

BOARD NOTICE

COUNCIL FOR THE BUILT ENVIRONMENT

Notice No. ...

2011

NOTICE IN TERMS OF THE COUNCIL FOR THE BUILT ENVIRONMENT ACT, 2000 (ACT NO. 43 OF 2000)

The Council for the Built Environment has under section 22(2) of the Council for the Built Environment Act, 2000, (Act No. 43 of 2000), read with regulation 2 of the Identification of Work Regulations, 2010, and in accordance with the Council for the Built Environment Policy with Regard to the Identification of Work for the Built Environment Professions determined by the Council for the Built Environment under section 20(1)(a) of the Council for the Built Environment Act, 2000, identified the scope of work for the South African Council for the Project and Construction Management Professions set out in the Schedule.

SCHEDULE

Part 1: Definitions and Applicability

Definitions

1. In this notice, unless the context otherwise indicates, every word takes the meaning as defined in the Project and Construction Management Professions Act and the Built Environment Act, 2000, and –

"construction management work" means the work identified under item 7 of this notice;

"construction management" is the management of the physical construction process within the built environment and includes the co-ordination, administration, and management of resources;

"construction programme" is the programme for the works indicating the intended sequence and duration of all activities to be completed by the contractors, subcontractors, and suppliers, in appropriate detail, for the monitoring of progress of the works;

"construction project management work" means the work identified under item 4 of this notice;

"construction project management" is the management of projects within the built environment from conception to completion, including management of related professional

services;

"contract programme" is the construction programme for the works agreed between the contractor and the principal agent;

"contractor" means any person or legal entity entering into contract with the client for the execution of the works or part thereof;

"direct contractor" is a contractor appointed by the client to execute work other than the works;

"documentation programme" is schedule prepared by the principal consultant and agreed to by other consultants indicating the timeous provision of all necessary design documentation required by the contractors and subcontractors for the construction of the works;

"domestic subcontractor" means any subcontractor executing work or supplying and fixing any goods and who is employed by the contractor;

"improper conduct" means failure to comply with the code of conduct for registered persons as contemplated in section 27(3) of the Project and Construction Management Professions Act;

"principal consultant" means the person or entity appointed by the client to manage and administer the services of all other consultants;

"principal agent" means the person or entity appointed by the client and who has full authority and obligation to act in terms of the construction contracts;

"procurement programme" is the programme indicating the timeous purchasing requirements for the project, including, but not limited to, the services of consultants, contractors, subcontractors, and suppliers required for the execution of the project programme;

"project initiation programme" is the programme devised by the principal consultant in consultation with the client and other consultants for all the work necessary to be completed prior to commencement of work by the contractors;

"project" means the total development envisaged by the client, including the professional services;

“Project and Construction Management Professions Act” means the Project and Construction Management Professions Act, 2000 (Act No. 43 of 2000);

“SACPCMP” means the South African Council for the Project and Construction Management Professions established under section 2 of the Project and Construction Management Professions Act;

"supplier" mean a person or entity appointed by the client to supply goods and products for incorporating into the works;

"works" means all work executed or intended to be executed in accordance with the construction contracts.

Stages of project

2. (1) Construction management work and construction project management work is performed in the following stages:

- (a) Stage 1: Inception
- (b) Stage 2: Concept and viability
- (c) Stage 3: Design development
- (d) Stage 4: Documentation and procurement
- (e) Stage 5: Construction
- (f) Stage 6: Close-out

(2) For the purpose of this notice, stage 1 is the stage during which the client's requirements and preferences are established, user needs and options are assessed, necessary consultants are appointed, the project brief, including project objectives, is established, and priorities, constraints, assumptions, aspirations and strategies are determined.

(3) For the purpose of this notice, stage 2 is the stage during which the project concept is prepared and finalised in accordance with the brief, including the scope, scale, character, form, function and preliminary programme and viability of the project.

(4) For the purpose of this notice, stage 3 is the stage during which the approved concept is developed and the design, outlines specifications, costs plan, financial viability and programme for the project are finalised.

(5) For the purpose of this notice, stage 4 is the stage during which the construction and procurement documentation are prepared, the procurement strategies and procedures are confirmed and implemented for the effective and timeous procurement of necessary resources for the execution of the project,

(6) For the purpose of this notice, stage 5 is the stage during which the contracts and processes are managed, administered and monitored, including the preparation and co-ordination of the procedures and documentation to facilitate practical completion of the works.

