South African Council
for the Architectural Profession

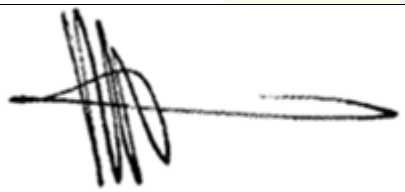
51 Wessel Road, Right Wing,
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Promotion of Access to Information Act Policy for the South African Council for the Architectural Profession (SACAP)

Status:	Final
Custodian:	Senior Manager:
Reviewed:	MANCO
Recommended by:	Registrar
Signed by:	Mr Charles Nduku
Approved:	Council of SACAP
Signed by: President of Council	
Signature & date signed:	12 December 2024
Next Review Date:	12 December 2026

Council President: Mr C Nduku. **Council Vice President:** Ms L Shongwe.
Council Members: Mr R Vuzane; Ms M Pepeta; Mr K Bingham; Dr J Mirembe; Mr V Phailane; Ms K Cupido; Ms S Bongela; Mr L Nematswerani; Mr D Basdew.
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1. Introduction

The South African Council for the Architectural Profession is a regulatory body established in terms of section 2 of the Architectural Profession Act, 2000 (Act No.44 of 2000), to regulate the architectural profession in South Africa.

2. Structure and Functions of the SACAP

2.1 SACAP is directed and managed by a Council comprising members appointed by the Minister of Public Works and Infrastructure for a four-year term, with members being drawn from registered persons, Voluntary Associations, the state, and the public.

2.2 SACAP regulates the architectural profession by setting up standards for registration, education and training, professional skills, conduct, and performance.

3. Contact details of SACAP and the Information Office

Postal address:	P.O. Box 1500 Rivonia 2128
Physical Address:	51 Wessel Road, Right Wing, Rivonia, 2128
Tel number:	011 479 5000
Fax number:	011 479 5100
Email address:	info@sacapsa.com
Website address:	www.sacapsa.com

Information Officer

Physical Address:	51 Wessel Road, Right Wing, Rivonia, 2128
Tel number:	011 479 5000
Fax number:	011 479 5100
Email address:	toto.fiduli@sacapsa.com

4. The Human Rights Commission guide in terms of section 14(1) (c) OF PAIA.

4.1 Section 10 of the PAIA imposes a duty on the Human Rights Commission to "compile in each official language a guide containing information in an easily comprehensible form and manner, as may be reasonably required by a person who wishes to exercise any right in terms of the Act".

4.2 Inquiries regarding the Guide can be addressed to the SAHRC, the contact details of which are as follows:

South African Human Rights Commission:
Promotion of Access to Information Unit

Postal address:	Private bag 2700 Houghton 2041
Telephone:	011 484 8300
Fax:	011 484 0582

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Website: www.sahrc.org.za
Email: PAIA@sahrc.org.za

5. Categories of records available from SACAP

5.1 Records refer to those records created or received during official business and kept as evidence of the application submitted with documentary evidence as well as SACAP's functions, activities, and transactions. These records will only be made available on formal request.

5.2 The following documents may be requested formally without a request fee.

a) Registrations and Continuing Professional Development (CPD) Records;
b) Names of accreditors and accredited service providers of CPD;
c) Registration Rules and Regulations; and
d) Prescribed forms.
e) (List of registered persons and their registration categories/or status)
f) The registration status
g) List of architectural practices listed with SACAP
h) Finance (Audited financial statements)
i) Support services (Tender submissions)
j) Communications
Annual reports;
Media statements; and
Newsletters.
k) Legal services
Information gathered during the investigation of complaints;
Record of proceedings of all disciplinary tribunals;
Charge sheets;
Policies; and
Rulings/Findings of disciplinary tribunals.

