RESERVATION OF WORK FOR ARCHITECTS

Consolidation of Government Notices R1769 of 17 August 1979, R701 of 8 April 1982 and R1770 of 12 August 1983.

Architects' Act 1970 (Act 35 of 1970)
Notice in terms of Section 7(6)

I, Pierre Cronje, Deputy Minister of Community Development, acting on behalf and by direction of the Minister of Community Development, do hereby, in terms of section 7(6) of the Architects' Act 1970 (Act 35 of 1970), make known that I have, after consideration and approval of a relevant recommendation made by the South African Council for Architects, amended the provisions published in terms of section 7(3)(c) of the said Act under Government Notice R. 1769 dated 17 August 1979 as follows:

In terms of section 7(3)(c) of the Act the following kinds of work in connection with projects, undertakings and services of an architectural nature shall be reserved for architects:

1. (a) the designing and planning, and
   (b) the supervising of the erection;
   of buildings and structures within the area of jurisdiction of a local authority or within a proclaimed township which is not situated within the area of jurisdiction of a local authority; and

2. (a) the designing and planning; and
   (b) the supervising of the execution;
   of additions extending the architectural area of, and architectural alterations to, buildings and structures within the area of jurisdiction of a local authority or within a proclaimed township which is not situated within the area of jurisdiction of a local authority: Provided that—

   (i) subject to the provisions of section 22(1)(b) of the Architects' Act, 1970, nothing herein contained shall detract from any provision made or to be made by notice in the Gazette under section 7(3)(c) of the Professional Engineers' Act, 1968 (Act 81 of 1968);

   (ii) subject to the provisions of section 22(1)(b) of the Act, nothing herein contained shall detract from any provision made or to be made by notice in the Gazette under section 7(3)(c) of the Quantity Surveyors Act, 1970 (Act 36 of 1970);

   (iii) subject to the provisions of section 22(1)(b) of the Act, nothing herein contained shall prevent any person registered as a land surveyor in terms of the Land Surveyors' Registration Act, 1950 (Act 14 of 1950) or any person who is the holder of a university degree or an equivalent qualification directly related to the building profession from carrying out such portion of the kinds of work reserved in terms of this notice as for which he is qualified by his training and experience:

   Provided further that the provisions of this paragraph shall not apply to any person who is eligible for registration as an architect in terms of section 19 of the Architects' Act, 1970 (Act 35 of 1970);

   (iv) nothing herein contained shall be construed as debarring a contractor, foreman, superintendent or inspector of works from the execution and supervision of the aforesaid projects, undertakings or services, provided that the said execution or supervision is done under the direction of an architect;

   (v) an architect may be assisted by any person not registered as an architect in the carrying out of the aforesaid kinds of work;

   (vi) the provisions of paragraph 1 of this notice shall not apply to the types of buildings and structures referred to in the Annexure;

   (vii) the terms of this notice shall not apply to projects, undertakings or services in respect of which a commission was awarded in writing prior to the date of coming into operation of this notice;

   (viii) The provisions of paragraph 2 of this notice shall not apply to —

   A. any addition to any of the types of buildings and structures referred to in items 1, 2, 3, 4, 5 and 6 of the Annexure;
   B. any such additions which will not have the effect of extending the architectural area of the building or structure in question, together with such addition, to a total area of greater than 500 square metres;

   C. any such addition to a detached single dwelling house constituting the sole building or structure (apart from the usual outbuildings) on a stand, erf, plot or other separately registerable unit of land; and

   (ix) "architectural alteration", in paragraph 2 of the notice, means any alteration to a building or structure having an architectural area of 500 square metres or more, which alteration —

   A. involves work, the execution of which will affect substantially the form or appearance of such building or structure or of any part thereof; and

   B. is not confined to work with regard to comfort, convenience redecoration, renovation or adaptation such as the erection or removal of demountable partitions.

ANNEXURE

1. Public services — Lighthouses, hangars, heliports, electricity, generating and distribution works, water towers, pumping stations, abattoirs, bridges, sewage and water purification works, municipal markets and storage sheds.

2. Transport — Goods stations, lineside buildings, signal boxes, workshops, repair shops, bus, engine and carriage sheds, underground parking garages.

3. Industries — Engineering works, warehouses, storage sheds, buildings directly required for mining operations, factory buildings in proclaimed or approved industrial areas and in other areas reserved under any law primarily for specific or general industrial purposes and purposes incidental thereto but excluding in all instances detached and semi-detached factory offices and welfare blocks the architectural area of which exceeds 500 square meters.
4. Recreation — Swimming pools, pavilions, grand stands.

5. Scientific buildings — Planetariums, observatories and meteorological, geophysical and seismographical stations.

6. Agricultural buildings — Fodder and implement sheds, repair workshops for agricultural plant and equipment.

7. Any other building or structure not exceeding 500 square meters in architectural area, the architectural area of a building being the sum of the areas of the several floors of the building, including basements, mezzanine and intermediate floored tiers and penthouses of headroom height, measured from the exterior faces of exterior walls.