
BOARD NOTICE RAADSKENNISGEWING

BOARD NOTICE 74 OF 2008

NOTICE IN TERMS OF SECTION 37 (1) & (2) (a) OF THE PROPERTY VALUERS PROFESSION ACT, 2000 (ACT NO. 47 OF 2000)

1. The South African Council for the Property Valuers ("SACPVP") hereby gives notice in terms of section 37 (1) & (2)(a) of the Property Valuers Profession Act No. 47 of 2000 ("the Act") of its intention to prescribe rules in respect of Practical Examination for Single Residential Property Assessors.
2. A copy of the proposed rules is available on the Council's website at <http://www.sacpvp.co.za> and in the SACPVP Library at the 77 Kariba Street, Lynnwood Glen, Pretoria, 0081, between 09:00-15:30, Monday to Friday.
3. Interested persons are invited to submit written comments with regard to the proposed rules, to be received **by no later than 15:00 on 09 September 2008** by post, hand delivery, facsimile transmission, or electronically (in Microsoft Word) for the attention of:

Mr M C Seota
The Registrar
SA Council for the Property Valuers Profession
P.O. Box 114
MENLYN
0063

Delivery address: 77 Kariba Street, Lynnwood Glen, Pretoria.

Where possible written comments should also be emailed to:
registrar@sacpvp.co.za; info@sacpvp.co.za; or avhatakali@sacpvp.co.za

Facsimile number: (012) 348 7528

Enquiries can be directed to the Registrar: Mr M C Seota
(W) 012 348 8643
(C) 082 925 3792

4. All written representations submitted to SACPVP pursuant to this notice will be made available for inspection by interested persons at the SACPVP library and copies of such representations will be obtainable on the payment of the prescribed fee.
5. The final rules will be published in the *Government Gazette*

GENERAL EXPLANATORY NOTE:

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

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

BOARD NOTICE ... OF 2008**PROPERTY VALUERS PROFESSION ACT, 2008****SIXTH AMENDMENT TO RULES**

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

SCHEDULE**Definitions**

1. In these rules, unless the context otherwise indicates—
 - (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, 2003, as amended.

Substitution of rule 6 of Rules

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

“Registration certificates

- 6.(1) A registration certificate issued in terms of the Act shall contain at least the following information:
 - (a) Full name of registered person;
 - (b) category of registration;
 - (c) section of the Act applicable to registration;
 - (d) restrictions and conditions, if any;
 - (e) date of registration;
 - (f) date of issue;
 - (g) period of validity; and
 - (h) registration number.
- (2) A registration certificate contemplated in subrule (1) shall be signed by the president and the registrar of the council or their nominees.”.

Amendment of rule 6A of Rules

3. Rule 6A of the Rules is hereby amended by the deletion of subrule (1).

Substitution of heading to Part VI of Rules

4. The following heading is hereby substituted for the heading to Part VI of the Rules:

“FOREIGN EXAMINATIONS (Section 20(2))”.

Repeal of rule 9 of Rules

5. Rule 9 of the Rules is hereby repealed.

Repeal of Annexure B to Rules

6. Annexures B.1 to B.5 to the Rules are hereby repealed.

Amendment of item 1 of Annexure D.1 to Rules

7. Item 1 of Annexure D.1 to the Rules is hereby amended –
- (a) by the deletion, in subitem (1), of paragraph (a); and
 - (b) by the deletion of subitem (2).

Amendment of item 1 of Annexure D.2 to Rules

8. Item 1 of Annexure D.2 to the Rules is hereby amended –
- (a) by the deletion, in subitem (1), of paragraph (a); and
 - (b) by the substitution, in subitem (1), for subparagraph (ii) of paragraph (b) of the following subparagraph:

“(ii) [The Practical Examination for Single Residential Property Assessors] a property valuation assignment, consisting of the performance of a property valuation of a single residential property, including a fully motivated written valuation report determined by the council from time to time”; and
 - (c) by the deletion of subitem (2).

Amendment of item 2 of Annexure D.2 to Rules

9. Item 2 of Annexure D.2 to the Rules is hereby amended by the deletion of subparagraph (a).

Short title and commencement

10. These rules shall be called the Sixth Amendment to the Rules and shall commence on 09 September 2008.

MEMORANDUM ON THE OBJECTS OF PROPOSED RULES

The proposed rules deal with the following matters:

(a) Registration Certificates

The format of all registration certificates issued in terms of the Act is (currently) set out in Annexure B.1 to B.2 to the Rules. The South African Council for the Property Valuers Profession ("SACPVP") is, however, of the opinion that too much emphasis is placed on the format of certificates and not the content (information regarding a registered person) that lies therein. The SACPVP has, therefore, decided to provide for certain minimum information which must be contained in registration certificates.

(b) Prescribed Academic Examinations

- (i) Section 20(2)(a)(ii) and (b)(i) of the Act authorizes the SACPVP to prescribe or to recognise examinations (academic qualifications) for purposes of registration in terms of the Act.
- (ii) The National Diploma in Real Estate (Property Valuation), and its forerunners the National Diploma in Property Valuation and the National Diploma in Valuation, have for many years been the prescribed (and preferred) academic qualifications. The first-mentioned Diploma is in the process of being phased out by UNISA and since 1 July 2008 no first-year registrations are in fact effected by UNISA. Some other academic institutions, such as the University of Johannesburg, are, however, still offering the Diploma concerned.
- (iii) The SACPVP has also, as provided for by the said section 20(2)(b)(ii) and (b)(i), recognised various academic qualifications offered by accredited educational institutions.
- (iv) Apart from the aforementioned, the SACPVP has, over time, arrived at the conclusion that it would, for various reasons, be better and more expedient not to prescribe any academic qualification for purposes of registration in terms of the Act but to merely recognise the said Diploma, along with various other academic qualifications currently recognised by the SACPVP for the said purposes. There will, consequently, only be recognised academic qualifications.
- (v) It is, however, important to note that the SACPVP remains of the opinion that its Admission Examinations for Professional Valuers, Professional Associated Valuers and Single Residential Property Assessors remain prescribed examinations as tests of practical competence, proficiency and experience.
- (vi) Flowing from this and since "prescribe" means prescribed by a rule made under sections 37 of the Act, the provisions dealing in the Rules for the Property Valuers Profession, 2003, as amended ("the Rules"), with academic qualifications and related matters require the amendments contained in the proposed rules.

(c) Practical Workschool for Single Residential Property Assessors ("the Workschool")

- (i) In terms of the Rules a Candidate Single Residential Property Assessor wishing to be registered as a Single Residential Property Assessor must, *inter alia*, have attended the Workschool.
- (ii) In spite of the SACPVP's best efforts, the implementation of this requirement (presenting a workschool) could not be attained. The SACPVP, therefore, reconsidered this matter and decided to abrogate this requirement also in view of the fact that a prospective Single Residential Property Assessor must in any case perform a property valuation of a single residential property, including a fully motivated written valuation report.

(d) General

The other matters contained in the proposed rules deal with general and ancillary matters. However, needless to say, the proposed rules must be read in conjunction with the (current) Rules.

M C Seota
Registrar

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