5.3 **Records available without a formal request**

a) Affidavit for lodging a formal complaint;
b) Board Notices;
c) General information brochures; and
d) Architectural profession news.
e) Code of conduct.
f) Rules of investigation and or disciplinary proceedings
g) Newsletter

5.4 **Records available with a formal request and request fee**

a) Gender,
b) race,
c) sex,
d) marital status,
e) nationality,

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f) ethnic or social origin,
g) colour,
h) sexual orientation.
i) Age,
j) physical or mental health, well-being,
k) disability,
l) religion, conscience, belief, culture, and birth.
m) Education;
n) medical,
o) financial, criminal,
p) employment history of employees
q) Email address, physical address, telephone numbers, and information online identifier

6. Processing of personal information

6.1 The personal information of the data subject shall be processed under the provisions of the Protection of Personal Information Act.

6.2 The information officer of SACAP must refuse a request for access to a record under his control if its disclosure would involve the unreasonable disclosure of personal information of the data subject.

6.3 Data subjects shall be afforded a chance to indicate if they consent or object to their personal information being processed before the Information Officer takes a decision.

6.4 Access to the record may not be refused if the data subject concerned consented to its disclosure in writing.

6.5 Where data subjects withhold consent, their personal information may not be provided.

7. Description of the services available to public members from SACAP and how to access those services.

7.1 SACAP is legally charged to regulate the architectural profession in South Africa in terms of the Architectural Profession Act. The architectural profession includes professional *architects*, *senior architectural technologists, architectural technologists, draughtspersons*, *specified categories,* and *candidates* in each of the categories of registration, all of whom are required to be registered with SACAP before they can practice architecture.

7.2 SACAP regulates the architectural profession by setting up standards for registration, education and training, professional skills, conduct, performance, and ethics; keeping a register of candidates and professionals who meet the standards; approve programs at higher institutions of learning which persons must complete registering; and take action when professionals on our register do not meet the standards.

7.3 SACAP services and regulatory mandates can be accessed through our website.

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8. Provision for participation in the formulation of policy or exercise of power.

SACAP seeks to actively facilitate the engagement with all its stakeholders in planning and policy-making processes through collaboration.

9. Remedies available in respect of an act or failure to act by SACAP.

A requester may lodge an appeal to the Council against a decision of the Information Officer if:

a) A request for access is refused;
b) The fees charged are unacceptable;
c) The period within which a decision regarding access to a record must be made, is extended;
d) Access to a record in the requested form is not granted; and
e) A third party may lodge an internal appeal with SACAP against a decision by the Information Officer to disclose information relating to the third party.

10. Other information as prescribed in terms of section 14(1)(i)

There is no other information available from SACAP to be placed here.

11. Procedure for requesting access to information

a) The access to the information requested must be made on the prescribed form to the Information Officer whose details have been provided above.

b) An oral request for access to a record(s) may be made if a Requester does not have a formal education or has a disability.

c) The Information Officer or Deputy Information Officer will assist the Requester in completing the prescribed form on behalf of such a Requester and provide him/her with a copy of the completed form.

d) The Requester must specify the following in their request:
- The record requested;
- The personal particulars of the requester including contact numbers within South Africa;
- The language in which the record is requested;
- Capacity in which the requester is requesting the information; and
- Form of access required.
- Proof of payment of the requested fee.

12. Reasons for the request.

a) A copy of the prescribed form is attached hereto and marked **Annexure "A."** The requester must indicate which applicable form of access is required and how it is required, whether in writing or by way of an inspection.

b) The record requested will be furnished on payment of the prescribed fee as per Annexure hereto attached and marked **"B."**

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13. Time Limits

a) The Information Officer will within 21 days of receipt of the request and proof of payment of the request fee where applicable, inform any affected party of such request.

b) The third or affected party must in turn inform the Information Officer why such information should not be made available to the requester.

c) The Information Officer must within 30 days decide whether the request will be granted.

d) The 30 days may be extended once for an additional 30 days.

