

**BOARD NOTICE 346 OF 2022****South African Council for the Architectural Profession (SACAP)****Council Nomination Rules**

In terms of section 36 of the Architectural Profession Act 44 of 2000 ("the Act"), the SACAP hereby makes it known that it has made the Rules for the nomination of Council as set out hereunder.

**1. Preamble**

The purpose of the Nomination Rules is to provide for a clear process of nominating persons to serve on the architectural profession. The Council members are the fiduciaries who steer the SACAP towards a sustainable future by adopting sound, ethical, legal governance and financial management policies, as well as by making sure that SACAP has adequate resources to advance its statutory mandate. Therefore, the Nomination Rules seeks to ensure that persons who are nominated to serve on the Council are suitably qualified with the necessary skills and competencies to facilitate the achievements of the statutory mandates.

**2. Definitions**

In these rules, and unless the context otherwise indicates, any expression or word to which a meaning has been assigned in the Act bears the same meaning.

**"Registrar"** means the Registrar appointed by Council in terms of section 8(1)(a) of the Act.

**"Recommendation Panel"** means a panel appointed by the Council, as described in Rule 9 hereof to evaluate the nominations and make recommendations for consideration to the Council and appointment by the Minister.

**"The profession"** means the Architectural profession.

**"Department"** means the national department responsible for public works & infrastructure.

**"Minister"** means the Minister responsible for public works & infrastructure.

**"Council"** means the South African Council for the Architectural Profession established by section 2 of the Act.



### **3. Composition of the Council**

3.1 The Council is composed of 11 members and encompasses of:

- 3.1.1 seven registered persons, excluding candidates, of whom at least four must actively practise in the architectural profession, who must be nominated by the Voluntary Associations, and any Registered Person; who must represent the categories of registered persons contemplated in section 18 of the Act;
- 3.1.2 two professionals, in the service of the State nominated by any sphere of government; of whom at least one must be nominated by the department; and
- 3.1.3 two members of the public nominated through an open process of public participation.

### **4. Nomination procedure**

#### **4.1 Invitations**

- 4.1.1 The Council shall call for nominations on or at a date determined by the Council; which date shall be at least six (6) months before the date of expiry of the term of office of serving members of the Council.
- 4.1.2 Registered Persons, Voluntary Associations and the state shall be invited by a letter substantially in a form of annexure A, B, C and D respectively, copies of which will be placed on the SACAP website, the Voluntary Association's websites, and Department of Public Works and Infrastructure website. The nomination shall be made at least 60 days from the date of the invitation.
- 4.1.3 Nominations for members by the public shall be invited by notice in the government gazette and at least one national newspaper, which nominations shall be submitted within a period of at least (60) sixty days from the date of notice.
- 4.1.4 The manner for inviting Registered Persons and Voluntary Associations, the state and the public is prescribed substantially in the form of annexures A, B, C and D respectively.

### **5. Requirements to be nominated as a Council member**

#### **Seven Registered Persons**

- 5.1 To be eligible for nomination as member of the Council, a registered person shall comply with the following requirements:
  - 5.1.1 Be registered as the architectural professional in any categories of registration.
  - 5.1.2 Have a background or experience in the architectural profession in education and training, registration, professional conduct, and/or professional practice.



- 5.1.3 Demonstrate understanding of the SACAP statutory mandate.
- 5.1.4 Demonstrate breadth and depth of management and leadership experience, preferably in a senior leadership role in an architectural practice, voluntary association, government, state entity or any organization.
- 5.1.5 Demonstrate extensive and relevant leadership experience with strategy, risk management and oversight, including experience in a built environment regulatory environment.
- 5.1.6 Demonstrate integrity, high ethical standards, exhibit independence, objectivity and demonstrate a commitment to the mandates of the SACAP.
- 5.1.7 Have personal attributes to be able to make a substantial active contribution to Council deliberations. These qualities include intelligence, self-assuredness, high ethical standard, interpersonal skills, independence, courage, willingness to ask the difficult question, communication skills and commitment.
- 5.1.8 Demonstrate compatibility and ability to work collaboratively and the ability to develop a good working relationship with Council members and contribute to the Council's professional working relationship with the senior management of the SACAP.
- 5.1.9 Be willing to commit to serve the architectural profession and have sufficient time available to discharge the duties of Council membership.
- 5.1.10 At a minimum have an undergraduate qualification from an accredited college or university.
- 5.1.11 Make a declaration of being prepared to serve on the Council and/or any of its committees;
- 5.1.12 Be willing to sign and adhere to SACAP's Code of Conduct for the Council and Committee Members.
- 5.1.13 Sign confidentiality agreement.

