



**SOUTH AFRICAN COUNCIL  
FOR THE  
LANDSCAPE ARCHITECTURAL PROFESSION**

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**FOR IMPLEMENTATION**

**Effective as of 1 April 2016**

**NEW REGISTRATION (SPECIFIED) CATEGORIES  
RULES ON ESTABLISHMENT PROCESS**

**FOR THE  
SOUTH AFRICAN COUNCIL FOR THE  
LANDSCAPE ARCHITECTURAL PROFESSION  
(SACLAP)**

The South African Council for the Landscape Architectural Profession has, under Section 18 c, of the Landscape Architectural Profession Act, Act No. 45 of 2000) determined the registration routes, criteria and processes for specified categories

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## SCHEDULE OF AMENDMENTS

Document	Revision No.	Date	Ratification	Amendment
New Registration (Specified) Categories Policy	0	September 2015		Draft for committee comment
New Registration (Specified) Categories Policy	1	November 2015		Draft for Council ratification based on committee inputs
New Registration (Specified) Categories Policy	2	March 2016		Prepared for Implementation
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### Definitions

- 1.1 “Specified category”** means a category of registration created for persons who must be licensed through the Landscape Architectural Profession Act or a combination of the Landscape Architectural Act and external legislation as having specific competencies related to an identified need to protect the public safety, health and interest or the environment, in relation to a landscape activity.

While this document interchangeably refers to “license” and “registration”, the difference in meaning may not be clear on first reading, and requires some explanation:

- 1.2 “Licence”** is an entitlement by law granted to persons who meet relevant standards of competence to take defined responsibilities or to perform defined functions. A licence is not perpetual and may be withdrawn resulting from a contravention of a law or the code of conduct.”

**“Registration”** - The same definition can be used as in “Licence”. However, in terms of the Landscape Architectural Profession Act, a person who is compelled to register before being permitted to perform identified work is in effect awarded a *licence*. In other cases, where work has not been identified, a person performing such work may still apply for registration – in which case registration does not constitute a licence. Furthermore, a licence may be granted under the authority of another Act which requires that a person must be registered with SACLAP (in a specified category) before being permitted to perform work regulated by that Act.

Therefore, in the context of the Landscape Architectural Professions Act, the word **“licence”** will always imply **“registration”**, but conversely, **“registration”** will not necessarily imply a **“licence”**.

- 1.3 “landscape”** means all visible aspects perceived across a large area of land; natural and cultural elements including landform, surface texture, plants, structures, buildings etc.; (verb) to improve the performance of an area by changing (enhancing / altering / modifying) the design through ‘hard’ landscaping: incorporating earth shaping, drainage, retaining systems, paving surfaces, lightweight structures (e.g. pergolas), walls, fences, seating, signage, and lighting, etc., AND ‘soft’ landscaping: incorporating trees, shrubs and groundcovers. Landscape also concerns the siting, orientation, massing and placement of buildings, structures, footways, roadways, waterways, bridges etc. to guide and inform architectural and civil engineering decisions (site-planning).

## 1. INTRODUCTION

The South African Council for the Landscape Architectural Profession (SACLAP) and government encourage applicants to attain the highest possible category of professional registration. The SACLAP has identified various options and processes in order for as many persons to be able to register with the SACLAP as possible.

The implications of compulsory registration contemplated in the Landscape Architectural Profession Act, Act 45 of 2000, where clear provision is made for landscape architectural professionals (Section 18 a and b), brings about the need for an enabling provision to widen the scope beyond the original intent – without compromising any legal principle. Provision for such is made in Section 18 c.

To this end the definitions and content of this document have been drafted to allow some flexibility for SACLAP to establish categories of registration not necessarily anticipated at first so as to achieve other objectives contained in the Act, but for which no specific enabling provision had been made.

