act No. 47 of 2000), shall bear that meaning; and
- (ii) unless the context otherwise indicates, "the Act" means the Property Valuers Profession Act, 2000.

#### PART I

#### NOMINATION PROCEDURE

(Sections 3 and 4)

##### Invitation

2. When the council invites nominations for the appointment of members in accordance with section 4(1) of the Act, it shall be done by notice in the *Gazette* and any newspaper the council considers necessary, but at least in a leading newspaper in each province.

##### Format

3. A nomination for appointment in terms of section 3(1)(a), (b) or (c) of the Act shall -

- (a) be in writing;
- (b) state the name of the person being nominated (hereinafter referred to as "the nominee");
- (c) state whether the nomination is being made in respect of section 3(1)(a), (b) or (c) of the Act;
- (d) in the case of a nominee registered in terms of section 20, read with sections 19 and 43 of the Act, state the category in which the nominee is registered, as well as the nominee's registration number;
- (e) state -
  - (i) the name of the registered person, voluntary association, educational institution, department or other institution of the State, or member of the public, as the case may be, making the nomination (hereinafter referred to as "the nominator"); and
  - (ii) the nominator's postal, business, residential and e-mail addresses, as well as his or her telephone and facsimile numbers;
- (f) be signed by the nominator;
- (g) be countersigned by the nominee to denote his or her acceptance of the nomination;
- (h) be accompanied by -

- (i) a relevant but brief *curriculum vitae* of the nominee, also stating the nominee's postal, business, residential and e-mail addresses, as well as his or her telephone and facsimile numbers; and
  - (ii) a declaration, signed by the nominee, to the effect that he or she is not disqualified from membership in terms of section 6(1) of the Act; and
- (i) be submitted by registered post to the Registrar, P O Box 114, MENLYN 0063, within 60 days from the date of the invitation or notice referred to in section 4(1) or (2) of the Act.

## PART II

### REGISTRAR: PERFORMANCE AGREEMENT (Section 8(2))

#### Performance Agreement

4. The performance agreement contemplated in section 8(2) of the Act shall be as referred to in Annexure A.

## PART III

### REGISTRATION (Sections 11(b), 20(2) and 23)

#### Validity of registration

5. (1) The registration of any person in terms of section 20(2) of the Act, in a category referred to or contemplated in section 19(1) of that Act, shall be valid for a period of five years from the date of such a registration.

(2) The period of validity of a registration referred to in subrule (1) shall be endorsed on all registration certificates issued in terms of the said section 20(2), stating the date on which this period commences and the date on which this period expires.

(3) A registration in terms of the said section 20(2) effected from 31 August 2001 until 1 April 2002, shall, for the purposes of subrule (1) and rule 15, be deemed to have been effected on 1 April 2002.

(4) Subject to subrule (1), the relevant registration certificates prescribed by rule 6, shall, with effect from 1 April 2002, be issued to persons who at that date are registered in terms of section 13, 14 or 15 of the Valuers' Act, 1982 (Act No. 23 of 1982), and all such certificates shall be deemed to have been issued on that date.

(5) For the purposes of the register of registered persons referred to in section 11(c) of the Act and rule 15, a registered person must without delay notify the council in writing of any change

of his or her postal, business and E-mail addresses, as well as his or her telephone, cell phone and facsimile numbers.

(6) For the purposes of section 23(1) of the Act, the Registrar shall at least six months prior to the expiry date of a registration referred to in subrule (1), cause a written notice to be given to a registered person requesting him or her to apply at least three months prior to the expiry date of his or her registration, in the prescribed manner to the council for the renewal of his or her registration.

#### **Registration certificates**

6. All registration certificates in terms of the Act shall be in the format set out in Annexure B.

### **PART IV**

#### **SPECIFIC RULES PERTAINING TO REGISTRATION IN VARIOUS CATEGORIES**

(Sections 19, 20, 22(2) and 37)

#### **Specific rules and specified categories**

7. (1) The specific rules applying in respect of persons who may be registered in a category referred to in section 19(1)(a), (b) or (c) of the Act, are contained in Annexure D.1.

