South African Council for the Architectural Profession

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Presentation: How to compile a portfolio of evidence for Limited Special Dispensation application
Date: 22 July 2022
CONTENTS

1. Legislative framework for IDOW
2. IDOW consultation with CCSA
3. MOU between SACAP and CCSA
4. Publication of IDOW Policy Framework
5. How to compile a portfolio of evidence for Limited Special Dispensation application
6. Conclusion
Legislative framework of IDOW

- COUNCIL FOR THE BUILT ENVIRONMENT ACT No.43 OF 2000
- ARCHITECTURAL PROFESSION ACT No. 44 OF 2000
- POLICY ON THE IDENTIFICATION OF WORK FOR THE ARCHITECTURAL PROFESSION
- COMPETITION ACT, 1998 (ACT No. 89 OF 1998)
- CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, ACT 108 OF 1996
- COMPETITION ACT NO. 89 OF 1998 AS AMENDED, “COMPETITION ACT”
IDOW CONSULTATION

In terms of SACAP Act NO.44 of 2000 Section 26 (1)

SACAP Meeting with the Competition Commission on IDOW and Professional fees 08 March 2019.

The presentation on IDOW with CC illustrated the three mechanisms for IDOW; RPL, Special Consent and Limited Special Dispensation. The CC acceded that SACAP IDOW is not restrictive; the CC agreed that with the mechanism the IDOW policy promotes transformation in the industry. SACAP IDOW allows for other categories to be upgraded and allows for RPs to be granted consent to do specific building categories.
IDOW CCSA MOU

In terms of SACAP Act N0.44 of 2000 Section 26 (1)
In terms of section 19 of the Competition Act No. 89 of 1998 as amended, “Competition Act”

On the 27th January 2021 SACAP had a meeting with the CC to discuss the MOU that SACAP would like to have with the CCSA. The purpose of MOU is to collaborate on various issues as set out in the approved MOU; some of the aspects in collaboration include dealing with complaints from members of public, VAs and RPs.

The MOU is intended to regulate the relationship between CC and SACAP. The MOU and collaboration will assist SACAP in formulation of Policies to deal with matters of exclusions, restrictions and transformation in the architectural profession.
IDOW CCSA MOU

In terms of SACAP Act No.44 of 2000 Section 26 (1) in terms of section 19 of the Competition Act No. 89 of 1998 as amended, “Competition Act”

On the 17th of May 2021 the MEMORANDUM OF UNDERSTANDING between SACAP and CCSA is approved by the commissioner Mr. Tembinkosi Bonakele, in his capacity as the Commissioner of CCSA and Mr. Ntsindiso Charles Nduku in his capacity as President of SACAP.
In terms of SACAP Act No.44 of 2000 Section 26 (2)

SACAP has complied with the provisions of the Architectural Profession Act and the Council for the Built Environment (CBE) Act.

SACAP has consulted extensively with all Voluntary Associations, registered persons, Industry and Competition Commission to determine IDOW Policy.


SACAP publishes CODICIL TO IDENTIFICATION OF WORK FOR THE ARCHITECTURAL PROFESSION on the 22 October 2021 in the Government Gazette No. 45352, BOARD NOTICE 136 OF 2021.
• WHAT IS THE **PURPOSE** OF THIS PRESENTATION?
• PROBLEM STATEMENT - **Looming Deadline (31-10-2022)** – What does this mean for Practices?
• SOLUTION – **Apply For LSD** – How Do Principals Of Practices Do This?
• WHAT ARE THE **POTENTIAL RISKS** - For The Architectural Practitioners Who Do Not Apply For SACAP’s LSD?
• **UNDESIRABLE** ALTERNATIVES
SACAP IDoW
Limited Special
Dispensation (LSD)

• WHAT IS THE PURPOSE OF THIS PRESENTATION
The **Purpose** of this Presentation

- Equip **Principals** to **maximise** their **profitability** and **minimise risk** to their **practices**, as we
- Empower **Principals** with the necessary **knowledge** and **resources**, to be
- Enabled to **continue** with their **practices** undisrupted...
The **Purpose** of this Presentation

**HOW WILL WE EQUIP, EMPOWER AND ENABLE?**
The **Purpose** of this Presentation

1. **Key Reflective Questions to ask Myself:**
   - Am I **newly qualified** and **newly registered** with SACAP?
   - If not, Do I **QUALIFY** for any provisions in the **IDOW**? *(LSD in this case)*
   - If the answer is ‘**YES**’:
     - Then, **have I applied** for it or **taken advantage** of it?
   - **If not, what is holding me back?**
The **Purpose** of this Presentation

2. This is your platform

- **We are** here to **listen** to **your concerns** or **fears**.
- **We need** **your input**, **your contribution**, to **make this event a success**.
- **We need** **your participation**, at **all points**,
The **Purpose** of this Presentation

3. Unpack what LSD is all about

“Limited Special Dispensation”

*means the *process* of *aligning one’s architectural practice* to the “Scope of Practice Matrix” (SPM) within a *specified timeline*, which is a different dispensation from any previous dispensation*
The **Purpose** of this Presentation

3.1 Unpack what LSD is all about

“*Limited Special Dispensation*”

*means the* **process**...

