

# THE NAMIBIA COUNCIL FOR ARCHITECTS & QUANTITY SURVEYORS

## ASSESSMENT OF PROFESSIONAL COMPETENCY PAPER 2

**THIS PAPER IS FOR BOTH ARCHITECTURAL AND QUANTITY SURVEYING CANDIDATES**

**AUGUST 2020**

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### NOTE:

- This Assessment comprises Paper 1 and Paper 2. Paper 1 comprises 50 marks and Paper 2 comprises 50 marks with a combined total of 100 marks. The overall pass mark required is 75%.
- This is an open book Assessment and candidates may take into the examination room and use whatever Government Gazettes, Contracts, books and other printed public reference material they wish. If in any doubt, all materials brought into the examination room must be declared prior to the commencement of the Assessment.
- Only mathematical calculators are allowed to be brought into the examination room. Under NO circumstances whatsoever may any other electronic devices such as Ipads, cell phones, e-books, PDA's, and the like be brought into the examination room or be allowed to be used.
- **All questions must be answered.**
- All answers must be numbered correctly.
- Give full reasons for your answers with reference to relevant contract clauses if applicable.
- The marks for each question are indicative of the points / items that need to be addressed in answering the questions.
- Do NOT quote directly from the contracts or other printed documents. It is essential that you answer in your own words to show your understanding.
- Time Allowed: 4 hours

**PLEASE READ ALL QUESTIONS CAREFULLY**

**QUESTION 1****12 Marks**

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In considering the 'White' form of contract and the new Namibian GCC form of contract, briefly explain the differences between the two contracts with reference to

- domestic sub-contractors,
- selected non-nominated sub-contractors,
- nominated sub-contractors, and
- other sub-contractors

in as far as these different sub-contractors are applicable to these contracts.

Your answer must also briefly state how these different sub-contracts are administered within each contract with regard to risks, performance, responsibilities, etc.

**QUESTION 2****2 Marks**

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Under what circumstances can an architect or quantity surveyor enter into a partnership with an engineer or any other person or legal entity?

**QUESTION 3****12 Marks**

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Name four methods of dispute resolution and provide a brief description of each that identifies the major aspects of each with regard to the construction industry.

**QUESTION 4****12 Marks**

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In terms of the Architects and Quantity Surveyors' Act of 1979, certain Government Gazettes have been published and in certain instances these have also been amended. These Government Gazettes affect the administration of the Namibia Council for Architects and Quantity Surveyors as well as all architects and quantity surveyors and the general public.

Name at least four of these Government Gazettes with a brief description of the purpose of each.

**QUESTION 5****12 Marks**

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A contractor, chooses to exercise his lien over the property on which he is currently contracted to execute a building project. Answer the following questions in this regard:

- 3.1 Give a definition of a builder's lien? (4 marks)
- 3.2 On what grounds would the contractor exercise his lien? (3 marks)
- 3.3 When is the waiver of a lien a prerequisite? (3 marks)
- 3.4 How may the employer seek to remedy the situation? (2 marks)

**TOTAL 50 MARKS**

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