



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Vol. 565

Pretoria, 27 July 2012

No. 35547

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

IMPORTANT NOTICE

The Government Printing Works will not be held responsible for faxed documents not received due to errors on the fax machine or faxes received which are unclear or incomplete. Please be advised that an "OK" slip, received from a fax machine, will not be accepted as proof that documents were received by the GPW for printing. If documents are faxed to the GPW it will be the sender's responsibility to phone and confirm that the documents were received in good order.

Furthermore the Government Printing Works will also not be held responsible for cancellations and amendments which have not been done on original documents received from clients.

CONTENTS • INHOUD

No.		Page No.	Gazette No.
GOVERNMENT NOTICE			
South African Qualifications Authority (SAQA)			
<i>Government Notice</i>			
585	National Qualifications Framework Act (67/2008): Policy & Criteria for recognising a Professional Body and Registering a Professional Designation for the Purposes of the Act.....	3	35547

GOVERNMENT NOTICE**SOUTH AFRICAN QUALIFICATIONS AUTHORITY (SAQA)****No. 585****27 July 2012**

In terms of Section 13(1)(i)(i) of the National Qualifications Framework Act, Act 67 of 2008, SAQA, after consulting with the Quality Councils and statutory and non-statutory bodies of expert practitioners in occupational fields, publish for public notice, the *Policy and Criteria for the Recognising a Professional Body and Registering a Professional Designation for the Purposes of the National Qualifications Framework Act, Act 67 of 2008* as approved by the SAQA Board.

The *Policy and Criteria for the Recognising a Professional Body and Registering a Professional Designation for the Purposes of the National Qualifications Framework Act, Act 67 of 2008* is effective from 27 June 2012.

JOE SAMUELS
DEPUTY EXECUTIVE OFFICER

27 JULY 2012



Policy & Criteria for Recognising a Professional Body and Registering a Professional Designation for the Purposes of the National Qualifications Framework Act, Act 67 of 2008

June 2012

Purpose

1. These policy and criteria outline the manner in which the South African Qualifications Authority (SAQA) recognises statutory and non-statutory professional bodies for the purposes of the National Qualifications Framework (NQF) Act (Act 67 of 2008), as well as the manner in which professional designations from recognised professional bodies are registered on the NQF by SAQA.

Definitions

2. "NQF Act" means the National Qualifications Framework Act (Act 67 of 2008).
3. "Occupational qualification" means a qualification associated with a trade, occupation or profession resulting in learning in and for the workplace.
4. "Professional body" means any body of expert practitioners in an occupational field, and includes an occupational body.
5. "Professional designation" means a title or status conferred by a professional body in recognition of a person's expertise and/or right to practice in an occupational field.
6. "Progression pathway" means a hierarchy of two or more related qualifications and/or professional designations that allows for vertical progression within a profession.
7. "Provider" means a body that offers any education programme or trade and occupational learning programme that leads to a qualification or part-qualification on the NQF.
8. "Qualification" means a qualification or part-qualification registered on the National Qualifications Framework.

Introduction and background

9. The South African NQF is a comprehensive system approved by the Minister of Higher Education and Training for the classification, registration, publication and articulation of quality-assured national qualifications. The NQF was established under the SAQA Act (Act 58 of 1995) and continues under the NQF Act (Act 67 of 2008) which came into effect on 1 June 2009.
10. The objectives of the NQF are to:
 - i. Create a single integrated national framework for learning achievements.

- ii. Facilitate access to, and mobility and progression within, education, training and career paths.
 - iii. Enhance the quality of education and training.
 - iv. Accelerate the redress of past unfair discrimination in education, training and employment opportunities.
 - v. Contribute to the full personal development of each learner and the social and economic development of the nation at large.
11. SAQA is charged with overseeing the further development and implementation of the NQF and understands it as a system of communication, coordination, and collaboration across education, training, development and work. In advancing the NQF objectives, SAQA embraces diversity, environmental sustainability and social justice.
12. The NQF is developed as an integrated framework overseen by SAQA and made up of three coordinated integrated sub-frameworks, each overseen by a quality council:
- i. Higher Education Qualifications sub-framework overseen by the Council on Higher Education
 - ii. General and Further Education and Training Qualifications sub-framework overseen by Umalusi
 - iii. Occupational Qualifications sub-framework overseen by the Quality Council for Trades and Occupations
13. In terms of Sections 28, 29, 30 and 31 read with paragraphs 13(1)(i)(i), 13(1)(i)(ii) and 13(1)(l) of the NQF Act, and notwithstanding the provisions of any other Act, a statutory or non-statutory professional body shall:
- i. Co-operate with the relevant quality council(s) in respect of qualifications and quality assurance in its occupational field.
 - ii. Apply in the manner prescribed by SAQA to be recognised as a professional body in terms of the NQF Act.
 - iii. Apply in the manner prescribed by SAQA to register a professional designation on the NQF.