#### **Two professionals in the service of the State**

- 5.2 To be eligible for nomination as member of the Council, professionals in the service of the state shall comply with the following requirements:
  - 5.2.1 Be registered as the architectural professional in any categories of registration.



- 5.2.2 Demonstrated depth of corporate governance experience, preferably in a senior leadership role within the department or state organ.
- 5.2.3 Demonstrates a high level of personal and professional integrity, trustworthiness, ethics and values.
- 5.2.4 Demonstrates a commitment to confidentiality.
- 5.2.5 Demonstrates professional and appropriate conduct in public.
- 5.2.6 Demonstrate understanding of the SACAP statutory mandate.
- 5.2.7 Demonstrate understanding of the respective role of the Council.
- 5.2.8 Demonstrate ability to analyse financial statements, including balance sheet and income/expense statements.
- 5.2.9 Demonstrate understanding of budget development process and the financial oversight responsibilities of the Council.
- 5.2.10 At a minimum have an undergraduate qualification in architecture from an accredited college or university and a corporate governance qualification.
- 5.2.11 Brings diversity to the Council, offering experience on management, corporate governance and financial management.
- 5.2.12 Demonstrate compatibility and ability to work collaboratively. Demonstrate ability to develop a good working relationship with Council members and contribute to the Council's working relationship with the senior management of the SACAP.
- 5.2.13 Make a declaration of being prepared to serve on the Council and/or any of its committees;
- 5.2.14 Be willing to sign and adhere to SACAP's Code of Conduct for the Council and Committee Members.
- 5.2.15 Sign confidentiality agreement.

#### **Two members of the public**

- 5.3 To be eligible for nomination as member of the Council, public representatives shall comply with the following requirements:
  - 5.3.1 Demonstrate understanding of the SACAP statutory mandate.
  - 5.3.2 Demonstrate highest moral and ethical character and exhibit independence, objectivity.
  - 5.3.3 Brings diversity to the Council, offering experience on management, corporate governance, human resource management and financial management.
  - 5.3.4 Demonstrate breadth and depth of management and leadership experience, preferably in a senior leadership role in any organization.
  - 5.3.5 Demonstrate compatibility and ability to work collaboratively.
  - 5.3.6 Demonstrate ability to develop a good working relationship with Council members and contribute to the Council's working relationship with the senior management of the SACAP.
  - 5.3.7 Have insight into matters concerning the safety and health of the public in the built environment.
  - 5.3.8 Must have a qualification either in law, accounting, financial management, public administration, human resource, risk management and/or corporate governance.



- 5.3.9 Make a declaration of being prepared to serve on the Council and/or any of its committees;
- 5.3.10 Demonstrate experience in serving on other Boards/Councils/ Committees.
- 5.3.11 Be willing to sign and adhere to SACAP's Code of Conduct for the Council and Committee Members.

## **6. Disqualification from membership of the Council**

The following persons shall not be eligible to be appointed as a member of the council:

- 6.1 A person who is not a South African citizen and ordinary resident in the Republic
- 6.2 An un-rehabilitated insolvent person.
- 6.3 A person who has been convicted of an offence in the Republic and been sentenced to imprisonment without an option of a fine, or, in the case of fraud, to a fine, or imprisonment or both. This provision excludes offences associated with political objectives committed prior to 27 April 1994.
- 6.4 A person who has been convicted of an offence in a foreign country and was sentenced to imprisonment without an option of a fine, or, in the case of fraud, to a fine or imprisonment or both;
- 6.5 A person who has been removed from an office of trust as a result of improper conduct; or
- 6.6 A person who has, in terms of the Act, been found guilty by the disciplinary tribunal or the council of improper conduct.

