



# THE SOUTH AFRICAN INSTITUTE OF ARCHITECTURAL TECHNOLOGISTS NPC

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SAIAT IS A SACAP RECOGNISED  
VOLUNTARY ASSOCIATION  
CIPC Reg N°: 2016/274655/08  
VAT Reg N°: 4940275813

Date: 17 January 2018

Dear Stakeholder

We believe you are all aware through the social media of the actions taken by the Minister of Public Works on 05 December 2017 in terminating the office the remaining councillors of SACAP and appointing an Interim Council.

The remaining Councillors (Luckan, Ruiters and Ranchod) successfully had this decision by the Minister set aside on 12 December 2017 by the Pretoria High Court. The High Court also conditionally approved the appointment of the new Councillors.

SAIAT, together with SAIBD and FACE believe the appointment of the new Councillors was not done in terms of the provisions of the Architectural Profession Act (Act 44 of 2000) and as a result the representation of the categories of registration on Council are not in alignment with the provisions of the Act. This may adversely affect the rights of the non-represented categories in future decisions of Council, as is already demonstrated by statements made by organisations in the social media.

In December 2017 SAIAT (Frans Dekker and Linke Ströhmnger-De Klerk) consulted with our attorneys (Wright Rose-Innes) regarding this situation and instructed the same to assess and advise SAIAT on the outcome of the Order granted by the High Court.

SAIAT, under the umbrella of The Union of Architectural Organisation in Southern Africa (UATOSA) consulted with fellow members SAIBD and FACE in Durban on 05 January 2018 to discuss our mutual concern. This resulted in a follow-up meeting with Wright Rose-Innes on 11 January 2018. The outcome of that meeting is summarised in the attachment hereto.

For SAIAT, SAIBD and FACE (South African Chapter of UATOSA), as a collective, to guard over the interest of Architectural Technologists and Senior Architectural Technologists (and by consequence also that of Architectural Draughtspersons) it was decided to establish a Legal Trust Fund to be managed by Wright Rose-Innes to cover legal costs incurred and to be incurred as well as any litigation on behalf of the profession.

Details of where on how to contribute to this trust fund are provided for in the annexure hereto, but to summarise all stakeholders in the profession are requested to contribute voluntary at least R200 to the below trust account using as reference **186184/S0190**:

## DIRECTORS

FJA DEKKER (Executive President), L STRÖHMENGER-DE KLERK (Vice-President), M SMITH (Public Relations)

WRIGHT ROSE-INNES INC TRUST ACCOUNT  
ABSA BANK – GERMISTON  
ACCOUNT NO. : 404 141 9589  
ACB : 630142  
**SWIFT CODE – ABSAZAJJ**

We thank you in anticipation of your support and contributions and will keep you all to date with what transpires.

Regards

**FRANS DEKKER**  
Director: Executive President – SAIAT  
Chairperson - UATOSA

OUR REFERENCE: **Renee Carrington/sn/186184/S0190** YOUR REFERENCE: **Mr. F.J.A. Dekker**  
Direct e-mail: [reneec@wri.co.za](mailto:reneec@wri.co.za)  
Direct FAX: **086-635-8495**

DATE: **15 January 2018**

**THE SOUTH AFRICAN INSTITUTE OF ARCHITECTURAL TECHNOLOGISTS (NPC)  
AND OTHER STAKEHOLDERS WITHIN THE PROFESSION (SAIBD & FACE)**

Dear Sir/Madam,

Re: **ESTABLISHMENT OF LITIGATION TRUST FUND IN RE MINISTER OF PUBLIC WORKS  
/ SOUTH AFRICAN COUNCIL FOR THE ARCHITECTURAL PROFESSION INTER ALIA**