(2) The specified categories contemplated in section 19(1)(d) of the Act, the corresponding titles referred to in section 22(2) of that Act, and the corresponding Annexures containing the specific rules (in such Annexures referred to as items) applying in respect of persons who may be registered in such categories, are as follows –

<i>Category</i>	<i>Title</i>	<i>Annexure</i>
(a) Candidate in respect of any of the following categories	The word "Candidate" followed by the title of the relevant category but excluding the word "Professional"	The Annexure pertaining to the relevant category
(b) Professional single residential property assessor	Professional single residential property assessor	D.2.

### **PART V**

#### **APPLICATION FORMS**

(Section 20(1))

**Prescribed application form**

8. (1) An application for registration in terms of the Act shall be made on the form approved by the council from time to time.

(2) An applicant may apply to the council for registration in more than one category contemplated in section 19(1) of the Act, provided a separate prescribed application form with separate supporting information and documents, as well as the applicable registration fee, accompany the application in respect of each category.

**PART VI****PRESCRIBED AND FOREIGN EXAMINATIONS**

(Section 20(2))

**Prescribed examinations in respect of professional and certain candidates**

9. (1) The prescribed examinations contemplated in section 20(2)(a)(ii) of the Act and required to have been passed by applicants for registration as professional in the categories of professional valuer and professional associated valuer, are set out in item 1 of Annexure D.1.

(2) The prescribed examinations contemplated in section 20(2)(a)(ii) of the Act and required to have been passed by applicants for registration as professional and candidates in the categories specified in rule 7(2), are set out in item 1 of the relevant Annexures referred to in that rule.

**Foreign examinations in respect of professional**

10. In addition to the information and documents required in respect of academic qualifications in the application form prescribed in terms of rule 8, an applicant wishing to be registered in a category referred to or contemplated in section 19(1) of the Act, and who is in possession of a foreign examination or academic qualification, must submit the following information in respect thereof to the council -

- (a) curriculum of the course leading to such examination or qualification and a detailed syllabus of each subject in the course;
- (b) duration of the course; and
- (c) any other relevant information.

**PART VII****PRESCRIBED SCOPE, VARIETY, NATURE AND STANDARD OF PRACTICAL EXPERIENCE REQUIRED FOR REGISTRATION AS PROFESSIONAL**

(Section 20(2)(a)(iii))

**Practical experience in property valuation required for registration as professional**

11. (1) The practical experience in property valuation contemplated in section 20(2)(a)(iii) of the Act and required to have been gained by an applicant for registration as professional in the categories of professional valuer and professional associated valuer, are set out in item 2 of Annexure D.1.

(2) The practical experience in property valuation contemplated in section 20(2)(a)(iii) of the Act and required to have been gained by an applicant for registration as professional in the categories specified in rule 7(2), are set out in item 2 of the relevant Annexures referred to in that rule.

**Scope, variety, nature and standard of practical experience in property valuation required for registration as professional**

12. (1) The scope, variety, nature and standard of practical experience in property valuation contemplated in section 20(2)(a)(iii) of the Act and required to have been gained by an applicant for registration as professional in the categories of professional valuer and professional associated valuer, are set out in item 3 of Annexure D.1.

(2) The scope, variety, nature and standard of practical experience in property valuation contemplated in section 20(2)(a)(iii) of the Act and required to have been gained by an applicant for registration as professional in the categories specified in rule 7(2), are set out in item 3 of the relevant Annexures referred to in that rule.

**Assessment of practical experience in property valuation required for registration as professional**

13. (1) The assessment of the practical experience in property valuation, contemplated in section 20(2)(a)(iii) of the Act and required to have been gained by an applicant for registration as professional in the categories of professional valuer and professional associated valuer, is set out in item 4 of Annexure D.1.

