

NATIONAL BUILDING REGULATIONS AND BUILDING STANDARDS ACT 103 OF 1977

REGULATIONS UNDER SECTION 17 (1).

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NATIONAL BUILDING REGULATIONS

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PART AZ

COMING INTO OPERATION, DEFINITIONS AND STANDARDS

AZ1. Coming into Operation.

These amended regulations shall in terms of [section 17](#) (3) of the Act come into operation on 1 October 2008.

[Reg AZ1 substituted by GN R574/2008]

AZ2. Definitions.

In these regulations any word or expression to which a meaning has been assigned in the Act, shall bear that meaning and, unless the context indicates otherwise -

“acceptable”, “adequate”, “satisfactory” means acceptable, adequate, satisfactory
-

- (a) in the opinion of any local authority; or
- (b) in relation to any document issued by the council, in the opinion of the council;

[Definition of “acceptable”, “adequate”, “satisfactory” or “suitable” amended by GN R574/2008]

“action” means an assembly of concentrated or distributed mechanical forces acting on a building or the cause of deformations imposed on the building or constrained in it;

[Definition of “action” inserted by GN R574/2008]

“Agrément certificate” means a certificate that confirms fitness-for-purpose of a non-standardised product, material or component or the acceptability of the related non-standardised design and the conditions pertaining thereto (or both) issued by the Board of Agreement South Africa.

[Definition of “Agrément certificate” inserted by GN R574/2008]

“air duct” means any pipe, tube, conduit or enclosed space used or to be used in any building for the transmission of air in an artificial ventilation system;

“applicant” means any person who makes an application;

“application” means an application contemplated in [section 4](#) of the Act;

“approval” means -

- (a) approval by any local authority, including approval contemplated in [section 7](#) (7) (b) of the Act; or

(b) approval by the review board on appeal to the review board in terms of the Act;

“approved” means -

- (a) approved by any local authority; or
- (b) approved by the review board on appeal to the review board in terms of the Act;

“artificial ventilation system” means a system in which air is caused to circulate through a room by means of a mechanical apparatus which forces air into or extracts air from such room;

“Board of Agrément South Africa” the body that operates under the delegation of authority of the Minister of Public Works;

[Definition of “Board of Agrément South Africa” inserted by GN R574/2008]

“**branch discharge pipe**” means a horizontal discharge pipe conveying the discharge from one or more sanitary fixtures to a discharge stack;

“**building line**”, in relation to a site, means a line prescribed in any town planning scheme or any other law designating the boundaries of the area of the site outside of which the erection above ground of any building is prohibited;

“**capacity**” of any storage tank means the volume of such tank between the operating level of the water contained in such tank and the invert of the outlet from the tank;

“**carport**” means a building intended to provide shelter for a motor vehicle, caravan or boat and having a roof but having walls on not more than two sides;

“**chemical closet**” means a closet with a fixed pan, the excreta from which pass into a tank where they are acted upon by chemicals which sterilize and break them down;

“**chimney**” means that part of a building which forms part of a flue, but does not include a flue pipe;

“**class**”

[Definition of “**class**” deleted by GN R574/2008]

“**cleaning eye**” means any access opening to the interior of a discharge pipe or trap provided for the purposes of internal cleaning, and which remains permanently accessible after completion of the drainage installation;

“**combustible**” means the opposite of non-combustible;

“**common drain**” means that portion of a drain which conveys sewage other than or in addition to that sewage which emanates from the site through which such drain runs;

“**communication pipe**” means any pipe in a water supply system to which any water installation is connected;

“**competent person**” means a person who is qualified by virtue of his education, training, experience and contextual knowledge to make a determination regarding the performance of a building or part thereof in relation to a functional regulation or to undertake such duties as may be assigned to him in terms of these regulations;

[Definition of “competent person” substituted by GN R574/2008]

“**connecting sewer**” means a pipe vested in the local authority which connects a drain to a sewer;

“conservancy tank” means a covered tank used for the reception and temporary retention of sewage and which requires emptying at intervals;

“contaminated land” means any land that, due to substances contained within or under it, is in a condition that presents an unacceptable risk to the health and safety of occupants of buildings constructed on such land;

[Definition of “contaminated land” inserted by GN R574/2008]

“deemed-to-satisfy provision” means non-mandatory requirement, the compliance with which ensures compliance with a functional regulation;

[Definition of “deemed-to-satisfy provision” inserted by GN R574/2008]

“discharge pipe” means a pipe which conveys the discharge from a sanitary fixture to a drain, and includes a soil pipe, a waste pipe, a discharge stack, a branch discharge pipe or a fixture discharge pipe;

“discharge stack” means any vertical discharge pipe which conveys the discharge from two or more sanitary fixtures and which is connected directly to a drain;

“dolomite land” means land underlain by dolomite or limestone rock directly or at a shallow depth less than:

- (a) 60 m in areas underlain by limestone;
- (b) 60 m in areas underlain by dolomite where no de-watering has taken place and the local authority has jurisdiction, is monitoring and has control over the groundwater levels over the areas under consideration; or
- (c) 100 m in areas underlain by dolomite where de-watering has taken place or where the local authority has no jurisdiction or control over ground water levels;

[Definition of “dolomite land” inserted by GN R574/2008]

“drain” means that part of any drainage installation outside a building and which is below ground level, but shall not include the following:

- (a) Any discharge pipe;
- (b) that portion of a discharge stack which is below ground level;
- (c) the bend at the foot of a discharge stack;

“drainage installation” means any installation vested in the owner of a site and which is situated on such site and is intended for the reception, conveyance, storage or treatment of sewage, and may include sanitary fixtures, traps, discharge pipes, drains, ventilating pipes, septic tanks, conservancy tanks, sewage treatment works, or mechanical appliances associated therewith.,

“dwelling house” means a single dwelling unit and any garage and other domestic outbuildings thereto, situated on its own site;

“dwelling unit” means a unit containing one or more habitable rooms and provided with adequate sanitary and cooking facilities;

“emergency route” means that part of an escape route which provides fire protection to the occupants of any building and which leads to an escape door;

“escape door” means that door in an escape route which, at ground level, leads directly to a street or public place or to any approved open space which leads to a street or public place;

“escape route” means the entire path of travel from the furthest point in any room in a building to the nearest escape door and may include an emergency route;

“exit door” means any door that is a component of an escape route from any room;

“fire installation” means any water installation which conveys water solely for the purpose of fire-fighting;

[Definition of “fire installation” inserted by GN R432/91]

“fire resistance” means the shortest period for which a building element or component will comply with the requirements for stability, integrity and insulation when tested in accordance with SABS 0177: Part II;

[Definition of “fire resistance” amended by GN R574/2008]

“fixture discharge pipe” means a discharge pipe which conveys the discharge from a single sanitary fixture;

“flammable” means having a closed cup flash point lower than 90°C;

“floor area”, in relation to a building or a storey thereof, means the total area enclosed within its external walls, exclusive of the area occupied by any lift shaft;

“flue” means a passage which conveys the discharge of a heat generating appliance to the external air,

“flue pipe” means a pipe forming a flue but does not include a pipe built as a lining into a chimney,

“foundation” means that part of a building which is in direct contact with and is intended to transmit loads to the ground,

“foundation wall” means that portion of a wall between the foundation and the lowest floor above such foundation;

“french drain” means a trench filled with suitable material which is used for the disposal of liquid effluent from a septic tank or waste water;

“functional regulation” means a regulation that sets out in qualitative terms what is required of a building or building element or building component in respect of a particular characteristic without specifying the method of construction, dimensions or material to be used

[Definition of “functional regulation” inserted by GN R574/2008]

“garage” means an enclosed area which is used or intended to be used for the parking, storing, servicing or repairing of motor vehicles,

“geotechnical site investigation” the process of evaluating the geotechnical character of a site in the context of existing or proposed works or land usage, which may include one or more of the following:

- (a) evaluation of the geology and hydrogeology of the site;
- (b) examination of existing geotechnical information pertaining to the site;
- (c) excavating or boring in soil or rock and the systematic description of the soil and rock profiles;
- (d) determining the depth of any fill that might be present;
- (e) in-situ assessment of geotechnical properties of materials;
- (f) recovery of samples of soil or rock for examination, identification, recording, testing or display;
- (g) testing of soil or rock samples to quantify properties relevant to the purpose of the investigation;
- (h) evaluation of geotechnical properties of tested soils; and
- (i) reporting the results.

[Definition of “geotechnical site investigation” inserted by GN R574/2008]

“gully” means a pipe fitting incorporating a trap into which waste water is discharged,

“habitable room” means a room used or designed, erected, adapted or intended to be used by persons for sleeping in, living in, the preparation or consumption of food or drink, the transaction of business, the rendering of professional services, the manufacture, processing or sale of goods, the performance of work, the gathering together of persons or for recreational purposes;

“incremental house

[Definition of “incremental house” deleted by GN R574/2008]

“industrial effluent” means any liquid whether or not containing matter in solution or suspension which is given off in the course of or as a result of any industrial, trade, manufacturing, mining or chemical process or any laboratory, research or agricultural activity, and includes any liquid other than soil water, waste water or stormwater;

[Definition of “industrial effluent” amended by GN R574/2008]

“inspection” means the general inspection by a competent person of a system or measure or installation of a building, or part thereof, at such intervals as might be necessary in accordance with accepted professional practice to enable such competent person to be satisfied that the design assumptions are valid, the design is being correctly interpreted and the work is being executed generally in accordance with the designs, appropriate construction techniques and good practice but shall exclude detailed supervision and day-to-day inspection;

[Definition of “inspection” inserted by GN R574/2008]

“inspection chamber” means a chamber not deeper than 750 mm and of such dimension that access may be obtained to a drain without requiring a person to enter into such chamber;

“inspection eye” means any access opening to the interior of any pipe or pipe fitting in a drainage installation provided solely for the purpose of inspection and testing, and to which permanent access after completion of the drainage installation need not be provided;

“load” means the value of a force corresponding to an action;

[Definition of “load” substituted by GN R574/2008]

“manhole” means a chamber of a depth greater than 750 mm and of such dimensions that allows entry of a person into such chamber for the purpose of providing access to a drain;

“minor building work” as contemplated in [section 13](#) of the Act means -

- (a) the erection of any -
 - (i) poultry house not exceeding 10 m² in area;
 - (ii) aviary not exceeding 20 m² in area;
 - (iii) solid fuel store not exceeding 10 m² in area and 2 m in height;
 - (iv) tool shed not exceeding 10 m² in area;

- (v) child's playhouse not exceeding 5 m² in area;
 - (vi) cycle shed not exceeding 5 m² in area;
 - (vii) greenhouse not exceeding 15 m² in area;
 - (viii) open-sided car, caravan or boat shelter or a carport where such shelter or carport does not exceed 40 m² in area;
 - (ix) any free-standing wall constructed of masonry, concrete, steel, aluminium or timber or any wire fence where such wall or fence does not exceed 1,8 m in height at any point above ground level and does not retain soil;
 - (x) any pergola;
 - (xi) private swimming-pool;
 - (xii) change room, not exceeding 10 m² in area, at a private swimming-pool;
- (b) the replacement of a roof or part thereof with the same or similar material;
 - (c) the conversion of a door into a window or a window into a door without increasing the width of the opening;
 - (d) the making of an opening in a wall which does not affect the structural safety of the building concerned;
 - (e) the partitioning or the enlarging of any room by the erection or demolition of an internal wall if such erection or demolition does not affect the structural safety of the building concerned,
 - (f) the erection of any solar water heater not exceeding 6 m² in area on any roof or 12 m² when erected other than on any roof, and
 - (g) the erection of any other building where the nature of the erection is such that in the opinion of the building control officer it is not necessary for the applicant to submit, with his application, plans prepared in full conformity with these regulations,
[Definition of "minor building work" amended by GN R574/2008]

“natural ventilation” means the movement of air through a building due to natural causes;

“non-combustible” means classified as non-combustible when tested in accordance with code of practice SABS 10177-5;

[Definition of “non-combustible” amended by GN R574/2008]

“**occupancy**” means the particular use or the type of use to which a building or portion thereof is normally put or intended to be put;

“**pail closet**”

[Definition of “pail closet” deleted by GN R574/2008]

“**persons with disabilities**” means those persons who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers might hinder their full and effective participation in society on an equal basis with others;

[Definition of “persons with disabilities” inserted by GN R574/2008]

“**pipe**”

[Definition of “pipe” deleted by GN R432/91]

“**pit latrine**”

[Definition of “pit latrine” deleted by GN R574/2008]

“**pollution**”

[Definition of “pollution” deleted by GN R432/91]

“**population**” means the population determined in accordance with regulation A21;

“**prescriptive regulation**” means a regulation which describes in some detail an operation to be performed, or the dimensions of a building, building element or building component and the materials and method of construction to be used in such building, building element or building component;

[Definition of “prescriptive regulation” inserted by GN R574/2008]

“**public place**” means any square, park, recreation ground or open space which -

- (a) is vested in the local authority; or
- (b) the public has the right to use; or
- (c) is shown on a general plan of a township filed in a deeds registry or a Surveyor-General's office and has been provided for or reserved for the use of the public or the owners of erven in such township;

“**rational assessment**” means assessment by a competent person of the adequacy of the performance of a solution in relation to requirements including, as necessary, a process of reasoning, calculation and consideration of accepted analytical principles, based on a combination of deductions from available information, research and data, appropriate testing and service experience;

[Definition of “rational assessment” inserted by GN R574/2008]

“rational design” means any design by a competent person involving a process of reasoning and calculation and which may include a design based on a standard or other suitable document;

[Definition of “rational design” inserted by GN R574/2008]

“rodding eye” means an access opening in a drainage installation provided for the purposes of gaining full-bore access to the interior of a drain for internal cleaning, and which remains permanently accessible after completion of the installation, but does not include an inspection chamber or manhole;

“roof assembly”

[Definition of “roof assembly” deleted by GN R574/2008]

“sanitary fixture” means a receptacle to which water is permanently supplied, and from which waste water or soil water is discharged;

“sanitary group”

[Definition of “sanitary group” deleted by GN R574/2008 – Note: “sanitary group” not previously defined]

“septic tank” means a tank designed to receive sewage and to retain it for such a time and in such a manner as to secure adequate decomposition;

“sewage” means waste water, soil water, industrial effluent and other liquid waste, either separately or in combination, but does not include stormwater,

“sewer” means a pipe or conduit which is the property of or is vested in the local authority and which is used or intended to be used for the conveyance of sewage;

“site” means any erf, lot, plot, stand or other piece of land on which a building has been, is being or is to be erected;

“soil fixture” means a sanitary fixture which receives and discharges soil water,

“soil pipe” means a discharge pipe which conveys soil water,

“soil water” means liquid containing excreta;

“sprinkler system” means an approved system of piping and sprinkler heads connected to a water supply which when actuated by the effect of fire automatically releases water,

“stairway” means any part of a building which provides a route of travel between different levels in such building and is formed by a single flight or by a combination of two or more flights and one or more intervening landings;

“storage tank” means any tank other than any tank used for storage of hot water or any cistern serving a toilet pan or a urinal, which forms part of a water installation and is used for the storage of water,

[Definition of “storage tank” amended by GN R574/2008]

“storey” means that part of a building which is situated between the top of any floor and the top of the floor next above it, or if there is no floor above it that portion between such floor and the ceiling above it (any open work floor, catwalk or gallery being taken to be part of the storey in which it is situated), and in relation to a building -

- (a) the ground storey shall be taken as the storey in which there is situated an entrance to the building from the level of the adjoining ground or, if there is more than one such storey the lower or lowest of these;
- (b) a basement shall be taken to be any part of the building which is below the level of the ground storey,
- (c) an upper storey shall be taken to be any storey of the building which is above the level of the ground storey; and
- (d) the height expressed in storeys shall be taken to be that number of storeys which includes all storeys other than a basement;

[Definition of “storey” amended by GN R432/91 and GN R574/2008]

“stormwater” means water resulting from natural precipitation or accumulation and includes rainwater, surface water, subsoil water or spring water;

“stormwater drain” means a pipe, conduit or surface channel situated on a site, which is used to convey stormwater to a suitable point of discharge;

“stormwater sewer” means a pipe, conduit or channel, owned by or vested in the local authority, which is used for the conveyance of stormwater;

“street” means any street, road, thoroughfare, lane, footpath, sidewalk, subway or bridge which -

- (a) is vested in the local authority; or
- (b) the public has the right to use; or
- (c) is shown on a general plan of a township filed in a deeds registry or a Surveyor-General's office and has been provided or reserved for use by the public or the owners of erven in such township;

.....