14. Internal Appeal Procedure.

a) A party who is aggrieved by the Information Officer's decision to refuse their request may lodge an internal appeal within 60 days of the decision.

b) The appeal must be lodged on a prescribed form and sent to the Information Officer of SACAP at the address indicated above, stating reasons for the internal appeal and any other relevant information known to the requester.

c) The appeal costs will be charged as per the attached prescribed fee schedule.

d) Upon receipt of the internal appeal, the Information Officer must submit the appeal together with his/her reasons for the decision, and further state if the internal appeal is a result of the refusal or granting of an access request and provide the name, postal address, phone, fax number and an electronic address of any third party that must be notified of the request.

e) The Registrar must inform the third party to whom the record relates to, the internal appeal within 30 days after receipt of the internal appeal and confirm the decision appealed against or substitute it with a new one.

f) Once a decision has been made, notice to this effect must be given to the requester and every third party who was informed.

g) The notice must state adequate reasons for the decision, including the provisions of the Act, relied upon, and advise the requester of his/her right to lodge an application with a court of law against the decision within 60 days.

h) A requester or third party may submit a complaint to the Regulator, if not satisfied by SACAP's decision.

i) A complaint to the Regulator by a requester or third party must be lodged within 180 days of receipt of SACAP's decision and must be submitted using the prescribed form accessible on the Regulator's website.

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j) SACAP will modify its actions if a complaint received is substantiated by conclusive evidence and will monitor and evaluate its processes to minimize the likelihood of such complaints recurring

15. Grounds for refusal

The Information Officer may refuse a request for information for the following reasons:

a) Where the disclosure would amount to an unreasonable disclosure of personal information;
b) Where the disclosure would amount to disclosure of the trade secrets of a third party;
c) Where the disclosure would lead to a revelation of financial, commercial, scientific, or technical information of a third party;
d) Where such information was supplied in confidence by a third party;
e) Where the disclosure would breach the duty of confidence owed to a third party;
f) Where the disclosure would endanger the life or physical safety of an individual;
g) If the disclosure is prohibited in terms of the Criminal Procedure Act;
h) If the disclosure is privileged under the legal proceedings of research conducted by or on behalf of a third party;
i) Where the disclosure would compromise the investigation of pending proceedings.

16. Discretionary grounds for refusal

a) Where the disclosure of such information relating to a third party would prejudice the supply of similar information in the future;
b) Where the record contains information about crime prevention, detection, and prosecution of alleged offenders;
c) Where the disclosure would unreasonably reveal consultative material obtained on account of deliberations over the formulation of policy, the exercise of power, or performance of duty; and
d) Where the request is frivolous and vexatious.

17. Availability of the policy

SACAP policy is available for inspection, free of charge, at the registered address stated above.

18. PAIA Compliance challenges

a) The Information Officer and or any designated person shall appropriately train and address PAIA compliance challenges communicated by SACAP personnel.

b) The Information Officer and or a designated data custodian will be responsible for forwarding corrected personal information to third parties

19. Access and correction of personal information

a) Registered persons have a right to request access to their personal information in SACAP's possession;

b) Registered persons have a right to correct their personal information that is already in SACAP'S possession.

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c) Whereby a data subject corrects personal information in SACAP's possession, the Information Officer and or designated personnel will forward the corrected information to third parties.

20. Any person may request access to a list of Third parties to whom the information has been disclosed or to whom such information is generally disclosed.

a) Particular third parties:
b) Service providers
c) Voluntary Associations
d) Municipalities
e) Academic Institutions
f) Other Regulatory Bodies

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Schedule 1

Application for access to Information.