(2) The assessment of the practical experience in property valuation, contemplated in section 20(2)(a)(iii) of the Act and required to have been gained by an applicant for registration as professional in the categories specified in rule 7(2), is set out in item 4 of the relevant Annexures referred to in that rule.

**Application of assessment outcome for purposes of registration as professional**

14. (1) The application of the outcome of the assessment referred to in rule 13(1) in respect of professional in the categories of professional valuer and professional associated valuer, is set out in item 5 of Annexure D.1.

(2) The application of the outcome of the assessment referred to in rule 13(2) in respect of professional in the categories specified in rule 7(2), is set out in item 5 of the relevant Annexures referred to in that rule.

## PART VIII

### COMPLAINTS

(Section 29(1))

#### Lodging of Complaint

15. (1) Any person who feels aggrieved by an act or omission on the part of a registered person may lodge a complaint with the council.

(2) A complaint shall -

- (a) be in writing and in the form of an affidavit or an affirmation;
- (b) contain the full name, business and postal addresses of the complainant;
- (c) detail the specific act or omission relating to the alleged improper conduct which the registered person is charged with;
- (d) include all supporting evidence relating to the complaint;
- (e) identify witnesses who may be able to provide evidence in support of the complaint;
- (f) indicate the complainant's willingness to -
  - (i) assist an investigation committee with the investigation or with the obtaining of material information in respect of the matter concerned; and
  - (ii) appear before a disciplinary tribunal at the time and place specified in a subpoena, to be questioned or to produce a book, document or object; and
- (g) be signed by the complainant or by his or her duly appointed representative.

(3) The council may of its own accord refer any information which comes to its notice and which *prima facie* indicates improper conduct on the part of a registered person to an investigating committee.

## PART IX

### SUBPOENA

(Section 32(3)(b)(i))

#### Subpoena

16. The subpoena in terms of section 32(2)(b)(i) of the Act shall be in the format set out in Annexure E.

**PART X****GENERAL****Repeal of Rules for the Property Valuers Profession**

17. The Rules for the Property Valuers Profession, published in Board Notice 48 of 2002, *Government Gazette* No. 23318 of 19 April 2002, as amended by the Rules for the Property Valuers Profession (Amendment 1), published in Board Notice 72 Of 2002, *Government Gazette* No. 23751 of 23 August 2002, are hereby repealed.

**Short title and commencement**

18. (1) These Rules shall be called the Rules for the Property Valuers Profession, 2003(1) and, except for rule 5, shall commence on 1 September 2003.

(2) Rule 5 shall commence on a date to be notified in the *Gazette*.

**ANNEXURE A**

## Section 8(2)

**PERFORMANCE AGREEMENT BETWEEN THE SOUTH AFRICAN COUNCIL FOR THE PROPERTY VALUERS PROFESSION ("the Council") AND THE REGISTRAR ("the Registrar")**

The Registrar commits himself or herself to the following:

- (a) Assisting and supporting the Council in performing its duties and exercising its powers in terms of the Act.
- (b) As Accounting Officer, to effectively manage the Council's budget and financial affairs.
- (c) Manage the Council's Office effectively by ensuring that the maximum potential of each employee is utilised properly in an environment in which the employees work and communicate harmoniously, productively, and are given opportunities to display initiative and develop their skills.
- (d) Liaise, co-operate and work with the private and public sector, other interested persons and bodies, registered persons and members of the public, for the enhancement of the property valuers profession.



**ANNEXURE B.1**  
Section 20(2)(a)

CERTIFICATE NUMBER

**SOUTH AFRICAN COUNCIL  
FOR THE  
PROPERTY VALUERS PROFESSION**

THIS IS TO CERTIFY THAT

NAME

IS REGISTERED AS

**PROFESSIONAL VALUER**

IN TERMS OF SECTION 20(2)(a) OF  
THE PROPERTY VALUERS PROFESSION ACT, 2000.

