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[No. 501.

GOVERNMENT NOTICE.

DEPARTMENT OF EDUCATION, ARTS AND SCIENCE.

No. R. 737.]

[17 May 1963.

ARCHITECTS AND QUANTITY SURVEYORS
(PRIVATE) ACT, No. 18 OF 1927.—REGULATIONS.

The Minister of Education, Arts and Science has, under and by virtue of the powers vested in him by sub-section (2) of section *nine* of the Architects and Quantity Surveyors (Private) Act, 1927 (Act No. 18 of 1927), approved the following regulations framed by the Central Council in terms of paragraph (a) and by the Board in terms of paragraph (b) of the said sub-section.

Section—

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|-------------------------|---|
| A. Regulations 1-4.... | The Institute, the Provincial Institutes and the Chapter: General Management of. |
| B. Regulations 5-22.... | The Central Council: Constitution, Procedure, Powers and Duties. |
| C. Regulations 23-40.. | Provincial Committees and the Board: Constitution, Procedure, Powers and Duties. |
| D. Regulations 41-62.. | General Meetings of Provincial Institutes and of the Chapter. |
| E. Regulations 63-84.. | Members: Classification, Designation, Rights and Liabilities. |
| F. Regulations 85-86.. | The Scale of Fees for Architectural and Quantity Surveying Services. |
| G. Regulation 87..... | Unprofessional Conduct. |
| H. Regulations 88-102 | Inquiry into the Conduct of a Member and Rules Governing the Hearing of Appeals to the Central Council. |
| I. Regulations 103-105 | "General". |
| J. Regulations 106-108 | Amendment of Regulations. |

A.

THE INSTITUTE, THE PROVINCIAL INSTITUTES AND THE CHAPTER.—GENERAL MANAGE- MENT OF.

Management of the Institute.

1. The Institute shall be managed by a Central Council elected as laid down in Regulation 5.

Management of Provincial Institutes.

2. Each Provincial Institute shall be managed by its Provincial Committee elected as laid down in Regulation 23.

Management of the Chapter.

3. The Chapter shall be managed by a Board elected as laid down in Regulation 24.

Powers and Duties.

4. (1) All powers and duties of the Institute, the Provincial Institutes and the Chapter shall be exercised and carried out by the Central Council, the Provincial Committees and the Board, respectively, save as otherwise laid down in these Regulations.

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GOEWERMENTSKENNISGEWING.

DEPARTEMENT VAN ONDERWYS, KUNS EN WETENSKAP.

No. R. 737.]

[17 Mei 1963.

DIE ARGITEKTE EN KWANTITEITSOPNEMERS
(PRIVATE) WET, No. 18 VAN 1927.—REGULASIES.

Die Minister van Onderwys, Kuns en Wetenskap het kragtens die bevoegdheide hom verleen by subartikel (2) van artikel *nege* van die Argitekte en Kwantiteitsopnemers (Private) Wet, 1927 (Wet No. 18 van 1927), die volgende regulasies opgestel deur die Sentrale Raad kragtens paragraaf (a) en deur die Bestuur kragtens paragraaf (b) van genoemde subartikel goedgekeur:—

Afdeling—

- | | |
|-------------------------|--|
| A. Regulasies 1-4.... | Die Instituut, die Provinsiale Institute en die Tak: Algemene Bestuur van. |
| B. Regulasies 5-22.... | Die Sentrale Raad: Samestelling, Prosedure, Bevoegdheide en Pligte. |
| C. Regulasies 23-40.... | Provinsiale Komitees en die Bestuur: Samestelling, Prosedure, Bevoegdheide en Pligte. |
| D. Regulasies 41-62... | Algemene Vergaderings van Provinsiale Institute en van die Tak. |
| E. Regulasies 63-84.... | Lede: Klassifikasie, Betiteling, Regte en Aanspreeklikheid. |
| F. Regulasies 85-86.... | Die Skaal van Gelde vir Argitektuur- en Bourekeningsdienste. |
| G. Regulasie 87..... | Onprofessionele Gedrag. |
| H. Regulasies 88-102.. | Ondersoek na die Gedrag van 'n Lid en Reëls wat die verhoor van Appelle na die Sentrale Raad beheer. |
| I. Regulasies 103-105.. | "Algemeen". |
| J. Regulasies 106-108.. | Wysiging van Regulasies. |

A.

DIE INSTITUUT, DIE PROVINSIALE INSTITUTE EN DIE TAK.—ALGEMENE BESTUUR VAN.

Bestuur van die Instituut.

1. Die Instituut word bestuur deur 'n Sentrale Raad wat verkies word soos bepaal in Regulasie 5.

Bestuur van Provinsiale Institute.

2. Elke Provinsiale Instituut word bestuur deur sy Provinsiale Komitee wat verkies word soos bepaal in Regulasie 23.

Bestuur van die Tak.

3. Die Tak word bestuur deur 'n Bestuur wat verkies word soos bepaal in Regulasie 24.

Bevoegdheide en pligte.

4. (1) Alle bevoegdheide en pligte van die Instituut, die Provinsiale Institute en die Tak word uitgeoefen en uitgevoer deur onderskeidelik die Sentrale Raad, die Provinsiale Komitees en die Bestuur, behalwe waar hierdie Regulasies anders bepaal.

1—501

Borrowing Powers.

(2) (a) The Institute shall have the power to erect buildings and borrow such sums of money as may from time to time be required for the purpose of promoting the objects of the Institute.

(b) The power to erect buildings and borrow, herein conferred upon the Institute, shall be exercised by the Central Council in conjunction with its powers under Regulation 21 (j) and (s).

B.

THE CENTRAL COUNCIL.—CONSTITUTION.

Election.

5. (1) The Central Council shall consist of fourteen elected members, who shall be members of the Institute or the Chapter respectively, five of whom shall represent the Transvaal Provincial Institute; two, the Cape Provincial Institute (other than the Eastern Province); two, the Natal Provincial Institute; one, the Orange Free State Provincial Institute; one, the Eastern Province of the Cape; and three, the Chapter.

(2) Such members shall be elected annually not later than April 15th by the respective Provincial Committees, the Board and the Local Committee representing the Eastern Province.

Alternates.

6. (1) Each Provincial Committee, Local Committee, and the Board, shall at the same time elect an alternate (who shall be a member of the Institute or the Chapter, respectively) for each of its representatives on the Central Council, subject to cancellation by the Provincial Committee, Local Committee or the Board and the appointment of another alternate at any time: Provided that due notification of such cancellation and appointment has been given prior to the commencement of a meeting of the Central Council.

(2) In the absence of any member of the Central Council, his alternate may take his place.

(3) A member of the Central Council may also be appointed as alternate.

(4) Where such member attends a meeting of the Central Council, both as member and alternate, he shall be entitled to two votes and, for the purpose of a quorum shall count as two members.

Government Nominees.

7. (1) In addition to the above elected members, the Government of the Republic may have two permanent representatives on the Central Council, to be nominated by the Minister of Public Works: (i) an architect representative, who shall be a member of the Institute; and (ii) a quantity surveyor representative, who shall be a member of the Chapter.

(2) The Minister may also nominate an alternate for each of such representatives: Provided that such alternate shall also be a member of the Institute or the Chapter, respectively.

Vacancy on Central Council.

8. The office of a member of the Central Council shall be vacated—

- (a) if he resigns by sending his resignation in writing to the Registrar and it is accepted by the Central Council;
- (b) if he ceases to be a member of the body as a representative of which he was elected, or is suspended from membership thereof;
- (c) if he is absent from three consecutive meetings of the Central Council without its consent.

9. In case of any vacancy on the Central Council (*vide* Regulation 8), the Provincial Committee, Local Committee or Board concerned shall fill the vacancy expeditiously.

PROCEDURE RE MEETINGS OF COUNCIL.

10. The Central Council shall meet at least once in every twelve months at such place as it may itself determine.

Bevoegdheid om lenings aan te gaan.

(2) (a) Die Instituut is geregtig om geboue op te rig en om die bedrae geld te leen wat van tyd tot tyd nodig mag word om die doelstellings van die Instituut te bevorder.

(b) Die bevoegdheid om geboue op te rig en lenings aan te gaan, hierby aan die Instituut verleen word uitgeoefen deur die Sentrale Raad tesame met sy bevoegdhede kragtens Regulasie 21 (j) en (s).

B.

DIE SENTRALE RAAD.—SAMESTELLING.

Verkiezing.

5. (1) Die Sentrale Raad bestaan uit veertien verkose lede, wat lede van onderskeidelik die Instituut of Tak moet wees, van wie vyf die Transvaalse Provinsiale Instituut moet verteenwoordig; twee, die Kaapse Provinsiale Instituut (behalwe die Oostelike Provinsie); twee, die Natalse Provinsiale Instituut; een, die Oranje-Vrystaatse Provinsiale Instituut; een, die Oostelike Provinsie van die Kaap; en drie, die Tak.

(2) Hierdie verteenwoordigers moet jaarliks, nie later as 15 April nie, verkies word deur die onderskeie Provinsiale Komitees, die Bestuur en die Plaaslike Komitee wat die Oostelike Provinsie verteenwoordig.

Secundi.

6. (1) Elke Provinsiale Komitee, Plaaslike Komitee, en die Bestuur moet terselfdertyd vir elkeen van sy verteenwoordigers in die Sentrale Raad 'n secundus verkies (wat lid moet wees van onderskeidelik die Instituut of die Tak), onderworpe aan kansellering deur die Provinsiale Komitee, Plaaslike Komitee, of die Bestuur, en die aanstelling van 'n ander secundus te eniger tyd: Met dien verstande dat tydig kennis van so 'n kansellering en aanstelling voor die aaavang van 'n Sentrale Raadsvergadering gegee word.

(2) In die afwesigheid van enige lid van die Sentrale Raad mag sy secundus sy plek inneem.

(3) 'n Lid van die Sentrale Raad mag ook as secundus aangestel word.

(4) Waar so 'n lid 'n vergadering van die Sentrale Raad, beide as lid en secundus bywoon, is hy op twee stemme geregtig, en vir die doel van 'n kworum word hy as twee lede getel.

Regeringsbenoemdes.

7. (1) Behalwe bogenoemde verkose lede kan die Regering van die Republiek twee permanente verteenwoordigers in die Sentrale Raad hê en hulle word deur die Minister van Publieke Werke as volg benoem: (i) 'n Argitek-vertteenwoordiger wat lid van die Instituut moet wees; en (ii) 'n bourekenaar-vertteenwoordiger wat lid van die Tak moet wees.

(2) Vir elkeen van hulle kan die Minister 'n secundus benoem: Met dien verstande dat sodanige secundus ook lid van onderskeidelik die Instituut of die Tak moet wees.

Vakature in die Sentrale Raad.

8. 'n Lid van die Sentrale Raad lê sy amp as sodanig neer—

- (a) as hy bedank deur sy bedanking skriftelik aan die Registrateur te stuur, en dit deur die Sentrale Raad aangeneem word;
- (b) as hy ophou om lid te wees van die liggaam waarvoor hy as verteenwoordiger verkies is, of as hy as lid daarvan geskors word;
- (c) as hy van drie agtereenvolgende vergaderings van die Sentrale Raad, sonder die toestemming van die Sentrale Raad, afwesig is.

9. In die geval van enige vakature in die Sentrale Raad (sien Regulasie 8) moet die betrokke Provinsiale Komitee, Plaaslike Komitee, of Bestuur sodanige vakature onverwyl aanvul.

PROSEDURE INSAKE VERGADERINGS VAN DIE RAAD.

10. Die Sentrale Raad vergader minstens een keer elke twaalf maande op 'n plek wat hyself bepaal.

Notice of Meetings.

11. Except in cases of emergency thirty days' notice of a meeting of the Central Council shall be given by the Registrar to each member and his alternate, at their address as entered in the register or in the roll.

Quorum.

12. Seven members of the Central Council shall form a quorum.

President-in-Chief and Vice-President-in-Chief.

13. (1) The Central Council shall elect from among its members a President-in-Chief and a Vice-President-in-Chief: Provided that they shall not both be members of the same Provincial Institute or of the Chapter.

(2) The President-in-Chief and the Vice-President-in-Chief so elected shall retain their respective offices until their successors are appointed.

Chairman at Meetings: Powers.

14. (1) At all meetings of the Central Council the President-in-Chief, or in his absence the Vice-President-in-Chief, shall be Chairman; in the absence of both, a Chairman shall be elected from among the members present.

(2) Such Chairman shall preside at the meetings of the Central Council and decide all matters of procedure arising thereat. His decision shall be final.

When the Chair shall be Vacated.

15. (1) The President-in-Chief shall vacate the chair on a resolution by the Central Council passed at any meeting at which at least seven members are present by a two-thirds majority of those present and entitled to vote: Provided that he shall be bound to put any such resolution immediately it is proposed and provided that no discussion shall be allowed thereon.

(2) The Central Council shall thereupon proceed to elect a new President-in-Chief.

Right to be Present and to Vote.

16. In case the right of any person to take part in the business of a Central Council meeting or to be present thereat be challenged, the Chairman shall decide and his decision shall be final.

Decision by Majority.

17. All other questions that may come before any meeting of the Central Council shall, in the case of a difference of opinion, be decided by the majority of the members present at that meeting, the Chairman not having a deliberative vote, but in case of an equality of votes the Chairman shall exercise a casting vote.

Convening of Meetings.

18. (1) The Registrar shall convene a meeting of the Central Council on the instruction of the President-in-Chief or, failing him, the Vice-President-in-Chief, and in the event of their being absent or refusing to do so, on receipt of a written requisition expressing the object of the proposed meeting, signed by not less than three members of the Central Council.

(2) The notice calling the meeting in the last-mentioned case shall be issued by the Registrar within 21-days of the receipt of the requisition.

Minutes.

19. (1) Minutes shall be recorded, in book form, of all resolutions and proceedings of meetings of the Central Council and any committees thereof.

(2) Such minutes shall be confirmed at and signed by the Chairman of the succeeding meeting.

Office.

20. The office of the Central Council shall be at such place as the Central Council may from time to time determine.

Kennisgewing van vergaderings.

11. Behalwe in gevalle van dringende noodsaaklikheid, moet die Registrateur aan elke lid en sy secundus, hy hulle adresse soos opgeteken in die register of op die rol, dertig dae vooruit van 'n vergadering van die Sentrale Raad kennis gee.

Kworum.

12. Sewe lede van die Sentrale Raad vorm 'n kworum.

Hoofpresident en Vise-hoofpresident.

13. (1) Die Sentrale Raad moet uit sy lede 'n Hoofpresident en 'n Vise-hoofpresident verkies: Met dien verstande dat hulle nie altwee lede van dieselfde Provinsiale Instituut of van die Tak mag wees nie.

(2) Die Hoofpresident en die Vise-hoofpresident wat aldus verkies is, beklee hul onderskeie ampte totdat hul opvolgers benoem is.

Voorsitter by vergaderings—sy bevoegdhede.

14. (1) Op alle vergaderings van die Sentrale Raad tree die Hoofpresident, of by sy afwesigheid die Vise-Hoofpresident, as Voorsitter op; as albei afwesig is, word uit die teenwoordige lede 'n Voorsitter gekies.

(2) Sodanige Voorsitter beklee op die vergaderings van die Sentrale Raad die voorsitterstoel en beslis alle prosedure-aangeleenthede wat daarop ontstaan. Sy beslissing is finaal.

Verlating van Voorsitterstoel.

15. (1) Die Hoofpresident verlaat die stoel by 'n besluit van die Sentrale Raad wat op enige vergadering, waarop minstens sewe lede teenwoordig is, met 'n twee-derde-meerderheid van die teenwoordiges wat geregtig is om te stem, geneem is: Met dien verstande dat hy verplig is om enige sodanige besluit, onmiddellik nadat dit voorgestel is, tot stemming te bring, en dat geen bespreking daaroor toegelaat word nie.

(2) Daarna gaan die Sentrale Raad oor tot die verkiesing van 'n nuwe Hoofpresident.

Reg om teenwoordig te wees en te stem.

16. Ingeval die reg van enige persoon betwis word om aan die werksaamhede van 'n Sentrale Raadsvergadering deel te neem of om teenwoordig te wees, gee die Voorsitter sy beslissing wat finaal is.

Meerderheidsbesluit.

17. Oor alle andere sake wat voor enige vergadering van die Sentrale Raad kom, moet, as daar meningsverskil bestaan, deur die meerderheid van die lede teenwoordig op so 'n vergadering besluit word. Die Voorsitter het in so 'n geval nie 'n gewone stem nie, maar by 'n staking van stemme moet hy 'n beslissende stem uitbring.

Belê van vergaderings.

18. (1) In opdrag van die Hoofpresident, of by afwesigheid van die Hoofpresident, in opdrag van die Vise-Hoofpresident, moet die Registrateur 'n vergadering van die Sentrale Raad belê. As albei afwesig is, of weier om opdrag te gee, moet die Registrateur handel op 'n skriftelike aanvraag met 'n uiteensetting van die doel van die voorgestelde vergadering, geteken deur minstens drie lede van die Sentrale Raad.

(2) Die kennisgewing van die belegging van die vergadering in laasgenoemde geval moet deur die Registrateur binne een-en-twintig dae na die ontvangs van die aanvraag uitgereik word.

Notule.

19. (1) Notule van alle besluite en verrigtinge van vergaderings van die Sentrale Raad en van enigeen van sy komitees moet in boekvorm gehou word.

(2) Op die volgende vergadering moet sulke notule bekragtig en deur die Voorsitter geteken word.

Kantoor.

20. Die kantoor van die Sentrale Raad moet gesetel wees op 'n plek wat van tyd tot tyd deur die Sentrale Raad bepaal word.

Powers of the Central Council.

21. The Central Council shall have the power:—

re Legislation.

- (a) To initiate, encourage, promote or oppose any legislation affecting the interests of the professions of architecture and quantity surveying, and to act in all such other general matters which may affect or tend to affect the interests of the members of the Institute and of the Chapter and the advancement of architecture and quantity surveying in South Africa;

Co-operation.

- (b) To co-operate with and assist financially or otherwise the Provincial Institutes and the Chapter, and any other body, in furtherance of the objects of the Institute and of the Chapter;

Professional Alliances.

- (c) (i) To enter into alliance or co-operate with any organised body of architects or quantity surveyors;
(ii) to co-operate in any movement for the furtherance of professional aims and the advancement of architecture and quantity surveying;

Recommendations to Minister.

- (d) To make recommendations to the Minister with reference to all matters appertaining to the interests of the Institute and the Chapter;

To Direct and Co-ordinate Education.

- (e) (i) To direct and co-ordinate architectural and quantity surveying education within the Republic of South Africa;
(ii) to open and keep a register and record of all students undergoing architectural or quantity surveying training;
(iii) to found, grant, accept and administer scholarships, bursaries and prizes;
(iv) to encourage and give guidance to students in architecture and quantity surveying;

Appointment of Committees; Delegation of Functions.

- (f) (i) To appoint committees or sub-committees, to delegate any of its powers to such committees or sub-committees, and to lay down rules for regulating their proceedings;
(ii) to delegate any of its powers in respect of professional education to such committees as the Central Council may from time to time deem necessary, and to make grants to such committees;
(iii) to delegate any of its duties, including the duty to decide appeals, to a special committee of members of the Central Council or members of a Provincial Institute or the Chapter, such special committee to consist of not less than five members;

Research.

- (g) To conduct, assist or encourage architectural and quantity surveying research, and to publish the results;

Benevolent Funds.

- (h) To support or assist a Provincial Institute's or the Chapter's benevolent fund or benefit assurance society;

Endowments, etc.

- (i) To receive, hold and administer any donation, bequests or endowments consisting of property of any description, which may be given to it for the furtherance of any of the objects or powers of the Institute;

Corporate Powers.

- (j) To use or be sued on behalf of the Institute and the Chapter in its corporate capacity; to use the seal; to take or acquire by purchase, lease, exchange or hire, and to hold any movable or immovable property, and to erect buildings for the benefit and purposes of the Institute; to mortgage, sell, improve,

Bevoegdheide van die Sentrale Raad.

21. Die Sentrale Raad besit die bevoegdheid:—

I/s. Wetgewing.