[Definition of “street boundary” deleted by GN R574/2008]

“structural” means relating to or forming part of any structural system;

“structural system”

[Definition of “structural system” deleted by GN R432/91]

“structural wall” means a wall forming part of any structural system;

“suitable” means capable of fulfilling or having fulfilled the intended function or fit for its intended purpose;

[Definition of “suitable” inserted by GN R574/2008]

“temporary building” means any building that is so declared by the owner and that is being used or is to be used for a specified purpose for a specified limited period of time, but does not include a builder's shed;

“terminal water fitting”

[Definition of “terminal water fitting” deleted by GN R432/91]

“the Act” means the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977);

“trained plumber” means any person who in the trade of plumbing has, in terms of the Manpower Training Act, 1981 (Act 56 of 1981), passed a qualifying trade test or has been issued with a certificate of proficiency; or has obtained a National Certificate in Construction Plumbing, National Qualification Framework level 3

[Definition of “trained plumber” amended by GN R574/2008]

“trap” means a pipe fitting or a part of a sanitary fixture which is designed to retain a water seal;

“vent”

[Definition of “vent” deleted by GN R432/91]

“ventilating pipe” means a pipe, which leads to the open air at its highest point and which provides ventilation throughout a drainage installation for the purpose of preventing the destruction of water seals, but does not include a discharge pipe;

“waste pipe” means a discharge pipe which conveys waste water only;

“waste water” means used water not contaminated by soil water or industrial effluent and shall not include stormwater,

“water fitting” means any component, other than a pipe, of any water installation, through which water passes or in which it is stored;

“water installation” means an installation used or intended to be used for the conveyance or storage of water in any building or on any site on which such building is situated and includes any pipe or any water fitting other than any water meter vested in the local authority;

“water seal” means the water in a trap which acts as a barrier against the flow of any foul air or gas;

“water supply system” means any system of structures, aqueducts, pipes, valves, pumps, meters or other appurtenances relating thereto which are vested in the local authority and are used or intended to be used by it in connection with the supply of water.,

“wind load” means the force exerted by the action of wind.

AZ3. Standards.

Where in these regulations reference is made to a SANS number, such reference shall relate to the latest edition of the national standard having the number and title given in the following table:

1	2
SANS No	Title
1125	Room air conditioners and heat pumps
10005	The preservative treatment of timber
10082	Timber frame buildings
10105	The use and control of fire fighting equipment
10124	The application of soil insecticides for the protection of buildings
10177	Fire testing of materials, components, and elements used in buildings Part 1 Part 2 Part 3 Part 4
10400	The application of the National Building Regulations

[Reg. AZ3 amended by GN R432/91 and substituted by GN R574/2008]

AZ4. Complying with the requirements of the National Building Regulations

- (1) The requirements of the National Building Regulations shall be complied with by:
 - (a) adhering to the requirements of all the prescriptive regulations; and
 - (b) satisfying all functional regulations by:

- (i) adopting building solutions that comply with the requirements of the relevant part of SANS 10400; or
 - (ii) reliably demonstrating, or predicting with certainty, to the satisfaction of the appropriate local authority, that an adopted building solution has an equivalent or superior performance to a solution that complies with the requirements of the relevant part of SANS 10400.
- (2) A competent person who is registered in an appropriate category of registration in terms of the Architectural Professions Act, 2000 (Act No. 44 of 2000), the Engineering Profession Act, 2000 (Act No. 46 of 2000), the Natural Scientific Professions Act, 2003 (Act No. 27 of 2003) or any other relevant Act and, in accordance with the requirements of Regulation A19, shall prepare and submit to the local authority a rational design or rational assessment where compliance with the requirements of sub-regulation (1) is to be satisfied in terms of sub-regulation (1)(b)(ii).
- (3) An approved competent persons who satisfies the requirements of sub-regulation (1) in terms of sub-regulation (1)(b)(ii) in respect of a system, measure, facility, parameter or installations shall inspect and certify upon completion, in accordance with the requirements of Regulation A19, the construction, erection or installation thereof.

[Reg AZ4 added by GN R574/2008]

PART A

ADMINISTRATION

Al. Application.

- (1) The designing, planning and the supervision of the erection of any building or structure or the performance of any function in connection therewith in terms of these regulations is subject to the provisions of any law in terms of which the person undertaking such work or performing such function is required to be registered in terms of the Architectural Profession Act, 2000 (Act No. 44 of 2000), Engineering Profession Act, 2000 (Act No. 46 of 2000), Natural Scientific Professions Act, 2003 (Act No. 27 of 2003), or Professional and Technical Surveyors' Act. 1984 (Act No. 40 of 1984), or any other relevant Act.

[Subreg (1) substituted by GN R574/2008]

- (2) The plans and particulars in respect of any building to be erected by or on behalf of the State shall be accompanied by a certificate, signed by the head of the State Department concerned or an officer designated by him, setting out in full details as to the respect in which such erection will not comply with the requirements of these regulations.

- (3) (a) No person shall erect any building which is to be structurally supported by an existing building or extend an existing building unless an approved competent person has judged the existing building to be capable of carrying any additional load arising from such erection or extension and has, in writing, so informed the local authority.
- (b) Such notification shall accompany the application for approval of the erection of the building in terms of Section 4 of the Act.
- (c) For the purposes of this regulation “existing building” shall include a partly erected building.
- (d) Any structural support provided by the existing building shall be deemed to be part of the structural system of the building to be erected.
- (e) The local authority may require that the above notification be accompanied by a documented rational assessment of the adequacy of the structural support.
- [Subreg (3) substituted by GN R574/2008]
- (4) No plans, particulars or approval shall be required for any repair which has become necessary as a result of ordinary wear and tear or which is undertaken in the normal course of maintenance or upkeep of any building. Provided that where such repair will affect, the structural loading or is a repair of any part of the structural system the local authority may require drawings or specifications to be submitted.
- (5) An application shall be made to the building control officer for authorization to erect any building defined as minor building work or to carry out any work falling within the ambit of such definition, and any such erection or work shall not be commenced before such authorization has been granted: Provided that such application and such authorization shall not be required for minor building work for which, in terms of the proviso to regulation A2 (1), no plans are required.
- (6) Minor building work shall comply with any national building regulations specified as a condition of the authorization granted by the building control officer.
- (7) (a) Where in any application the owner of any building has declared such building to be a temporary building, the local authority shall, before granting provisional authorization in terms of regulation A23, assess such building in relation to -
- (i) the intended use and life of the building,

- (ii) the area in which it is to be erected; and
 - (iii) the availability of suitable materials from which it may be constructed
- (b) Any stall or other similar building to be erected as part of an exhibition shall be deemed to be a temporary building: Provided that where such stall is to be erected inside any exhibition hall the owner of such hall shall not be required to submit to the local authority any details of such stall: Provided further that such owner shall submit to the local authority a layout plan of all stalls within such hall, showing the location of each individual stall, and all aisles, passageways, escape routes and fire-fighting equipment.
[Para. (b) amended by GN R432/91]
- (c) Where any building contemplated in paragraph (a) is intended to be used for experimental, demonstration, testing or assessment purposes, the local authority -
 - (i) shall grant authorization for a period of time sufficient for the erection of such building and for the performance of any experiment, or for the demonstration, testing or assessment of such building; and
 - (ii) shall grant authorization for the erection of such building where testing or assessment of the completed building is the only way to ascertain whether such building complies with the requirements of these regulations.[Para. (c) deleted and Para. (d) renumbered to (c) by GN R574/2008]
- (8) Where an application is made to make an alteration or addition to any building, approval for the erection of which was granted before the date of commencement of the Act -
 - (a) such alteration shall comply with the requirements of the Act, but consequent changes to any other part of the building which would be necessary in order to make such other part comply with the requirements of the Act shall not be required unless in the opinion of the local authority such consequent changes are necessary to ensure the health or safety of persons using the building in the altered form;
 - (b) such addition shall comply with the requirements of the Act, but no changes to the original building shall be required unless the addition -
 - (i) will affect the structural strength or stability of the original building;

- (ii) will render any existing escape route from the original building less effective; or
 - (iii) will affect the health of persons using the original building.
- (9) Where in terms of these regulations an obligation is imposed or may be imposed on the owner of any building or land to do or refrain from doing any particular act or thing, and -
 - (a) such owner and some other person have lawfully agreed, in writing, that such other person shall accept such obligation on behalf of such owner; and
 - (b) such owner has, where required by the local authority, furnished the local authority with written proof of the fact contemplated in paragraph (a) and with the name and address of such other person,

any reference in any such regulation to such owner shall be construed as a reference to such other person: Provided that such owner shall not be relieved of such obligation where such other person does not adhere to the agreement contemplated in paragraph (a).

A2. Plans and Particulars to be Furnished

- (1) Any person intending to erect any building, shall submit to the local authority the following plans and particulars, together with the application:
 - (a) A site plan;
 - (b) layout drawings;
 - (c) a fire installation drawing;
[Para. (c) amended by GN R432/91]
 - (d) drainage installation drawing;
 - (e) particulars of any existing building which is to be demolished and details of the method of demolition to be used,
 - (f) such plans and particulars as may be required by the local authority in respect of -
 - (i) general structural arrangements, subject to any requirement contained in these regulations with regard to design of the structural system;
 - (ii) general arrangement of artificial ventilation;

- (iii) a fire protection plan;
- (iv) any certificate contemplated in these regulations, including any applicable Agreement Certificate;
[Subpara (iv) substituted by GN R574/2008]
- (v) particulars required in terms of any applicable legislation, by-laws, or part of SANS 10400:
[Subpara (v) substituted by GN R574/2008]

Provided that -

- (aa) such plans and particulars shall not be submitted where –
 - (i) as a result of any exemption contemplated in paragraph (a) or (b) of the proviso to [section 2](#) (4) of the Act, it is not necessary to do so;
 - (ii) an exemption has been granted by a building control officer in terms of [section 13](#) of the Act; or
 - (iii) any minor building work is a building having an area of not more than 5 m² or is a pergola, wire fence or an open-sided fabric covered shelter for a car, caravan or boat;
 - (bb) in the case of any temporary building, only such plans and particulars as are contemplated in regulation A23 shall be submitted.
 - (g) a declaration by a person registered in a professional category of registration in terms of the one of the councils for the professions identified in the Council for the Built Environment Act, 2000 (Act No. 43 of 2000) in the relevant portion of Form 1 contained in SANS 10400-A as to how the applicable functional regulations shall be satisfied.
[Para (g) added by GN R574/2008]
- (2) A certified copy of any approved plans and particulars contemplated in subregulation (1) shall be available at the site where any building is being erected until a certificate of occupancy has been issued by the local authority.
[Subregulation (2) amended by GN R432/91]
- (3) (a) Where design work for the proposed erection of any building was commenced and significantly progressed before the date of coming into effect of these regulations and an application in respect of such erection has not been made prior to such date, the owner of the building, or a person authorized by

the owner, may notify the local authority that such design work was so commenced and has so progressed.

- (b) Subject to the provisions of this subregulation, an application in respect of an erection which has been the subject of a notification contemplated in paragraph (a) shall, if so requested by the owner, be dealt with by the local authority in accordance with the provisions of the building regulations or bylaws in force immediately before such date.
- (c) Any notification contemplated in paragraph (a) shall -
 - (i) be submitted by registered post within 90 days of the coming into effect of these regulations;
 - (ii) contain the name and address of the owner, the address of the site of the building concerned, the date of commencement of such design work and a description of the proposed erection and its intended use; and
 - (iii) be accompanied by such evidence as may be required by the local authority to satisfy it that such design work was commenced on the date contemplated in subparagraph (ii) and has after that date significantly progressed.
- (d) The local authority shall, in writing, inform the owner concerned whether such notification complies with this subregulation.
- (e) The provisions of paragraph (b) shall not apply in respect of any application which is made to the local authority more than 24 months after the date that the local authority informs the owner that it is so satisfied. Provided that the local authority may extend such period if it thinks it reasonable or necessary.
- (f) Any person who gives false or misleading information in a notification in terms of this subregulation shall be guilty of an offence, and such notification is null and void.

A3. Preliminary Plans and Enquiries.

- (1) Any person who intends to erect a building may, before submitting an application in accordance with the Act, request the local authority -
 - (a) to examine any preliminary sketch plans of the building proposed to be erected and to furnish, in writing, its comments on such plans or on any particular features thereof specified by such person; or

- (b) to furnish, in writing, its opinion as to whether any material or method or form of construction intended to be used in the erection of such building will comply with these regulations.
- (2) Where the local authority is unable to comply with any request contemplated in subregulation (1) it shall furnish, in writing, its reasons for its inability to do so.

A4. Local Authority may Require Additional Documents and Information.