DATE OF REGISTRATION ...

PRESIDENT

REGISTRAR

**ANNEXURE B.2**

Section 20(2)(a)

CERTIFICATE NUMBER

**SOUTH AFRICAN COUNCIL  
FOR THE  
PROPERTY VALUERS PROFESSION**

THIS IS TO CERTIFY THAT

NAME

IS REGISTERED AS

**PROFESSIONAL ASSOCIATED VALUER**

IN TERMS OF SECTION 20(2)(a) OF  
THE PROPERTY VALUERS PROFESSION ACT, 2000.

SUBJECT TO THE FOLLOWING RESTRICTIONS AND CONDITIONS:

DATE OF REGISTRATION ...

PRESIDENT

REGISTRAR

**ANNEXURE B.3**  
Section 20(2)(b)

CERTIFICATE NUMBER

**SOUTH AFRICAN COUNCIL  
FOR THE  
PROPERTY VALUERS PROFESSION**

THIS IS TO CERTIFY THAT

**NAME**

IS REGISTERED AS A

**CANDIDATE VALUER**

IN TERMS OF SECTION 20(2)(b) OF  
THE PROPERTY VALUERS PROFESSION ACT, 2000,

SUBJECT TO THE FOLLOWING RESTRICTIONS AND CONDITIONS:

DATE OF REGISTRATION ...

PRESIDENT

REGISTRAR

**ANNEXURE B.4**

Section 20(2)(a)

CERTIFICATE NUMBER

**SOUTH AFRICAN COUNCIL  
FOR THE  
PROPERTY VALUERS PROFESSION**

THIS IS TO CERTIFY THAT

**NAME**

IS REGISTERED AS A

**PROFESSIONAL SINGLE RESIDENTIAL PROPERTY ASSESSOR**

IN TERMS OF SECTION 20(2)(a) OF  
THE PROPERTY VALUERS PROFESSION ACT, 2000,

SUBJECT TO THE FOLLOWING RESTRICTIONS AND CONDITIONS:

DATE OF REGISTRATION ...

PRESIDENT

REGISTRAR

**ANNEXURE B.5**

Section 20(2)(b)

CERTIFICATE NUMBER

**SOUTH AFRICAN COUNCIL  
FOR THE  
PROPERTY VALUERS PROFESSION**

THIS IS TO CERTIFY THAT

**NAME**

IS REGISTERED AS A

**CANDIDATE SINGLE RESIDENTIAL PROPERTY ASSESSOR**

IN TERMS OF SECTION 20(2)(b) OF  
THE PROPERTY VALUERS PROFESSION ACT, 2000,

SUBJECT TO THE FOLLOWING RESTRICTIONS AND CONDITIONS:

DATE OF REGISTRATION ...