- (a) Om enige wetgewing aan die gang te sit, aan te moedig, te bevorder of teë te gaan wat die belange van die argitektuur- en bourekeningsprofessie raak, en op te tree in alle sodanige ander algemene sake as wat die belange van die lede van die Instituut en die Tak, en die bevordering van argitektuur en bourekening in Suid-Afrika, raak of kan raak;

Samewerking.

- (b) Om saam te werk met, en finansiële of ander ondersteuning te verleen, aan die Provinsiale Institute en die Tak, en enige ander liggaam, ter bevordering van die belange van die Instituut en van die Tak;

Professionele verbonde.

- (c) (i) Om 'n verbond aan te gaan of saam te werk met enige georganiseerde groep van argitekte of bourekenaars;
(ii) om saam te werk in enige beweging ter bevordering van professionele oogmerke en die bevordering van argitektuur en bourekening;

Aanbevelings by die Minister.

- (d) Om aanbevelings in verband met alle sake betreffende die belange van die Instituut en die Tak by die Minister te doen;

Om onderwys te rig en te koördineer.

- (e) (i) Om onderrig i.v.m. argitektuur en bourekening in die Republiek van Suid-Afrika te rig en te koördineer;
(ii) om 'n register en 'n rekord te hou van alle studente wat opleiding in argitektuur of bourekening geniet;
(iii) om studiebeurse, ander beurse of pryse te stig, toe te ken, aan te neem en te bestuur;
(iv) om studente in argitektuur en bourekening aan te moedig en leiding te gee;

Benoeming van komitees; delegering van ampspligte.

- (f) (i) Om komitees of onder-komitees te benoem, om enige van sy bevoegdheide oor te dra aan sodanige komitees of onder-komitees, en om reëls vir hulle prosedure vas te stel;
(ii) om enigen van sy bevoegdheide i.v.m. professionele onderrig te delegeer aan sodanige komitees as wat die Sentrale Raad van tyd tot tyd nodig ag, en om toekennings aan sodanige komitees te doen;
(iii) om enigen van sy pligte, met inbegrip van die plig om appèlle te beslis, aan 'n spesiale komitee van lede van die Sentrale Raad of lede van 'n Provinsiale Instituut of die Tak, te delegeer. Sodanige spesiale komitee moet uit nie minder as vyf lede bestaan nie;

Navorsing.

- (g) Om navorsing i.v.m. argitektuur of bourekening uit te voer, te ondersteun, of aan te moedig en om die bevindings te publiseer;

Liefdadigheidsfondse.

- (h) Om 'n liefdadigheidsfonds of 'n voordeelversekeringsvereniging van 'n Provinsiale Instituut of die Tak te ondersieun of te help;

Skenkings, ens.

- (i) Om enige donasie, bemaking of skenking bestaande uit eiendom van enige aard, wat aan hom gegee mag word vir die bevordering van enige oogmerk of bevoegdheid van die Instituut, te ontvang, te hou en te administreer;

Bevoegdheide as regspersoon.

- (j) Om namens die Instituut en die Tak as regspersoon eisend en verwerend op te tree; om die seël te gebruik; om deur koop, huur, of ruil enige roerende of onroerende eiendom te verkry, en dit te hou, en om geboue vir die voordeel en doeleindes van die Instituut op te rig; om sodanige eiendom te verhipotekeer, te verkoop, te verbeter, te verhuur, of

lease or dispose of such property; to invest moneys of the Central Council, not immediately required, upon such securities as may from time to time be determined; but so that all funds and assets whatsoever shall be applied in promoting the objects of the Institute and not at any time in paying any dividend to its members;

Registration, Enrolment and Transfer Fees, and Levies.

- (k) To receive all registration, enrolment and transfer fees, and to levy financial contributions from the Provincial Institutes and from the Chapter: Provided that such contributions shall be levied simultaneously, *pro rata* to the membership of the Provincial Institutes and the Chapter, so that the amount contributed respectively per practising, salaried and retired member of the Provincial Institutes and the Chapter shall be identical;

Professional Publications.

- (l) To take any steps with regard to the publication and disposal of journals, calendars, year-books, and other forms of printed matter as it may deem necessary and to establish and maintain and control professional libraries;

Unprofessional Conduct.

- (m) To determine what shall constitute and be regarded as unprofessional conduct on the part of an architect or quantity surveyor (*vide* Regulation 87);

Disciplinary Appeal.

- (n) To confirm, vary or set aside the decision of or on behalf of a Provincial Committee or the Board, against a member, if an appeal has been lodged in terms of Regulation 98;

Architectural Competitions.

- (o) (i) To approve or disapprove the conditions of any architectural competition or competitions in general;
(ii) to appoint assessors to any competition if so requested by the promoters, and in other ways to assist in the promotion of any architectural competitions;

Registrar.

- (p) To appoint or dismiss a Registrar or other servants of the Institute on such terms and conditions as it may deem fit;

Membership Application Forms.

- (q) To determine the form to be used by applicants for registration or enrolment and the procedure to be adopted by applicants and by the Provincial Committees and the Board in respect of such applications;

Certificates of Membership.

- (r) To prescribe the form of certificates of membership of the Institute and the Chapter;

General Powers.

- (s) To do all such other things as are, in the opinion of the Central Council, incidental or conducive to the performance of the duties or the exercise of the powers given by the Act and these Regulations.

Duties of the Central Council.

22. The Central Council shall be responsible for the fulfilment of the following duties:—

Supersession of Inaugural Board.

- (a) The Central Council shall take over from the Inaugural Board the register and the roll opened by it under sections *ten* and *thirteen* of the Act, and keep both up to date, and shall further take over all such rights and duties of the Inaugural Board as are not inconsistent with the Act.

Financial Control.

- (b) The Central Council shall control the financial affairs of the Institute.

van die hand te sit; om geld van die Sentrale Raad wat nie onmiddellik nodig is nie teen sodanige sekuriteit te belê as wat van tyd tot tyd bepaal mag word, maar op so 'n wyse dat alle fondse en bates, wat ook al, aangewend word om die belange van die Instituut te bevorder, en te gener tyd om diwiddende aan sy lede uit te betaal nie;

Registrasie-, inskrywings- en oorplasingsegelde en heffings.

- (k) Om alle registrasie-, inskrywings- en oorplasingsegelde te ontvang en geldelike bydraes van die Provinsiale Institute en van die Tak te hef: Met dien verstande dat sulke bydraes gelyktydig, *pro rata* die ledetal van die Provinsiale Institute en die Tak, gehef moet word, sodat die bedrag bygedra deur onderskeidelik die praktiserende, gesalarieerde en afgetrede lede van die Provinsiale Institute en van die Tak, dieselfde is;

Professionele publikasies.

- (l) Om enige stappe met betrekking tot die publikasie en verspreiding van tydskrifte, kalenders, jaarboeke en ander soorte drukwerk te doen wat hy nodig mag ag, en om professionele biblioteke te stig, in stand te hou en te beheer;

Onprofessionele gedrag.

- (m) Om te bepaal wat onprofessionele gedrag deur 'n argitek of bourekenaar uitmaak en geag word (sien Regulasie 87);

Dissiplinêre appèl.

- (n) Om die beslissing van of namens 'n Provinsiale Komitee of die Bestuur teen 'n lid te bekragtig, te verander of ter syde te stel as 'n appèl kragtens Regulasie 98 aangeteken is;

Argitektuurkompetisies.

- (o) (i) Om die voorwaardes van enige argitektuurkompetisie of kompetisies in die algemeen, goed of af te keur;
(ii) om, indien deur die promotors daartoe versoek, assessore vir enige kompetisie aan te stel, en op ander maniere in die bevordering van argitektuurkompetisies behulpzaam te wees;

Registrateur.

- (p) Om 'n registrateur of ander beamptes van die Instituut aan te stel of te ontslaan op sulke voorwaardes as hy mag goedvind;

Aansoekvorms om lidmaatskap.

- (q) Om die vorm voor te skrywe wat deur applikante vir registrasie of inskrywing gebruik moet word, asook die prosedure wat deur applikante en deur die Provinsiale Komitees en die Bestuur met betrekking tot sulke applikasies gevolg moet word;

Lidmaatskapsertifikate.

- (r) Om die vorm van sertifikaat vir lidmaatskap van die Instituut en die Tak voor te skrywe;

Algemene bevoegdhede.

- (s) Om alle ander stappe te doen wat na die mening van die Sentrale Raad, behoort by, of bevordelik is vir, die uitvoering van die pligte of die uitoefening van die bevoegdhede by die Wet en hierdie Regulasies bepaal.

Pligte van die Sentrale Raad.

22. Die Sentrale Raad is verantwoordelik vir die uitvoering van die volgende pligte:—

Vervanging van die Stigtingsraad.

- (a) Die Sentrale Raad moet van die Stigtingsraad die register en rol oorneem wat hy ingevolge artikels *tien* en *dertien* van die Wet aangelê het, moet albei byhou, en moet verder al die regte en pligte van die Stigtingsraad oorneem wat nie strydig met die Wet is nie.

Finansiële beheer.

- (b) Die Sentrale Raad moet die finansiële sake van die Instituut beheer.

Annual Accounts.

- (c) The Central Council shall furnish annually a copy of its audited accounts to the Provincial Institutes and to the Chapter.

Annual Subscription.

- (d) The Central Council shall determine annually the subscription payable by members of the Institute and the Chapter (*vide* Regulation 80).

Levies.

- (e) The Central Council shall determine annually for the ensuing year what portion of the subscriptions received from members by the Provincial Institutes and the Chapter shall be paid to the Central Council.

Congress.

- (f) The Central Council shall as and when deemed necessary convene a joint congress of the members of the Provincial Institutes and of the Chapter.

New Regulations or Amendments to Regulations Suggested by a Provincial Committee.

- (g) The Central Council shall consider any suggested new regulations, or amendment to existing regulations, put forward by a Provincial Committee in terms of Regulation 39 (16).

New Regulations or Amendments to Regulations Suggested by the Board.

- (h) The Central Council shall consider, and confirm or veto, any new regulations or amendments to regulations submitted by the Board in terms of Section 9 (2) (b) of the Act, subject to the voting procedure laid down in Regulation 107.

Matters specially concerning the Chapter.

- (i) If so requested by the Board, the Central Council shall refer any particular matter specially concerning quantity surveying to a committee of its members consisting of an equal number of members practising quantity surveying solely, and of architects, with the President-in-Chief or, failing him, the Vice-President-in-Chief, as Chairman, and a decision of the committee shall be final.

Applications for Registration and Enrolment.

- (j) The Central Council shall, by the appointment of a special sub-committee, deal expeditiously with applications for registration or enrolment forwarded to it by a Provincial Committee or the Board.
- (k) On receipt of any application for registration or enrolment sent to it by a Provincial Committee or the Board, the Central Council may either register or enrol or refuse to register or enrol such applicant or take such other steps as it may deem advisable: Provided that, should the Central Council refuse to enrol any person who has satisfied the Board that he is entitled to be enrolled and should any costs in legal proceedings be incurred by or against the Board because of such refusal, the Central Council shall make such costs good to the Board.

Appeal by Members.

- (l) (i) The Central Council shall consider and decide all appeals by members aggrieved by a decision by or on behalf of a Provincial Committee or the Board: Provided that an appeal may be heard and decided by an Appeal Committee consisting of not less than five members of a Provincial Institute or of the Chapter, duly appointed thereto by the Central Council.
- (ii) It shall be in the discretion of the Central Council to appoint such Appeal Committee.

Publication of Register and Roll.

- (m) The Central Council shall frame and publish a register and roll of members of the Institute and of each Provincial Institute and the Chapter, with the names in alphabetical order and addresses.

Jaarlikse rekenings.

- (c) Die Sentrale Raad moet jaarliks 'n afskrif van sy geouditeerde rekenings aan die Provinsiale Institute en die Tak verstrek.

Jaarlikse ledegelde.

- (d) Die Sentrale Raad moet jaarliks die ledegeld bepaal wat deur lede van die Instituut en die Tak betaalbaar is (sien Regulasie 80).

Heffings.

- (e) Die Sentrale Raad moet jaarliks vir die volgende jaar bepaal watter deel van die ledegelde wat deur die Provinsiale Institute en die Tak, van lede ontvang is, aan die Sentrale Raad betaal moet word.

Kongres.

- (f) Die Sentrale Raad moet, wanneer dit nodig geag word, 'n gesamentlike kongres van die lede van die Provinsiale Institute en van die Tak belê.

Nuwe regulasies of wysigings van regulasies voorgestel deur 'n Provinsiale Komitee.

- (g) Die Sentrale Raad moet enige nuwe regulasies, of wysigings van bestaande regulasies, wat deur 'n Provinsiale Komitee ooreenkomstig Regulasie 39 (16) voorgestel is, oorweeg.

Nuwe regulasies of wysigings van regulasies voorgestel deur die Bestuur.

- (h) Die Sentrale Raad moet enige nuwe regulasies of wysigings van regulasies wat deur die Bestuur ooreenkomstig artikel 9 (2) (b) van die Wet voorgestel is, oorweeg, en hulle bekragtig of afkeur, onderworpe aan die prosedure vir stemming soos in Regulasie 107 voorgeskryf.

Sake wat spesiaal die Tak raak.

- (i) As die Bestuur so versoek, moet die Sentrale Raad enige besondere saak wat bourekening spesiaal raak, na 'n komitee van sy lede verwys bestaande uit 'n gelyke getal lede wat uitsluitlik bourekening beoefen, en van argitekte, met die Hoofpresident, of by sy afwesigheid, die Vise-Hoofpresident, as Voorsitter, en 'n besluit van die komitee is finaal.

Aansoeke om registrasie en inskrywing.

- (j) Die Sentrale Raad moet, deur die aanstelling van 'n spesiale subkomitee, so spoedig moontlik handel met aansoeke om registrasie of inskrywing wat deur 'n Provinsiale Komitee of die Bestuur aan hom gestuur is.
- (k) By ontvangs van enige aansoek om registrasie of inskrywing wat deur 'n Provinsiale Komitee of die Bestuur aan hom gestuur word, kan die Sentrale Raad so 'n applikant of registreer of inskryf, of weier om hom te registreer of in te skryf, of sulke ander stappe doen as wat hy raadsaam mag ag: Met dien verstande dat, as die Sentrale Raad weier om 'n persoon in te skryf wat die Bestuur oortuig het dat hy geregtig is om ingeskryf te word, en as daar enige koste in 'n regsak deur of teen die Bestuur weens sodanige weiering aangegaan word, die Sentrale Raad dan sodanige koste aan die Bestuur moet vergoed.

Appel van lede.

- (l) (i) Alle appelle van lede wat gegrief voel as gevolg van 'n beslissing deur of namens 'n Provinsiale Komitee of die Bestuur, moet deur die Sentrale Raad oorweeg en beslis word: Met dien verstande dat 'n appel gehoor en beslis kan word deur 'n Appèlkomitee, wat uit minstens vyf lede van 'n Provinsiale Instituut of van die Tak bestaan en wat behoorlik deur die Sentrale Raad aangestel is.
- (ii) Die Sentrale Raad kan na goëddunke so 'n Appèlkomitee benoem.

Publikasie van register en van rol.

- (m) Die Sentrale Raad moet 'n register en 'n rol van van lede van die Instituut en van elke Provinsiale Instituut en van die Tak opstel en publiseer, met die name in alfabetiese volgorde, en die adresse.

Death of Members.

- (n) The Central Council shall remove from the register or roll the name of any member who has died.

Travelling and Subsistence Allowances.

- (o) (i) The Central Council shall pay out of its funds first-class railway or air fares and a reasonable subsistence allowance to members attending meetings of the Central Council or of Committee thereof, and to any member of official authorised by or on behalf of the Central Council to visit any place in the interests of the Institute.
- (ii) The Central Council shall also pay out of its funds an equitable travelling and subsistence allowance where any other means of transport is used by a member or official for the aforementioned purposes.

Decisions of the Central Council.

- (p) The Central Council shall notify each Provincial Committee and the Board its decision with regard to any matter submitted by any Provincial Committee or the Board.

Institute's Seal.

- (q) The Central Council shall have the custody of the seal of the Institute.

C.

PROVINCIAL COMMITTEES AND THE BOARD.

CONSTITUTION OF COMMITTEES AND BOARD.

Election of Provincial Committee.

23. (1) Each Provincial Committee shall consist of not more than twelve, and not less than six, members to be elected annually out of and by the members of the Provincial Institute concerned provided that not more than one-third may be salaried members.

Additions to Committee.

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(2) Each Provincial Committee shall have the right to add to its elected membership the officer holding the position of "Provincial Architect" in its Province, provided that he is a member of the Institute.

(3) In addition and subject to the foregoing, one member, with voting power, may at the option of the Committee be co-opted.

Election of the Board.

24. (1) The Board shall consist of not more than twelve and not less than six members to be elected annually out of and by members of the Chapter: Provided that—

- (a) a majority on the Board shall consist of practising members practising solely as quantity surveyors;
- (b) not more than one-third may be salaried members;
- (c) one member, selected from members normally resident in the region, shall be elected from each of the following four regions: Western Cape Province, Eastern Cape Province and Border, Natal, and Orange Free State.

(2) In addition, and subject to the foregoing, one member with voting power may at the option of the Board be co-opted.

Vacancy on Committee or Board.

25. The office of a member of the Committee or of the Board shall be vacated—

- (1) if he resign by sending his resignation in writing to the Committee or Board and it be accepted;
- (2) if he cease to be a member of the Institute or of the Chapter or be suspended from membership;
- (3) if he be absent from the meetings of the Committee or of the Board for more than three consecutive meetings without the consent of the Committee or of the Board;

* 23(2) (continued) or an officer in charge of the Architectural Department within the Provincial Administration, provided that he is a member of the Provincial Institute concerned.

Afsterwe van lede.

- (n) Die Sentrale Raad moet van die register of rol die naam verwyder van enige lid wat te sterwe gekom het.

Reis- en verblyftoelaes.

- (o) (i) Die Sentrale Raad moet uit sy fondse eerste-klas-trein- of -lugreiskoste en redelike verblyftoelaes betaal aan lede wat vergaderings van die Sentrale Raad of van enigen van sy komitees bywoon, en aan enige lid of beampte wat deur of namens van die Sentrale Raad geregtig is om enige plek in die belang van die Instituut te besoek.
- (ii) Die Sentrale Raad moet ook uit sy fondse 'n redelike reis- en verblyftoelaes betaal waar enige ander wyse van vervoer deur 'n lid of beampte vir voornoemde doeleindes gebruik word.

Besluite van die Sentrale Raad.

- (p) Die Sentrale Raad moet elke Provinsiale Komitee en die Bestuur in kennis stel van sy besluit in verband met enige saak wat deur enige Provinsiale Komitee of die Bestuur voorgelê word.

Instituut se seël.

- (q) Die Sentrale Raad moet die seël van die Instituut in bewaring hou.

C.

PROVINSIALE KOMITEES EN DIE BESTUUR.

SAMEWERKING VAN KOMITEE EN BESTUUR.

Verkiesing van Provinsiale Komitee.

23. (1) Elke Provinsiale Komitee bestaan uit hoogstens twaalf, en minstens ses lede, wat jaarliks uit en deur die lede van die betrokke Provinsiale Instituut gekies word, met dien verstande dat nie meer as een-derde gesalarieerde lede mag wees nie.

Aanvulling van Komitee.

(2) Elke Provinsiale Komitee het die reg om by sy verkose ledetal die amptenaar by te voeg wat die posisie van „Provinsiale Argitek” in sy Provinsie beklee, met dien verstande dat hy 'n lid van die Instituut is.

(3) Hierbenewens, en onderworpe aan die voorafgaande, mag een lid, met stemreg, na keuse van die Komitee gekoöpteer word.

Verkiesing van die Bestuur.