- (1) Where the local authority requires the applicant in terms of regulation A2 (1) (f) (i) or (ii) to submit structural details or artificial ventilation details such applicant shall, to the extent required by the local authority
 - (a) furnish the local authority with a structural arrangement drawing which shall show the position, level and size of every structural member;
 - (b) furnish the local authority with such structural drawings and artificial ventilation details as required in terms of subregulations (2), (3), (4), (5), (6), (7) and (8): Provided that where the structural system or artificial ventilation system, as the case may be, is designed by an approved competent person -
 - (i) the local authority shall permit the applicant to omit from his application any or all of the details required in subregulations (2), (3), (4), (5), (6), (7) and (8) on condition that the required details shall be submitted to the local authority at least three days, exclusive of a Saturday, Sunday or public holiday prior to the commencement of the erection of the structural system of the building or the artificial ventilation system, as the case may be; and
 - (ii) such details shall thereafter form part of the relevant application for approval;
[Para. (b) amended by GN R574/2008]
 - (c) show on structural drawings the imposed floor loads which such building has been designed to withstand,
 - (d) furnish for inspection the calculations employed in the design of the building proposed to be erected;
 - (e) furnish adequate information regarding the subsoil of the site on which the building is proposed to be erected;
 - (f) show the fire resistance ratings of the various structural members of the building and, where special protection for such members is necessary, details relating to such protection;

- (g) furnish information regarding structural materials to be used in the construction of the proposed building, including the grade, strength, classification, temper or treatment;
- (h) if the design or part thereof has been carried out in accordance with any standard contemplated in these regulations, furnish the name and number of such code of practice;
[Para. (h) amended by GN R574/2008]
- (i) if the design or part thereof has been carried out in accordance with a document other than a code of practice contemplated in these regulations, furnish identification of such document together with the reasons for utilizing such document in preference to such standard;
[Para. (i) amended by GN R574/2008]
- (j) if the design or part thereof has not been carried out in accordance with any standard or document contemplated in paragraph (h) or (i), furnish the basis and method on which such design was prepared and any further evidence of the adequacy of such basis and method., and
[Para. (j) amended by GN R574/2008]
- (k) if the structural design or part thereof has been carried out in accordance with any standard, document or other method contemplated in paragraph (h), (i) or (j), furnish, in addition to the loads contemplated in paragraph (c), details of other loads which such building has been designed to withstand.
[Para. (k) amended by GN R574/2008]

- (2) The documentation for the structural concrete used in a building shall, to the extent required by the local authority, show -
 - (a) the reinforcement in each member,
 - (b) the various grades of concrete to be used.,
 - (c) the type of reinforcement or prestressing tendon,
 - (d) the amount of concrete cover to be provided to the reinforcement;
 - (e) the details of all joints between members; and
 - (f) the details of anchorage of prestressing steel.
- (3) The documentation for structural steelwork shall, to the extent required by the local authority, show -

- (a) the grades of steel of all members;
 - (b) details of connections between members; and
 - (c) details of the corrosion protection to be provided to the steel structure.
- (4) The documentation for structural timber shall, to the extent required by the local authority, show -
- (a) the grade and type of timber to be used in such construction;
 - (b) whether the sizes of timber members are nominal or finished sizes;
 - (c) the method of connection of all timber members and the connection of any timber members to a foundation or other parts of the building not constructed of timber;
 - (d) in the case of any roof construction, the details of method of bracing to resist wind actions and other lateral actions, member spacing and sizes and details of connections;
[Para. (d) amended by GN R574/2008]
 - (e) details of treatment applied or to be applied in terms of these regulations, to the structural timber members; and
 - (f) details of drainage for condensation or wind driven water from any cavity and the details of any ventilation openings provided to such cavity.
- (5) The documentation for structural masonry shall, to the extent required by the local authority, show -
- (a) the class of mortar to be used, together with the strength of the masonry units;
[Para. (a) amended by GN R574/2008]
 - (b) the details of all joints in masonry and between masonry and other members, including dimensions and materials from which bearing pads and load spreading devices are made; and
 - (c) details of all reinforcement, wall ties and anchors.
- (6) The documentation for foundations shall, to the extent required by the local authority, show -
- (a) the type and condition of the soil; and

- (b) the design loads to be applied to the foundations, except where such foundation is constructed in accordance with any relevant empirical rule and such construction is deemed to satisfy these regulations.
- (7) The documentation for other structural materials shall, to the extent required by the local authority, show -
- (a) the overall size of every structural member together with its location;
 - (b) the grade of material of all members.,
 - (c) the details of all connections between members;
 - (d) the details of the corrosion protection to be provided; and
 - (e) the details of reinforcement provided, including its strength and composition.
- (8)(a) Where the local authority requires any particulars with regard to the artificial ventilation of any building by a mechanical apparatus not being a room air conditioner contemplated in SANS 1125, or any portable electric fan, the following information shall, to the extent required by the local authority and subject to the requirement of paragraph (b), be submitted:
- (i) The location and size of any plant room;
 - (ii) the location and size of principal air ducts, plenums, inlets and outlets;
 - (iii) the proposed rates of air supply or extraction; and
 - (iv) details of any water recirculation system, cooling tower and storage tank.
- [Para. (a) amended by GN R574/2008]
- (b) Any documentation contemplated in paragraph (a) shall be accompanied by a certificate signed by an approved competent person in which he shall certify that any apparatus to be installed has been designed to provide a standard of ventilation which complies with these regulations.
- [Para. (b) amended by GN R574/2008]
- (9) (a) Where a local authority is not satisfied as to the adequacy or safety in use of any construction system, method, material, article or product which is proposed to be used in the erection of any building the local authority may require a test report or evaluation certificate in respect thereof.

- (b) On submission to such local authority of -
 - (i) an applicable report issued by the council or the CSIR, or
 - (ii) any current Agrément certificate,
[Subpara. (ii) amended by GN R574/2008]

the adequacy or safety of such system, method, material, article or product covered by such report or certificate shall be deemed to satisfy any relevant requirement for adequacy or safety prescribed in these regulations, to the extent and under the conditions set out in such report or certificate.

- (c) A report or certificate contemplated in paragraph (a), issued on or after the date of coming into operation of these regulations, shall contain the number of the regulation which prescribes such requirement.

A5. Application Forms and Materials, Scales and Sizes of Plans.

- (1) Any application form shall be dated and signed in black ink by the owner.
- (2) Any application shall be accompanied by at least one set of plans, drawings and diagrams which shall -
 - (a) be clear and legible,
 - (b) be drawn on any suitable material or be provided in a medium acceptable to the local authority,
[Para (b) substituted by GN R574/2008]
 - (c) contain the name of the owner of the site concerned, and
 - (d) be dated and signed in black ink by the owner, and every subsequent alteration shall be likewise dated and signed.
- (3) Any application shall be accompanied by as many additional copies of every plan, drawing or diagram as required by the local authority.
[Subreg. (3) substituted by GN R574/2008]
- (4) Such plans, drawings, diagrams, and any copies thereof shall be on sheets of the A series of sizes or multiples of A4.
- (5)
 - (a) Plans, drawings and diagrams shall be drawn to a suitable scale selected from one of the following scales:
 - (i) *Siteplans*. 1:1000, 1:500, 1:250, 1:200 or 1:100.

[Subpara. (i) amended by GN R574/2008]

(ii) Plumbing installation drawings. 1:200, 1:100 or 1:50.

(iii) *Layout drawings*. 1:100, 1:50 or 1:20: Provided that in the case of elevations 1:200 may be used.

(iv) General structural arrangement drawings and structural details. 1:100, 1:50, 1:20, 1:10, 1:5, 1:2 or 1:1.

(v) *Fire protection plans*. 1:200, 1:100, 1:50, or 1:20.

(b) The local authority may accept a scale not provided for in this sub-regulation.

[Para (b) substituted by GN R574/2008]

(6) One copy of the plans and drawings contemplated in subregulation (2) shall, for the convenience of the local authority, identified in a suitable manner or colour the following as indicated below:

(a)	Material	Colour (in plan or section)
(i)	New masonry	Red
(ii)	New concrete	Green
(iii)	New iron or steel	Blue
(iv)	New wood	Yellow
(v)	New glass	Black
(vi)	Existing materials (all materials)	Grey
(vii)	All other new materials	To be clearly indicated in colours other than the above.
(b)	Site plans	Colour
(i)	Proposed work	Red
(ii)	Existing work	Not coloured
(iii)	Work to be demolished	Drawn with black dotted lines
(c)	Drainage installation contemplated in regulation A2 (1) (d)	Colour
(i)	Drains and soil pipes	Brown
(ii)	Waste pipes	Green
(iii)	Soil and combined vents	Red
(iv)	Waste vents	Blue
(v)	Pipes for the conveyance of industrial effluent	Orange
(vi)	Existing drains	Black
(vii)	Stormwater drains	Not coloured

[Subreg (6) and (7) replaced with new (6) by GN R574/2008]

- (7) The escape route drawn on any fire protection plan shall be coloured green and the direction of travel to a safe area shall be indicated by arrows drawn at short intervals along the plan route.

[Subreg (8) renumbered to (7) by GN R574/2008]

- (8) In all cases the scales employed shall be stated on the plans and drawings, and the letters and symbols used on such plans and drawings shall be not less than 2,5 mm in size in the case of upper case letters.

[Subreg (9) renumbered to (8) and amended by GN R574/2008]

A6. Site Plans.

Any site plan contemplated in regulation A2 (1) (a) shall fully and clearly contain the following information, where applicable:

- (a) (i) The dimensions of the site on which the building is to be erected;
- (ii) the boundaries of such site;
- (iii) the dimensioned position of any building line; and
- (iv) the position and width of any servitude or right of way to which such site is subject;
- (b) the registered number or other designation of such site;
- (c) the direction of true north, and if required by the local authority, the natural ground contours at suitable vertical intervals or spot levels at each corner of such site;
- (d) the name of the street upon which such site abuts;
- (e) the location of -
- (i) any municipal service and any connection point thereto; and
- (ii) any drain, stormwater drain, or surface channel existing upon such site;
- (f) the location of -
- (i) the proposed building;
- (ii) any existing building; and
- (iii) any building proposed to be demolished;

- (g) (i) any existing and intended point of access from any public street,
and
- (ii) the location of any street tree, street furniture, apparatus or equipment relative to such access.

A7. Layout Drawing.

Any layout drawing contemplated in regulation A2 (1) (b) shall indicate the occupancy classification, and shall consist of as many plans, sections, elevations and such other details as may be necessary to show -

- (a) foundations, floors, walls, fixed and openable windows, fanlights, louvres and other ventilating devices, artificial ventilation systems including any cooling tower or plantroom, doors, stairs, roofs and chimneys;
- (b) sanitary fixtures;
- (c) structural members required in terms of regulation A4 (1) (a);
- (d) the intended use and horizontal and vertical dimensions of rooms or other spaces;
- (e) all details relating to the facilities provided for persons with disabilities.
[New para. (e) inserted by GN R574/2008]
- (f) where fixed seating is provided -
 - (i) the layout of all rows, seats and aisles;
 - (ii) the position of all exit doors; and
 - (iii) the total number of seats;
[Para. (e) renumbered to (f) by GN R574/2008]
- (g) details of the position, dimensions and materials of damp-proofing;
[Para. (f) renumbered to (g) by GN R574/2008]
- (h) the location, levels and size of any paved areas adjacent to the building;
[Para. (g) renumbered to (h) by GN R574/2008]
- (i) where required by the local authority, contours of the site and the levels of any adjoining verge of any roadway, together with a section along the length of any vehicle driveway, which shall show the relative levels and gradients;
[Para. (h) renumbered to (i) by GN R574/2008]

- (i) where required by the local authority, the levels of the floors relative to one another and to -
 - (i) the existing ground surface;
 - (ii) the proposed finished ground surface.,
 - (iii) the surface of any public place or public street at the boundary of the site; and
 - (iv) all street levels supplied in terms of regulation A12;
- (j) stormwater drainage on the site, where such drainage is required by the local authority., and
- (k) details of any special provisions, required in terms of these regulations, for disabled persons.

[Reg.A7 amended by GN R432/91]

A8. Plumbing Installation Drawings and Particulars

- (1) (a) The provisions of regulation A2 (1) (c) and A2 (1) (d) shall not be construed as preventing the details contemplated in subregulations (2), (3), (4) and (5) being clearly indicated on any layout drawing required in terms of regulation A2 (1) (b).

[Para. (a) amended by GN R432/91]
- (b) Where such details on more than one floor of any building are identical they may be indicated on the drawings of one such floor only: Provided that where such details are so indicated the drawings of other floors concerned shall be suitably annotated to indicate where such details may be found.
- (2) Any drawing of a fire installation as contemplated in regulation A2 (1) (c) shall contain as many plans, sections and elevations as may be necessary to show, where relevant, the following:
 - (a) The location and size of any existing or proposed communication pipe serving or intended to serve any building or site;
 - (b) the location of any pipe, the size of such pipe and the material of which it is manufactured;
 - (c) the location and capacity of any storage tank;
 - (d) the location of any overflow;

- (e) the location of any pump; and the pressure for which the installation has been designed.

[Subreg. (2) substituted by GN R432/91]

(3)

[Subreg. (3) deleted and subregulations following renumbered by GN R432/91]

(3) Any drawing of a drainage installation as contemplated in regulation A2 (1) (d) shall contain as many plans, sections and elevations as may be necessary to show, where relevant, the following:

- (a) The location, size and gradient of any drain and any connecting point to such drain, in relation to a datum established on the site and the level of the ground relative thereto;
- (b) the location of any point of access to the interior of any drain;
- (c) the location of any trapped gully;
- (d) the location and details of any septic tank conservancy tank, Private sewage treatment plant or sewage pump;
- (e) the location of any percolation test hole excavated on the site and of any french drain;
- (f) the location and arrangement of any sanitary fixture served by the drainage installation;
- (g) the location and size of any soil pipe, waste pipe and ventilating pipe or device;
- (h) the location of all openings in the building such as chimneys, skylights, doors, windows, ventilation openings and air intakes which could permit the entry of foul air or gas into such building from any ventilating pipe or device; and
- (i) the location of any well, borehole or watercourse on the site.

(4) The local authority may require the owner to submit -

- (a) drainage design calculations which shall clearly indicate the basis for such design;
- (b) an estimate of the composition and quantity of any industrial effluent proposed to be discharged into any sewer; and

(c) where approval has been given in terms of the local authority's industrial effluent by-laws or regulations for the discharge into, a sewer of industrial effluent from the site, plans and particulars of any drainage works and installations required by the local authority in terms of its conditions of approval for such discharge.

