
BOARD NOTICES • RAADSKENNISGEWINGS

BOARD NOTICE 83 OF 2016**THE SOUTH AFRICAN COUNCIL FOR THE ARCHITECTURAL PROFESSION**

REQUIREMENTS FOR RECOGNITION AND MAINTENANCE OF RECOGNITION OF A VOLUNTARY ASSOCIATION IN TERMS OF SECTION 25, READ WITH SECTION 14(d), OF THE ARCHITECTURAL PROFESSION ACT, 2000 (ACT NO. 44 OF 2000) (THE ACT)

RECOGNISING that SACAP's Vision is People-Centred Architecture for South Africa and that its Mission is to transform and promote the architectural profession in a spirit of collaborative engagement in order to achieve professional excellence:

Notice is hereby given that, as provided in this Schedule, the South African Council for the Architectural Profession intends, in terms of section 14(d) read with section 25 of the Act, to implement the following rules for the recognition of an association as a voluntary association in terms of Section 25 of the Act and the maintenance of that recognition.

SCHEDULE

1. In this Schedule, unless the context indicates the contrary, a word or term as defined in section 1 of the Act, shall have that same meaning: provided that, for purposes of this Schedule, the following words shall have the following meanings:
 - (i) "the Act" means the Architectural Profession Act, 2000 (Act No. 44 of 2000), as amended from time to time;
 - (ii) "association" means an association of natural persons which has:
 - (a) an identity separate from its individual members;
 - (b) as the majority of its members, persons who have been registered in one of the categories provided for in section 18 of the Act: provided that, in this definition,

majority shall mean 50% of the members plus one additional person who is registered in terms of one of the categories provided for in section 18(1) of the Act;

(c) as the majority of its members, persons who are in good standing and who are certified annually by the association in the manner specified in this Notice; and

(d) as its objects, the promotion and transformation of the architectural profession in South Africa and the promotion of the professional interests of its members;

(iii) "Council" means the South African Council for the Architectural Profession as constituted in terms of section 3 of the Act;

(iv) "registered person" means a person who is registered in one of the categories in terms of section 18(1) of the Act;

(v) "Rules" shall mean the rules contained in this Schedule; and

(vi) "voluntary association" means any voluntary association recognised by the Council in terms of Section 25, read with section 14(d) of the Act and "VA" shall have a corresponding meaning.

2. To qualify for recognition as a voluntary association, an association shall comply with the following:

2.1 the association shall have a constitution that provides for:

2.1.1 a management structure, nomination procedure and requirements with which members nominated for office shall comply;

2.1.2 the association's powers in general and for the enrolment of members, termination of membership and associated matters;

2.1.3 the requirements for membership in different categories and rules for cancellation and re-instatement thereof; and

2.1.4 a code of professional conduct for its members which aligns with the Council's Code of Conduct as per Board Notice 154 of 2009, or such other Notice as may be applicable from time to time, and which provides for disciplinary procedures which observe the rules of natural justice and which provide for appropriate sanctions for contraventions of the code;

2.1.5 the submission to the Council, for validation purposes, of courses proposed to be offered under the auspices of the association for CPD purposes;

2.1.5.1 the annual reporting to the Council, for statistical and related purposes, of a report certifying and signed by a designated office bearer, detailing:

(a) records of attendance of persons who have attended any validated CPD courses or any other activities offered under the auspices of the association and which are intended to count towards compliance with CPD requirements of persons registered in terms of section 18(1) of the Act;

(b) information about the annual paid up members of the association; and

(c) continuing compliance with the conditions of recognition for voluntary associations in terms of these Rules:

provided that the Council shall have the right to audit the information submitted to it by voluntary associations

3. A voluntary association shall further submit its annual report to Council by no later than 31 March each year in order to maintain the validity of its certificate of recognition.

4. A certificate of recognition of a voluntary association shall be valid for a period of five years from date of issue, as provided for in Section 25 read with Section 14(d) of the Act: provided that a voluntary association shall at all times remain in compliance with the provisions of this Board Notice.

REPEAL OF PREVIOUS RULES

The Rules published under Board Notice 153 of 2009 are hereby repealed.