

SACAP Idow MATRIX AND MINOR WORKS AS DEFINED IN THE NATIONAL BUILDING REGULATIONS AND STANDARDS ACT (ACT 103 OF 1977) AND THE NATIONAL BUILDING REGULATIONS

The SACAP Identification of Work Matrix states that Minor Works, as defined in the National Building Regulations and Standards Act, may be performed by Professional Draughtpersons (PrArchDraught).

The National Building Regulations and Standards Act (Act 103 Of 1977) states the following in Section 13:

13 Exemption of Buildings from National Building Regulations and Authorization for Erection Thereof

(1) Any building control officer may in respect of the erection of a building defined in the national building regulations as a minor building work, in writing-

(a) exempt the owner of such building from the obligation to submit a plan in terms of this Act to the local authority in question for approval;

(b) grant authorization for the erection of such building in accordance with the conditions and directions specified in such authorization.

It is thus clear that the BCO must first exempt the owner from the obligation to submit a plan, and if the BCO does so, then the owner may apply for authorization to the erection of such building. The application for authorization then will require the owner to submit details in accordance with the conditions and directions as specified in such authorization, which a PrArchDraught then can do on behalf of the owner.

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If the BCO was not approached beforehand by the owner to grant the exemption for minor works, and plans are submitted, the BCO will deal with the submission as a normal submission and the requirements of the IDoW will then be applicable.

It is important to note that, although 'minor building work' is defined in the National Building Regulations, it will only be regarded as such if the BCO, on application, informs the owner in writing that it will be accepted as such.

Read further the **National Building Regulations, Regulation A1(5) and (6):**

(5) An application shall be made to the building control office for authorization to erect any building defined as minor building work or to carry out any work falling within the ambit of such definition, and any such erection or work shall not be commenced before such authorization has been granted: Provided that such application and such authorization shall not be required for minor building work for which, in terms of the proviso to regulation A2(1), no plans are required.

(6) Minor building work shall comply with any national building regulations specified as a condition of the authorization granted by the building control officer.

and also, **Regulation A19(3):**

(3) The local authority may exempt from the requirements of this regulation any building classified in these regulations as minor building work...

So, in short, the BCO on application for Minor Works – which is different than a plan submission process - must first accept the work as minor work – for which they may not need plans as required with normal submissions.

No professional or owner may decide if works will be minor works – that is reserved for the BCO to so decide on application.

In submitting a plan, without a prior application to the BCO for such decision, the professional technically has accepted that the works will not be Minor Works and therefor cannot insist that it be accepted as such.
