

S31 (S31 Principal Act)

**UNIVERSITIES, TECHNIKONS AND OTHER TRAINING INSTITUTIONS TO
FURNISH COUNCIL WITH CERTAIN PARTICULARS**

• S31(1)

"..... every university, technikon, or other educational institution at which a qualification can be obtained which entitles any holder thereof to registration under this Act shall upon request by a Professional Board furnish it with full particulars as to:-

(a) the minimum age and evidence of compliance with set standards of education and/or training required of students;

(b) evidence of compliance with the set course of study, training and examinations or assessment methodologies required of a student before such qualification is granted.....

(c), etc

• S31(2)

If any university, technikon, or other educational institution referred to in subsection (1) fails or refuses to furnish any particulars requested by a Professional Board under that subsection or if it appears to the Professional Board that any provision of this Act is not being properly complied with by any such university, technikon or other educational institution and that such improper compliance is having or may have an adverse effect on the standards of education and training maintained at that university, technikon or other educational institution, the Professional Board may revoke the accreditation of that university, technikon or other educational institution and by notice in the gazette declare qualifications obtained from that institution as unsuitable to entitle the holder thereof to registration under this Act or impose such conditions on the students before authorising their registration as the Professional Board may deem appropriate.

- S31(3)

The Professional Board may when it has been made to appear to it upon representations made by the affected institution that satisfactory provision has been made for complying with the requirements of this Act by the said institution, reinstate, by notice in the gazette, the accreditation of that institution.

- S31(4) delete

This will empower the Boards, in the spirit of quality assurance, to deal swiftly with issues of non-compliance to set quality standards without invoking the Minister's power to de-accredit a particular qualification. This will also enable the Council to impose whatever remedial steps it may deem appropriate without revoking accreditation.

S42 (S42 Principal Act)

MATTERS FOR AND PROCEDURE AT INQUIRY BY PROFESSIONAL BOARDS

- 1) "Any person registered under this Act who, after a determination made by a Preliminary Committee of Inquiry or an inquiry held by a Professional Conduct Committee, is found guilty of unprofessional conduct"
(remove Professional Board and add Prelim Process for minor transgressions determinations)

It is envisaged that the Preliminary Committees of Inquiry will make certain determinations on minor offences and the Professional Conduct Committees appointed by the Boards actually make determinations.

2) a fine (remove "prescribed")

Council must be allowed to determine an appropriate fine and if arbitrariness is a concern, to rather empower Council to publish fines in the rules rather than subjecting this to a cumbersome process of regulations.

S45 (S49 Principal Act)

COUNCIL TO MAKE RULES RELATING TO OFFENCES UNDER THIS CHAPTER

- Retain S49 of Principal Act as is
- New introduction will cause complications and delay in processes. This is also having a gap in interpretation – *"conduct which if not adhered to shall constitute"*
 - some conduct ought to be adhered to and therefore it is not only in the negative;
 - secondly, you want this to be in the rules for ease of promulgation.

S52

- Registration must be by the Council as the legal entity and corporate body which can and should register so that reference to the professional board registering should be eliminated.
- Likewise the issue of certificates can only be done by the Council as the corporate body.

S53 (S61A Principal Act)

RULES

- The Council may make rules or adopt policies relating to

The formulation of policies will enable Council without having to subject itself to a process of rules and regulations, to expeditiously make determinations on professional practice issues which are essential for guiding the profession and protecting the public.

S54 (S62 Principal Act)

LEVYING OF ANNUAL FEES ON CERTAIN REGISTERED PERSONS

- Retain proposed deletion for purposes of pro rata payments and still add new insertions of profession and registration category.