24. (1) Die Bestuur bestaan uit hoogstens twaalf, en minstens ses lede, wat jaarliks verkies moet word uit en deur lede van die Tak: Met dien verstande dat—

- (a) 'n meerderheid van die Bestuur moet bestaan uit praktiserende lede wat uitsluitlik as bourekenaars praktiseer;
- (b) nie meer as een-derde gesalarieerde lede mag wees nie;
- (c) een lid, verkies uit lede wat normaal in die streek woonagtig is, uit elk van die volgende vier streke verkies moet word: Westelike Kaapprovinsie, Oostelike Kaapprovinsie en Grens, Natal, en Oranje-Vrystaat.

(2) Hierbenewens, en onderworpe aan die voorafgaande, mag een lid met stemreg na keuse van die Bestuur gekoöpteer word.

Vakature in Komitee of Bestuur.

25. 'n Lid van die Komitee of van die Bestuur lê sy amp neer—

- (1) as hy bedank deur sy bedanking skriftelik aan die Komitee of die Bestuur te stuur en dit aangeneem word;
- (2) as hy ophou om 'n lid van die Instituut of van die Tak te wees of as lid geskors word;
- (3) as hy van meer as drie agtereenvolgende vergaderings van die Komitee of van die Bestuur sonder die toestemming van die Komitee of van die Bestuur afwesig is;

- (4) if a regional member of the Board in terms of Regulation 24 (1) (c) changes his regional residence during his term of office;
- (5) if at a meeting of the Committee or the Board at which not less than two-thirds of the members are present the Committee or the Board, excluding the member whose seat is under discussion, unanimously agrees to a resolution declaring such member's seat vacant: Provided always that any member feeling aggrieved thereby shall have the right of appeal within two weeks after he has knowledge of such resolution, to the Central Council, whose decision shall be final.

Filling of Vacancy.

26. In the event of any vacancy occurring on the Committee or on the Board, the vacancy may be filled by the remaining members of the Committee or the Board at any meeting summoned with notice of this object, and of which ten days' notice has been given.

Change in Status of Committee-member.

27. A member of the Committee or of the Board who upon election was in practice on his own behalf or in partnership, but during his period of office as member of the Committee or of the Board shall cease to practise on his own behalf or in partnership, shall not thereby become disqualified, but shall continue in office for the remainder of the term for which he has been elected.

Ineligibility for Nomination to Committee.

28. If any member fails to attend two-thirds of the Provincial Committee meeting during the year, without leave of absence having been obtained, he shall not be eligible for nomination as a member of the Provincial Committee for the ensuing year.

PROCEDURE RE MEETINGS OF PROVINCIAL COMMITTEES AND THE BOARD.

Committee Meetings.

29. (1) Each Committee and the Board shall meet at least once in every three months at such places as they may determine: Provided that a Committee shall meet only in its respective Province.

Notice of Meetings.

(2) (i) Except in cases of emergency not less than seven clear days' notice of a meeting of a Provincial Committee, or fourteen clear days' notice of a meeting of the Board, shall be given by the Secretary to each member of the Provincial Committee or Board at his registered address.

(ii) It shall not be necessary in any case to prove that such notice has been sent, but the same shall be taken as duly sent unless the contrary be shown.

Quorum.

30. Three members of a Committee or of the Board shall form a quorum: Provided that in the case of the Board at least two of them shall be practising members practising solely as quantity surveyors.

Election of Officers.

31. Each Provincial Committee and the Board shall elect from among its members a President, a Senior Vice-President, and, if so desired, a Junior Vice-President.

Chairman.

32. At all meetings of a Provincial Committee or of the Board, the President, or in his absence a Vice-President, shall be Chairman; in their absence, a Chairman shall be elected by and from the members present.

Agenda.

33. At a meeting of a Provincial Committee or the Board only such business as is on the agenda shall be decided.

Decision by Majority.

34. All questions that may come before any meeting of a Provincial Committee or the Board shall, in the case of a difference of opinion, be decided by the majority of

(4) indien 'n streekslid van die Bestuur kragtens regulasie 24 (1) (c) sy streeksverblyf gedurende sy amptyd verander;

(5) as op 'n vergadering van die Komitee of die Bestuur waarop minstens twee-derdes van die lede teenwoordig is, die Komitee of die Bestuur, uitsluitende die lid wie se setel onder bespreking is, eenparig 'n besluit aanneem wat so 'n lid se setel vakant verklaar: Altyd met dien verstande dat enige lid wat daardeur veronreg voel die reg het om binne twee weke nadat hy van so 'n besluit kennis dra te appelleer na die Sentrale Raad, wie se besluit finaal is.

Aanvulling van vakature.

26. Ingeval 'n vakature in die Komitee of die Bestuur ontstaan, kan dit aangevul word deur die oorblywende lede van die Komitee of die Bestuur op 'n vergadering wat met vermelding van hierdie doel beë is en waarvan tien dae vooruit kennis gegee is.

Verandering in Status van Komiteelid.

27. 'n Lid van die Komitee of van die Bestuur wat tydens sy verkiesing vir eie rekening of in vennootskap gepraktiseer het, maar wat gedurende sy amptermyn as lid van die Komitee of die Bestuur ophou om vir eie rekening of in vennootskap te praktiseer, word nie daardeur gediskwalifiseer nie, maar bly vir die res van die tydperk waarvoor hy verkies is, as lid aan.

Onbenoembaarheid vir die Komitee.

28. Indien 'n lid in gebreke bly om twee-derdes van die Provinsiale Komiteevergaderings gedurende die jaar by te woon, sonder dat verlof van afwesigheid vooraf verkry is, is hy nie as lid van die Provinsiale Komitee vir die volgende jaar benoembaar nie.

PROSEDURE INSAKE VERGADERINGS VAN DIE PROVINSIALE KOMITEES EN DIE BESTUUR.

Komiteevergaderings.

29. (1) Elke Komitee en die Bestuur moet mintens een keer in elke drie maande vergader op sulke plekke as hulle mag vasstel: Met dien verstande dat 'n Komitee slegs in sy onderskeie provinsie mag vergader.

Kennisgewing van vergaderings.

(2) (i) Behalwe in gevalle van dringende noodsaaklikheid moet minstens sewe volle dae kennis van 'n vergadering van 'n Provinsiale Komitee, of veertien volle dae kennis van 'n vergadering van die Bestuur, deur die Sekretaris aan elke lid van die Provinsiale Komitee of Bestuur by sy geregistreerde adres gegee word.

(ii) Dit is in geen geval nodig om te bewys dat so 'n kennisgewing uitgestuur is nie, maar daar word aangeneem dat dit behoorlik uitgestuur is ten sy die teenoorgestelde bewys word.

Kworum.

30. Drie lede van 'n Komitee of van die Bestuur vorm 'n kworum: Met dien verstande dat in die geval van die Bestuur minstens twee van hulle praktiserende lede moet wees wat uitsluitlik as bourekenaars praktiseer.

Verkieping van amptenare.

31. Elke Provinsiale Komitee en die Bestuur moet uit sy lede 'n President, 'n Senior Vice-President, en desverlangd, 'n Junior Vice-President verkies.

Voorsitter.

32. Op alle vergaderings van 'n Provinsiale Komitee of van die Bestuur tree die President, of by sy afwesigheid, 'n Vice-President, as Voorsitter op; by afwesigheid van al bogenoemde persone word 'n Voorsitter deur en uit die teenwoordige lede verkies.

Agenda.

33. Op 'n vergadering van 'n Provinsiale Komitee of die Bestuur mag slegs oor sake besluit word wat op die agenda is.

Besluit van meerderheid.

34. Alle sake wat voor enige vergadering van 'n Provinsiale Komitee of die Bestuur kom, moet, as daar meningsverskil bestaan, by meerderheidstem van die lede teenwoordig op so 'n vergadering beslis word. Die Voorsitter

the members present at that meeting, the Chairman not having a deliberative vote, but in case of an equality of votes the Chairman shall exercise a casting vote.

Special Meetings.

35. A special meeting of a Committee or the Board may at any time be called by order of the President or failing him by a Vice-President and shall be so called at the written request of three members of the Committee or of the Board: Provided that not less than three days' notice be given and that the notice set out the object of the special meeting.

Attenuated Committee.

36. (1) In case the membership of a Committee or of the Board be reduced to a number less than a quorum, a special general meeting may be called by the Secretary or by any member of the Committee or the Board, and such special general meeting may elect members to complete the Committee or Board.

(2) The members so elected shall hold office until the next annual general meeting.

Minutes.

37. Minutes shall be recorded, in book form, of all resolutions and proceedings of meetings of the Provincial Committees and of the Board, and the committees thereof.

Office of Committee.

38. Each Committee and the Board shall decide the place of its office: Provided that the office of each Provincial Committee shall be in its respective Province.

POWERS OF PROVINCIAL COMMITTEES AND BOARD.

39. Each Provincial Committee and the Board shall have the power:—

Status; Disputes; Unprofessional Conduct.

- (1) (a) To improve the status and maintain the integrity of the profession;
- (b) to provide for the amicable settlement or adjustment of professional disputes;
- (c) to inquire into and deal with any case of alleged unprofessional conduct;

Litigation.

- (2) Subject to the consent of the Central Council, to initiate, or to assist any member of the Institute or of the Chapter in, litigation in which questions affecting the rights, practice or status of members generally are involved;

Donations and Endowments.

- (3) To receive, hold and administer any donations, bequests or endowments consisting of property of any description which may be given to it for the furtherance of any of the objects of the Provincial Institutes or of the Chapter;

Benevolent Fund.

- (4) To establish and administer a benevolent fund under such rules and regulations as may be framed hereafter by the Committee and to make grants of money to same;

Corporate Powers.

- (5) To sue or be sued on behalf of the Provincial Institute or the Chapter in its corporate capacity; to take or acquire by purchase, lease, exchange or hire and to hold any movable or immovable property and to erect buildings for the benefit and purposes of the Provincial Institute, or of the Chapter; to mortgage, sell, improve, lease or dispose of the same; to invest moneys of the Provincial Institute or of the Chapter not immediately required upon such securities as may from time to time be determined; but so that all funds and assets whatsoever shall be applied in promoting the objects of the Provincial Institute or of the Chapter and not at any time in paying any dividend to its members;

het in so 'n geval nie 'n gewone stem nie, maar in geval van staking van stemme, moet hy 'n beslissende stem uitbring.

Spesiale vergaderings.

35. 'n Spesiale vergadering van 'n Komitee of die Bestuur kan te eniger tyd saamgeroep word op las van die President, of, in sy afwesigheid, deur 'n Vise-President, en moet saamgeroep word op die skriftelike versoek van drie lede van die Komitee of van die Bestuur: Met dien verstande dat minstens drie dae kennis gegee moet word en dat die kennisgewing die doel van die spesiale vergadering moet vermeld.

Onvoltallige Komitee.

36. (1) Ingeval die ledetal van 'n Komitee of die Bestuur daal tot 'n getal minder as 'n kworum, kan 'n spesiale algemene vergadering deur die Sekretaris of deur enige lid van die Komitee of die Bestuur belê word en so 'n spesiale algemene vergadering kan lede verkies om die Komitee of Bestuur voltallig te maak.

(2) Die lede aldus verkies, beklee hul amp tot die volgende algemene jaarvergadering.

Notule.

37. Notule van alle besluite en verrigtinge van vergaderings van die Provinsiale Komitees en van die Bestuur, en van hulle komitees, moet in boekvorm gehou word.

Kantoor van Komitee.

38. Elke Komitee en die Bestuur besluit oor die plek van sy kantoor: Met dien verstande dat die kantoor van elke Provinsiale Komitee in sy onderskeie Provinsie moet wees.

BEVOEGDHEDE VAN PROVINSIALE KOMITEES EN BESTUUR.

39. Elke Provinsiale Komitee en die Bestuur het die bevoegdheid:—

Status; geskille; onprofessionele gedrag.

- (1) (a) Om die status van die professie te verbeter en sy integriteit te handhaaf;
- (b) om vir die vriendskaplike skikking of beslegting van professionele geskille voorsiening te maak;
- (c) om ten opsigte van enige geval van beweerde onprofessionele gedrag ondersoek in te stel en dit af te handel;

Gedingvoering.

- (2) Om, onderworpe aan die toestemming van die Sentrale Raad, 'n regsdinging waarby sake rakende die regte, die praktyk of die status van lede in die algemeen betrokke is, in te stel of om enige lid van die Instituut of van die Tak daarin by te staan;

Donasies en skenkings.

- (3) Om enige donasies, bemakings of skenkings bestaande uit eiendom van watter aard ookal, wat aan hom gegee word ter bevordering van engeen van die oogmerke van die Provinsiale Institute of van die Tak, te ontvang, te hou en te administreer;

Liefdadigheidsfonds.

- (4) Om 'n liefdadigheidsfonds te stig en te administreer kragtens sulke reëls en regulasies wat hierna deur die Komitee opgestel word, en om geldtoekennings daaraan te doen;

Bevoegdhede as regspersoon.

- (5) Om namens die Provinsiale Instituut of die Tak as regspersoon eisend of werend op te tree; om deur koop, huur of ruil enige roerende of onroerende eiendom te verkry en te hou, en om geboue ten voordele en vir die oogmerk van die Provinsiale Instituut of van die Tak op te rig; om dit te verhipotekeer, te verkoop, te verbeter, te verhuur of van die hand te sit; om gelde van die Provinsiale Instituut of van die Tak wat nie onmiddellik nodig is nie te belê teen sodanige sekuriteit as wat van tyd tot tyd bepaal mag word; maar op so 'n wyse dat alle fondse en bates wat ook al aangewend word om die belange van die Provinsiale Instituut of van die Tak te bevorder, en te gener tyd om diwidente aan sy lede uit te betaal nie;

Annual Subscription.

- (6) To charge an annual subscription payable by each member of the Provincial Institute and of the Chapter as provided in Regulation 80;

Waiving of Subscriptions.

- (7) To waive, subject to the approval of the Central Council, subscriptions in any case which may appear to merit such consideration;

Travelling and Subsistence Allowances.

- (8) To pay out of its funds the first-class railway or air fares and a reasonable subsistence allowance (a) to members attending meetings of the Committee or Board or of any sub-committee thereof, and (b) to any member or official authorised by the Committee or Board to visit any place in the interests of the Provincial Institute or the Chapter;
- (9) to pay out of its fund an equitable travelling and subsistence allowance where any other means of transport is used for the above-mentioned purposes;

Special Committee.

- (10) To delegate any of its powers to a special committee of the members of its or any other Provincial Institute or of the Chapter, including the power to delegate its functions in connection with alleged unprofessional conduct as set out in Section 'H' of these Regulations;

Secretary.

- (11) To appoint and dismiss a Secretary and other servants of the Provincial Committee or Board as it may deem fit;

Co-operation.

- (12) To co-operate with and assist, financially or otherwise, any Provincial Institute or the Chapter or any other body in furtherance of the objects of the Institute and Chapter, subject to the approval of the Central Council;

Applications for Registration and Enrolment.

- (13) To call upon any applicant for registration or enrolment for further information in support of his application and if deemed necessary to request a sworn declaration;

Professional Publications.

- (14) To take any steps with regard to the publication and disposal of journals, calendars, year-books and other forms of printed matter as it may deem necessary and to establish, maintain and control a professional library;

Scholarships, Bursaries and Prizes.

- (15) To found, grant, accept or administer scholarships, bursaries and prizes;

Amendments to Regulations.

- (16) To suggest new regulations or amendments to existing regulations, for the consideration of the Central Council;

General Powers.

- (17) Generally to do all such other things as are incidental or conducive to the performance of the duties or the exercise of the powers set out in these Regulations.

Architectural Competitions.

- (18) Each Provincial Committee shall have the power to appoint assessors to any architectural competition if so requested by the promoters and in other ways to assist in the promotion of any architectural competition: Subject always to the requirements of Regulation 40 (5).

(19) * Amendment R764 of 23.5.65

DUTIES OF PROVINCIAL COMMITTEES AND BOARD.

40. Each Provincial Committee and the Board shall be responsible for the fulfilment of the following duties:—

Central Council Members and Alternates.

- (1) To elect, as members, its representatives and alternates to the Central Council on or before April 15th of each year;

10*(19) Life Members

To recommend to the Central Council the election of life members.

Jaarlikse ledegelde.

- (6) Om 'n jaarlikse ledegeld te vorder, betaalbaar deur elke lid van die Provinsiale Instituut of van die Tak soos in Regulasie 80 bepaal;

Kwytstelling van ledegelde.

- (7) Om, onderworpe aan goedkeuring van die Sentrale Raad kwytstelling te verleen in enige geval wat sodanige vergunning regverdig;

Reis- en verblyftoeleas.

- (8) Om uit sy fondse eersteklas trein- of lugreisgelde en redelike verblyftoeleas te betaal (a) aan lede wat vergaderings van die Komitee of die Bestuur of van enige Subkomitee daarvan bywoon, en (b) aan enige lid of beampte wat deur die Komitee of Bestuur gemagtig is om enige plek in die belange van die Provinsiale Instituut of die Tak te besoek;
- (9) Om uit sy fondse 'n redelike reis- en verblyftoeleas te betaal waar ander middele van vervoer vir bogenoemde doeleindes gebruik word;

Spesiale komitee.

- (10) Om enigeen van sy bevoegdhede te deleger aan 'n spesiale komitee van die lede van sy eie of 'n ander Provinsiale Instituut of van die Tak, met inbegrip van die bevoegdheid om sy funksies in verband met beweerde onprofessionele gedrag te deleger soos in afdeling H van hierdie Regulasies bepaal;

Sekretaris.

- (11) Om 'n Sekretaris en ander beamptes van die Provinsiale Komitee of Bestuur na goeëdunke aan te stel en te ontslaan;

Samewerking.

- (12) Om, onderworpe aan die goedkeuring van die Sentrale Raad, saam te werk met, en finansiële of ander ondersteuning te verleen aan, enige Provinsiale Instituut, of die Tak, of enige ander liggaam, ter bevordering van die oogmerke van die Instituut en die Tak;

Aansoeke om registrasie en inskrywing.

- (13) Om enige applikant vir registrasie of inskrywing aan te sê om verdere inligting ter ondersteuning van sy aansoek te verstrek en om 'n beëdigde verklaring te eis as dit nodig beskou word;

Professionele publikasies.

- (14) Om enige stappe te doen met betrekking tot die publikasie en verspreiding van tydskrifte, kalenders, jaarboeke en ander soorte drukwerk, wat hy nodig ag en om 'n professionele biblioteek te stig, in stand te hou en te beheer;

Studiebeurse, beurse en pryse.

- (15) Om studiebeurse, beurse en pryse te stig, toe te ken, aan te neem of te administreer;

Wysigings van regulasies.

- (16) Om nuwe regulasies, of wysigings van bestaande regulasies, vir oorweging van die Sentrale Raad voor te lê;

Algemene bevoegdhede.

- (17) Om in die algemeen alle sodanige ander stappe te doen as wat behoort by, of bevorderlik is vir die uitvoering van die pligte of die uitoefening van die bevoegdhede soos in hierdie Regulasies uiteengesit;

Argitektuurkompetisies.

- (18) Elke Provinsiale Komitee het die bevoegdheid om, indien deur die promotors daartoe versoek, assessore vir enige argitektuurkompetisie aan te stel en om in ander opsigte te help met die bevordering van enige argitektuurkompetisie: Altyd onderworpe aan die voorskrifte van Regulasie 40 (5).

PLIGTE VAN PROVINSIALE KOMITEES EN DIE BESTUUR.

40. Elke Provinsiale Komitee en die Bestuur is verantwoordelik vir die vervulling van die volgende pligte:—

Sentrale raadslede en secundi.

- (1) Om sy verteenwoordigers en secundi na die Sentrale Raad op of voor 15 April van elke jaar as lede te verkies;

Vacancy on Central Council.

- (2) Expeditiously to fill any vacancy on the Central Council concerning its members or alternates;

Financial Control.

- (3) (a) To control the financial affairs of their respective bodies;
(b) all moneys shall be paid to an account at such bank as the Provincial Committee or the Board shall direct and no sum of money shall be paid out except by direction of the Provincial Committee or the Board and by a cheque drawn by the Secretary and counter-signed by the President or in his absence by a Vice-President or some other member specially appointed by the Provincial Committee or the Board;

Central Council's Instructions.

- (4) To carry out all instructions lawfully given to it by the Central Council;

Notification re Architectural Competitions.