(7) For the purpose of this notice, stage 6 is the stage during which the project close-out is fulfilled and completed and includes the preparation of the necessary documentation to facilitate effective completion, handover and operation of the project.

(8) The stages referred to in this item consist of the services referred to in item 4 and 7 and certain services in a stage may overlap with certain services in another stage.

Applicability

3. Part 2 of this notice prescribes the scope of core services, competencies and identified work for a professional construction project manager and Part 3 of this notice prescribes the scope of core services, competencies and identified work for a professional construction manager.

Part 2: Professional Construction Project Manager

Scope of core services for a professional construction project manager

4. (1) For the purpose of this notice, a professional construction project manager manages the life cycle of a construction project from conception to completion including the management of related professional services.

(2) The scope of core services for a person registered as a professional construction project manager or for a person acting as principal consultant or principal agent, when such person acts as construction project manager, principal consultant or principal agent, is set out in Table 1 below:

Table 1: Scope of core services for a professional construction project manager, principal consultant or principal agent

Stage 1: Inception	
1.	Facilitate development of a clear project brief
2.	Establish the procurement policy for the project
3.	Assist the client in the procurement of necessary and appropriate other consultants including the clear definition of their roles and responsibilities
4.	Establish in conjunction with the client, other consultants and all relevant authorities, the site characteristics, rights and constraints for the proper design of the intended project
5.	Define the consultant's scope of work and services
6.	Conclude the terms of the agreement with the client
7.	Facilitate a schedule of the required consents and approvals
8.	Prepare, co-ordinate and monitor a project initiation programme
9.	Facilitate client approval of all Stage 1 documentation
Stage 2: Concept and viability	
1.	Assist the client in procurement of the other consultants

2.	Advise the client on the requirement to appoint a health and safety consultant
3.	Communicate the project brief to the other consultants and monitor the development of the concept and viability
4.	Agree format and procedures for cost control and reporting by the other consultants
5.	Prepare a documentation programme and indicative construction programme
6.	Co-ordinate concept and viability documentation for presentation to the client for approval
7.	Facilitate approval of the concept and viability by the client
8.	Facilitate approval of the concept and viability by statutory authorities
Stage 3: Design development	
1.	Agree and implement communication processes and procedures for the design development of the project
2.	Assist the client in the procurement of the necessary other consultants including the clear definition of their roles and responsibilities
3.	Prepare, co-ordinate, agree and monitor a detailed design and documentation program
4.	Conduct and record consultants' and management meetings
5.	Facilitate input required by health and safety consultant
6.	Facilitate design reviews for compliance and cost control
7.	Facilitate timeous technical co-ordination
8.	Facilitate client approval of all Stage 3 documentation
Stage 4: Documentation and procurement	
1.	Recommend and agree procurement strategy for contractors, subcontractors and suppliers with the client and the other consultants
2.	Prepare and agree the procurement programme
3.	Advise the client, in conjunction with the other consultants on the appropriate insurances
4.	Co-ordinate and monitor preparation of procurement documentation by consultants in accordance with the project procurement programme
5.	Manage procurement process and recommended contractors for approval by the client
6.	Agree the format and procedures for monitoring and control by the quantity surveyor of the cost of the works
7.	Co-ordinate the assembly of the contract documentation for signature
Stage 5: Construction	
1.	Arrange site handover to the contractor
2.	Establish the construction documentation issue process
3.	Agree and monitor issue and distribution of construction documentation
4.	Instruct the contractor on behalf of the client to appoint subcontractors
5.	Conduct and record regular site meetings

