

ARCHITECTURAL PROFESSIONAL ACT No 44 OF 2000

IDENTIFICATION OF ARCHITECTURAL WORK

PREAMBLE

WHEREAS section 24 of the Constitution of the Republic of South Africa 1996 grants everyone the right to an environment that is not harmful to their health or well-being and to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures;

AND WHEREAS section 22 of the Constitution of the Republic of South Africa 1996 grants every citizen the right to choose their trade, occupation or profession freely provided that such practice of trade, occupation or profession may be regulated by law;

AND WHEREAS section 14(g) to (j) of the Architectural Profession Act 2000 empowers the South African Council for the Architectural Profession to take any steps it considers necessary for the protection of the public in their dealings with registered persons, for the maintenance of the integrity and the enhancement of the status of the architectural profession, for the improvement of the standards of services rendered by registered persons, to create an awareness amongst registered persons of the importance to protect the environment against unsound architectural practices, and, where, as a result of architectural related undertakings, public health and safety may be affected;

AND WHEREAS section 18 of the Architectural Professions Act 2000 empowers the South African Council for the Architectural Profession to register persons in the architectural profession in certain categories;

AND WHEREAS section 26 of the Architectural Profession Act 2000 requires the Council to make recommendations to the Council for the Built Environment regarding the work identified in terms of subsection (1) and prohibits a person not registered in terms of this Act to perform any kind of work identified for any category of professional registered in terms of this Act;

AND WHEREAS the activities of architectural related undertakings impact directly on communities and the South African society and its improved efficiency and effectiveness will enhance quality, productivity, health, safety, environmental outcomes and economic performance;

AND WHEREAS the architectural professions practise in a project-specific **environment** which is unique and complex, work with different investors, clients, contractual arrangements and consulting professions, and also with different site conditions, design, materials and technologies, and different contractors, specialist subcontractors and the workforce assembled for each project;

AND WHEREAS persons are registered with the South African Council for the Architectural Profession in categories according to the requirements of the Act

The South African Council for the Architectural Profession hereby recommends the following to the Council for the Built Environment, regarding the identification of work for the different categories of registered architectural professionals:

1. Definitions

In this recommendation, unless the context otherwise indicates –

- 1.1 “**Act**” means the Architectural Profession Act No 44 of 2000;
- 1.2 “**Architectural Compliance Certificate**” means the certificate in accordance with Schedule 3;
- 1.3 “**Architectural work**” comprises the business and management of the process of investigating, assessing, defining, conceptualising and designing a physical intervention in the environment, and processing the design through technological development and co-ordination of the input of professionals from other disciplines, to produce documentation which can be utilized for the tendering and construction of the project and which the architectural **professional** will use for the administration, cost and quality control of the construction process, with the ultimate purpose of delivering an architectural product which responds to the client’s requirements in a manner which exemplifies design excellence, enhancement of the environment, social responsibility, appropriate technology and quality of construction and the whole executed in an ethical, competent and professional manner;
- 1.4 “**Categories of Registration**” means the categories in which a person who is competent to undertake the range of work specified in Schedules 1, 2 and 3 in respect of each category may register in the architectural profession in terms of section 18(1) of the **Act**: provided that **specialised services** may only be performed by a registered person meeting the defined requirements;
- 1.5 “**CBE**” means the Council for the Built Environment established in terms of section 2 of the Council for the Built Environment Act, 2000;
- 1.6 “**environment**” means the surroundings in which humans exist, and include the natural environment, and the environment already altered by human intervention;

- 1.7 “**EIA**” means Environmental Impact Assessment;
- 1.8 “**heritage**” means any site or artefact of cultural or historical significance as described in the National Heritage Resources Act No 25 of 1999;
- 1.9 “**HIA**” means Heritage Impact Assessment;
- 1.10 “**professional**” means a person who is registered in terms of section 19(2)(a) of the Act; and subscribes to the professional Code of Conduct
- 1.11 “**project complexity**” is as defined below and is to be read in conjunction with Schedule 1: Identification of Work Matrix and Schedule 2: Project classification for Identification of Work:
- “**low complexity projects**” means simple buildings or groups of buildings in an uncomplicated grouping with low impact on its environs.

