

BOARD NOTICE 70 OF 2014**GENERAL EXPLANATORY NOTE:**

[] Words in square brackets indicate omissions from existing enactments.

— Words underlined with a solid line indicate insertions in existing enactments.

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RULES FOR THE PROPERTY VALUERS PROFESSION, 2008, FIFTH AMENDMENT

The South African Council for the Property Valuers Profession, under section 37(3) of the Property Valuers Profession Act, 2000, hereby makes the rules in the Schedule.

SCHEDULE**Definitions**

1. In these rules any word or expression to which a meaning has been assigned to in the Act shall have that meaning and-
 - (i) “the Act” means the Property Valuers Profession Act, 2000 (Act No. 47 of 2000); and
 - (ii) “the Rules” means the Rules for the Property Valuers Profession, 2008.

Substitution of Rule 6 of Rules

2. The following rule is hereby substituted for rule 6 of the Rules:

“Restriction and conditions applicable to candidates and valuation work

6. (1) A candidate in any category of registration must at all times and circumstances comply with section 19(3) of the Act, read with item 9 of Annexure C.1 or item

8 of Annexure C.2, as the case may be, which provides clearly that he or she may perform work in the property valuers profession only under the supervision

and control of a professional (“the supervisor or mentor”) and, consequently, that he or she or any person or body for or on his or her behalf –

- (a) shall not canvass or solicit valuation work or publish his or her services in his or her *capacity as a candidate*;
- (b) shall accept an instruction or request to assist in the performance of a property valuation only from his or her supervisor or mentor or another professional (“the instructing professional”), which instruction or request shall –

- (i) be in writing, stating the name, registration category and postal address of the instructing professional;
 - (ii) contain the name of the person requiring the property valuation ("the client"); the registration particulars and description of the property to be valued; the type of property; the purpose of the valuation; and the work to be performed by the candidate; and
 - (iii) form part of the resulting valuation report;
- (c) shall, if requested by any person or body ("the client") to perform property valuation work refer the client or the request to an instructing professional;
- (d) except where a candidate is in fact also the client he or she shall not, directly or indirectly, instruct a professional to perform property valuation work for a client.
- (2) A professional shall not, directly or indirectly, take instructions from a candidate, or any person other than a client or his or her duly appointed agent, to perform property valuation work for that client.
- (3) The statement of account for services rendered in respect of property valuation work performed as a result of an instruction or request referred to in subrule (1)(b), shall be issued by and in the name of the instructing professional or his or her practice, and payment thereof shall be made only to him or her or the practice, as the case may be."

Short title and commencement

3. These rules shall be called the Fifth Amendment to the Rules for the Property Valuers Profession, 2008, and shall commence on 11 August 2014.