



GOVERNMENT GAZETTE

OF THE REPUBLIC OF SOUTH AFRICA

REPUBLIEK VAN SUID-AFRIKA

STAATSKOERANT

Registered at the Post Office as a Newspaper

As 'n Nuusblad by die Poskantoor Geregistreer

Selling price • Verkoopprys
(GST excluded/AVB uitgesluit)

Local **50c** Plaaslik
Other countries 70c Buitelands
Post free • Posvry

VOL. 267

CAPE TOWN, 25 SEPTEMBER 1987

KAAPSTAD, 25 SEPTEMBER 1987

No. 10938

STATE PRESIDENT'S OFFICE

KANTOOR VAN DIE STAATSPRESIDENT

No. 2134.

25 September 1987

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 65 of 1987: Architects' Amendment Act, 1987.

No. 2134.

25 September 1987

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 65 van 1987: Wysigingswet op Argitekte, 1987.

Act No. 65, 1987

ARCHITECTS' AMENDMENT ACT, 1987

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

 Words underlined with solid line indicate insertions in existing enactments.

ACT

To amend the Architects' Act, 1970, so as to further define or delete certain expressions; to further regulate the appointment of members of the South African Council for Architects and the election and tenure of office of its president and vice-president; to make further provision with reference to alternate members of the said Council; to further define the powers of the said Council; to revise the provisions regarding the tariff of fees to which architects shall be entitled; to provide that the reservation of work for architects shall be done with the concurrence of the Competition Board; to make further provision regarding the recognition of architects' institutes; to delete certain provisions regarding the submission of reports by the said Council and its president; to further regulate the constitution and functions of the Education Advisory Committee; to make other provision regarding the prohibition against practising as an architect in certain circumstances; to extend the provisions regarding improper conduct of architects; and to transfer certain powers of the Minister of Public Works to the said Council; and to provide for incidental matters.

(English text signed by the State President.)
(Assented to 11 September 1987.)

BE IT ENACTED by the State President and the Parliament of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 35 of 1970, as amended by section 1 of Act 78 of 1979, section 1 of Act 49 of 1982 and section 1 of Act 8 of 1985.

1. Section 1 of the Architects' Act, 1970 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the substitution for the definition of "architects' institute" of the following definition:

"architects' institute" means any association of architects or of architects and architects in training established for the purpose of furthering the interests of the architects' profession and which has been recognized by the council under section 7 **[(3) (a)]**

(1) (j);;

(b) by the substitution for the definition of "Minister" of the following definition:

"Minister" means the Minister of Public Works;"; 15

(c) by the substitution for the definition of "prescribed" of the following definition:

"prescribe" means, with regard to the council, prescribe by rules made by the council in accordance with section 27 (2), and, with regard to the Minister, prescribe by notice in the *Gazette*; and "prescribed" shall have a corresponding meaning;"; 20
 and

(d) by the deletion of the definition of "regulation".

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde in vet druk tussen vierkantige hake dui skappings uit bestaande verordenings aan.

 Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

WET

Tot wysiging van die Wet op Argitekte, 1970, ten einde sekere uitdrukkings verder te omskryf of te skrap; die aanstelling van lede van die Suid-Afrikaanse Raad vir Argitekte en die verkiesing en ampstermyn van die president en vise-president daarvan verder te reël; verdere voorsiening te maak met betrekking tot plaasvervangende lede van genoemde Raad; die bevoegdhede van genoemde Raad verdere te omskryf; die bepalings betreffende die geldetarief waarop argitekte geregtig is, te hersien; voorsiening te maak dat die voorbehoud van werk vir argitekte met die instemming van die Raad op Mededinging geskied; verdere voorsiening te maak betreffende die erkenning van argiteksinstitute; sekere bepalings betreffende die voorlegging van verslae deur genoemde Raad en die president daarvan te skrap; die samestelling en werksaamhede van die Adviserende Onderwyskomitee verder te reël; ander voorsiening te maak betreffende die verbod op praktisering as 'n argitek in sekere omstandighede; die bepalings betreffende onbehoorlike gedrag van argitekte uit te brei; en sekere bevoegdhede van die Minister van Openbare Werke aan genoemde Raad oor te dra; en om vir bykomstige aangeleenthede voorsiening te maak.

*(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 11 September 1987.)*

DAAR WORD BEPAAL deur die Staatspresident en die Parlement van die Republiek van Suid-Afrika, soos volg:—

1. Artikel 1 van die Wet op Argitekte, 1970 (hieronder die Hoofwet genoem), word hierby gewysig—
 - 5 (a) deur die omskrywing van "argiteksinstituut" deur die volgende omskrywing te vervang:

"argiteksinstituut" 'n vereniging van argitekte of van argitekte en argitekte-in-opleiding gestig met die doel om die belange van die argiteksprofessie te bevorder en kragtens artikel 7 **[(3)(a)]** (1) (j) deur die raad erken;"
 - (b) deur die omskrywing van "Minister" deur die volgende omskrywing te vervang:

"Minister" die Minister van Openbare Werke;"
 - 15 (c) deur die omskrywing van "regulasie" te skrap; en
 - (d) deur die omskrywing van "voorgeskrif" deur die volgende omskrywing te vervang:

"voorskryf", met betrekking tot die raad, voorskryf by reëls ooreenkomstig artikel 27 (2) deur die raad uitgevaardig, en, met betrekking tot die Minister, voorskryf by kennisgewing in die Staatskoerant; en het "voorgeskrif", "voor te skryf" en "voorgeskrewe" 'n ooreenstemmende betekenis."
 - 20

Wysiging van artikel 1 van Wet 35 van 1970, soos gewysig deur artikel 1 van Wet 78 van 1979, artikel 1 van Wet 49 van 1982 en artikel 1 van Wet 8 van 1985.

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Amendment of
section 3 of
Act 35 of 1970,
as amended by
section 2 of
Act 78 of 1979.

2. Section 3 of the principal Act is hereby amended by the substitution for paragraph (b) of subsection (1) of the following paragraph:

“(b) two persons who shall be professors or lecturers in architecture at different universities in the Republic **[selected by the Minister from a list of persons nominated by the senates of the universities in the Republic which have departments, schools or faculties of architecture]** and who shall be nominated by the Committee of University Principals referred to in section 6 of the Universities Act, 1955 (Act No. 61 of 1955);”.

Amendment of
section 4 of
Act 35 of 1970,
as amended by
section 1 of
Act 18 of 1975 and
section 3 of
Act 78 of 1979.

