

**DEPARTMENT OF PUBLIC WORKS****NOTICE 319 OF 2017****NOMINATION RULES FOR THE PROPERTY VALUERS PROFESSION, 2017**

The South African Council for the Property Valuers Profession, under section 37 of the Property Valuers Profession Act, 2000, hereby makes the rules in the Schedule.

**SCHEDULE**

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1. Definitions

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**SCHEDULE**

## (Rule 6)

**PART I****Definitions**

1. In these rules any word or expression to which a meaning has been assigned to in the Act shall have that meaning and-
  - (i) “the Act” means the Property Valuers Profession Act, 2000 (Act No. 47 of 2000);
  - (ii) “the Council” means the South African Council for the Property Valuers Profession, established by section 2 of the Property Valuers Profession Act, 2000 (Act No. 47 of 2000);
  - (iii) “the Minister” means the Minister of the Department of Public Works.

## PART II

### NOMINATION PROCEDURE

(Sections 2; 3; 4 and 5)

#### Invitation

2. When the council invites nominations for the appointment of members in accordance with section 4(1) of the Act, such invite shall be done by notice in the *Government Gazette* and any newspaper. Nominees shall exclude candidates.

#### Format

3. A nomination for appointment in terms of section 3(1)(a), (b) or (c) of the Act shall –
  - (a) be in writing;
  - (b) state the name of the person being nominated (hereinafter referred to as “the nominee”);
  - (c) state whether the nomination is being made in respect of section 3(1)(a), (b) or (c) of the Act;
  - (d) in the case of a nominee registered in terms of section 20, read with sections 19 and 43(8) of the Act, state the category in which the nominee is registered, as well as the nominee’s registration number;
  - (e) state –
    - (i) the name of the registered person, voluntary association, educational institution, department or other institution of the State, or member of the public, as the case may be, making the nomination (hereinafter referred to as “the nominator”); and
    - (ii) the nominator’s postal; business; residential and e-mail addresses, as well as his or her telephone and facsimile numbers;
  - (f) be signed by the nominator;
  - (g) be countersigned by the nominee to denote his or her acceptance of the nomination;
  - (h) be accompanied by –
    - (i) a relevant but brief *curriculum vitae* of the nominee, also stating the nominee’s postal, business, residential and e-mail addresses, as well as his or her telephone and facsimile numbers; and
    - (ii) a declaration, signed by the nominee, to the effect that he or she is not disqualified from membership in terms of section 6(1) of the Act; and
  - (i) be submitted by registered post to the Registrar, P O Box 114, MENLYN, 0063, within 60 days from the date of the invitation or notice referred to in section 4(1) of (2) of the Act.

#### Recommendation Panel

4.

- 4.1 When any nomination for members of a new council becomes necessary, the council shall constitute a Recommendation Panel within 30 days of the call for nominations.
- 4.2 The Recommendation Panel shall be constituted as follows:
  - (a) One registered person.

- (b) One registered person with special knowledge of valuation education.
- (c) Two persons from the State nominated by the Director-General of the Department Public Works. At least one of the persons must be registered with the council.
- (d) One person who has legal knowledge of both the Act and the Constitution of the Republic of South Africa.
- (e) Members of the Recommendation Panel may include outgoing council members who do not qualify for re-appointment.

4.3 Directives to Recommendation Panel:

- (a) The council shall identify and inform the Recommendation Panel of council members that are eligible and available for reappointment. The Recommendation Panel should ensure continuity.
- (b) The council has the right to ratify or, with valid reason/s, amend the list of nominees recommended by the Recommendation Panel.
- (c) Persons serving on the Recommendation Panel may not serve on the new council.

4.4 The Recommendation Panel shall consider the following when making recommendations to the council:

4.4.1 The requirements for nominees to be appointed from the profession (registered persons) [Section 3(1)(a)], from the State nominations [(Section 3(1)(b))], and from the public [(Section 3(1)(c))].

4.4.2 The Recommendation Panel shall take into account transformational and, where possible, geographic representivity in its recommendation.

4.4.3 The needs of the council:

The council shall, within 60 (sixty) days of the expiry of the notice of invitation, make its recommendations to the Minister based on recommendations from the Recommendation Panel. The recommendations shall be made with the view to meeting, *inter alia*, the following needs of the new council:

- (a) Persons with knowledge of valuation education and training.
- (b) Persons with knowledge of accreditation of valuation educational programmes.
- (c) Persons with experience in preliminary investigations and enquiries related to alleged improper conduct by registered persons.

- 4.5 The administrative and secretariat assistance required by the Recommendation Panel is to be provided by the council's officials.

### Assessment of Nominations

5.

- 5.1 All nominations received shall be scrutinised by the Registrar firstly to confirm the eligibility of the nominee and compliance with requirements.
- 5.2 The Recommendation Panel shall evaluate each nominee in terms of the council's needs and the requirements of the Act and identify all Nominees who met the requirements.
- 5.3 The Recommendation Panel shall interview the nominees shortlisted for consideration under the public [(Section 3(1)(c))] nominations.
- 5.4 The Recommendation Panel shall by a date determined by the council submit a report to the council containing:
- (i) a list of all nominations received;
  - (ii) a list of nominees recommended;
  - (iii) a reserve list of nominees; and
  - (iv) a list of nominees not eligible and the reasons therefore.

### PART III GENERAL

#### Repeal of rules

6. (1) The rules set out in the Schedule hereinafter are hereby repealed.
- (2) Anything done in terms of a provision repealed by subrule (1), which may be done in terms of a corresponding provision in this rules, shall be deemed to have been done in terms of that corresponding provision.

#### Short title and commencement

7. These Rules shall be called the Nomination Rules for the Property Valuers Profession, 2017, and shall commence on 1 June 2017.

### SCHEDULE (Rule 6)

Short Title	Board Notice	Extent of Repeal
Rules for the Property Valuers Profession, 2008 ("Rules")	Board Notice ("BN") 119 of 21 November 2008, Government <i>Gazette</i> ("GG") 31604	Sections 2 and 3 of PART II