(5) Where symbols are used to signify details on drainage installation drawings, they shall be as indicated in the following list: Provided that where there may be a possibility of misunderstanding, the description shall be written in full:

Access opening	AO
Bath	B
Bidet	BT
Cast iron	CI
Cleaning eye	CE
Concrete	CONC
Copper	COP
Cover level	CL
Fibre cement	FC
Galvanized mild steel	GMS
Grease trap	GT
Ground level	GL
Gully	G
Inspection chamber	IC
Inspection eye	IE
Invert level	IL
Manhole	MH
Pitch-impregnated fibre	PF
Rainwater pipe	RWP
Reinforced concrete	RC
Rodding eye	RE
Shower	SW
Sink	S
...	
Slop hopper	SH
Soil pipe	SP
Stainless steel	SS
Stormwater channel	SC
Two way vent valve	2WW
Stormwater pipe	SWP

Unplasticized polyvinyl chloride	UPVC
Urinal	U
Vent or ventilating pipe	VP
Vitrified clay	VC
Wash-basin	WB
Wash-trough	WT
Waste pipe	WP
Toilet pan	Toilet

[Subreg. (5) amended by GN R574/2008]

(6) One copy of the plans and drawings contemplated in subregulation (2) shall, for the convenience of the local authority, identify in a suitable manner or colour the following as indicated below:

(a) Material	Colour (in plan or section)
(i) New masonry	Red
(ii) New concrete	Green
(iii) New iron or steel	Blue
(iv) New wood	Yellow
(v) New glass	Black
(vi) Existing materials (all materials)	Grey
(vii) All other new materials	To be clearly indicated in colours other than the above
(b) Site plans	Colour
(i) Proposed work	Red
(ii) Existing work	Not coloured
(iii) Work to be demolished	Drawn with black dotted lines
(c) Drainage installation contemplated in regulation A2(1)(d)	Colour
(i) Drains and soil pipes	Brown
(ii) Waste pipes	Green
(iii) Soil and combined vents	Red
(iv) Waste vents	Blue

(v) Pipes for the conveyance of industrial effluent	Orange
(vi) Existing drains	Black
(vii) Stormwater drains	Not coloured

A9. Fire Protection Plan.

- (1) Where so required by the local authority, any application in respect of the erection of any building not being a dwelling house, shall be accompanied by a protection fire plan which shall clearly show any fire protection measures provided in terms of these regulations.

[Subreg. (1) amended by GN R574/2008]

- (2) The provisions of subregulation (1) shall not be construed as preventing details of such fire protection measures being clearly indicated on a layout drawing required in terms of regulation A2 (1) (b).

A10. Symbols on Fire Protection Plans

Where symbols are used to signify details on fire protection plans they shall be as indicated in the following list: Provided that where the possibility of a misunderstanding exists, the description shall be written in full:

Escape door.....	ED
Escape route.....	ER
Feeder route.....	FR
Fire extinguisher	FE
Fire hydrant	FH
Foam inlet	FI
Fire main	FM
Fire pump connection	FPC
Fire stopping	FS
Heat detectors	HD
Hose reel	HR

Rising main	RM
.....	
Reflux valve	RV
.....	
Smoke detectors	SD
.....	
Sprinkler system	SS
.....	
Smoke extractor	SX
.....	
Valve	V
.....	

[Reg. A10 amended by GN R574/2008]

A11. Pointing out of Boundary Beacons.

- (1) Where, in the opinion of the local authority, the location of any boundary of a site has not been accurately determined such local authority may require the owner, at his own cost, to engage a professional land surveyor and to submit to the local authority a certificate, in an approved form and signed by such professional land surveyor -
 - (a) identifying the boundary pegs or beacons of such site; and
 - (b) stating the name of the nearest cross street and the approximate distance of the nearest boundary of the site from such street.

[Subreg. (1) amended by GN R574/2008]
- (2) Where such owner fails to engage a professional land surveyor as contemplated in subregulation (1) the local authority may engage a professional land surveyor to establish and point out the location of such pegs or beacons, and the local authority may recover such costs of such establishing and pointing out from such owner.

A12. Street Levels.

- (1) Where any building is to be erected on a site abutting t constructed street the owner of such building shall, subject to the requirements of subregulation (3), erect such building in accordance with the levels of such street.
- (2)
 - (a) Where any portion of any street abutting the site on which any building is to be erected has not been constructed the owner of such building shall request, in writing, from the local authority the levels at which such portion of the street is intended to be constructed.

- (b) The local authority shall, where in its opinion it is practicable for it so to do and within 21 days after receipt of a request contemplated in paragraph (a), supply the required levels.
 - (c) If the local authority is unable to comply with the provisions of paragraph (b) it shall notify such owner, in writing, to that effect.
- (3) Where any street has been constructed, but in the opinion of the local authority is likely to be reconstructed at levels different from its existing levels, the local authority shall give notice of such fact to such owner, and in such notice it shall, if possible, supply the levels at which such portion of such street will be reconstructed.

A13. Building Materials and Tests.

- (1) (a) Material used in the erection of a building shall be suitable for the purpose for which it is to be used.
- (b) All timber used in the erection of a building shall be treated against termite and wood borer attack and fungal decay in accordance with the requirements of SANS 10005 and shall bear the product certification mark of a body certified by the South African National Accreditation Systems.
- (c) The requirements of subregulation (1)(a) shall be deemed to be satisfied if such material complies with and is incorporated into buildings in accordance with the requirements of SANS 10400.
[Subreg. (1) amended by GN R919/99 and substituted by GN R 574/2008]
- (2) The local authority may test or cause to be tested any material or component used or to be used in the erection of any building in order to determine whether such material or component complies with the requirements of these regulations, and any officer of such local authority duly authorized for that purpose may, at any time after consultation with the person erecting such building, remove from the building site concerned so much of such material or component as is reasonably necessary to serve as a sample for the purpose of such test: Provided that the authorized officer may not exercise his powers in such a way that work of such erection is stopped when such material or component is being so removed and tested.
- (3) If any material or component tested in terms of subregulation (2) does not comply with these regulations the local authority may serve a notice on such person, stating the respects in which such material or component does not comply and prohibiting such person from making further use of such material or component for the purpose for which it was or is to be used in the erection of such building.

- (4) Except in the case where in such notice the local authority permits the use of such material or component in the erection of such building for some different purpose permitted in terms of these regulations, such person shall forthwith on receipt of such notice remove such material or component from such building or building site or from both, as the case may be.
- (5) If any material or component contemplated in subregulation (2) is tested and has failed to comply with these regulations the local authority may recover the cost of such test from the owner of the building concerned.
- (6) Where the owner of any building desires to use for a particular purpose any material or component which is not permitted or prescribed by these regulations to be used for that purpose, and he satisfies the local authority that such material or component is at least as suitable for that purpose as the material or component permitted or prescribed to be used by these regulations, then the local authority shall permit the use of such material or component for the purpose concerned.

A14. Construction.

- (1)
 - (a) The construction of any building or element shall be such that the building or element as constructed does not compromise the design intent of any design solution that satisfies the requirements of a functional regulation.
 - (b) The requirements of sub-regulation (1)(a) shall be deemed to be satisfied if such construction satisfies the requirements of SANS 10400.
[Subreg. (1) substituted for (1) – (4) by GN R574/2008]
- (2) Precautions shall be taken during all stages of construction of any building to ensure that the structural system is not damaged or distorted during the course of erection of such building.
[Subreg. (5) renumbered to (2) by GN R574/2008]

A15. Maintenance and Operation.

[Title substituted by GN R 574/2008]

- (1) (a) The owner of any building shall ensure that any mechanical equipment, facility or any service installation provided in or in connection with such building, pursuant to these regulations or pursuant to any building by-law which was in operation prior to the coming into operation of the Act, shall be maintained in a safe and functional condition.

- (b) Such owner or any person appointed by such owner to be in control of such building shall ensure that where such equipment, facility or installation is designed to be kept operating during the times of normal occupancy of the building, it is kept operating in such a manner as to attain any standard of performance prescribed in these regulations or in any by-law for such equipment or installation.

[Subreg. (1) substituted by GN R 574/2008]

- (2) The owner of any building shall ensure that pursuant to these regulations or pursuant to any building by-law that was in operation prior to the coming into operation of the Act, the following is maintained in accordance with the requirements of the relevant functional regulations contained in Regulations B, H, J, K and L:

- (i) the structural safety performance (behaviour of buildings under all actions that can be reasonably expected to occur);
- (ii) the measures taken to resist the penetration of rain water and the passage of moisture into the interior of a building

[Subreg. (2) substituted by GN R 574/2008]

- (3) The local authority may serve a notice on such owner or person requiring him to comply with subregulation (1) or (2) within the time specified in such notice.
- (4) The local authority may, by notice, in writing to the owner, order the evacuation of such building where the state of such building, equipment, installation or facility will cause conditions which in the opinion of the local authority may be detrimental to the safety or health of the occupiers or users of such building.

[Subreg. (4) amended by GN R 574/2008]

- (5) Any owner or person who contravenes the requirements of subregulation (1) or (2) or fails to comply with any notice served in terms of subregulation (3) or (4) shall be guilty of an offence.

A16. Qualifications of a Building Control Officer.

The minimum qualification of any building control officer appointed in terms of [section 5](#) of the Act shall be of a standard equivalent to a senior certificate plus three years tertiary education, at an accredited educational institution, in one of the following building disciplines:

- (a) Civil engineering;
- (b) structural engineering;

- (c) architecture;
- (d) building management;
- (e) building science;
- (f) building surveying; or
- (g) quantity surveying.

[Reg. (16) amended by GN R574/2008]

A17. Certificate of Identity of a Building Control Officer.

- (1) Any building control officer or any officer contemplated in [section 6](#) (4) of the Act shall, when so requested, produce his certificate of identity, which shall contain the following information:
 - (a) The number of the Act in terms of which the certificate is issued;
 - (b) the name of the local authority in question;
 - (c) the name of the officer;
 - (d) the signature of the officer;
 - (e) the signature of the municipal manager of the local authority concerned;
[Para. (e) amended by GN R 574/2008]
 - (f) the date of issue; and
 - (g) a photograph of the officer.
- (2) Sub-regulation (1) shall be deemed to be satisfied where the certificate is in accordance with that provided in SANS 10400-A.
[Subreg. (2) substituted by GN R 574/2008]
- (3) The certificate contemplated in subregulation (1) shall be valid only during the period that the officer so identified occupies the post of building control officer or during the period for which any power of a building control officer is delegated to him, as the case may be, and it may at any time be withdrawn by the local authority.
- (4) Any person who produces a certificate of identity which has not been lawfully issued to him or which has been lawfully withdrawn, shall be guilty of an offence.

A18. Control of Plumbers and Plumbing Work.

- (1) No person shall perform the trade of plumbing as contemplated in Government Notice No. R. 1875 of 31 August 1979 unless he is a trained plumber or works under the adequate control of a trained plumber or approved competent person
- (2) Where any person who is not a trained plumber has been practising the trade of plumbing and was required in terms of any local authority by-law to register with it before so practising in its area of jurisdiction, he may, if he is so registered, continue to practise in such area or the area of any other local authority if such registration is acceptable to such other local authority
- (3) No local authority shall, for the purposes of these regulations, register any person to practise the trade of plumbing after the coming into operation of the Act.
- (4) Any person not being a trained plumber or not being a person contemplated in subregulation (2), who practises the trade of plumbing shall be of an offence.
- (5) Any trained plumber who causes or permits any person who is not a trained plumber or is not a person contemplated in subregulation (2), to practise the trade of plumbing without adequately controlling the work done by such person, shall be guilty of an offence.

A19. Appointment of persons responsible for design, inspection and assessment duties

- (1) Where in terms of these regulations and in respect of the erection of any building:
 - (a) a rational design or rational assessment, is required in terms of:
 - (i) Regulations Z.4(1)(b)(ii), A(1)(3), A23(4), G1(3), 04, P2(2), Q(3), R(3), T1(2) or W4 in respect of a system, measure, facility, parameter, or installation, as relevant, or
 - (ii) a part of SANS 10400; or
 - (b) a geotechnical investigation is required in terms of Regulation F3

the owner of the building shall subject to the provisions of sub-regulations (4) and (5) appoint and retain one or more approved competent persons to undertake responsibility for the work associated with such regulations including any inspections and certifications that may be required.
- (2) Where it is not possible for such person to fulfil his or her duties as contemplated in subregulation (1), the owner of such building shall appoint

and retain another approved competent person to take over and fulfil such duties and responsibilities both in respect of the work already designed or erected or installed and in respect of the balance of such work still to be undertaken to complete the project.

- (3) The local authority may exempt from the requirements of this regulation any building classified in these regulations as minor building work or foundations to an addition or extension to a single storey building where the applicant has satisfied himself that the existing foundations are in accordance with the rules contained in SANS 10400-H and any local damage (including cracking) and deformation in the existing building are within tolerable limits.
- (4) The owner of any building who is required by these regulations to appoint an approved competent person shall state in the terms of the appointment for the competent person that such person undertake all duties and responsibilities required by these regulations. Such persons shall declare his or her acceptance of such responsibilities in the relevant portion of Form 2 contained in SANS 10400-A.
- (5) Notwithstanding the provisions of sub-regulation (1) or (2), a person may be appointed to undertake the relevant responsibilities and duties in respect of more than one of the systems, measures, facilities, parameters or installations provided for in sub-regulation (1) if the local authority accepts in terms of these regulations that he or she is competent to do so.
- (6)
 - (a) Where any building to be extended, the local authority may on receipt of the application for such extension and before granting approval require that the approved competent persons who have accepted responsibility for such work to timeously prepare and submit rational assessments as to the adequacy of the existing systems and installations in combination with the contemplated extensions to comply with the relevant requirements of these regulations for the whole building including the extensions.
 - (b) If the local authority is satisfied that any such rational assessment meets the requirement of these regulations and in particular of sub-regulation 6(a) it shall accept such assessment which shall be deemed to be part of the application submitted.
 - (c) If the local authority is not so satisfied it may after first consulting with the competent person who has submitted such assessment and subject to appeal to the Review Board decline to accept the assessment for reasons which it shall furnish in writing to such competent person and require him or her to submit a revised assessment to the satisfaction of the local authority.

- (7) Where in a building any element of the structural, fire protection, artificial ventilation, stormwater disposal or non-water borne sanitary disposal, fire installation or drainage installation system as provided for in sub-regulation (1) is or is required to be the subject of a rational design or rational assessment, the person appointed as an approved competent person shall assume responsibility for satisfying the functional regulation relating to that particular system in its entirety.
- (8) (a) Where an approved competent person is required in terms of sub-regulation (7) to assume responsibility for the system in its entirety and where parts of the system are to be undertaken by other competent persons, the approved competent person shall assume overall responsibility for the design of such system and shall ensure that:
- (i) the component designs are generally in accordance with the approved application and in accordance with the requirements of these regulations.
 - (ii) the component designs will achieve the necessary co-ordination and interaction of the different elements so as to achieve the objectives of the systems.
 - (iii) in the case of the structural system, the interaction of the various component elements will be such that the structural adequacy of all the parts of the building and the overall stability of the building is assured

but in all cases excluding responsibility for the detailed design of elements carried out by the other competent persons, provided that such exclusion shall not preclude the approved competent person from taking any action which he or she considers necessary in terms of sub-regulation (8)(b).