6.	Monitor, review and approve the preparation of the construction programme by the contractor
7.	Regularly monitor performance of the contractor against the construction programme
8.	Adjudicate entitlements that arise from changes required to the construction programme
9.	Receive, co-ordinate and monitor approval of all contract documentation provided by contractor(s)
10.	Agree quality assurance procedures and monitor implementation thereof by the other consultants and the contractors
11.	Monitor preparation and auditing of the contractor's health and safety plan and approval thereof by the health and safety consultant
12.	Monitor preparation of the environmental management plan by the environmental consultant
13.	Establish procedures for monitoring scope and cost variations
14.	Monitor, review, approve and issue certificates
15.	Receive, review and adjudicate any contractual claims
16.	Monitor preparation of financial control reports by the other consultants
17.	Prepare and submit progress reports
18.	Coordinate, monitor and issue practical completion lists and the certificate of practical completion
19.	Facilitate and expedite receipt of occupation certificates
Stage 6: Close-out	
1.	Co-ordinate and monitor rectification of defects
2.	Manage procurement of operations and maintenance manuals, guarantees and warranties
3.	Manage preparation of as-built drawings and documentation
4.	Manage procurement of outstanding statutory certificates
5.	Monitor, review and issue payment certificates
6.	Issue completion certificates
7.	Manage agreement of final account(s)
8.	Prepare and present the project close-out report

Competencies for professional construction project manager, principal consultant or principal agent

5. (1) A person registered as a professional construction project manager must possess the following technical competencies:

- (a) Knowledge of construction science which includes –
 - (i) understanding structures;
 - (ii) understanding construction and building sciences;
 - (iii) understanding construction and building finishes;
 - (iv) knowledge of building materials;
- (b) knowledge of construction processes which includes –
 - (i) site, plant and equipment;

- (ii) form work systems;
- (iii) quality management;
- (iv) health and safety management;
- (v) environmental management;
- (vi) organisational and management structures;
- (vii) general building sequences;
- (viii) general output and production factors;
- (ix) basic knowledge of building trades;
- (c) knowledge of the design processes which includes –
 - (i) sequence of design processes;
 - (ii) time required for design processes; and
- (d) knowledge of financial and cost factors which includes -
 - (i) financial processes;
 - (ii) cost of construction.

(2) A person who acts as a principal consultant should have project management competencies which includes the knowledge and ability to -

- (a) facilitate the development of a clear brief;
- (b) clearly define the roles and responsibilities of the consulting team;
- (c) prepare letters of appointment for the procurement of consulting team;
- (d) establish and implement time management processes on projects with respect to but not limited to the following;
 - (i) prepare, co-ordinate and monitor a project initiation programme;
 - (ii) prepare indicative construction programme;
 - (iii) prepare documentation programme/schedule;
 - (iv) prepare procurement programme/schedule;
 - (v) agreed contract programme;
 - (vi) co-ordinate documentation programme with contract programme;
- (e) establish and recommend professional indemnity requirements;
- (f) monitor and co-ordinate quality management of the design processes;
- (g) establish and implement communication management processes including the preparation of agenda, chairing and preparing minutes of all necessary meetings on the project;
- (h) coordinate and monitor cost control by the cost consultant;
 - (i) coordinate and monitor the preparation of procurement documentation;
 - (j) facilitate and monitor the preparation of the health and safety specifications;
 - (k) facilitate the preparation of all conditions of contracts;
- (l) manage the pre-qualification, tendering, adjudication, recommendation and appointment processes.

(3) A person who acts as a principal agent on construction projects should have project management competencies which includes -

- (a) the ability to take responsibility for and perform the role of principal agent on construction projects;
- (b) knowledge and understanding of the basic principles of law of contracts;
- (c) knowledge and understanding of construction contracts;
- (d) the ability to build good relationships between client, consulting and construction teams;
- (e) the ability to establish and implement time management processes on contracts with respect to and not limited to the following:
 - (i) agree and monitor contract programme and working programmes;
 - (ii) monitor and review construction progress and programme updates;
- (f) the ability to establish and implement quality management processes on contracts including quality control by the consulting and contracting teams;
- (g) the ability to establish and implement cost management processes on contracts including the issuing, costing and implementation of site instructions and variations;
- (h) the ability to co-ordinate and monitor interface between all contractors;
- (i) the ability to facilitate and monitor implementation of health and safety plan;
- (j) the ability to facilitate and co-ordinate the production of the health and safety file;
- (k) the ability to manage, resolve and certify progress and contractual claims;
- (l) the ability to co-ordinate and monitor completion and handover processes including and not limited to :
 - (i) oversee and co-ordinate preparation and issue of defects lists;
 - (ii) monitor implementation of remedial work by contractors;
 - (iii) oversee and facilitate the agreement of final accounts; and
 - (iv) expedite and co-ordinate project close out.