PRESIDENT

REGISTRAR

## ANNEXURE C

## Rule 13

Weights for different types of properties valued for different purposes of property valuation														
		Purchase, sale and capital gains tax	Rental determination	Mortgage bonds & security	Investments: pension funds, etc	Leasebacks	Land Bank	Expropriation & land restitution	Endowment	Compensation: town-planning schemes	Rating	Deceased estates	Financial statements	Insurance
		00	01	02	03	04	05	06	07	08	09	10	11	12
Vacant single residential land	01	5	4	3	8	8	0	12	2	5	1	2	3	0
Vacant general residential land (flats)	02	75	60	45	120	120	0	180	30	75	15	30	45	0
Single dwellings	03	25	20	15	40	40	0	60	10	25	5	10	15	5
Blocks of flats	04	125	100	75	200	200	0	300	50	125	25	50	75	20
Individual single residential units (sectional title & share block)	05	25	20	15	40	40	0	60	10	25	5	10	15	5
Sectional title schemes & share block schemes	06	150	120	90	240	240	0	360	60	150	30	60	90	20
Timeshare schemes	07	200	160	120	320	320	0	480	80	200	40	80	120	20
Leasehold	08	175	140	105	280	280	0	420	0	175	35	70	105	20
Vacant business land	09	100	80	60	160	160	0	240	40	100	20	40	60	0
Business properties	10	175	140	105	280	280	0	420	70	175	35	70	105	20
Vacant industrial land	11	50	40	30	80	80	0	120	20	50	10	20	30	0
Industries & warehouses	12	150	120	90	240	240	0	360	60	150	30	60	90	20
Potential township land	13	150	120	90	240	240	0	360	60	150	30	60	90	0
Partially developed townships	14	250	200	150	400	400	0	600	100	250	50	100	150	0
Agricultural holdings (small holdings)	15	50	40	30	80	80	20	120	20	50	10	20	30	5
Servitudes	16	150	120	0	240	240	30	360	0	0	30	60	90	0
Land on which mines are situated	17	175	140	105	280	280	0	420	70	175	35	70	105	20
Farms	18	175	140	105	280	280	70	420	70	175	35	70	105	10
Special type properties	19	175	140	105	280	280	70	420	70	175	35	70	105	20

**ANNEXURE D.1****FURTHER SPECIFIC RULES IN RESPECT OF PROFESSIONAL VALUER,  
PROFESSIONAL ASSOCIATED VALUER AND CANDIDATE VALUER**

(Rules 8(1), 9(1), 11(1), 12(1), 13(1) and 14(1)); and sections 19(3), 20(3) and 37)

**Prescribed examinations for professional valuer and professional associated valuer**

1. (1) The prescribed examinations contemplated in section 20(2)(a)(ii) of the Act in respect of professional valuer and professional associated valuer are:

- (a) as an academic qualification for professional valuer -
  - (i) the National Diploma in Real Estate (Property Valuation); or
  - (ii) the National Diploma in Property Valuation; or
  - (iii) the National Diploma in Valuation; and
- (b) as a test of practical competence, proficiency and experience -
  - (i) for professional valuer, the Council Examination for Professional Valuer;  
and
  - (ii) for professional associated valuer, the Council Examination for Professional Associated Valuer.

(2) The prescribed examination contemplated in section 20(2)(b)(1) of the Act in respect of candidate valuer is that referred to in subitem (1)(a) of this item.

**Practical experience in property valuation required for registration as professional valuer or professional associated valuer**

2. (1) The practical experience in property valuation contemplated in section 20(2)(a)(iii) of the Act in respect of professional valuer and professional associated valuer, is as follows, namely that the applicant concerned -

- (a) has attended a practice orientated workschool for professional associated valuer, approved by the council, and passed the examination conducted at the end thereof; and
- (b) has gained practical experience of work in property valuation in the Republic of the scope, variety, nature and standard set out in this Annexure; and
- (c) if registered as a candidate valuer before 1 April 2002, has passed a practical examination approved by the council, or if registered as such on or after that date has passed the Council's Examination referred to in item 1(b)(i) or (ii), as the case may be.

**Scope, variety, nature and standard of practical experience in property valuation required for registration as professional valuer or professional associated valuer**

3. It is the responsibility of a candidate valuer and his or her supervisor, recorded and confirmed as such in terms of item 6, to ensure that the candidate valuer gains a sufficient scope, variety, nature and standard of practical experience of work in property valuation by having him or her exposed to as many of the following as possible:

- (a) Purposes of property valuations:
  - (i) purchase, sale and capital gains tax;
  - (ii) rental determination;
  - (iii) mortgage bonds and security;
  - (iv) investments: pension funds, etc;
  - (v) leasebacks;
  - (vi) Land Bank;
  - (vii) expropriation and land restitution;
  - (viii) endowment;
  - (ix) compensation: town-planning schemes;
  - (x) rating;
  - (xi) deceased estates;
  - (xii) financial statements; and
  - (xiii) insurance;
  