- (b) (i) For the purpose of satisfying him or herself of the adequacy of any design or designs contemplated in sub-regulation (8)(a) and of their compatibility with any system, measure or installation in its entirety, the approved competent person may at any time after his or her appointment, require the designer or designers of the different elements of the system referred to in sub-regulation (8)(a) to complete Form 3 contained in SANS 10400-A as he or she may deem necessary, and return it timeously, or in any event before building construction or installation proceeds. Each such designer shall, when called upon so to do, provide the information and documents concerned in respect of the work he or she has designed.

- (ii) The person appointed as approved competent person may further require, after consultation with the designer concerned, modifications to the relevant designs, plans and specifications, if in his or her opinion they do not comply with the provisions of these regulations.
 - (iii) Copies of designs, plans and specifications accepted by the approved competent person shall be submitted if so required to the local authority counter-signed by the approved competent person.
 - (iv) Each designer of a part of a system shall on completion of the erection or installation thereof, if called upon to do so by the approved competent person, complete and submit the section of Form 3 relating to inspection contained in SANS 10400-A.
 - (c) The provisions of sub-regulation (8)(a) and (b) for designs shall also apply in the case of any applicable rational assessments.
- (9) (a) Any person appointed by the owner in terms of sub-regulations (1) or (2), shall apply to the local authority for acceptance as an approved competent person and shall:
- (i) make application, and
 - (ii) declare his or her competence to undertake the relevant duties in the manner prescribed in the Regulations on Form 2 contained in SANS 10400-A and shall complete all applicable sections of such form.
- (b) The owner shall also complete the applicable section of Form 2 contained in SANS 10400-A
- (c) The local authority may, subject to appeal to the Review Board, decline to accept the appointment of any person who:
- (i) in completing any portion of Form 2 provides incorrect or incomplete information which in the opinion of the local authority is material to the determination of such applicant's competence;
 - (ii) is not an employee of the owner of the building and is not in possession of professional indemnity insurance cover;
 - (iii) is not professionally registered in terms of the Engineering Professions Act, 2000 (Act No. 46 of 2000), the Architectural

Professions Act (Act No. 44 of 2000) or the National Scientific Professions Act, 2003 (Act No. 27 of 2003);

- (iv) is in the opinion of the local authority inadequately qualified or has insufficient experience or contextual knowledge to make the determinations that are required in terms of these regulations, provided however that any person that satisfies the relevant definition for a competent person provided in a part of SANS 10400 in relation to the duties contemplated in this sub-regulation, is deemed to satisfy this sub-regulation; and
 - (v) is under investigation by a disciplinary tribunal of the Engineering Council of South Africa, the South African Council for the Architectural Profession or the South African Council for Natural Scientific Professions and the chief executive officer of such a Council has expressed an opinion in writing that the applications made by such persons should not be approved in the public interest.
- (10) (a) Where in respect of any building the local authority, after consideration of:
- (i) the details of registration in respect of category, date and discipline in which the applicant is registered, qualifications, experience, training and contextual knowledge provided in terms of this regulation by any person seeking acceptance of his or her appointment as a competent person, and
 - (ii) the declaration of competence provided by such person in terms of sub-regulation (9), considers that such person does not possess the degree of competence necessary to undertake the relevant duties, it may decline to accept the appointment of such person, who may appeal to the Review Board.
- (b) If the appeal is upheld, the local authority shall accept the appointment of the appellant as a person competent to undertake such duties or any part thereof in respect of such building as the Review Board may decide.
- (11) Where the local authority is satisfied with an application in respect of the matters specified in sub-regulations (10)(a)(i) and (ii) it shall indicate acceptance of the application in the manner specified in Form 2 as contained in SANS 10400-A.
- (12) (a) On completion of the structural, fire protection or fire installation system for which an approved competent person has been appointed in terms

of sub-regulations (1) or (2), such competent person shall complete and submit to the local authority a fully completed Form 4 as contained in SANS 10400-A in respect of each such system for which such person has accepted responsibility in terms of Section 14(2A) of the Act 103.

(b) (b) The local authority may require from the owner that an approved competent person submit a copy of the certification of the specific work, other than the structural, fire protection or fire installation, for which he has been appointed on completion of the building.

(13) Where any person provides any information or certificate required in terms of this regulation or which he or she knows to be incomplete or false, such person shall be guilty of an offence.

[Reg A19 substituted by GN R 574/2008]

A20. Classification and Designation of Occupancies.

- (1) The occupancy of any building shall be classified and designated according to the appropriate occupancy class given in column 1 of Table 1 and such classification shall reflect the primary function of such building: Provided that, in any building divided into two or more areas not having the same primary function, the occupancy of each such area shall be separately classified.
- (2) Notwithstanding the requirements of subregulation (1), any area in any building which is used for any purpose ancillary to that of any occupancy classification contemplated in subregulation (1) shall, subject to adequate facilities and safety measures being provided, not be classified as a separate occupancy.
- (3) Any room or space used for the storage or processing of flammable liquids shall not be deemed to be a J1 occupancy as herein defined if -
 - (a) such liquid is stored in the fuel tank of any engine, motor vehicle, boat or lawnmower,
 - (b) the quantity of liquid to be stored or handled in such room does not exceed 40 litres., or
 - (c) the quantity contemplated in paragraph (b) exceeds 40 litres but does not exceed 200 litres and the closed cup flash point of such liquid is above 40°C.

Table 1-Occupancy or Building Classification

1	2
Class of occupancy of building	Occupancy

A1	Entertainment and public assembly Occupancy where persons gather to eat, drink, dance or participate in other recreation.
A2	Theatrical and indoor sport Occupancy where persons gather for the viewing of theatrical, operatic, orchestral, choral, cinematographical or sport performances.
A3	Places of instruction Occupancy where school children, students or other persons assemble for the purpose of tuition or learning.
A4	Worship Occupancy where persons assemble for the purpose of worshipping.
A5	Outdoor sport Occupancy where persons view outdoor sports events.
B1	High risk commercial service Occupancy where a non-industrial process is carried out and where either the material handled or the process carried out is liable, in the event of fire, to cause combustion with extreme rapidity or give rise to poisonous fumes, or cause explosions.
B2	Moderate risk commercial service Occupancy where a non-industrial process is carried out and where either the material handled or the process carried out is liable in the event of fire, to cause combustion with moderate rapidity but is not likely to give rise to poisonous fumes, or cause explosions.
B3	Low risk commercial service Occupancy where a non-industrial process is carried out and where neither the material handled nor the process carried out falls into the high or moderate risk category.
C1	Exhibition hall Occupancy where goods are displayed primarily for viewing by the public.
C2	Museum Occupancy comprising a museum, art gallery or library.
D1	High risk industrial Occupancy where an industrial process is carried out and where either the material handled or the process carried out is liable, in the event of fire, to cause combustion with extreme rapidity or give rise to poisonous fumes, or cause explosions.

D2	Moderate risk industrial Occupancy where an industrial process is carried out and where either the material handled or the process carried out is liable, in the event of fire, to cause combustion with moderate rapidity but is not likely to give rise to poisonous fumes, or cause explosions.
D3	Low risk industrial Occupancy where an industrial process is carried out and where neither the material handled nor the process carried out falls into the high or moderate risk category.
D4	Plant room Occupancy comprising usually unattended mechanical or electrical services necessary for the running of a building.
E1	Place of detention Occupancy where people are detained for punitive or corrective reasons or because of their mental condition.
E2	Hospital Occupancy where people are cared for or treated because of physical or mental disabilities and where they are generally bed-ridden.
E3	Other institutional (residential) Occupancy where groups of people who either are not fully fit, or who are restricted in their movements or their ability to make decisions, reside and are cared for.
E4	Health care Occupancy which is a common place of long term or transient living for a number of unrelated persons consisting of a single unit on its own site who, due to varying degrees of incapacity, are provided with personal care services or are undergoing medical treatment.
F1	Large shop Occupancy where merchandise is displayed and offered for sale to the public and the floor area exceeds 250 m ² .
F2	Small shop Occupancy where merchandise is displayed and offered for sale to the public and the floor area does not exceed 250 m ² .
F3	Wholesalers' store Occupancy where goods are displayed and stored and where only a limited selected group of persons is present at any one time.
G1	Offices

	Occupancy comprising offices, banks, consulting rooms and other similar usage
H1	Hotel Occupancy where persons rent furnished rooms, not being dwelling units
H2	Dormitory Occupancy where groups of people are accommodated in one room.
H3	Domestic residence Occupancy consisting of two or more dwelling units on a single site.
H4	Dwelling house Occupancy consisting of a dwelling, units on its own site, including a garage and other domestic outbuildings, if any.
H5	Hospitality Occupancy where unrelated persons rent furnished rooms on a transient basis within a dwelling house or domestic residence with sleeping accommodation for not more than 16 persons within a dwelling unit.
J1	High risk storage Occupancy where material is stored and where the stored material is liable, in the event of fire, to cause combustion with extreme rapidity or give rise to poisonous fumes, or cause explosions.
J2	Moderate risk storage Occupancy where material is stored and where the stored material is liable, in the event of fire, to cause combustion with moderate rapidity but is not likely to give rise to poisonous fumes, or cause explosions.
J3	Low risk storage Occupancy where the material stored does not fall into the high or moderate risk category.
J4	Parking garage Occupancy used for storing or parking of more than 10 motor vehicles.

[Table 1 amended by GN R574/2008]

A21. Population.

- (1) The population of any room or storey or portion thereof shall be taken as the actual population of such room, storey or portion thereof where such population is known or, where such population is not known, the population shall be calculated from the criteria given in Table 2.
- (2) In the case of any occupancy classified as F1, where the total floor area is more than 500 m², that portion of the floor area that is in excess of 500 m² shall, for the purposes of calculation of the population be reduced by an amount of 20%.

Table 2-Design Population

1	2
Class of occupancy of room or storey or portion thereof	Population
A1, A2, A4, A5.....	Number of fixed seats or 1 person per m ² if there are no fixed seats
E1, E3, H1, H3, H4.....	2 persons per bedroom
E4.....	16 persons provided that the total number of persons per room is not more than 4
H5.....	16 persons per dwelling unit provided that the total number of persons per room is not more than 4
G1.....	1 person per 15 m ²
J1, J2, J3, J4.....	1 person per 50 m ²
C1, E2, F1, F2.....	1 person per 10 m ²
B1, B2, B3, D1, D2, D3.....	1 person per 15 m ²
C2, F3.....	1 person per 20 m ²
A3, H2.....	1 person per 5 m ²

[Table 2 substituted by GN R432/91 and GN R574/2008]

A22. Notice of Intention to Commence Erection or Demolition of a Building and Notices of Inspection.

- (1) (a) No work in connection with the erection or demolition of any building shall be commenced on the site unless notice, in the form required by the local authority, has been given to such local authority by the owner of such building, stating the date on which such erection or demolition will commence.
- (b) Such notice shall in the case of the erection of a building be given at least four days, exclusive of a Saturday, Sunday or public holiday, and in the case of the demolition of a building at least 10 days, exclusive of a Saturday, Sunday or public holiday, before such work commences.
- (2) Notice in the form required by the local authority shall be given by the owner to such local authority of a date which shall be at least 2 working days from the date of receipt by it of such notice on which, as the case may be -

- (a) any fire installation will be connected to any communication pipe;
 - (b) trenches or excavations will be ready for inspection prior to the placing of concrete for any foundation; or
 - (c) any drainage installation will be ready for inspection and testing.
 - (d) the building will be completed
 - [Para. (d) added by GN R574/2008]
 - [Subreg. (2) amended by GN R432/91]
- (3) No owner shall construct any foundation until the trenches or excavations have been inspected and approved by the local authority, and such owner shall not backfill or enclose a drainage installation until such installation has been inspected, tested and approved by the local authority: Provided that this requirement shall not apply if such inspection and testing has not been carried out by the end of the working day which has the first date mentioned in subregulation (2).
- (4) Any owner who fails to comply with the requirements of this regulation shall be guilty of an offence.

A23. Temporary Buildings.

- (1) On receipt of any application to erect a building which the applicant has declared to be a temporary building, the local authority may, subject to the provisions of subregulations (2), (3) and (4), grant provisional authorization to the applicant to proceed with the erection of such building in accordance with any conditions or directions specified in such authorization.
- (2) Before granting such authorization the local authority may require the submission of -
- (a) a statement of the period for which authorization is required;
 - (b) a site plan;
 - (c) layout drawings in sufficient detail to enable the local authority to determine the general size, form, materials of construction and use of the proposed building; and
 - (d) any structural detail required by the local authority to determine the structural safety of the proposed building.
- (3) The local authority shall grant the authorization contemplated in subregulation (1) for a limited period, to be determined with regard to the period specified by the applicant.

- (4) The local authority may at the request of the owner grant approval for one or more extensions of the period contemplated in subregulation (3): Provided that where it is intended that the public should have access to such building each such request shall be accompanied by a certificate signed by an approved competent person, indicating that the condition of the structural system is satisfactory.

[Subreg. (4) amended by GN R574/2008]

- (5) The owner of such building may, not later than the last day of the period contemplated in subregulation (3), submit to the local authority such additional plans and details as required by the local authority in order to consider an application in terms of [section 4](#) of the Act.
- (6) Where such local authority has granted approval in respect of an application contemplated in subregulation (5), the owner shall submit to the local authority an affidavit stating that any part of such building erected in terms of the provisional authorization has been erected in accordance with the plans and details contemplated in subregulation (5).
- (7) If any plans and details contemplated in subregulation (5) have not been submitted to such local authority or if such local authority has refused to grant approval in respect thereof, the owner shall forthwith remove or demolish such building.

A24. Standardization of Interpretation.

- (1) Where so requested, in writing, by any local authority, the owner of any building or any person with an interest in such building, the council may examine the plans, specifications or other documents which accompanied or which are intended to accompany application to the local authority in question, perform any tests that it considers necessary and inspect the site on which such building is to be erected, and issue a report in connection therewith.
- (2) Where the council finds that the proposed building complies with all the relevant requirements of these regulations it shall report accordingly, and any application for approval to erect such building, where accompanied by such report shall be deemed to satisfy the requirements of the Act: Provided that such report shall clearly identify any plans, specifications or other documents which have been examined by the council.

A25. General Enforcement.

- (1) No person shall use any building or cause or permit any building to be used for a purpose other than the purpose shown on the approved plans of such building, or for a purpose which causes a change in the class of occupancy as contemplated in these regulations, whether such plans were approved in terms

of the Act or in terms of any law in force at any time before the date of commencement of the Act, unless such building is suitable, having regard to the requirements of these regulations, for such first-mentioned purpose or for such changed class of occupancy.