These are structures with low performance requirements, of simple utilitarian character, design and detail, and constructed utilising standard low technology building methods. They require a minimum of mechanical and electrical services or equipment, and basic civil works infrastructure.
 - “**medium complexity projects**” means buildings or groups of buildings in a relatively uncomplicated grouping with a medium impact on its environs.

These are structures with medium performance requirements, of average character and design or detail, up to three stories high, which require non-complex structural and civil works and an average level of mechanical or electrical equipment as could normally be handled by design-supply specialist contractors,
 - “**high complexity projects**” means a building or buildings in a large or complicated grouping with a significant impact on its environs.
These are structures with high performance requirements and demanding a sophisticated level of design and detail content to respond to specialised requirements. Complex buildings will usually incorporate comparatively large or specialised mechanical, electrical and other specialist installations, or be of complex structural or civil design;
- 1.12 “**protected area**” means an area of such natural or heritage significance that it is protected by legislation;
- 1.13 “**SACAP**” means the South African Council for the Architectural Profession established in terms of Section 2 of the Act;
- 1.14 “**SIA**” means Social Impact Assessment;
- 1.15 “**site sensitivity**” means the inherent importance of the site in environmental or heritage terms, as defined by the National Heritage Resources Act No 25 of 1999, the National Environmental Management Act No 107 of 1998 and the Local Government Municipal Systems Act No 32 of 2000;
- Site sensitivity** levels are as defined below:
- “**low sensitivity site**” means a site that is not identified as, nor exhibits, any evidence of environmental or **heritage** significance and do not require **EIA, HIA** or **SIA** studies to be undertaken before development. **Low sensitivity sites** are normally, but not exclusively, within already developed urban areas;
- “**medium sensitivity site**” means a site which exhibits some evidence of environmental or **heritage** significance which may require **EIA, HIA** or **SIA** studies dependent on the government agencies involved, for example in **urban conservation areas**;
- “**high sensitivity site**” means a site identified as of special environmental or **heritage** significance which will require **EIA, HIA** or **SIA** studies to be undertaken to define the parameters for development, for example declared **protected areas** and urban conservation areas;
- 1.16 “**specialised services**” means services falling outside the normal competencies of a registered person which require additional qualifications or experience and/or registration with the relevant statutory body – see Schedule 3
- 1.17 “**urban conservation area**” means an identified urban area governed by specific legislation and/or regulation to protect the **heritage** content of the existing built fabric

2. REGULATIONS

- 2.1 No person who is registered in any category referred to in Section 18 of the Act, may undertake **architectural work** unless such work is identified for the relevant category of registration in accordance with Schedules 1 and 2: Provided that a person registered in any particular category may perform the work identified for any lower category.

- 2.2 Notwithstanding the provisions of regulation 2.1, a firm undertaking architectural work for a client shall include in the terms of appointment referred to in rule 3.1 of the Code of Professional Conduct, a statement certifying the competency of the registered person responsible for the work.
- 2.3 Subject to section 26(4) of the Act, any person who undertakes **architectural work** without being registered with **SACAP**, is contravening the **Act** and is guilty of an offence.
- 2.4 A **professional** capable of performing **architectural work** which is not identified as falling within his or her category of registration, may on application to **SACAP** be granted exemption from the relevant identification of work rule in respect of such work.
- 2.5 All applications to Local Authorities for approval to build projects of an architectural nature must be accompanied by an **Architectural Compliance Certificate** duly completed and signed by the architectural **professional** taking responsibility for the **architectural work** as commissioned. The **professional** shall keep a copy of the signed and stamped certificate on record.
- 2.6 Should any dispute arise from the interpretation of the definitions or the schedules, the South African Council for the Architectural Profession shall adjudicate and its decision shall be final and binding on the registered person.
- 2.7 A professional who intends to undertake **specialised services** as defined and identified in Schedule 3, the list of which is not exclusive or comprehensive, must have the relevant competency to undertake such work and be registered with the relevant statutory body where applicable.

