

## BOARD NOTICES • RAADSKENNISGEWINGS

### BOARD NOTICE 517 OF 2023



### RULES FOR RE-REGISTRATION WITH THE SACPCMP

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<b>Revision</b>	
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<b>Supporting Policies/Legislation</b>	Project and Construction Management Act 48 of 2000
<b>Owner</b>	Registrar
<b>Date Approved by Management/Executive Committee or Council</b>	
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#### Revision History

Version Revised	Approval Date

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**1. LIST OF ANNEXURES**

<b>Annexure A</b>	Re-registration application form
<b>Annexure B</b>	Affidavit Template

**2. LIST OF DEFINITIONS AND ABBREVIATIONS**

<b>SACPCMP</b>	South African Council for the Project and Construction Management Professions
<b>Act, the</b>	the Project and Construction Management Profession Act 48 of 2000
<b>Annual fees</b>	Fees prescribed by the Council that are payable annually by registered persons to renew their registration.
<b>Appeal</b>	Refers to an application for reversal or review of a Council decision
<b>Actively practice</b>	To practice on an ongoing basis in one of the categories contemplated in section 18 and includes a person qualified in the project and construction management professions who is employed by any sphere of government or an educational institution
<b>Cancellation/deregistration</b>	Refers to the cancellation of the registration of a registered person and the removal of such a person from the register.
<b>Council, the</b>	South African Council for the Project and Construction Management Professions established by section 2
<b>Registered Person</b>	A person registered under one of the categories referred to in Section 18 of the Project and Construction Management Professions Act 48 of 2000

**3. APPLICABLE LEGISLATION AND/OR POLICIES**

- 3.1. The South African Council for the Project and Construction Management Professions (SACPCMP) is empowered by section 36 of the Project and Construction Management Profession Act 48 of 2000 (the Act) to make rules with regard to any matter that is required or permitted to be prescribed in terms of the Act and any other matter for the better execution of the Act or in relation to any power granted or duty imposed by the Act.
- 3.2. It is understood that re-registration is required following the cancellation of registration as contemplated in section 20 of the Act.
- 3.3. These rules apply to cancellation of registration as described in section 20 (1) (iii), (3) and (4).
- 3.4. These rules for Re-registration are premised on section 22 (2) and (3) of the Act.
- 3.5. In the implementation of these rules the SACPCMP, to give effect to the right to administrative action that is lawful, reasonable and procedurally fair and to the right to written reasons for administrative action as contemplated in section 33 of the Constitution of the Republic of South Africa, applies the principles of the Promotion of Administrative Justice Act, Act 3 of 2000.

**4. REQUIREMENTS FOR RE-REGISTRATION****4.1. Eligibility**

The rules for re-registration are applicable to a previously registered person who:

- 4.1.1. Was deregistered due to non-payment of annual fees or portion thereof.
- 4.1.2. Temporarily withdrew from professional practice due to extended leave because of illness.

- 4.1.3. Due to relocation no longer necessitating registration with the Council but were actively practicing in other jurisdictions.

#### **4.2. Acceptable period of non-renewal of registration**

- 4.2.1. In order for a previously registered person, whose registration was cancelled due to non-payment of annual fees, to be considered for re-registration he/she should not be deregistered for longer than 18 months.
- 4.2.2. In order for a previously registered person, whose registration was cancelled due to temporarily withdrawing from professional practice due to extended leave because of illness to be considered for re-registration he/she should not be deregistered for longer three (3) years before the application for re-registration.
- 4.2.3. Those who do not meet the above criteria will be required to apply for registration using the routes to registration described in the SACPCMP Registration Policy.

#### **4.3. Fees and Penalties relating to re-registration**

If a person who was previously registered and whose registration has been cancelled for reasons stated in 4.1 who wishes to re-register or reinstate his/her registration, such a person shall, before the application is approved, be liable for payment of the following fees:

- a) The prescribed fee (administration fee);
- b) Any arrear annual fee or portion thereof, owed up to the time of deregistration;
- c) any expenses incurred by the Council in connection with the recovery of any arrear fees; and
- d) any penalty fees imposed on him/her by the Council.