- (2) Any person who contravenes a provision of subregulation (1) shall be guilty of an offence, and the local authority may serve a notice on such person calling upon him forthwith to cease such contravention.
- (3) Where the erection of any building was completed before the date of commencement of the Act and such erection was in contravention of the provisions of any law in force before such date, the local authority may take any action it may have been competent to take in terms of such law.
- (4) Where any building was being erected before the date of commencement of the Act in contravention of the provisions of any law in force before such date and the erection of such building is continued on or after such date in contravention of such provisions or of the provisions of the Act, the person who continues so to erect such building shall be guilty of an offence.
- (5) Any person who, having obtained approval in terms of the Act for the erection of any building, deviates to any material degree from any plan, drawing or particulars approved by the local authority shall, except where such deviation has been approved, be guilty of an offence.
- (6) The local authority may serve a notice on any person contemplated in [section 4](#) (4) of the Act or subregulation (4) or (5), ordering such person forthwith to stop the erection of the building concerned or to comply with such approval, as the case may be: Provided that where any deviation is found to be necessary during the course of construction of such building, the local authority may authorize the work to continue but shall require that an amended plan, drawing or particulars to cover such deviation is submitted and approved before a certificate of occupancy is issued.
- (7) Whether or not a notice contemplated in subregulation (6) has been served, the local authority may serve a notice on the owner of any building contemplated in subregulation (4) or (5), ordering such owner to rectify or demolish the building in question by a date specified in such notice.
- (8) If, before the date specified for the rectification or demolition contemplated in subregulation (7), the owner satisfies the local authority that he has complied with the requirements contained in these regulations, the notice contemplated in subregulation (7) shall be deemed to have been withdrawn.
- (9) Where any building is being or has been erected and any contravention of these regulations other than those relating to matters referred to in

subregulation (4) or (5) has been committed, the local authority shall serve a notice on the owner of such building and in such notice shall specify a date by which such owner shall have complied with the regulations, cite the regulations contravened and specify the steps to be taken in order to comply with such regulations.

- (10) Where any building, excluding a temporary building, is being or has been erected without the prior approval contemplated in [section 4](#) (1) of the Act, the local authority shall serve a notice on the owner of such building, calling upon him to obtain the approval, in writing, as required by the Act, by a date specified in such notice.
- (11) Any person who fails to comply with any notice contemplated in this regulation shall be guilty of an offence.

PART B

STRUCTURAL DESIGN

B1. Design Requirements.

- (1) Any building and any structural element or component thereof shall be designed to provide strength, stability, serviceability and durability under all actions which can reasonably be expected to occur in accordance with the accepted principles of structural design, and so that it will not impair the integrity of any other building or property.
[Subreg. (1) amended by GN R574/2008]
- (2) Any such building shall be so designed that in the event of accidental overloading the structural system will not suffer disastrous or progressive collapse which is disproportionate to the original cause.
- (3) The requirements of subregulations (1) and (2) shall be deemed to be satisfied where such building is designed in accordance with SANS 10400-B.
[Subreg. (3) amended by GN R574/2008]

PART C

DIMENSIONS

C1. Rooms and Buildings.

- (1) Any room or space shall have dimensions that will ensure that such room or space is fit for the purpose for which it is intended.
- (2) The floor area of any dwelling unit shall not be less than that necessary to provide one habitable room and a separate room containing toilet facilities.

- (3) The requirements of subregulations (1) and (2) shall be deemed to be satisfied where the area and plan dimensions of any room or space, the room heights and, in the case of any dwelling house, the floor area comply with SANS 10400-C.

[Subreg. (3) amended by GN R574/2008]

PART D

PUBLIC SAFETY

D1. Change in Level.

The protection of the edge of any balcony, bridge, flat roof of similar place shall be designed to prevent any person from falling from such balcony, bridge, flat roof or similar place.

D2. Pedestrian Entrances to Parking Areas in Buildings.

Where any pedestrian entrance is provided to a vehicle parking area in any building, such entrance shall be so positioned, marked or protected that no pedestrian can unintentionally walk into the path of any moving vehicle: Provided that this requirement shall not apply in respect of any building classified as H4 in terms of regulation A20.

D3. Ramps.

Any ramp or driveway shall be so designed that it is safe when used and is fit for the purpose for which it is intended.

D4. Swimming Pools and Swimming Baths.

- (1) The owner of any site which contains a swimming pool shall ensure that access to such swimming pool is controlled.
- (2) Any owner who fails to comply with the requirement of subregulation (1) shall be guilty of an offence.

D5. Deemed-to-Satisfy Requirements.

The requirements of regulations D1, D3 and D4 shall be deemed to be satisfied where change in level, the design of ramps and driveways, or access to swimming pools, as the case may be, complies with SANS 10400-D.

[Reg. D5 amended by GN R574/2008]

PART E

DEMOLITION WORK

E1. Demolition of any Building.

- (1) No owner of any site shall demolish or cause or permit to be demolished any building without the prior written permission of the local authority.
- (2) The local authority may, in granting such permission, impose any condition or requirements contemplated in subregulations F1 (4) and (5) and regulation F2 and for the safety, health and convenience of the public, and for the safety of any other building or installation which in its opinion may be affected by such demolition.
- (3) No person shall at any time during the course of or after the demolition of a building leave it in a condition dangerous to the public or any adjoining property.
- (4) Where a condition contemplated in subregulation (3) arises the local authority may serve a notice on such person requiring him to make the site safe, and if he fails so to do, the local authority may itself carry out the necessary work and recover the cost thereof from such person.

E2. Safeguarding of Basements.

Where any building is demolished to the level of the ground and such building contained a basement, the owner of such building shall provide or cause to be provided safe lateral support to the sides of such basement.

E3. Prohibition of Dangerous Methods.

The local authority may prohibit the use of any method to be applied in the demolition of any building where in its opinion such method will create or cause to be created any danger to any person or other building or property, and where it so prohibits it shall, on the request of the owner of such building, give its reasons, in writing, for such prohibition.

E4. General Penalty.

Any person who contravenes any requirement of the regulations of this Part or fails to comply with any notice, condition or order issued thereunder, shall be guilty of an offence.

PART F

SITE OPERATIONS

F1. Protection of the Public.

- (1) In cases where danger or serious inconvenience to the public may ensue from the demolition or erection of a building on any site; the local authority may require that the owner of such site, before such work is commenced, shall erect a fence, hoarding or barricade to prevent the public from entering such site and to protect them from the activities on such site.
- (2) Such fence, hoarding or barricade shall for as long as is necessary be retained and maintained by such owner in a safe condition, and any access to such site, and the means thereof, shall be subject to approval.
- (3) No part of such fence, hoarding or barricade shall be removed without the permission, in writing, of the local authority until the work has been completed.
- (4) Any person undertaking any work of erection or demolition on any site shall confine all operations in connection with such work within the boundaries of such site and shall not encroach upon or over any street or public place abutting such site, except with the prior written approval of the local authority, and subject to the conditions contained in such approval with regard to the safety and convenience of persons using such street or public place.
- (5) The local authority may, before or during the erection or demolition of any building, impose any reasonable conditions in addition to the conditions and requirements contemplated in this regulation, for the purpose of safeguarding the interests of the general public, and every condition so imposed shall be observed by the owner.
- (6) Any owner who contravenes or causes or permits any other person to contravene a requirement of this regulation or fails to comply with any notice served on him by the local authority ordering compliance with this regulation, or contravenes any condition contained in any approval, shall be guilty of an offence.

F2. Damage to Local Authority's Property.

- (1) Where any work connected with the demolition or erection of any building may, in the opinion of the local authority, cause or have any detrimental effect on the strength, standard, safety, quality or position of any property belonging to or vested in such local authority, the local authority may require the owner of such building to pay to the local authority such deposit or give such security, as it may require to cover the costs of the repair of any damage which may be caused by such work

- (2) In the event of damage to the local authority's property being so caused the local authority may appropriate the amount of the deposit or security contemplated in subregulation (1) towards the costs of repairing such damage: Provided that if the amount of the deposit or security exceeds such costs, the balance shall be refunded. to the owner. Provided further that if such costs exceed the amount of the deposit or security, such owner shall be liable to the local authority for the deficit.
- (3) Where any deposit contemplated in subregulation (1) has not been lodged with the local authority, the owner of such building shall pay the cost of such repair to the local authority on demand, failing which the local authority may recover such cost from the owner in a court of competent jurisdiction.

F3. Geotechnical site and environmental conditions.

- (1) Where the local authority has reason to believe that a site upon which a building is to be erected:
 - (a) is situated on contaminated land;
 - (b) is situated on potentially unstable land to the extent, insofar as risk can reasonably be foreseen, that ground movements caused by land-slip, slope stability or subsidence may impair the stability of the building or part thereof or pose a threat to the safety of occupants; or
 - (c) is underlain by subsoils which have the potential to cause foundation movements caused by swelling, consolidation, shrinkage or settlements and as a result may impair the stability of the building or part thereof;

it shall on receipt of an application for the erection of the building inform the applicant accordingly.

- (2) On receipt of any such notification or where the applicant is aware of such conditions or they are evident, such applicant shall appoint an approved competent person to undertake an appropriate geotechnical site investigation.
- (3) Such approved competent person shall, as appropriate, determine in accordance with accepted principles, methods and technical considerations, as relevant:
 - (a) whether or not the erection of a building on the site under (1) (a) or (1) (b) above should be permitted, and if so under what conditions, providing full details of the measures which need to be effected to fulfil such conditions and

- (b) (b) the magnitude of any potential total and differential movements to which the building or part thereof may be subjected to,

and shall report to the owner and the local authority such findings.

- (4) Geotechnical investigations conducted in accordance with the requirements of SANS 10400-B in the case of dolomite lands and SANS 10400-H in the case of foundations for buildings shall in terms of F3(2) be deemed to be appropriate investigations.
- (5) The measures contemplated in sub-regulations (3)(a) and (b) shall be applied in the erection of the building and the site works.
[Reg F3 substituted by GN R574/2008]

F4. Preparation of Site.

- (1) Before any foundation is laid the area to be covered by any building shall be properly cleared of vegetable matter, tree stumps, timber and other cellulose material, debris or refuse and any material contaminated with faecal matter.
- (2) Where any site upon which any building is to be erected is waterlogged, seasonally waterlogged or saturated, or where any building is to be so situated that water will drain naturally towards it, drainage shall be provided to direct such water away from such site or building to a stormwater drain or to dispose of it in some other safe approved manner.
[Subreg. (2) amended by GN R574/2008]

F5. Soil Poisoning.

Where so required by the local authority, the soil in all areas within the site as defined in code of practice SANS 10124 shall be treated in accordance with the recommendations of SANS 10124.

- (1) Buildings shall, where so required by the local authority or in areas of high termite infestation, be protected from subterranean termite activity.
- (2) The requirements of subregulation (1) shall be deemed to be satisfied where the means of termite protection complies with SANS 10400-F.
[Reg. F5 amended by GN R574/2008]

F6. Control of unreasonable levels of Dust and Noise.

[Title substituted by GN R 574/2008]

- (1) The owner of any land on which excavation work is in progress or on which any building is being erected or demolished shall take precautions in the

working area and on surrounding roads and footways to limit to a reasonable level the amount of dust arising from the work or surroundings thereof

- (2) (a) No person shall during the course of any building, demolition or excavation work use any machine, machinery, engine, apparatus, tool or contrivance, which in the opinion of the local authority may unreasonably disturb or interfere with the amenity of the neighbourhood:

(i) on a public holiday or Sunday

(ii) before 06:00 or after 17:00 on any Saturday; and

(iii) before 06:00 or after 18:00 on any day other than those days contemplated in subparagraphs (i) and (i).

[Para. (a) substituted by GN R574/2008]

- (b) The prohibition in paragraph (a) shall not apply in any circumstances in which the use of such machine, machinery, engine, apparatus, tool or contrivance

(i) is urgently necessary in order to preserve the life, safety or health of any person;

(ii) is urgently necessary to preserve property;

(iii) has been authorized by the local authority; or

(iv) is necessary for the execution of work being carried out on behalf of any public authority.

[Para. (c) renumbered to (b) by GN R574/2008]

- (3) Any owner or person who contravenes a provision of this regulation shall be guilty of an offence.

F7. Cutting into, Laying Open and Demolishing Certain Work.

- (1) Where the local authority on reasonable grounds, believes that any work carried out in connection with the erection of any building is not in accordance with the provisions of these regulations or any approval or authority granted thereunder, such local authority may, in order to establish whether such work is in accordance with such provision, approval or authority, by notice in writing, order the owner of such building -

- (a) to supply satisfactory proof that such work is in accordance with such provision, approval or authority, or

- (b) to cause such work to be cut into, laid open or demolished to the extent required by the local authority; or
- (c) to cause a test of such work to be carried out within such time and to such extent and by such person as it specified in such notice.

(2)

- (a) Where such local authority orders the owner to cause a test to be carried out as contemplated in subregulation (1) (c), a written report in regard to such test shall be submitted by the owner to the local authority, which report shall be signed by the person who earned out the test and which shall contain details in regard to the testing apparatus, methods and materials used in the test, the conditions under which such test was earned out and the result obtained during the test and at the conclusion thereof
- (b) Where as a result of a report contemplated in paragraph (a) the local authority is not satisfied that the work concerned is in compliance with the requirements referred to in subregulation (1), the local authority may, by notice served on the owner, order the owner to take such steps as it deems necessary, and within such period as is stated in such notice, to ensure that there is such compliance, or the local authority may in such notice order the owner to cause such work to be cut into, laid open or demolished as contemplated in subregulation (1) (b).

(3)

- (a) Any owner having been ordered to cause any work to be cut into, laid open, demolished or tested in terms of this regulation shall not continue with such work or with any other work affected thereby unless the local authority has authorized him, in writing, to continue.
- (b) Where the local authority is satisfied that work on the affected part of the building may proceed, it shall forthwith give authorization to so proceed.

(4)

Where such cutting into, laying open, demolishing or testing reveals that a contravention of the requirements of these regulations, or of any approval or authority granted by the local authority, has taken place, or if the necessity for such cutting into, laying open, demolishing, or testing is attributable wholly or partly to any contravention of the proviso to subregulation A4 (1) (b) or the requirements of regulation A22 or A25, the cost of such work and any making good subsequent thereto shall be borne by the owner, and in any other case by such local authority.

- (5) Any owner who contravenes any provision of this regulation or who fails to comply with any notice served on him in terms thereof, shall be guilty of an offence.

F8. Waste Material on Site.

- (1) Where in the opinion of the local authority, excessive rubble, rubbish, other debris or combustible waste material is allowed to accumulate on a site before or during building operations, it may, by written notice, order the owner of such site to have such rubble, rubbish, other debris or combustible waste material removed within the period specified in such notice.
- (2) Any owner who fails to comply with such notice shall be guilty of an offence and the local authority may remove the said rubble, rubbish, other debris or combustible waste material from such site and may recover the costs of such removal from the owner.

F9. Cleaning of Site.

- (1) Any owner or person erecting or demolishing any building shall remove any surplus material and matter arising from such erection or demolition from the site and from any other land or public street or public place affected by such material or matter during or after the completion of such erection or demolition, failing which the local authority may, by written notice, order the owner of such building to have such surplus material and matter removed within a period specified in such notice.
- (2) Any owner or person who fails to comply with a provision of subregulation (1) or a notice served on him in terms thereof, shall be guilty of an offence.

