



**REPUBLIC OF SOUTH AFRICA**

# **GOVERNMENT GAZETTE**

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## **STAATSKOERANT**

**VAN DIE REPUBLIEK VAN SUID-AFRIKA**

*Registered at the Post Office as a Newspaper*

*As 'n Nuusblad by die Poskantoor Geregistreer*

**PRICE + 1c GST 20c PRYS + 1c AVB  
ABROAD 30c BUITELANDS  
POST FREE · POSVRY**

**VOL. 168]**

**CAPE TOWN, 22 JUNE 1979**

**KAAPSTAD, 22 JUNIE 1979**

**[No. 6520**

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**DEPARTMENT OF THE PRIME MINISTER**

**No. 1327.**

**22 June 1979.**

It is hereby notified that the Acting State President has assented to the following Act which is hereby published for general information:—

**No. 77 of 1979: Professional Engineers' Amendment Act, 1979.**

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**DEPARTEMENT VAN DIE EERSTE MINISTER**

**No. 1327.**

**22 Junie 1979.**

Hierby word bekend gemaak dat die Waarnemende Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

**No. 77 van 1979: Wysigingswet op Professionele Ingenieurs, 1979.**

Act No. 77, 1979

PROFESSIONAL ENGINEERS' AMENDMENT ACT, 1979.

**GENERAL EXPLANATORY NOTE:****[ ]**

Words in bold type in square brackets indicate omissions from existing enactments.

      

Words underlined with solid line indicate insertions in existing enactments.

# ACT

To amend the Professional Engineers' Act, 1968, so as to replace or further define certain expressions; to alter the constitution of the South African Council for Professional Engineers; to further regulate the circumstances in which certain members of the said Council are to vacate office, the tenure of office of certain members of the said Council and the election of its president and vice-president; to further define the functions of the said Council; to make new provision with reference to the tenure of office of members of committees of the said Council; to relieve the Minister of Public Works of the duty of establishing Advisory Committees for Professional Engineers; to further regulate the constitution of the Education Advisory Committee for Professional Engineers and the tenure of office of its members; to alter the requirements for registration as a professional engineer and an engineer in training; to extend the provisions regarding offences; to effect a change in relation to the power to make regulations; to provide for the establishment of boards of control in respect of certain professions; to further regulate the exemption from the operation of the provisions of the said Act; to provide for the performance of certain functions outside the Republic; and to effect certain textual alterations; and to provide for matters connected therewith.

*(Afrikaans text signed by the Acting State President.)  
(Assented to 13 June 1979.)*

**BE IT ENACTED** by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of  
section 1 of  
Act 81 of 1968,  
as amended by  
section 1 of  
Act 52 of 1972.

1. Section 1 of the Professional Engineers' Act, 1968 (hereinafter referred to as the principal Act), is hereby amended— 5
  - (a) by the deletion of the definition of "advisory committee";
  - (b) by the insertion before the definition of "council" of the following definition:  
"board of control" means a board of control estab- 10  
lished under section 30A;";
  - (c) by the insertion after the definition of "department" of the following definition:  
"education advisory committee" means the Education  
Advisory Committee for Professional Engineers 15  
established in terms of section 11;";
  - (d) by the substitution for the definition of "engineer in training" of the following definition:

## ALGEMENE VERDUIDELIKENDE NOTA:

**[ ]** Woorde in vet druk tussen vierkantige hake dui skappings uit bestaande verordenings aan.

\_\_\_\_\_ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

## WET

Tot wysiging van die Wet op Professionele Ingenieurs, 1968, ten einde sekere uitdrukkings te vervang of nader te omskryf; die samestelling van die Suid-Afrikaanse Raad vir Professionele Ingenieurs te verander; die omstandighede waaronder sekere lede van genoemde Raad hul ampte moet ontruim, die ampsduur van sekere lede van genoemde Raad en die kies van sy president en vise-president verder te reël; die werksaamhede van genoemde Raad nader te bepaal; nuwe voorsiening te maak met betrekking tot die ampsduur van lede van komitees van genoemde Raad; die Minister van Openbare Werke te onthef van die plig om Adviserende Komitees vir Professionele Ingenieurs in te stel; die samestelling van die Adviserende Onderwyskomitee vir Professionele Ingenieurs en die ampsduur van sy lede verder te reël; die vereistes vir registrasie as professionele ingenieur en ingenieur-in-opleiding te verander; die bepalinge betreffende misdrywe uit te brei; 'n verandering aan te bring met betrekking tot die bevoegdheid om regulasies uit te vaardig; voorsiening te maak vir die instelling van beheerrade ten opsigte van sekere professies; die vrystelling van die toepassing van die bepalinge van genoemde Wet verder te reël; voorsiening te maak vir die verrigting van sekere werksaamhede buite die Republiek; en sekere teksveranderinge aan te bring; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

(Afrikaanse teks deur die Waarnemende Staatspresident geteken.)  
(Goedgekeur op 13 Junie 1979.)

**DAAR WORD BEPAAL** deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Artikel 1 van die Wet op Professionele Ingenieurs, 1968 (hieronder die Hoofwet genoem), word hierby gewysig—
  - (a) deur die omskrywing van „adviserende komitee” deur die volgende omskrywing te vervang:
 

„adviserende **[komitee]** onderwyskomitee’ **[’n adviserende komitee]** die Adviserende Onderwyskomitee vir Professionele Ingenieurs ingevolge artikel 11 ingestel;”;
  - (b) deur die omskrywing van „as ’n ingenieur geregistreer” deur die volgende omskrywing te vervang:
 

„as ’n professionele ingenieur geregistreer’ as ’n professionele ingenieur geregistreer ingevolge die bepalinge van artikel 18 (2), (6) of (11);”;
  - (c) deur na die omskrywing van „as ’n ingenieur-in-opleiding geregistreer” die volgende omskrywing in te voeg:

Wysiging van artikel 1 van Wet 81 van 1968, soos gewysig deur artikel 1 van Wet 52 van 1972.

## Act No. 77, 1979

## PROFESSIONAL ENGINEERS' AMENDMENT ACT, 1979.

- “‘engineer in training’ means a person registered as an engineer in training in terms of section 18 (3) (a) or (11);”;
- (e) by the substitution for the definition of “in the service of the State” of the following definition: 5  
 “‘in the service of the State’ means in the fulltime employment of the Central Government, any Provincial Administration, the South West Africa Administration, the South African Railways and Harbours Administration or the Department of 10 Posts and **Telegraphs** Telecommunications;”;
- (f) by the substitution for the definition of “professional engineer” of the following definition:  
 “‘professional engineer’ means a person registered as **[an engineer]** a professional engineer in terms of 15 section 18 (2), (6) or (11);”;
- (g) by the substitution in the Afrikaans text for the definition of “professionele ingenieursinstituut” of the following definition:  
 “‘professionele ingenieursinstituut’ ’n vereniging van 20 ingenieurs gestig met die doel om die belange van die **[ingenieursberoep]** ingenieursprofessie te bevorder en kragtens artikel 7 (3) (a) erken;”;
- (h) by the substitution for the definition of “registered as an engineer” of the following definition: 25  
 “‘registered as **[an engineer]** a professional engineer’ means registered as **[an engineer]** a professional engineer in terms of the provisions of section 18 (2), (6) or (11);”.

Amendment of  
 section 3 of  
 Act 81 of 1968,  
 as amended by  
 section 2 of  
 Act 52 of 1972.

## 2. Section 3 of the principal Act is hereby amended— 30

- (a) by the substitution for paragraph (a) of subsection (1) of the following paragraph:  
**[six]** seven persons, of whom—
- (i) one shall represent the agricultural engineering profession and shall be nominated by the 35 South African Institute of Agricultural Engineers;
  - (ii) one shall represent the chemical engineering profession and shall be nominated by the South African Institution of Chemical 40 Engineers;
  - (iii) one shall represent the civil engineering profession and shall be nominated by the South African Institution of Civil Engineers;
  - (iv) one shall represent the electrical engineering 45 profession and shall be nominated by the South African Institute of Electrical Engineers;
  - (v) one shall represent the mechanical engineering profession and shall be nominated by the South African Institution of Mechanical 50 Engineers;
  - (vi) one shall represent the mining **[and metallurgical]** engineering **[professions]** profession and shall be nominated by the South African Institute of Mining and Metallurgy; 55
  - (vii) one shall represent the metallurgical engineering profession and shall be nominated by the South African Institute of Mining and Metallurgy;”;
- (b) by the addition of the following paragraph to the said 60 subsection (1):  
 “(g) in respect of each board of control, one person who shall be nominated by that board of control.”; and



## WYSIGINGSWET OP PROFESSIONELE INGENIEURS, 1979.

Wet No. 77, 1979

„beheerraad’ ’n beheerraad kragtens artikel 30A in-gestel”;

- (d) deur die omskrywing van „in diens van die Staat” deur die volgende omskrywing te vervang:

„in diens van die Staat’ in die heeltidse diens van die Sentrale Regering, ’n Provinsiale Administrasie, die Suidwes-Afrika-administrasie, die Suid-Afrikaanse Spoorweg- en Hawe-administrasie of die Departement van Pos- en **Telegraafwese** **Telekommunikasiewese**”;

- (e) deur die omskrywing van „ingenieur-in-opleiding” deur die volgende omskrywing te vervang:

„ingenieur-in-opleiding’ iemand wat as ’n ingenieur-in-opleiding ingevolge artikel 18 (3) (a) of (11) geregistreer is”;

- (f) deur die omskrywing van „professionele ingenieur” deur die volgende omskrywing te vervang:

„professionele ingenieur’ iemand wat as ’n professionele ingenieur ingevolge artikel 18 (2), (6) of (11) geregistreer is”;

- (g) deur die omskrywing van „professionele ingenieursinstituut” deur die volgende omskrywing te vervang:

„professionele ingenieursinstituut’ ’n vereniging van ingenieurs gestig met die doel om die belange van die **ingenieursberoep** ingenieursprofessie te bevorder en kragtens artikel 7 (3) (a) erken”;

2. Artikel 3 van die Hoofwet word hierby gewysig—

- (a) deur paragraaf (a) van subartikel (1) deur die volgende paragraaf te vervang:

„(a) **[ses]** sewe persone, van wie—

- (i) een die landboukundige **ingenieursberoep** ingenieursprofessie moet verteenwoordig en deur die Suid-Afrikaanse Instituut van Landbou-ingenieurs genomineer moet word;

- (ii) een die chemiese **ingenieursberoep** ingenieursprofessie moet verteenwoordig en deur die Suid-Afrikaanse Instituut van Chemiese Ingenieurs genomineer moet word;

- (iii) een die siviele **ingenieursberoep** ingenieursprofessie moet verteenwoordig en deur die Suid-Afrikaanse Instituut van Siviele Ingenieurs genomineer moet word;

- (iv) een die elektriese **ingenieursberoep** ingenieursprofessie moet verteenwoordig en deur die Suid-Afrikaanse Instituut van Elektriese Ingenieurs genomineer moet word;

- (v) een die meganiese **ingenieursberoep** ingenieursprofessie moet verteenwoordig en deur die Suid-Afrikaanse Instituut van Meganiese Ingenieurs genomineer moet word;

- (vi) een die mynboukundige **ingenieursberoep** ingenieursprofessie moet verteenwoordig en deur die Suid-Afrikaanse Instituut vir Mynbou en Metallurgie genomineer moet word;

- (vii) een die metallurgiese ingenieursprofessie moet verteenwoordig en deur die Suid-Afrikaanse Instituut vir Mynbou en Metallurgie genomineer moet word”;

- (b) deur die volgende paragraaf by genoemde subartikel (1) te voeg:

„(g) ten opsigte van elke beheerraad, een persoon wat deur daardie beheerraad genomineer moet word.”;

en

Wysiging van artikel 3 van Wet 81 van 1968, soos gewysig deur artikel 2 van Wet 52 van 1972.

## Act No. 77, 1979

## PROFESSIONAL ENGINEERS' AMENDMENT ACT, 1979.

- (c) by the substitution for subsection (2) of the following subsection:

“(2) Whenever any nomination under subsection (1) (a), (b), (c), **[or]** (d) or (g) becomes necessary, the Minister shall call upon the body concerned, or cause it to be called upon, by notice in writing, to nominate within a period specified in the notice, being not less than sixty days from the date thereof, so many persons as may be required to be nominated by it for appointment to the council.”.

Amendment of  
section 4 of  
Act 81 of 1968.

## 3. Section 4 of the principal Act is hereby amended—

- (a) by the substitution for paragraph (c) of subsection (1) of the following paragraph:

“(c) as a member of the council in terms of section 3 (1) (a), **[or]** (b) or (g), or as an alternate to any such member in terms of section 3 (4), unless he is a member of the body by which he was nominated.”;

- (b) by the substitution for paragraph (c) of subsection (2) of the following paragraph:

“(c) if he is **[declared by a competent court to be of unsound mind]** according to the law detained as a mentally ill person.”;

- (c) by the substitution in the Afrikaans text for paragraph (f) of the said subsection (2) of the following paragraph:

“(f) as hy ingevolge hierdie Wet onbevoeg verklaar word om sy **[beroep]** professie te beoefen.”; and

- (d) by the substitution for paragraph (i) of the said subsection (2) of the following paragraph:

“(i) if he was appointed under section 3 (1) (a), **[or]** (b) or (g) and ceases to be a member of the body by which he was nominated.”.