3. Section 4 of the principal Act is hereby amended—

(a) by the substitution in subsection (2) for the words preceding paragraph (a) of the following words:

“A member of the council or his alternate shall vacate his office—”; and

(b) by the substitution for paragraph (g) of subsection (2) of the following paragraph:

“(g) if he has been absent without the consent of the council from three consecutive meetings of the council [without its leave] which he should have attended;”.

Amendment of
section 6 of
Act 35 of 1970,
as amended by
section 5 of
Act 78 of 1979.

4. Section 6 of the principal Act is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

“(1) The members of the council shall at the first meeting of every newly constituted council **[and thereafter as the occasion arises]** out of their number elect a president and a vice-president of the council, and the president and the vice-president shall hold office **[for such period, being not less than twelve months, as the council may from time to time determine]** until they cease to be members of the council.”; and

(b) by the substitution for subsection (5) of the following subsection:

“(5) A member of the council **[appointed in terms of section 3 (1) (bA) or (d)]** who is not an architect shall not be elected president or vice-president of the council or preside at any meeting thereof.”.

Amendment of
section 7 of
Act 35 of 1970,
as amended by
section 6 of
Act 78 of 1979
and section 3 of
Act 49 of 1982.

5. Section 7 of the principal Act is hereby amended—

(a) by the substitution for paragraph (b) of subsection (1) of the following paragraph:

“(b) **[subject to the provisions of this Act]** to determine the calling of and the procedure and quorum at meetings of the council or any committee of the council or the Education Advisory Committee and the manner in which minutes of the meetings shall be kept;”;

(b) by the substitution for paragraph (fA) of subsection (1) of the following paragraph:

“(fA) to determine the remuneration and allowances payable from the funds of the council to members of the council or their alternates or to members of a committee of the council or their alternates or to members of the Education Advisory Committee or their alternates, who are not [and whether any amount should be recovered from the funds of the council in respect of any allowances paid to a member of the council or of a committee of the council or of the Education Advisory Committee who is] in the service of the State;”;

(c) by the substitution for paragraph (gA) of subsection (1) of the following paragraph:

“(gA) to prescribe any levy which shall be payable to the council for the purposes of the training and educa-

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2. Artikel 3 van die Hoofwet word hierby gewysig deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:
- 5 “(b) twee persone wat professore of lektore in argitektuur aan verskillende universiteite in die Republiek moet wees en wat deur **[die Minister gekies word uit 'n lys persone genomineer deur die senate van die universiteite in die Republiek waaraan departemente, skole of fakulteite van argitektuur verbonde is]** die Komitee van Universiteitshoofde bedoel in artikel 6 van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), benoem moet word;”.
- 10
3. Artikel 4 van die Hoofwet word hierby gewysig—
- 15 (a) deur in subartikel (2) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:
- “'n Lid van die raad of sy plaasvervanger ontruim sy amp—”; en
- (b) deur paragraaf (g) van subartikel (2) deur die volgende paragraaf te vervang:
- 20 “(g) as hy sonder toestemming van die raad van drie agtereenvolgende vergaderings van die raad wat hy moes bygewoon het, afwesig was;”.
- 25
4. Artikel 6 van die Hoofwet word hierby gewysig—
- (a) deur subartikel (1) deur die volgende subartikel te vervang:
- 30 “(1) Die lede van die raad kies op die eerste vergadering van elke nuut saamgestelde raad **[en daarna wanneer dit nodig word]** uit hul midde 'n president en 'n vise-president van die raad, en die president en die vise-president bekleed hulle amp **[vir die tydperk, maar minstens twaalf maande, wat die raad van tyd tot tyd bepaal]** totdat hulle ophou om lede van die raad te wees.”; en
- 35 (b) deur subartikel (5) deur die volgende subartikel te vervang:
- “(5) 'n Lid van die raad wat **[ingevalge artikel 3 (1) (bA) of (d) aangestel is en]** nie 'n argitek is nie **[kan]** mag nie tot president of vise-president gekies word of op 'n raadsvergadering voorsit nie.”.
- 40
5. Artikel 7 van die Hoofwet word hierby gewysig—
- (a) deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:
- 45 “(b) om **[behoudens die bepalinge van hierdie Wet]** die byeenroeping van en die prosedure en kworum op vergaderings van die raad of 'n komitee van die raad of die Adviserende Onderwyskomitee en die wyse waarop notule van die vergaderings gehou moet word, te bepaal;”;
- 50 (b) deur paragraaf (fA) van subartikel (1) deur die volgende paragraaf te vervang:
- “(fA) om die besoldiging en toelaes te bepaal wat betaalbaar is uit die fondse van die raad aan lede van die raad of hul plaasvervangers of aan lede van 'n komitee van die raad of hul plaasvervangers of aan lede van die Adviserende Onderwyskomitee of hul plaasvervangers, wat nie **[en om te bepaal of 'n bedrag op die fondse van die raad verhaal behoort te word ten opsigte van toelaes betaal aan 'n lid van die raad of 'n komitee van die raad of die Adviserende Onderwyskomitee wat]** in diens van die Staat is nie;”;
- 55
- 60 (c) deur paragraaf (gA) van subartikel (1) deur die volgende paragraaf te vervang:
- “(gA) om enige heffing wat aan die raad betaal moet word vir die opleiding en onderrig van argitekte
- 65

Wysiging van artikel 3 van Wet 35 van 1970, soos gewysig deur artikel 2 van Wet 78 van 1979.

Wysiging van artikel 4 van Wet 35 van 1970, soos gewysig deur artikel 1 van Wet 18 van 1975 en artikel 3 van Wet 78 van 1979.

Wysiging van artikel 6 van Wet 35 van 1970, soos gewysig deur artikel 5 van Wet 78 van 1979.

Wysiging van artikel 7 van Wet 35 van 1970, soos gewysig deur artikel 6 van Wet 78 van 1979 en artikel 3 van Wet 49 van 1982.

