



# South African Council for the Architectural Profession

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Presentation: SACAP statutory mandate

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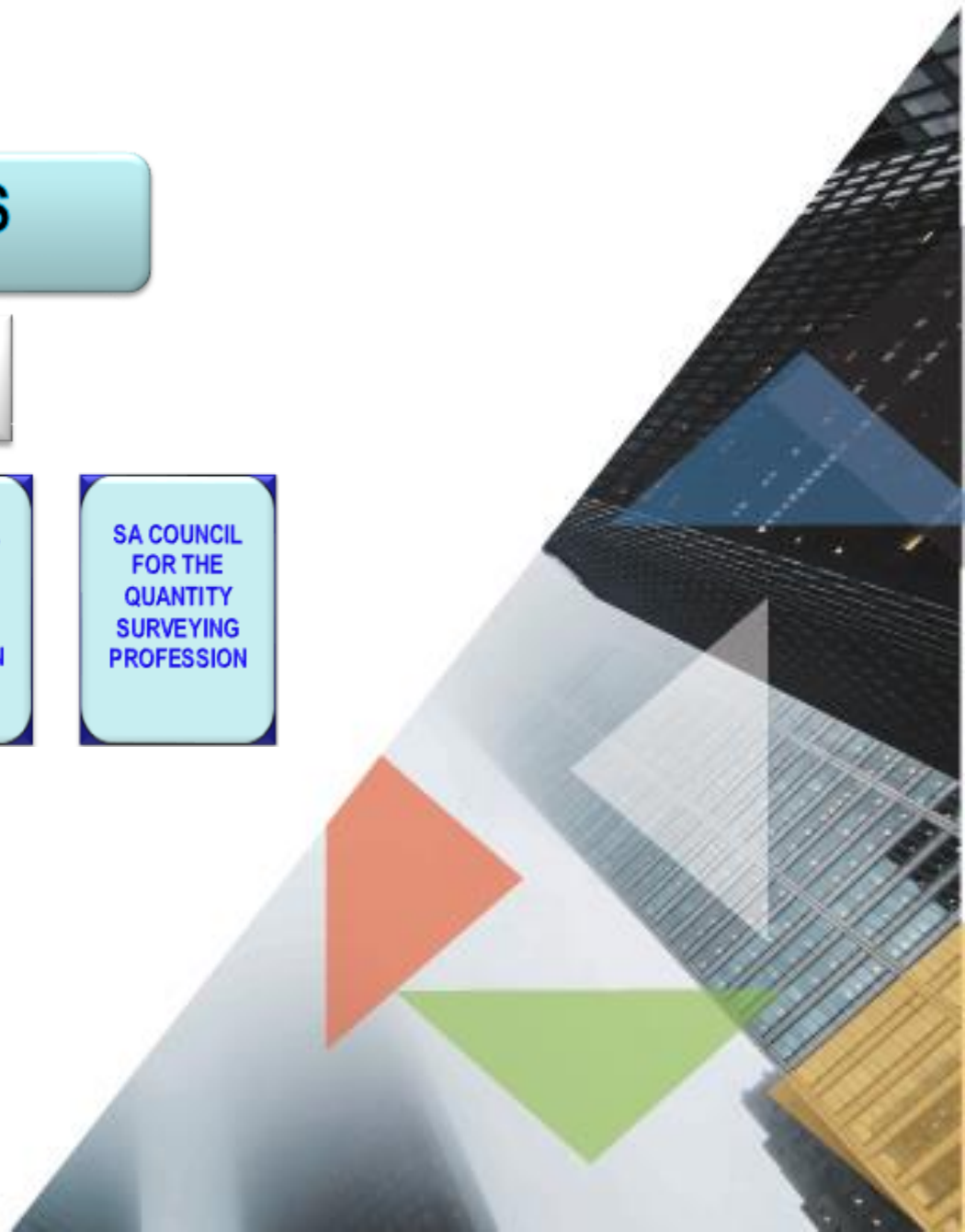
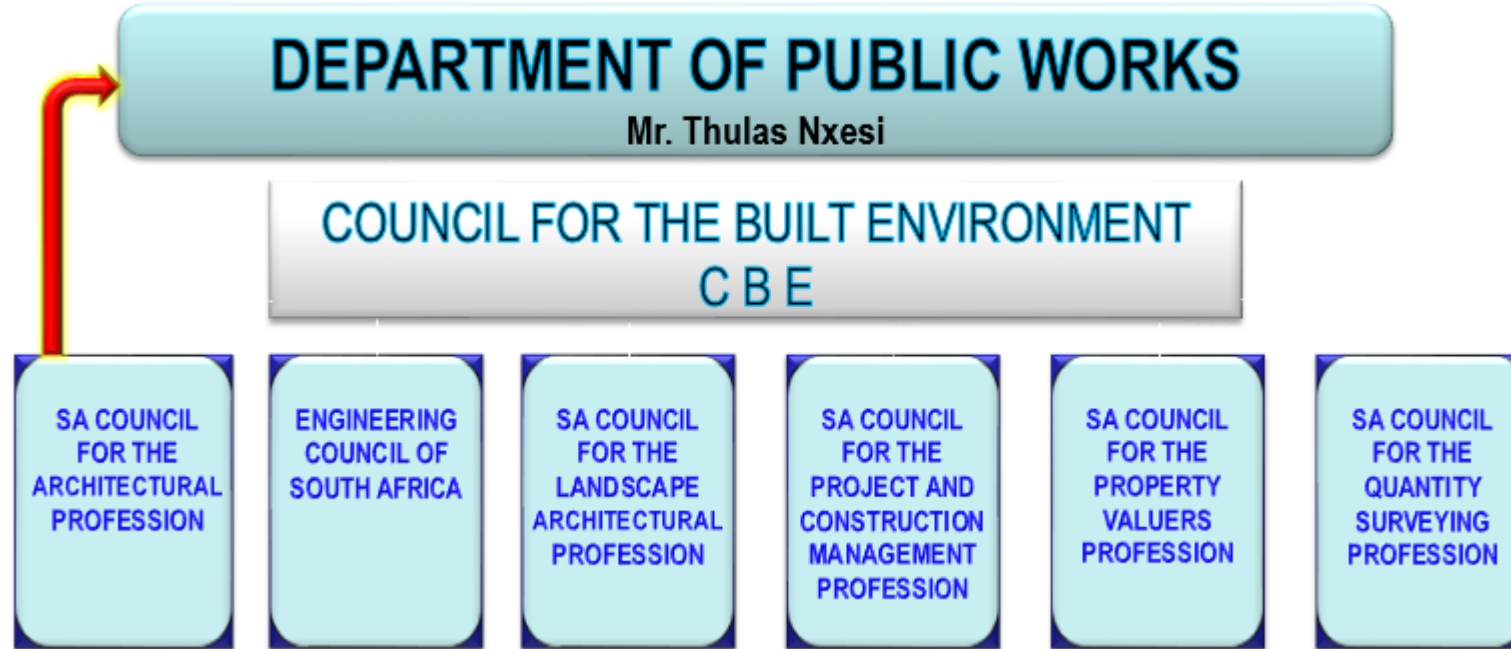
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# BUILT ENVIROMENT PROFESSIONS