Amendment of  
section 5 of  
Act 81 of 1968.

## 4. Section 5 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) Every member of the council (not being a member appointed under section 3 (1) (e), who shall hold office during the Minister's pleasure) shall be appointed for a period of four years, but shall on termination of the period for which he was appointed, continue to hold office for a further period not exceeding three months until his successor has been appointed: Provided that in the case of the first appointment of a member of the council in terms of section (3) (1) (a) (vii) or (g), the member concerned shall be appointed for the unexpired portion of the period for which the other members then serving were appointed.”.

Amendment of  
section 6 of  
Act 81 of 1968.

## 5. Section 6 of the principal Act is hereby amended by the substitution for subsection (5) of the following subsection:

“(5) A member of the council appointed in terms of section 3 (1) (f) or (g) who is not a professional engineer shall not be elected president or vice-president of the Council or preside at any meeting thereof.”.

Amendment of  
section 7 of  
Act 81 of 1968.

## 6. Section 7 of the principal Act is hereby amended—

- (a) by the substitution for paragraph (b) of subsection (1) of the following paragraph:

“(b) subject to the provisions of this Act, to determine the procedure at meetings of the council or any committee of the council or **[an]** the education advisory committee and the manner in which minutes of the proceedings at such meetings shall be kept.”;

- (b) by the substitution for paragraph (c) of the said subsection (1) of the following paragraph:

“(c) subject to the provisions of section 10 (2), to consider and give its final decisions on recommen-

## WYSIGINGSWET OP PROFESSIONELE INGENIEURS, 1979.

Wet No. 77, 1979

(c) deur subartikel (2) deur die volgende subartikel te vervang:

„(2) Wanneer 'n nominasie kragtens subartikel (1) (a), (b), (c), **[of]** (d) of (g) nodig word, moet die Minister die betrokke liggaam deur skriftelike kennisgewing aansê of laat aansê om binne 'n tydperk in die kennisgewing vermeld, maar minstens sestig dae vanaf die datum van die kennisgewing, soveel persone te nomineer as wat deur die liggaam vir aanstelling in die raad genomineer moet word.”.

## 3. Artikel 4 van die Hoofwet word hierby gewysig—

Wysiging van  
artikel 4 van  
Wet 81 van 1968.

(a) deur paragraaf (c) van subartikel (1) deur die volgende paragraaf te vervang:

„(c) as 'n lid van die raad kragtens artikel 3 (1) (a), **[of]** (b) of (g), of as 'n plaasvervanger van so 'n lid kragtens artikel 3 (4) nie, tensy hy 'n lid is van die liggaam deur wie hy genomineer is.”;

(b) deur paragraaf (c) van subartikel (2) deur die volgende paragraaf te vervang:

„(c) as **['n bevoegde hof verklaar dat hy in sy geestesvermoë gekrenk is]** hy volgens die reg as 'n geestesongestelde aangehou word.”;

(c) deur paragraaf (f) van genoemde subartikel (2) deur die volgende paragraaf te vervang:

„(f) as hy ingevolge hierdie Wet onbevoeg verklaar word om sy **[beroep]** professie te beoefen.”; en

(d) deur paragraaf (i) van genoemde subartikel (2) deur die volgende paragraaf te vervang:

„(i) as hy kragtens artikel 3 (1) (a), **[of]** (b) of (g) aangestel is en ophou om 'n lid te wees van die liggaam deur wie hy genomineer is.”.

## 4. Artikel 5 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

Wysiging van  
artikel 5 van  
Wet 81 van 1968.

„(1) Elke lid van die raad (uitgesonderd 'n kragtens artikel 3 (1) (e) aangestelde lid, wat sy amp beklee solank dit die Minister behaag) word aangestel vir 'n tydperk van vier jaar, maar behou na verstryking van die tydperk waarvoor hy aangestel is, sy amp vir 'n verdere tydperk van hoogstens drie maande totdat sy opvolger aangestel is: Met dien verstande dat in die geval van die eerste aanstelling van 'n lid van die raad ingevolge artikel 3 (1) (a) (vii) of (g), die betrokke lid aangestel word vir die onverstreke gedeelte van die tydperk waarvoor die ander dan dienende lede aangestel is.”.

## 5. Artikel 6 van die Hoofwet word hierby gewysig deur subartikel (5) deur die volgende subartikel te vervang:

Wysiging van  
artikel 6 van  
Wet 81 van 1968.

„(5) 'n Lid van die raad wat kragtens artikel 3 (1) (f) of (g) aangestel is en nie 'n professionele ingenieur is nie, kan nie tot president of vise-president van die raad gekies word of op 'n raadsvergadering voorsit nie.”.

## 6. Artikel 7 van die Hoofwet word hierby gewysig—

Wysiging van  
artikel 7 van  
Wet 81 van 1968.

(a) deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:

„(b) om, behoudens die bepalings van hierdie Wet, die prosedure op vergaderings van die raad of 'n komitee van die raad of **['n adviserende komitee]** die adviserende onderwyskomitee en die wyse waarop notule van die verrigtinge op dié vergaderings gehou moet word, te bepaal.”;

(b) deur paragraaf (c) van genoemde subartikel (1) deur die volgende paragraaf te vervang:

„(c) om, behoudens die bepalings van artikel 10 (2), die aanbevelings van 'n komitee van die raad of **['n**

## Act No. 77, 1979

## PROFESSIONAL ENGINEERS' AMENDMENT ACT, 1979.

- dations of a committee of the council or **[an] the education advisory committee;**”;
- (c) by the substitution for paragraph (f) of the said subsection (1) of the following paragraph:
- “(f) to collect the funds of the council and, subject to the provisions of subsection (1) (d), to invest **[and deal with them by placing]** them or any portion thereof **[on fixed deposit or in a savings account]** with the National Finance Corporation of South Africa, any **[commercial bank]** banking institution registered under the Banks Act, 1965 (Act No. 23 of 1965), any building society registered under the Building Societies Act, 1965 (Act No. 24 of 1965), or the General Post Office, or in Government stock, Treasury bills, mortgage bonds guaranteed by any such banking institution, any stock guaranteed by the Government or any stock of a municipal or divisional council or public utility company;”;
- (d) by the insertion of the following paragraphs after paragraph (f) of the said subsection (1):
- “(fA) to determine the remuneration and allowances payable from the funds of the council to members of the council or of a committee of the council or of the education advisory committee and whether any amount should be recovered from the funds of the council in respect of any allowances paid to a member of the council or of a committee of the council or of the education advisory committee who is in the service of the State; 25
- (fB) to determine the fees which shall be payable to the council in respect of any examination (or part thereof) referred to in section 18 (2) (b), 18 (4) (a) (iii), 18 (6) (c) (ii) or 19, conducted by or on behalf of the council;”;
- (e) by the substitution for paragraph (g) of the said subsection (1) of the following paragraph:
- “(g) to prescribe the manner in which an applicant shall apply for registration as **[an engineer]** a professional engineer or an engineer in training, to prescribe the fees which shall be payable to the council in respect of any such registration and the annual fees which shall be payable to the council by any person as long as he remains registered as **[an engineer]** a professional engineer or as an engineer in training, **[and]** to determine what portion of such annual fees shall be payable in respect of any part of a year and the date on which such annual fees or portion thereof shall become due and payable, and to grant exemption from payment of such annual fees or portion thereof;”;
- (f) by the substitution for paragraph (h) of the said subsection (1) of the following paragraph:
- “(h) subject to the provisions of this Act, to consider and decide upon any application for registration as **[an engineer]** a professional engineer or an engineer in training;”;
- (g) by the substitution for paragraph (k) of the said subsection (1) of the following paragraph:
- “(k) to recommend to the Minister the **[minimum]** tariff of fees **[which shall be chargeable by a professional engineer for his professional services]** according to which a professional engineer may calculate the amount chargeable by him in



## WYSIGINGSWET OP PROFESSIONELE INGENIEURS, 1979.

Wet No. 77, 1979

**adviserende komitee**] die adviserende onderwyskomitee te oorweeg en finaal daaroor te besluit;”;

- (c) deur paragraaf (f) van genoemde subartikel (1) deur die volgende paragraaf te vervang:

5 „(f) om die fondse van die raad in te samel en, behoudens die bepalings van subartikel (1) (d), **[te belê en daarmee te handel deur]** dit of 'n gedeelte daarvan **[op vaste deposito of spaarrekening]** te **[plaas]** belê by die Nasionale Finansiële korporasie van Suid-Afrika, 'n **[handelsbank kragtens]** bankinstelling geregistreer ingevolge die Bankwet, 1965 (Wet No. 23 van 1965), **[geregistreer]** 'n bouvereniging **[kragtens]** **[geregistreer]** ingevolge die Bouverenigingswet, 1965 (Wet No. 10 24 van 1965), **[geregistreer]** of die Hoofposkantoor, of in Staatseffekte, skatkisbewyse, verbande wat deur so 'n bankinstelling gewaarborg word, effekte wat deur die Regering gewaarborg word of 15 effekte van 'n munisipale of afdelingsraad of openbare nutsmaatskappy;”;

- (d) deur die volgende paragrawe na subparagraaf (f) van genoemde subartikel (1) in te voeg:

25 „(fA) om die besoldiging en toelaes te bepaal wat betaalbaar is uit die fondse van die raad aan lede van die raad of van 'n komitee van die raad of van die adviserende onderwyskomitee en om te bepaal of 'n bedrag op die fondse van die raad verhaal behoort te word ten opsigte van toelaes betaal aan 'n lid van die raad of 'n komitee van die raad of die 30 adviserende onderwyskomitee wat in diens van die Staat is;

(fB) om die gelde te bepaal wat aan die raad betaal moet word ten opsigte van 'n in artikel 18 (2) (b), 18 (4) (a) (iii), 18 (6) (c) (ii) of 19 bedoelde eksamen (of 35 gedeelte daarvan) wat deur of namens die raad afgeneem word;”;

- (e) deur paragraaf (g) van genoemde subartikel (1) deur die volgende paragraaf te vervang:

40 „(g) om die wyse waarop 'n applikant aansoek moet doen om registrasie as 'n professionele ingenieur of 'n ingenieur-in-opleiding voor te skryf, om die gelde wat aan die raad betaal moet word ten opsigte van so 'n registrasie en die jaargelde wat aan die raad betaal moet word deur 'n persoon solank hy as 45 'n professionele ingenieur of as 'n ingenieur-in-opleiding geregistreer bly, voor te skryf, **[en]** om dié gedeelte van sodanige jaargelde wat ten opsigte van 'n deel van 'n jaar betaalbaar is en die datum waarop sodanige jaargelde of gedeelte daarvan betaalbaar word, te bepaal en om vrystelling te verleen van die betaling van sodanige 50 jaargelde of gedeelte daarvan;”;

- (f) deur paragraaf (h) van genoemde subartikel (1) deur die volgende paragraaf te vervang:

55 „(h) om, behoudens die bepalings van hierdie Wet, 'n aansoek om registrasie as 'n professionele ingenieur of 'n ingenieur-in-opleiding te oorweeg en daaroor te besluit;”;

- (g) deur paragraaf (k) van genoemde subartikel (1) deur die volgende paragraaf te vervang:

60 „(k) om by die Minister aan te beveel wat die **[minimum gelde]** geldetarief moet wees **[waarop 'n professionele ingenieur vir sy professionele diens te geregtig is]** waarvolgens 'n professionele 65 ingenieur die bedrag kan bereken waarop hy



## Act No. 77, 1979

## PROFESSIONAL ENGINEERS' AMENDMENT ACT, 1979.

- respect of the rendering by him of professional services;";
- (h) by the substitution for paragraph (o) of the said subsection (1) of the following paragraph:
- “(o) to encourage research into matters relating to the engineering profession and to give advice or render financial or other assistance or both financial and other assistance, to any educational institution, professional engineers' institute or examining body in regard to educational facilities for and the training and education of prospective engineers;”;
- (i) by the substitution in the Afrikaans text for paragraph (p) of the said subsection (1) of the following paragraph:
- “(p) om enige publikasie met betrekking tot die **ingenieursberoep** ingenieursprofessie en verwante aangeleenthede te finansier, te druk en te versprei en die publikasie daarvan te administreer en om in die algemeen die stappe te doen wat nodig is om dit te publiseer;”;
- (j) by the substitution in the Afrikaans text for paragraph (q) of the said subsection (1) of the following paragraph:
- “(q) om die Minister van advies te dien oor alle vraagstukke in verband met die **ingenieursberoep** ingenieursprofessie en verwante aangeleenthede; en”;
- (k) by the substitution for paragraph (b) of subsection (3) of the following paragraph:
- “(b) prescribe the **minimum** tariff of fees [which shall be chargeable by a professional engineer for his professional services] according to which a professional engineer may calculate the amount chargeable by him in respect of the rendering by him of professional services;”;
- (l) by the substitution in subsection (4) for the words preceding the proviso of the following words:
- “(4) Before any provision is made by virtue of subsection (3) (b) or (c), a notice setting forth the proposed provision shall be published by the Minister in the *Gazette* together with a notice intimating that it is proposed to make such provision under this section within a stated period, but not less than four weeks as from the date of the said publication, and inviting interested persons to submit any objections to or representations concerning the proposed provision; and
- (m) by the addition of the following subsection:
- “(7) Before any provision is made by virtue of subsection (1) (n) or (o), the council shall refer the proposed provision to the education advisory committee to enquire into and advise the council upon or make recommendations to the council in regard to it.”.