A. Details of the person requesting access to records.

a) The details of the person who requests access to records must be given below.
b) The address and/or fax number to which the information is to be sent must be given.
c) *Proof of the capacity in which the request is made, if applicable, must be attached.*

Full names and surname _____

Identity number:

Postal address: _____

Fax number: _____ Telephone number: _____

Email address: _____

B. Access Request

a) Provide full particulars of the record to which access is required, including the reference number if that is known to you, to enable the record to be located.
b) *If the provided space is insufficient, please continue a separate folio and attach it to this form. The requester must sign all the additional folios.*

Description of the record or relevant part of the record:

_____

_____

_____

Reference number, if available: _____

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Any further details of the record

C: Fees

a) *A request for access to a record, other than a record containing personal information about yourself, will be processed only after a request fee has been paid.* b) *You will be notified of the amount required to be paid as the request fee.* c) *The fee payable for access to a record depends on the format in which access is required and the reasonable time required to search for and prepare a record.* d) *If you qualify for exemption of the payment of any fee, please state the reason for exemption.*

Please specify the right you seek to exercise or protect by requesting this access and explain why access to this information will enable you to exercise or protect

---

We will notify you of the outcome of our decision as soon as we can do so. We will send a notification to the above address/email address. Please stipulate with reasons if you require the outcome of our decision to be communicated in any way.

Signed at _____this _____day of_____ year_____

_____
Signature of the Requestor

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Schedule 2

Regulation 187 of 15 February 2002 PART III: Fees in respect of Public Bodies

1. The fee for a copy of the manual as contemplated in regulation 5(c) is R1,00 for every photocopy of an A4 size page or part thereof.

2. The fees for the reproduction referred to in regulation 7(1) are as follows:

		R
a)	For every photocopy of an A4-sized page or part thereof	1.00
b)	For every printed copy of an A4-size page or part thereof held on a computer or in an electronic or machined readable form	1.00
c)	For a copy in a computer-readable form: I. Stiffy Disc Compact disc	5,00 40,00
d)	i. For a transcription of visual images, for an A4-size page or part thereof ii. For a copy of visual images	22,00 60,00
e)	i. For a transcription of an audio record, for an A4-size page or part thereof ii. For a copy of an audio record	12,00 17,00

3. The **request fee** payable by every requester, other than a personal requester, referred to in regulation 7(2) is R35, 00.

4. The access fees payable by a requester referred to in regulation 7(3) are as follows:

		R
a)	For every photocopy of an A4-sized page or part thereof	1,00
b)	For every printed copy of an A4-size page or part thereof held on a computer or in an electronic or machine-readable form	1,00
c)	For a copy in a computer-readable form on: i. Stiffy disc ii. compact disc	 5,00 40,00
d)	i. For a transcription of visual images, for an A4-size page or part thereof ii. For a copy of visual images	 22,00 60,00

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e)	i. For a transcription of an audio record, for an A4-size page or part thereof ii. For a copy of an audio record	12,00 17,00
f)	To search for and prepare the record for disclosure, R15.00 for each hour or part of an hour, excluding the first hour, is reasonably required.	15.00

5. For purposes of **searching the record of SACAP in terms of** section 22(2) of the Act, the following applies:

a) Six hours as the hours to be exceeded before a deposit is payable; and
b) One-third of the access fee is payable as a deposit by the requester.

The actual postage is payable when a copy of a record must be posted to a requester.

Annexure B

SACAP Banking Details
Promotion of Access to Information Act request fee R35.00 payable at
Account Name SACAP
Account Type PUBLIC SECTOR CHEQUE ACCOUNT
Account Number 50411172203
Branch Code 254005
Branch Name RANDBURG COMMERCIAL SUITE
Please note that SACAP is set up as a PUBLIC RECIPIENT or COMPANY with the below banks as follows:
ABSA: SA Council for the Arch...
FNB: SACAP
Standard Bank: SACAP
Capitec: SACAP
Nedbank: S.A.C.A. P
To pay into SACAP's account using the above banks follow the following steps:
1.Log into your online bank profile 2. In the payments tab, choose ONCE OFF, pay to PUBLIC RECIPIENT or COMPANY 3. Search or find recipient name - SACAP (or see guidelines above) 4. Their beneficiary reference: PAIA and Your ID/ Company Reg (Note: reference must be at least 9 characters)
5. Send proof of payment to PAYMENTS@SACAPSA.COM
Please note that the request fee may change or increase subject to the nature of the information requested.

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