- There are **specific steps to follow**, 
- In order to **apply for LSD**, by 
- **Submitting the required application and evidence**...
The **Purpose** of this Presentation

3.2 Unpack what LSD is all about

“Limited Special Dispensation”

... *aligning one’s architectural practice* ...

- This mechanism is for **Principals only**, 
- To ensure the **work done previously**, which is now **outside the SPM** (newly qualified),
- Can **continue to be undertaken**, **undisrupted**.
The **Purpose** of this Presentation

3.3 Unpack what LSD is all about

“Limited Special Dispensation”

...*SPM within a specified timeline*...

• There are **specific deadlines** to be adhered to,
• By **NOT** applying for LSD, only **undesirable alternatives** remain!
Problem Statement:
Looming Deadline of the LSD

High Level Summary
Looming Deadline of the LSD

• **What** will be the **impact on Practices**, in terms of **building typologies** if architectural principals do not apply for exemption?

• **What** will be the **impact on the architectural practices** from a **sustainability and profitability point of view**?

• **How** will this **impact on one’s personal livelihood**?
Case Study 1

RP 1 – qualified and registered in 2021

Educated and trained to undertake the following work types:

- Barns and sheds
- Stables
- Surface car parks
- Single Dwelling Unit – Simple single storey
- Swimming pools – residential use
- Minor works as per – NBR
- Boundary walls
Case Study 2

RP 2 – 25 years in practice

Has undertaken the following work types:

• All of RP 1 building types, and
• Single Dwelling Unit – Simple double storey
• Community halls
• Religious and crematoria
• Supermarkets
Looming Deadline of the LSD

LET’S LOOK AT THE IMPACT OF THE LOOMING DEADLINE OF THE LSD
Looming Deadline of the LSD

• What will be the impact on Practices, in terms of building typologies if architectural principals do not apply for exemption?

RP 1 – 2021
1. No impact

RP 2 – 25 years
1. Limited to same building types as newly qualified and registered persons...
Looming Deadline of the LSD

• What will be the impact on the architectural practices from a sustainability and profitability point of view?

RP 1 – 2021
1. No impact

RP 2 – 25 years
1. Practice income will be reduced.
2. May become unsustainable.
3. May eventually close down.
Looming Deadline of the LSD

• How will this impact on one’s personal livelihood?

RP 1 – 2021
1. No impact

RP 2 – 25 years
1. Principal's income will be reduced.
2. May have to seek employment... or
3. Be forced to retire...
Solution Statement:
Apply for LSD

High Level Summary
Applying for LSD

• How do I apply for LSD?
  • Fill in the online LSD application.
  • Complete the LSD application form itself.
  • Prepare my Portfolio of Evidence (POE) - the documents required for submission with the Application
    – Know the types of documentary evidence required to make up the (POE), and
    – the SACAP work stages documentary evidence requirements, for the various application Understand the SACAP work stages, (4.1, 4.2, 5, 6).
Complete the LSD application form.

HOW DO WE Complete the LSD online application?
Complete the LSD **online application**

- **Note:**
  - It is a quite *straightforward process*.
  - We cover *certain key aspects* in the presentation.
Complete the LSD **online application**

• How do I apply for LSD?
  • Complete the LSD **online application form**:  

https://sacap.site-ym.com/page/LSD

**APPLICATION FOR LIMITED SPECIAL DISPENSATION**

CLICK HERE to download the "APPLICATION FOR LIMITED SPECIAL DISPENSATION".

After downloading, complete and upload the document using the form below:
Complete the LSD **online application**

• How do I apply for LSD?
  • Complete the LSD **online application form**:

You will be required to download a document with information about the type of exemption being applied for. This document must be completed, and uploaded, before completing the rest of the application. You will also be required to upload a copy of your ID with the application.

• Applicants that are principals, owners and/or directors of a practice are required to submit an application for Limited Special Dispensation (LSD).