## 2. CRITERIA FOR ESTABLISHING A SPECIFIED CATEGORY

The establishment of a specified category must conform to the following criteria:

- 2.1 A specified category may be established when there is an identified need to:
  - Protect public safety, health and interests;
  - Protect the environment;
  - Promote competent performance in specified areas of landscape related work.
- 2.2 The justification for a specified category may arise from:
  - An existing legislative requirement;
  - A need to ensure accountability among all practitioners in a specific area;
  - A need identified for regulation in an industry in the absence of specific legislation.
- 2.3 The nature of functions performed by the practitioners must have significant landscape related content and be sufficiently different from functions already being performed by individuals of existing registration categories.
- 2.4 The principle of inclusivity is an important consideration. To this end, the functions of the practitioner in each specified category must be defined in terms of the required assessable competencies and underpinning knowledge. Education and training providers can then design programmes to provide progression.
- 2.5 The need for the **licensing** of these practitioners, through registration by means of either external legislation or through the Landscape Architectural Profession Act, must not only be accepted by the stakeholders of the particular industry, but also be desirable, feasible and sustainable (in terms numbers of practitioners).
- 2.6 SACLAP's pursuit of these principles will be guided by the needs expressed by the majority of stakeholders in a particular industry/sector, tempered by the principles expounded in this document.

## 3. PROCESS FOR ESTABLISHING A SPECIFIED CATEGORY

The development of new registration categories involves the following stages:

- 3.1 Stakeholders raise their needs in a series of meetings with the Registrar and associated committee(s) such as Professional Practice and Registration. Stakeholders are typically a state department, an industry sector, a SETA, a standards body, a qualifications authority, a professional body, a provider or an individual.

Discussions are held as appropriate and a written outline proposal is formulated. The outline proposal should examine whether the initiative falls within the ambit of SACLAP's vision and statutory empowerment.

A task team consisting of SACLAP Council members and stakeholder representatives is formed for the sole purpose of bringing about the proposed new category of registration.

- 3.2 The task team facilitates the development of a feasibility study by stakeholders and notifies the Professional Practice committee accordingly. The feasibility study should address the following issues:
- a. The potential impact of the development on public safety, health and interests, protection of the environment.
  - b. Existing standards relating to practitioners qualifications, landscape related work and taking of responsibility.
  - c. An indication of the work that needs to be identified in that category.
  - d. The need for enhanced or new standards, if any.
  - e. Existing and new statutory requirements under the relevant Acts, for purposes of licensing.
  - f. The procedures required to support the application of the standards.
  - g. The external and internal stakeholders in the development.
  - h. The role of the initiative in terms of national development, transformation and the bringing about of a competitive industry.
  - i. Any overlaps, no matter how small with other professions such as services rendered, core competencies etc.
  - j. The potential numbers of practitioners who could be registered.
  - k. The development effort and an outline programme of such.
  - l. Funding requirements for the development stage.
  - m. Sources of funding, either external or through SACLAP investing its own resources. In the latter case, the future income as a result of the development must be projected.
- 3.3 The stakeholders present their proposal to the Professional Practice committee for initial evaluation against the criteria as set out in item 3.2 above.
- 3.4 The feasibility study and recommendation from the Professional Practise Committee are submitted to Council or the Executive Committee for consideration and decision on whether or not to proceed with the actual development work.
- 3.5 The Council appoints a Steering Committee representing all the stakeholders to develop the following:
- Stage 1 (educational) and stage 2 (registration) standards;
  - Policies incorporating proposed structures, functions and processes;
  - Rules incorporating proposed structures, functions, processes and identified work.
- 3.6 The Steering Committee submits the stage 1 and stage 2 standards, policies and rules for comment to the Education and Registration Committees.
- 3.7 The standards and rules are then submitted to Council/Executive Committee for the approval of the new category.
- 3.8 Draft rules are published in the Government Gazette for general comment.
- 3.9 The Council finally approves and implements the new system.
- 3.10 The Council reviews and maintains the system. Once standards and procedures are in operation, the Steering Committee is dissolved and the Professional Practise Committee is charged with the following duties:
- Receives periodic reports on the application of the standards and the operation of the procedures from the responsible committees.
  - Undertakes reviews of standards at defined intervals.
  - Responds to ad hoc requests for minor and major changes.

#### 4. COSTING

The development of new registration categories is an extensive process that requires a significant amount of resources. Notwithstanding the issue of cost as stated in 3.2, a cost and income projection for both the feasibility and the development stage is to be established and the costs apportioned, by agreement between the parties.