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- tion of architects, to grant exemption from payment of such levy or any portion thereof and to **[recommend to the Minister]** determine how such levy shall be imposed, collected and administered;”;
- (d) by the substitution for paragraph (j) of subsection (1) of the following paragraph:
- “(j) (i) to determine the requirements for recognition as an architects’ institute, and to make known such requirements in the manner it deems fit; and
(ii) to consider and decide upon any application for such recognition;”;
- (e) by the substitution for paragraph (k) of subsection (1) of the following paragraph:
- “(k) to recommend to the Minister the **[minimum fees which shall be chargeable by an architect for his professional services in respect of work of a kind reserved for architects under subsection (3) (c), or to recommend a] tariff of fees [according to which an architect may calculate the amount chargeable by him for his professional services] referred to in subsection (3) (b);**”;
- (f) by the substitution for paragraph (nA) of subsection (1) of the following paragraph:
- “(nA) after the investigation and enquiries the council deems necessary, to **[recommend to the Minister, or to recognize, as the case may be]** recognize or withdraw the recognition of any examination contemplated in section 19 (2) (b), and to enter into an agreement with any person or body or persons, within or outside the Republic, with regard to the recognition of any examination or qualification for the purposes of this Act;”;
- (g) by the deletion of paragraphs (q) and (r) of subsection (1);
- (h) by the substitution for subsection (2) of the following subsection:
- “(2) **[Subject to the provisions of this Act]** The council shall keep and maintain a register of architects and architects in training and such register shall at all reasonable times be open to inspection of any member of the public upon payment of such fee as the council may prescribe.”;
- (i) by the substitution in subsection (3) for the words preceding paragraph (a) of the following words:
- “The Minister may, after consideration **[and approval]** of any relevant recommendation made by the council under subsection (1)—”;
- (j) by the deletion of paragraph (a) of subsection (3);
- (k) by the substitution for paragraphs (b) and (c) of subsection (3) of the following paragraphs:
- “(b) **prescribe the tariff of fees to which an architect shall be entitled for services rendered by him, in the absence of an agreement between an architect and a particular client in terms of which he shall be entitled in respect of such services to fees according to any other tariff;**
- (c) with the concurrence of the Competition Board established by section 3 of the Maintenance and Promotion of Competition Act, 1979 (Act No. 96 of 1979), prescribe kinds of work in connection with projects, undertakings or services of an architectural nature reserved for architects.”;
- (l) by the substitution for subsection (6) of the following subsection:
- “(6) **[Any provisions made by virtue of subsection (1) (g) or (gA) or any fees prescribed by virtue of subsection**

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voor te skryf, om vrystelling te verleen van die betaling van sodanige heffing of enige gedeelte daarvan, en om **[by die Minister aan te beveel]** te bepaal hoe sodanige heffing opgelê, ingevorder en geadministreer moet word;”;

- (d) deur paragraaf (j) van subartikel (1) deur die volgende paragraaf te vervang:

“(j) (i) om die vereistes vir erkenning as ’n argiteksinstituu te bepaal, en sodanige vereistes bekend te maak op die wyse wat hy goed ag; en
(ii) om ’n aansoek om sodanige erkenning te oorweeg en daaroor te besluit;”;

- (e) deur paragraaf (k) van subartikel (1) deur die volgende paragraaf te vervang:

“(k) om by die Minister **[die minimum gelde]** aan te beveel wat **[’n argitek vir sy professionele dienste met betrekking tot werk van ’n soort wat vir argitekte kragtens subartikel (3) (c) voorbehou is, moet vra, of om ’n geldetarief aan te beveel waarvolgens ’n argitek die bedrag wat hy kan vra vir sy professionele dienste kan bereken]** die in subartikel (3) (b) bedoelde geldetarief moet wees;”;

- (f) deur paragraaf (nA) van subartikel (1) deur die volgende paragraaf te vervang:

“(nA) om, na die ondersoek en navrae wat die raad nodig ag, ’n in artikel 19 (2) (b) beoogde eksamen **[by die Minister aan te beveel, of te erken, na gelang van die geval]** te erken of die erkenning daarvan terug te trek, en om met enige persoon of liggaam van persone, hetsy binne of buite die Republiek, ’n ooreenkoms aan te gaan met betrekking tot die erkenning van ’n eksamen of kwalifikasie by die toepassing van hierdie Wet;”;

- (g) deur paragrafe (q) en (r) van subartikel (1) te skrap;

- (h) deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Die raad moet **[behoudens die bepalinge van hierdie Wet]** ’n register van argitekte en argitekteinopleiding hou en byhou en sodanige register moet te alle redelike tye beskikbaar wees vir insae deur enige lid van die publiek teen betaling van die gelde wat die raad voorskryf.”;

- (i) deur in subartikel (3) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

“Die Minister kan, na oorweging **[en goedkeuring]** van ’n ter sake dienende aanbeveling wat deur die raad kragtens subartikel (1) gedoen is—”;

- (j) deur paragraaf (a) van subartikel (3) te skrap;

- (k) deur paragrafe (b) en (c) van subartikel (3) deur die volgende paragrafe te vervang:

“(b) die geldetarief voorskryf waarop ’n argitek ten opsigte van dienste deur hom gelewer, geregtig is by onstentenis van ’n ooreenkoms tussen ’n argitek en ’n bepaalde kliënt ingevolge waarvan hy ten opsigte van sodanige dienste geregtig is op gelde volgens ’n ander tarief;

(c) met die instemming van die Raad op Mededinging ingestel by artikel 3 van die Wet op die Handhawing en Bevordering van Mededinging, 1979 (Wet No. 96 van 1979), soorte werk in verband met projekte, ondernemings of dienste wat by die argiteksprofessie tuishoort, voorskryf wat vir argitekteinopleiding voorbehou word.”; en

- (l) deur subartikel (6) deur die volgende subartikel te vervang:

“(6) **[Voorsiening wat kragtens subartikel (1) (g) of (gA) gemaak, of gelde wat kragtens subartikel (1) of (2)**

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(1) or (2) shall be subject to the approval of the Minister, and any provision so made or fees so prescribed and] Any provision made [by virtue of] under subsection (3) shall be made known by the Minister by notice in the *Gazette*.”

5

Repeal of
section 8 of
Act 35 of 1970.

6. Section 8 of the principal Act is hereby repealed.

Amendment of
section 10 of
Act 35 of 1970,
as amended by
section 7 of
Act 78 of 1979
and section 4 of
Act 49 of 1982.

7. Section 10 of the principal Act is hereby amended by the deletion of subsections (2), (3) and (4).

Amendment of
section 11 of
Act 35 of 1970,
as amended by
section 8 of
Act 78 of 1979.

8. Section 11 of the principal Act is hereby amended by the substitution for the proviso to subsection (2) of the following 10 proviso:

“Provided that if the council has assigned to a committee the power to determine whether or not any person shall be registered as an architect or as an architect in training, or the power to cancel the registration of any person as an architect or as an architect in training, or the power to enquire into any case of alleged improper conduct and to impose a punishment in respect thereof in accordance with the provisions of section 24, the council shall not amend or withdraw any decision arrived at or anything done by such 20 committee under the power so assigned, but may [subject to the regulations] mitigate any punishment so imposed by any committee.”