- (b) Types of properties:
  - (i) vacant single residential land;
  - (ii) vacant general residential land (flats);
  - (iii) single dwellings;
  - (iv) blocks of flats;
  - (v) individual residential units (sectional title and share block);
  - (vi) sectional title schemes and share block schemes;
  - (vii) timeshare schemes;
  - (viii) leasehold;
  - (ix) vacant business sites;
  - (x) business properties;
  - (xi) vacant industrial land;
  - (xii) industries and warehouses;
  - (xiii) potential township land;
  - (xiv) partially developed townships;
  - (xv) agricultural holdings (small holdings);
  - (xvi) servitudes;
  - (xvii) land on which mines are situated;
  - (xviii) farms; and
  - (xix) special type properties.

**Assessment of practical experience in property valuation required for registration as professional valuer or professional associated valuer**



4. (1) To assess, for the purposes of section 20(2)(a)(iii) of the Act, the practical experience of work in property valuation of an applicant applying in terms of section 20 of the Act in the category of professional valuer or professional associated valuer, the relative weights set out in Annexure C in respect of the various types of properties listed in item 3, for the different purposes of property valuations so listed, shall be applied to the number of property valuations provided and substantiated by the applicant in his or her application form submitted by him or her, and shall be processed electronically to determine a total weight, which, together with the various types of properties valued by the applicant for different purposes of property valuations shall form the basis for assessment.

(2) In the electronic determination referred to in subitem (1), the number, to a maximum of 100, provided and substantiated by an applicant in each cell reflected in Annexure C, shall be multiplied by the relative weight concerned and the aggregate of the resulting calculations shall be divided by 100 to determine the final outcome.

#### **Application of assessment outcome for purposes of registration as professional valuer or professional associate valuer**

5. As a general norm, the minimum outcome reached in the assessment prescribed in item 4, shall -

- (a) in the case of registration as a professional valuer, be a weight of 190 and 10 types of properties valued for five purposes of property valuation;
- (b) in the case of registration as a professional associated valuer without restrictions, be a weight of 130 and eight types of properties valued for five purposes of property valuation; and
- (c) in the case of registration as a professional associated valuer with restrictions, be a weight of 80 and one type of property valued for one purpose of property valuation.

#### **Supervision and control in respect of candidate valuer**

6. (1) For the purposes of this Annexure, the professional under the supervision and control of whom a candidate valuer must perform his or her work as provided for in section 19(3) of the Act, shall be a professional valuer or professional associated valuer without restrictions, recorded and confirmed as such by the council ("supervisor").

(2) The supervisor shall countersign all property valuation reports and other documentation relating to work in property valuation, prepared by the candidate valuer, as verification of the fact that the supervisor has exercised the supervision and control contemplated by the said section 19(3) in respect of that work.

(3) Only work in property valuation done under supervision and control in accordance with subitem (1), shall be taken into account by the council for the purposes of the determination referred to in item 4.

**ANNEXURE D.2****SPECIFIC RULES IN RESPECT OF PROFESSIONAL SINGLE RESIDENTIAL  
PROPERTY ASSESSORS AND CANDIDATE SINGLE RESIDENTIAL PROPERTY  
ASSESSORS**

(Rules 8(2), 9(2), 11(2), 12(2), 13(2) and 14(2)); and sections 19(3), 20(3) and 37)

**Prescribed examinations for professional single residential property assessors and candidate single residential property assessors**

1. (1) The prescribed examinations contemplated in section 20(2)(a)(ii) of the Act in respect of professional single residential property assessors are:

- (a) as an academic qualification, the following subjects of the National Diploma in Real Estate (Property Valuation), namely Property Valuation 1, Property Practice 1, Property Economics & Finance 1, Law on Property Valuation, and Principles of Property Law; and
- (b) as a test of practical competence, proficiency and experience -
  - (i) the Council Examination for Professional Single Residential Property Assessors; and
  - (ii) the Practical Examination for Professional Single Residential Property Assessors, consisting of the performance of a property valuation of a single residential property, including a fully motivated report.