Performance of construction project management work

6. (1) A person who actively practices construction project management work identified in item 4, by regularly and consistently carrying out such work, for reward and accruing professional responsibility to a client or an employer for the performance of such work must, in addition to any other requirement contemplated in the Project and Construction Management Professions Act –

- (a) be suitably qualified and registered by the SACPCMP in the category contemplated in section 18(1)(a)(ii) of the Project and Construction Management Professions Act; and
- (b) possess the required competencies contemplated in item 5.

(3) Any person who lectures in construction project management or a component thereof at a higher education institution that is established, deemed to be established or

declared as a public higher education institution under the Higher Education Act, 1997 (Act No 101 of 1997) or at a public college as defined in the Further Education and Training Colleges Act, 2006 (Act No. 16 of 2006), is deemed to perform the scope of core services referred to in item 4.

(4) Any person who is employed by an organ of state and whose conditions of service require of that person to manage or project manage a construction project is deemed to perform the scope of core services referred to in item 4.

Part 3: Professional Construction Manager

Scope of core services for a professional construction manager

7. (1) For the purpose of this notice, a professional construction manager manages the physical construction process including the coordination, administration and management of resources.

(2) The scope of core services for a person registered as a professional construction manager is set out in Table 2 below:

Table 2: Scope of core services for a professional construction manager

Stage 1: Inception	
1.	Agreeing to client requirements and preferences
2.	Assessing user needs and options
3.	Appointment of necessary consultants in establishing project brief, objectives, priorities, constraints, assumptions and strategies in consultation with the client
Stage 2: Concept and Feasibility	
1.	Finalisation of project concept and feasibility
Stage 3: Design Development	
1.	Prepare Preliminary Construction Programme
2.	Provide the necessary lead times required to prepare a detailed Design and Documentation Programme
3.	Review and recommend practical and cost effective construction alternatives to consultants' designs
4.	Attend the appropriate planning, co-ordination and management meetings as required
5.	Review designs by consultants in relation to constructability and requirements
6.	Review designs by consultants in relation to Health and Safety requirements during construction and provide input if required on related practical and cost issues
7.	Provide detailed cost information as required by the cost consultant for estimating, budgeting and cost reporting purposes

8.	Prepare and submit a proposed method statement for the construction of the works
Stage 4: Documentation and Procurement	
1.	Review and confirm the construction strategy and method for submission of the Tender
2.	Prepare the construction management organogram and obtain commitment from appropriate staff as required
3.	Recommend and agree the procurement strategy for subcontractors and suppliers with the principal agent and consultants
4.	Manage and co-ordinate the preparation and implementation of the health and safety requirements for inclusion in the tender
5.	Manage and procure proposals for the appropriate contract insurances and guarantees required for the works
6.	Review tender documentation to establish any cost effective alternative solutions
7.	Manage the preparation and submission of the tender
8.	Prepare and agree the procurement programme for sub-contractors and suppliers
9.	Agree list of subcontractors and suppliers with the principal agent
10.	Manage the tender process in accordance with agreed procedures, including calling for tenders, adjudication of tenders, and recommendation of appropriate domestic subcontractors and suppliers
11.	Manage, co-ordinate and finalise negotiations on all contractual commitments
Stage 5: Construction	
1.	Manage the preparation and agreement of the health and safety plan with the clients, health and safety consultants and sub-contractors
2.	Manage the site establishment including the provision of all necessary temporary services, storage facilities, security requirements and other site requirements
3.	Establish and maintain regular monitoring of all line, level and datum of the works
4.	Continuously monitor the compliance by the site management of the health and safety plan
5.	Provide the necessary documentation as required by the health and safety consultant for the health and safety file
6.	Manage the implementation of the requirements of the environmental management plan
7.	Appoint sub-contractors and suppliers including the finalisation of all agreements
8.	Receive, co-ordinate, review and obtain approval of all contract documentation provided by the subcontractors and suppliers for compliance with all of the contract requirements
9.	Monitor the ongoing projects insurance requirements
10.	Facilitate and manage the establishment of subcontractors on the site
11.	Finalise and agree the quality assurance plan with the design consultants and sub-