#### **4.4. Re-registration Applications**

A person who was previously registered applying for re-registration shall furnish Council with the following documents upon the request for re-registration:

##### **4.4.1. In the case of previously registered professionals and persons in specified categories deregistered due to non-payment of annual fees**

- a) Re-registration application form (Annexure A)
- b) Certified copy of ID.

##### **4.4.2. In the case of previously registered professionals and persons in specified categories temporarily withdrawn from professional practice due to extended leave because of illness**

- a) Re-registration application form (Annexure A)
- b) Doctor's or other certified medical practitioner's report
- c) Certified Copy of ID

##### **4.4.3. In the case of previously registered professionals and specified categories actively practicing in other jurisdictions**

- a) Re-registration application form (Annexure A)

- b) A copy of an affidavit (commissioned) with a brief summary setting out that the applicant actively practiced during the cancellation/deregistration period.
- c) Certified copies of qualifications.
- d) Curriculum vitae.
- e) Certified copy of ID.
- f) A project profile report.
- g) Referee(s) report on work performed. Referee must be senior to the applicant during the period of cancellation, should have personal knowledge of the applicant's competencies as well as of his experience.
- h) Certified copies of letters of appointment. It is important for an applicant to state the date on which he/she was appointed.

**4.4.4. In the case of previously registered candidates deregistered due to non-payment of fees**

- a) Re-registration application form (Annexure A)
- b) Certified copies of qualifications.
- c) Curriculum vitae.
- d) Certified copy of ID.

**5. RE-REGISTRATION PROCEDURE**

- 5.1. Documents will be reviewed and confirmed by the Registration Department.
- 5.2. Re-registration application fee is payable upon confirmation of documents has been concluded.
- 5.3. Full assessment of the re-registration application will be conducted.
- 5.4. Previously registered person temporarily withdrawn from professional practice due to extended leave because of illness will be required to undergo a re-registration interview.
- 5.5. If an application is approved, an invoice indicating the total amount payable will be prepared by the Finance Department and sent to the previously registered person for payment. Council will allocate payment.
- 5.6. The previously registered person whose application is approved and has paid the relevant fees, shall be re-registered as follows:
  - a) retaining the registration number allocated to him/her as at the date of suspension/cancellations of registration.
  - b) A new registration certificate will be made available for downloading on the registered person's profile.
  - c) The registered person's profile will indicate any period of deregistration on their record.

## 6. DISQUALIFICATION CONDITIONS

Section 19(3)(a) of the Act stipulates that:

- 6.1.** Despite subsection (2), the Council may refuse to register an applicant:
- i. if the applicant has been removed from an office of trust on account of improper conduct;
  - ii. has been convicted of an offence in the Republic, other than an offence committed prior to 27 April 1994 associated with political objectives, and was sentenced to imprisonment without an option of a fine, or, in the case of fraud, to a fine or imprisonment or both;
  - iii. if the applicant has, subject to paragraph (b) (refers to section 19 (3)(b)), been convicted of an offence in a foreign country and was sentenced to imprisonment without an option of a fine, or, in the case of fraud, to a fine or imprisonment or both;
  - iv. if the applicant is declared by the High Court to be of unsound mind or mentally disordered, or is detained under the Mental Health Act, 1973;
  - v. for as long as the applicant is disqualified from registration as a result of any punishment imposed on him or her under the Act;
  - vi. if the applicant is an un-rehabilitated insolvent whose insolvency was caused by his or her negligence or incompetence in performing work falling within the scope of the category in respect of which he or she is applying for registration.

## 7. APPEALS

- 7.1.** According to Section 24 of the Act, if an applicant is of the opinion that the SACPCMP in its refusal to register him or her, or to cancel his or her registration did not comply with section 33 of the Constitution, that applicant may appeal to the Council against that decision.
- 7.2.** To appeal the aggrieved applicant must:
- 7.2.1. make payment of the prescribed fees and
  - 7.2.2. lodge the appeal within 30 days from the date on which the refusal came to their knowledge,
- 7.3.** Appeals are governed by the SACPCMP's Appeal Policy.