Amendment of
section 13 of
Act 35 of 1970.

9. Section 13 of the principal Act is hereby amended—

(a) by the substitution for paragraph (c) of subsection (1) 25 of the following paragraph:

“(c) a number of persons, equal in number to the difference in number between the persons appointed in terms of paragraph (a) and those appointed in terms of paragraph (b), who shall be [selected by 30 the Minister from a list of persons] nominated by the architects' institutes [or, if there is no such institute in existence, whom the Minister deems suitable].”; and

(b) by the substitution for subsection (2) of the following 35 subsection:

“(2) For every member of the Education Advisory Committee appointed in terms of subsection (1), there shall be an alternate member appointed in the same manner as such member, and any alternate member so 40 appointed may attend and take part in the proceedings at any meeting of the Education Advisory Committee whenever the member to whom he has been appointed as alternate member is absent from such meeting.”

Amendment of
section 14 of
Act 35 of 1970.

10. Section 14 of the principal Act is hereby amended by the substitution for paragraph (b) of subsection (2) of the following paragraph:

“(b) if he was appointed in terms of section 13 (1) (c) [by being selected from the list mentioned therein] and ceases to be a member of the body by which he was 50 nominated; or”.

Substitution of
section 18 of
Act 35 of 1970,
as substituted by
section 5 of
Act 49 of 1982.

11. The following section is hereby substituted for section 18 of the principal Act:

“Functions of
Education
Advisory
Committee.

18. It shall be the function of the Education Advisory Committee to assist the council in the perform- 55
ance of its functions and duties in terms of this Act and to inquire into and advise upon or make recommendations in regard to any matter which the council

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voorgeskrif word, is onderworpe aan die goedkeuring van die Minister, en voorsiening aldus gemaak of gelde aldus voorgeskryf en] Voorsiening wat kragtens subartikel (3) gemaak word, word deur die Minister by kennisgewing in die *Staatskoerant* bekendgemaak.”.

6. Artikel 8 van die Hoofwet word hierby herroep.

Herroeping van artikel 8 van Wet 35 van 1970.

7. Artikel 10 van die Hoofwet word hierby gewysig deur subartikels (2), (3) en (4) te skrap.

Wysiging van artikel 10 van Wet 35 van 1970, soos gewysig deur artikel 7 van Wet 78 van 1979 en artikel 4 van Wet 49 van 1982.

8. Artikel 11 van die Hoofwet word hierby gewysig deur die voorbehoudsbepaling by subartikel (2) deur die volgende voorbehoudsbepaling te vervang:

Wysiging van artikel 11 van Wet 35 van 1970, soos gewysig deur artikel 8 van Wet 78 van 1979.

“Met dien verstande dat indien die raad aan ’n komitee die bevoegdheid opgedra het om te bepaal of iemand as ’n argitek of as ’n argitek-in-opleiding geregistreer moet word al dan nie, of die bevoegdheid om die registrasie van iemand as ’n argitek of as ’n argitek-in-opleiding in te trek, of die bevoegdheid om ooreenkomstig die bepalings van artikel 24 ’n geval van beweerde onbehoorlike gedrag te ondersoek en ten opsigte daarvan ’n straf op te lê, die raad nie ’n besluit of iets wat kragtens die bevoegdheid aldus opgedra, deur sodanige komitee geneem of gedoen is, kan wysig of intrek nie, maar **[behoudens die regulasies]** enige straf deur enige komitee aldus opgelê, kan versag.”.

9. Artikel 13 van die Hoofwet word hierby gewysig—

Wysiging van artikel 13 van Wet 35 van 1970.

(a) deur paragraaf (c) van subartikel (1) deur die volgende paragraaf te vervang:

“(c) ’n getal persone gelyk in getal aan die verskil in getal tussen die persone ingevolge paragraaf (a) aangestel en dié ingevolge paragraaf (b) aangestel, wat **[deur die Minister gekies word uit ’n lys persone]** genomineer word deur die argiteksinstitute **[of, indien daar geen sodanige instituut bestaan nie, wat die Minister geskik ag].**”; en

(b) deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Vir elke lid van die Adviserende Onderwyskomitee ingevolge subartikel (1) aangestel, moet daar ’n plaasvervangende lid op dieselfde wyse as bedoelde lid aangestel word, en ’n plaasvervangende lid aldus aangestel, kan ’n vergadering van die Adviserende Onderwyskomitee bywoon en aan die verrigtinge aldaar deelneem wanneer die lid vir wie hy as plaasvervangende lid aangestel is, van bedoelde vergadering afwesig is.”.

10. Artikel 14 van die Hoofwet word hierby gewysig deur paragraaf (b) van subartikel (2) deur die volgende paragraaf te vervang:

Wysiging van artikel 14 van Wet 35 van 1970.

“(b) as hy ingevolge artikel 13 (1) (c) aangestel is **[deur gekies te word uit die daarin bedoelde lys]** en ophou om ’n lid te wees van die liggaam deur wie hy genomineer is; of”.

11. Artikel 18 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 18 van Wet 35 van 1970, soos vervang deur artikel 5 van Wet 49 van 1982.

“Werksaamhede van Adviserende Onderwyskomitee. 18. Die funksie van die Adviserende Onderwyskomitee is om die raad by die verrigting van sy werksaamhede en pligte ingevolge hierdie Wet by te staan en om ondersoek in te stel na en advies te verleen of aanbevelings te doen met betrekking tot ’n aange-

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in the performance of its functions in terms of this Act may refer to the Committee either specifically or generally **[and more particularly in regard to the matters referred to in section 7 (1) (n), (nA), (o), (p), and (q) and sections 19 (2) (b) and 20]**: Provided that nothing in this section contained shall preclude the Committee from initiating an enquiry into or advising the council upon any **[of the matters aforesaid]** matter of an educational nature: Provided further that the council shall not decide on any matters referred to in section 7 (1) (n), (nA) and (o) and **[sections] section 19 (2) (b) [and 20]** unless it has referred such matters to the Committee to be investigated and to furnish the council with its advice and recommendations.”.

Amendment of section 19 of Act 35 of 1970, as amended by section 3 of Act 18 of 1975, section 10 of Act 78 of 1979 and section 6 of Act 49 of 1982.