## SACAP COUNCIL COMPOSITION

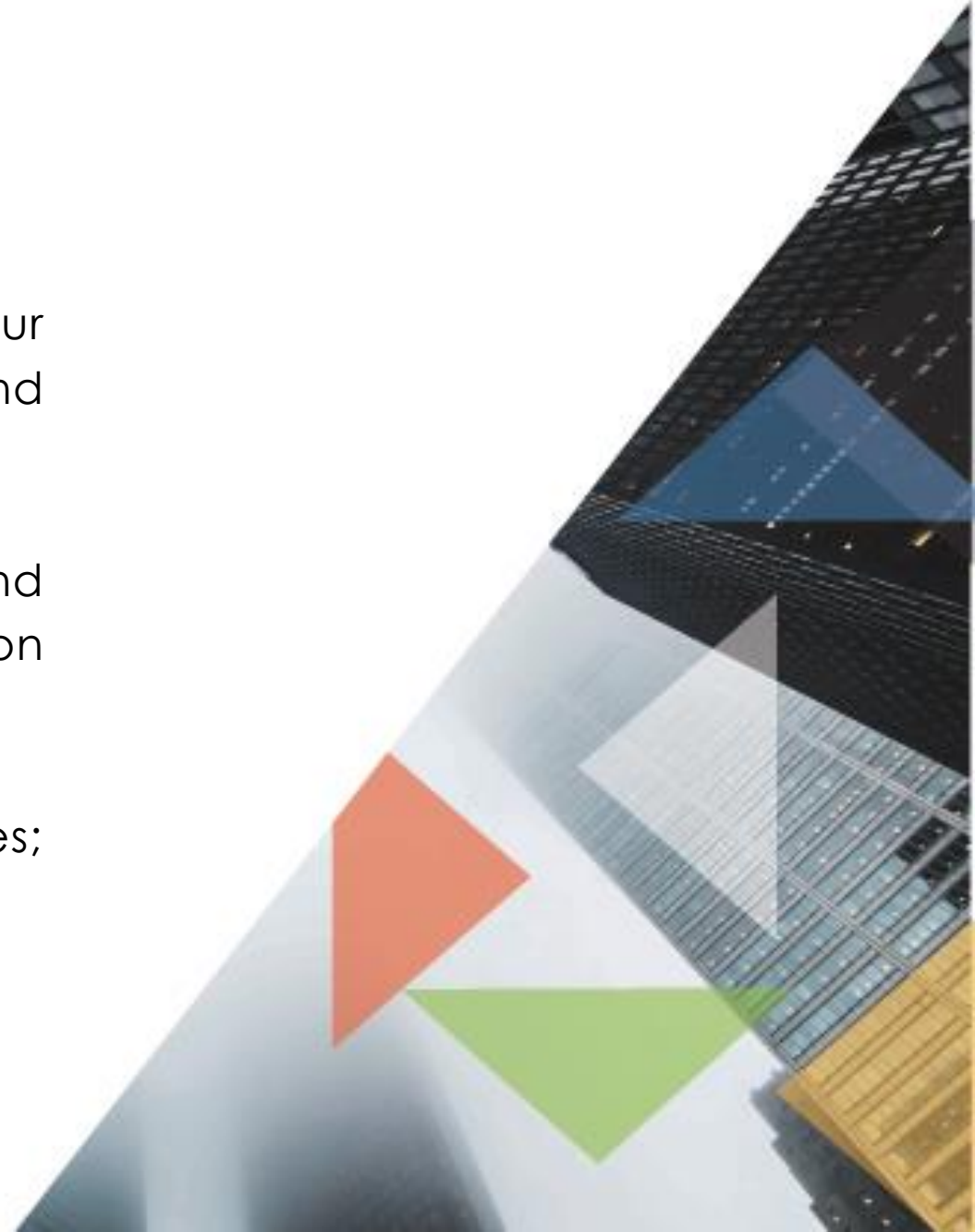
- ❖ The South African Council for the Architectural Profession (SACAP) is a statutory body established in terms of Section 2 of the Architectural Profession Act, No 44 of 2000.
- ❖ The Council is composed of seven(7) registered persons who must represent the four **(4) categories of registration**; two(2) professionals in the service of the State and two (2) members of the public.
- ❖ The Minister is empowered by the Act to appoint the Council.