## **7. Compilation of Reserve List**

- 7.1 The Council may compile a Reserve List of nominees who meet the requirements but are not on the list of nominees recommended for appointment.
- 7.2 Nominees shall be required to indicate their availability to be included in a Reserve List if they are not appointed to the Council.
- 7.3 When a vacancy arises on the Council during its term of office, the Minister may draw on such Reserve List as a first source of nominees in the filling of the vacancy.

## **8. Nominations and representation**

- 8.1 Seven registered persons, excluding candidates, of whom at least four shall actively practice in the architectural profession;
  - 8.1.1 Who must be nominated by the Voluntary Associations and any registered person; and
  - 8.1.2 Who must represent the categories of registered persons contemplated in section 18 of the Act.
  - 8.1.3 At least one person from each category mentioned in Section 18(1) (a) of the Act and actively practicing in the Architectural Profession shall be represented.



8.2 The two nominations by the State in terms of section 3 (1) (b) of the Act shall exclude candidates and shall include experienced registered professionals in the service of the state:

8.2.1 Nominations will be invited from Local, Provincial and National Government.

8.2.2 SACAP will approach the Director General (DG) of Public Works (NDPW) to facilitate the required nominations.

8.3 Two members of the public are nominated through an open process of public participation.

## 9. Recommendation Panel

9.1 When any nomination for members of a new Council becomes necessary, the Council shall constitute a Recommendation Panel. The Council shall call suitable and experienced registered architectural professionals to apply within a period of 30 days from the date of publication of the notice.

9.2 Persons appointed by the Council to serve on the Recommendation Panel shall not be nominated to serve on the new Council.

9.3 The Recommendation Panel shall be appointed by the Council and shall be constituted as follows by people who are not members of the outgoing Council:

9.3.1 One registered person from each of the categories of registration;

9.3.2 One registered person with special knowledge of architectural education;

9.3.3 One person nominated by the Department of Public Works & Infrastructure;

9.3.4 Two persons from the Public with corporate governance and public administration knowledge.

9.3.5 Any two other persons nominated by the Council to ensure transformational representativeness on the panel; and,

9.3.6 One person who has administrative and constitutional law knowledge.

## 10. Directives to Recommendation Panel:

a) The Council shall identify and inform the Recommendation Panel of Council Members that are eligible and available for re-appointment. The Recommendation Panel should consider continuity in making their recommendations.

b) The Council has the right to ratify or amend the list of nominees recommended by the Recommendation Panel before submitting the recommendation to the Minister but the Council submission must clearly indicate what changes have been made and include a detailed motivation for doing so.



- 11.** The Recommendation Panel shall consider the following when making recommendations to the Council:
- a) The requirements for all nominees to be appointed in terms of section 3 (1) (a), (b) and (c) of the Act.
  - b) The Recommendations Panel shall take into account transformational and geographic representativeness in its recommendation to the Council.
- 12.** The Council shall within 30 days of the expiry date of the notice of invitation, make its recommendations to the Minister based on recommendation from the Recommendations Panel with the view to meeting inter alia the following needs of the new Council:
- a) Persons with a background in standard setting in architectural education and training;
  - b) Persons with experience in accreditation of architectural educational programs;
  - c) Persons with experience in the registration processes for architectural Candidates and Professionals;
  - d) Persons with experience in preliminary investigations and enquiries related to alleged improper conduct by registered persons.
  - e) Persons with experience within the regulatory environment, particularly with regard to international recognition of South African education and registration;
  - f) Persons with knowledge and an interest in Continuing Professional Development (CPD);
  - g) Persons in the legal profession;
  - h) Persons in the accounting or auditing profession.
  - i) Persons with experience and knowledge of governance of public sector entities.
  - j) Persons with knowledge of public administration, cooperate governance, human resource and financial management.
  - k) Persons with knowledge of formulating strategy, policies and oversight.
- 13.** The administrative assistance required by the Recommendation Panel is to be supported by the Registrar and the secretariat of SACAP.
- 14. Assessment of Nominations**
- a) All nominations received shall be scrutinized by the Registrar to confirm the eligibility of the nominee, compliance with requirements and the completeness of the nomination application.
  - b) The Registrar shall submit all nominations to the Recommendation and the Recommendation Panel shall review all nominations and indicate any nominees who may be ineligible or who submitted incomplete nomination.
  - c) The Recommendation Panel shall evaluate each nominee in terms of the council's needs and the requirements of the Act and identify all nominees who meet the requirements.
  - d) The Recommendation Panel shall develop a list of persons recommended to serve as a new Council and a reserve list of nominees.