## ANNEXURE A



## APPLICATION FOR REREGISTRATION

## A. PREVIOUSLY REGISTERED PERSON'S DETAILS

Title (Dr/Mr/Mrs/Ms/Prof)		
Name/s		
Surname		
ID or Passport no.		
Registration no.		
Professional Designation		
Postal Address		
Contact details	Tel.	
	Mobile	
	E-mail	

## B. DEREGISTRATION DETAILS

Reason for deregistration (tick ✓ applicable option)	Non-payment of annual fees	
	Temporary withdrawal from professional practice - extended leave necessitating withdrawal from professional practice due to illness	
	Relocation	
	<ul style="list-style-type: none"> <li>Actively practicing in another jurisdiction</li> </ul>	
	<ul style="list-style-type: none"> <li>Not actively practicing</li> </ul>	
Period of deregistration (tick ✓ applicable option)	18 months or less	
	Between 19 months to 36 months	
	Other	
	State number of years here not if options above are not applicable	

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For Office Use

**C. DOCUMENT VERIFICATION (ADMINISTRATOR)***Confirmation of supporting documents (tick ✓ if submitted)*

All Applications		Certified copy of ID	
i	Extended leave because of illness	Doctor's or other certified medical practitioner's report	
ii	Practicing in other jurisdictions	Affidavit	
		A project profile report	
		Referee(s) report	
		Certified copies of letters of appointment	
		Curriculum vitae	
		Certified copies of qualifications	
iii	Candidates	Curriculum vitae	
		Certified copies of qualifications	

**D. APPLICATION VERIFICATION (COORDINATOR)**

<b>Verified by:</b>		
All required supporting documentation submitted (Y/N)		
Supporting documentation meets criteria (Y/N)		
Comments:		
<b>Date</b>		
<b>Signature</b>		

**E. RE-REGISTRATION APPLICATION ASSESSMENT OUTCOME**

<b>Decision made by:</b>		
<b>Decision</b> (tick (✓) appropriate option and provide reason for decision)		
Re-registration application approved		
Reasons		
Re-registration application rejected		
Reasons		
<b>Date</b>		
<b>Signature</b>		

**ANNEXURE B****AFFIDAVIT TEMPLATE**

I, \_\_\_\_\_ ID number, \_\_\_\_\_



do hereby declare that:

*brief summary setting out that the applicant actively practiced during the cancellation/deregistration period here...*

Under penalty of Professional Code of Conduct violation, I hereby declare that the above stated facts, to the best of my knowledge, are true and correct. I am executing the affidavit fully aware that I will be subject to criminal, civil and/or administrative liabilities for any fraud or misrepresentation on my application for re-registration with the SACPCMP.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

Signature: \_\_\_\_\_

Name of Commissioner of Oaths: \_\_\_\_\_

Force No./Rank: \_\_\_\_\_

Physical/Postal Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Commissioner of Oath/South African Police Service  
Station Stamp:



## RULES FOR RE-REGISTRATION: CALL FOR COMMENT

This submission of comments (call for comments) must be submitted, no later than 16:00 on 15 January 2024, to: Ms Mapula Ramolotja, SACPCMP Operations Office via email: [Mapula.Ramolotja@sacpcmp.org.za](mailto:Mapula.Ramolotja@sacpcmp.org.za)

<b>Name &amp; Surname</b>	
<b>Designation</b>	
<b>Organisation</b>	
<b>Contact Detail</b> (should clarification be sought)	
<b>Comments or queries</b>	
<b>1. Comment:</b>	
<b>Suggested Amendment:</b>	
<b>2. Comment:</b>	
<b>Suggested Amendment:</b>	
<b>3. Comment:</b>	
<b>Suggested Amendment:</b>	
<b>4. Comment:</b>	

<b>Suggested Amendment:</b>
<b>5. Comment:</b>
<b>Suggested Amendment:</b>
<b>6. Comment:</b>
<b>Suggested Amendment:</b>
<b>7. Comment:</b>
<b>Suggested Amendment:</b>
<b>Any other comments, suggestions and amendments:</b>