SCHEDULE 1: IDENTIFICATION OF WORK MATRIX

- **Schedule 1** is to be read in conjunction with **SCHEDULE 2: PROJECT CLASSIFICATION FOR IDENTIFICATION OF WORK** and also with the following: National Heritage Resources Act No 25 of 1999, (including aspects pertaining to Social Considerations) the National Environmental Management Act No 107 of 1998 and the Local Government Municipal systems Act No 32 of 2000
- Compliance is required by the Professional, with the provisions of Sections 26(3) and 26(4) of the Act and with the requirements of the SACAP Code of Professional Conduct. (Board Notice 28 of 2004)
- The Professional will further be required to accept responsibility for providing the respective local authority with such drawings, details, architectural compliance certificate and particulars as it may require in terms of the National Building Regulations.
- The Professional must complete and sign the **Architectural Compliance Certificate (Schedule 4)** and **keep a copy of the signed and stamped Certificate on record**

		SITE SENSITIVITY		
		LOW	MEDIUM	HIGH
PROJECT COMPLEXITY	LOW	PrArchDraught		
		PrArchT		
		PrSArchT		
		Pr Arch		
	MEDIUM	PrArchT		
		PrSArchT		
		Pr Arch		
	HIGH	PrSArchT		
		Pr Arch		

Section 18(1)(a) of the Act provides for the registration of various categories in which persons may register in the architectural profession and in this context:

"PrArchDraught"	means	Professional Architectural Draughtsperson
"PrArchT"	means	Professional Architectural Technologist
"PrSArchT"	means	Professional Senior Architectural Technologist
"Pr Arch"	means	Professional Architect;

SCHEDULE 2: PROJECT CLASSIFICATION FOR IDENTIFICATION OF WORK

- SCHEDULE 2 to be read in conjunction with SCHEDULE 1: IDENTIFICATION OF WORK MATRIX
- Compliance is required by the Professional with the provisions of Sections 26(3) and 26(4) of the Act.
- The Professional will further be required to accept responsibility for providing the respective local authority with such drawings, details and particulars as it may require in terms of the National Building Regulations.
- Occupancy categories have been based on those as stipulated in the SABS 0400 and National Building Regulations.

CLASS	OCCUPANCY	SUB-CLASS	DETAIL OCCUPANCY	PROJECT COMPLEXITY		
				LOW	MEDIUM	HIGH
A	PLACES OF ASSEMBLY					
A1	Restaurants	A1.1	A la Carte Restaurant			■
		A1.2	Fast Food Outlet / Snack Bar / Coffee Shop		■	
		A1.3	Drive-through / Drive-in Food Outlets		■	
A2	Entertainment / Assembly	A2.1	Community Hall	■		
		A2.2	Multi-purpose Hall		■	
		A2.3	Dance Hall			■
		A2.4	Night Club / Disco			■
		A2.5	Civic Centre			■
		A2.6	Pub / Bar / Ladies Bar		■	
		A2.7	Shebeen / Tavern	■		
		A2.8	Open Air Amphitheatre		■	
A3	Theatrical / Music	A3.1	Opera house / Concert Hall			■
		A3.2	Theatre			■
		A3.3	Auditorium			■
		A3.4	Cinema			■
		A3.5	Drive-in Cinema		■	
		A3.6	Recording Studio			■
A4	Places of Instruction	A4.1	Small Rural School / Farm School	■		
		A4.2	Creche / Nursery School / Kindergarten		■	
		A4.3	After-school Care Centre		■	
		A4.4	Primary & Secondary School			■
		A4.5	College / University / Place of Higher Learning			■
		A4.6	Specialised Training Facility			■
		A4.7	Conference Centre			■
		A4.8	Convention Centre			■
A5	Places of Worship	A5.1	Religious Assembly Hall		■	
		A5.2	Church / Temple / Mosque / Synagogue			■
A6	Indoor Sport	A6.1	Sports Club Building		■	
		A6.2	Gymnasium		■	
		A6.3	Health Club / Centre / Spa			■
		A6.4	Indoor swimming pool / sports track / arena / squash court / bowling alley			■
		A6.5	Covered stadium			■
A7	Outdoor Sport	A7.1	Arena	■		
		A7.2	Stadium			■
		A7.3	Sports field/Track/Court/Bowling green			■
		A7.4	Domestic swimming pool	■		
		A7.5	Swimming pool / Diving Centre			■
		A7.6	Specialised facilities e.g. wave pools / climbing walls / skateboard rinks			■