(2) The prescribed examination contemplated in section 20(2)(b)(i) of the Act in respect of candidate single residential property assessors is that referred to in subitem (1)(a) of this item.

**Practical experience in property valuation required for registration as professional single residential property assessor**

2. The practical experience in property valuation contemplated in section 20(2)(a)(iii) of the Act in respect of professional single residential property assessors, is as follows, namely that the applicant concerned -

- (a) has attended the council's Practical Workschool for Professional Single Residential Property Assessors, presented by The South African Institute of Valuers, and has passed the examination conducted at the end thereof; and
- (b) has gained practical experience of work in property valuation in the Republic of the scope, variety, nature and standard set out in this Annexure.

**Scope, variety, nature and standard of practical experience in property valuation required for registration as professional single residential property assessor**

3. It is the responsibility of a candidate single residential property assessor and his or her supervisor, approved in terms of item 6, to ensure that that candidate gains a sufficient scope, variety, nature and standard of practical experience of work in property valuation by having him or her exposed to as many of the following as possible:-

- (a) Purposes of property valuation:  
As set out in item 3(a) of Annexure D.1.
- (b) Types of properties:
  - (i) vacant single residential land;
  - (ii) single dwellings;
  - (iii) individual residential units (sectional title and share block).

**Assessment of practical experience in property valuation required for registration as professional single residential property assessor**

4. (1) To assess, for the purposes of section 20(2)(a)(iii) of the Act, the practical experience of work in property valuation of an applicant applying in terms of section 20 of the Act in the category of professional single residential property assessor, the relative weights set out in Annexure C in respect of the various types of single residential properties for the different purposes of property valuations listed in item 3, shall be applied to the numbers of property valuations provided and substantiated by the applicant in his or her application form submitted by him or her, and shall be processed electronically to determine a total weight, which, together with the various types of single residential properties valued by the applicant for different purposes of property valuations shall form the basis for assessment.

(2) In the electronic determination referred to in subitem (1), the number, to a maximum of 100, provided and substantiated by an applicant in each cell reflected in Annexure C, shall be multiplied by the relative weight concerned and the aggregate of the resulting calculations shall be divided by 100 to determine the final outcome.

**Application of assessment outcome for purposes of registration as professional single residential property assessor**

5. As a general norm, the minimum outcome reached in the assessment referred to in item 4, shall be a weight of **80** and one type of property valued for one purpose of property valuation.

**Supervision and control in respect of candidate single residential property assessors**

6. (1) For the purposes of this Annexure, the professional under the supervision and control of whom a candidate single residential property assessor must perform his or her work as provided for in section 19(3) of the Act, shall be a professional valuer or professional associated valuer without restrictions, recorded and confirmed as such by the council ("supervisor").

(2) The supervisor shall countersign all property valuation reports and other documentation relating to work in property valuation, prepared by the candidate single residential property

assessor, as verification of the fact that the supervisor has exercised the supervision and control contemplated by the said section 19(3) in respect of that work.

(3) Only work in property valuation performed under supervision and control in accordance with subitem (1), shall be taken into account by the council for the purposes of the determination referred to in item 4.

### **Restrictions and conditions**

7. (1) A person registered in the category of professional single residential property assessor or candidate single residential property assessor, shall be restricted to the performance of work in property valuation in respect of single residential properties as defined in item 10.

(2) The provisions of subitem (1) shall not derogate from the council's powers under section 20(3) of the Act, in respect of any applicant applying, in terms of section 20(1) of the Act, for registration in the category of professional single residential property assessor or candidate single residential property assessor.

### **Cancellation or variation of restrictions and conditions**

8. A person registered in terms of this Annexure who wishes the restrictions and conditions referred to in item 7 to be cancelled or varied, must comply with all the prescribed academic qualification and practical experience requirements applicable to the registration of a candidate valuer as a professional valuer or as a professional associated valuer, including any other requirements prescribed or determined by the council from time to time.