12. Section 19 of the principal Act is hereby amended—

- (a) by the substitution for paragraph (b) of subsection (2) of the following paragraph:
“(b) has passed **[the prescribed examination or]** any examination recognized by the council for the purposes of this paragraph; and”;
- (b) by the substitution in subsection (3) for the words preceding paragraph (a) of the following words:
“The **[Minister] council** may grant an applicant exemption from the requirement mentioned in subsection (2) (d), if the **[Minister] council** is satisfied that membership of an architects’ institute—”;
- (c) by the substitution for paragraph (a) of subsection (3A) of the following paragraph:
“(a) If after consideration of any such application the council is satisfied that the applicant complies with the requirements mentioned in subsection (2) (a) and (c) and, unless the applicant has been granted exemption by the **[Minister] council** under subsection (3), in subsection (2) (d), but not with the requirement mentioned in subsection (2) (b), the council may register the applicant as an architect subject to the restrictions and conditions mentioned in or determined under paragraph (b) of this subsection.”;
- (d) by the substitution for paragraph (a) of subsection (4) of the following paragraph:
“(a) If after consideration of any such application the council is satisfied that the applicant complies with the requirements mentioned in subsection (2) (b) **[excluding the requirement relating to the additional examination contemplated in section 20]** and, unless the applicant has been granted exemption by the **[Minister] council** under subsection (3), with the requirements mentioned in subsection (2) (d), but not with the requirement mentioned in subsection (2) (c), the council shall register the applicant as an architect in training and issue to him a certificate of registration to that effect.”; and
- (e) by the substitution for paragraph (c) of subsection (10) of the following paragraph:
“(c) unless he has been granted exemption by the **[Minister] council** under subsection (3), ceases to comply with the requirement mentioned in subsection (2) (d); or”.

Repeal of section 20 of Act 35 of 1970, as substituted by section 7 of Act 49 of 1982.

13. Section 20 of the principal Act is hereby repealed.

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leentheid wat die raad by die verrigting van sy werksaamhede ingevolge hierdie Wet, hetsy spesifiek of in die algemeen na die Komitee verwys **[en meer bepaald met betrekking tot die aangeleenthede in artikel 7 (1) (n), (nA), (o), (p) en (q) en artikels 19 (2) (b) en 20 bedoel]**: Met dien verstande dat niks in hierdie artikel vervat die Komitee verbied om uit eie beweging ondersoek in te stel na of die raad te adviseer met betrekking tot enige **[van genoemde aangeleenthede]** aangeleentheid van 'n opvoedkundige aard nie: Met dien verstande voorts dat die raad geen besluit neem nie in verband met die aangeleenthede in artikels 7 (1) (n), (nA) en (o) en **[artikels]** artikel 19 (2) (b) **[en 20]** bedoel, alvorens hy sodanige aangeleenthede na die Komitee verwys het om ondersoek daarna in te stel en aan die raad sy advies of aanbevelings te verstrek."

12. Artikel 19 van die Hoofwet word hierby gewysig—

(a) deur paragraaf (b) van subartikel (2) deur die volgende paragraaf te vervang:

"(b) in **[die voorgeskrewe eksamen of in]** 'n eksamen wat die raad vir die doeleindes van hierdie paragraaf erken, geslaag het; en";

(b) deur in subartikel (3) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

"Die **[Minister]** raad kan 'n applikant vrystelling verleen van die vereiste in subartikel (2) (d) vermeld indien die **[Minister]** raad oortuig is dat lidmaatskap van 'n argiteksinstituut—";

(c) deur paragraaf (a) van subartikel (3A) deur die volgende paragraaf te vervang:

"(a) Indien die raad na oorweging van so 'n aansoek oortuig is dat die applikant aan die in subartikel (2) (a) en (c) en, tensy die applikant deur die **[Minister]** raad kragtens subartikel (3) vrystelling verleen is, in subartikel (2) (d) vermelde vereistes voldoen, maar nie aan die in subartikel (2) (b) vermelde vereiste nie, kan die raad die applikant as 'n argitek onderworpe aan die beperkings en voorwaardes in paragraaf (b) van hierdie subartikel vermeld of daarkragtens bepaal, registreer.";

(d) deur paragraaf (a) van subartikel (4) deur die volgende paragraaf te vervang:

"(a) Indien die raad na oorweging van so 'n aansoek daarvan oortuig is dat die applikant aan die in subartikel (2) (b) vermelde vereistes **[uitgesonderd die vereiste betreffende die bykomende eksamen beoog in artikel 20]** en, tensy die applikant deur die **[Minister]** raad kragtens subartikel (3) vrystelling verleen is, in subartikel (2) (d) vermelde vereistes voldoen, maar nie aan die in subartikel (2) (c) vermelde vereiste nie, moet die raad die applikant as 'n argitek-in-opleiding registreer en aan hom 'n registrasiesertifikaat te dien effekte uitreik.";

(e) deur paragraaf (c) van subartikel (10) deur die volgende paragraaf te vervang:

"(c) tensy hy deur die **[Minister]** raad kragtens subartikel (3) vrystelling verleen is, ophou om te voldoen aan die in subartikel (2) (d) vermelde vereiste; of".

Wysiging van artikel 19 van Wet 35 van 1970, soos gewysig deur artikel 3 van Wet 18 van 1975, artikel 10 van Wet 78 van 1979 en artikel 6 van Wet 49 van 1982.

13. Artikel 20 van die Hoofwet word hierby herroep.

Herroeping van artikel 20 van Wet 35 van 1970, soos vervang deur artikel 7 van Wet 49 van 1982.

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Amendment of
section 22 of
Act 35 of 1970,
as amended by
section 12 of
Act 78 of 1979,
section 8 of
Act 49 of 1982
and section 2 of
Act 8 of 1985.

14. Section 22 of the principal Act is hereby amended—

- (a) by the substitution for subsection (1) of the following subsection:

“(1) Subject to any exemption granted under this Act **[for the regulations]**, any person not registered as an architect **[in terms of any provision of section 19]** and who—

- (a) except in the service or by order of and under the supervision of an architect, **[for reward]** performs for reward any kind of work reserved for architects under section 7 (3) (c); or
- (b) pretends to be or by any means whatsoever holds himself out or allows himself to be held out as an architect, or uses the name of architect or any name, title, description or symbol or performs any act indicating or calculated to lead persons to infer that he is registered as an architect in terms of this Act, shall be guilty of an offence and liable on conviction to a fine not exceeding ten thousand rand.”; and
- (b) by the substitution in paragraph (1A) for the words preceding paragraph (a) and paragraph (a) of the following words and paragraph:
- “Subject to any exemption granted under this Act, any company or **[any other]** juristic person other than a company or juristic person which carries on the profession of architect, and which—
- (a) for reward performs any kind of work reserved for architects under section 7 (3) (c) **[for any other person, whether a natural or juristic person]**, or causes such work to be performed by any person **[whether]** other than a registered [as an] architect [or not]; or”.