	contractors
12.	Continuously monitor the compliance of the quality of the works in accordance with the agreed quality assurance plan
13.	Establish and co-ordinate the formal and informal communication structure and procedures for the construction process
14.	Regularly conduct and record the necessary construction management meetings including subcontractors, suppliers, programme, progress and cost meetings
15.	Finalise and agree the contract programme and revisions thereof as necessary
16.	Prepare and finalise the detailed construction programme including resources planning
17.	Prepare and agree information schedule for timeous implementation of construction
18.	Continuously manage the review of construction documentation and information for clarity of construction requirements
19.	Manage and administer the distribution of construction information to all relevant parties
20.	Continuously monitor the construction progress
21.	Manage the review and approval of all necessary shop details and product proprietary information by the design sub-contractors
22.	Review and substantiate circumstances and entitlements that may arise from any changes required to the contract programme
23.	Establish procedures for, and monitor all scope and cost variations
24.	Manage the preparation of monthly progress claims for payment
25.	Receive, review and substantiate any contractual claims within the prescribed period
26.	Regularly prepare and submit a construction status report, including construction financial status report
27.	Manage, co-ordinate and supervise all work on and off site
28.	Manage and co-ordinate the requirements of the direct contractors if required to do so
29.	Manage, co-ordinate and monitor all necessary testing and commissioning
30.	Coordinate, monitor and expedite the timeous rectification of all defects for the achievement of practical completion
Stage 6: Close Out	
51.	Coordinate, monitor and expedite the timeous rectification of all defects for the achievement of works completion
52.	Manage, co-ordinate and expedite the preparation by the relevant subcontractors of all as-built drawings and construction documentation
53.	Manage and expedite the procurement of all operating and maintenance manuals as well as all warranties and guarantees
54.	Manage and expedite the procurement of applicable statutory compliance

	certificates and documentation
55.	Manage the finalisation of the health and safety file for submission to the health and safety consultant
56.	Coordinate, monitor and manage the rectification of defects during the defects liability period
57.	Manage, co-ordinate and expedite the preparation and agreement of the final accounts with the cost consultants and all subcontractors
58.	Coordinate, monitor and expedite the timeous rectification of all defects for the achievement of final completion
59.	Prepare and present contract closeout report

Competencies for professional construction manager

8. (1) A person registered as a professional construction manager must possess the following technical competencies:

- (a) Knowledge of construction science which includes –
 - (i) understanding structures;
 - (ii) understanding construction and building sciences;
 - (iii) understanding construction and building finishes;
 - (iv) knowledge of building materials;
- (b) knowledge of construction processes which includes –
 - (i) site, plant and equipment;
 - (ii) form work systems;
 - (iii) quality management;
 - (iv) health and safety management;
 - (v) environmental management;
 - (vi) organisational and management structures;
 - (vii) general building sequences;
 - (viii) general output and production factors;
 - (ix) basic knowledge of building trades;
- (c) knowledge of the design processes which includes –
 - (i) sequence of design processes;
 - (ii) time required for design processes;
- (d) knowledge of financial and cost factors which includes -
 - (i) financial processes;
 - (ii) cost of construction.

(2) A person registered as a professional construction manager must possess the following construction management competencies:

- (a) knowledge and understanding of the basic principles of law of contracts;
- (b) knowledge and understanding of construction contracts;

- (c) the ability to build good relationships between consulting team and construction teams;
- (d) the ability to establish and implement time management processes on contracts with respect to and not limited to the following:
 - (i) agree and monitor contract programme and working programmes;
 - (ii) monitor and review construction progress and programme updates;
- (e) the ability to establish and implement quality management processes on contracts including quality control by the contracting teams;
- (f) the ability to establish and implement cost management processes on contracts including the costing and implementation of site instructions and variations;
- (g) the ability to co-ordinate and monitor interface between all contractors and subcontractors;
- (h) the ability to facilitate and monitor implementation of health and safety plan;
- (i) the ability to facilitate and co-ordinate the production of the health and safety file;
- (j) the ability to manage the preparation and submission of progress and contractual claims;
- (m) the ability to co-ordinate and monitor completion and handover processes including and not limited to :
 - (i) monitor implementation of remedial work by contractors and subcontractors;
 - (ii) facilitate the agreement of final accounts; and
 - (iii) expedite and co-ordinate project close out.
- (n) knowledge of regulations relating to the built environment industry.