Amendment of  
section 9 of  
Act 81 of 1968.

## 7. Section 9 of the principal Act is hereby amended—

- (a) by the substitution for subsection (1) of the following subsection:
- “(1) The council shall in each year, within six months after the close of its financial year, submit to the Minister a report in regard to its activities during that financial year, together with a copy of the audited statement of income and expenditure and the balance sheet referred to in section 8 (3) in respect of that financial year **and a list of professional engineers**

## WYSIGINGSWET OP PROFESSIONELE INGENIEURS, 1979.

Wet No. 77, 1979

geregtig is ten opsigte van die lewering deur hom van professionele dienste;”;

(h) deur paragraaf (o) van genoemde subartikel (1) deur die volgende paragraaf te vervang:

5 „(o) om navorsing aangaande vraagstukke wat betrekking het op die **[ingenieursberoep]** ingenieursprofessie aan te moedig en om aan enige opvoedkundige inrigting, professionele ingenieursinstituut of eksaminerende liggaam advies te gee **[en] of** 10 finansiële of ander hulp of finansiële sowel as ander hulp te verleen in verband met opvoedkundige fasiliteite vir en die opleiding en onderrig van voornemende ingenieurs;”;

15 (i) deur paragraaf (p) van genoemde subartikel (1) deur die volgende paragraaf te vervang:

20 „(p) om enige publikasie met betrekking tot die **[ingenieursberoep]** ingenieursprofessie en verwante aangeleenthede te finansier, te druk en te versprei en die publikasie daarvan te administreer en om in die algemeen die stappe te doen wat nodig is om dit te publiseer;”;

(j) deur paragraaf (q) van genoemde subartikel (1) deur die volgende paragraaf te vervang:

25 „(q) om die Minister van advies te dien oor alle vraagstukke in verband met die **[ingenieursberoep]** ingenieursprofessie en verwante aangeleenthede; en”;

(k) deur paragraaf (b) van subartikel (3) deur die volgende paragraaf te vervang:

30 „(b) **[die minimum gelde voorskryf waarop 'n professionele ingenieur vir sy professionele dienste geregtig is]** die geldetarief voorskryf waarvolgens 'n professionele ingenieur die bedrag kan bereken waarop hy geregtig is ten opsigte van die lewering deur hom van professionele dienste;”;

35 (l) deur in subartikel (4) die woorde wat die voorbehoudsbepaling voorafgaan deur die volgende woorde te vervang:

40 „(4) Voordat enige voorsiening kragtens subartikel (3) (b) of (c) gemaak word, word 'n kennisgewing waarin die voorgestelde voorsiening uiteengesit word deur die Minister in die *Staatskoerant* gepubliseer, tesame met 'n kennisgewing ten effekte dat dit die voorneme is om sodanige voorsiening kragtens hierdie artikel binne 'n bepaalde tydperk, maar minstens vier weke vanaf die 45 datum van genoemde publikasie, te maak en dat belanghebbende persone uitgenooi word om besware teen of verhoë aangaande die voorgestelde voorsiening voor te lê;”;

50 (m) deur die volgende subartikel by te voeg:

55 „(7) Voordat enige voorsiening kragtens subartikel (1) (n) of (o) gemaak word, moet die raad die voorgestelde voorsiening na die adviserende onderwyskomitee verwys om ondersoek daarna in te stel en met betrekking daartoe aan die raad advies te verleen of aanbevelings te doen.”.

## 7. Artikel 9 van die Hoofwet word hierby gewysig—

(a) deur subartikel (1) deur die volgende subartikel te vervang:

60 „(1) Die raad lê elke jaar, binne ses maande na afsluiting van sy boekjaar, aan die Minister 'n verslag voor in verband met die raad se werksaamhede gedurende daardie boekjaar, tesame met 'n afskrif van die in artikel 8 (3) bedoelde geouditeerde staat van inkomste en uitgawe en balansstaat ten opsigte van daardie 65 boekjaar **[en 'n lys van professionele ingenieurs wie**

Wysiging van  
artikel 9 van  
Wet 81 van 1968.

## Act No. 77, 1979

## PROFESSIONAL ENGINEERS' AMENDMENT ACT, 1979.

whose names appear on the register on the last day of that financial year]."; and

- (b) by the substitution in the Afrikaans text for subsection (4) of the following subsection:

"(4) Die raad moet op versoek van die Minister of die Sekretaris aan die Minister of die Sekretaris advies verstrek oor vraagstukke in verband met die **[ingenieursberoep]** ingenieursprofessie of aanverwante aangeleenthede, en moet inligting wat die raad tydens die verrigting van sy pligte bekom omtrent aangeleenthede wat hy van openbare belang ag, aan die Minister meedeel."

Amendment of section 10 of Act 81 of 1968, as amended by section 3 of Act 52 of 1972.

8. Section 10 of the principal Act is hereby amended—

- (a) by the substitution for the proviso to subsection (2) of the following proviso:

"Provided that if the council has assigned to a committee the power to determine whether or not any person shall be registered as **[an engineer]** a professional engineer or an engineer in training, or the power to cancel the registration of any person as **[an engineer]** a professional engineer or as an engineer in training, or the power to inquire into any case of alleged improper conduct and to impose a punishment in respect thereof in accordance with the provisions of section 23, the council shall not amend or repeal any decision arrived at or anything done by such committee under the power so assigned, but may, subject to the regulations, mitigate any punishment so imposed by any committee."; and

- (b) by the insertion after subsection (2) of the following subsection:

"(2A) A committee to which the council has assigned the power to enquire into any case of alleged improper conduct and to impose a punishment in respect thereof in accordance with the provisions of section 23 may, notwithstanding the expiry of the tenure of office of the members of that council, continue to exercise such powers until the conclusion of such enquiry, and such powers shall for the purposes of the proviso to subsection (2) be deemed to have been assigned to the committee by the newly constituted council."

Substitution of section 11 of Act 81 of 1968, as amended by section 4 of Act 52 of 1972.

9. The following section is hereby substituted for section 11 of the principal Act:

"Establishment of Education Advisory Committee for Professional Engineers. 11. The Minister shall establish an advisory committee to be known as the Education Advisory Committee for Professional Engineers."

Substitution of section 12 of Act 81 of 1968, as amended by section 5 of Act 52 of 1972.

10. The following section is hereby substituted for section 12 of the principal Act:

"Constitution of education advisory committee. 12. (1) [a] The education advisory committee shall consist of the following members to be appointed by the Minister, namely—

- [(i) (a) a representative of each university in the Republic **[which has a faculty of engineering]** providing instruction in engineering and conducting examinations, in connection therewith, contemplated in section 18 (2) (b), which representative shall be a professor or lecturer in engineering at such university and shall be nominated by the senate of such university;

## WYSIGINGSWET OP PROFESSIONELE INGENIEURS, 1979.

Wet No. 77, 1979

se name op die laaste dag van daardie boekjaar in die register verskyn]; en

- (b) deur subartikel (4) deur die volgende subartikel te vervang:

5 „(4) Die raad moet op versoek van die Minister of die Sekretaris aan die Minister of die Sekretaris advies verstrek oor vraagstukke in verband met die **[ingenieursberoep]** ingenieursprofessie of aanverwante aangeleenthede, en moet inligting wat die raad tydens die verrigting van sy pligte bekom omtrent aangeleenthede wat hy van openbare belang ag, aan die Minister meedeel.”.

8. Artikel 10 van die Hoofwet word hierby gewysig—

- 15 (a) deur die voorbehoudsbepaling by subartikel (2) deur die volgende voorbehoudsbepaling te vervang:

20 „Met dien verstande dat indien die raad aan 'n komitee die bevoegdheid opgedra het om te bepaal of iemand as 'n professionele ingenieur of as 'n ingenieur-in-opleiding geregistreer moet word al dan nie, of die bevoegdheid om die registrasie van iemand as 'n professionele ingenieur of as 'n ingenieur-in-opleiding in te trek, of die bevoegdheid om ooreenkomstig die

Wysiging van artikel 10 van Wet 81 van 1968, soos gewysig deur artikel 3 van Wet 52 van 1972.

- 25 bepaling van artikel 23 'n geval van beweerde onbehoorlike gedrag te ondersoek en ten opsigte daarvan 'n straf op te lê, die raad nie 'n besluit of iets wat uit hoofde van die bevoegdheid aldus opgedra, deur sodanige komitee geneem of gedoen is, kan wysig of herroep nie, maar, behoudens die regulasies, enige straf deur enige komitee aldus opgelê, kan versag.”; en

- 30 (b) deur na subartikel (2) die volgende subartikel in te voeg:

35 „(2A) 'n Komitee aan wie die raad die bevoegdheid opgedra het om ooreenkomstig die bepaling van artikel 23 'n geval van beweerde onbehoorlike gedrag te ondersoek en ten opsigte daarvan 'n straf op te lê, kan, ondanks die verstryking van die ampsduur van die lede van daardie raad, voortgaan om sodanige bevoegdhede uit te oefen totdat bedoelde ondersoek voltooi is, en sodanige bevoegdhede word by die toepassing van die voorbehoudsbepaling by subartikel (2) geag aan die komitee deur die nuut saamgestelde raad opgedra te gewees het.”.

9. Artikel 11 van die Hoofwet word hierby deur die volgende artikel vervang:

45 „Instelling van Adviserende Onderwys-komitee vir Professionele Ingenieurs.

11. Die Minister stel 'n adviserende komitee in wat die Adviserende Onderwyskomitee vir Professionele Ingenieurs heet.”.

Vervanging van artikel 11 van Wet 81 van 1968, soos gewysig deur artikel 4 van Wet 52 van 1972.

10. Artikel 12 van die Hoofwet word hierby deur die volgende artikel vervang:

50 „Samestelling van adviserende onderwys-komitee.

12. (1) **[(a)]** Die adviserende onderwyskomitee bestaan uit die volgende lede wat deur die Minister aangestel moet word, naamlik—

55 **[(i)] (a)** 'n verteenwoordiger van elke universiteit in die Republiek **[waaraan 'n fakulteit van ingenieurswese verbonde is]** wat onderrig in ingenieurswese verskaf en in verband daarmee eksamens in artikel 18 (2) (b) beoog, afneem, welke verteenwoordiger 'n professor of lektor in die ingenieurswese aan daardie universiteit moet wees en genoemineer moet word deur die senaat van daardie universiteit;

Vervanging van artikel 12 van Wet 81 van 1968, soos gewysig deur artikel 5 van Wet 52 van 1972.

Act No. 77, 1979

## PROFESSIONAL ENGINEERS' AMENDMENT ACT, 1979.

- [(ii)] (b)** two persons who shall be nominated by the Minister of National Education and of whom at least one shall be on the staff of a technikon; and
- [(iii)] (c)** **[three]** five persons who shall be selected by the Minister from a list of persons nominated by the Federation of Societies of Professional Engineers.
- [(b)]** Each Professional Advisory Committee shall consist of the following five members to be appointed by the Minister, namely—
- (i) one person, who shall be a professor or lecturer in the branch of engineering concerned at a university in the Republic, selected by the Minister from a list of persons nominated by the senates of universities in the Republic which have faculties of engineering;
  - (ii) one person who shall be selected by the Minister; and
  - (iii) three persons who shall be selected by the Minister from a list of persons nominated by the appropriate professional engineers' institute or, if there is no such institute, by such body as the Minister may, after consultation with the council, determine: Provided that at least one such person shall be a professional engineer in private practice.]

(2) For every member of **[an]** the education advisory committee appointed in terms of subsection (1), there shall be an alternate member appointed in the same manner as such member.

(3) The provisions of section 3 (2) and (3) shall apply *mutatis mutandis* in respect of the appointment of a member of **[an]** the education advisory committee referred to in subsection **[(1) (a) (i) or (iii) or (b) (i) or (iii)]** (1) (a) or (c) and the provisions of section 3 (5) shall apply *mutatis mutandis* in respect of every person appointed as a member of **[an]** the education advisory committee and every person appointed as an alternate to such a member."

Substitution of  
section 13 of  
Act 81 of 1968.

11. The following section is hereby substituted for section 13 of the principal Act:

- 13.** (1) No person shall be appointed—
- (a) as a member of **[an]** the education advisory committee in terms of section 12 (1), or as an alternate to any such member in terms of section 12 (2), unless he is a South African citizen;
  - (b) as a member of **[an]** the education advisory committee in terms of section **[(12 (1) (a) (i) or (iii) or (b) (i), (ii) or (iii)]** 12 (1) (a) or (c), or as an alternate to any such member in terms of section 12 (2), unless he is a professional engineer.
  - [(c)]** as a member of an advisory committee in terms of section 12 (1) (b) (iii), or as an alternate to any such member in terms of section 12 (2), unless he is a member of the body by which he was nominated.]



## WYSIGINGSWET OP PROFESSIONELE INGENIEURS, 1979.

Wet No. 77, 1979

**[(ii)] (b)** twee persone wat genomineer moet word deur die Minister van Nasionale Opvoeding en van wie minstens een verbonde moet wees aan 'n teknikon; en

**[(iii)] (c)** **[drie]** vyf persone wat deur die Minister gekies word uit 'n lys van persone wat genomineer moet word deur die Federasie van Verenigings vir Professionele Ingenieurs.