F10. Builder's Sheds.

- (1) Any owner or person carrying out or performing work in connection with the erection or the demolition of any building, may erect on the site of such work such temporary builder's sheds as may be necessary.
- (2) The construction and location of such sheds shall be to the satisfaction of the local authority and such sheds shall be maintained in good order
- (3) Subject to the provisions of subregulation (6) such sheds shall only be used for a purpose connected with the carrying out or the performance of the work referred to in subregulation (1).
- (4) Where such sheds are not constructed, located or maintained in terms of this regulation, the local authority may serve a notice on such owner or person to move, reconstruct or repair or improve the condition of such sheds within a

time specified in such notice, or if use thereof is being made other than that permitted in terms of this regulation, to cease such unpermitted use.

- (5) On completion or cessation of the work referred to in subregulation (1) or where such sheds are no longer necessary for the purpose for which they were erected, they shall be removed from the site by the owner
- (6) Security personnel employed in connection with a building which is being or which is to be erected or demolished may be accommodated in builder's sheds, subject to such requirements and conditions as may be necessary for the safeguarding of public health and the health of such personnel and for avoiding nuisance or inconvenience to persons in the vicinity of such building.
- (7) Any owner or person who fails to comply with any provision of this regulation or any notice served on him in terms thereof, shall be guilty of an offence.

F11. Sanitary Facilities.

- (1) No owner or person shall commence or continue the erection or demolition of any building unless approved sanitary facilities for all personnel employed on or in connection with such work have been provided or are available on the site or, with the permission of the local authority, at some other place:
Provided that where such facilities have not been so provided the local authority may order the cessation of such work until the required facilities have been provided, and, should such order not be complied with, the local authority may install such facilities and recover the costs of such installation from the owner of the site.
- (2) Any owner or person who contravenes any provision of this regulation, or fails to comply with an order served on him in terms thereof, shall be guilty of an offence.
- (3) The requirements of subregulation (1) shall be deemed to be satisfied where the provision of sanitary facilities complies with SANS 10400-F.
[Subreg. (3) amended by GN R574/2008]

PART G

EXCAVATIONS

G1. General Stability Requirement.

- (1) Where any excavation related to a building is carried out or is to be carried out on any site and such excavation may impair the safety or stability of any property or service, the owner of such site shall take adequate precautionary measures to ensure that the safety and stability of such property or service is maintained.

- (2) While any such excavation remains open, and during the placing of any foundation within it, such excavation shall be maintained in a safe condition by the owner or person carrying out such excavation.
- (3) Where the safety or stability of any property or service is likely to be impaired by such excavation, or where the depth, at any point, of such excavation is likely to be more than 3 m, the owner of the site shall -
 - (a) obtain the prior written authorization of the local authority for such excavation; and
 - (b) take the precautionary measures specified by the local authority or an approved competent person in such authorization.
[Para. (b) amended by GN R574/2008]
- (4) The owner of any site shall, at least seven days prior to the commencement of any excavation contemplated in subregulation (1), notify the local authority in writing of his intention to excavate.
- (5) Any owner or person who fails to comply with any requirement of this regulation, shall be guilty of an offence.

G2. Deemed-To-Satisfy Requirements.

The requirements of regulation G1 (1) shall be deemed to be satisfied where the excavation complies with SANS 10400-G.

[Part G substituted by GN R432/91 and amended by GN R574/2008]

PART H

FOUNDATIONS

H1. General Requirement.

- (1) The foundation of any building shall be designed and constructed to safely transmit all the actions which can reasonably be expected to occur from such building to the ground and in such a manner that any local damage (including cracking), deformation or vibration do not compromise the efficient use of a building or the functioning of any element of a building or equipment within a building.
[Subreg. (1) substituted by GN R574/2008]
- (2) The requirement of subregulation (1) shall be deemed to be satisfied where the design and construction of such foundation complies with SANS 10400-H.
[Subreg. (2) amended by GN R574/2008]

PART J

FLOORS

J1. General Requirement.

- (1) Any floor of any building shall -
 - (a) be designed and constructed to safely support its own weight and any actions which can reasonably be expected to occur and in such a manner that any local damage (including cracking), deformation or vibration do not compromise the efficient use of the building or the functioning of equipment supported by such floor; and
[Para. (a) substituted by GN R574/2008]
 - (b) have a fire resistance appropriate to its use and where required, be non-combustible.
- (2) The floor of any laundry, kitchen, shower-room, bathroom or room containing a toilet pan or urinal shall be water-resistant
[Subreg. (2) amended by GN R574/2008]
- (3) Any suspended timber floor in a building shall be provided with adequate under-floor ventilation.
- (4) Where any concrete floor slab is supported on ground or filling, such floor shall be so constructed that any moisture present in such ground or filling is prevented from penetrating such concrete floor slab.
- (5) The requirements of subregulations (1), (2), (3) and (4) shall be deemed to be satisfied where the design and construction of any floor complies with SANS 10400-J: Provided that where the local authority deems it necessary in order to satisfy the requirements of subregulation (4), such local authority may require that the entire area within the foundation walls of any building be covered by a suitable damp-proof membrane, and in the case of the floor of a basement or semi-basement where the highest known level of the extreme watertable is higher than the floor level of the basement to such an extent that uplift of the floor might occur, the local authority may require that adequate sub-soil drains under the floor be provided together with means of removing the water so drained.
[Subreg. (5) substituted by GN R574/2008]

PART K

WALLS

K1. Structural Strength and Stability.

Any wall shall be designed and constructed to safely sustain any actions which can reasonably be expected to occur and in such a manner that any local damage (including cracking) or deformation do not compromise the opening and closing of doors and windows or the weather tightness of the wall and in the case of any structural wall, be capable of safely transferring such actions to the foundations supporting such wall.

[Reg. K1 substituted by GN R574/2008]

K2. Water Penetration.

- (1) Any wall shall be so constructed that it will adequately resist the penetration of water into any part of the building where it would be detrimental to the health of occupants or to the durability of such building.
- (2) Where a building includes a basement or semi-basement, the local authority may, if it considers that conditions on the site on which the building is to be erected necessitate integrated designs for the penetration of water into such basement or semi-basement applicable to all construction elements or components thereof, require the submission of such designs for approval. Construction shall be in accordance with the requirements of the approved design.

[Reg. K2 substituted by GN R574/2008]

K3. Roof Fixing.

Where any roof truss, rafter or beam is supported by any wall provision shall be made to fix such truss, rafter or beam to such wall in a secure manner that will ensure that any actions to which the roof may normally be subjected will be transmitted to such wall.

[Reg. K3 amended by GN R574/2008]

K4. Behaviour in Fire.

Any wall shall have combustibility and fire resistance characteristics appropriate to the location and use of such wall.

K5. Deemed-to-Satisfy Requirements.

The requirements of regulations K1, K2, K3 and K4 shall be deemed to be satisfied where the structural strength and stability of any wall, the prevention of water penetration into, or through such wall, the fixing of any-roof to such wall and the behaviour in a fire of such wall, as the case may be, comply with SANS 10400-K.

[Reg. K5 amended by GN R574/2008]

PART L

ROOFS

L1. General Requirements.

The roof of any building shall be so designed and constructed that it-

- (a) safely sustains any actions which can reasonably be expected to occur and in such a manner that any local damage (including cracking) or deformation do not compromise its functioning;
- (b) is adequately anchored against wind uplift;
- (c) is durable and does not allow the penetration of rainwater or any other surface water to its interior;
- (d) does not allow the accumulation of any water upon its surface; and
- (e) as part of a roof and ceiling assembly, provides adequate height in any room immediately below such assembly.

[Reg. L1 substituted by GN R574/2008]

L2. Fire Resistance and Combustibility.

The fire resistance of any roof or roof and ceiling assembly complete with light fittings or any other component which penetrates the ceiling, shall be appropriate to its use and where necessary such roof or roof and ceiling assembly shall be non-combustible.

L3. Deemed-to-Satisfy Requirements.

The requirements of regulations L1 and L2 shall be deemed to be satisfied where any roof or roof and ceiling assembly, as the case may be, complies with SANS 10400-L.

[Reg. L3 amended by GN R574/2008]

PART M

STAIRWAYS

M1. General Requirement.

Any stairway, including any wall, screen, railing or balustrade to such stairway, shall:

- (a) be capable of safely sustaining any actions which can reasonably be expected to occur and in such a manner that any local damage (including cracking) or deformation do not compromise its functioning;

- (b) permit safe movement of persons from floor to floor; and
- (c) have dimensions appropriate to its use.
[Reg. M1 substituted by GN R574/2008]

M2. Fire Requirement.

A stairway contemplated in regulation M1 shall comply with the relevant requirements in Part T of these regulations.

M3. Deemed-to-Satisfy Requirements.

The requirements of regulations M1 and M2 shall be deemed to be satisfied where the design of any stairway complies with SANS 10400-M.
[Reg. M3 amended by GN R574/2008]

PART N

GLAZING

N1. Type and Fixing of Glazing.

- (1) Any material used in the glazing of any building shall be of a secure and durable type and shall be fixed in a manner and position that will ensure that it will -
 - (a) safely sustain any wind actions which can reasonably be expected;
[Para. (a) substituted by GN R574/2008]
 - (b) not allow penetration of water to the interior of the building; and
 - (c) be apparent, in the case of clear glazing, to any person approaching such glazing.
- (2) Glass, plastics and organic coated glass shall be selected in order to provide, in the case of human impact, a degree of safety appropriate in relation to -
 - (a) the position of the glazed area; and
 - (b) the number and likely behaviour pattern of persons expected to be in close proximity to such glazed area.
- (3) The requirements of subregulations (1) and (2) shall be deemed to be satisfied where the glazing material is selected, fixed and marked in accordance with SANS 10400-N.
[Subreg. (3) amended by GN R574/2008]

PART O

LIGHTING AND VENTILATION

O1. Lighting and Ventilation Requirement.

- (1) Any habitable room, bathroom, shower-room and room containing a toilet pan or urinal or any room which is a parking garage shall be provided with a means of lighting and ventilation which will enable such room to be used, without detriment to health or safety or causing any nuisance, for the purpose for which it is designed.

[Subreg (1) amended by GN R574/2008]

- (2) The requirement of subregulation (1) shall be deemed to be satisfied where the lighting and ventilation are in accordance with SANS 10400-O.

[Subreg (2) substituted by GN R574/2008]

- (3) (a) Notwithstanding the provision of any openings for natural light in accordance with subregulation (2) any room contemplated in subregulation (1) or any corridor, lobby or staircase serving such room shall be provided with a means of artificial lighting-

(i) for periods when natural lighting is inadequate; or

(ii) where the size or shape of any such room, or the glazing material used in any such opening, will not permit sufficient natural light effectively to illuminate all parts of such room.

- (b) Notwithstanding the provision of openings for natural ventilation in accordance with subregulation (2) any room subject to the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), shall in terms of the said Act be provided with artificial ventilation as prescribed by such Act; and any room contemplated in subregulation (1) which is-

(i) a room which, due to conditions of high temperature, may be dangerous to safety or health;

(ii) a room where there will be dust, gas, vapour or volatile matter and hazardous biological agents which might be dangerous to safety or health; or

(ii) used for any purpose for which natural ventilation is not suitable,

shall be provided with a means of artificial ventilation.

[Subreg (3) substituted by GN R574/2008]

O2. Special Provision of Natural Lighting.

Any habitable room in any dwelling house or dwelling unit, or any bedroom in any building used for residential or institutional occupancy shall, notwithstanding the provision of artificial lighting, be provided with at least one opening for natural light in accordance with subregulation O1 (1).

O3. Approval of Artificial Ventilation Systems.

No person shall without prior written approval of the local authority install any artificial ventilation system in any building: Provided that this prohibition shall not apply in the case of room air conditioners or other individual appliances installed for comfort.

O4. Design of Artificial Ventilation Systems.

Any rational design of an artificial ventilation system shall be carried out by or under the supervision of an approved competent person who shall certify in accordance with the requirements of Regulation A19 that the system has been designed to comply with regulation O1.

[Reg. O4 substituted by GN R574/2008]

O5. Artificial Ventilation Plant.

- (1) Any plant forming part of an artificial ventilation system shall be so designed, located and protected that -
 - (a) any condensate from such plant cannot be the cause of danger or nuisance to the public;
 - (b) inspection and servicing can be undertaken; and
 - (c) unauthorized persons cannot tamper with such plant.
- (2) The requirements of subregulation (1) shall be deemed to be satisfied where the design, location and protection of such plant comply with SANS 10400-O.

[Subreg. (2) amended by GN R574/2008]

O6. Testing of Artificial Ventilation Systems.

- (1) The owner shall at acceptable intervals of time submit to the local authority test reports indicating that any artificial ventilation system installed in terms of these regulations is operating in the designed manner,

- (2) Records and log books shall be kept of the commissioning information, operational management, monitoring and maintenance and repair of all ventilation plant, including individual ventilation fans.
- (3) Where specialist ventilation plants are provided as part of the protection measures against hazardous substances, and for the protection of occupants and to ensure safe procedures, such as in hospital theatres, such plant shall be inspected and validated at least every 12 months by an independent competent person.

[Reg. O6 substituted by GN R574/2008]

O7. Fire Requirements.

In addition to the requirements of this Part, lighting and ventilation shall be provided to comply with Part T of these regulations.

PART P

DRAINAGE

P1. Compulsory Drainage of Buildings.

- (1) (a) Where in respect of any building a suitable means of disposal of waterborne sewage is available the owner of such building shall provide a drainage installation.
- (b) Where there is no such means of disposal, sewage shall be disposed of in accordance with Part Q of these regulations.
- (2) (a) Where a sewer is or becomes available for the drainage of such building the owner of such building shall, at his own cost, lay, alter or extend any drain serving such building to terminate at a location and level as prescribed by the local authority for the connection to such sewer
- (b) In the case of any existing building the local authority shall serve a notice, in writing, upon the owner stating the period within which the connection contemplated in paragraph (a) shall be made.
- (3) Where a connecting sewer has been provided to any site the owner of such site shall cause all sewage discharged from any building on such site to be conveyed by a drain to such connecting sewer.
- (4) Where the owner of such building fails to lay, alter or extend any drain in terms of subregulation (2) the local authority may lay, alter or extend such drain and recover the costs thereof from the owner. Provided that the local

authority shall, before carrying out such work give not less than 14 days notice to such owner of its intention to carry out such work

- (5) Any owner who fails to comply with any requirement of subregulation (1) or (2), shall be guilty of an offence.

P2. Design of Drainage Installations.