- e) All successful candidates shall be interviewed for suitability by the Recommendation Panel.
- f) The Registrar shall undertake background checks of all candidates recommended by the Recommendation Panel and submit a report to the Panel.

#### **15. Submission of the recommendation to Council**

The Recommendation Panel shall, by a date determined by the Council submit a report to the Council containing:

- a) a list of all nominations received;
- b) a list of nominees recommended;
- c) a reserve list of nominees;
- d) a list of nominees not eligible and the reasons therefore; and
- e) Confirmation of compliance with the principle of representivity as envisaged by the Act and these Rules,
- f) And Report on the challenges faced by the Panel in this regard, and how it has been addressed.





## ANNEXURE A

**INVITATION TO REGISTERED PERSONS**

DATE

Dear Registered Person

**INVITATION TO NOMINATE: SACAP COUNCIL MEMBERS**

You are cordially invited to nominate one or more registered persons for considerations and possible appointment to serve as member(s) to the South African Council of the Architectural Profession. When nominating, consideration should be given to representivity in respect of race, gender, disability and geographical location.

Vacancies: seven registered persons, excluding candidates, of whom at least four shall actively practice in the architectural profession: -

- Who must be nominated by the Voluntary Associations and any registered person; and
- Who must represent the categories of registered persons contemplated in section 18 of the Act.

The following should be noted:

1. Nominees must be registered with the SACAP, in at least one of the following categories: Professional Architect; Professional Senior Architectural Technologist; Professional Architectural Technologist and Professional Architectural Draughtsperson (registration in the candidate category is expressly excluded in terms of section 3 (1) (a) of the Act.
2. The nominations should be made on the Nomination Form and should be signed by the registered person submitting the nomination.
3. Nominees appointed to the Council may not serve for more than two consecutive terms of office.
4. The Council will meet at least 4 times a year and will be supported by administrative staff.
5. The period of office for the members is four years.
6. The Nominations must be accompanied by:
  - 6.1 An acceptance Form duly completed and signed by the nominee;
  - 6.2 A brief Curriculum Vitae in the format per Annexure E; and
  - 6.3 A declaration by the nominee stating he/she has read and accepted the attached terms of sections 3 to 6 of the Act.
7. Successful nominees will be appointed in their own right and will not represent any constituency in particular.
8. Since the potential number of nominations is likely to exceed the number of vacancies on Council by a significant margin, serious consideration will be given to the nominees' expertise, experience, background and ability.
9. All nominationees must be South African citizens and be an ordinary resident in the RSA.
10. All nominations, duly completed and signed, must be submitted to the Council (Attention: The Registrar) at the address provided in this correspondence, by no later than..... (Date to



be within at least 60 days from date of invitation). Incomplete nominations and nominations received after this date will not be considered.

11. SACAP will establish a "Recommendation Panel" which will be responsible for recommending to Council the names of the nominees considered most suitable for appointment by the Minister.
12. Members of the Recommendation Panel will not be eligible for appointment to the Council.
13. The recommended persons will be required to provide the Recommendation Panel, through the Registrar, with proof of qualifications, copy of their identity document for verification and all other necessary documents that may be reasonably requested.
14. The Minister retains the discretion to appoint any person who may have been nominated but not recommended. Therefore, the names of all nominees will be presented to the Minister.
15. Appointments will be on a non-remunerative basis. Only small honoraria, reasonable travel and subsistence expenses will be paid to Council members.

Yours sincerely,

Registrar of SACAP



## INVITATION TO VOLUNTARY ASSOCIATIONS

ANNEXURE B

DATE

Dear Voluntary Association

### **INVITATION TO NOMINATE: SACAP COUNCIL MEMBERS**

You are cordially invited to nominate one or more persons for consideration and possible appointment as member(s) of the South African Council for the Architectural Profession. When nominating, consideration should be given to representativity in respect of race, gender, disability and geographical location.