**[(b)] Elke Professionele Adviserende Komitee bestaan uit die volgende vyf lede, wat deur die Minister aangestel moet word, naamlik—**

(i) een persoon wat 'n professor of lektor in die betrokke vertakking van die ingenieurswese aan 'n universiteit in die Republiek moet wees en wat deur die Minister gekies word uit 'n lys van persone wat genomineer moet word deur die senate van die universiteite in die Republiek waaraan fakulteite van ingenieurswese verbonde is;

(ii) een persoon wat deur die Minister gekies word; en

(iii) drie persone wat deur die Minister gekies word uit 'n lys van persone wat genomineer moet word deur die toepaslike professionele ingenieursinstituut, of as daar nie so 'n instituut is nie, deur die liggaam wat die Minister, na oorlegpleging met die raad, bepaal: Met dien verstande dat minstens een sodanige persoon 'n professionele ingenieur in privatepraktik moet wees.]

(2) Vir elke lid van **['n adviserende komitee]** die adviserende onderwyskomitee kragtens subartikel (1) aangestel, moet daar 'n plaasvervangende lid op dieselfde wyse as bedoelde lid aangestel word.

(3) Die bepalings van artikel 3 (2) en (3) is *mutatis mutandis* van toepassing ten opsigte van die aanstelling van 'n in subartikel **[(1) (a) (i) of (iii) of (b) (i) of (iii)] (1) (a) of (c)** bedoelde lid van **['n adviserende komitee]** die adviserende onderwyskomitee en die bepalings van artikel 3 (5) is *mutatis mutandis* van toepassing ten opsigte van elke persoon wat as lid van **['n adviserende komitee]** die adviserende onderwyskomitee en elke persoon wat as plaasvervanger van so 'n lid aangestel word."

11. Artikel 13 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 13 van Wet 81 van 1968.

„Kwalifikasies van lede van adviserende onderwyskomitee en omstandighede waaronder hulle hul amp ontruim.

13. (1) Niemand word aangestel—

(a) as 'n lid van **['n adviserende komitee]** die adviserende onderwyskomitee kragtens artikel 12 (1) of as 'n plaasvervanger van so 'n lid kragtens artikel 12 (2) nie, tensy hy 'n Suid-Afrikaanse burger is;

(b) as 'n lid van **['n adviserende komitee]** die adviserende onderwyskomitee kragtens artikel **[12 (1) (a) (i) of (iii) of (b) (i), (ii) of (iii)] 12 (1) (a) of (c)** of as 'n plaasvervanger van so 'n lid kragtens artikel 12 (2) nie, tensy hy 'n professionele ingenieur is.

**[(c)]** as 'n lid van 'n adviserende komitee kragtens artikel 12 (1) (b) (iii) of as 'n plaasvervanger van so 'n lid kragtens artikel 12 (2) nie, tensy hy 'n lid is van die liggaam deur wie hy genomineer is.]

## Act No. 77, 1979

## PROFESSIONAL ENGINEERS' AMENDMENT ACT, 1979.

- (2) A member of **[an]** the education advisory committee shall vacate his office—
- (a) if he was appointed under section **[12 (1) (a) (i) or (b) (i)]** 12 (1) (a) and ceases to be a professor or lecturer in engineering at the university concerned;
  - (b) if he was appointed under section **[12 (1) (b) (ii)]** 12 (1) (c) and ceases to be a **[person in the service of the State]** member of a constituent society of the Federation of Societies of Professional Engineers; or
  - [(c) if he was appointed under section 12 (1) (a) (iii) or (b) (iii) and the body by which he was nominated fails to apply within six months after the commencement of this Act for recognition under section 7 (3) or having applied is not granted recognition;**
  - (d) if he was appointed under section 12 (1) (b) (iii) and ceases to be a member of the body by which he was nominated; or
  - (e) (c) if he was appointed under section [12 (1) (a) (i) or (iii) or (b) (i), (ii) or (iii)] 12 (1) (a) or (c) and ceases to be a professional engineer,** and the provisions of section 4 (2) (a) to (g) inclusive shall apply *mutatis mutandis* in respect of any such member.

(3) The provisions of section 3 (6) shall apply *mutatis mutandis* in respect of **[an]** the education advisory committee.

**[(4) Subsection (1) (b) shall come into operation six months after the commencement of this Act.]”.**

Substitution of section 14 of Act 81 of 1968.

**12.** The following section is hereby substituted for section 14 of the principal Act:

“Tenure of office of members of education advisory committee.

**14. (1)** A member of **[an advisory committee (not being a member appointed under section 12 (1) (b) (ii), who shall hold office during the Minister's pleasure)]** the education advisory committee shall be appointed for such period as the Minister may determine at the time of the appointment.

(2) Any person whose period of office as a member of **[an]** the education advisory committee has expired, shall be eligible for reappointment.”.

Substitution of section 15 of Act 81 of 1968.

**13.** The following section is hereby substituted for section 15 of the principal Act:

“Chairman of education advisory committee.

**15. (1)** The members of **[an]** the education advisory committee shall at the first meeting of **[such]** that committee and thereafter as the occasion arises, out of their number elect a chairman of **[such]** the committee and any person so elected shall hold office as such until the expiration of the period for which he was appointed a member of **[the advisory committee concerned]** that committee or until he ceases to be a member thereof, whichever event first occurs.

(2) If the chairman of **[any]** the education advisory committee vacates his office before the expiration of the period for which he was appointed a member **[of the advisory committee concerned]** thereof, another member of **[such advisory]** the committee shall, subject to the provisions of subsection (1), be elected chairman in his place.

## WYSIGINGSWET OP PROFESSIONELE INGENIEURS, 1979.

Wet No. 77, 1979

(2) 'n Lid van **['n adviserende komitee]** die adviserende onderwyskomitee ontruim sy amp—

(a) as hy kragtens artikel **12 (1) (a) (i) of (b) (i)** 12 (1) (a) aangestel is en ophou om 'n professor of lektor in die ingenieurswese aan die betrokke universiteit te wees;

(b) as hy kragtens artikel **12 (1) (b) (ii)** 12 (1) (c) aangestel is en ophou om **['n persoon in diens van die Staat te wees]** 'n lid te wees van 'n konstituerende vereniging van die Federasie van Verenigings vir Professionele Ingenieurs; of

**[(c) as hy kragtens artikel 12 (1) (a) (iii) of (b) (iii) aangestel is en die liggaam deur wie hy genomineer is, versuim om binne ses maande na inwerkingtreding van hierdie Wet aansoek om erkenning te doen kragtens artikel 7 (3), of indien die liggaam wel aansoek gedoen het, erkenning nie verleen word nie;**

(d) as hy kragtens artikel 12 (1) (b) (iii) aangestel is en hy ophou om 'n lid te wees van die liggaam deur wie hy genomineer is; of

**(e) [(c) as hy kragtens artikel 12 (1) (a) (i) of (iii) of (b) (i), (ii) of (iii)] 12 (1) (a) of (c) aangestel is en hy ophou om 'n professionele ingenieur te wees, en die bepalings van artikel 4 (2) (a) tot en met (g) is mutatis mutandis ten opsigte van so 'n lid van toepassing.**

(3) Die bepalings van artikel 3 (6) is *mutatis mutandis* ten opsigte van **['n adviserende komitee]** die adviserende onderwyskomitee van toepassing.

**[(4) Subartikel (1) (b) tree in werking ses maande na die inwerkingtreding van hierdie Wet.]''**

12. Artikel 14 van die Hoofwet word hierby deur die volgende 35 artikel vervang:

Vervanging van artikel 14 van Wet 81 van 1968.

„Ampsduur van lede van adviserende onderwyskomitee.

14. (1) 'n Lid van **['n adviserende komitee (uitgesonderd 'n kragtens artikel 12 (1) (b) (ii) aangestelde lid, wat sy amp beklee solank dit die Minister behaag)]** die adviserende onderwyskomitee word aangestel vir die tydperk wat die Minister ten tyde van die aanstelling bepaal.

(2) Iemand wie se ampstermyn as lid van **['n adviserende komitee]** die adviserende onderwyskomitee verstryk het, kan weer aangestel word.”

13. Artikel 15 van die Hoofwet word hierby deur die volgende 45 artikel vervang:

Vervanging van artikel 15 van Wet 81 van 1968.

„Voorsitter van adviserende onderwyskomitee.

15. (1) Die lede van **['n adviserende komitee]** die adviserende onderwyskomitee kies op die eerste vergadering van dié komitee, en daarna wanneer dit nodig word, een uit hul midde as voorsitter van dié komitee en 'n aldus gekose persoon beklee sy amp as sodanig totdat die tydperk waarvoor hy aangestel is as lid van dié **[betrokke adviserende]** komitee verstryk, of totdat hy ophou om 'n lid daarvan te wees, na gelang van watter gebeurtenis eerste voorval.

(2) Indien die voorsitter van **['n adviserende komitee]** die adviserende onderwyskomitee sy amp ontruim vóór die verstryking van die tydperk waarvoor hy as 'n lid **[van die betrokke adviserende komitee]** daarvan aangestel is, word, behoudens die bepalings van subartikel (1), 'n ander lid van **[sodanige adviserende]** die komitee in sy plek as voorsitter gekies.

## Act No. 77, 1979

## PROFESSIONAL ENGINEERS' AMENDMENT ACT, 1979.

(3) If the chairman is absent from any meeting of **[an]** the education advisory committee or is not able to preside, the members present shall elect one of their number to preside at that meeting and the person so elected to preside may during that meeting and until the chairman resumes duty, perform all the duties of the chairman."

Substitution of section 16 of Act 81 of 1968.

14. The following section is hereby substituted for section 16 of the principal Act:

"Appointment of members of education advisory committee in other capacities.

16. Nothing in this Act contained shall be construed as precluding a member of **[an]** the education advisory committee from being appointed or from serving as—

- (a) a member of the council or as an alternate to such a member; or
- (b) a member of a committee of the council **[or**
- (c) **a member of any other advisory committee or as an alternate to such a member].**"

Substitution of section 17 of Act 81 of 1968, as substituted by section 6 of Act 52 of 1972.

15. The following section is hereby substituted for section 17 of the principal Act:

"Functions of education advisory committee.

17. It shall be the function of **[an]** the education advisory committee to assist the council generally in the performance of its functions and duties in terms of this Act and to enquire into and advise upon or make recommendations in regard to any matter which the council in the performance of its functions in terms of this Act may refer to **[such advisory committee]** the committee either specifically or generally or which has been raised by **[an advisory]** the committee of its own accord and more particularly **[—**

- (a) **in the case of the Education Advisory Committee,** in regard to the matters referred to in section 7 (1) (b), **[(i)]** (l), (n), (o), (p), (q) and (r) and sections 18 (2) (b), 18 (4) (a) (iii), 18 (6) (c) (ii) and 19 **]; and**
- (b) **in the case of the Professional Advisory Committees, in regard to the matters referred to in sections 7 (1) (b), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), 18 (2) (d) and 18 (4) (b)1.**"

Substitution of section 18 of Act 81 of 1968, as amended by section 7 of Act 52 of 1972.

16. The following section is hereby substituted for section 18 of the principal Act:

"Registration of professional engineers and engineers in training.

18. (1) Any person who desires to be registered as **[an engineer]** a professional engineer or an engineer in training, shall lodge with the council, in the manner prescribed by it, an application in writing for such registration, and such application shall be accompanied by the prescribed registration fee and such information as may be required by the council.

(2) If after consideration of any such application the council is satisfied that the applicant—

- (a) is not less than twenty-one years of age and is ordinarily resident in the Republic; and
- (b) has passed the prescribed examinations or any examinations recognized by the council for the purposes of this paragraph; and
- (c) was at the date of commencement of this Act engaged in the performance of engineering work which in the opinion of the council is of sufficient variety and of a satisfactory nature and 60

## WYSIGINGSWET OP PROFESSIONELE INGENIEURS, 1979.

Wet No. 77, 1979

(3) Indien die voorsitter van 'n vergadering van **['n adviserende komitee]** die adviserende onderwyskomitee afwesig is of nie as voorsitter kan optree nie, moet die aanwesige lede een uit hul midde kies om op daardie vergadering voor te sit en die persoon aldus gekies om voor te sit, kan gedurende daardie vergadering en totdat die voorsitter sy ampspligte hervat, al die pligte van die voorsitter verrig."

14. Artikel 16 van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 16 van Wet 81 van 1968.

„Aanstelling van lede van adviserende onderwyskomitee in ander hoedanighede. 16. Niks wat in hierdie Wet vervat is nie, word so uitgelê dat dit 'n lid van **['n adviserende komitee]** die adviserende onderwyskomitee belet om aangestel te word of te dien as—

(a) 'n lid van die raad of as 'n plaasvervanger van so 'n lid; of

(b) 'n lid van 'n komitee van die raad **[of**

(c) 'n lid van 'n ander adviserende komitee of as 'n plaasvervanger van so 'n lid]'."

15. Artikel 17 van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 17 van Wet 81 van 1968, soos vervang deur artikel 6 van Wet 52 van 1972.