- (5) To advise the Central Council immediately of the existence of an architectural competition and to submit for the formal approval of the Central Council, the draft conditions of competition proposed to be used;

Payment of Central Council Levy.

- (6) To pay such annual financial contribution as may be levied by the Central Council [vide Regulation 22 (e)];

Applications for Registration and Enrolment.

- (7) (a) To receive applications for registration or enrolment and to transmit such applications together with the registration or enrolment fee to the Central Council; upon receiving notification of the final decision of the Central Council, to notify the applicant that he has, or has not, as the case may be, been registered or enrolled a member of the Institute or of the Chapter respectively; and to return all registration or enrolment fees received from applicants in cases of rejection;
(b) any applicant who has been duly registered or enrolled shall thereafter be a member of the Provincial Institute through which he applied, or of the Chapter;

Changes in Membership.

- (8) To notify the Central Council immediately of every change in respect of its membership;

Central Council to be Notified re Unprofessional Conduct.

- (9) To notify the Central Council (a) of every allegation of unprofessional conduct alleged against any of its members, and (b) of the result of the inquiry into such allegation;

Application to Supreme Court.

- (10) To consult the Central Council and to consider any recommendation made by the Council, before exercising the right granted in section seventeen of the Act.

D.

GENERAL MEETINGS OF PROVINCIAL INSTITUTES AND OF THE CHAPTER.

Definition of "Committee".

41. In this section 'D' the word "Committee" shall, save where otherwise specially stated, mean and include the Provincial Committee of any Provincial Institute and the Board of the Chapter.

Annual General Meeting.

42. Each Provincial Institute and the Chapter shall convene an annual general meeting of its members to be held not later than March 31st.

Vakature in Sentrale Raad.

- (2) Om enige vakature in die Sentrale Raad ten opsigte van sy lede of secundi spoedig aan te vul;

Finansiële beheer.

- (3) (a) Om die finansiële sake van hul onderskeie liggame te beheer;
(b) alle gelde moet op 'n rekening inbetaal word by 'n bank wat die Provinsiale Komitee of die Bestuur voorskryf, en geen geld mag uitbetaal word nie, behalwe op las van die Provinsiale Komitee of die Bestuur en by wyse van 'n tjek getrek deur die Sekretaris en mede-onderteken deur die President of in sy afwesigheid deur 'n Vice-President of 'n ander lid wat spesiaal deur die Provinsiale Komitee of die Bestuur daartoe aangestel is;

Instruksies van die Sentrale Raad.

- (4) Om alle instruksies uit te voer wat wettiglik deur die Sentrale Raad aan hom gegee word;

Kennisgewing insake argitektuurkompetisies.

- (5) Om die Sentrale Raad onmiddellik in kennis te stel van die bestaan van 'n argitektuurkompetisie en om, vir formele goedkeuring deur die Sentrale Raad, die konsepsvoorwaardes van die kompetisie voor te lê;

Betaling van Sentrale Raad se heffing.

- (6) Om die jaarlikse finansiële bydrae te betaal wat deur die Sentrale Raad gehef mag word [sien Regulasie 22 (e)];

Aansoeke om registrasie en inskrywing.

- (7) (a) Om aansoeke om registrasie of inskrywing te ontvang, en om sodanige aansoeke saam met die registrasie- of inskrywingsgelde aan die Sentrale Raad te stuur; om by ontvangs van kennisgewing van die finale besluit van die Sentrale Raad, die applikant in kennis te stel dat hy as lid van onderskeidelik die Instituut of die Tak geregistreer of ingeskryf is of nie, na gelang van die geval; en om in gevalle van afwysing, alle registrasie- of inskrywingsgelde wat van applikante ontvang is, terug te stuur;
(b) enige applikant wat behoorlik geregistreer of ingeskryf is, is daarna 'n lid van die Provinsiale Instituut waardeur hy aansoek gedoen het of of van die Tak;

Veranderings in ledetal.

- (8) Om die Sentrale Raad onmiddellik in kennis te stel van enige verandering ten opsigte van sy ledetal;

Inkennisstelling van Sentrale Raad insake onprofessionele gedrag.

- (9) Om die Sentrale Raad in kennis te stel (a) van elke bewering van onprofessionele gedrag teen enigeen van sy lede ingebring, en (b) van die uitslag van die ondersoek insake so 'n bewering;

Aansoek by Hooggeregshof.

- (10) Om die Sentrale Raad te raadpleeg, en enige aanbeveling wat deur die Raad gedoen is, te oorweeg, alvorens die reg verleen in artikel sewentien van die Wet uitgeoefen word.

D.

ALGEMENE VERGADERINGS VAN PROVINSIALE INSTITUUT EN VAN DIE TAK.

Definisie van „Komitee“.

41. In hierdie afdeling D beteken en omvat die woord „Komitee“, behoudens waar anders spesiaal bepaal word, die Provinsiale Komitee van enige Provinsiale Instituut en die Bestuur van die Tak.

Algemene jaarvergadering.

42. Elke Provinsiale Instituut en die Tak moet 'n algemene jaarvergadering van sy lede saamroep, nie later as 31 Maart nie.

Rights inherent in an Annual General Meeting.

43. An annual general meeting shall have the right—
- (1) to elect, by ballot (in terms of Regulations 47, 48, 54 *et seq.*), the Committee or Board, respectively;
 - (2) to consider and, if approved, to adopt the audited accounts, and to submit any comments or criticisms thereon;
 - (3) to appoint one or more auditors and to fix his or their remuneration;
 - (4) to suggest new regulations, or amendments to regulations, for the consideration of the Committee and of the Central Council;
 - (5) to deliberate and to make suggestions to its Provincial Committee or the Board concerning any matter covered by the Act and these Regulations.

Quorum.

44. (1) The quorum necessary to constitute any annual general meeting or special general meeting shall be one-twentieth of the members of the Provincial Institute or of the Chapter, not being less than five. **Addition of 1854-55. 11.64*

(2) If no quorum be present the meeting shall be adjourned and shall be resumed one week later, at the same time and place (if on a public holiday, on the next succeeding day).

(3) The members then present shall constitute a quorum.

Notice of Meeting.

45. (1) The Committee shall give at least six weeks' notice of the place, date and time for the annual general meeting.

(2) The notice shall contain such particulars as are required by these Regulations.

Special General Meeting.

46. (1) A Committee may, whenever it thinks fit, call a special general meeting.

(2) A special general meeting shall be called by the Secretary within twenty-one days after the receipt by him of a written requisition signed by not less than one-tenth of the members of the Provincial Institute or Chapter respectively stating the object of the proposed meeting.

** (3) Addition - R764 of 28.5.65*

Nomination of Committee for Election.

47. (1) Any member may nominate in writing a candidate or candidates for election to the Committee, provided that each such candidate shall have signified acceptance by signing his nomination paper.

(2) Such nominations shall be in the hands of the Secretary not later than four weeks before the date fixed for the annual general meeting.

48. (1) Each Committee shall at least six weeks before the annual general meeting issue to all members a request to nominate candidates for election to the Committee in terms of Regulation 47.

(2) After the expiry of the time for nominations, *vide* Regulation 47, each Committee shall nominate additional candidates for election to the Committee if necessary to make up the minimum number required to form a Committee and may in its discretion nominate a greater number than the minimum required.

(3) All the names of candidates thus nominated, if exceeding the minimum number required to form a Committee, shall be arranged in alphabetical order and printed on the ballot paper, and, in the case of the Chapter, those from the regions referred to in Regulation 24 (1) (c), grouped in their respective regions.

Chairman.

49. The President shall preside at all meetings of a Provincial Institute or of the Chapter; in his absence the Senior Vice-President shall preside; in the absence of the President and Senior Vice-President, the Junior Vice-President (if any) shall preside; in the absence of all the above, a Chairman shall be elected from among the members present.

Bevoegdheid van algemene jaarvergadering.

43. 'n Algemene jaarvergadering het die reg—

- (1) om onderskeidelik die Komitee of Bestuur, deur stembrieffies (ooreenkomstig Regulasies 47, 48, 54 *et seq.*) te verkies;
- (2) om die geouditeerde rekenings te oorweeg en, by goedkeuring, te aanvaar, en enige kommentaar of kritiek daarop voor te lê;
- (3) om een of meer ouditeure aan te stel en om sy of hulle vergoeding vas te stel;
- (4) om nuwe regulasies of wysigings van regulasies aan die Komitee en die Sentrale Raad vir oorweging voor te lê;
- (5) om te beraadslaag en voorstelle aan sy Provinsiale Komitee of die Bestuur te doen betreffende enige aangeleentheid wat deur die Wet en hierdie Regulasies gedek word.

Kworum.

44. (1) Die kworum op enige algemene jaarvergadering of spesiale algemene vergadering is een-twintigste van die ledetal van die Provinsiale Instituut of van die Tak, maar nie minder as vyf nie.

(2) As daar geen kworum teenwoordig is nie, word die vergadering verdaag en vind dit weer op dieselde tyd en plek, een week later plaas (en as dit 'n openbare vakansiedag is, op die daaropvolgende dag).

(3) Die teenwoordige lede vorm dan 'n kworum.

Kennisgewing van vergadering.

45. (1) Die Komitee moet minstens ses weke kennis gee van die plek, datum en tyd van die algemene jaarvergadering.

(2) Die kennisgewing moet die besonderhede bevat wat by hierdie Regulasies vereis word.

Spesiale algemene vergadering.

46. (1) 'n Komitee kan, wanneer hy dit ook al goedvind, 'n spesiale algemene vergadering saamroep.

(2) 'n Spesiale algemene vergadering moet deur die Sekretaris binne een-en-twintig dae nadat hy 'n skriftelike versoek ontvang het wat deur minstens een-tiende van die lede van onderskeidelik die Provinsiale Instituut of die Tak geteken is, en wat die doel van die voorgestelde vergadering vermeld, saamgeroep word.

Nominasie vir Komiteeverkiesing.

47. (1) Enige lid kan 'n kandidaat of kandidate skriftelik vir verkiesing tot lede van die Komitee nomineer, met dien verstande dat elke sodanige kandidaat te kenne moet gee dat hy sy nominasie aanneem deur sy nominasiebrieff te teken.

(2) Sodanige nominasies moet nie later nie as vier weke voor die vasgestelde datum vir die algemene jaarvergadering in besit van die Sekretaris wees.

48. (1) Elke Komitee moet minstens ses weke voor die algemene jaarvergadering 'n versoek aan alle lede rig om kandidate to nomineer vir verkiesing as Komiteelede, ooreenkomstig Regulasie 47.

(2) Na die vervaltijd vir nominasies, sien Regulasie 47, moet elke Komitee bykomende kandidate vir verkiesing as Komiteelede nomineer, indien nodig, om die minimum getal te verkry wat nodig is om 'n Komitee te vorm, en kan na goedgevallen 'n groter getal as die vereiste minimum nomineer.

(3) Die name van alle aldus genomineerde kandidate, indien meer as die minimum getal wat nodig is om 'n komitee te vorm, moet in alfabetiese orde gerangskik word en op die stembrieffie gedruk word; en, wat die Tak betref, moet diegene vanuit die streke [sien Regulasie 24 (1) (c)] in hul onderskeie streke gegroepeer word.

Voorsitter.

49. Die President tree op alle vergaderings van 'n Provinsiale Instituut of van die Tak as Voorsitter op; in sy afwesigheid tree die Senior Vice-President as Voorsitter op; en in die afwesigheid van die President en die Senior Vice-President, die Junior Vice-President, as daar een is; in die afwesigheid van al bogenoemde word 'n Voorsitter verkies uit die lede wat teenwoordig is.

46(3) The Secretary shall give at least two weeks' notice of the place, date, time and agenda for a special general meeting.

44(1) *12* * Provided that the quorum necessary to constitute any annual general meeting for the purpose of appointing scrutineers pursuant to Regulation 55 shall be five.

Chairman to Decide Procedure.

50. (1) The President, or a Vice-President, or in their absence the Chairman duly elected by the meeting, shall decide all matters of procedure, whether or not specifically covered by these Regulations, and his decision shall be final: Provided that he may not adjourn or terminate such meeting save on a majority vote to that effect.

(2) Should any member feel aggrieved by such decision, he shall have the right of appeal to the Central Council (*vide* Regulation 75).

Casting Vote.

51. The Chairman (*vide* Regulation 50) shall not vote on any resolution, save in the case of a tie, in which case he shall exercise a casting vote.

Right to Participate in Meeting.

52. In case the right of any person to take part in the business of a general meeting or to be present thereat be challenged, the Chairman shall decide, and his decision shall be final.

Auditing of Accounts.

53. (1) The books and accounts for the previous year shall, not less than six weeks before each annual general meeting, be delivered to the auditor, who shall examine the same and report thereon not less than twenty-eight days before the date of the meeting.

(2) A copy of the audited accounts and of the auditor's certificate and report thereon shall be posted to each member forthwith.

Ballot Papers.

54. (1) If more candidates are nominated than are required to form a Committee, a ballot paper and two envelopes shall be forwarded to each member two weeks before the annual general meeting.

(2) The member shall complete the said paper and enclose it in the small plain envelope, which shall be enclosed in the large envelope, and the member after signing his name on the large envelope shall forward or hand it to the Secretary at any time before the scrutineers are appointed at the meeting above referred to.

(3) Immediately prior to the appointment of the scrutineers the ballot shall be closed.

Scrutineers.

55. At an annual general meeting the members present shall appoint from among their numbers two or more scrutineers, who with the Secretary shall proceed to call out the name of the member whose signature appears on the large envelope, ascertain that all is in order, then open and destroy the large envelope and deposit the small envelope contained therein unopened in the ballot box.

56. (1) The scrutineers shall then retire and count the votes recorded on the said ballot papers and report the figures and result of the ballot to the Chairman before the close of the meeting.

(2) Ballot papers shall not be invalidated by reason of any signature thereon.

Retention of Ballot Papers.

57. Upon the declaration of the result of the ballot, the scrutineers shall hand to the Secretary the whole of the ballot papers, which the Secretary shall retain for at least three calendar months from the date of the ballot.

Salaries of Members on Committee.

58. If the ballot results in the election of more than the prescribed maximum number of candidates who are salaried members, the number of such candidates in excess who have polled the lower number of votes shall be considered as not elected and an equal number of candidates who are practising members and who polled the next highest number of votes shall be declared elected in their places, subject to the provisions of Regulation 60.

"Solely-Practising" Quantity Surveyors.

59. If the ballot for members of the Board results in the election of less than the prescribed majority of practising members practising solely as quantity surveyors, then so

Procedure deur Voorsitter gereël.

50. (1) Die President, of 'n Vise-President, of in die afwesigheid van beide, die Voorsitter wat behoorlik deur die vergadering verkies is, beslis alle sake van prosedure of daar ook al in hierdie Regulasies daarvoor voorsiening gemaak is of nie, en sy beslissings is finaal: Met dien verstande dat hy nie sodanige vergadering mag verdaag of beëindig nie, behalwe in geval van 'n meerderheid van stemme te dien effekte.

(2) As enige lid veronreg voel oor sodanige beslissing het hy die reg om te appelleer na die Sentrale Raad (sien Regulasie 75).

Beslissende stem.

51. Die Voorsitter (sien Regulasie 50) mag nie oor 'n voorstel stem nie, behalwe in geval van 'n staking van stemme, en dan moet hy 'n beslissende stem uitbring.

Reg om deel te neem aan vergadering.

52. In geval die reg van enige persoon betwis word om deel te neem aan die werksaamhede van die algemene vergadering of om daarop teenwoordig te wees, moet die Voorsitter beslis; en sy beslissing is finaal.

Ouditering van rekenings.

53. (1) Die boeke en rekenings van die vorige jaar moet minstens ses weke voor elke algemene jaarvergadering aan die ouditeur oorhandig word, en die ouditeur moet sodanige boeke en rekenings nagaan en minstens agt-en-twintig dae voor die datum van die vergadering verslag daarvoor doen.

(2) 'n Afskrif van die geouditeerde rekenings en van die ouditeur se sertifikaat en verslag daarvoor moet dadelik aan elke lid gepos word.

Stembriefies.

54. (1) Indien meer kandidate genomineer word as wat nodig is om 'n Komitee te vorm, moet 'n stembriefie met twee koeverte aan elke lid twee weke voor die algemene jaarvergadering gestuur word.

(2) Die lid moet die stembriefie voltooi en dit in die klein ongedrukte koevert plaas wat dan weer in die groot koevert geplaas moet word, en deur die lid, nadat hy sy naam op die groot koevert geteken het, aan die Sekretaris teruggestuur of oorhandig word te eniger tyd voordat die stemopnemers by die gemelde vergadering aangestel word.

(3) Onmiddellik voor die aanstelling van die stemopnemers moet die stemming gesluit verklaar word.

Stemopnemers.

55. Op 'n algemene jaarvergadering stel lede wat teenwoordig is uit hulle getal twee of meer stemopnemers aan wat dan saam met die Sekretaris die naam uitroep van die lid van wie die handtekening op die groot koevert verskyn, toesien dat alles in orde is, en daarna die groot koevert oopmaak en vernietig en die klein ingeslote koevertjie onoopgemaak in die stembus plaas.

56. (1) Daarna gaan die stemopnemers opsy en tel die stemme wat op genoemde stembriefies verskyn en rapporteer die telling en die uitslag van die stemming aan die Voorsitter voor die sluiting van die vergadering.

(2) Stembriefies word nie ongeldig omdat 'n handtekening daarop verskyn nie.

Bewaring van stembriefies.

57. Na die bekendmaking van die uitslag van die stemming, moet die stemopnemers al die stembriefies aan die Sekretaris oorhandig, en die Sekretaris moet hulle vir minstens drie kalendermaande vanaf die datum van die stemming bewaar.

Gesalarieerde lede in Komitee.

58. Ingeval die stemming uitloop op die verkiesing van meer as die voorgeskrewe maksimum getal kandidate wat gesalarieerde lede is, word die getal sodanige kandidate wat te veel is en wat die minste stemme gekry het, beskou as nie verkies nie, en 'n gelyke getal kandidate wat praktiserende lede is en wat die volgende grootste getal stemme gekry het, word in hulle plekke verkose verklaar, onderworpe aan die bepalinge van Regulasie 60.

"Uitsluitlik Praktiserende" Bourekenaars.

59. Ingeval die stemming vir lede van die Bestuur uitloop op die verkiesing van minder as die voorgeskrewe meerderheid van praktiserende lede wat uitsluitlik as bou-

many of those candidates who are practising members practising solely as quantity surveyors and who polled the next highest number of votes shall be declared elected as are necessary to complete the said majority, and of the other candidates an equal number shall be considered as not elected, while the remaining vacancies shall be filled by those other candidates who have obtained the most votes; subject to the provisions of Regulation 60.

60. (1) In case of any difficulty arising, Regulation 59 shall be given effect to before Regulation 58 is dealt with.

(2) In the event of a regional candidate, *vide* Regulation 24 (1) (c), being declared not elected owing to the operation of Regulations 58 and 59, then the candidate ~~from~~ that region who polls the next highest number of votes and complies with the prescribed requirements shall be declared elected.

Minutes.

61. (1) Minutes shall be recorded, in book form, of all resolutions and proceedings of meetings.

(2) Such minutes shall be confirmed at and signed by the Chairman of the succeeding meeting.

~~Prescribed Attendance at Meetings~~

62. No member of the Institute or of the Chapter shall take part in any general meeting of the Institute or of the Chapter if his subscription is in arrear or if any fine inflicted upon him under these Regulations remains unpaid.

E.

MEMBERSHIP.

CLASS AND DESIGNATION OF MEMBERS, THEIR RIGHTS AND LIABILITIES.

Practising, Salaried and Retired Members.

63. There shall be ~~three~~ ^{and life} classes of members of the Institute and of the Chapter:—

- (1) Members in practice on their own behalf, whether alone or in partnership, herein designated "practising members".
- (2) Members in salaried employment, herein designated "salaried members".
- (3) Members who have signified their intention to be placed in the retired class, herein designated "retired members".