	OCCUPANCY	SUB-CLASS	DETAIL OCCUPANCY	PROJECT COMPLEXITY		
				LOW	MEDIUM	HIGH
B	COMMERCIAL					
B1	High Risk Commercial	B1.1	Facilities where noxious / toxic / flammable materials are used / sold			■
		B1.2	Petrol station			■
B2	Moderate Risk Commercial	B2.1	Max 500sq m / max 1 storeys	■		
		B2.2	Max 1000sq m / max 3 storeys		■	
		B2.3	Unlimited size / Multi-storey			■
B3	Low Risk Commercial	B3.1	Max 500sq m / max 2 storeys	■		
		B3.2	Max 1000sq m / max 3 storeys		■	
		B3.3	Unlimited size / Multi-storey			■
C	EXHIBITION SPACES					
C1	Exhibition Building	C1.1	Individual Exhibition stand within major hall / exhibition space	■		
		C1.2	Exhibition Hall			■
		C1.3	Private Art Gallery		■	
C2	Museums	C2.1	Heritage precinct / building			■
		C2.2	Town Museum		■	
		C2.3	Regional / National Museum or Art Gallery			■
		C2.4	Planetarium / Specialised Exhibition Space			■
C3	Library	C3.1	Community / School Library		■	
		C3.2	Higher Education / Regional / National Library			■
		C3.3	Multi-media Centre			■
C4	Outdoor Exhibition Space	C4.1	Permanent Structure	■		
D	INDUSTRIAL					
D1	High Risk Industrial	D1.1	Examples: Petrochemical / Nuclear Generator			■
D2	Moderate Risk Industrial	D2.1	Food & Pharmaceuticals Processing			■
		D2.2	Other to max 1500sq m / max 3 storeys		■	
		D2.3	Unlimited size			■
D3	Low Risk Industrial	D3.1	Max 1000sq m / max double storey	■		
		D3.2	Max 2000sq m / max 3 storeys		■	
		D3.3	Unlimited size			■
D4	Plant Room	D4.1	Max 750sq m / max double storey		■	
		D4.2	Unlimited size			■
E	INSTITUTIONAL					
E1	Correctional & Judicial	E1.1	Regional Police Station			■
		E1.2	Community Police Station			■
		E1.3	Satellite Police Station		■	
		E1.4	Radio Control Centre			■
		E1.5	Prison (All grades)			■
		E1.6	Courts (All grades)			■
E2	Hospital / Medical Facility	E2.1	Private Doctor's Consulting Rooms	■		
		E2.2	Medical Consulting Rooms		■	
		E2.3	Medical Centre			■
		E2.4	Satellite Clinic		■	
		E2.5	Community Health Centre			■
		E2.6	Frail Care / Hospice			■
		E2.7	Hospital / Trauma Unit			■