- (1) Any drainage installation in any building shall be so designed and constructed that -
- (a) an adequate number of sanitary fixtures is provided in relation to the population and class of occupancy of such building;
 - (b) such installation is capable of carrying the design hydraulic load,
 - (c) such installation is capable of discharging into any common drain, connecting sewer or sewer provided to accept such discharge;
 - (d) all components and materials used in such installation are watertight;
 - (e) no nuisance or danger to health will be caused as a result of the operation of any such installation;
 - (f) any drain in such system is of such strength, having regard to the manner in which it is bedded or supported, that it is capable of sustaining the actions to which it may normally be subjected and that it is, where necessary, protected against any damage;
[Para. (f) substituted by GN R574/2008]
 - (g) all sanitary fixtures are so located that they are easily accessible to those persons they are intended to serve;
 - (h) any necessary inspection, cleaning and maintenance required, may be performed through the means of access provided.
- (2) The requirements of subregulation (1) shall be deemed to be satisfied where such installation complies with SANS 10400-P: Provided that where a local authority is of the opinion that the size or complexity of the drainage installation in any building renders it essential for such installation to be the subject of an approved rational design prepared by an approved competent person, such local authority shall, in writing, notify the owner of such building of its reasons for the necessity for such design and may require such owner to submit for approval plans and particulars of a complete drainage installation based on such design.

[Subreg. (2) substituted by GN R574/2008]

P3. Control of Objectionable Discharge.

- (1) No person shall cause or permit sewage discharged from any sanitary fixture to enter -
 - (a) any stormwater drain, stormwater sewer or excavated or constructed watercourse;
 - (b) subject to the National Water Act, 1998 (Act No. 36 of 1998), any river, stream or natural watercourse whether ordinarily dry or otherwise; or
[Para. (b) substituted by GN R574/2008]
 - (c) any street or other site.
[Subreg. (1) amended by GN R432/91]
- (2) No person shall cause or permit stormwater to enter any drainage installation on any site.
- (3) The local authority may by notice in writing order the owner of any site to execute, at his own cost, any precautionary measures required by the local authority to prevent such entry contemplated in subregulation (1) or (2), as the case may be.
[Subreg. (3) substituted by GN R432/91]
- (4) No person shall, without the written permission of the local authority, discharge or cause the discharge of any water from a swimming pool, fountain or reservoir, either directly or indirectly, onto any public street or public place, or onto any site other than onto the site upon which such swimming pool, fountain or reservoir is situated.
- (5) Any person who contravenes or permits the contravention of any requirement of this regulation or fails to comply with a notice served on him in terms of subregulation (3), shall be guilty of an offence.

P4. Industrial Effluent.

- (1) (a) Where any person has obtained approval to discharge into any drain any liquid or solid matter, other than soil water or waste water, and where any additional drainage and other installations including storage, pre-treatment and metering installations are required by the local authority as a condition of such approval, such person shall submit any plans and other details of such installations required by the local authority.
- (b) The installations contemplated in paragraph (a) shall be constructed in accordance with the relevant requirements of these regulations and shall be maintained in good working order

- (2) Any person who constructs an installation contemplated in subregulation (1) other than in accordance with such approval, shall be guilty of an offence.

P5. Disconnections.

- (1) Where any soil fixture is permanently disconnected from any soil pipe, or where any soil pipe is permanently disconnected from any drain, the owner shall seal the opening to such pipe or drain in such a manner that such disconnection will not be a danger to health.
- (2) Where any drain is permanently disconnected any remaining part shall be sealed by the owner of such drain.
- (3) When any drainage installation is disconnected from a connecting sewer the local authority shall be notified, in writing, by the owner thereof within 30 days from the date of such disconnection.
- (4) Any person who contravenes any requirement of this regulation, shall be guilty of an offence.

P6. Unauthorized Drainage Work

- (1) Unless authorised by the local authority -
 - (a) no person shall in any manner interfere with any sewer or connecting sewer,
 - (b) no person shall break into or interfere with any part of a drainage installation other than for the purpose of repair and maintenance.
- (2) Any person who carries out or permits the carrying out of any unauthorized work contemplated in this regulation, shall be guilty of an offence.

P7. Inspection and Testing of Drainage Installations.

- (1) Any drain, discharge pipe or ventilating pipe shall be so installed as to be capable of withstanding the test pressures contemplated in rule PP26 or PP27 as the case may be, contained in SANS 10400-P and such tests shall be carried out in the presence of the building control officer of, or other officer duly authorized by, the local authority.

[Subreg. (1) amended by GN R574/2008]

- (2) Any equipment, material or labour required for any inspection or any testing contemplated in Part P of these regulations shall be made available by the person installing such pipe or drain.

- (3) No person shall put into use any drainage installation before such installation has been inspected, tested and passed by the local authority as complying with these regulations.
- (4) Any person who contravenes the requirement of subregulation (3), shall be guilty of an offence.

PART Q

NON-WATERBORNE MEANS OF SANITARY DISPOSAL

Q1. Means of Disposal

Where water-borne sewage disposal is not available other means of sewage disposal shall be permitted by the local authority: Provided that:

- (a) it stores, conveys, processes and disposes of human body wastes and wastewater in such a way that the pathogens, pollutants and contaminants associated therewith do not compromise the health and safety of the original user or others; and
- (b) in the case of chemical or toilet a satisfactory means is available for the removal and disposal of sewage from such closets;
[Reg. Q1 substituted by GN R574/2008]

Q2. Permission.

No person shall construct any pit toilet without the permission of the local authority.
[Reg. Q2 amended by GN R574/2008]

Q3. Construction, Siting and Access.

- (1) Any such other means of sewage disposal shall be so constructed, sited and provided with access that the health and convenience of persons using such means shall not be adversely affected.
- (2) The number of sanitary receptacles shall be adequate for the population of the building served by such receptacles.
- (3) (a) The requirements of subregulation (1) shall be deemed to be satisfied where the design and construction, siting of, and access to such other means of sewage disposal complies with SANS 10400-Q; Provided however that where a local authority is of the opinion that the nature of the means of sanitary disposal is such that it is essential for such installation to be the subject of an approved rational design prepared by an approved competent person, such local authority shall, in writing, notify the owner of such building of its reasons for the necessity for such

design and may require such owner to submit for approval plans and particulars of a complete installation based on such design

[Para. (a) substituted by GN R574/2008]

- (b) The requirements contained in subregulation (2) shall be deemed to be satisfied where the number of receptacles is in accordance with the requirements for the provision of sanitary fixtures contained in regulation F11 or P2, as the case may be.

PART R

STORMWATER DISPOSAL

R1. Stormwater Disposal Requirement.

- (1) The owner of any site shall provide suitable means for the control and disposal of accumulated stormwater which may run off from any earthworks, building or paving.
- (2) Such means of stormwater disposal may be in addition to or in combination with any drainage works required in terms of regulation F4 (2).
- (3) The requirements of subregulation (1) shall be deemed to be satisfied where such means of stormwater disposal is provided in accordance with SANS 10400-R: Provided that where a local authority is of the opinion that the conditions on any site render it essential for stormwater disposal to be the subject of an acceptable rational design prepared by an approved competent person, such local authority shall, in writing, notify the owner of such site of its reasons for the necessity for such design, and may require such owner to submit for approval plans and particulars of a complete stormwater control and disposal installation for such site and for any building erected thereon, based on such design.

[Subreg. (3) substituted by GN R574/2008]

R2. Saving.

- (1) These regulations shall not be construed as requiring the installation in any building of any roof gutter or downpipe where other suitable means has been provided to ensure the disposal or dispersal away from such building of rainwater from the roof of such building.
- (2) The regulations in this Part shall not apply to any site used exclusively for the erection of any dwelling house or any building appurtenant thereto: Provided that where, due to special site features, the discharge of stormwater from such site may cause significant damage, the local authority may require compliance with regulation R1.

PART S

FACILITIES FOR PERSONS WITH DISABILITIES

S1. Application

- (1) Facilities that accommodate persons with disabilities shall be provided in any building except the following:
 - (a) any building of which the whole of the ground storey comprises one or more occupancies classified in terms of regulation A20 as B1, B2, D4, H4, J1 or J2
 - (b) any building classified as H1 in terms of regulation A20 where such building has less than 25 bedrooms and it can be reasonably proven that it is not possible to include wheelchair access in certain aspects of the design; and
 - (c) any storey above ground floor level of a building classified as H3 in terms of regulation A20 and not provided with a lift.

S2. Facilities to be provided

- (1) In any building contemplated in regulation S1 requiring facilities for persons with disabilities:
 - (a) persons with disabilities shall be able to safely enter the building, use all the facilities subject to the provisions of sub-regulation (3) within it and leave it;
 - (b) there shall be a means of access suitable for use by persons with disabilities, from the main and ancillary approaches of the building to the ground storey; via the main entrance, and any secondary entrance;
 - (c) there shall be a means of egress suitable for use by persons with disabilities from any point in a building to a place of safety in the event of an emergency;
 - (d) any lift installation that is provided shall be capable of serving the needs of persons with disabilities who are likely to be using the building; and
 - (e) any commonly used path of travel shall be free of obstacles which limit, restrict or endanger the travel of persons with disabilities, or which prevent persons with disabilities from accessing the facilities provided in the building and the presence of such obstruction shall be made evident in a suitable manner to persons with impaired vision; and

- (f) a suitable means of access shall be provided to any auditorium or hall situated in any building and such auditorium or hall shall, in relation to its seating capacity, be provided with sufficient open space to accommodate a reasonable number of people who use wheelchairs or other assistive devices.
- (2) Where parking for more than 50 motor vehicles is provided in or in connection with any building having a means of access contemplated in subregulation (1), adequate parking space shall be provided for the parking of motor vehicles used by persons with disabilities and a suitable means of access shall be provided from the parking area, whether such parking area be inside or outside such building, to the ground storey of such building.
- (3) Where, in terms of regulation P1, toilet facilities are required and the building is one requiring facilities for persons with disabilities in terms of regulation S1, an adequate number of such facilities shall be suitable for use by persons with disabilities: Provided that toilet facilities shall not be required in any such building classified as H3 in terms of regulation A20.

S3. Deemed-to-satisfy requirements

The requirements of regulation S2 shall be deemed to be satisfied where:

- (a) the facilities provided are in accordance with SANS 10400-S
- (b) the egress from the building in the event of fire is in accordance with SANS 10400-T.
[Reg. S amended by GN R432/91 and substituted by GN R574/2008]

PART T

FIRE PROTECTION

T1. General Requirement.

- (1) Any building shall be so designed, constructed and equipped that in case of fire -
 - (a) the protection of occupants or users, including persons with disabilities, therein is ensured and that provision is made for the safe evacuation of such occupants or users
[Para. (a) substituted by GN R574/2008]
 - (b) the spread and intensity of such fire within such building and the spread of fire to any other building will be minimized;

- (c) sufficient stability will be retained to ensure that such building will not endanger any other building: Provided that in the case of any multi-storey building no major failure of the structural system shall occur,
 - (d) the generation and spread of smoke will be minimized or controlled to the greatest extent reasonably practicable; and
 - (e) adequate means of access, and equipment for detecting, fighting, controlling and extinguishing such fire, is provided.
- (2) The requirements of subregulation (1) shall be deemed to be satisfied where the design, construction and equipment of any building complies with SANS 10400-T: Provided that where any local authority is of the opinion that such compliance would not comply with all the requirements of subregulation (1), such local authority shall, in writing, notify the owner of the building of its reasons for its opinion and may require the owner to submit for approval a rational design prepared by an approved competent person.
- [Subreg. (2) substituted by GN R574/2008]

T2. Offences.

- (1) Any owner of any building who fails to -
- (a) provide sufficient fire extinguishers to satisfy the requirements of subregulation T1(1)(e), or who installs fire extinguishers that do not comply with the relevant South African national standard, or who fails to ensure that such fire extinguishers are installed, maintained and serviced in accordance with SANS 10105; or
- [Para. (a) substituted by GN R574/2008]
- (b) maintain any other provision made to satisfy the requirements of subregulation T1 (1) (e), shall be guilty of an offence.
- (2) Any person who causes or permits any escape route to be rendered less effective or to be obstructed in any way which may hinder or prevent the escape of any person from a building in the case of fire or any other emergency shall be guilty of an offence.

PART U

REFUSE DISPOSAL

U1. Provision of Storage Areas.

Any building, excluding a dwelling house, in which refuse is or will be generated shall be provided with an adequate storage area for refuse containers.

U2. Access to Storage Areas.

The location of any area contemplated in regulation U1 shall be such that access thereto from any street for the purpose of removing the refuse, is to the satisfaction of the local authority.

U3. Refuse Chutes.

Where any refuse container receives refuse from any chute such chute shall be designed and erected so as to be safe in operation.

PART V

SPACE HEATING

V1. Design, Construction and Installation.

- (1) Any system of space heating in any building shall be so designed, constructed and installed as to operate safely and any flue, flue pipe or chimney used in such system shall be so designed as to safely remove any smoke or noxious gases produced by such system.
- (2) The requirements of subregulation (1) shall be deemed to be satisfied where the design and construction of any flue pipe, chimney, hearth or fireplace complies with SANS 10400-V.

[Subreg. (2) amended by GN R 574/2008]

PART W

FIRE INSTALLATION

W1. Fire Installations.

All approved fire installation shall be connected to a communication pipe supplied by the local authority. Provided that such local authority may, subject to any conditions it may consider necessary, allow such fire installation to be connected to -

- (a) any approved alternative source of supply., or
- (b) any source of non-potable water where such water is not to be used for domestic or any other purpose which, in the opinion of such local authority, might give rise to a health hazard.

[Reg. W1 amended by GN R574/2008]

W2. Supply of Water.

Water shall not be taken from a supply system for use in any fire installation, unless

- (a) an application has been made to the local authority for the supply of such water and such application has been granted, and
- (b) the use of such water and such fire installation complies with any conditions imposed by the local authority.

W3. Design of Fire Installations.

In any fire installation -

- (a) adequate and suitable connections and means of measuring water pressure shall be provided,
[Para. (a) amended by GN R574/2008]
- (b) so many isolating valves shall be provided to control the flow of water to the installation, and to such points within the installation, as the local authority may require; and
- (c) the quantity, pressure and rate of flow of water shall be adequate for the supply of any hose reel, hydrant or sprinkler system connected thereto.

W4. Deemed-to-Satisfy Requirements.

The requirements of regulation W3 shall be deemed to be satisfied where any fire installation complies with SANS 10400-W; Provided that where a local authority is of the opinion that it essential for the fire installation to be the subject of an acceptable rational design prepared by an approved competent person, such local authority shall, in writing, notify the owner of such site of its reasons for the necessity for such design, and may require such owner to submit for approval plans and particulars of a complete fire installation, based on such design.

[Reg. W4 substituted by GN R574/2008]

[Part W amended by GN R432/91]

PART X

REPEAL OF REGULATIONS

The National Building Regulations published under Government Notice No. R. 1081 of 10 June 1988, as amended by Government Notice No. R. 1726 of 26 August 1988 are repealed from the date of the coming into operation of these regulations.