## SACAP COUNCIL MANDATE

Council is mandated to:

- ❖ Register architectural professionals in the four (4) categories of registration, candidates and specified categories;
- ❖ Accredite architectural learning institutions and consult with the Council for Higher Education in relation to education in architecture;
- ❖ Determine registration and/or application fees;
- ❖ Keep a register of Registered Persons;
- ❖ Administer the affairs of SACAP;





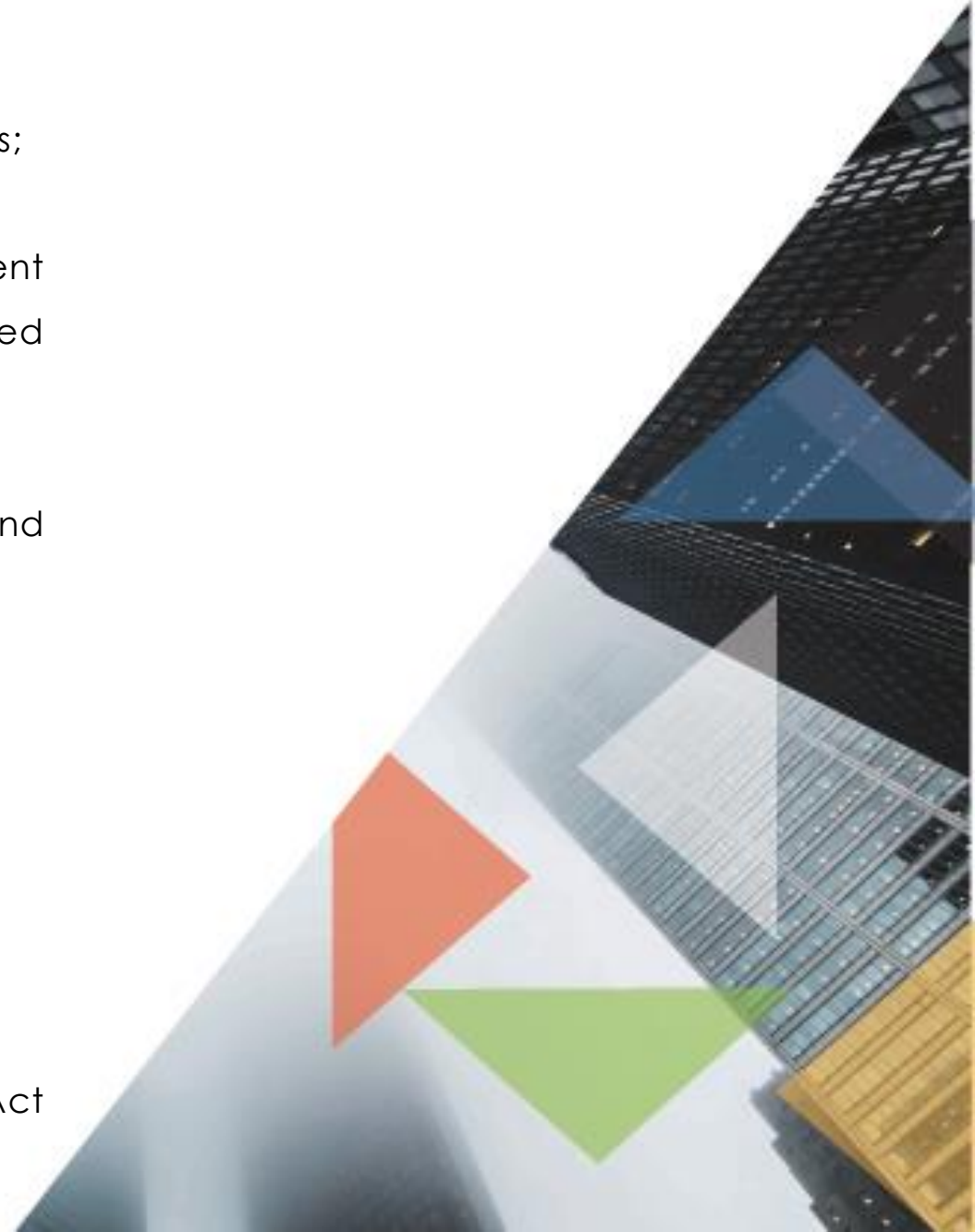
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## SACAP COUNCIL MANDATE

- ❖ Protect the public in their dealings with registered persons;
- ❖ Take any steps it considers necessary for the improvement of the standards of services rendered by registered persons;
- ❖ Protect the built environment against unsound architectural practices;
- ❖ Recognise voluntary associations;
- ❖ Determine identification of work;
- ❖ Formulate professional fees guidelines; and
- ❖ Make rules with regard to any matter permitted by the Act and any other matter for the better execution of this Act.