Vacancies: seven registered persons, excluding candidates, of whom at least four shall actively practice in the architectural profession: -

- Who must be nominated by the Voluntary Associations and any registered person; and
- Who must represent the categories of registered persons contemplated in section 18 of the Act.

The following should be noted:

1. Voluntary Associations may nominate as many persons as they deem appropriate.
2. Each nomination must be submitted on a separate Nomination Form.
3. Nominees must be registered with the SACAP, in at least one of the following categories: Professional Architect; Professional Senior Architectural Technologist; Professional Architectural Technologist and Professional Architectural Draughtsperson (registration in the candidate category is expressly excluded in terms of section 3 (1) (a) of the Act.
4. The nominations should be made on the Nomination Form and be signed by a duly authorized representative.
5. Nominees appointed to the Council may not serve for more than two consecutive terms of office.
6. The Council will meet at least four times a year and will be supported by administrative staff.
7. The period of office for the members is four years.
8. The Nominations must be accompanied by:
  - a. An Acceptance Form duly completed and signed by the nominee;
  - b. A brief Curriculum Vitae in the format per Annexure E; and
  - c. A declaration by the nominee stating he/she has read and accepted the attached terms of sections 3 to 6 of the Act.
9. Successful nominees will be appointed in their own right and will not represent his/her Voluntary Association.
10. Since the potential number of Voluntary Associations nominations is likely to exceed the number of vacancies on Council, serious consideration will be given to the nominees' expertise, experience, background and ability to represent more than one sector of interest contemplated in section 3 of the Act.
11. All nominees must be South African citizens and be an ordinary resident in the RSA.
12. All nominations, duly completed and signed, must be submitted to the Council (Attention: The Registrar) at the address provided in this correspondence, by no later than..... (Date to



be within at least 60 days from date of invitation). Incomplete nominations and nominations received after this date will not be considered.

13. SACAP will establish a "Recommendation Panel" which will be responsible for recommending to Council the names of the nominees considered most suitable for appointment by the Minister. Members of the Recommendation Panel will not be eligible for appointment to the Council.
14. The recommended persons will be required to provide the Recommendation Panel, through the Registrar, with proof of qualifications, copy of identity document for verification and all other necessary documents that may be reasonably requested.
15. The Minister retains the discretion to appoint any person who may have been nominated but not recommended. Therefore, the names of all nominees will be presented to the Minister.
16. Appointments will be on a non-remunerative basis. Only small honoraria, reasonable travel and subsistence expenses will be paid to Council members.

Yours sincerely,

Registrar of SACAP



## INVITATION TO STATE ENTITIES

### ANNEXURE C

DATE

Dear State Entities

#### **INVITATION TO NOMINATE: SACAP COUNCIL MEMBERS**

You are cordially invited to nominate one or more persons for consideration and possible appointment as member(s) of the SACAP Council. When nominating, consideration should be given to representativity in respect of race, gender, disability and geographical location.

Vacancies: two professionals in the service of the State nominated by any sphere of government, of whom at least one must be nominated by the department:

The following should be noted:

1. The State may nominate as many persons as they deem appropriate.
2. Each nomination must be submitted on a separate Nomination Form.
3. Nominees must be registered with the SACAP, in at least one of the following categories: Professional Architect; Professional Senior Architectural Technologist; Professional Architectural Technologist and Professional Architectural Draughtsperson (registration in the candidate category is expressly excluded in terms of section 3 (1) (a) of the Act.
4. The nominations should be made on the Nomination Form and be signed by a duly authorized representative.
5. Nominees appointed to the Council may not serve for more than two consecutive terms of office.
6. The Council will meet at least four times a year and will be supported by administrative staff. The period of office for the members is four years.
7. The Nominations must be accompanied by:
  - a. An Acceptance Form duly completed and signed by the nominee;
  - b. A brief Curriculum Vitae in the format per Annexure E; and
  - c. A declaration by the nominee stating he/she has read and accepted the attached terms of sections 3 to 6 of the Act.
8. Successful nominees will be appointed in their own right and will not represent the State.
9. Since the potential number of nominations is likely to exceed the number of vacancies on Council, serious consideration will be given to the nominees' expertise, background and ability to represent more than one sector of interest contemplated in section 3 of the Act.
10. All nominees must be South African citizens and be an ordinary resident in the RSA.
11. All nominations, duly completed and signed, must be submitted to the Council (Attention: The Registrar) at the address provided in this correspondence, by no later than..... (Date to be within at least 60 days from date of invitation). Incomplete nominations and nominations received after this date will not be considered.
12. SACAP will establish a "Recommendation Panel" which will be responsible for recommending to Council the names of the nominees considered most suitable for appointment by the Minister.
13. Members of the Recommendation Panel will not be eligible for appointment to the Council.