* (4) *Addition* ^{Classification on Joining.}

64. No person may join the Institute or the Chapter other than as a practising or salaried member.

Transfer from "Salaried" to "Practising".

65. A member in salaried employment shall have the right to have his name placed in the class of practising members if he so notify the Secretary.

66. Prior to performing the work of an architect or quantity surveyor for remuneration for any one other than the person, firm, or institution by whom he is employed on a salaried basis, a salaried member shall apply for his registration or enrolment to be transferred to the class of a practising member.

67. Until a member notifies his Provincial Committee or the Board in writing that he desires to be classified as a "salaried" member, he shall be deemed to be a practising member.

"Retired" Class; Restrictions.

68. No practising or salaried member may be transferred to the retired class while performing the work of an architect or quantity surveyor for remuneration within the Republic: Provided that a member performing the work of an architect may be placed on the retired list of the Chapter and a member performing work of a quantity surveyor may be placed on the retired list of a Provincial Institute.

From One Provincial Institute to Another.

69. (1) Any member may at any time have his name transferred from one Provincial Institute to another.

rekenaars praktiseer, word soveel van daardie kandidate wat praktiserende lede is, wat uitsluitlik as bourekenaars praktiseer en wat die volgende grootste getal stemme gekry het, verkose verklaar as wat nodig is om genoemde meerderheid op te maak, en van die ander kandidate word 'n gelyke getal geag nie verkose te wees nie, terwyl die oorblywende vakatures aangevul word deur die ander kandidate wat die meeste stemme gekry het; onderworpe aan die bepalings van Regulasie 60.

60. (1) Ingeval enige moeilikheid ontstaan moet aan Regulasie 59 gevolg gegee word alvorens Regulasie 58 toegepas word.

(2) Ingeval 'n streekskandidaat, sien Regulasie 24 (1) (c), as gevolg van die werking van Regulasies 58 en 59 as nie verkose verklaar word, moet die kandidaat van daardie streek wat die volgende grootste getal stemme gekry het en wat aan die voorgeskrewe vereistes voldoen, verkose verklaar word.

Notule.

61. (1) Notule van alle besluite en verrigtings van vergaderings moet in boekvorm gehou word.

(2) Sodanige notule moet op die volgende vergadering goedgekeur word en deur die Voorsitter geteken word.

Verbode bywoning van vergaderings.

62. Geen lid van die Instituut of van die Tak mag deelneem aan enige algemene vergadering van die Instituut of van die Tak as sy ledegeld agterstallig is of as 'n boete wat hom kragtens hierdie Regulasies opgelê is, onbetaald is nie.

E.

LIDMAATSKAP.

KLASSE EN BENAMING VAN LEDE, HULLE REGTE EN VERPLIGTINGS.

Praktiserende, Gesalarieerde en Afgetrede Lede.

63. Vir die Instituut en vir die Tak is daar drie klasse lede:—

- (1) Lede wat vir eie rekening praktiseer of alleen of in vennootskap, hierin „praktiserende lede” genoem.
- (2) Lede in gesalarieerde werk, hierin „gesalarieerde lede” genoem.
- (3) Lede wat hulle wens te kenne gegee het om in die afgetrede klas gegroepeer te word, hierin „afgetrede lede” genoem.

Indeling by aansluiting.

64. Geen persoon mag by die Instituut of die Tak aansluit behalwe as praktiserende of gesalarieerde lid nie.

Oorplasing van „Gesalarieerde” na „Praktiserende”.

65. 'n Lid wat in 'n gesalarieerde betrekking is, het die reg om sy naam in die klas praktiserende lede te laat plaas as hy die Sekretaris te dien effekte kennis gee.

66. Voordat hy die werk van 'n argitek of bourekenaar teen vergoeding uitvoer vir iemand anders as die persoon, firma of inrigting by wie hy op 'n salarisbasis in diens is, moet 'n gesalarieerde lid aansoek doen om sy registrasie of inskrywing na die klas praktiserende lede te laat oorplaas.

67. Totdat 'n lid sy Provinsiale Instituut of die Bestuur skriftelik in kennis stel dat hy verkies om as 'n gesalarieerde lid geklassifiseer te word, moet hy as 'n praktiserende lid beskou word.

„Afgetrede” klas; beperkings.

68. Geen praktiserende of gesalarieerde lid mag oorplaas word na die afgetrede klas terwyl hy binne die Republiek die werk van 'n argitek of bourekenaar teen vergoeding doen nie: Met dien verstande dat 'n lid wat die werk van 'n argitek doen op die afgetrede lys van die Tak geplaas kan word, en 'n lid wat die werk van 'n bourekenaar doen op die afgetrede lys van 'n Provinsiale Instituut geplaas kan word.

Van een Provinsiale Instituut na 'n ander.

69. (1) Enige lid mag sy naam te eniger tyd laat oorplaas van een Provinsiale Instituut na 'n ander.

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63 (4) Members elected by the Central Council as life members on the recommendation of a Provincial Committee or the Board, hereinafter designated "life members".

Membership of More than One Provincial Institute.

(2) (a) A member may join more than one Provincial Institute (*vide* Section 7 (2) of the Act): Provided that he retains the same membership classification in each Provincial Institute.

(b) He shall be liable to each Provincial Institute of which he is a member for the annual subscription as laid down in Regulation 80.

Honorary Membership.

70. The Central Council may of its own accord, or after receiving a recommendation from any Provincial Committee or the Board, elect any person, not being an architect or a quantity surveyor, to be an honorary member of the Institute or of any such Provincial Institute or of the Chapter: Provided that such member shall not thereby incur any obligations or be entitled to any rights under the Act or these Regulations, except that he may designate himself as an honorary member of the Institute or a Provincial Institute or of the Chapter.

Certificates of Membership.

71. Every member of the Institute and every member of the Chapter shall be furnished by the Central Council with a certificate of membership as prescribed in Regulation 21 (r).

* Addition - R764 of 28.5.65
"M.I.A."

72. Every member whose name appears on the register shall have the right to style himself "Member of the Institute of South African Architects" and to use the professional affix "M.I.A."

"M.C.Q.S."

73. Every member whose name appears on the roll shall have the right to style himself "Member of the Chapter of South African Quantity Surveyors" and to use the professional affix "M.C.Q.S."

* Addition - R2677 of 23.12.66
Professional Assistance to Members.

74. Every member of the Institute and of the Chapter shall have the right to apply to his Provincial Committee or to the Board for assistance in respect of any matter affecting in principle the rights, practice or status of members generally [*vide* Regulation 39 (2)].

Right of Appeal to Central Council.

75. Every member of the Institute and of the Chapter shall have the right to appeal to the Central Council against any decision by or on behalf of a Provincial Committee or the Board [*vide* Regulations 22 (1) and 98], which appeal shall be determined by the Central Council or by a Special Appeal Committee duly appointed by the Central Council.

Professional Remuneration.

76. Every member of the Institute shall be entitled, in the absence of special agreement, to remuneration for his services as set out in Regulation 85.

77. Every member of the Chapter shall be entitled, in the absence of special agreement, to remuneration for his services as set out in Regulation 86.

Change of Partnership or Address.

78. It shall be the duty of every member of the Institute and of the Chapter immediately to notify his Provincial Committee or the Board of any change in partnership or address, for transmission to the Central Council.

Registrations, Enrolment and Transfer Fees.

79. (1) (a) All applicants for registration or enrolment shall pay to the Central Council through a Provincial Committee or the Board such registration or enrolment fee not exceeding R52.50 (fifty-two rand and fifty cents) as the Central Council may from time to time decide.

(b) The prescribed registration or enrolment fee shall accompany each application for registration or enrolment.

(2) In the case of applicants who join either the Institute or the Chapter as practising members, the registration or enrolment fee shall until further notice be R52.50 (fifty-two rand and fifty cents).

(3) In the case of applicants who join either the Institute or the Chapter as salaried members, the registration or enrolment fee shall until further notice be R10.50 (ten

* Life Membership:

71 bis. (i) The Central Council may, after receiving a recommendation from a Provincial Committee or the Board, elect any member to be a life member of the Institute.
(2) Such member shall be entitled to the full privileges of membership of the Institute of S. Afr. Architects or the Chapter of the S. Afr. Quantity Surveyors and shall be furnished by the Central Council with a special certificate of life membership.

Lidmaatskap van meer as een Provinsiale Instituut.

(2) (a) 'n Lid mag by meer as een Provinsiale Instituut aansluit [sien artikel sewe (2) van die Wet]: Met dien verstande dat hy dieselfde indeling van lidmaatskap in elke Provinsiale Instituut behou.

(b) Hy is aanspreeklik teenoor elke Provinsiale Instituut waarvan hy lid is vir die jaarlikse ledegeld soos in Regulasie 80 bepaal.

Erelede.

70. Die Sentrale Raad mag uit sy eie, of na hy 'n aanbeveling van 'n Provinsiale Komitee of van die Bestuur ontvang het, enige persoon, wat nie 'n argitek of bourekenaar is nie, verkies tot erelid van die Instituut of van enige sodanige Provinsiale Instituut of van die Tak: Met dien verstande dat dit nie vir so 'n lid enige verpligtings of regte kragtens die Wet of hierdie Regulasies meebring nie, behalwe dat hy hom as erelid van die Instituut, of 'n Provinsiale Instituut of die Tak mag beskrywe.

Lidmaatskapsertifikate.

71. Elke lid van die Instituut en elke lid van die Tak moet deur die Sentrale Raad voorsien word van 'n lidmaatskapsertifikaat soos voorgeskryf in Regulasie 21 (r).

"L.I.A."

72. Elke lid wie se naam op die register verskyn, het die reg om hom "Lid van die Instituut van Suid-Afrikaanse Argitekte" te noem en om die professionele titel "L.I.A." te gebruik.

"L.T.B."

73. Elke lid wie se naam op die rol verskyn, het die reg om hom "Lid van die Tak van Suid-Afrikaanse Bourekenaars" te noem, en om die professionele titel "L.T.B." te gebruik.

Professionele ondersteuning aan lede.

74. Elke lid van die Instituut en van die Tak het die reg om by sy Provinsiale Komitee of by die Bestuur aansoek te doen om ondersteuning met betrekking tot enige saak wat in beginsel die regte, praktyk of status van lede in die algemeen raak [sien Regulasie 39 (2)].

Reg van appèl by Sentrale Raad.

75. Elke lid van die Instituut en van die Tak het die reg om by die Sentrale Raad te appelleer teen enige beslissing deur of namens 'n Provinsiale Komitee of die Bestuur [sien Regulasies 22 (1) en 98], en dié appèl word beslis deur die Sentrale Raad of 'n Spesiale Appèlkomitee behoorlik deur die Sentrale Raad aangestel.

Professionele vergoeding.

76. Elke lid van die Instituut is, by ontstentenis van 'n spesiale ooreenkoms, geregtig op vergoeding vir sy dienste soos bepaal in Regulasie 85.

77. Elke lid van die Tak is, by ontstentenis van 'n spesiale ooreenkoms, geregtig op vergoeding vir sy dienste soos bepaal in Regulasie 86.

Verandering van vennootskap of adres.

78. Dit is die plig van elke lid van die Instituut en van die Tak om onmiddellik sy Provinsiale Komitee of die Bestuur in kennis te stel van enige verandering in vennootskap of adres sodat dit na die Sentrale Raad deurgestuur kan word.

Registrasie-, inskrywings- en oorplasingsegelde.

79. (1) (a) Alle applikante vir registrasie of inskrywing betaal sodanige registrasie- of inskrywingsgeld van hoogstens R52.50 (twee-en-vyftig rand en vyftig sent), soos deur die Sentrale Raad van tyd tot tyd bepaal, aan die Sentrale Raad deur bemiddeling van 'n Provinsiale Komitee of die Bestuur.

(b) Die voorgeskrewe registrasie- of inskrywingsgeld moet elke aansoek om registrasie of inskrywing vergesel.

(2) In die geval van applikante wat by of die Instituut of die Tak as praktiserende lede aansluit, is die registrasie- of inskrywingsgeld, tot nadere kennisgewing, R52.50 (twee-en-vyftig rand en vyftig sent).

(3) In die geval van applikante wat by of die Instituut of die Tak as gesalarieerde lede aansluit, is die registrasie- of inskrywingsgeld, tot nadere kennisgewing, R10.50 (tien

rand and fifty cents), on the condition that should such salaried members at any time transfer to the class of practising members, a transfer fee of R42 (forty-two rand) must be paid.

Maximum Annual Subscriptions.

80. (1) The annual subscriptions payable by members of the Institute and of the Chapter [vide Regulation 22 (d)] shall not exceed—

- (a) ~~R22.50 (forty-two rand) and fifty cents~~ for practising members;
 - (b) ~~R31.50 (thirty-one rand) and fifty cents~~ for salaried members;
 - (c) ~~R4.20 (four rand) and twenty cents~~ for retired members;
- Amended 1748 6567*
Provided that if a member joins after the 30th June in any year he shall be liable for only half the amount of the annual subscription.

Uniformity of Subscriptions.

(2) The subscriptions payable in their respective classes shall be uniform for all members of the Provincial Institutes and of the Chapter.

Due on January 1st.

(3) (a) The annual subscriptions for any year shall be due on the first of January of that year.

(b) Where a member joins the Institute or the Chapter during the course of a year, the subscription for that year shall be due as from the date of registration or enrolment.

Rebate on Subscriptions.

(4) In the event of any member of the practising or salaried class being absent from, not practising in, nor having any interest in practice in the Republic of South Africa for a period of at least twelve consecutive months his subscription shall be reduced by one-half and if already paid he shall be credited accordingly.

"Address Unknown" and "Arrear Subscriptions".

81. The name of any member whose address is unknown to the Registrar for at least three years, or whose annual subscriptions are at least three years in arrear, shall not appear in any publication or list issued by or on behalf of the Institute, a Provincial Institute or the Chapter.

Resignation of Members.

82. It shall be lawful for any person whose name has been placed upon the register or roll, and whose professional conduct is not then the subject of investigation, at any time to resign by writing under his hand addressed and delivered to the Committee or Board, and thereupon the Central Council may remove his name from the said register or roll and he shall cease to be registered as an architect or enrolled as a quantity surveyor and cease to be a member of the Institute or Chapter as from the date on which he tendered his resignation, nor may he exercise any of the rights and privileges of a member pending the decision of the Central Council.

83. No member of any Provincial Institute may resign from the said Provincial Institute without at the same time either joining another Provincial Institute or resigning from the Institute.

Cancellation of Certificates.

84. In the event of the resignation, expulsion, or suspension of a member, his certificate of membership shall in case of suspension on demand be delivered up to and held by the Central Council during the period of suspension, and in the case of his resignation or the removal of his name from the register or roll the certificate shall on demand be delivered up to the Central Council and cancelled by it.

F.

PROFESSIONAL FEES CHARGEABLE IN THE ABSENCE OF SPECIAL AGREEMENT.

ARCHITECTS' FEES.

Six per cent. on Total Cost.

85. (1) In the absence of special agreement an architect shall be entitled, for his professional services, to charge a fee of 6 per cent. on the final cost of works executed under his direction.

** 80(1)(d) life members shall be exempt from payment of annual subscriptions.*

rand en vyftig sent), op voorwaarde dat, indien sodanige gesalarieerde lede te eniger tyd na die klas praktiserende lede oorgaan, 'n oorsplasinggeld van R42 (twee-en-veertig rand) betaal moet word.

Maksimum jaarlikse ledegelde.

80. (1) Die jaarlikse ledegelde wat deur lede van die Instituut en van die Tak betaalbaar is [sien Regulasie 22 (d)], mag nie hoër wees nie as—

- (a) R52.50 (twee-en-vyftig rand en vyftig sent) vir praktiserende lede;
- (b) R31.50 (een-en-dertig rand en vyftig sent) vir gesalarieerde lede;
- (c) R4.20 (vier rand en twintig sent) vir afgetrede lede:

Met dien verstande dat, as 'n lid na 30 Junie van enige jaar aansluit, hy slegs vir die helfte van die bedrag van die jaarlikse ledegeld aanspreeklik is.

Eenvormigheid van ledegelde.

(2) Die betaalbare ledegelde vir die onderskeie klasse moet eenvormig wees vir alle lede van die Provinsiale Institute en van die Tak.

Betaalbaar op 1 Januarie.

(3) (a) Die jaarlikse ledegelde vir elke jaar is op die eerste Januarie van daardie jaar betaalbaar.

(b) As 'n lid gedurende die loop van 'n jaar by die Instituut of die Tak aansluit, is die ledegelde vir sodanige jaar vanaf die datum van registrasie of inskrywing betaalbaar.

Korting op ledegelde.

(4) Ingeval enige lid van die praktiserende of gesalarieerde klas vir 'n tydperk van minstens twaalf agtereenvolgende maande afwesig is uit, nie praktiseer nie in nóg belang het by 'n praktyk in, die Republiek van Suid-Afrika, word sy ledegeld met die helfte verminder, en as hy reeds betaal het, word hy dienoreenkomstig gekrediteer.

"Adres onbekend" en "Agterstallige ledegelde".

81. Die naam van enige lid wie se adres vir minstens drie jaar aan die Registrateur onbekend is, of wie se ledegeld vir minstens drie jaar agterstallig is, verskyn nie in enige publikasie of lys uitgereik deur of namens die Instituut, 'n Provinsiale Instituut, of die Tak nie.

Bedanking van lede.

82. Enige persoon wie se naam op die register of die rol geplaas is, en wie se professionele gedrag nie asdan ondersoek word nie, is geregtig om te eniger tyd te bedank deur middel van 'n brief deur hom onderteken en geadresseer aan en afgelewer by die Komitee of die Bestuur, en daarna mag die Sentrale Raad sy naam van genoemde register of rol verwyder en hy hou op om as argitek geregistreer te wees of as bourekenaar ingeskryf te wees, asook om 'n lid te wees van die Instituut of die Tak, vanaf die datum waarop hy sy bedanking ingestuur het; hy mag ook nie enigeen van die regte of voorregte van 'n lid uitoefen alvorens die Sentrale Raad besluit het nie.

83. Geen lid van enige Provinsiale Instituut mag uit genoemde Provinsiale Instituut bedank sonder dat hy tegelykertyd of by 'n ander Provinsiale Instituut aansluit of as lid van die Instituut bedank nie.

Kanselering van sertifikate.

84. In geval van die bedanking, uitsetting of skorsing van 'n lid, word sy lidmaatskapsertifikaat, in geval van skorsing, op versoek afgelewer aan die Sentrale Raad en vir die tydperk van skorsing deur die Sentrale Raad gehou, en in geval van sy bedanking of die verwydering van sy naam van die register of rol, word die sertifikaat op versoek afgelewer aan, en gekanselleer deur, die Sentrale Raad.

F.

PROFESIONELE GELDE WAT GEVRA WORD BY ONSTENTENIS VAN 'N SPESIALE OOREENKOMS.

ARGITEKSGELDE.

Ses persent van die totale koste.

85. (1) As daar nie 'n spesiale ooreenkoms bestaan nie, is 'n argitek vir sy professionele diens geregtig op 5 persent van die finale koste van die werk onder sy leiding uitgevoer.

** 80(1)(c) provided that if a member joins after the 30th June in any year he shall be liable for only half the amount of the annual subscription.*

When Fees are Payable.

✓(2) The total fee of 6 per cent. for the services rendered shall be due and payable by the client, as follows:—

- (a) On approval of sketch design: 1 per cent. of the cost as estimated by the architect;
- (b) on signing of the contract: 4 per cent. of the contract sum, less the previous payment;
- (c) as the work proceeds: 2 per cent. on the value of each certificate;
- (d) on completion of the works: 6 per cent. of the final cost of the works, less previous payments.

Consultants' Fees.

✓(3) The employment of consultants shall be at the architect's discretion, in agreement with the client, and the amount of their fees shall be a matter of arrangement between architect and client, such amount to be paid by the client: ~~Provided that where it is agreed to engage the services of a consultant, other than an architectural consultant, in no case shall the architect's fee be reduced by more than 1 per cent. on the cost of the work upon which the services of the consultant are engaged; provided further that the architect's fee on the cost of the whole scheme shall not be reduced by more than 1 per cent.~~

Omission of Original Items.