## SACAP COUNCIL MANDATE

**Section 17 of the Act** stipulates that Council ***may establish any committee, including an Investigating Committee, to assist it in the performance of its functions and may appoint any person as a member of the Committee.***

SACAP Council performs myriad of functions through its Committees, eg *Education, Fees, IDoW, Stakeholder Engagement, Investigating, Remuneration Committees.*



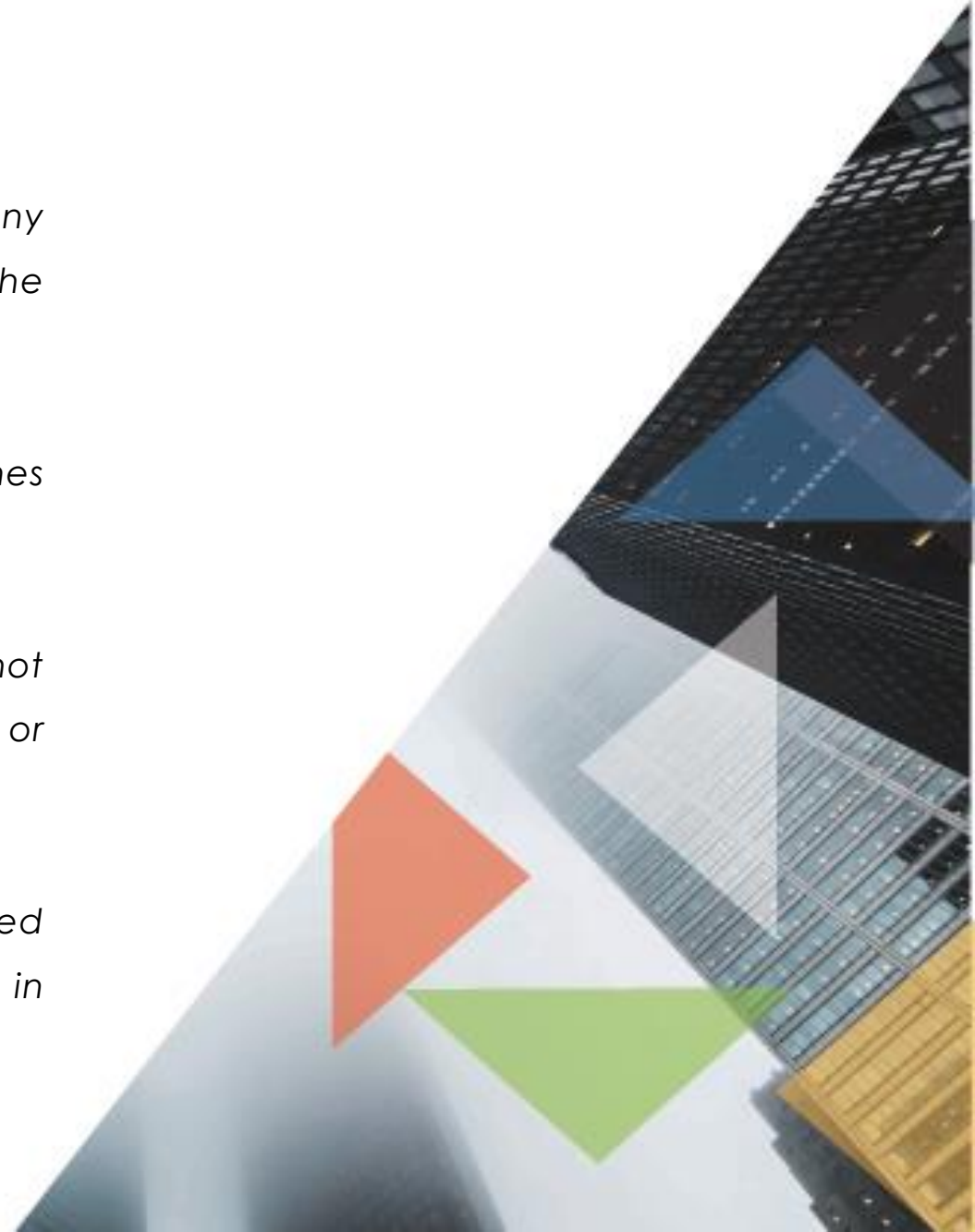




# LICENSE TO PRACTICE

## **Registration is a pre-requisite for practising architecture**

- ❖ Section 18 (2) of the Act - *a person may not practice in any of the categories contemplated in subsection (1) unless he or she is registered in that category;*
- ❖ Section 41 (1) of the Act - *a person who contravenes Section 18 (2) is guilty of an offence;*
- ❖ Section 26 (3) (b) and (d) of the Act - *a person who is not registered in terms of the Act, may not pass himself or herself as a registered person;*
- ❖ Section 26 (3) (c) of the Act - *a person who is not registered in terms of the Act, may not use any **title** referred to in Sections 18 and 21; and*
- ❖ Titles are **reserved** for Registered Persons only.





# RULES OF PROFESSIONAL CONDUCT

**Code of Professional Conduct  
Section 27 of the Act**



**Registered Persons are  
subject to the disciplinary  
supervision of SACAP  
Council.**



It is an **over-riding obligation**  
that in carrying out  
professional work Registered  
persons are expected to act  
with **due skill, competency  
and Integrity**





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## RULES OF PROFESSIONAL CONDUCT

- ❖ Rules prescribes the ethical principles and rules of conduct that all RPs are expected to uphold and be measured against;
- ❖ Rules sets out values, principles and standards that RPs have to adhere to when dealing with the public;
- ❖ SACAP takes great interest in the professional conduct and integrity of RPs.

**Rule 1-** Unprofessional Conduct;

**Rule 2-** Technical competence & professional work;

**Rule 3-** Promotion of services;

**Rule 4-** Professional responsibilities;

**Rule 5-** Establishment of an architectural practice;

**Rule 6-** International work.





# RULES OF PROFESSIONAL CONDUCT

- ❖ Annually SACAP receives approximately 150 complaints;