„Werksaamhede van adviserende onderwyskomitee. 17. Die funksie van **['n adviserende komitee]** die adviserende onderwyskomitee is om in die algemeen die raad by die verrigting van sy werksaamhede en pligte kragtens hierdie Wet by te staan en om ondersoek in te stel na en advies te verleen of aanbevelings te doen met betrekking tot enige aangeleentheid wat die raad by die verrigting van sy werksaamhede kragtens hierdie Wet, hetsy spesifiek of in die algemeen na **[sodanige adviserende komitee]** die komitee verwys of wat uit eie beweging deur **['n adviserende]** die komitee geopen is, en meer bepaald [—

(a) in die geval van die Adviserende Onderwyskomitee, met betrekking tot die aangeleenthede in artikel 7 (1) (b), **[(i), (l), (n), (o), (p), (q) en (r)]** en artikels 18 (2) (b), 18 (4) (a) (iii), 18 (6) (c) (ii) en 19 bedoel **]; en**

(b) in die geval van die Professionele Adviserende Komitees, met betrekking tot die aangeleenthede in artikels 7 (1) (b), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), 18 (2) (d) en 18 (4) (b) bedoel]'."

16. Artikel 18 van die Hoofwet word hierby deur die volgende artikel vervang: Vervanging van artikel 18 van Wet 81 van 1968, soos gewysig deur artikel 7 van Wet 52 van 1972.

„Registrasie van professionele ingenieurs en ingenieurs-in-opleiding. 18. (1) Iemand wat begerig is om as 'n professionele ingenieur of 'n ingenieur-in-opleiding geregistreer te word, moet 'n skriftelike aansoek om sodanige registrasie by die raad indien op **['n]** die wyse deur die raad voorgeskryf en sodanige aansoek moet vergesel gaan van die voorgeskrewe registrasiegeelde en die inligting wat die raad verlang.

(2) Indien die raad na oorweging van so 'n aansoek oortuig is dat die applikant—

(a) minstens een-en-twintig jaar oud is en gewoonlik in die Republiek woonagtig is; en

(b) geslaag het in die voorgeskrewe eksamens of in eksamens wat die raad vir die doeleindes van hierdie paragraaf erken; en

(c) op die datum van inwerkingtreding van hierdie Wet besig was met die verrigting van ingenieurswerk wat na die oordeel van die raad van voldoende verskeidenheid en bevredigende



## Act No. 77, 1979

## PROFESSIONAL ENGINEERS' AMENDMENT ACT, 1979.

standard, and had been so engaged during a period of not less than three years prior to that date; or

- (d) has, for such period as may from time to time be determined by the council, performed engineering work which in the opinion of the council is of sufficient variety and of a satisfactory nature and standard,

the council shall, subject to the provisions of subsection (7), register the applicant as **[an engineer]** a professional engineer and issue to him a certificate of registration in the prescribed form.

- (3) (a) If after consideration of any such application the council is satisfied that the applicant is ordinarily resident in the Republic and complies with the **[requirements]** requirement mentioned in subsection (2) **[(a) and]** (b) but not with the requirements mentioned in subsection (2) (c) or (d), the council shall, if the applicant so requests, register the applicant as an engineer in training and issue to him a certificate of registration to that effect in the prescribed form.

- (b) Whenever any person who is registered as an engineer in training in terms of paragraph (a) has complied with the requirement mentioned in subsection (2) (d), and the council is satisfied that he is not less than twenty-one years of age, the council shall, subject to the provisions of subsection (7), on application in the prescribed form, cancel the registration of such person and register him in terms of subsection (2).

- (4) Any person who—

- (a) (i) is not less than fifty years of age and is ordinarily resident in the Republic; and  
(ii) has had not less than twenty-five years experience in engineering work of a kind prescribed in terms of section 7 (3) (c) (of which not less than ten years was gained while in complete control of such work which in the opinion of the council was of an important nature) or in engineering work which in the opinion of the council is of sufficient variety and of a satisfactory nature and standard; and  
(iii) has passed such examinations (if any) as the council may determine; or  
(b) is ordinarily resident in the Republic and, at the date of commencement of this Act, was engaged in the performance of engineering work which in the opinion of the council is of sufficient variety and of a satisfactory nature and standard and had been so engaged during a period of not less than three years prior to that date,

shall be deemed to have complied with the requirement for registration mentioned in subsection (2) (b).

- (5) No person shall be registered as **[an engineer]** a professional engineer by virtue of the provisions of subsection (4) (b), unless he applied to the council to be so registered within six months after the date of commencement of this Act, or within such further period as the council may in any particular case allow.

- (6) (a) Any person not ordinarily resident in the Republic may apply to the council for temporary registration as **[an engineer]** a professional engineer.

- (b) The application shall be in the prescribed form and shall be accompanied by the prescribed

## WYSIGINGSWET OP PROFESSIONELE INGENIEURS, 1979.

Wet No. 77, 1979

aard en standaard is en vir 'n tydperk van minstens drie jaar voor daardie datum aldus besig was; of

- 5 (d) vir die tydperk wat van tyd tot tyd deur die raad bepaal word, ingenieurswerk verrig het wat na die oordeel van die raad van voldoende verskeidenheid en bevredigende aard en standaard is, moet die raad, behoudens die bepalings van subartikel (7), die applikant as 'n professionele ingenieur registreer en aan hom 'n registrasiesertifikaat in die voorgeskrewe vorm uitreik.

- 10 (3) (a) Indien die raad na oorweging van so 'n aansoek oortuig is dat die applikant gewoonlik in die Republiek woonagtig is en aan die in subartikel (2) [(a) en] (b) vermelde [vereistes] vereiste voldoen, maar nie aan die in subartikel (2) (c) of (d) vermelde vereistes nie, moet die raad, indien die applikant aldus versoek, die applikant as 'n ingenieur-in-opleiding registreer en aan hom 'n registrasiesertifikaat te dien effekte in die voorgeskrewe vorm uitreik.

- 20 (b) Wanneer 'n persoon wat kragtens paragraaf (a) as 'n ingenieur-in-opleiding geregistreer is aan die in subartikel (2) (d) vermelde vereiste voldoen het, en die raad oortuig is dat hy minstens een-en-twintig jaar oud is, moet die raad, behoudens die bepalings van subartikel (7), op aansoek in die voorgeskrewe vorm, die registrasie van sodanige persoon kanselleer en hom kragtens subartikel (2) registreer.

- 30 (4) Iemand wat—

- (a) (i) minstens vyftig jaar oud is en gewoonlik in die Republiek woonagtig is; en  
(ii) minstens vyf-en-twintig jaar ondervinding opgedoen het van ingenieurswerk van 'n soort wat kragtens artikel 7 (3) (c) voorgeskryf is (waarvan minstens tien jaar opgedoen moes gewees het in volkome beheer van sodanige werk wat na die oordeel van die raad van 'n belangrike aard was) of van ingenieurswerk wat na die oordeel van die raad van voldoende verskeidenheid en bevredigende aard en standaard is; en

- 45 (iii) in die eksamens wat die raad bepaal (as daar is), geslaag het; of

- (b) gewoonlik in die Republiek woonagtig is en, op die datum van inwerkingtreding van hierdie Wet, besig was met die verrigting van ingenieurswerk wat na die oordeel van die raad van voldoende verskeidenheid en bevredigende aard en standaard is en vir 'n tydperk van minstens drie jaar voor daardie datum aldus besig was,

- 50 word geag aan die in subartikel (2) (b) vermelde vereiste vir registrasie te voldoen het.

- 55 (5) Niemand word uit hoofde van die bepalings van subartikel (4) (b) as 'n professionele ingenieur geregistreer nie, tensy hy binne ses maande na die datum van inwerkingtreding van hierdie Wet, of binne die verdere tydperk wat die raad in 'n besondere geval toelaat, by die raad aansoek gedoen het om aldus geregistreer te word.

- 60 (6) (a) Iemand wat nie gewoonlik in die Republiek woonagtig is nie, kan by die raad aansoek doen om tydelik as 'n professionele ingenieur geregistreer te word.

- 65 (b) Die aansoek moet in die voorgeskrewe vorm wees en moet vergesel gaan van die voor-

registration fee and such information as may be required by the council.

- (c) If after consideration of any such application the council is satisfied that the applicant—
- (i) is not less than twenty-one years of age; and 5
  - (ii) has passed the prescribed examinations or any examinations recognized by the council for the purposes of this paragraph; and
  - (iii) has, for such period as may from time to time be determined by the council, per- 10  
formed engineering work which in the opinion of the council is of sufficient variety and of a satisfactory nature and standard,
- the council may, subject to the provisions of subsection (7), register the applicant as **[an 15  
engineer]** a professional engineer and issue to him a certificate of temporary registration in the prescribed form.
- (d) A certificate of temporary registration shall be valid for such period, not exceeding twelve 20  
months, as the council may in each case determine, but the person concerned may at any time again apply in terms of this section for temporary registration as **[an engineer]** a pro- 25  
fessional engineer.

(7) The council **[shall not]** may refuse to register any person as **[an engineer]** a professional engineer or as an engineer in training under this section—

- (a) if he has at any time been removed from an 30  
office of trust on account of improper conduct; or
  - (b) if he has at any time been convicted of extortion, bribery, theft, fraud, forgery or uttering a forged document or perjury and sentenced in respect thereof to imprisonment without the option of a 35  
fine or to a fine exceeding two hundred rand; or
  - (c) if he **[has been declared by a competent court to be of unsound mind]** is according to the law detained as a mentally ill person; or
  - (d) if he is disqualified from registration in terms of 40  
a punishment imposed under this Act; or
- [and may refuse so to register any person who]**
- (e) if he is an unrehabilitated insolvent or **[who]** 45  
has entered into an arrangement with his creditors; or
  - (f) **[who]** if he has been guilty of conduct by reason of which he is in the opinion of the council not a fit person to be registered.

(8) The council may cancel the registration as **[an 50  
engineer]** a professional engineer or as an engineer in training of any person who subsequent to his registration becomes subject to any of the disqualifications mentioned in subsection (7) (a), (b), (c) or (d) or whose estate is sequestrated or who enters into an arrangement with his creditors or who 55  
was within a period of three years prior to his **[application for]** registration or is subsequent to his registration guilty of conduct by reason whereof he is in the opinion of the council not a fit person to be registered or whose registration was made in error 60  
or on information subsequently proved to be false.

(9) The registration of any person as **[an 65  
engineer]** a professional engineer or as an engineer in training, as the case may be, shall lapse if such person—

## WYSIGINGSWET OP PROFESSIONELE INGENIEURS, 1979.

Wet No. 77, 1979

geskrewe registrasiegelde en die inligting wat die raad verlang.

(c) Indien die raad na oorweging van so 'n aansoek oortuig is dat die applikant—

- 5 (i) minstens een-en-twintig jaar oud is; en
- (ii) geslaag het in die voorgeskrewe eksamens of in eksamens wat die raad vir die doeleindes van hierdie paragraaf erken; en
- 10 (iii) vir die tydperk wat van tyd tot tyd deur die raad bepaal word, ingenieurswerk verrig het wat na die oordeel van die raad van voldoende verskeidenheid en bevredigende aard en standaard is,

15 kan die raad, behoudens die bepalinge van subartikel (7), die applikant as 'n professionele ingenieur registreer en aan hom 'n tydelike registrasiesertifikaat in die voorgeskrewe vorm uitreik.

20 (d) 'n Tydelike registrasiesertifikaat is geldig vir die tydperk, twaalf maande nie te bowe gaande nie, wat die raad in elke geval bepaal, maar die betrokke persoon kan te eniger tyd weer kragtens hierdie artikel aansoek doen om tydelike registrasie as 'n professionele ingenieur.

25 (7) Die raad **[registreer nie]** kan weier om 'n persoon as 'n professionele ingenieur of as 'n ingenieur-in-opleiding ingevolge hierdie artikel **[nie]** te registreer—

30 (a) as hy te eniger tyd weens onbehoorlike gedrag van 'n vertrouensamp onthef is; of

(b) as hy te eniger tyd veroordeel is weens afpersing, omkoperij, diefstal, bedrog, vervalsing of die uitgifte van 'n vervalste dokument of meened, en ten opsigte daarvan tot gevangenisstraf sonder die keuse van 'n boete of tot 'n boete van meer as twee-honderd rand gevonnissen is; of

35 (c) as **[’n bevoegde hof verklaar het dat hy in sy geestesvermoë gekrenk is]** hy volgens die reg as 'n geestesongestelde aangehou word; of

40 (d) as hy ingevolge 'n straf wat kragtens hierdie Wet opgelê is, onbevoeg vir registrasie verklaar is; of

**[en kan weier om iemand wat]**

45 (e) as hy 'n ongerehabiliteerde insolvente persoon is of **[wat]** met sy skuldeisers 'n ooreenkoms aangegaan het; of

(f) **[wat]** as hy hom skuldig gemaak het aan gedrag as gevolg waarvan hy na die oordeel van die raad nie 'n geskikte persoon is om geregistreer te word nie **[aldus te registreer]**.

50 (8) Die raad kan die registrasie as 'n professionele ingenieur of as 'n ingenieur-in-opleiding kanselleer van 'n persoon wat na sy registrasie aan 'n in subartikel (7) (a), (b), (c) of (d) vermelde diskwalifikasie onderhewig word of wie se boedel gesekwestreer word of wat 'n ooreenkoms met sy skuldeisers aangaan of wat hom binne 'n tydperk van drie jaar voor sy **[aansoek om]** registrasie skuldig gemaak het of hom na sy registrasie skuldig maak aan gedrag as gevolg waarvan hy na die oordeel van die raad nie 'n geskikte persoon is om geregistreer te wees nie of wat per abuis geregistreer is of geregistreer is op grond van inligting wat daarna bewys word vals te wees.