✓(4) A fee of 4 per cent. may be charged upon the value of any works originally included in the contract or tender but subsequently omitted.

Time Charges.

✓(5) Where works are of such a character that percentage or other stated charges are inapplicable, a time shall be made at the minimum rate of R4.20 (four rand and twenty cents) per hour or part thereof. ~~R8.40 (eight rand and forty cents)~~

Surveys of Existing Buildings.

✓(6) For making surveys of existing buildings, the fee shall be in accordance with ~~Clause (5) above.~~

Inspecting Building Work for which he is not the Architect.

✓(7) For inspecting buildings in the course of construction and the documents relating thereto, on behalf of the mortgagee, reporting thereon and certifying therefor, the fee shall be 1 per cent. up to R40,000 (forty thousand rand) on the cost of the building, and ½ per cent. on the residue.

Valuing Buildings.

✓(8) For making valuations of buildings for assessment for taxation, fire insurance, expropriation, rental return, and similar purposes, the fee shall be ~~R2.10 (two rand and ten cents)~~ per R1,000 (one thousand rand) up to R100,000 (one hundred thousand rand), and ~~R1.05 (one rand and five cents)~~ per R1,000 (one thousand rand) on the residue; with a minimum fee of R10.00 (ten rand and fifty cents).

Services re Litigation and Arbitration.

(9) The fee for services rendered in connection with litigation and arbitration shall be on the basis of the time occupied, ~~but in no case less than R10.50 (ten rand and fifty cents) per day, at the rate laid down in sub-regulation (5) but in no case less than R20 (twenty rand).~~

Acting as Arbitrator.

✓(10) (a) For acting as arbitrator, where there is more than one, the fee shall be ~~R8.40 (eight rand and forty cents)~~ per hour or part thereof, with a minimum of ~~R25.20 (twenty-five rand and twenty cents)~~ for each arbitrator.

(b) For acting as sole arbitrator or umpire, the fee shall be double the foregoing with a minimum of ~~R50.40 (fifty rand and forty cents)~~, ~~R60 (sixty rand)~~

(c) The said fee shall apply to the time occupied in the arbitration court and in framing the award.

Assessor in Architectural Competition.

(11) (a) For assessing plans in an architectural competition, the assessor's fee shall be a minimum of ~~R105 (one hundred and five rand)~~ plus one-fifth per cent. upon the estimated cost of the proposed buildings, in addition to travelling and out-of-pocket expenses.

(b) Where more than one assessor is appointed, the fee shall be decided by mutual arrangement between assessors and promoters.

Wanneer gelde betaalbaar is.

(2) Die totale bedrag van 6 persent vir diens gelewer, is as volg deur die kliënt verskuldig en betaalbaar:—

- (a) By goedkeuring van die sketsontwerp: 1 persent van die koste soos deur die argitek geraam;
- (b) by die ondertekening van die kontrak: 4 persent van die kontrakbedrag, min die vorige betaling;
- (c) na gelang die werk vorder: 2 persent van die waarde van elke sertifikaat;
- (d) by voltooiing van die werk: 6 persent van die finale koste van die werk min vorige betalings.

Konsultantgelde.

(3) Konsultante kan na goeddunke van die argitek en met die instemming van die kliënt in diens geneem word. Hul gelde word volgens ooreenkomste tussen argitek en kliënt vasgestel, en die bedrag word deur die kliënt betaal. As daar egter ooreengekom word om van die diens van 'n ander konsultant as 'n argitektuurkonsultant gebruik te maak, mag die argiteksgelede in geen geval met meer as 1 persent van die koste van die werk in verband waarmee die konsultant geraadpleeg is, verminder word nie, altyd met die voorbehoud dat die argiteksgelede met nie minder as ½ persent van die koste van die hele skema verminder mag word nie.

Weglating van oorspronklike items.

(4) 'n Bedrag van 4 persent van die waarde van enige werk wat oorspronklik by die kontrak of tender ingesluit is, maar later weggelaat is, kan gevra word.

Tydgelde.

(5) Waar die werk van so 'n aard is dat die persentasie of ander aangegeve tarief nie van toepassing is nie, word tydgelde gevra teen 'n minimum van R4.20 (vier rand en twintig sent) per uur of deel daarvan.

Opnames van bestaande geboue.

(6) Vir opnames van bestaande geboue is die tarief soos in paragraaf (5) hierbo aangegee.

Inspeksie van bouwerk waarvan hy nie die argitek is nie.

(7) Vir die inspeksie van geboue in aanbou en die dokumente wat daarop betrekking het, ten behoeve van die verbandhouer en die indien van 'n verslag en 'n sertifikaat ten opsigte daarvan, is die tarief 1 persent tot 'n bedrag van R40,000 (veertigduisend rand) van die koste van die gebou, en ½ persent van die restant.

Waardering van geboue.

(8) Vir die waardering van geboue met die oog op belastingaanslag, brandversekering, onteiening, huuropgawes en dergelike doeleindes, is die tarief R2.10 (twee rand en tien sent) per R2,000 (twee duisend rand) tot by R100,000 (eenhonderdduisend rand) en R1.05 (een rand en vyf sent) per R2,000 (twee duisend rand) van die restant, met 'n minimum bedrag van R10.50 (tien rand vyftig sent).

Diens in verband met gedingvoering en arbitrasie.

(9) Die tarief vir diens gelewer in verband met gedingvoering en arbitrasie word bereken op die basis van die tyd daardeur in beslag geneem, maar is in geen geval minder as R10.50 (tien rand en vyftig sent) per dag nie.

Optrede as arbiter.

(10) (a) Vir optrede as arbiter waar daar meer as een is, is die tarief R8.40 (agt rand en veertig sent) per uur of gedeelte daarvan, met 'n minimum van R25.20 (vyf-en-twintig rand en twintig sent) vir elke arbiter.

(b) Vir optrede as alleenarbiter of skeidsregter word voorgaande tarief verdubbel, met 'n minimum van R50.40 (vyftig rand en veertig sent).

(c) Genoemde tarief geld alleen vir die tyd wat in die arbitrasiehof en deur die opstel van die uitspraak in beslag geneem word.

Assessor in 'n argitektuurkompetisie.

(11) (a) As assessor van planne in 'n argitektuurkompetisie is die assessorsgelede 'n minimum van R105 (een honderd-en-vyf rand) plus een-vyfde persent van die geraamde koste van die voorgestelde geboue, bo en behalwe reiskoste en los uitgawes.

(b) Waar meer as een assessor aangestel word, word die tarief deur onderlinge reëling tussen assessore en promotores vasgestel.

Disbursement and Travelling Expenses.

✓(12) Disbursements necessarily incurred, copies of documents and drawings, and travelling and subsistence expenses shall be paid for the client in addition to the fee for professional services: Provided that an additional charge may be made if the work should be at such a distance as to lead to an exceptional expenditure of time in travelling.

Partial Services.

✓(13) If the project or part of it be abandoned or deferred, or if part only of the full services of the architect be required, or if the services of the architect be dispensed with, the fee for the services rendered shall be determined as follows:—

- (a) Preparation of sketch design to the approval of the client and estimate of cost: 1 per cent. on architect's estimate of cost.
- (b) Preparation of working drawings, detail drawings and the specification: 4 per cent. on the accepted tender or, in the event of no tender being accepted, on the lowest bona fide tender or on the architect's estimate of cost, if no tenders are called for, less the amount to be paid in terms of sub-paragraph (a).
- (c) Supervision of the works and administration of the contract: 2 per cent. on the value of each certificate; and on the completion of the works, 2 per cent. on the final cost of the works, less previous payments.

Architects' Fees for Housing Schemes.

✓(14) The following scale of fees is for Housing Schemes consisting of not less than three distinct domestic buildings being a repetition of one type and erected at the same time and locality from the same set of contract documents.

- | | |
|--|--|
| (a) (i) Preparation of sketch design for each type to the approval of the client, and estimate of cost | 1 per cent. on total value of type. |
| (ii) Preparation of working drawings, detail drawings and specification for each type | 3 per cent. on total value of type. |
| (b) For each use of the type..... | $\frac{1}{4}$ per cent. on total value of work |
| (c) (i) Site and drainage plans for each building. | $\frac{1}{4}$ per cent. on total value of work. |
| (ii) Supervision of the works and administration of the contract | $1\frac{1}{2}$ per cent. on total value of work. |

* (15) Addition - R764 of 28.5.65
 QUANTITY SURVEYORS' FEES.

86. In the absence of special agreement, a quantity surveyor shall be entitled to charge, for his professional services, the following over-all scale of fees, based upon the inclusion of the total value of all labour and materials, whether supplied free or not, and of all provisional sums:—

Bills of Quantities.

- (a) For preliminary work and consultations in connection with and preparing bills of quantities—on the total value: $2\frac{1}{2}$ per cent.

Variation Accounts.

- (b) For preparing variation accounts on the value of measured work involved in the variations and on provisional sums not included in the original contract: $2\frac{1}{2}$ per cent.

Provisional Quantities and Measurement of Work Executed.

- (c) For preliminary work and consultation in connection with and preparing provisional bills of quantities, and subsequently preparing the final account of the work as executed: on the total value, 3 per cent.

Housing Schemes consisting of Domestic Buildings being Repetitions of Types.

- (d) (i) For preliminary work and consultations in connection with and preparing bills of quantities:—

On the total value of each type: $2\frac{1}{2}$ per cent.
 Plus on the total value of all repetitions: $\frac{1}{8}$ per cent.

* 85 (15) Acting in Consultative Capacity.
 For acting in a consultative capacity the fee shall be by arrangement between the consulting architect and the client and shall be additional to the fees for the architects' professional services as laid down in sub-regulations (1) to (14) hereof.

Uitgawes en Reiskoste.

(12) Uitgawes noodsaaklikerwys aangegaan, afskrifte van dokumente en afdrukke van tekeninge, en reis- en verblyf-koste word deur die kliënt betaal, bo en behalwe die gelde vir professionele dienste: Met dien verstande dat 'n bykomende bedrag gevra kan word as die werk so afgeleë is dat die reis buitengewoon lank duur.

Gedeeltelike Diens.

(13) Indien die skema of deel daarvan gestaak of uitgestel word, of as net 'n deel van die volle diens van die argitek vereis word, of as daar van die diens van die argitek afgesien word, word die bedrag vir gelewerde diens as volg bereken:—

- (a) Die opstel van 'n sketsontwerp tot tevreedenheid van die kliënt, en die raming van koste: 1 persent van die argitek se raming van koste.
- (b) Opstel van werkstekeninge, detailtekeninge en die spesifikasie: 4 persent van die aangenome tender, of ingeval geen tender aanvaar word nie, van die laagste bona fide tender, of van die argitek se raming van koste as geen tenders gevra word nie, min die bedrag betaalbaar volgens subparagraaf (a).
- (c) Toesig oor die werke en uitvoering van die kontrak: 2 persent van die bedrag van elke sertifikaat; en by voltooiing van die werke 2 persent van die finale koste van die werke, min vorige betalings.

Argiteksgelde vir behuisingskemas.

(14) Hierdie tarief is van toepassing op behuisingskemas bestaande uit minstens drie afsonderlike woongeboue wat 'n herhaling is van een tipe en tegelykertyd en op dieselfde plek volgens dieselfde stel kontrakdokumente opgerig word.

- | | |
|--|--|
| (a) (i) Die opstel van 'n sketsontwerp vir elke tipe tot tevreedenheid van die kliënt, en die raming van koste | 1 persent van die totale waarde van die tipe. |
| (ii) Vir die opstel van werk- en detailtekeninge, en 'n spesifikasie vir elke tipe | 3 persent van die totale waarde van die tipe. |
| (b) Vir elke gebruik van die tipe..... | $\frac{1}{4}$ persent van die totale waarde van die werk. |
| (c) (i) Terrein- en dreineringsplanne vir elke gebou | $\frac{1}{4}$ persent van die totale waarde van die werk. |
| (ii) Toesig oor die werk en uitvoering van die kontrak | $1\frac{1}{2}$ persent van die totale waarde van die werk. |

BOUREKENAARSGELDE.

86. As daar nie 'n spesiale ooreenkoms bestaan nie, is 'n bourekenaar, vir sy professionele dienste, geregtig op vergoeding volgens die volgende omvattende skaal van gelde, wat gebaseer is op die insluiting van die totale waarde van alle arbeid en materiale, hetsy dit vry verskaf word al dan nie, en van alle voorlopige bedrae:—

Hoeveelheidslyste.

- (a) Vir voorlopige werk en raadpleging in verband met en opstel van hoeveelheidslyste—op die totale waarde: $2\frac{1}{2}$ persent.

Wysigingsrekenings.

- (b) Vir opstel van wysigingsrekenings op die waarde van gemete werk betrokke by die wysigings en op voorlopige bedrae wat nie by die oorspronklike kontrak ingegrepe was nie: $2\frac{1}{2}$ persent.

Voorlopige hoeveelhede en meting van uitgevoerde werk.

- (c) Vir voorlopige werk en raadpleging in verband met en opstel van voorlopige hoeveelheidslyste, en daarna opstel van finale rekening vir die werk soos uitgevoer: Op die totale waarde, 3 persent.

Behuisingskemas wat bestaan uit woongeboue waarin tipes herhaal word.

- (d) (i) Vir voorlopige werk en raadpleging in verband met en opstel van hoeveelheidslyste—
 op die totale waarde van elke tipe: $2\frac{1}{2}$ persent;
 plus op die totale waarde van alle herhalings: $\frac{1}{8}$ persent.

- (ii) For all works or portions of works requiring separate measuring or any adjustments of types: On the value of the work separately measured or adjusted: 2½ per cent.
- (iii) For administration and valuation for payment certificates: On the total value of work: ⅓ per cent.
- (iv) For preparing variation accounts: On the value of measured work involved in the variations and on provisional sums not included in the original contract: 2½ per cent.

Schedules of Materials.

- (e) For preparing schedules of materials only: On the total value thereof: 5 per cent.

Valuations for Certificates.

- (f) For surveying works in progress, for which he has not prepared the quantities, taking particulars and reporting for interim payment certificates, ½ per cent. on the amount of each valuation less the amount of any previous valuation or valuations upon which fees have been paid to him.

Valuing Buildings.

- (g) For making valuations for assessment for taxation, fire insurance, expropriation, rental return and similar purposes, the fee shall be R1.10 (two rand and ten cents) per R1,000 (one thousand rand) or part thereof up to R100,000 (one hundred thousand rand), and R1.55 (one rand and fifty cents) per R1,000 (one thousand rand) on the residue, with a minimum fee of R10.00 (ten rand) and fifty cents.

Inspecting Building Work.

- (h) For inspecting buildings in the course of construction and the documents relating thereto, on behalf of the mortgagee, reporting thereon and certifying therefor, the fee shall be 1 per cent. up to R40,000 (forty thousand rand) on the cost of the building and ½ per cent. on the residue.

Time Charges.

- (i) Where the work is of such a character that percentage or other stated charges are inapplicable, a time charge shall be made at the minimum rate of R4.20 (four rand and twenty cents) per hour or part thereof. ~~R3.40 (Eight rand and forty cents)~~

Services re Litigation and Arbitration.

- (j) For services rendered in connection with litigation and arbitration the fee shall be on the basis of the time occupied at the rate laid down in clause (i) with a minimum of R10.50 (ten rand and fifty cents) per day, but in no case less than R20 (twenty rand).

Acting as Arbitrator.

- (k) (i) For acting as arbitrator, where there is more than one, the fee shall be R8.40 (eight rand and forty cents) per hour or part thereof, with a minimum of R25.20 (twenty five rand) and twenty cents for each arbitrator.
- (ii) For acting as sole arbitrator or as umpire, the fee shall be double the foregoing with a minimum of R50.40 (fifty rand and forty cents). ~~R20 (Twenty rand)~~
- (iii) The said fee shall only apply to the time occupied in the arbitration court and in framing the award.

Cost-plus Contracts.

- (l) (i) For negotiating conditions and compiling contract and arranging conditions for specialists or sub-contractors, including estimate of cost: on the total value: ½ per cent.
- (ii) For auditing all time sheets, delivery notes, invoices, etc.; checking rates of wages and costs of materials; preparing progressive statements of account; making check measurements of the principal materials used in the building for comparison with invoices; and preparing the final account—on the total value: 2½ per cent.

- (ii) Vir alle werke of dele van werke wat aparte meting vereis, of enige wysigings van tipes: Op die waarde van die werk apart gemeet of gewysig: 2½ persent.
- (iii) Vir administrasie en waardering vir betalings-sertifikate: Op die totale waarde van werk: ⅓ persent.
- (iv) Vir opstel van wysigingsrekenings: Op die waarde van gemete werk betrokke by die wysigings en op voorlopige bedrae wat nie by die oorspronklike kontrak ingesluit was nie: 2½ persent.

Lyste van materiale.

- (e) Vir die opstel van lyste van slegs materiale: Op die totale waarde daarvan: 5 persent.

Waarderings vir sertifikate.

- (f) Vir opname van werke aan die gang, waarvoor hy nie die hoeveelhede bereken het nie, opname van besonderhede en verslag doen vir tussentydse betalingsertifikate, ½ persent op die bedrag van elke waardering min die bedrag van enige vorige waardering of waarderings waarop gelde aan hom betaal is.

Waardering van geboue.

- (g) Vir waardering van geboue met die oog op belasting-aanslag, brandversekering, onteiening, huuropgawes en dergelike doeleindes, is die vergoeding R2.10 (twee rand en tien sent) per R2,000 (twee duisend rand) of deel daarvan tot 'n bedrag van R100,000 (een-honderdduisend rand) en R1.05 (een rand en vyf sent) per R2,000 (twee duisend rand) van die restant met 'n minimum vergoeding van R10.50 (tien rand en vyftig sent).

Inspeksie van Bouwerk.

- (h) Vir inspeksie van geboue in aanbou en van die betrokke dokumente ten behoeve van die verbandhouer, verslag daaroor doen en daarvoor sertifiseer, is die vergoeding 1 persent tot R40,000 (veertig duisend rand van die koste van die gebou) en ½ persent van die restant.

Tydgelde.

- (i) Waar die werk van so 'n aard is, dat persentasie- of ander aangegeve vergoeding nie van toepassing is nie, word gelde volgens tyd teen 'n minimum tarief van R4.20 (vier rand en twintig sent) per uur of deel daarvan bereken.

Dienste insake gedingvoering en arbitrasie.

- (j) Vir dienste in verband met gedingvoering en arbitrasie gelewer, word vergoeding volgens tyd in beslag geneem ooreenkomstig klousule (i) bereken met 'n minimum van R10.50 (tien rand en vyftig sent) per dag.

Optrede as arbiter.

- (k) (i) Vir optrede as arbiter, waar daar meer as een is, is die vergoeding R8.40 (agt rand en veertig sent) per uur of deel daarvan, met 'n minimum van R25.20 (vyf-en-twintig rand en twintig sent) vir elke arbiter.
- (ii) Vir optrede as alieenarbiter of as skeidsregter, is die vergoeding dubbel die voorgaande met 'n minimum van R50.40 (vyftig rand en veertig sent).
- (iii) Genoemde vergoeding geld alleen vir die tyd wat in die arbitrasiehof of deur die opstel van die uitspraak in beslag geneem word.

Koste-plus-kontrakte.

- (l) (i) Vir onderhandeling insake voorwaardes en opstel van kontrak en reëling van voorwaardes vir deskundiges of onderaannemers, met inbegrip van raming van koste: Op die totale waarde: ½ persent.
- (ii) Vir ouditering van alle tydstaats, afleweringsbriewe, fakture, ens.; nasien van loonskale en koste van materiaal; opstel van lopende kosterekenings; kontroleopnames van hoofmateriale in die bouwerk gebruik vir vergelyking met fakture; en opstel van eindrekening, op die totale waarde: 2½ persent.

Disbursements and Travelling Expenses.

- (m) Disbursements necessarily incurred, copies of documents and drawings, and travelling and subsistence expenses, shall be paid for by the client in addition to the fee for professional services: Provided that an additional charge may be made if the work should be at such a distance as to lead to an exceptional expenditure of time in travelling.

G.