1. Our firm has met with and has been instructed by Mr. Frans Dekker and Ms. Linke Ströhmenger-De Klerk in their official capacities for and on behalf of SAIAT.
2. Our office are presently in the process of assessing the outcome of the Order granted in the High Court of South Africa (Gauteng Division, Pretoria) case number 83831/2017 and/or case number 63239/2017 in terms of which an interim Order was granted in terms of which the Third to Seventh Respondents were ordered to continue to perform the powers and functions of Councilors of the South African Council for the Architectural Profession until the termination of the term of office of the Council or determination of the review, whichever is the earlier.
3. The purpose of this correspondence is not to address you in any great detail in respect of the merits of the litigation but to state that our mandate is to gather as much information as possible in order to assess whether the interests of the Stakeholders that SAIAT and others (SAIBD and FACE) represents are protected and if necessary to give an opinion and advice on possible litigation including the possibility of setting aside the appointments made by the Minister of Public Works in respect of the Third to Seventh Respondents.
4. As you are all aware SAIAT and various other Stakeholders (SAIBD and FACE) that represent members of the Profession are voluntary organizations and do not have the financial ability to fund litigation of their own accord. Of course at this stage there is no firm view that litigation is necessary however, in order to instruct and secure the opinion of a reputable Senior Counsel dealing with administrative actions and reviews you will appreciate that funds are needed for such legal costs.
5. We have accordingly been requested by SAIAT to address this correspondence and appeal to all interested members who may wish to make a voluntary contribution towards a

litigation/legal costs fund administered by our offices to kindly do so. In this regard we would request that a minimum donation/contribution be the sum of R200.00 as it is difficult to administer amounts of a smaller nature. SAIAT has provided the initial deposit of R2 500.00 which deposit has been utilized to establish and open a Section 78(2)(A) investment account for and on behalf of SAIAT and other interested parties (SAIBD and FACE).

6. The trust fund will be administered by our offices strictly in accordance with the Rules of the Administration of Attorneys' Trust Accounts and our offices will at all times account to any party who has contributed to the fund and requests us to do so.
7. Our offices will of course also provide interim reports and summaries as to any progress in respect of the collation of the relevant information and facts, opinions, and/or legal steps anticipated. The various Stakeholders in the Profession that contribute financially however will be the parties who eventually decide whether or not to proceed with any administrative reviews, legal action or litigation of any nature whatsoever and we are at all times subject to your mandate in this regard.
8. It is difficult to estimate or calculate what the legal costs in this matter could possibly be. At this juncture we would suggest that at least R100 000.00 (One Hundred Thousand Rand) would need to be made available for the preliminary investigative aspects of the matter and to secure the opinion of Senior Counsel. Should the eventual mandate be to litigate then these costs could exceed R400 000.00.
9. Should you wish to make a contribution towards this fund, which contribution is strictly on a voluntary basis (it may be even made anonymously should you choose to do so) same would be greatly appreciated. The trust account details are as per the attached enclosure. Please reflect our reference number **186184/S0190** on all deposits. Please note any funds not utilized will be donated back to the voluntary associations, unless instructed to the contrary.
10. You are welcome to contact our offices and in particular the writer hereof for any discussion to clarify any aspect of this correspondence should you wish to do so.
11. We thank you in anticipation of your support and contributions.

Yours faithfully,

**WRIGHT, ROSE-INNES INC.**

*[Sent electronically therefore unsigned]*

OUR REFERENCE: **R Carrington/sn/186184/S0190**

YOUR REFERENCE:

DATE: **15 January 2018**

Direct e-mail: **reneec@wri.co.za**

Direct FAX: **086-635-8495**

## COMPANY DETAILS

### Physical Address :

31 Arterial Road West,  
Oriel,  
Bedfordview,  
2007

### Postal Address:

P O Box 2503  
Bedfordview  
2008

VAT NUMBER: 4730173004

### Banking Details :

WRIGHT ROSE-INNES INC TRUST ACCOUNT  
ABSA BANK – GERMISTON  
ACCOUNT NO. : 404 141 9589  
ACB : 630142

**SWIFT CODE - ABSAZAJJ**

***Please note that our banking details will not be transmitted in the body of an e mail.***

***Our banking details will also not change.***

***Should you receive an e mail informing you that our banking details have changed and giving you same, please contact our offices immediately to report same and do not make any payments into such an account.***