CLASS	OCCUPANCY	SUB-CLASS	DETAIL OCCUPANCY	PROJECT COMPLEXITY		
				LOW	MEDIUM	HIGH
E3	Residential Institution	E3.1	Home for the Elderly / Children		■	
		E3.2	School Hostel Max 3 Storeys		■	
		E3.3	School Hostel Over 3 Storeys			■
		E3.4	Student & Youth Hostel Max 3 Storeys		■	
		E3.5	Student & Youth Hostel Over 3 Storeys			■
		E3.6	Workers Hostel Max 3 Storeys		■	
		E3.7	Workers Hostel Over 3 Storeys			■
		E3.8	Community Care Centre		■	
		E3.9	Sanatorium / Health Spa			■
E4	Research Facility	E4.1	School Laboratory		■	
		E4.2	Privately Owned / Corporate Laboratory			■
		E4.3	Regional / National / University Research Institute			■
F	SHOPPING PRECINCTS					
F1	Large Shop	F1.1	Shop Interior		■	
		F1.2	Department Store maximum 2 storeys		■	
		F1.3	Department Store more than 2 storeys			■
		F1.4	Local Shopping Centre		■	
		F1.5	Suburban Shopping Centre			■
		F1.6	Regional shopping Centre			■
F2	Small Shop	F2.1	Convenience / Neighbourhood Shop (Single storey)	■		
		F2.2	Corner Store / Home (Spaza) Shop	■		
F3	Wholesaler's Store	F3.1	Max 2000sq m / max 3 storeys		■	
		F3.2	Unlimited size			■
G	BUSINESS PREMISES					
G1	Offices	G1.1	Individual Studio / Offices to max 500 sq m / max double storey	■		
		G1.2	Office Building to max 1500sq m / max 3 storeys		■	
		G1.3	Office Building / Park max 3 storeys		■	
		G1.4	Multi-storey Office Building / Office Park			■
		G1.5	Skyscraper			■
H	RESIDENTIAL					
H1	Hotel / Hospitality	H1.1	Guest House (max 10 bedrooms)	■		
		H1.2	Game Lodge		■	
		H1.3	Holiday apartments to max 3 storeys		■	
		H1.4	Motel / Hotel / max 30 bed / max 3 storeys		■	
		H1.5	Multi-storey Hotel / Holiday Apartments			■
H2	Multi-Unit Residential	H2.1	Multi-storey Apartment Building			■
		H2.2	Block of Apartments max 3 storeys		■	
		H2.3	Block of Apartments max 2 storeys	■		
		H2.4	Townhouse and cluster development of max 2 storeys, max no units 10	■		
		H2.5	Townhouse and cluster development of max 3 storeys, max no units 40		■	
		H2.6	Townhouse and cluster / residential village development - unlimited size			■
		H2.7	Recreational Estate (marina, golf etc.)			■
H3	Dwelling House	H3.1	Single / double dwelling max 2 storeys, max 500 sq m	■		

	OCCUPANCY	SUB-CLASS	DETAIL OCCUPANCY	PROJECT COMPLEXITY		
				LOW	MEDIUM	HIGH
		H3.2	Single / double dwelling max 3 storeys, max 750 sq m		■	
		H3.3	Single / double dwelling unlimited size			■
J	STORAGE					
J1	High Risk Storage	J1	Example: Petrochemical / toxic waste / flammables			■
J2	Moderate Risk Storage	J2.1	Max 500sq m / max double storey	■		
		J2.2	Max 1000sq m / max 3 storeys		■	
		J2.3	Unlimited size			■
J3	Low Risk Storage	J3.1	Max 1000sq m / max double storey	■		
		J3.2	Max 2000sq m / max 3 storeys		■	
		J3.3	Unlimited size			■
J4	Parking Garage	J4.1	Single Storey Parking Garage	■		
		J4.2	Max 3 storey Parking Garage		■	
		J4.3	Multi-storey Parking Garage			■
		J4.4	Underground parking			■
J5	Cold Storage	J5	Example: Cold Chain facilities / Ice Bunkers			■
K	AGRICULTURAL					
K1	Farm Building	K1.1	Feed Storage		■	
		K1.2	General Livestock Housing / Stables		■	
		K1.3	General Use Barns & Sheds	■		
K2	Specialised facilities	K2.1	Battery Breeding House			■
		K2.2	Mechanised processing / Dairy / Sorting Floor			■
		K2.3	Cold Storage			■
		K2.4	Grain Silos			■
		K2.5	Wine Cellars / Stills			■
L	TRANSPORTATION					
L1	Terminal Building	L1.1	Airport			■
		L1.2	Harbour			■
		L1.3	Regional / City Main Railway Station / Subway station			■
		L1.4	Suburban / Rural Railway Station		■	
L2	Goods Handling Facilities	L2.1	National / Regional Depot			■
		L2.2	Suburban Depot		■	
M	FACILITIES FOR HANDLING MORTAL REMAINS					
M1	Human Remains	M1.1	Crematorium			■
		M1.2	Mortuary			■
		M1.3	Funeral Parlour			■
M2	Animal Remains	M2.1	Abattoir (Also Food Processing)			■
		M2.2	Crematorium			■
N	ALTERATIONS WITHIN EXISTING BUILDINGS					
N1	Buildings of SIMPLE or AVERAGE Complexity	N1.1	WITHOUT structural implications	■		
		N1.2	With structural implications, max 3 storeys		■	
		N1.3	With structural implications, multi-storey			■
N2	COMPLEX Buildings	N2.1	WITHOUT structural / infrastructural / external aesthetic implications		■	
		N2.2	With structural / infrastructural / external aesthetic implications			■