UNPROFESSIONAL CONDUCT.

87. It shall be unprofessional conduct on the part of an architect or quantity surveyor:—

Building Trades.

- (a) to engage directly or indirectly in any of the building trades (except as owner or part owner of the building to be erected);

Illicit Commissions.

- (b) to accept any dishonest commission in any form whatsoever;

Non-signing of Drawings, Bills of Quantities, etc.

- (c) to issue any drawings or specifications, unless the said drawings or specifications bear his name ~~and address, or the name of his firm~~;
(d) to issue any bill of quantities, certificate or final account or similar work performed by himself, or by some person in his employ, unless the same bears his name ~~and address, or the name of his firm~~.

Sharing of Fees: Partnerships.

- (e) to share or agree to share fees or enter into partnership in regard to architectural or quantity surveying work, as and from 30th June, 1950, with any person not registered as a member of the Institute or enrolled as a member of the Chapter;

Architectural Competitions.

- (f) to take part in any architectural competition, limited or otherwise, unless the conditions thereof contain the clause: "These conditions have been submitted to and been approved by the Central Council of the Institute of South African Architects";
(g) to attempt in any way to secure work for which a competition has been instituted, except as competitor and in accordance with the conditions of that competition;
(h) to attempt to influence unfairly or dishonourably, whether directly or indirectly, the award in a competition;
(i) to do the work, or any part thereof, for which a competition has been instituted, if he or his partner has acted as assessor of adjudicator;

Retention of Quantity Documents.

- (j) for any quantity surveyor wilfully to destroy or fail without a satisfactory reason to produce his original dimensions, abstracts, draft bills and any other documentary evidence necessary to verify his bills of quantities, until twelve months after the final completion of the contract and settlement of all accounts;

Where one Practitioner Replaces Another.

- (k) knowingly to undertake a commission while the claim for compensation or damages, or both, of an architect or quantity surveyor previously employed and whose employment has been terminated, remains unsatisfied, unless security for the due satisfaction of any award or judgment, which may be made or given in favour of the said architect or quantity surveyor, has been given. The first-named architect or quantity surveyor may report the matter to his Provincial Committee or Board and if they have reasonable grounds for not being satisfied with the security they may forbid the second architect or quantity surveyor to proceed with the work and if he nevertheless proceeds with the work this shall be considered unprofessional conduct;

Uitgawes en reiskoste.

- (m) Uitgawes noodsaaklikerwys aangegaan, afskrifte van dokumente en afdrucke van tekeninge, en reis- en verblyf-koste word deur die klient betaal bo en behalwe die gelde vir professionele dienste: Met dien verstande dat 'n bykomende bedrag gevra kan word as die werk so afgeleë is dat die reis buitengewoon lank duur.

G.

ONPROFESSIONELE GEDRAG.

87. Dit is onprofessionele gedrag van 'n argitek of bou-rekenaar—

Boubedrywe.

- (a) Om hom direk of indirek besig te hou met enigeen van die boubedrywe (behalwe as eienaar of gedeeltelike eienaar van die gebou wat opgerig word);

Onwettige kommissies.

- (b) Om enige oneerlike kommissie in watter vorm ook al aan te neem;

Nie-ondertekening van tekenings, hoeveelheidslyste, ens.

- (c) Om enige tekenings of spesifikasies uit te gee, tensy genoemde tekenings of spesifikasies sy naam en adres dra;
(d) om enige hoeveelheidslys, sertifikaat, of finale rekening, of dergelike werk deur hom of enigemand in sy diens verrig, uit te gee, tensy dit sy naam en adres dra;

Verdeling van gelde; vennootskappe.

- (e) Om gelde te verdeel of instem om dit te verdeel, of om 'n vennootskap aan te gaan met betrekking tot argitekswerk of bourekenaarswerk, vanaf 30 Junie 1950, met enige persoon wat nie onderskeidelik as lid van die Instituut geregistreer of as lid van die Tak ingeskryf is nie.

Argitektuurkompetisies.

- (f) Om deel te neem aan enige argitektuurkompetisie, beperk of andersins, tensy die voorwaardes daarvan die volgende insluit: „Hierdie voorwaardes is voorgelê aan, en goedgekeur deur, die Sentrale Raad van die Instituut van Suid-Afrikaanse Argitekte”;
(g) om op enige manier te probeer om werk te verkry waarvoor daar 'n kompetisie uitgeskryf is, behalwe as mededinger en ooreenkomstig die voorwaardes van daardie kompetisie;
(h) om te probeer om onregverdiglik of oneerlik, direk of indirek die uitspraak in 'n kompetisie te beïnvloed;
(i) om die werk waarvoor 'n kompetisie uitgeskryf is, of 'n gedeelte daarvan, te doen, as hy of sy vennoot as assessor of beoordeelbaar opgetree het;

Bewaring van bourekenaarsdokumente.

- (j) As 'n bourekenaar opsetlik sonder 'n bevredigende rede in gebreke bly om sy oorspronklike afmetings, of sy uitreksels, konsep-onkostelyste of enige ander dokumentêre bewys wat vir die verifiëring van sy lysie van hoeveelhede nodig is, te toon, of dit binne twaalf maande na die finale voltooiing van die kontrak en vereffening van alle rekenings vernietig;

Waar een praktiseerder 'n ander vervang.

- (k) Om willens en wetens 'n opdrag te onderneem terwyl 'n eis vir kompensasie of skadevergoeding, of albei, van 'n argitek of bourekenaar van wie se dienste voorheen gebruik gemaak is en wie se dienste beëindig is, nog onbetaald bly, tensy sekuriteit gegee is vir die behoorlike uitvoering van enige uitspraak of vonnis ten gunste van genoemde argitek of bourekenaar. Eersgenoemde argitek of bourekenaar kan die saak rapporteer by sy Provinsiale Komitee of Bestuur, en as hulle redelike gronde het om ontevrede te wees met die sekuriteit kan hulle die tweede argitek of bourekenaar verbied om met die werk voort te gaan, en as hy desnieteenstaande met die werk voortgaan, word dit as onprofessionele gedrag beskou;

Under-cutting of Fees.

- (l) (i) to deviate from by charging less than the scale of fees laid down in Regulations 85 and 86, whether or not a special agreement has been entered into, without notifying his Provincial Institute or the Board of his intention to do so and the extent of such deviation;
- (ii) to accept remuneration at less than the statutory scale of fees with the object or result of attracting clients, or directly or indirectly to hold himself out as being prepared to do professional work for less than the statutory scale of fees;

Improper Inducement.

- (m) to obtain or attempt to obtain architectural or quantity surveying work by means of offering or paying monetary or other valuable consideration or inducement to any person or persons, or by any other improper means;

Touting.

- (n) (i) to tout for or in any way to solicit professional work;
- (ii) to prepare or to submit any building plan or scheme for which he has not been professionally engaged;

Advertising and Circularising.

- (o) (i) to advertise in the lay press in any professional respect whatsoever, or to arrange or inspire reports, interviews, articles or notices of any description referring to himself professionally in a manner calculated to attract clients;
- (ii) to issue circulars, letters or professional business cards seeking to obtain professional work;
- (iii) to issue circulars, letters or professional business cards, notifying change of address, etc., to any person or body other than established clients;

"Salaried" Membership.

- (p) (i) for a member of the salaried class to do the work of an architect or quantity surveyor for remuneration except for the person, firm or institution by whom he is employed on a salaried basis;
- (ii) for a member of the salaried class to do the work of an architect or quantity surveyor in an honorary capacity unless he has first obtained the permission of his Provincial Institute or the Board.

Statutory Contravention.

- (q) knowingly to contravene the provisions of this Act or these Regulations;

To Act Unfairly.

- (r) knowingly to act unfairly against the interests of any party to a building contract in which his name appears;

Unfair Competition.

- (s) knowingly to compete for professional work with a fellow-practitioner with whom any negotiations are taking place, or have taken place, in respect of such work;

Non-disclosure of Partnership or Changes in Partnership.

- (t) to enter into, or to dissolve, any form of partnership with an architect or quantity surveyor without disclosing the fact to his Provincial Committee and/or to the Board;

Dishonourable Conduct.

- (u) to conduct himself dishonourably in connection with the work performed by him as an architect or quantity surveyor;

"Retired" Membership.

- (v) for a member of the retired class to do the work of an architect or a quantity surveyor, respectively, for remuneration within the Republic;

Names of Partners or Letterheads

... a letterhead indicating a firm partnership which does not state names of all the partners in firm or partnership.

Laer gelde vra.

- (l) (i) Om, deur minder te vra, af te wyk van die skaal van gelde bepaal in Regulasies 85 en 86, of daar 'n spesiale ooreenkoms aangegaan is of nie, sonder om sy Provinsiale Instituut of die Bestuur in kennis te stel van sy voorneme om dit te doen en van die omvang van sy afwyking;

- (ii) om vergoeding teen minder as die statutêre skaal van gelde aan te neem ten einde kliënte te trek, of direk of indirek hom uit te gee as synde bereid om professionele werk teen minder as die statutêre skaal van gelde te doen;

Onbehoorlike lokmiddel.

- (m) Om argitektoniese of bourekeningwerk te verkry of te probeer verkry deur 'n geldelike of ander waardevolle vergoeding of lokmiddel aan enige persoon of persone aan te bied of te betaal, of op enige ander onbehoorlike wyse;

Kliënte lok.

- (n) (i) Om kliënte te lok, of op enige manier professionele werk te werf;

- (ii) om enige bouplan of skema waarvoor hy nie professioneel aangestel is nie, op te stel of voor te lê;

Adverteer en omsendbriewe uitstuur.

- (o) (i) Om in enige professionele opsig wat ook al, in die gewone pers te adverteer of om verslae, onderhoude, artikels of kennisgewings van enige aard wat op hom in sy professionele hoedanigheid betrekking het en wat bereken is om kliënte te lok, te reël of te inspireer;

- (ii) om omsendbriewe, briewe of professionele besigheidskaartjies uit te stuur met die doel om daardeur professionele werk te verkry;

- (iii) om omsendbriewe, briewe of professionele besigheidskaartjies waardeur hy kennis gee van verandering van adres, ens., uit te stuur aan enige persoon of liggaam behalwe sy vaste kliënte;

Gesalarieerde lidmaatskap.

- (p) (i) As 'n lid van die gesalarieerde klas die werk van 'n argitek of 'n bourekenaar teen vergoeding doen behalwe vir die persoon, firma of inrigting deur wie hy op 'n salarisbasis in diens is;

- (ii) as 'n lid van die gesalarieerde klas die werk van 'n argitek of bourekenaar doen in 'n honorêre hoedanigheid, tensy hy vooraf die toestemming van sy Provinsiale Instituut of die Bestuur verkry het;

Statutêre oortredings.

- (q) Om willens en wetens die bepalings van hierdie Wet of hierdie Regulasies te oortree;

Onregverdigde optrede.

- (r) Om willens en wetens onregverdiglik op te tree teen die belange van enige betrokkene in 'n boukontrak waarin sy naam voorkom;

Onregverdigde mededinging.

- (s) Om willens en wetens met 'n medetruiserder met wie enige onderhandelings plaasvind of plaasgevind het, te kompeteer met betrekking tot sulke werk;

Verswyging van vennootskap of veranderings in vennootskap.

- (t) Om enige vorm van vennootskap met 'n argitek of bourekenaar aan te gaan of te ontbind sonder sy Provinsiale Instituut en/of die Bestuur in kennis te stel;

Ooneerbare gedrag.

- (u) Om hom oneerbaar te gedra i.v.m. werk wat deur hom as argitek of bourekenaar gedoen word;

"Afgetrede" lidmaatskap.

- (v) Om as 'n lid van die afgetrede klas werk onderskeidelik van 'n argitek of bourekenaar teen vergoeding binne die Republiek te doen;

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Consultative Engagement.
(w) ~~acting in a consultative capacity over work for which another architect or quantity surveyor is employed, and whose services are afterwards dispensed with, to carry out the work;~~

Articling of Non-matriculated Students.

- (x) to enter into articles with a student or pupil who has not passed the matriculation examination of the Joint Matriculation Board, or is not in possession of a certificate of exemption from that examination issued by the said Board, until such student or pupil has been approved by the Institute's Board of Education;

Irregular Signing of Plans.

- (y) to sign, as architect, any building plan of which he is not the *bona fide* author;

Not to Act as Architect if Nominated as Assessor.

- (z) to act as architect or joint architect for any work in respect of which he has been nominated for or has accepted the assessorship in any proposed competition, or to act as architect or joint architect for any work with which he has been brought into contact directly through the Central Council or any of the Provincial Committees, unless the Central Council or Provincial Committee has recommended him as architect for such work;

Branch Office not to be in Charge of Unregistered Person.

- (aa) to open any office for the purpose of there carrying on the profession of architecture or quantity surveying unless such office shall be under the continuous direct and personal supervision of a member of the Institute or of the Chapter respectively;

Discredit on Profession.

- (bb) so to conduct himself as to bring discredit upon the profession of architecture or quantity surveying.

H.

INQUIRY INTO THE CONDUCT OF A MEMBER.

Definition of "Committee".

88. In this section H the word "Committee" shall mean the Provincial Committee of any Provincial Institute, or the Board of the Chapter, or any Special Committee appointed in terms of Regulation 39 (10).

89. The conduct of any member of a Provincial Institute or of the Chapter shall be considered, of its own accord or upon complaint made, by the Provincial Committee of the Provincial Institute of which such person is a member, or by the Board, as the case may be, or by a Committee delegated to consider such conduct; and if deemed necessary such conduct shall be inquired into by such Provincial Committee or Board, or by a specially delegated Committee appointed in terms of Regulation 39 (10) and such member shall be duly charged with the unprofessional conduct alleged.

Complaint.

90. A Committee may require the complainant to file further particulars of any of the matters complained of and may require the complaint or any part thereof to be verified by affidavit.

Explanation in Answer to Complaint.

91. (1) A Committee may call upon the member whose conduct is complained of or is being considered, to file within ten days thereafter an explanation in answer to the complaint, and may require such explanation to be verified by affidavit.

(2) The said member shall be furnished by the Committee with a statement of the complaint made.

Notice to Member.

92. If it is deemed necessary to inquire into a charge of unprofessional conduct, the Committee shall give notice to the member concerned as to which of the sub-sections of Regulation 87 it is alleged have been contravened

Konsulerende diens.

- (w) As hy in 'n konsulerende hoedanigheid optree by werk waarvoor 'n ander argitek of bourekenaar in diens is, en wie se dienste later opgesê word, om die werk uit te voer;

Leerkontrak met nie-gematrikuleerde studente.

- (x) Om 'n leerkontrak aan te gaan met 'n student of leerling wat nog nie in die Matrikulasie-eksamen van die Gemeenskaplike Matrikulasieraad geslaag het nie of wat nie in besit is nie van 'n vrystellingsertifikaat van genoemde eksamen, uitgereik deur genoemde Raad, alvorens so 'n student of leerling deur die Instituut se Onderwysraad goedgekeur is;

Onreëlmatige ondertekening van planne.

- (y) Om enige bouplan waarvan hy nie die *bona fide* outeur is nie, as argitek te onderteken;

Mag nie as argitek optree indien as assessor benoem nie.

- (z) Om op te tree as argitek of gesamentlike argitek by enige werk waarby hy benoem is as assessor, of die assessorskap aangeneem het in enige voorgestelde kompetisie, of om op te tree as argitek of gesamentlike argitek by enige werk waarmee hy in aanraking gebring is direk deur bemiddeling van die Sentrale Raad of enigeen van die Provinsiale Komitees, tensy die Sentrale Raad of Provinsiale Komitee hom as argitek vir sodanige werk aanbeveel het;

Takkantoor mag nie onder toesig van 'n ongeregistreerde persoon wees nie.

- (aa) Om enige kantoor te open met die doel om daar die professie van argitektuur of bourekening te beoefen, tensy sodanige kantoor onder die voltydse direkte en persoonlike toesig van 'n lid van onderskeidelik die Instituut of die Tak staan;

Professie in diskrediet bring.

- (bb) Om hom so te gedra dat die professie van argitektuur of bourekening daardeur in diskrediet gebring word.

H.

ONDERSOEK NA DIE GEDRAG VAN 'N LID.

Definisie van „Komitee“.

88. In hierdie afdeling H beteken die woord „Komitee“ die Provinsiale Komitee van enige Provinsiale Instituut of die Bestuur van die Tak of enige Spesiale Komitee wat ooreenkomstig Regulasie 39 (10) aangestel is.

89. Die gedrag van enige lid van 'n Provinsiale Instituut of van die Tak word uit dié Instituut of die Tak se beweging of na ontvangs van klagte oorweeg deur die Provinsiale Komitee van die Provinsiale Instituut waarvan so 'n persoon lid is, of deur die Bestuur, na gelang die geval, of deur 'n Komitee daartoe gedelegeer; en indien dit nodig geag word, word sodanige gedrag ondersoek deur so 'n Provinsiale Komitee of Bestuur, of deur 'n spesiale gedelegeerde Komitee aangestel kragtens Regulasie 39 (10) en so 'n lid word behoorlik van die beweerde onprofessionele gedrag aangekla.

Klagte.

90. 'n Komitee kan eis dat 'n klaer verdere besonderhede moet voorlê van enige sake waarvoor hy kla, en kan eis dat die klagte of enige deel daarvan deur 'n beëdigde verklaring bevestig moet word.

Verduideliking in antwoord op klagte.

91. (1) 'n Komitee kan van die lid oor wie se gedrag gekla word of wie se gedrag oorweeg word, vereis om binne tien dae daarna 'n verklaring in antwoord op die klagte in te dien en kan vereis dat so 'n verklaring beëdig word.

(2) Genoemde lid word deur die Komitee van 'n staat van die klagte voorsien.

Kennisgewing aan lid.

92. Indien dit nodig geag word om 'n klagte van onprofessionele gedrag te ondersoek, stel die Komitee die betrokke lid in kennis ten opsigte van watter subartikels van Regulasie 87 die beweerde oortreding plaasgevind het.

together with a statement of the alleged contraventions and shall further give notice as to the day on which the inquiry will be held.

Committee's Power to Subpoena.

93. (1) A committee may summon before it any member of the Institute or Chapter against whom any complaint may be lodged or whose conduct may appear to the Committee to require investigation and may call upon him to produce any document, contract, book, paper, drawing, specification, quantities, or other writing in his possession or under his control in any way relating to or concerning the complaint or matters under investigation and may hear any relevant evidence; and addressess, incidental thereto, and inspect any relevant documents which the complainant or the member concerned may desire to produce.

(2) The Committee may summon any other member of the Institute or Chapter to attend such inquiry, and may require him to give evidence upon oath in regard to the complaint or matter under investigation and to produce such documents as the Committee may consider to be relevant thereto.

Legal Representation.

94. The member against whom the complaint is made may be represented by counsel or attorney at the hearing of such inquiry, and the Committee may appoint counsel or attorney (who shall not be a member of the Committee hearing the inquiry), for the purpose of assisting in the framing of the charges and of adducing the evidence, re-examining witnesses and cross-examining witnesses for the defence, and addressing the Committee as and when necessary.

Non-Appearance.

95. Should the member not appear or not file an explanation, the inquiry may be proceeded with forthwith.

Evidence on Oath.

96. At any inquiry held under these Regulations, all verbal evidence shall be taken on oath, administered by the Chairman, and shall be recorded in such manner as the Committee shall determine.

Penal Provisions.

97. A Committee after having inquired into the conduct of any member may—

- (a) take no further action, or
- (b) caution the member, or
- (c) inflict a fine not exceeding R200 (two hundred rand) on the said member, or
- (d) decide to obtain the consent of the Central Council to its applying to Court in terms of section seven-teen of the Act, and thereupon act accordingly; and
- (e) may make such order as to the costs incurred in the hearing of the inquiry as in its judgment is required:

Committee to Notify Central Council.

Provided always that it shall be the duty of a Provincial Committee or the Board to notify the Central Council (a) of every allegation of unprofessional conduct alleged against any of its members, and (b) of the result of the inquiry into such allegation.

Appeal to Central Council.

