



GOVERNMENT GAZETTE
OF THE
REPUBLIC OF NAMIBIA

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No. 420

CONTENTS

	Page
GOVERNMENT NOTICE	
No. 73 Promulgation of Architects' and Quantity Surveyors' Amendment Act, 1992 (Act 11 of 1992), of the National Assembly	1

Government Notice

OFFICE OF THE PRIME MINISTER

No. 73

1992

**PROMULGATION OF ACT OF
THE NATIONAL ASSEMBLY**

The following Act which has been passed by the National Assembly and signed by the President in terms of the Namibian Constitution is hereby published in terms of Article 56 of that Constitution.

No. 11 of 1992: Architects' and Quantity Surveyors' Amendment Act, 1992.

**ARCHITECTS' AND QUANTITY SURVEYORS'
AMENDMENT ACT, 1992**

EXPLANATORY NOTE:

- _____ Words underlined with solid line indicate insertions in existing enactments.
- [] Words in bold type in square brackets indicate omissions from existing enactments.
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ACT

To amend the Architects' and Quantity Surveyors' Act, 1979, so as to adjust its provisions in view of the independence of Namibia; and to provide for matters incidental thereto.

(Signed by the President on 9 June 1992)

BE IT ENACTED by the National Assembly of the Republic of Namibia, as follows:-

Amendment of section 1 of Act 13 of 1979.

1. Section 1 of the Architects' and Quantity Surveyors' Act, 1979 (hereinafter referred to as the principal Act), is hereby amended -

- (a) by the substitution for the definition of "council" of the following definition:

" 'council' means the [**South West African**] **Namibia** Council for Architects and Quantity Surveyors [**established by**] referred to in section 2;"

- (b) by the insertion after the definition of "council" of the following definition:

"'Minister' means the Minister of Works, Transport and Communication;" and

- (c) by the deletion of the definition of "territory".

Act No. 11, 1992

**ARCHITECTS' AND QUANTITY SURVEYORS'
AMENDMENT ACT, 1992**Amendment of Section 2
of Act 13 of 1979.

2. (1) The following section is hereby substituted for section 2 of the principal Act:

"The Namibia Council for Architects and Quantity Surveyors.

2. The council known as the South West African Council for Architects and Quantity Surveyors shall with effect from the commencement of the Architects' and Quantity Surveyors' Amendment Act, 1992, continue to exist under the name Namibia Council for Architects and Quantity Surveyors, and to be a body corporate.

(2) Any reference in any law, register, title deed or any other document to the South West African Council for Architects and Quantity Surveyors shall be deemed to be a reference to the Namibia Council for Architects and Quantity Surveyors.

Amendment of section 3
of Act 13 of 1979.

3. (1) Section 3 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

"(1) The council shall consist of the following members to be appointed by the [**Administrator-General**] Minister, namely -

- (a) four persons who shall, subject to the provisions of subsection (3), be nominated by the Namibia Institute of [South West African] Architects;
- (b) four persons who shall, subject to the provisions of subsection (3), be nominated by the Institute of [**South West African**] Namibian Quantity Surveyors;
- (c) two persons selected by the [**Administrator-General**] Minister from among persons in full-time employment in the public service in [**the territory**] Namibia;
- (d) one person selected by the [**Administrator-General**] Minister on the ground that, by virtue of his or her knowledge and experience of public affairs and the economic requirements of [**the territory**] Namibia, he or she is particularly suited to judge how the public interest in so far as it is affected by the architects' and quantity surveyors' professions can best be safeguarded or promoted."

Act No. 11, 1992

**ARCHITECTS' AND QUANTITY SURVEYORS'
AMENDMENT ACT, 1992**

(2) The amendment of section 3 of the principal Act by subsection (1) of this section shall not have any effect on the constitution of the council, so referred to, as constituted at the commencement of this Act, and any member of the said council shall continue to hold office until expiry of the period for which he or she was appointed or until he or she vacates office.

Amendment of section 11 of Act 13 of 1979.

4. Section 11 of the principal Act is hereby amended by the substitution for paragraph (d) of subsection (2) of the following paragraph:

“(d) is a member of the Namibia Institute of [South West African] Architects or the Institute of [South West African] Namibian Quantity Surveyors, as the case may be, of such a class of members as the council may approve.”.

Substitution of section 25 of Act 13 of 1979.

5. (1) The following section is hereby substituted for section 25 of the principal Act:

“Continued existence of Institute of South West African Architects and Institute of South West African Quantity Surveyors.

25. (1) The Institute of South West African Architects and the Institute of South West African Quantity Surveyors shall, with effect from the commencement of the Architects' and Quantity Surveyors' Amendment Act, 1992, continue to exist as separate corporate bodies under the names of the Namibia Institute of Architects and the Institute of Namibian Quantity Surveyors, respectively, capable of suing and being sued in their corporate names and of performing all such acts as are necessary for or incidental to the carrying out of their objects and the performance of their functions and duties in terms of their constitutions.

(2) Any institute continuing to exist by virtue of the provisions of subsection (1) may, notwithstanding anything to the contrary contained in the constitution of such institute or in any law, adopt such new constitution as it may deem fit in view of the promulgation of the Architects' and Quantity Surveyors' Amendment Act, 1992.

**ARCHITECTS' AND QUANTITY SURVEYORS'
AMENDMENT ACT, 1992**

(3) Any person who immediately prior to the commencement of the Architects' and Quantity Surveyors' Amendment Act, 1992, was a member of the Institute of South West African Architects or of the Institute of South West African Quantity Surveyors, shall, as from the commencement of the said, Architects' and Quantity Surveyors' Amendment Act, 1992, be deemed to be a member of the Namibia Institute of Architects or the Institute of Namibian Quantity Surveyors, as the case may be, until such time as such person may cease to be a member in terms of the constitution concerned."

(2) Any reference in any law, register or title deed or any other document to the Institute of South West African Architects or the Institute of South West African Quantity Surveyors shall be deemed to be a reference to the Namibia Institute of Architects or the Institute of Namibian Quantity Surveyors, as the case may be.

Substitution of certain expressions and words in Act 13 of 1979.

6. The principal Act is hereby amended -

- (a) by the substitution for the word "Administrator-General" wherever it occurs, of the word "Minister";
- (b) by the deletion in the expression "*Official Gazette*", wherever it occurs, of the word "*Official*";
- (c) by the substitution for the expression "the territory", wherever it occurs, of the word "Namibia".

Substitution of long title.

7. The following long title is hereby substituted for the long title of the principal Act:

"To provide for the establishment of a [**South West African**] Namibia Council for Architects and Quantity Surveyors, for the registration of architects, quantity surveyors, architects in training and quantity surveyors in training, and for incidental matters.

Short title.

8. This Act shall be called the Architects' and Quantity Surveyors' Amendment Act, 1992.
