



**SYLLABUS FOR THE PROFESSIONAL PRACTICE EXAMINATION
7 SEPTEMBER 2011**

- 1. The Architectural Professional as practitioner:**
 - 1.1. The Architectural Profession Act No 44 of 2000.
 - 1.1.1. General provisions of the Act.
 - 1.1.2. Categories of registration: Requirements for registration.
 - 1.1.3. Framework for the Professional Fees Guideline.
 - 1.1.4. Renewal of Registration (CPD Conditions)
 - 1.2. Voluntary Associations, their form and function.
 - 1.3. The Architectural Professional and their office.
 - 1.3.1. Forms of practice: sole practitioner, partnership, close corporation, company, multi-disciplinary – legal nature of each and the advantages and disadvantages of each.
 - 1.3.2. The Architectural Professional and his employees – the legal nature of the employer/employee relationship.
 - 1.3.3. Statutory requirements regarding employees.
 - 1.3.4. Risks, responsibilities and liabilities arising from the conduct of a practice – insurances.
 - 1.3.5. Taxation – Income Tax, PAYE, VAT etc.
 - 1.4. The Architectural Professional and their client.
 - 1.4.1. Professional Code of Conduct.
 - 1.4.2. The Architectural Professional as agent – the legal nature of agency.
 - 1.4.3. Recommended forms of architectural professional service agreements.
 - 1.4.4. Professional fees.
 - 1.5. The Architectural Profession and the professional team.
 - 1.5.1. The other members of the professional team – project manager, quantity surveyors, engineers, town planners, and

other related professions – their respective functions and inter-professional relationships.

- 1.5.2. Recommended forms of inter- and intra-professional agreements i.e. joint venture and collaborative agreements.

2. The architectural service to the client:

- 2.1. Work stages in accordance with SACAP's Professional Fees guideline
- 2.2. Additional services
- 2.3. Work at risk, such as fast track.
- 2.4. National Building Regulations and the SANS 10400 suite of standards legislative constraints on the design of a project: e.g. Title deed conditions, town planning, energy efficiency, green building council rating tools etc.
- 2.5. Securing statutory approval of design proposals – securing waivers of statutory requirements.
- 2.6. Preparing construction and tender documentation: drawings and specifications.
- 2.7. Procuring a building contractor to carry out the project.
- 2.8. Administering the building contract on behalf of the client.
- 2.9. Limits of responsibility of the Architectural Professional
- 2.10. Professional Indemnity.
- 2.11. Copyrights and Intellectual Property of the Architectural Professional's work.
- 2.12. Termination of the Architectural Professionals services.

3. Construction law and building contracts:

- 3.1. General principles of the law of contract.
 - 3.1.1. Legal requirements of a Contract.
 - 3.1.2. Breach of contract and remedies.
- 3.2. Types of building contract and their advantages and disadvantages.
 - 3.2.1. Lump-sum (with quantities): Provisional and full bills.
 - 3.2.2. Lump-sum (without quantities).
 - 3.2.3. Schedule of rates.
 - 3.2.4. Cost-plus (different variables).
 - 3.2.5. Labour-only.
 - 3.2.6. Design-and-build (Turn-key).

- 3.3. The characteristics of a Building Contracts and related Sub-Contract and Direct Contract Agreements. The characteristics of a building contract as a contract for the letting and hiring of work.
- 3.4. The JBCC Series 2000 suite of documents (insert current version at the time):
- **Principal Building Agreement**
Code 2101 Edition 5.0 July 2007
 - **Minor Works Agreement**
Code 2108 Edition 4.0 August 2007
 - **Preliminaries**
Code 2103 May 2005
 - **Nominated/Selected Subcontract Agreement**
Code 2102 Edition 5.0 July 2007

Applicants will be required to have a detailed knowledge of the provisions of these agreements, including, but not limited to, the following aspects:

- 3.4.1. Risks, indemnities and insurances.
- 3.4.2. Guarantees by the contractor and the employer for due performance.
- 3.4.3. Contract instructions and variations to the scope of the works.
- 3.4.4. Nominated and selected subcontractors, domestic subcontractors and direct contractors.
- 3.4.5. Stages in bringing the works to completion.
- 3.4.6. Delays and the revision of the date for practical completion.
- 3.4.7. Adjustments to the contract value and the final account.
- 3.4.8. Interim and final certificates and payment.
- 3.4.9. Recovery of expense or loss.
- 3.4.10. Breach and Termination of Contract.
- 3.4.11. Dispute Resolution.

4. Dispute Resolution:

- 4.1. The private process – alternatives dispute resolution.
- 4.1.1. Adjudication.
 - 4.1.2. Mediation and reconciliation.
 - 4.1.3. Arbitration.
- 4.2. The public process – litigation in the courts.