98. (1) The member against whom unprofessional conduct is held to be proved and who may feel aggrieved against the decision of the Committee, shall have the right of appeal to the Central Council [vide Regulation 22 (1)], such appeal to be lodged within thirty days of notification of the Committee's decision.

(2) Such appeal shall be heard in accordance with the Rules of the Central Council (vide Regulation 102), and may be heard by an Appeal Committee appointed by the Central Council.

Tenure of Office of Committee.

99. (1) If an inquiry is commenced during the period of office of a Provincial Committee or the Board, such inquiry shall continue until its completion by that Provincial Committee or Board, and the Chairman shall continue in office as such at the inquiry notwithstanding that a new Provincial Committee or Board, or President

en verstrekk ook aan hom 'n staat van die beweerde oortredings, en gee hom ook kennis van die dag waarop die ondersoek sal plaasvind.

Komitee se bevoegdheid om te dagvaar.

93. (1) 'n Komitee kan enige lid van die Instituut of Tak dagvaar, teen wie enige klagte ingedien is of wie se gedrag na die mening van die Komitee ondersoek vereis, en kan van hom eis of enige dokument, kontrak, boek, stuk, tekening, spesifikasie, hoeveelhede, of enige skrywe in sy besit of onder sy beheer, wat enigsins verband het met, of betrekking het op, die klagte of saak wat ondersoek word, te toon, en kan enige getuies wat ter sake is en vertoë in verband daarmee aanhoor, en enige betrokke dokumente wat die klaer of die betrokke lid graag wil voorlê, ondersoek.

(2) Die Komitee kan enige ander lid van die Instituut of Tak dagvaar om so 'n ondersoek by te woon en kan van hom vereis om getuies onder eed te lewer insake die klagte of die saak wat ondersoek word en om sodanige dokumente voor te lê as wat die Komitee ter sake ag.

Regsverteenwoordiging.

94. Die lid teen wie die klagte ingebring is, mag deur 'n advokaat of prokureur by die verhoor van die saak verteenwoordig word, en die Komitee mag 'n advokaat of prokureur (wat nie 'n lid moet wees van die Komitee wat die saak verhoor nie) aanstel met die doel of behulpsaam te wees by die opstel van die klagtes, aanvoer van getuies, herondersoek van getuies en die kruisverhoor van getuies vir die verdediging, en om die Komitee toe te spreek indien en wanneer nodig.

Nie-verskyning.

95. Indien die lid nie verskyn of geen verklaring indien nie, mag met die ondersoek sonder verwyl voortgegaan word.

Getuies onder eed.

96. By enige ondersoek wat kragtens hierdie Regulasies gehou word, moet alle mondelinge getuies afgelê word onder eed, wat deur die Voorsitter afgeneem word, en die Komitee bepaal hoe die getuies opgeteken moet word.

Strafmaatreëls.

97. Na 'n Komitee ondersoek ingestel het na die gedrag van enige lid, kan hy—

- (a) geen verdere stappe doen nie, of
- (b) die lid waarsku, of
- (c) 'n boete van hoogstens R200 (tweehonderd rand) aan die betrokke lid oplê, of
- (d) besluit om die toestemming van die Sentrale Raad te verkry om by die Hof aansoek te doen kragtens artikel sewentien van die Wet, en dan daarvolgens te handel; en
- (e) sodanige bevel uitvaardig insake die koste aangegaan met die verhoor van die ondersoek as wat hy nodig ag.

Komitee moet Sentrale Raad in kennis stel.

Altyd met dien verstande dat dit die plig van 'n Provinsiale Komitee of van die Bestuur is om die Sentrale Raad in kennis te stel (a) van elke bewering van onprofessionele gedrag teen een van sy lede, en (b) van die uitslag van die ondersoek aangaande so 'n bewering.

Appel by Sentrale Raad.

98. (1) Die lid teen wie onprofessionele gedrag as bewese verklaar word en wat hom veronreg voel deur die besluit van die Komitee het die reg om by die Sentrale Raad [sien Regulasie 22 (1)] te appelleer, mits so 'n appel binne dertig dae na mededeling van die Komitee se besluit ingedien word.

(2) So 'n appel word kragtens die reëls van die Sentrale Raad (sien Regulasie 102) verhoor, en mag deur 'n Appèl-komitee, wat deur die Sentrale Raad aangestel word, verhoor word.

Ampstermyn van Komitee.

99. (1) Indien 'n ondersoek begin is tydens die ampstermyn van 'n Provinsiale Komitee of die Bestuur, moet so 'n ondersoek deur daardie Provinsiale Komitee of Bestuur tot by voltooiing voortgesit word, en die Voor-

or Senior Vice-President or Junior Vice-President may have been elected after the commencement of such inquiry and before the inquiry is concluded.

(2) Similarly, if a Special Committee is appointed by a Provincial Committee or the Board to hear and conduct an inquiry, such Special Committee shall continue in office until the completion of the inquiry notwithstanding the election of a new Provincial Committee or Board.

Decision on Procedure.

100. All questions as to the admissibility of evidence and as to procedure during the hearing and conduct of an inquiry, save as set forth in Regulations 88-99 inclusive, shall be decided by the Committee.

When Proceedings shall not be set aside.

101. The proceedings of a Committee shall not be set aside by reason only of an alleged informality or irregularity unless it be shown by the member complaining thereof that he was thereby embarrassed or prejudiced in the conduct of his defence.

RULES GOVERNING THE HEARING OF APPEALS TO THE CENTRAL COUNCIL.

Appeals to be Heard by Central Council or Appeal Committee.

102. (1) (a) In this Regulation 102 the words "Central Council" shall mean the Central Council sitting as such or an Appeal Committee appointed by the Central Council in terms of Regulation 22 (1).

Legal Assessor may be Appointed.

(b) (i) The Central Council, or an Appeal Committee, may appoint an Advocate of the Supreme Court as Legal Assessor, to be present during the hearing of the appeal, and thereafter *in camera*, to advise on matters of law, procedure and evidence.

(ii) He may, during the hearing of the appeal proceedings, ask such questions as he deems necessary.

When Hearing shall take Place; Decision Final and Binding.

(2) (a) The Central Council shall at its annual meeting or, if special circumstances arise, at a special meeting, arrange to hear appeals lodged by members, in terms of Regulation 98.

(b) The decision of the Central Council on such appeals shall be final and binding.

Notice of Appeal.

(3) The notice of appeal to the Central Council must contain the basic grounds for lodging the appeal.

Appellant to Furnish the Record.

(4) The Central Council shall be furnished by the appellant with such number of certified copies of the Record of the Inquiry (the decision in which is appealed against) as are required.

Reasons for Judgment to be Furnished.

(5) (a) The Central Council shall be furnished with the Reasons for Judgment by the Committee or Board which heard the original Inquiry.

(b) A copy of the said Reasons for Judgment shall be furnished to the appellant.

Data Required from Appellant.

(6) The appellant shall furnish the Central Council with—

(a) a statement as to how long he requires for the preparation of his case on appeal;

(b) a statement setting out the main headings of the argument he, or his legal representative, proposes to advance to the Central Council, which statement shall be furnished at least two weeks before the date set down for the hearing of the appeal.

sitter moet as sodanig in sy amp aanbly by die ondersoek ten spyte daarvan dat 'n nuwe Provinsiale Komitee of Bestuur, of President of Senior Vice-president of Junior Vice-president na die aanvang van so 'n ondersoek en voor die voltooiing daarvan verkies mag geword het.

(2) Insgelyks, indien 'n Spesiale Komitee deur 'n Provinsiale Komitee of die Bestuur aangestel word om 'n ondersoek in te stel, moet so 'n Spesiale Komitee in hul amp aanbly tot by voltooiing daarvan ondanks die verkiesing van 'n nuwe Provinsiale Komitee of Bestuur.

Beslissing insake procedure.

100. Alle kwessies insake die toelaatbaarheid van getuienis en procedure tydens 'n ondersoek, behalwe soos in Regulasies 88 tot en met 99 bepaal, word deur die Komitee beslis.

Wanneer verrigtinge nie tersyde gestel mag word nie.

101. Die verrigtinge van 'n Komitee word nie nietig verklaar slegs as gevolg van 'n beweerde informaliteit of onreëlmatigheid nie, tensy die lid wat daarvoor kla kan toon dat hy daardeur in sy verdediging belemmer of benadeel is.

REÛLS WAT DIE VERHOOR VAN APPELLE DEUR DIE SENTRALE RAAD BEHEER.

Appelle moet deur die Sentrale Raad of Appèlkomitee verhoor word.

102. (1) (a) In hierdie Regulasie 102 beteken die woorde „Sentrale Raad” die Sentrale Raad wat as sodanig sit of 'n Appèlkomitee deur die Sentrale Raad kragtens Regulasie 22 (1) aangestel.

Regsassessor kan aangestel word.

(b) (i) Die Sentrale Raad, of 'n Appèlkomitee, kan 'n Advokaat van die Hooggeregshof aanstel as Regsassessor om teenwoordig te wees gedurende die verhoor van die appèl, en daarna *in camera*, om te adviseer oor kwessies van wet, procedure en getuienis.

(ii) Hy kan, gedurende die verhoor van die appèlsaak, sulke vrae vra as wat hy nodig ag.

Wanneer verhoor moet plaasvind—beslissing finaal en bindend.

(2) (a) Die Sentrale Raad reël tydens sy jaarvergadering of, indien buitengewone omstandighede dit vereis, tydens 'n spesiale vergadering, om appèlle wat deur lede kragtens Regulasie 98 aangeteken is, te verhoor.

(b) Die beslissing van die Sentrale Raad oor sulke appèlle is finaal en bindend.

Kennisgewing van appèl.

(3) In die kennisgewing van appèl na die Sentrale Raad moet die hoofgronde vir die aantekening van appèl uiteengesit word.

Appellant moet die notule verskaf.

(4) Die appellant moet die Sentral Raad voorsien van die vereiste getal gewaarmerkte afskrifte van die notule van die ondersoek (teen die beslissing waarin geappelleer word).

Redes vir uitspraak moet verstrek word.

(5) (a) Die Sentrale Raad moet voorsien word van die Redes vir die Uitspraak deur die Komitee of Bestuur wat die oorspronklike ondersoek waargeneem het.

(b) 'n Afskrif van genoemde redes vir uitspraak moet aan die appellant verstrek word.

Gegewens wat van appellant verlang word.

(6) Onderstaande gegewens moet deur die appellant aan die Sentrale Raad verstrek word:—

(a) 'n Verklaring aangaande die tyd wat hy nodig sal hê om sy saak vir appèl voor te berei;

(b) 'n verklaring wat die hoofpunte bevat van die argument wat hy of sy regsvertegenwoordiger voornemens is om by die Sentrale Raad aan te voer; so 'n verklaring moet minstens twee weke voor die datum wat vir die verhoor van appèl vasgestel is, verstrek word.

Notice re Hearing of Appeal.

(7) (a) The Central Council shall, after setting down the date and time for the hearing of the appeal, give the appellant at least fourteen days' notice thereof.

(b) In the event of the absence (except on production of a medical certificate) of the appellant, at the time duly set down for the hearing of the appeal, the hearing shall be proceeded with *ex parte*.

Representation of Hearing of Appeal.

(8) (a) The case for the appellant is to be submitted to the Central Council by either the appellant or, if he decides to be legally represented, his duly authorised representative.

(b) The Committee or Board (i.e., the respondent) shall appear before the Central Council through a duly appointed representative.

(c) The hearing before the Central Council shall be in the following order, viz., argument for the appellant; argument, if any, by the respondent; and reply thereto by the appellant.

Central Council may not take Evidence.

(9) The Central Council shall not take any evidence bearing on the matter submitted to it. If the Central Council decides that the hearing of further evidence is required, it shall instruct the Committee or Board to hear such additional evidence and accordingly to reconsider its original judgment.

Re Admissibility of Argument.

(10) The Central Council shall be the sole and absolute judge as to the admissibility of any argument the parties to the appeal wish to advance.

Recording of Argument.

(11) The Central Council shall decide how the argument which the parties to the appeal wish to advance, shall be recorded.

Costs of Appeal.

(12) The Central Council shall make such order as to the costs incurred in the preparation and hearing of the appeal as, in its judgment, is required.

Judgment of Central Council.

(13) (a) The Central Council shall sit continuously and shall as expeditiously as possible arrive at its judgment, which must be set out in writing, and which must contain the reasons for judgment.

(b) The parties to the appeal shall timeously be furnished with a copy of the judgment of the Central Council.

The Press may Attend Hearing.

(14) The Press may be notified of the hearing of the appeal and allowed to attend if it so desires.

Publication of Judgment.

(15) The finding of the Central Council shall be reported to the Institute's membership. Such report may or may not, in the discretion of the Central Council, include the reasons for the finding.

I.

GENERAL.

Three Signatures Required.

103. Any powers of attorney, contract, or other document required to be signed or entered into by the Central Council, any Committee, or the Board shall be signed by the President-in-Chief or President and one other member and by the Registrar or Secretary, respectively.

Tie in Election.

104. In case of a tie in any election, recourse shall be had to the drawing of lots.

Recovery of Subscriptions, Fines, etc.

105. Any fine inflicted under Regulation 97, and all annual subscriptions, and any special levy, shall be a debt due to the Committee or the Board by the member concerned, which the Committee or Board may recover by legal process. The Committee or Board shall however be entitled to sue therefor (save and except in the case of

Kennisgewing aangaande verhoor van appèl.

(7) (a) Die Sentrale Raad moet, nadat hy die datum en tyd vir die verhoor van die appèl vasgestel het, die appellant minstens veertien dae kennis daarvan gee.

(b) Ingeval die appellant op die tyd wat behoorlik vir die verhoor van die appèl vasgestel is, afwesig is (behalwe by voorlegging van 'n doktersertifikaat) gaan die verhoor *ex parte* voort.

Verteenwoordiging by verhoor van appèl.

(8) (a) Die saak vir die appellant moet aan die Sentrale Raad voorgelê word of deur die appellant self, of, indien hy besluit om deur 'n regsgeleerde verteenwoordig te word, deur sy behoorlik gemagtigde verteenwoordiger.

(b) Die Komitee of Bestuur (d.w.s. die verweerder) moet deur 'n behoorlik aangestelde verteenwoordiger voor die Sentrale Raad verskyn.

(c) Die verhoor voor die Sentrale Raad geskied in die volgende volgorde, t.w. argument vir die appellant; argument, as daar is, deur die verweerder; en repliek daarop deur die appellant.

Sentrale Raad mag nie getuienis hoor nie.

(9) Die Sentrale Raad mag geen getuienis betreffende die saak wat aan hom voorgelê word, hoor nie. Indien die Sentrale Raad besluit dat verdere getuienis gehoor moet word, moet hy die Komitee of Bestuur gelas om sodanige verdere getuienis te hoor en sy oorspronklike uitspraak dienoreenkomstig in heroorweging te neem.

Insake toelaatbaarheid van argument.

(10) Die Sentrale Raad besit uitsluitlike en absolute oordeel aangaande die toelaatbaarheid van enige argument wat die partye by die appèl wil aanvoer.

Notulering van argument.

(11) Die Sentrale Raad besluit hoe die argument wat die partye by die appèl wil aanvoer, genotuleer moet word.

Koste van appèl.

(12) Die Sentrale Raad reik na eie goeddunke 'n bevel uit betreffende die koste wat in verband met die voorbereiding en verhoor van die appèl aangegaan is.

Uitspraak van Sentrale Raad.

(13) (a) Die Sentrale Raad bly voortdurend in sitting en moet so gou doenlik sy uitspraak gee wat skriftelik uiteengesit moet word en wat die redes vir die uitspraak moet bevat.

(b) Die partye by die appèl moet binne redelike tyd van 'n afskrif van die uitspraak van die Sentrale Raad voorsien word.

Die Pers mag die verhoor bywoon.

(14) Die Pers mag van die verhoor van die appèl in kennis gestel word en toegelaat word om dit, desverlangend, by te woon.

Bekendmaking van uitspraak.

(15) Die bevinding van die Sentrale Raad word aan die lede van die Instituut bekendgemaak. So 'n verslag mag of mag nie, na die goeddunke van die Sentrale Raad, die redes vir die bevinding bevat.

I.

ALGEMEEN.

Drie handtekening vereis.

103. Enige volmag, kontrak, of ander dokument wat geteken of aangegaan moet word deur die Sentrale Raad, enige Komitee, of die Bestuur moet deur die Hoofpresident of President en een ander lid en deur onderskeidelik die Registrateur of Sekretaris geteken word.

Staking van stemme by verkiesings.

104. Ingeval van 'n staking van stemme by enige verkiesing word van loting gebruik gemaak.

Verhaal van ledegelde, boetes, ens.

105. Enige boete wat opgelê word kragtens Regulasie 97 en alle jaarlikse ledegelde, en enige spesiale heffing, is 'n skuld wat aan die Komitee of Bestuur verskuldig is deur die betrokke lid, wat die Komitee of Bestuur by wyse van geregtelike stappe kan verhaal. Die Komitee of Bestuur is egter verplig om daarvoor te dagvaar (uitgesonderd in

current subscriptions unpaid up to but not later than 1st July of the current year) in case the said member take part in any meeting of the Central Council, the Institute, a Provincial Institute, the Chapter or a committee thereof.

J.

AMENDMENT OF REGULATIONS.

Thirty Days' Notice.

106. No regulation may be made or amended unless thirty days before the meeting of the Central Council at which it is proposed to make or amend such regulation, notice thereof, embodying the terms of the proposed new regulation or amendment, is given to each member of the Central Council and to his alternate, at the address as entered in the register or roll, and to each Provincial Committee and the Board.

Affirmative Vote of at Least Seven Required.

107. No new regulations or amendments to regulations may be made, and no regulations or amendments to regulations made by the Board may be confirmed or vetoed, unless on an affirmative vote of at least seven members of the Central Council.

Repeal of Regulations.

108. The Regulations published under Government Notice No. 484 of 31st March, 1937, as amended by Government Notices No. 1443 of 2nd September, 1938, No. 329 of 7th March, 1941, No. 1608 of 30th July, 1948, No. 1365 of 16th June, 1950, No. 314 of 14th February, 1952, No. 1475 of 22nd July, 1955, No. 532 of 23rd March, 1956, No. 388 of 15th March, 1957, No. 17 of 3rd January, 1958, and No. 224 of 16th February, 1962, are hereby repealed.

die geval van lopende ledegelde wat onbetaal is tot, Maart nie later nie as, die 1ste Julie van die betrokke jaar) in geval genoemde lid deelneem aan enige vergadering van die Sentrale Raad, die Instituut, 'n Provinsiale Instituut, die Tak of 'n komitee daarvan.

J.

WYSIGING VAN REGULASIES.

Dertig dae kennis.

106. Geen regulasie mag gemaak of gewysig word nie, tensy, dertig dae voor die vergadering van die Sentrale Raad waarop voorgestel word om so 'n regulasie te maak of te wysig, kennis daarvan, wat die bepalings van die voorgestelde nuwe regulasie of wysiging bevat, gegee word aan elke lid van die Sentrale Raad en sy plaasvervanger, by die adres soos opgeteken in die register of rol, en aan elke Provinsiale Komitee en die Bestuur.

Bevestigde stem van minstens sewe nodig.

107. Geen nuwe regulasies of wysigings van regulasies mag gemaak of aangebring word, en geen regulasies of wysigings van regulasies wat deur die Bestuur gemaak of aangebring is, mag bekragtig of geveto word nie, tensy met 'n bevestigende stem van minstens sewe lede van die Sentrale Raad.

Herroeping van Regulasies.

108. Die Regulasies wat gepubliseer is in Goewermmentskennisgewing No. 484 van 31 Maart 1937, soos gewysig by Goewermmentskennisgewings No. 1443 van 2 September 1938, No. 329 van 7 Maart 1941; No. 1608 van 30 Julie 1948, No. 1365 van 16 Junie 1950, No. 314 van 14 Februarie 1952, No. 1475 van 22 Julie 1955, No. 532 van 23 Maart 1956, No. 388 van 15 Maart 1957, No. 17 van 3 Januarie 1958 en No. 224 van 16 Februarie 1962, word hierby herroep.

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