SCHEDULE 3: SPECIALISED SERVICES

1	Heritage Impact Assessment					█
2	Social Impact Assessment					█
3	Restoration					█
4	Environmental Impact Assessment					█
5	Mediation / Arbitration / Adjudication					█
6	Sectional Title Registration					█
7	Project Management					█
8	Architectural Archaeology					█
9	Market Surveys					█
10	Town Planning					█
11	Urban Design					█
12	Property Valuation					█
13	Interior Architecture				█	
14	Principal Agent – where separately appointed				█	
15	Occupational Health & Safety officer				█	

SCHEDULE 4: ARCHITECTURAL COMPLIANCE CERTIFICATE



PRIVATE BAG X 02
 RANDPARK RIDGE
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 T. +27 11 794 8333
 Email. rinadt@architecturalcouncilsa.com
<http://www.architecturalcouncilsa.com>

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 BLOCK 5, ATELJEE ST
 RANDPARK RIDGE
 F. +27 11 794 8339

This Certificate is to be completed and submitted by the Registered Person so identified by the Architectural Professions Act 44 of 2000, Section 26(4) as the authorised person responsible.

1. **(Company Resolution to be attached,** along with applicable drawings and documentation, to the local authority concerned for approval to build.
2. One completed copy of this Certificate, stamped by the local authority concerned, is to be retained by the Registered Person.

Complete or indicate with a cross where applicable

A.1. PROJECT DETAILS

Authority:			
Stand no:		Township:	
Street address:			
Proposed project:			

A.2. PROJECT CLASSIFICATION AS PER SACAP REGULATIONS FOR THE IDENTIFICATION OF WORK SCHEDULE 2

NBR Building Classification/s:		Code/s:	
Complexity scale:	LOW	MEDIUM	HIGH

A.3. SENSITIVITY SCALE

Sensitivity scale:	LOW		MEDIUM		HIGH	
ENVIRONMENTAL Impact Assessment:	NOT APPLICABLE	REQUIRED (Included)	National Heritage Site:	Year of Declaration:		
HERITAGE Impact Assessment:	NOT APPLICABLE	REQUIRED (Included)	National Heritage Building:	Year of Declaration:	Year/s of construction:	
SOCIAL Impact Assessment:	NOT APPLICABLE	REQUIRED (Included)	All other buildings	Year/s of construction:		

B. REGISTERED PERSON AUTHORISED IN TERMS OF ARCHITECTURAL PROFESSIONS ACT 44 OF 2000, Sections 18, 26(3) & 26(4)

Registered Person:						
Registration number:		Professional title:	Pr Arch	Pr SArchT	Pr ArchT	Pr ArchDraught
Architectural practice/firm:						
Postal address:						Code:
Physical address:						Code:
Telephone:	[]	E-mail address:				
Facsimile:	[]	Mobile phone:	[]			

I, _____ being the abovementioned authorised responsible Professional Registered Person, acting for and on behalf of the Architectural Practice as above, have accepted the appointment and hereby undertake to accept responsibility for providing the respective local authority with such drawings, details and particulars as it may require in terms of the National Building Regulations for approval to build. I, the undersigned also hereby confirm that the project classification and site classification information provided above is correct in all aspects, and that my appointment to this project is not in variance with my individual registration conditions and Code of Conduct under the South African Council for the Architectural Profession.

SIGNED (Professional Registered Person) _____ **DATE** _____

C. PROPERTY OWNER/AUTHORISED AGENT

Postal address:						Code:
Physical address:						Code:
Telephone:	[]	E-mail address:				
Facsimile:	[]	Mobile phone:	[]			

I, _____ being the Owner/Authorised Agent of the above property, have appointed the Professional Registered Person, whose details appear above, as the Registered Person in terms of the Architectural Professions Act No 44 of 2000, and duly authorised representative for the Architectural Practice as above, for the proposed project detailed herewith **to obtain approval to build from the local authority concerned.**

SIGNED (Property Owner/Authorised Agent) _____ **DATE** _____

D. LOCAL AUTHORITY

AUTHORITY STAMP
DATE

This certificate serves only to confirm compliance by the Registered Person in terms of the Architectural Professions Act 44 of 2000, with Sections 26(3) and 26(4) regarding competency to perform the architectural work identified in their registration conditions for the specified project in this certificate, and does not in any way imply compliance or approval of any other regulations, standards or conditions of or by any authority concerned.