65 (9) Die registrasie van 'n persoon as 'n professionele ingenieur of as 'n ingenieur-in-opleiding, na gelang van die geval, vervel as sodanige persoon—

## Act No. 77, 1979

## PROFESSIONAL ENGINEERS' AMENDMENT ACT, 1979.

- (a) not being a person registered in terms of subsection (6), ceases to be ordinarily resident in the Republic; or
- (b) fails to pay any annual fee or portion thereof prescribed under section 7 (1) (g) and payable by him within six months after such fee or portion thereof becomes due or within such further period as the council may in any particular case allow.

(10) The council shall at the written request of any professional engineer or of any engineer in training remove his name from the register, but the removal shall not affect any liability incurred by such engineer prior to the date of such request.

(11) Subject to the provisions of subsection (7), the council shall on application to it register as **[an engineer]** a professional engineer or as an engineer in training any person who was previously registered as **[an engineer]** a professional engineer under subsection (2) or as an engineer in training in terms of subsection (3), as the case may be, if he has paid the prescribed registration fee and any arrear annual fee or portion thereof prescribed under section 7 (1) (g) and possesses the prescribed residential qualifications.

(12) A person who is registered as **[an engineer]** a professional engineer or as an engineer in training may describe himself as a professional engineer or as an engineer in training, as the case may be, and a person who is registered as **[an engineer]** a professional engineer shall, if he has paid the annual fee or portion thereof prescribed under section 7 (1) (g), be entitled—

- (a) to describe himself as a professional engineer and to carry on his profession in any part of the Republic; and
- (b) to indicate his profession or make it known by using for all purposes the title (Pr. Eng.) after his name.

(13) Before any examinations are recognized or determined by the council as contemplated by subsection (2) (b), (4) (a) (iii) or (6) (c) (ii), the council shall refer the proposed recognition or determination to the education advisory committee to enquire into it and advise the council upon or make recommendations to the council in regard to it.

(14) Any person who was registered as an engineer in terms of this section prior to its substitution by section 16 of the Professional Engineers' Amendment Act, 1979, shall be deemed to have been registered as a professional engineer in terms of this section as so substituted."

Amendment of  
section 20 of  
Act 81 of 1969.

17. Section 20 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) Any person whose registration as **[an engineer]** a professional engineer or as an engineer in training, as the case may be, has been cancelled in terms of section 18 (8) or has lapsed in terms of section 18 (9) or whose name has been removed from the register in terms of section 18 (10), shall return to the registrar his certificate of registration within thirty days from the date upon which he is directed by the registrar by notice in writing transmitted by post to do so."

Amendment of  
section 21 of  
Act 81 of 1968.

18. (1) Section 21 of the principal Act is hereby amended—

- (a) by the substitution in subsection (1) for the words preceding paragraph (a) of the following words:



## WYSIGINGSWET OP PROFESSIONELE INGENIEURS, 1979.

Wet No. 77, 1979

- (a) terwyl hy nie iemand is wat kragtens subartikel (6) geregistreer is nie, ophou om gewoonlik in die Republiek woonagtig te wees; of
- (b) versuim om jaargelde of 'n gedeelte daarvan wat kragtens artikel 7 (1) (g) voorgeskryf is en deur hom betaalbaar is, te betaal binne ses maande nadat sodanige gelde of gedeelte daarvan betaalbaar word of binne die verdere tydperk wat die raad in 'n besondere geval toelaat.

(10) Die raad moet, op skriftelike versoek van 'n professionele ingenieur of van 'n ingenieur-in-opleiding, sy naam uit die register skrap, maar die skrapping het geen uitwerking op enige aanspreeklikheid waaraan sodanige ingenieur voor die datum van sodanige versoek onderhewig geword het nie.

(11) Behoudens die bepalings van subartikel (7) moet die raad op aansoek by hom 'n persoon wat voorheen kragtens subartikel (2) as 'n professionele ingenieur of kragtens subartikel (3) as 'n ingenieur-in-opleiding geregistreer was, as 'n professionele ingenieur of as 'n ingenieur-in-opleiding, na gelang van die geval, registreer indien hy die voorgeskrewe registrasiegelde en enige agterstallige jaargelde of gedeelte daarvan kragtens artikel 7 (1) (g) voorgeskryf, betaal het en die voorgeskrewe woonkwalifikasies besit.

(12) Iemand wat as 'n professionele ingenieur of 'n ingenieur-in-opleiding geregistreer is, kan homself as 'n professionele ingenieur of as 'n ingenieur-in-opleiding, na gelang van die geval, beskryf, en iemand wat as 'n professionele ingenieur geregistreer is, is, indien hy die jaargelde of gedeelte daarvan kragtens artikel 7 (1) (g) voorgeskryf, betaal het, geregtig—

(a) om homself as 'n professionele ingenieur te beskryf en om sy **beroep** professie in enige deel van die Republiek te beoefen; en

(b) om sy **beroep** professie aan te dui of bekend te maak deur vir alle doeleindes van die betiteling (Pr. Ing.) agter sy naam gebruik te maak.

(13) Voordat enige eksamens deur die raad soos deur subartikel (2) (b), (4) (a) (iii) of (6) (c) (ii) beoog, erken of bepaal word, moet die raad die voorgestelde erkenning of bepaling na die adviserende onderwyskomitee verwys om ondersoek daarna in te stel en met betrekking daartoe aan die raad advies te verleen of aanbevelings te doen.

(14) Iemand wat as 'n ingenieur ingevolge hierdie artikel geregistreer was voor die vervanging daarvan deur artikel 16 van die Wysigingswet op Professionele Ingenieurs, 1979, word geag as 'n professionele ingenieur ingevolge hierdie artikel soos aldus vervang, geregistreer te gewees het."

17. Artikel 20 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

Wysiging van  
artikel 20 van  
Wet 81 van 1968.

„(1) Iemand wie se registrasie as 'n professionele ingenieur of as 'n ingenieur-in-opleiding, na gelang van die geval, kragtens artikel 18 (8) gekanselleer is of kragtens artikel 18 (9) verval het of wie se naam kragtens artikel 18 (10) uit die register geskrap is, moet sy registrasiesertifikaat aan die registrateur terugbesorg binne dertig dae vanaf die datum waarop hy deur die registrateur, by skriftelike kennisgewing deur die pos gestuur, gelas is om dit te doen."

18. (1) Artikel 21 van die Hoofwet word hierby gewysig—

Wysiging van  
artikel 21 van  
Wet 81 van 1968.

(a) deur in subartikel (1) die woorde wat paragraaf (a) vooraangaan deur die volgende woorde te vervang:

Act No. 77, 1979

## PROFESSIONAL ENGINEERS' AMENDMENT ACT, 1979.

- “(1) Subject to any exemption granted in terms of this Act or the regulations, any person not registered as **[an engineer]** a professional engineer who—”;
- (b) by the substitution for paragraph (a) of the said subsection (1) of the following paragraph: 5  
 “(a) for **[gain]** reward performs any kind of work reserved for professional engineers in terms of section 7 (3) (c); or”;
- (c) by the substitution for paragraph (b) of the said subsection (1) of the following paragraph: 10  
 “(b) pretends to be or by any means whatsoever holds himself out or allows himself to be held out as a professional engineer or uses the name professional engineer or any name, title, description or symbol indicating or calculated to lead persons to infer that he is registered as **[an engineer]** a professional engineer.”; 15
- (d) by the substitution in the said subsection (1) for the words following paragraph (b) of the following words: 20  
 “shall be guilty of an offence and liable on conviction to a fine not exceeding **[five hundred]** one thousand rand.”;
- (e) by the insertion after the said subsection (1) of the following subsection: 25  
 “(1A) Subject to any exemption granted under this Act, any company or other juristic person which—  
 (a) for reward performs or causes to be performed for any other person, whether a natural or juristic person, by any person, whether registered as a professional engineer or not, any kind of work reserved for professional engineers under section 7 (3) (c); or 30  
 (b) pretends to be or by any means whatsoever holds itself out or allows itself to be held out as a company or other juristic person performing any kind of work reserved for professional engineers under section 7 (3) (c), or uses any name, title, description or symbol indicating or calculated to lead persons to infer that it is a company or other juristic person performing any kind of work so reserved for professional engineers, 35  
 shall be guilty of an offence and liable on conviction to a fine not exceeding one thousand rand.”; and 40
- (f) by the substitution in subsection (2) for the words preceding paragraph (a), and paragraph (a), of the following words and paragraph: 45  
 “(2) Subject to the Minister's prior approval being obtained, the provisions of this section shall not be construed as prohibiting—  
 (a) any Minister of State, Administrator or officer charged with the administration of any law from appointing or authorizing or approving the appointment of any person not registered as **[an engineer]** a professional engineer in terms of this Act as an engineer in respect of or for work required to be undertaken for the purposes of that law, where in the opinion of such Minister, Administrator or officer a person so registered is not readily available or where by reason of the nature or extent of the work involved, or any other circumstance contemplated by such law, the appointment of a person so registered is not warranted; or” 50 55 60

(2) Paragraph (e) of subsection (1) shall come into operation on a date fixed by the State President by proclamation in the *Gazette*. 65

## WYSIGINGSWET OP PROFESSIONELE INGENIEURS, 1979.

Wet No. 77, 1979

- „(1) Behoudens enige vrystelling verleen ingevolge hierdie Wet of die regulasies, is iemand wat nie as 'n professionele ingenieur geregistreer is nie en wat—”;
- (b) deur in die Engelse teks paragraaf (a) van genoemde subartikel (1) deur die volgende paragraaf te vervang:
- 5 „(a) for **[gain]** reward performs any kind of work reserved for professional engineers in terms of section 7 (3) (c); or”;
- (c) deur paragraaf (b) van genoemde subartikel (1) deur die volgende paragraaf te vervang:
- 10 „(b) homself voordoen as of hom op enige wyse hoe-genaamd uitgee of toelaat dat hy uitgegee word vir 'n professionele ingenieur, of die naam van profes-sionele ingenieur of enige naam, titel, beskrywing of simbool gebruik wat aandui of daarop bereken is om die indruk by persone te wek dat hy as 'n professionele ingenieur geregistreer is,”;
- (d) deur in genoemde subartikel (1) die woorde wat volg op paragraaf (b) deur die volgende woorde te vervang:
- 20 „aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens **[vyfhon-derd]** duisend rand.”;
- (e) deur na genoemde subartikel (1) die volgende subartikel in te voeg:
- 25 „(1A) Behoudens 'n vrystelling kragtens hierdie Wet, is 'n maatskappy of ander regspersoon wat—
- (a) teen vergoeding vir iemand anders, hetsy 'n natuurlike persoon of 'n regspersoon, enige soort werk wat kragtens artikel 7 (3) (c) vir professionele ingenieurs gereserveer is, doen of deur enige persoon, hetsy as 'n professionele ingenieur gere-gistreer of nie, laat doen; of
- 30 (b) homself voordoen as of hom op enige wyse hoe-genaamd uitgee of toelaat dat hy uitgegee word vir 'n maatskappy of ander regspersoon wat enige soort werk doen wat kragtens artikel 7 (3) (c) vir professionele ingenieurs gereserveer is, of enige naam, titel, beskrywing of simbool gebruik wat aandui of daarop bereken is om die indruk by persone te wek dat hy 'n maatskappy of ander regspersoon is wat enige soort werk doen wat aldus vir professionele ingenieurs gereserveer is,
- 35 aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens duisend rand.”; en
- 40 (f) deur in subartikel (2) die woorde wat paragraaf (a) voorafgaan en paragraaf (a) deur die volgende woorde en paragraaf te vervang:
- 45 „(2) Onderworpe daaraan dat die Minister se vooraf-gaande goedkeuring verkry word, word die bepalinge van hierdie artikel nie so uitgelê dat dit—
- 50 (a) 'n Staatsminister, Administrateur of beampte belas met die uitvoering van 'n wet belet om iemand wat nie kragtens hierdie Wet as 'n professionele ingenieur geregistreer is nie, as ingenieur ten opsigte van of vir werk wat vir die doeleindes van daardie wet onderneem moet word, aan te stel, of sy aanstelling as sodanig te magtig of goed te keur nie, indien na die oordeel van sodanige Minister, Administrateur of beampte 'n aldus geregi-streerde persoon nie geredelik beskikbaar is nie of indien, met die oog op die aard of omvang van die betrokke werk of ander omstandighede in bedoelde wet beoog, die aanstelling van 'n aldus geregis-treerde persoon nie geregverdig is nie; of”.
- 55 (2) Paragraaf (e) van subartikel (1) tree in werking op 'n datum wat die Staatspresident by proklamasie in die *Staatskoerant* bepaal.
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## Act No. 77, 1979

## PROFESSIONAL ENGINEERS' AMENDMENT ACT, 1979.

Amendment of  
section 22 of  
Act 81 of 1968,  
as amended by  
section 8 of  
Act 52 of 1972.

