

ARCHITECTS AND QUANTITY SURVEYORS

Architects' and Quantity Surveyors' Act 13 of 1979.

Summary: This Act provides for the establishment of a Namibia Council for Architects and Quantity Surveyors, and for the registration of persons in these professions. It was brought into operation by AG 36/1979 and AG 10/1983 (section 13(1)(b)).

Amendments: The application of the Act is affected by AG GN 69/1989 and AG GN 79/1989. Act 11/1992 amends sections 1, 2, 3, 11, and 25, and substitutes certain words and expressions and the long title of the Act to make it consistent with an independent Namibia.

Regulations: Minimum fees are contained in GN 250/1998 (GG 1968), as amended by GN 221/2003 (GG 3082), which provides that architects shall be remunerated for their standard services at a fee calculated as a percentage of the cost of the works, except where the nature of the work renders percentage fees inapplicable. In the latter case the fees shall be calculated on an hourly basis in accordance with Annexure 2 of the Notice. Annexure 2 of the Notice provides for payment on the basis of hourly rates determined by the Namibia Council for Architects and Quantity Surveyors.

GN 232/2009 (GG 4386) provides for the minimum hourly fee as prescribed by the Minister of Works and Transport on the recommendation of the Namibia Council for Architects and Quantity Surveyors.

Note: GN 237/1997 (GG 1741), which covers fees, has not technically been repealed. It was corrected by GN 13/1998 (GG 1796): the words 'per hour' were added after the specified minimum fee of N\$250 to be chargeable by architects and quantity surveyors. GN 156/2002 (GG 2810) repealed GN 13/1998, and probably also intended to repeal GN 237/1997 since it is not useful without the amending provision in GN 13/1998. Furthermore, GN 156/2002 prescribed a new minimum fee on an hourly basis, therefore rendering GN 237/1997 obsolete. The only relevant regulations on this issue would now seem to be contained in GN 232/2009 (GG 4386).

Exemptions from the provisions of section 13 are contained in GN 190/1994 (GG 948). Exemptions from the provisions of sections 11 and 13 in respect of work for the Millennium Challenge Account are contained in GN 12/2009 (GG 4210).

Appointments: The Namibian Council for Architects and Quantity Surveyors is appointed in GN 15/1990 (GG 33), GN 143/1992 (GG 512), GN 61/1993 (GG 662), GN 114/1994 (GG 870), GN 86/1995 (GG 1090), GN 123/1996 (GG 1320), GN 44/1997 (GG 1518), GN 48/1998 (GG 1816), GN 128/1998 (GG 1885), GN 253/1999 (GG 2229), GN 280/1999 (GG 2248), GN 211/2001 (GG 2630), GN 84/2003 (GG 2956), GN 45/2004 (GG 3169), GN 198/2006 (GG 3738), GN 23/2009 (GG 4216) and GN 207/2009 (GG 4357).

See also Namibia Qualifications Authority Act 29 of 1996 (re: occupational standards) (**LABOUR**).