- ❖ The complaints are against persons **who are not registered; registered persons** and **persons whose registration has been cancelled** due to failure to pay prescribed annual fees;
- ❖ The majority of complaints are about the standard of services, **eg. poor communication; failure to comply with building regulations; failure to do the work within a reasonable time; misrepresentation; Copying intellectual work of another professional; fraudulent using Municipality stamps on plans; causing construction to commence prior to the approval of the plans; changing the scope of work without approval; failure to set out terms of appointment in writing.**






## CANCELLATION OF REGISTRATION

**Section 20 (1) (a) (iii) provides that the Council may cancel the registration of a Registered Person if he or she fails to pay the prescribed annual fees within 60 days from it becoming due or within such a period the Council may allow.**

**Section 20 (3) - Council must, at a written request of any Registered Person, cancel his or her registration.**





## CANDIDATES

### **Section 18 (3) of the Act read with Rule 2.3 –**

*A person registered in the category of candidate must perform work in the category for which he or she is registered under the direction, control and/or continual supervision of a registered professional entitled to perform such work and who must assume responsibility for any such work performed by the candidate.*

*A Candidate cannot have any pecuniary interest in the practice other than in respect of bona fide remuneration for his or services as a candidate. Thus, a Candidate cannot engage in any other business other than that of candidate.*

# CONCLUSION



Council is mandated to regulate the architectural profession for the benefit of the public;

Members of the public are entitled to receive quality architectural services.

Council is required to protect the reputation of the architectural profession by ensuring that all persons offering architectural services are registered and in good standing and ensure compliance with all rules and regulations.



THE END



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