## 19. Section 22 of the principal Act is hereby amended—

- (a) by the substitution in subsection (1) for the words preceding paragraph (a), and paragraph (a), of the following words and paragraph:

“(1) Any person registered as **[an engineer]** a professional engineer or as an engineer in training, as the case may be, shall be guilty of improper conduct if he—

- (a) except with the consent of the council or except in terms of any exemption granted in terms of this Act or the regulations, knowingly entrusts to any person not registered as **[an engineer]** a professional engineer work of a kind reserved for professional engineers in terms of section 7 (3) (c); or”;
- (b) by the substitution in the Afrikaans text for paragraph (e) of the said subsection (1) of the following paragraph:
- “(e) ’n kriminele misdryf begaan in die loop van die uitoefening van sy **[beroep]** professie; of”;
- (c) by the substitution for subsection (4) of the following subsection:

“(4) Whenever in the course of any proceedings before any court of law or in the course of an investigation in terms of any law it appears to the court or to the person in charge of the investigation, as the case may be, that there is *prima facie* evidence of improper or disgraceful conduct on the part of a professional engineer or an engineer in training, or conduct which, regard being had to the profession **[or calling]** of an engineer, is improper or disgraceful, the court or the person in charge of the investigation, as the case may be, shall direct that a copy of the record of the proceedings or the investigation or such part thereof as is material to the issue, be transmitted to the council.”.

Amendment of  
section 23 of  
Act 81 of 1968.

## 20. Section 23 of the principal Act is hereby amended by the substitution in subsection (1) for the words preceding the first proviso of the following words:

“(1) The council shall have the power to enquire into cases of improper conduct of which a person who is registered as **[an engineer]** a professional engineer or as an engineer in training is alleged to have been guilty while so registered and to impose in respect thereof any punishment prescribed under section 26 (1) (g):”.

Amendment of  
section 25 of  
Act 81 of 1968.

## 21. Section 25 of the principal Act is hereby amended—

- (a) by the substitution for subsection (1) of the following subsection:

“(1) Whenever it appears to the council from information on oath that any person registered as **[an engineer]** a professional engineer has become of unsound mind to such an extent that it would be contrary to the public welfare to allow him to continue in practice, the council may, if it deems fit, hold an enquiry *mutatis mutandis* in accordance with the provisions of section 24 in respect of such person.”;

- (b) by the substitution in the Afrikaans text for subsection (2) of the following subsection:

“(2) Indien die raad bevind dat sodanige persoon aldus in sy geestesvermoë gekrenk geraak het, kan die raad vir ’n vasgestelde tydperk die skorsing van sodanige persoon in sy **[beroep]** professie as professionele ingenieur beveel.”.

Amendment of  
section 26 of  
Act 81 of 1968,  
as amended by  
section 9 of  
Act 52 of 1972.

## 22. Section 26 of the principal Act is hereby amended—

- (a) by the substitution for paragraph (b) of subsection (1) of the following paragraph:

“(b) as to the calling of and procedure and quorum at meetings of the council or of a committee of the

## WYSIGINGSWET OP PROFESSIONELE INGENIEURS, 1979.

## Wet No. 77, 1979

## 19. Artikel 22 van die Hoofwet word hierby gewysig—

Wysiging van  
artikel 22 van  
Wet 81 van 1968,  
soos gewysig deur  
artikel 8 van  
Wet 52 van 1972.

(a) deur in subartikel (1) die woorde wat paragraaf (a) voorafgaan en paragraaf (a) deur die volgende woorde en paragraaf te vervang:

5 „(1) Iemand wat as 'n professionele ingenieur of 'n ingenieur-in-opleiding, na gelang van die geval, geregi-

streer is, is skuldig aan onbehoorlike gedrag as hy—

10 (a) behalwe met die toestemming van die raad, of behalwe ingevolge enige vrystelling verleen kragtens hierdie Wet of die regulasies, wetenskap van 'n soort wat vir professionele ingenieurs gereserveer is kragtens artikel 7 (3) (c), aan 'n persoon opdra wat nie as 'n professionele ingenieur geregi-

streer is nie; of”;

15 (b) deur paragraaf (e) van genoemde subartikel (1) deur die volgende paragraaf te vervang:

„(e) 'n kriminele misdryf begaan in die loop van die uitoefening van sy **[beroep]** professie; of”;

20 (c) deur subartikel (4) deur die volgende subartikel te vervang:

25 „(4) Wanneer dit gedurende verrigtinge in 'n geregs-  
hof of gedurende 'n ondersoek ingevolge 'n wet aan die  
hof of aan die persoon in beheer van die ondersoek, na  
gelang van die geval, blyk dat daar *prima facie*-getuie-  
nis is van onbehoorlike of skandelige gedrag van die kant  
van 'n professionele ingenieur of 'n ingenieur-  
in-opleiding, of gedrag wat, met die oog op die professie  
30 **[of beroep]** van 'n ingenieur, onbehoorlik of skandelik  
is, gelas die hof of die persoon in beheer van die  
ondersoek, na gelang van die geval, dat 'n afskrif van  
die notule van die verrigtinge of die ondersoek of  
daardie gedeelte daarvan wat op die saak betrekking het,  
aan die raad gestuur word.”

35 20. Artikel 23 van die Hoofwet word hierby gewysig deur in subartikel (1) die woorde wat die eerste voorbehoudsbepaling voorafgaan deur die volgende woorde te vervang:

Wysiging van  
artikel 23 van  
Wet 81 van 1968.

40 „(1) Die raad is bevoeg om ondersoek in te stel na gevalle van onbehoorlike gedrag waaraan iemand wat as 'n professionele ingenieur of as 'n ingenieur-in-opleiding geregi-  
streer is, hom na bewering skuldig gemaak het terwyl hy  
aldus geregistreer was en om ten opsigte daarvan enige straf  
op te lê wat ingevolge artikel 26 (1) (g) voorgeskryf is.”

## 21. Artikel 25 van die Hoofwet word hierby gewysig—

Wysiging van  
artikel 25 van  
Wet 81 van 1968.

45 (a) deur subartikel (1) deur die volgende subartikel te vervang:

50 „(1) Wanneer dit uit beëdigde inligting vir die raad blyk dat 'n persoon wat as 'n professionele ingenieur geregistreer is, in sy geestesvermoë in so 'n mate gekrenk geraak het dat dit in stryd met die openbare welsyn sou wees om hom toe te laat om aan te hou praktiseer, kan die raad na goeë dunnke ten opsigte van sodanige persoon 'n ondersoek instel *mutatis mutandis* ooreenkomstig die bepalings van artikel 24.”;

55 (b) deur subartikel (2) deur die volgende subartikel te vervang:

60 „(2) Indien die raad bevind dat sodanige persoon aldus in sy geestesvermoë gekrenk geraak het, kan die raad vir 'n vasgestelde tydperk die skorsing van sodanige persoon in sy **[beroep]** professie as profes-  
sionele ingenieur beveel.”

## 22. Artikel 26 van die Hoofwet word hierby gewysig—

Wysiging van  
artikel 26 van  
Wet 81 van 1968,  
soos gewysig deur  
artikel 9 van  
Wet 52 van 1972.

65 (a) deur paragraaf (b) van subartikel (1) deur die volgende paragraaf te vervang:

„(b) aangaande die byeenroeping van en die prosedure en kworum by vergaderings van die raad of van 'n



## Act No. 77, 1979

## PROFESSIONAL ENGINEERS' AMENDMENT ACT, 1979.

- council or of **[an]** the education advisory committee;";
- (b) by the deletion of paragraph (c) of the said subsection (1);
- (c) by the substitution in the Afrikaans text for paragraph 5  
(e) of the said subsection (1) of the following paragraph:  
“(e) wat reëls voorskryf waaraan professionele ingenieurs en ingenieurs-in-opleiding, na gelang van die geval, moet voldoen by die beoefening van hul **[beroep]** professie;”; 10
- (d) by the substitution for paragraph (g) of the said subsection (1) of the following paragraph:  
“(g) prescribing the method of enquiry into allegations of improper conduct and the punishments, including fines, removal from the register, temporary or permanent disqualification from registration or suspension from practice for such period as the council may determine, which may be imposed in respect thereof, and as to the mitigation of any such punishment so imposed;”; and 20
- (e) by the substitution for paragraph (hA) of the said subsection (1) of the following paragraph:  
“(hA) as to the investigations or enquiries that may be made or instituted by the council for the purpose of the evaluation of examinations with a view to recognition in terms of section 18 (2) (b) and (6) (c) (ii), and the procedure to be observed in connection therewith;”. 25

Substitution of section 28 in Afrikaans text of Act 81 of 1968.

23. The following section is hereby substituted in the Afrikaans text for section 28 of the principal Act: 30

„Regstelling van foute.

28. Waar enigiets wat ooreenkomstig die bepalings van hierdie Wet op of voor 'n vermelde dag of op 'n vermelde tyd of gedurende 'n vermelde tydperk gedoen of uitgevoer moet word, nie aldus gedoen of uitgevoer is nie, kan die Minister, indien hy oortuig is dat die versuim te wyte was aan 'n fout of vergissing, en dat dit in die belang van die **[ingenieursberoep]** ingenieursprofessie is om dit te doen, magtiging daarvoor verleen dat so iets gedoen of uitgevoer kan word op of voor 'n ander dag of op 'n ander tyd of gedurende 'n ander tydperk wat hy aandui, en enigiets aldus gedoen of uitgevoer is van volle krag en word geag wettiglik gedoen of uitgevoer te gewees het ooreenkomstig die bepalings van hierdie Wet.”. 40

Insertion of section 30A in Act 81 of 1968.

24. The following section is hereby inserted in the principal Act after section 30: 45

“Establishment of boards of control in respect of certain professions.

30A. (1) If the council—

- (a) has received an application in writing from any body of persons which in the opinion of the council is representative of persons exercising any profession in performing any work related or allied to any kind of work reserved for professional engineers under section 7 (3) (c), for the establishment of a board of control in respect of such profession; 50
- (b) is satisfied that it is in the public interest that a board of control be established in respect of any such profession or in respect of two or more of such professions, so as to promote high standards of education, training and conduct in relation to any such profession; and 55
- (c) is satisfied that the majority of the persons exercising any such profession is in favour of the establishment of a board of control in respect of such profession, 60

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## WYSIGINGSWET OP PROFESSIONELE INGENIEURS, 1979.

Wet No. 77, 1979

- komitee van die raad of van **['n adviserende komitee]** die adviserende onderwyskomitee;";
- (b) deur paragraaf (c) van genoemde subartikel (1) te skrap;
- (c) deur paragraaf (e) van genoemde subartikel (1) deur die volgende paragraaf te vervang:
- 5 „(e) wat reëls voorskryf waaraan professionele ingenieurs en ingenieurs-in-opleiding, na gelang van die geval, moet voldoen by die beoefening van hul **['beroep]** profesie;";
- (d) deur paragraaf (g) van genoemde subartikel (1) deur die volgende paragraaf te vervang:
- 10 „(g) wat die metode waarvolgens beweerde onbehoorlike gedrag ondersoek moet word en die strawwe, met inbegrip van boetes, skapping van die register, tydelike of permanente onbevoegdverklaring vir registrasie of skorsing van praktyk vir 'n tydperk wat die raad vasstel, wat ten opsigte daarvan opgelê mag word, voorskryf, en aangaande die versagting van so 'n straf wat aldus opgelê is;";
- 15 en
- (e) deur paragraaf (hA) van genoemde subartikel (1) deur die volgende paragraaf te vervang:
- 20 „(hA) aangaande die ondersoeke of navraag wat deur die raad gedoen of ingestel kan word met die doel om die waarde van eksamens te bepaal met die oog op erkenning ingevolge artikel 18 (2) (b) en (6) (c) (ii), en die prosedure wat in verband daarmee nagekom moet word;";
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23. Artikel 28 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van artikel 28 van Wet 81 van 1968.

- „Regstelling van foute. 28. Waar enigiets wat ooreenkomstig die bepalings van hierdie Wet op of voor 'n vermelde dag of op 'n vermelde tyd of gedurende 'n vermelde tydperk gedoen of uitgevoer moet word, nie aldus gedoen of uitgevoer is nie, kan die Minister, indien hy oortuig is dat die versuim te wyte was aan 'n fout of vergissing, en dat dit in die belang van die **['ingenieursberoep]** ingenieursprofesie is om dit te doen, magtiging daarvoor verleen dat so iets gedoen of uitgevoer kan word op of voor 'n ander dag of op 'n ander tyd of gedurende 'n ander tydperk wat hy aandui, en enigiets aldus gedoen of uitgevoer, is van volle krag en word geag wettiglik gedoen of uitgevoer te gewees het ooreenkomstig die bepalings van hierdie Wet.”
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24. Die volgende artikel word hierby in die Hoofwet na artikel 30 ingevoeg:

Invoeging van artikel 30A in Wet 81 van 1968.

- „Instelling van beheerraad ten opsigte van sekere professies. 30A. (1) Indien die raad—
- (a) 'n skriftelike aansoek ontvang het van 'n liggaam van persone wat volgens die oordeel van die raad verteenwoordigend is van persone wat by die verrigting van werk wat verband hou met of verwant is aan enige soort werk wat kragtens artikel 7 (3) (c) vir professionele ingenieurs gereserveer is, 'n profesie uitoefen, om die instelling van 'n beheerraad ten opsigte van sodanige profesie;
- (b) oortuig is dat dit in die openbare belang is dat 'n beheerraad ingestel word ten opsigte van so 'n profesie of ten opsigte van twee of meer sodanige professies, ten einde 'n hoë peil van onderrig, opleiding en gedrag met betrekking tot so 'n profesie te bevorder; en
- (c) oortuig is dat die meerderheid van die persone wat so 'n profesie uitoefen, ten gunste is van die instelling van 'n beheerraad ten opsigte van sodanige profesie,
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it may make a recommendation to the Minister that a board of control be established in respect of such profession or professions.

