

SACAP SYLLABUS FOR THE PROFESSIONAL PRACTICE EXAMINATION

(18 JUNE 2009)

SSA: denotes SAIA Study Aid

BC: denotes "The Building Contract" J.E.Finsen – Juta Publishers

1. The Architectural Professional as practitioner:

1.1. The Architectural Professions Act No 44 of 2000.

1.1.1. General provisions of the Act. (SSA 1.111 + 1.112)

1.1.2. Categories of registration: Requirements for registration. (SSA 1.111p18)Work Matrix

1.1.3. Reservation of work for the various categories. (SSA 1.113) (Proposed ID of Work)

1.1.4. Recommended tariff of fees. (SSA 1.111p34)

1.1.5. Renewal of Registration (CPD Conditions) www.sacapsa.com under Downloads saiatcpdevents@fdat.co.za

1.1.6. Recognition of Prior Learning (RPL) www.sacapsa.com under Downloads

1.2. Voluntary Professional Organisations, their form and function. (SSA 1.111p25)
2008 Sept Exam Paper 1 –Question 1b

1.3. The Architectural Professional and his 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. (SSA 2.121) (Notes)

1.3.2. The Architectural Professional and his employees – the legal nature of the employer/employee relationship. (SSA 2.213)

1.3.3. Statutory requirements regarding employees. (SSA 2.411)

1.3.4. Risks and liabilities arising from the conduct of a practice – insurance. (SSA 2.211 / 2.213 / 2.231)

1.3.5. Taxation – PAYE, VAT etc. (Notes)

1.4. The Architectural Professional and his client.

1.4.1. Professional Code of Conduct. (SSA 1.112)

1.4.2. The Architectural Professional as agent – the legal nature of agency. (SSA 3.241)

1.4.3. Recommended forms of client/architect agreements. (Procsa / SAIA A/C Agreement)

1.4.4. Professional fees. (SSA 1.221)

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, etc – their respective functions and inter-professional relationships. (SSA 3.121) (2009 March Paper1, Q4.3)

1.5.2. Recommended forms of inter-professional agreements. (SSA 2.122 / 2.131)
(2009 March Paper1, Q4.3)

2. The architectural service to the client:

- 2.1. Work stages in accordance with SACAP's Recommended Tariff of fees and variations for fast track. (SAIA C/A agreement)
- 2.2. National Building Regulations and legislative constraints on the design of a project: e.g. Title deed conditions, town planning, energy efficiency etc.
- 2.3. Securing statutory approval of design proposals – securing waivers of statutory requirements.
- 2.4. Preparing construction and tender documentation: drawings and specifications. (SSA 3.511)
- 2.5. Procuring a building contractor to carry out the project. (SSA 3.512)
- 2.6. Administering the building contract on behalf of the client. (SSA 3.241)
- 2.7. The Architectural Professional's liability and how it may be limited and indemnified. (SSA 2.211)
- 2.8. The Architectural Professional's copyright on his work. (SSA 1.131)

3. Construction law and building contracts:

- 3.1. General principles of the law of contract.
 - 3.1.1. Legal requirements of a Contract. (BC.1-4)
 - 3.1.2. Breach of contract and remedies. (BC.12-15)
- 3.2. The characteristics of a building contract as a contract for the letting and hiring of work. (BC.5-11)
- 3.3. Types of building contract and their advantages and disadvantages. (SSA 3.411)
 - 3.3.1. Lump-sum (with quantities): Provisional and full bills. (BC.21-23)
 - 3.3.2. Lump-sum (without quantities). (BC.19)
 - 3.3.3. Cost-plus (different variables). (BC.24)
 - 3.3.4. Labour-only. (BC.25)
 - 3.3.5. Design-and-build (Turn-key). (BC.27)
- 3.4. The JBCC Series 2000 suite of documents 2007 versions: (SSA 3.412)
 - The Principal Building Agreement,
 - The Nominated/Selected Subcontract Agreement; (SSA 3.431)
 - The Minor Works Agreement (BC.238-268) and The Preliminaries. (BC.46) (Notes)

Candidates 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 (BC.83-85), indemnities (BC.88-90) and insurances. (BC.92-95)
- 3.4.2. Guarantees by the contractor and the employer for due performance. (BC.97-106)
- 3.4.3. Contract instructions and variations to the scope of the works. (BC.108-117)
- 3.4.4. Nominated and selected subcontractors. (BC.118-128) (Direct s/c)
- 3.4.5. Stages in bringing the works to completion. (BC.129-141)
- 3.4.6. Delays and the revision of the date for practical completion. (BC.147-162)
- 3.4.7. Adjustments to the contract value and the final account. (BC.181-190)
- 3.4.8. Interim (BC.164-171) and final certificates and payment. (BC.191-193)
- 3.4.9. Recovery of expense or loss. (BC.178-179)
- 3.4.10. Breach and Cancellation of Contract. (BC.195-210)
- 3.4.11. Dispute Resolution. (BC.214-237)

4. Dispute Resolution: (Notes) + (SSA 3.611 – 3.614)

- 4.1. The public process – litigation in the courts. (BC.215)

- 4.2. The private process – alternative dispute resolution.
 - 4.2.1. Mediation and conciliation. (BC.220-221,230-232)
 - 4.2.2. Arbitration. (BC.216-219, 233, 235-237)
 - 4.2.3. Adjudication.