14. The recommended persons will be required to provide the Recommendation Panel, through the Registrar, with proof of qualifications, copy of identity document for verification and all other necessary documents that may be reasonably requested.
15. The Minister retains the discretion to appoint any person who may have been nominated but not recommended. Therefore, the names of all nominees will be presented to the Minister.
16. Appointments will be on a non-remunerative basis. Only small honoraria, reasonable travel and subsistence expenses will be paid to Council members.

Yours sincerely,

Registrar of SACAP



## INVITATION TO THE PUBLIC TO BE PUBLISHED IN THE NEWSPAPERS

### ANNEXURE D

#### INVITATION TO THE PUBLIC TO NOMINATE MEMBERS TO THE SOUTH AFRICAN COUNCIL FOR THE ARCHITECTURAL PROFESSION

Call for Nominations for Members of the Public to be appointed as Members of the South African Council for the Architectural Profession (SACAP).

In terms of Architectural Profession Act 44 of 2000, nominations are invited from members of the general public to serve on the SACAP Council:

- Numbers of Vacancies: two members of the public

#### Background

The SACAP is legally charged to regulate the architectural profession in South Africa in terms of the Architectural Profession Act No. 44 of 2000. The profession includes architects, senior architectural technologists, architectural technologists, draughtspersons, specified categories and candidates in each of the categories of registration, all of whom are required to be registered by SACAP.

The core mandate of SACAP is to set standards for registration, education and training, professional skills, conduct, performance and ethics; keep a register of candidates and professionals who meet the standards; approve programmes which persons must complete to register at educational institutions; and take action when professionals on the register do not meet the standards.

The Council meets at least four times a year and will be supported by administrative staff.

The period of office for the members is four years.

Each Nomination must be in writing and must contain the following information in the detail required by the Council. (Please refer to the Council directly for further information.)

1. The name and address of the nominating person or organization;
2. The name, address and identity number of the nominee;
3. An Acceptance Form duly completed and signed by the nominee;
4. Motivation for the appointment of the nominee to the Council (not exceeding one page);
5. A short Curriculum Vitae of the nominee (not exceeding two pages), and
6. A declaration by the nominee stating that he/she is not disqualified in terms of section 6 (1) of the Act nor has he/she served on the Council for the two consecutive terms.
7. The recommended persons will be required to provide the Recommendation Panel, through the Registrar, with the copy of the identity document for verification and all other necessary documents.

All nominations, duly completed and signed, must be submitted to the Council (attention: The Registrar) at the address provided in this correspondence, by no later than..... (Date to be within at least 60 days from date of invitation). Incomplete nominations and nominations received after this date will not be considered.

South African Council for the Architectural Profession



51 Wessel Road, Rivonia, Sandton

Email: [Nominations@sacapsa.com](mailto:Nominations@sacapsa.com)

Web: [www.sacapsa.com](http://www.sacapsa.com)





**APPLIES TO ANNEXURES A, B, C AND D**

**Proforma Curriculum Vitae**

**The format below should be closely followed**

CURRICULUM VITAE

(Name of Nominee)

**1. General Information**

Names and Surname

Date of Birth:

RSA Identity Number:

Citizenship:

Country of Normal Domicile:

Professional Registration (SACAP or other):

Registration Number:

Other Professional Affiliations:

Academic Qualifications and Year attained:

Years' Experience Post-qualifications:

Councils, Voluntary Associations, Boards and Committees experience

**2. Professional Experience (200 words)**

**Specialization:**

**Key leadership experience: (brief summary of most important work during stages of career)**

**3. Involvement in Profession**

Contribution to Voluntary Associations, Councils and Committees

(Local & International)

**4. Key attributes and Contributions on offer to new council**

(I.e., why you should be appointed) (100 words)