Performance of construction management work

9. (1) A person who actively practices construction management work identified in item 7, by regularly and consistently carrying out such work, for reward and accruing professional responsibility to a client or an employer for the performance of such work must, in addition to any other requirement contemplated in the Project and Construction Management Professions Act –

- (a) be suitably qualified and registered by the SACPCMP in the category contemplated in section 18(1)(a)(i) of the Project and Construction Management Professions Act; and
- (b) possess the necessary technical and management competencies contemplated in item 8.

(2) Any person who lectures in construction management or a component thereof at a higher education institution that is established, deemed to be established or declared as a

public higher education institution under the Higher Education Act, 1997 (Act No 101 of 1997) or at a public college as defined in the Further Education and Training Colleges Act, 2006 (Act No. 16 of 2006), is deemed to perform the scope of core services referred to in item 7.

(3) Any person who is employed by an organ of state and whose conditions of service require of that person to manage a construction project is deemed to perform the scope of core services referred to in item 7.

Part 4: General

Cross category practise adjustment

10. A person registered in a particular category contemplated in section 18(1)(a) of the Project and Construction Management Professions Act, may, notwithstanding the provisions of items 4 and 7, perform any work identified in item 4 or 7 for a different category of registered person, if the SACPCMP grants such registered person a transitional authorisation, special consent or category upgrade, as the case may be.

Transitional authorisation

11. (1) A person who is registered in terms of the Project and Construction Management Professions Act and who, after commencement of that Act but before commencement of this notice, performed work identified in items 4 and 7 for a person registered in a category of registration in which he or she is not registered, may apply to the SACPCMP for a transitional authorisation;

(2) An application for a transitional authorisation must be in writing, submitted to the SACPCMP in the form determined by SACPCMP within six months from the date of commencement of this notice and be accompanied by –

- (a) proof of practice during the period contemplated in subsection (1) within the category that he or she is not registered for;
- (b) all available documents pertaining to that practice;
- (c) the name and contact details of any person who is in a position to serve as a reference;
- (d) the fee determined by the SACPCMP in accordance with section 12 of the Project and Construction Management Professions Act; and
- (e) any other information required by the SACPCMP.

(3) When considering an application for a transitional authorisation the SACPCMP must take into account the degree of competency, education and training of the applicant requesting such transitional authorisation to undertake the applicable service.

(4) The SACPCMP may, after evaluation of the application for transitional authorisation refuse or approve the transitional authorisation and if it approves the transitional authorisation it may subject the approval to any condition it considers appropriate.

(5) If the SACPCMP refuses to grant a transitional authorisation it must, in writing,

provide the applicant with the reasons for its decision within seven days of that decision.

(6) If the SACPCMP approves the transitional authorisation it must issue a transitional authorisation certificate in the manner determined by it and the certificate must contain the conditions of issue, if any.

(7) A transitional authorisation certificate authorises the holder thereof to perform the work identified in terms of item 4 or 7, as the case may be, for the period that the holder remains a registered person, provided that the person retains the necessary degree of competency and complies with the conditions of approval, if any.

Special consent

12. (1) A registered person, who, after commencement of this notice, wants to perform work for a specific project, commission or appointment or a particular scope of work for which specific competencies are required and which is identified in item 4 or 7 for a person registered in a category of registration in which he or she is not registered, may apply to the SACPCMP for special consent.

(2) An application for special consent must be in writing, submitted to the SACPCMP in the form determined by SACPCMP and be accompanied by –

- (a) a brief motivation for the application;
- (b) if applicable, an affidavit from the prospective client of the applicant, other consultants on the proposed team and the proposed contractor;
- (c) if applicable, an affidavit from the employer of the applicant who is entitled to perform the identified work by reason of the employer's registration in the applicable category;
- (d) all available documents pertaining to the proposed project;
- (e) the name and contact details of any person who is in a position to serve as a reference;
- (f) the fee determined by the SACPCMP in accordance with section 12 of the Project and Construction Management Professions Act; and
- (g) any other information required by the SACPCMP.

(3) When considering a request for special consent, the SACPCMP must take into account the degree of competency, education and training of the applicant requesting such special consent to undertake the applicable service and whether the level of complexity of a project is high, medium or low.

(4) The SACPCMP may, after evaluation of the application for special consent referred to in this item, refuse or approve the special consent and if it approves the special consent it may subject the approval to any condition it considers appropriate.

(5) If the SACPCMP refuses to grant a special consent it must, in writing, provide the applicant with the reasons for its decision within seven days of that decision.

