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IMPORTANT NOTICE

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BOARD NOTICE

BOARD NOTICE 6 OF 2012

**NOTICE
OF
FINDINGS AND SANCTIONS IMPOSED
IN A SERIES OF DISCIPLINARY TRIBUNALS
CONVENED BY THE
SOUTH AFRICAN COUNCIL FOR THE QUANTITY SURVEYING
PROFESSION
IN TERMS OF THE
QUANTITY SURVEYING PROFESSION ACT 49 OF 2000**

This notice is being published by the South African Council for the Quantity Surveying Profession (the Council) in compliance with section 32(5) of the Quantity Surveying Profession Act 49 of 2000 (the Act).

This section of the Act requires the Council to publish in the Gazette the finding and sanction imposed by a disciplinary tribunal on a registered Professional Quantity Surveyor or Candidate Quantity Surveyor who has been charged with improper conduct and who has been found guilty at a disciplinary hearing,

With the appeal period of 30 days for the possible lodging of an appeal to the Council by the persons found guilty by the various disciplinary tribunals having expired and no appeals having been lodged, or, any appeal as may have been lodged, having been finally disposed of, the Council hereby publishes the following findings and sanctions:

Name	ABDULLAH, Umar Yacob
Professional registration number	Pr.QS 3247
Finding	Guilty of a breach of Paragraph 3.4 of the Code of Professional Conduct which requires registered Professional Quantity Surveyors/Candidate Quantity Surveyors to "... order their conduct so as to uphold the dignity, standing and reputation of the profession".
Sanction	A reprimand and the imposition of a fine of R10,000.00

Name	CALITZ, Eugene Farnol
Professional registration number	IT 3988
Finding	<p>Guilty of breaches of Paragraphs 3.4, 3.24.1 and 3.24.3 of the Code of Professional Conduct, which respectively require:</p> <p>3.4: Professional Quantity Surveyors/Candidate Quantity Surveyors: "... [to] order their conduct so as to uphold the dignity, standing and reputation of the profession";</p> <p>and, in the case of Candidate Quantity Surveyors, as Mr Calitz was:</p> <p>3.24.1 : "... [not] to practise for their own account";</p> <p>and</p> <p>3.24.3 : " ... [not] to perform any quantity surveying work other than under the direction and continuous supervision of a registered Professional Quantity Surveyor, except under such circumstances as the Council may approve in writing".</p>
Sanction	The cancellation of Mr Calitz' registration and the removal of his name from the register of Candidate Quantity Surveyors and the imposition of a fine of R20,000.00

Name	HUMAN, Elaine
Professional registration number	Pr.QS 3432
Finding	Guilty of a breach of Paragraph 3.3 of the Code of Professional Conduct which requires registered Professional Quantity Surveyors/Candidate Quantity Surveyors to "... discharge their duties to their respective employers or clients with integrity, fidelity and honesty".
Sanction	A reprimand and the imposition of a fine of R20,000.00

Name	MAHARAJ, R U
Professional registration number	Pr.QS 2916
Finding	<p>Guilty of breaches of Paragraph 3.3 and 3.8 of the Code of Professional Conduct which requires registered Professional Quantity Surveyors/Candidate Quantity Surveyors:</p> <p>3.3 : to "... discharge their duties to their respective employers or clients with integrity, fidelity and honesty"; and</p> <p>3.8 : to : ... disclose to their respective employers or clients, or prospective employers or clients in writing-</p> <p>3.8.1 any interest, whether financial or otherwise, which they may have in any company, firm, or organization, or with any person, which is related to the work for which they have been or may be employed; and</p> <p>3.8.2 particulars of any royalty or other benefit which accrues or may accrue to them as a result of such work.</p>
	A reprimand and the imposition of a fine of R5,000.00

Name	TSATSI, David Lehore
Professional registration number	Pr.QS 3092
Finding	<p>Guilty of a breach of Paragraph 3.4 of the Code of Professional Conduct which requires registered Professional Quantity Surveyors/Candidate Quantity Surveyors to "... order their conduct so as to uphold the dignity, standing and reputation of the profession".</p>
Sanction	A reprimand and the imposition of a fine of R10,000.00

Name	VILJOEN, Willem Jacobus
Professional registration number	Pr.QS 3792
Finding	<p>Guilty of breaches of Paragraphs 3.3, 3.9, 3.19 and 3.4 of the Code of Professional Conduct, which respectively require registered Professional Quantity surveyors/ Candidate Quantity Surveyors:</p> <p>3.3 : "... [to] discharge their duties to their respective employers or clients with integrity, fidelity and honesty";</p> <p>3.9 : "... subject to paragraph 3.8 [not] receive, either directly or indirectly, any gratuity, commission or other financial benefit on any article or process used in or for the purpose of the work in respect of which they are employed, unless such gratuity, commission or other financial benefit has been authorised in writing by the employer or client concerned";</p> <p>3.19 : "... neither personally not through any other person improperly seek to obtain quantity surveying work, or by way of commission or otherwise, make or offer to make payment to a client or prospective client for obtaining such work";</p> <p>3.4 : "... [to] order their conduct so as to uphold the dignity, standing and reputation of the profession".</p>
Sanction	The cancellation of Mr Viljoen's registration and the removal of his name from the register of Professional Quantity Surveyors