Amendment of
section 23 of
Act 35 of 1970,
as amended by
section 4 of
Act 18 of 1975,
section 13 of
Act 78 of 1979,
section 10 of
Act 49 of 1982
and section 4 of
Act 8 of 1985.

15. Section 23 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection: 35

“(1) An architect shall be guilty of improper conduct if he—

- (a) except with the consent of the council or except in terms of any exemption granted under this Act **[for the regulations]**, knowingly entrusts to any person other than an architect work of a kind reserved for architects under section 7 (3) (c); or
- [(b) performs work of a kind reserved for architects under section 7 (3) (c) in connection with any matter which is the subject of dispute or litigation, on condition that payment for such work will be made only if such dispute or litigation ends favourably for the party for whom such work is performed; or**
- (c) [(b)]** accepts remuneration **[for services rendered]** from any person other than his client or employer for performing work of a kind reserved for architects under section 7 (3) (c); or
- [(d)] (c)** performs work of a kind reserved for architects under section 7 (3) (c) during any period in respect of which he has been suspended under this Act; or 55
- [(e)] (d)** commits an offence in carrying on his profession; or
- [(eA)] (e)** being registered under subsection (3A) of section 19, contravenes or fails to comply with the provisions of paragraph (b) of that subsection; or 60
- (f) contravenes or fails to comply with any rule prescribed under section 27 (1) **[e] (b)**; or

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14. Artikel 22 van die Hoofwet word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

5 “(1) Behoudens ’n vrystelling kragtens hierdie Wet **[of die regulasies]** verleen, is iemand wat nie as ’n argitek **[ingevolge ’n bepaling van artikel 19]** geregistreer is nie en wat—

(a) behalwe in diens of in opdrag van en onder toesig van ’n argitek, teen vergoeding enige soort werk doen wat kragtens artikel 7 (3) (c) vir argitekke voorbehou is; of

(b) homself voordoen as of hom op enige wyse hoegenaamd uitgee of toelaat dat hy uitgegee word vir ’n argitek of die naam van argitek of enige naam, titel, beskrywing of simbool gebruik of enige handeling verrig wat aandui of daarop bereken is om die indruk by persone te verwek dat hy ingevolge hierdie Wet as ’n argitek geregistreer is,

aan ’n misdryf skuldig en by skuldigbevinding strafbaar met ’n boete van hoogstens tienduiseend rand.”; en

(b) deur in subartikel (1A) die woorde wat paragraaf (a) voorafgaan en paragraaf (a) deur die volgende woorde en paragraaf te vervang:

25 “Behoudens ’n vrystelling kragtens hierdie Wet verleen is ’n ander maatskappy of **[ander]** regspersoon as ’n maatskappy of regspersoon wat die professie van argitek beoefen, en wat—

(a) teen vergoeding **[vir iemand anders, hetsy ’n natuurlike persoon of ’n regspersoon]** enige soort werk wat kragtens artikel 7 (3) (c) vir argitekke voorbehou is, doen of deur enige ander persoon **[hetsy]** as ’n geregistreerde argitek **[geregistreer of nie]** laat doen; of”.

Wysiging van artikel 22 van Wet 35 van 1970, soos gewysig deur artikel 12 van Wet 78 van 1979, artikel 8 van Wet 49 van 1982 en artikel 2 van Wet 8 van 1985.

15. Artikel 23 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

35 “(1) ’n Argitek is skuldig aan onbehoorlike gedrag as hy—

(a) behalwe met die toestemming van die raad, of ingevolge ’n vrystelling verleen kragtens hierdie Wet **[of die regulasies]**, wetens werk van ’n soort wat vir argitekke voorbehou is kragtens artikel 7 (3) (c), aan iemand anders as ’n argitek opdra; of

40 **[(b) werk van ’n soort wat vir argitekke voorbehou is kragtens artikel 7 (3) (c), verrig in verband met ’n aangeleentheid wat die onderwerp van ’n geskil of regsgeding uitmaak, op voorwaarde dat betaling vir sodanige werk sal geskied slegs indien sodanige geskil of geding gunstig verloop vir die persoon vir wie die werk gedoen word; of**

50 **(c) [(b) besoldiging [vir gelewerde dienste] ontvang van iemand anders as sy kliënt of werkgever vir die verrigting van werk van ’n soort wat vir argitekke voorbehou is kragtens artikel 7 (3) (c); of**

55 **[(d) (c) werk van ’n soort wat vir argitekke voorbehou is kragtens artikel 7 (3) (c), verrig gedurende ’n tydperk waartydens hy kragtens hierdie Wet geskors is; of**

[(e) (d) ’n misdryf by die uitoefening van sy professie begaan; of

60 **[(eA) (e) terwyl hy kragtens subartikel (3A) van artikel 19 geregistreer is, die bepalings van paragraaf (b) van daardie subartikel oortree of versuim om daaraan te voldoen; of**

65 **(f) ’n reël voorgeskryf kragtens artikel 27 (1) [(e) (b) oortree of versuim om daaraan te voldoen; of**

Wysiging van artikel 23 van Wet 35 van 1970, soos gewysig deur artikel 4 van Wet 18 van 1975, artikel 13 van Wet 78 van 1979, artikel 10 van Wet 49 van 1982 en artikel 4 van Wet 8 van 1985.

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[(h)] (g) in his capacity as a member, shareholder, employee or director of a company or other juristic person which carries on the profession of architect, performs any act or commits any omission which would under any provision of this Act have constituted improper conduct if it had been performed or committed by the architect in the carrying on of his profession as a natural person in private practice.”

Amendment of section 24 of Act 35 of 1970.

16. Section 24 of the principal Act is hereby amended by the substitution in subsection (1) for the words preceding the first proviso of the following words:

“The council shall have the power to enquire into cases of improper conduct of which a person who is registered in terms of this Act as an architect or as an architect in training is alleged to have been guilty while so registered, and to impose in respect thereof, if found proved, any punishment prescribed under section 27 (1) [(g)] (d):”

Substitution of section 27 of Act 35 of 1970, as amended by section 15 of Act 78 of 1979, section 12 of Act 49 of 1982 and section 5 of Act 8 of 1985.

17. (1) The following section is hereby substituted for section 27 of the principal Act:

“Rules.