(2) The Minister may, after having received a recommendation mentioned in subsection (1), by notice in the *Gazette* establish a board of control in respect of the profession or professions to which such recommendation relates.

(3) The Minister may, after consultation with the council, make regulations—

- (a) as to the constitution of a board of control;
- (b) as to the procedure to be followed in connection with the appointment of the members of a board of control;
- (c) as to the requirements with which a person shall comply to be appointed as a member of a board of control, when a member of a board of control shall vacate his office as such, and the term of office for which a person shall be appointed as a member of a board of control;
- (d) as to the determination of the requirements with which a person shall comply for registration by a board of control and to remain so registered, the registration of persons by a board of control, the determination of the fees payable in respect of such registration and of the annual fees payable in respect of such registration, the keeping of a register of persons so registered, the cancellation of such registration, and any other functions of a board of control;
- (e) as to the establishment and constitution of an Education Advisory Committee and other committees for a board of control;
- (f) as to the calling of and procedure and quorum at meetings of a board of control or of a committee of a board of control or of the Education Advisory Committee of a board of control;
- (g) prescribing rules with which persons registered by a board of control shall comply in exercising their profession;
- (h) prescribing conduct on the part of a person registered by a board of control which shall constitute improper conduct;
- (i) prescribing the method of inquiry by a board of control into allegations of improper conduct and the punishments which may be imposed in respect thereof, including fines, removal from the register and temporary or permanent disqualification from registration, and as to the mitigation by a board of control of any such punishment so imposed by it;
- (j) as to, generally, all matters which he considers it necessary or expedient to prescribe in order that the purposes of this section may be achieved.

(4) Regulations relating to the constitution of a board of control shall provide for the appointment to it by the Minister of—

- (a) not more than two persons by reason of their experience in engineering instruction;
- (b) not more than four persons with experience in engineering, of whom at least two shall be in the service of the State;
- (c) one person designated by the council;
- (d) a number of persons nominated by any body or bodies of persons referred to in subsection (1) (a), and being at least one more in number than

## WYSIGINGSWET OP PROFESSIONELE INGENIEURS, 1979.

Wet No. 77, 1979

kan hy 'n aanbeveling by die Minister doen dat 'n beheerraad ten opsigte van sodanige professie of professies ingestel word.

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(2) Die Minister kan, nadat hy 'n aanbeveling in subartikel (1) vermeld, ontvang het, by kennisgewing in die *Staatskoerant* 'n beheerraad instel ten opsigte van die professie of professies waarop die aanbevelings betrekking het.

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(3) Die Minister kan, na oorlegpleging met die raad, regulasies uitvaardig—

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(a) aangaande die samestelling van 'n beheerraad;

(b) aangaande die prosedure wat gevolg moet word in verband met die aanstelling van die lede van 'n beheerraad;

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(c) aangaande die vereistes waaraan 'n persoon moet voldoen om as 'n lid van 'n beheerraad aangestel te word, wanneer 'n lid van 'n beheerraad sy amp as sodanig moet ontruim, en die dienstermyn waarvoor 'n persoon as lid van 'n beheerraad aangestel word;

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(d) aangaande die bepaling van die vereistes waaraan 'n persoon moet voldoen om deur 'n beheerraad geregistreer te word en aldus geregistreer te bly, die registrasie van persone deur 'n beheerraad, die bepaling van die gelde wat ten opsigte van sodanige registrasie betaalbaar is en van die jaargelde betaalbaar ten opsigte van sodanige registrasie, die hou van 'n register van persone aldus geregistreer, die kansellering van sodanige registrasie, en enige ander werksaamhede van 'n beheerraad;

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(e) aangaande die instelling en samestelling van 'n Adviserende Onderwyskomitee en ander komitees vir 'n beheerraad;

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(f) aangaande die byeenroeping van en die prosedure en kworum op vergaderings van 'n beheerraad of van 'n komitee van 'n beheerraad of van die Adviserende Onderwyskomitee van 'n beheerraad;

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(g) wat reëls voorskryf waaraan persone wat deur 'n beheerraad geregistreer is, moet voldoen by die beoefening van hul professie;

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(h) wat gedrag voorskryf wat onbehoorlike gedrag vir 'n persoon wat deur 'n beheerraad geregistreer is, uitmaak;

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(i) wat die metode waarvolgens beweerde onbehoorlike gedrag deur 'n beheerraad ondersoek moet word en die straffe wat ten opsigte daarvan opgelê mag word, met inbegrip van boetes, skapping uit die register en tydelike of permanente onbevoegdverklaring vir registrasie, voorskryf, en aangaande die versagting deur 'n beheerraad van so 'n straf aldus deur hom opgelê;

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(j) aangaande, in die algemeen, alle aangeleenthede wat hy nodig of raadsaam ag om voor te skryf ten einde die doelstellings van hierdie artikel te bereik.

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(4) Regulasies aangaande die samestelling van 'n beheerraad moet voorsiening maak vir die aanstelling daarin deur die Minister van—

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(a) hoogstens twee persone op grond van hul ervaring in onderrig in ingenieurswese;

(b) hoogstens vier persone met ervaring in ingenieurswese, van wie minstens twee in diens van die Staat moet wees;

(c) een persoon deur die raad aangewys;

(d) 'n aantal persone wat genomineer is deur 'n liggaam of liggame van persone in subartikel (1)

(a) bedoel en wat minstens een meer in getal is

## Act No. 77, 1979

## PROFESSIONAL ENGINEERS' AMENDMENT ACT, 1979.

the total number of persons appointed in terms of paragraphs (a), (b) and (c) of this subsection.

(5) (a) A board of control shall report to the council on any matter affecting the profession or professions in respect of which such board of control has been established, and on any matter referred to it by the council. 5

(b) No matter relating to a board of control shall be decided upon by the council unless such matter has first been referred to such board of control for consideration and report to the council. 10

(6) When a report referred to in subsection (5) is considered by the council, the chairman of the board of control in question may be present at the meeting at which such report is considered by the council and shall have the right to address the council concerning any matter dealt with in such report and to vote if any vote is taken at such meeting in respect of such matter and shall have all the privileges and duties of a member of the council attending such meeting. 15 20

(7) A board of control may make representations, through the council, as to the making, amendment or withdrawal of any regulation referred to in subsection (3) in relation to such board of control.

(8) Subject to the provisions of subsection (3), no regulation relating to any board of control shall be made, amended or withdrawn otherwise than at the request of such board of control." 25

Substitution of section 31 of Act 81 of 1968.

25. The following section is hereby substituted for section 31 of the principal Act: 30

"Exemption from operation of provisions of Act.

31. (1) The Minister may, after consultation with the council, by notice in the *Gazette* and subject to such conditions as he may determine, exempt any person, including any company or other juristic person or class of such persons specified in the notice, either generally or under such circumstances as may be specified in the notice and either indefinitely or for such period as may be so specified, from the operation of any or all of the provisions of this Act. 35

(2) Before any provision relating to section 21 (1A) 40 is made under subsection (1) of this section, a notice setting forth the proposed provision shall be published by the Minister in the *Gazette* together with a notice intimating that it is proposed to make such provision under subsection (1) of this section within a stated period, but not less than four weeks as from the date of such publication, and inviting interested persons to submit any objections to or representations concerning the proposed provision: Provided that if the Minister thereafter decides on any alteration in the provision published as aforesaid as a result of any objections or representations submitted in respect thereof, it shall not be necessary to publish such alteration before finally making the provision under subsection (1) of this section. 45 50 55

[(2)] (3) The Minister may at any time by notice in the *Gazette* amend or repeal any notice issued [in terms of this section] under subsection (1)." 55



## WYSIGINGSWET OP PROFESSIONELE INGENIEURS, 1979.

Wet No. 77, 1979

- as die totale aantal persone ingevolge paragrawe (a), (b) en (c) van hierdie subartikel aangestel.
- (5) (a) 'n Beheerraad moet aan die raad verslag doen oor enige aangeleentheid rakende die professie of professies ten opsigte waarvan sodanige beheerraad ingestel is, en oor enige aangeleentheid wat deur die raad na hom verwys word.
- (b) Die raad beslis oor geen aangeleentheid met betrekking tot 'n beheerraad nie tensy sodanige aangeleentheid eers na die betrokke beheerraad vir oorweging en verslag aan die raad verwys is.
- (6) Wanneer 'n in subartikel (5) bedoelde verslag deur die raad oorweeg word, kan die voorsitter van die betrokke beheerraad die vergadering van die raad bywoon waarop die verslag deur die raad oorweeg word, en het hy die reg om die raad toe te spreek oor enige aangeleentheid wat in sodanige verslag behandel word en om 'n stem uit te bring indien enige sodanige aangeleentheid op die vergadering tot stemming gebring word, en het hy al die voorregte en verpligtinge van 'n lid van die raad wat die vergadering bywoon.
- (7) 'n Beheerraad kan deur die raad vertoë rig in verband met die uitvaardiging, wysiging of intrekking van enige regulasie in subartikel (3) bedoel wat betrekking het op die beheerraad.
- (8) Behoudens die bepalinge van subartikel (3) word geen regulasie wat betrekking het op 'n beheerraad uitgevaardig, gewysig of ingetrek nie, behalwe op versoek van die beheerraad."

30 25. Artikel 31 van die Hoofwet word hierby deur die volgende artikel vervang:

Vervanging van  
artikel 31 van  
Wet 81 van 1968.

„Vrystelling  
van  
toepassing  
van  
35 bepalinge  
van Wet.

31. (1) Die Minister kan, na oorlegpleging met die raad, by kennisgewing in die *Staatskoerant* en onderworpe aan die voorwaardes wat hy bepaal, 'n in die kennisgewing vermelde persoon, met inbegrip van 'n maatskappy of ander regs persoon of klas sodanige persone, of in die algemeen of onder die omstandighede wat in die kennisgewing vermeld word en of vir 'n onbepaalde tydperk of vir die tydperk wat aldus vermeld word, van die toepassing van enige van of al die bepalinge van hierdie Wet vrystel.

(2) Voordat voorsiening kragtens subartikel (1) van hierdie artikel met betrekking tot artikel 21 (1A) gemaak word, word 'n kennisgewing waarin die voorgestelde voorsiening uiteengesit word, deur die Minister in die *Staatskoerant* gepubliseer, tesame met 'n kennisgewing ten effekte dat dit die voorneme is om sodanige voorsiening kragtens subartikel (1) van hierdie artikel binne 'n bepaalde tydperk, maar minstens vier weke vanaf die datum van bedoelde publikasie, te maak en dat belanghebbendes uitgenooi word om besware teen of vertoë aangaande die voorgestelde voorsiening voor te lê. Met dien verstande dat indien die Minister daarna op 'n verandering van die soos voormeld gepubliseerde voorsiening besluit as gevolg van besware of vertoë ten opsigte daarvan voorgelê, dit nie nodig is om sodanige verandering te publiseer voordat die voorsiening uiteindelik kragtens subartikel (1) van hierdie artikel gemaak word nie.

【(2)】(3) Die Minister kan te eniger tyd by kennisgewing in die *Staatskoerant* 'n kragtens **hierdie artikel** subartikel (1) uitgevaardigde kennisgewing wysig of intrek."

## Act No. 77, 1979

## PROFESSIONAL ENGINEERS' AMENDMENT ACT, 1979.

Insertion of  
section 31A in  
Act 81 of 1968.

26. The following section is hereby inserted in the principal Act after section 31:

"Performance  
of certain  
functions  
outside the  
Republic.

**31A.** If the Government of the Republic and the government of any territory which was formerly part of the Republic agree thereto and a law of such territory provides therefor—

- (a) the council, the education advisory committee and the Minister may perform in respect of persons and matters in the said territory the same functions as they could so have performed in the Republic in terms of this Act; and
- (b) the provisions of this Act shall apply *mutatis mutandis* in the said territory in respect of the registration of any person as a professional engineer or an engineer in training and the rights, duties and obligations of any person so registered as a professional engineer or an engineer in training."

Short title.

27. This Act shall be called the Professional Engineers' Amendment Act, 1979.

## WYSIGINGSWET OP PROFESSIONELE INGENIEURS, 1979.

Wet No. 77, 1979

26. Die volgende artikel word hierby in die Hoofwet na artikel 31 ingevoeg:

Invoeging van  
artikel 31A in  
Wet 81 van 1968.

- „Verrigting  
van sekere  
werksaamhede  
5 buite die  
Republiek.
- 31A. Indien die Regering van die Republiek en die regering van 'n gebied wat voorheen deel van die Republiek was, daartoe ooreenkom en 'n wet van sodanige gebied daarvoor voorsiening maak—
- 10 (a) kan die raad, die adviserende onderwyskomitee en die Minister ten opsigte van persone en aangeleenthede in genoemde gebied dieselfde werksaamhede verrig as wat hulle ingevolge hierdie Wet in die Republiek aldus sou kon verrig; en
- 15 (b) is die bepalings van hierdie Wet *mutatis mutandis* van toepassing in genoemde gebied ten opsigte van die registrasie van iemand as 'n professionele ingenieur of 'n ingenieur-in-opleiding en die regte, pligte en verpligtings van iemand aldus as 'n professionele ingenieur of 'n ingenieur-in-opleiding geregistreer.”

20 27. Hierdie Wet heet die Wysigingswet op Professionele Kort titel.  
Ingenieurs, 1979.