(6) If the SACPCMP grants the special consent:

- (a) for a specific project, commission or appointment it must issue a special

consent certificate for that specific project, commission or appointment; or

(b) for a particular scope of work which requires specific competencies, it must issue a special consent certificate for that particular scope of work, in the manner determined by it and the certificate must contain the conditions of issue, if any.

(7) A special consent certificate granted for -

- (a) a specific project, commission or appointment authorises the holder thereof to perform the relevant work for the duration of that project, commission or appointment;
- (b) a particular scope of work which requires specific competencies authorises the holder thereof to perform the particular scope of work indefinitely provided that the person remains a registered person, retains the necessary degree of competency and complies with the conditions of approval, if any.

(8) For the purpose of this notice a project of high complexity is a project that is technically complex or where more than four of the following indicators are present:

- (a) the number of legal requirements that need to be met;
- (b) technical complexity in the design, construction methods and skills required;
- (c) high ecologically sensitive site;
- (d) large scale of the project;
- (e) high project value;
- (f) size and specialist skill of the project team.

(9) For the purpose of this notice a project of medium complexity is a project that is not technically complex and a maximum of four of the indicators referred to in subitem (8) are present.

(10) For the purpose of this notice a project of low complexity is a project that is not technically complex and less than three of the indicators referred to in subitem (8) are present.

Category adjustment

13. (1) A registered person who, after commencement of this notice, generally wants to perform work identified in item 4 or 7 for a person registered in a category of registration in which he or she is not registered, may apply to the SACPCMP for a category adjustment .

(2) An application for a category adjustment must be in writing, submitted to the SACPCMP in the form determined by SACPCMP and be accompanied by –

- (a) all available documents relating to the projects which the applicant successfully completed under the authorisation granted by the special consents obtained by the applicant;
- (b) the name and contact details of any person who is in a position to serve as a

reference;

(c) the fee determined by the SACPCMP in accordance with section 12 of the Project and Construction Management Professions Act; and

(d) any other information required by the SACPCMP.

(3) When considering an application for a category adjustment, the SACPCMP must take into account the degree of competency, education and training of the applicant requesting such a category adjustment and the evidence of practice of the applicant whilst he or she performed work under a special consent granted by the SACPCMP.

(4) The SACPCMP may, after evaluation of the application for a category adjustment referred to in this item, refuse or approve the category adjustment.

(5) If the SACPCMP refuses to grant a category adjustment it must, in writing, provide the applicant with the reasons for its decision within seven days of that decision.

(6) If the SACPCMP approves a category adjustment it must register the applicant in the category that the applicant applied for or a different category which the SACPCMP considers appropriate.

Dual registration

14. A person who is registered as a professional under the professions' Acts, other than the Project and Construction Management Professions Act may apply for registration with the SACPCMP provided that such person can show proficiency in the core competencies and scope of core services of referred to in Part 2 and Part 3 for a professional project construction manager or professional construction manager, as the case may be.

Performance of scope of services or type of work identified by Council for the Built Environment for professionals of other councils for the professions

15. Registration in terms of the Project and Construction Management Professions Act, is not required when a professional registered in terms of any of the professions' Acts performs the scope of services or the type of work identified by the Council for the Built Environment for professionals of the applicable council for the profession and published by it in the Government Gazette.

Candidate

16. Notwithstanding the provisions of items 11 and 12, any person who is registered as a candidate in terms of section 18(1)(b) of the Project and Construction Management Professions Act may not apply for a transitional authorisation or special consent and may only perform construction project management work or construction management work under the direction, control and direct supervision of a person registered as a professional in terms of the Project and Construction Management Professions Act.

Appeal

17. Any person who feels aggrieved by an action of the SACPCMP as a result of the work identified in this notice or due to the refusal by the SACPCMP to grant a transitional authorisation, special consent or category upgrade contemplated in items 11, 12 or 13 may lodge an appeal against such an action with the SACPCMP and section 35 of the Project and Construction Management Professions Act applies with the necessary changes.

Improper conduct

18. Any professional who is not permitted to undertake work identified in items 4 and 7 or who has not obtained a transitional authorisation, special consent or category upgrade to do so in terms of item 11, 12 or 13, is in breach of the code of conduct of the SACPCMP and the provisions of the Project and Construction Management Professions Act relating to improper conduct applies.