1. Successful applicants will only receive notification of the granting of the Limited Special Dispensation after confirmation by the Board following the verification of the Portfolio of Evidence.
Complete the LSD online application

- How do I apply for LSD?
- Complete the LSD online application form:
Complete the LSD **online** application

- How do I apply for LSD?
  - Complete the LSD **online** application form:
Complete the LSD application form

HOW DO WE
Complete the LSD application form?
Complete the LSD application form

Important TIPS on completing the application form:

1. Be honest!
   1. Only apply for work done by you.
   2. Only apply for work done prior to the publishing of the IDOW.
2. Find the FIRST instance on the form of the work type being applied for:
   • DO NOT REPEAT the same work type across all categories...
3. The Portfolio of Evidence, is MOSTLY a collection of our everyday work documents (explained later).
4. Write a proper motivation, to explain your application.
   1. Be simple, clear and as precise as possible.
5. DO NOT CREATE DOUBT and CONFUSION...
Complete the LSD application form

**General Information**

A. Applicants that are *employees in a practice* will be applying for *Special Consent*.
B. Applicants who have indicated in their application forms and in CVs that they are the *owners and/or directors of a practice*, these applicants will be applying for *Limited Special Dispensation*.

### PERSONAL DETAILS

- Surname:
- First names:
- Title:
- Cell Phone No:
- E-mail Address:
Complete the LSD application form

B: REGISTRATION DETAILS

Current registration category:
SACAP Registration Number:
Are you the Principal of the Practice? (mark with X)

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<tr>
<th></th>
<th>YES</th>
<th>NO</th>
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<tr>
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Complete the LSD **application form**

<table>
<thead>
<tr>
<th>Selection (Mark with X)</th>
<th>Period of Experience (No. of Years)</th>
<th>No. of projects done</th>
<th>Category</th>
<th>Building Types</th>
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<td>Swimming pools – residential use</td>
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<td>Minor works as per - NBR</td>
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<td>Boundary walls</td>
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Select (mark with X) the stage of work for exemption application

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Remember Case Study 2

RP 2 – 25 years in practice

Has undertaken the following work types:

- All of RP 1 building types, and
- Single Dwelling Unit – Simple double storey
- Community halls
- Religious and crematoria
- Supermarkets
Complete the LSD application form

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Select (mark with X) the stage of work for exemption application

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<td>Stable</td>
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<td>Multi-storey/underground car parks</td>
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<td>Supermarkets</td>
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<td>Bus stations</td>
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<td>Civic centres</td>
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The Looming Deadline
Complete the LSD application form

Remember:

• Find the **FIRST instance** on the form of the work type **being applied for**:
  • **DO NOT REPEAT** the same work type **across all categories**...
Prepare my **Portfolio of Evidence (POE)**

- **Understand** the **SACAP work stages** documentary evidence requirements, for the various application stages i.e.:
  - Stage 4.1, or
  - Stage 4.2, or
  - Stage 5, or
  - Stage 6.

- **Remember**, these are the **everyday documents** one would generally have or use or can obtain...
Prepare my Portfolio of Evidence (POE)

• Understand the SACAP work stage documentary evidence requirements for the various application stages i.e.:
  • Municipal approved architectural drawings.
  • Letters from the client
  • Affidavit by the registered professional
  • Photographic evidence
  • Any other evidence to prove the work was done
Prepare my Portfolio of Evidence (POE)

• Understand the SACAP work stage documentary evidence requirements for the various application stages i.e.:
  • in addition to Stage 4.1
  • Working drawings
  • Construction Documents
Prepare my **Portfolio of Evidence (POE)**

- Understand the SACAP work stage documentary evidence requirements for the various application stages i.e.:
  - **in addition to Stage 4.2**
  - Practical completion certificate
  - Photographic evidence
Prepare my **Portfolio of Evidence (POE)**

- Understand the SACAP work stage documentary evidence requirements for the various application stages i.e.:
  - **in addition to Stage 5**
  - Works completion certificate and
  - Occupation certificate and/or
  - Photographic evidence
Potential Risks

• **What** are the **potential risks** for the architectural practitioners **who do not apply** for SACAP’s LSD?

**Example – Case Study 2 - RP 2 – 25 years**

1. **Limited to same as** newly qualified and registered persons...
2. Practice **income** will be **reduced**.
3. Practice **may become unsustainable**.
4. Practice may **eventually close down**.
5. Principal's **income** will be **reduced**.
6. Principal may have to **seek employment**... or
7. Principal may be **forced to retire**...
Undesirable Alternatives

ALTERNATIVES TO LSD?
Potential Risks

• **What** are the *further potential risks* for the *architectural principals* who do not apply for SACAP’s LSD?
  • Special Consent
  • RPL
  • Section 26.4
  • Improve architectural education by enrolling at an architectural learning sites.
Conclusion

APPLY NOW FOR LSD!!!
Discussion Time

1. **What is holding me back** from applying for LSD?
   1. Knowledge about the process?
   2. Ability to complete the forms or put a Portfolio of Evidence together?
   3. Finance?
   4. Fear? Perhaps of Six work stages i.e. extensive documentation
   5. Misinformation?

2. **Do I want to miss out** on the LSD?

3. **What are the missed opportunities** by not applying for LSD?

4. **Can I really afford** to take up the **UNDESIRABLE ALTERNATIVES**?
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