27. (1) The council may by notice in the *Gazette* make rules, not inconsistent with this Act—

- (a) as to any matters which by this Act are required or permitted to be prescribed by rules;
- (b) as to the requirements with which architects and architects in training, as the case may be, shall comply in carrying on their profession, including rules with which a company or other juristic person which carries on the profession of architect shall comply in the performance of its activities in carrying out that profession;
- (c) prescribing conduct (apart from conduct referred to in section 23) on the part of an architect or architect in training, as the case may be, which shall constitute improper conduct;
- (d) prescribing the method of inquiry into allegations of improper conduct and the punishment which may be imposed in respect thereof, including fines, removal from the register, temporary or permanent disqualification from registration or suspension from practice for such period as the council may determine, and as to the mitigation of any such punishment so imposed;
- (e) as to, generally, all matters which it considers as necessary or expedient to prescribe in order that the purposes of this Act may be achieved.

(2) The council shall cause any rules made under this section to be published in the *Gazette*.”

(2) Any regulation made under section 27 of the principal Act and which was in force immediately prior to the substitution of that section by this section, shall, to the extent to which it relates to a matter in respect of which the council under the said section 27, as so substituted, is competent to make rules, be deemed to be such rule, until amended or repealed by the council.

Amendment of section 31 of Act 35 of 1970.

18. Section 31 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) The Minister may by writing under his hand delegate to the Director-General or to any other senior officer of the department all or any of the powers conferred upon him by this Act other than [the power to make regulations and] the powers conferred upon him by section 7 (3) and (4).”

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5 **[(h)] (g)** in sy hoedanigheid van lid, aandeelhouer, werknemer of direkteur van 'n maatskappy of ander regspersoon wat die professie van argitek beoefen, enige handeling verrig of versuim begaan wat ingevolge 'n bepaling van hierdie Wet onbehoorlike gedrag sou uitmaak het indien die argitek dit verrig of begaan het by die beoefening van sy professie as natuurlike persoon in privaatpraktyk."

10 **16.** Artikel 24 van die Hoofwet word hierby gewysig deur in subartikel (1) die woorde wat die eerste voorbehoudsbepaling voorafgaan deur die volgende woorde te vervang:

Wysiging van artikel 24 van Wet 35 van 1970.

15 "Die raad is bevoeg om ondersoek in te stel na gevalle van onbehoorlike gedrag waaraan iemand wat as 'n argitek of as 'n argitek-in-opleiding ingevolge hierdie Wet geregistreer is, hom na bewering skuldig gemaak het terwyl hy aldus geregistreer was en om ten opsigte daarvan, indien bewese bevind, 'n straf op te lê wat kragtens artikel 27 (1) **[(g)] (d)** voorgeskryf is:"

20 **17. (1)** Artikel 27 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 27 van Wet 35 van 1970, soos gewysig deur artikel 15 van Wet 78 van 1979, artikel 12 van Wet 49 van 1982 en artikel 5 van Wet 8 van 1985.

"Reëls.

27. (1) Die raad kan reëls uitvaardig wat nie met hierdie Wet onbestaanbaar is nie—

- 25 (a) aangaande aangeleenthede wat ingevolge hierdie Wet by reël voorgeskryf moet of kan word;
- (b) aangaande die vereistes waaraan argitek en argitek-in-opleiding, na gelang van die geval, moet voldoen by die beoefening van hul professie, met inbegrip van reëls waaraan 'n maatskappy of ander regspersoon wat die professie van argitek beoefen, moet voldoen by die verrigting van werksaamhede ter uitvoering van daardie professie;
- 30 (c) wat gedrag (afgesien van gedrag in artikel 23 bedoel) voorskryf wat onbehoorlike gedrag vir 'n argitek of 'n argitek-in-opleiding, na gelang van die geval, uitmaak;
- 35 (d) wat die metode voorskryf waarvolgens beweerde onbehoorlike gedrag ondersoek moet word en die straf wat ten opsigte daarvan opgelê kan word, met inbegrip van boetes, skraping uit die register, tydelike of permanente onbevoegdverklaring vir registrasie of skorsing uit die praktyk vir die tydperk wat die raad vasstel, en aangaande die versagting van so 'n straf aldus opgelê;
- 40 (e) aangaande, in die algemeen, alle aangeleenthede wat hy nodig of raadsaam ag om voor te skryf ten einde die doelstellings van hierdie Wet te bereik.

50 **(2)** Die raad laat enige reëls kragtens hierdie artikel uitgevaardig, in die *Staatskoerant* publiseer."

(2) 'n Regulasie uitgevaardig kragtens artikel 27 van die Hoofwet en wat van krag was onmiddellik voor die vervanging van daardie artikel deur hierdie artikel, word, vir sover dit betrekking het op 'n aangeleentheid ten opsigte waarvan die raad kragtens genoemde artikel 27, soos aldus vervang, bevoeg is om reëls uit te vaardig, geag sodanige reël te wees, totdat dit deur die raad gewysig of herroep word.

60 **18.** Artikel 31 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

Wysiging van artikel 31 van Wet 35 van 1970.

65 "(1) Die Minister kan skriftelik onder sy handtekening aan die Direkteur-generaal of aan 'n ander senior beampte van die departement enige van of al die bevoegdhede wat hierdie Wet aan hom verleen, behalwe **[die bevoegdheid om regulasies uit te vaardig en]** die bevoegdhede by artikel 7 (3) en (4) aan hom verleen, deleger."

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Amendment of section 31B of Act 35 of 1970, as inserted by section 18 of Act 78 of 1979 and amended by section 6 of Act 8 of 1985.