### **Transitional provision**

9. (1) Notwithstanding the provisions of items 1 to 8 of this Annexure, any person -
- (a) who provides proof to the council that he or she has regularly practised, for a continuous period of not less than five years immediately prior to the commencement of these Rules, as an estate agent as defined in section 1 of the Estate Agency Affairs Act, 1976 (Act No. 112 of 1976);
  - (b) who has received exemption, from a Technikon or similar academic institution offering the National Diploma in Real Estate (Property Valuation), for the subjects referred to in item 1(1)(a);
  - (c) who has passed the test of practical competence, proficiency and experience referred to in item 1(1)(b);
  - (d) who has, subject to subitem (2) of this item, complied with the provisions of item 2 of this Annexure; and
  - (e) who otherwise complies with the provisions of section 20(1) and (2)(a)(i) of the Act,

may within a period of six months after the commencement of these Rules, or within such further period as the council may in a particular case allow, apply to the council, on the form prescribed in terms of rule 8, to be registered as a professional single residential property assessor.

(2) In the application of this item, and for the purposes of item 2(b), the provisions of items 3, 4 and 5 shall apply with the necessary changes, and an applicant for registration as a professional single residential property assessor shall be deemed -

- (a) to have been registered as a candidate single residential property assessor; and
- (b) to have performed the work in property valuation provided and substantiated by the applicant in his or her application form, under the supervision and control of a supervisor.

### Definition

10. In this Annexure, "single residential property" means vacant single residential land, single dwellings, and individual residential units (sectional title and share block), corresponding to the types of properties referred to in item 3(b).

## ANNEXURE E

### SOUTH AFRICAN COUNCIL FOR THE PROPERTY VALUERS PROFESSION SUBPOENA

(Section 32(3), (7) & (8))

#### SUBPOENA TO APPEAR BEFORE DISCIPLINARY TRIBUNAL

To -

---

(Name of witness)

---

(Address of witness)

You are hereby summoned in terms of section 32(3), (7) and (8) of the Property Valuers Profession Act, 2000 (Act No. 47 of 2000), to appear on ... (date) at...(time) at... (address) before a Disciplinary Tribunal, established in terms of section 31(1) of the said Act, to be questioned and to produce the following book(s), document(s) or object(s), namely -

---

(Specify, or delete if inapplicable)

in connection with a charge of improper conduct against

---

Signed this ... day of ...

Chairperson/Member:

Disciplinary Tribunal

Place

Section 32(8) of the Property Valuers Profession Act, 2000 (Act No. 47 of 2000), reads as follows:

- "(8) (a) A witness who has been subpoenaed may not—
- (i) without sufficient cause, fail to attend the hearing at the time and place specified in the subpoena;
  - (ii) refuse to be sworn in or to be affirmed as a witness;
  - (iii) without sufficient cause, fail to answer fully and satisfactorily to the best of his or her knowledge to all questions lawfully put to him or her; or
  - (iv) fail to produce any book, document or object in his or her possession or custody or under his or her control which he or she has been required to produce.
- (b) A witness who has been subpoenaed must remain in attendance until excused by the chairperson of the disciplinary tribunal from further attendance.
- (c) A witness who has been subpoenaed may request that the names of the members of the disciplinary tribunal be made available to him or her.
- (d) The law relating to privilege, as applicable to a witness subpoenaed to give evidence or to produce a book, document or object in a civil trial before a court of law may, with the necessary changes, apply in relation to the examination of, or the production of any book, document or object to the disciplinary tribunal by, any person called in terms of this section as a witness.
- (e) A witness may not, after having been sworn in or having been affirmed as a witness, give a false statement on any matter, knowing that answer or statement to be false.
- (f) A person may not prevent another person from complying with a subpoena or from giving evidence or producing a book, document or object which he or she is in terms of this section required to give or produce."