SCHEDULE 5:

EXEMPTIONS

Notwithstanding the aforementioned rules which identify architectural work for various categories of persons registered with the SACAP, the following persons may in the course of their profession perform any overlapping functions which their education, training and experience have specifically rendered them competent to perform such functions:

Persons registered by the -

- (a) Engineering council of South Africa in terms of the Engineering Profession Act, No. 46 of 2000;*
- (b) South African council for the Landscape Architectural Profession in terms of the Landscape Architectural Profession Act, No. 45 of 2000;*
- (c) South African Council for the Property Valuers Profession in terms of the Property Valuers Profession Act, No. 47 of 2000;*
- (d) South African Council for the Quantity Surveying Profession in terms of the Quantity Surveying Profession Act, No. 49 of 2000;*
- (e) South African Council for the Project and Construction Management Profession terms of the Project and Construction Management Act No. 48 of 2000;*
- (f) The South African Council for Planners in terms of the Planning Profession Act No. 36 of 2002*

These provisions also apply in respect of a person who is registered as a candidate in terms of the relevant Act: Provided that such functions are performed under the direction, control and direct supervision of a person registered as a professional in terms of the same Act.

EXPLANATORY NOTES

Further to the Regulations in terms of Section 26 of the Architectural Professions Act 2000, and Schedules 1 and 2, the following notes and guidelines are provided to assist **professionals** to comply with the requirements:

1. **SACAP** is charged with the protection of the public interest by ensuring that all **architectural work**, which affects the human and natural **environments**, is only carried out by **professionals** who are properly qualified, competent, ethical and who adhere to a professional code of conduct.

2. The now redundant reservation of work regulations based on 500 square meters building area, was a mechanism that bore no correlation to actual competencies. It also made no distinction between different categories of architectural practitioners, as it only recognised architects. As such the regulations did not properly protect the public interest as persons could do work for which they were not qualified.

The new identification of work regulations, in terms of the Architectural Profession Act No 44 of 2000, recognise the difference between the qualifications and competencies of an expanded group of architectural practitioners thus affording better protection to the public and the **environment**.

3. The new Registration Framework put in place by **SACAP** allows a **professional** to progress from Professional Draughtsperson through to Professional Architect given compliance with the educational and experience requirements. The identification of work system should therefore not be seen as a limitation, but rather as a motivation for the registered person to develop ~~in~~ his/her career.

4. With the new regulations the responsibility resides directly with ~~of~~ **professionals** to ensure that they do not undertake commissions for which they are not qualified, or for which they are not specifically exempted by **SACAP**.

Non-compliance with this requirement will place a **professional** in breach of the **SACAP** Code of Conduct, and under censure with the possibility of a fine or removal from the register.

Should the consequence of such non-compliance by the **professional** be to endanger human life or have detrimental environmental effects, the **professional** would be open to prosecution under the law.

5. In order to determine whether a commission falls within the scope of work identified for a particular category of **professional**, the definitions and schedules are to be consulted in the first instance.

6. Schedule 1 provides a broad identification of areas of work, which may be carried out by each registration category.

The site sensitivity can generally be established from the land use, nature conservation or heritage legislation contained in the National Heritage Resources Act No 25 of 1999, the National Environmental Management Act No 107 of 1998, the Local Government Municipal Systems Act No 32 of 2000 and other relevant legislation.

The complexity of the building or group of buildings could be more difficult to determine. Schedule 2 provides a more detailed guide for the determination of this aspect. Schedule 2 has been developed on the basis of Classification of Buildings as contained in the National Building Regulations published in terms of the National Building Regulations and Building Standards Act No 103 of 1977.

7. Should the **professional** still be unsure whether a commission falls within the scope of the work identified for his/her category of registration, **SACAP** is to be contacted for a determination.