19. Section 31B of the principal Act is hereby amended—

- (a) by the substitution in subsection (3) for the words preceding paragraph (a) of the following words:
 "The **[Minister]** council may **[after consultation with the council]** make **[regulations]** rules—"; 5
- (b) by the substitution for paragraph (g) of subsection (3) of the following paragraph:
 "(g) **[prescribing rules]** with which persons registered by a board of control shall comply in exercising their profession;"; 10
- (c) by the substitution for paragraph (j) of subsection (3) of the following paragraph:
 "(j) as to, generally all matters which **[he]** the council considers it necessary or expedient to prescribe in order that the purposes of this section may be 15 achieved.";
- (d) by the substitution in subsection (4) for the words preceding paragraph (a) of the following words:
 "**[Regulations]** Rules relating to the constitution of a board of control shall provide for the appointment to it 20 by the **[Minister]** council of—";
- (e) by the substitution for subsection (7) of the following subsection:
 "(7) A board of control may make representations **[through]** to the council, as to the making, amendment 25 or withdrawal of any **[regulation]** rule referred to in subsection (3) in relation to such board of control.";
- (f) by the substitution for subsection (8) of the following subsection:
 "(8) Subject to the provisions of subsection (3), no 30 **[regulation]** rule relating to any board of control shall be made, amended or withdrawn otherwise than at the request of such board of control.";
- (g) by the substitution for subsection (10) of the following subsection: 35
 "(10) A board of control shall in each year, within six months after the close of its financial year, submit to the **[Minister]** council a report in regard to its activities during that financial year, together with a copy of the audited statement of income and expenditure and the 40 balance sheet referred to in subsection (9) (c) in respect of that financial year.";
- (h) by the substitution for subsection (11) of the following subsection:
 "(11) A board of control may delegate to a committee 45 established in terms of a **[regulation]** rule made under subsection (3) (e) such of its powers as it may deem fit, but shall not be divested of any power which it has so delegated to a committee, and may amend or withdraw any decision of such committee: Provided 50 that if a board of control has delegated to a committee the power to determine whether or not any person shall be registered with such board of control, or the power to inquire into any case of alleged improper conduct and to impose a punishment in respect thereof, a board 55 of control shall not amend or withdraw any decision arrived at or anything done by such committee under the power so delegated, but may, subject to the **[regulations]** rules referred to in subsection (3), mitigate any punishment so imposed by any committee."; and 60
- (i) by the addition of the following subsection:
 "(16) The council shall cause any rules made under this section to be published in the Gazette."

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19. Artikel 31B van die Hoofwet word hierby gewysig—

- (a) deur in subartikel (3) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:
 “Die **[Minister] raad** kan **[na oorlegpleging met die raad, regulasies] reëls** uitvaardig—”;
- (b) deur paragraaf (g) van subartikel (3) deur die volgende paragraaf te vervang:
 “(g) **[wat reëls voorskryf]** waaraan persone wat deur ’n beheerraad geregistreer is, moet voldoen by die beoefening van hul professie;”;
- (c) deur paragraaf (j) van subartikel (3) deur die volgende paragraaf te vervang:
 “(j) aangaande, in die algemeen, alle aangeleenthede wat **[hy] die raad** nodig of raadsaam ag om voor te skryf ten einde die doelstellings van hierdie artikel te bereik.”;
- (d) deur in subartikel (4) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:
 “**[Regulasies] Reëls** aangaande die samestelling van ’n beheerraad moet voorsiening maak vir die aanstelling daarin deur die **[Minister] raad** van—”;
- (e) deur subartikel (7) deur die volgende subartikel te vervang:
 “(7) ’n Beheerraad kan **[deur] tot** die raad vertoë rig in verband met die uitvaardiging, wysiging of intrekking van enige **[regulasie] reël** in subartikel (3) bedoel wat betrekking het op die beheerraad.”;
- (f) deur subartikel (8) deur die volgende subartikel te vervang:
 “(8) Behoudens die bepalings van subartikel (3) word geen **[regulasie] reël** wat betrekking het op ’n beheerraad uitgevaardig, gewysig of ingetrek nie, behalwe op versoek van dié beheerraad.”;
- (g) deur subartikel (10) deur die volgende subartikel te vervang:
 “(10) ’n Beheerraad lê elke jaar, binne ses maande na afsluiting van sy boekjaar, aan die **[Minister] raad** ’n verslag voor in verband met die beheerraad se werksaamhede gedurende daardie boekjaar, tesame met ’n afskrif van die in subartikel (9) (c) bedoelde geouditeerde staat van inkomste en uitgawe en balansstaat ten opsigte van daardie boekjaar.”;
- (h) deur subartikel (11) deur die volgende subartikel te vervang:
 “(11) ’n Beheerraad kan na goeddunke van sy bevoegdhede deleger aan ’n komitee wat kragtens ’n subartikel (3) (e) uitgevaardigde **[regulasie] reël** ingestel is, maar word nie onthef van ’n bevoegdheid wat hy aldus aan ’n komitee gedelegeer het nie en kan ’n besluit van so ’n komitee wysig of intrek. Met dien verstande dat indien ’n beheerraad aan ’n komitee die bevoegdheid gedelegeer het om te bepaal of iemand by so ’n beheerraad geregistreer moet word al dan nie, of die bevoegdheid om die registrasie van iemand geregistreer by so ’n beheerraad in te trek, of die bevoegdheid om ’n geval van beweerde onbehoorlike gedrag te ondersoek en ten opsigte daarvan ’n straf op te lê, ’n beheerraad nie ’n besluit of iets wat uit hoofde van die bevoegdheid aldus gedelegeer, deur sodanige komitee geneem of gedoen is, kan wysig of intrek nie, maar behoudens die in subartikel (3) bedoelde **[regulasies] reëls** enige straf deur enige komitee aldus opgelê, kan versag.”; en
- (i) deur die volgende subartikel by te voeg:
 “(16) Die raad laat enige reëls kragtens hierdie artikel uitgevaardig, in die *Staatskoerant* publiseer.”.

Wysiging van artikel 31B van Wet 35 van 1970, soos ingevoeg deur artikel 18 van Wet 78 van 1979 en gewysig deur artikel 6 van Wet 8 van 1985.

Act No. 65, 1987

ARCHITECTS' AMENDMENT ACT, 1987

Transitional
provision.

20. Anything done prior to the date of coming into operation of this Act by the Minister of Public Works under any provision of the principal Act and which could be done by the South African Council of Architects under any such provision of the principal Act as amended by this Act, shall be deemed to have been so done by the said Council. 5

Short title and
commencement.

21. (1) This Act shall be called the Architects' Amendment Act, 1987, and shall come into operation on a date fixed by the State President by proclamation in the *Gazette*.

(2) Different dates may under subsection (1) be fixed in respect of different provisions of this Act. 10

WYSIGINGSWET OP ARGITEKTE, 1987

Wet No. 65, 1987

20. Enigiets wat voor die datum van inwerkingtreding van hierdie Wet deur die Minister van Openbare Werke kragtens 'n bepaling van die Hoofwet gedoen is en wat deur die Suid-Afrikaanse Raad vir Argitekte kragtens so 'n bepaling van die Hoofwet soos deur hierdie Wet gewysig, gedoen sou kon word, word geag aldus deur genoemde Raad gedoen te wees.

Oorgangsbepaling.

21. (1) Hierdie Wet heet die Wysigingswet op Argitekte, 1987, en tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.

10 (2) Verskillende datums kan kragtens subartikel (1) ten opsigte van verskillende bepalings van hierdie Wet bepaal word.

Kort titel en inwerkingtreding.