Objectives

14. The objectives of these policy and criteria are to:
- i. Advance the objectives of the NQF.
 - ii. Promote public understanding of, and trust in, professions through the establishment of a nationally regulated system for the recognition of professional bodies and for registration of professional designations.
 - iii. Encourage social responsibility and accountability within the professions relating to professional services communities and individuals.
 - iv. Promote pride in association for all professions, including traditional trades and occupations.
 - v. Promote the protection of the public by professional bodies from malpractice related to the fulfilment of the professional duties and responsibilities of professionals registered with them.
 - vi. Encourage international leading practice and the raising of esteem for all professions in South Africa.
 - vii. Facilitate access to, and analysis of, data related to professions, including traditional trades and occupations for the purposes and use as prescribed by the NQF Act.
 - viii. Support the development of a national career advice system.

- ix. Encourage the development and implementation of continuing professional development.

Scope

15. These policy and criteria apply to all professional bodies in South Africa who function within and for the purposes of the NQF Act.

Policy for recognising a professional body

16. A body constituted to represent and/or regulate a recognised community of expert practitioners shall be recognised by SAQA as a professional body on fulfilment of the criteria for recognition as a professional body.
17. Proliferation of professional bodies within the same community of practice will be discouraged, but will be balanced with the recognition that healthy competition and freedom of association should not be impeded. In cases where more than one professional body for a specific community of practice applies for recognition by SAQA the following will be considered:
 - i. No additional professional bodies will be recognised by SAQA in a sector in which a professional body has been established through an Act of Parliament (a statutory body).
 - ii. No legal impediment to the operation of a second or subsequent body.
 - iii. Outcome of a broad consultation within the community of practice and the wider society.
 - iv. Distinctiveness of multiple bodies in the community of practice.
18. In administering the policy and criteria for the recognition of professional bodies SAQA shall:
 - i. Publish for comment its intention to recognise a professional body in the government gazette for thirty (30) days, to solicit any possible objections.
 - ii. Monitor recognised professional bodies for the purposes of the NQF Act.
 - iii. Give due notice to a recognised professional body; and in the case of a statutory body, also notify the relevant Minister, that an alleged lack of compliance with the SAQA policy and criteria for the recognition of a professional body is being investigated and render the necessary support to the professional body concerned.
 - iv. Not charge professional bodies, but reserves the right to recover costs in instances where unnecessary and wasteful expenditure is incurred by SAQA as a result of delays and lack of compliance by the professional body concerned.
19. In meeting the policy and criteria for the recognition of professional bodies a recognised professional body may:
 - i. Not be accredited as an education and training provider by a Quality Council.
 - ii. Not be registered as an education and training provider with the Department of Higher Education and Training.
 - iii. Register its employees on learnerships.
 - iv. Act as a workplace provider for the delivery of learnerships.
 - v. Recognise suitable workplaces and be involved in the assessment of workplace experience.
 - vi. Recognise suitable education and training providers and be involved in the curricula of learning programmes offered by the education and training providers.

- vii. Set and administer its' own Board examinations.
20. A recognised professional body must register its professional designations on the NQF in accordance with the SAQA policy and criteria for registering a professional designation
 21. Where a professional body that is recognised, or is in the process of seeking recognition, wishes to give formal recognition to an occupational qualification as a precondition for the issuing of its designation, it must enter a formal agreement with the QCTO to attain the authority to develop and/or quality assure such occupational qualification.
 22. Professional bodies in South Africa must meet South African requirements as outlined in the policy and criteria for recognising a professional body and registering a professional designation for the purposes of the NQF Act, including the data requirements.
 23. A body that meets the criteria for recognition as a professional body by SAQA is recognised for an initial period of five (5) years, renewable for subsequent five (5) year periods, subject to the favourable outcome of a monitoring and evaluation process conducted by SAQA.
 24. SAQA may remove the recognition status from a professional body, if the body no longer complies with the SAQA policy and criteria for the recognition of a professional body or if the professional body ceases to exist. SAQA will inform the relevant Minister in the case of recognised statutory professional bodies before removing the recognition status of such bodies.
 25. If a professional body loses its recognition status its professional designations will be deregistered from the NQF. The records of the holders of the designation will reflect the deregistration date and no new records will be added against the designation.
 26. A professional body that has its recognition status removed, or a body declined recognition as a professional body, has the right to appeal to SAQA within a period not exceeding sixty (60) working days.
 27. SAQA will publish the removal of the recognition status of a professional body in the government gazette and on the SAQA website which will be considered sufficient communication regarding this change in status to the specific community of practice and the wider society.

Criteria for recognising a professional body

28. A body applying to be recognised as a professional body by SAQA shall:
 - i. Be a legally constituted entity with the necessary human and financial resources to undertake its functions, governed either by a statute, charter or a constitution and compliant with and adhere to good corporate governance practices.
 - ii. Protect the public interest in relation to services provided by its members and the associated risks.
 - iii. Develop, award, monitor and revoke its professional designations in terms of its own rules, legislation and/or international conventions.
 - iv. Submit a list of members in a form acceptable to SAQA.
 - v. Set criteria for, promote and monitor continuing professional development (CPD) for its members to meet the relevant professional designation requirements.
 - vi. Publish a code of conduct and operate a mechanism for the reporting of and investigating members who are alleged to have contravened the code.

- vii. Not apply unfair exclusionary practices in terms of membership admission to the body or when recognising education or training providers.
- viii. Make career advice related information available to SAQA.

Policy for registering a professional designation on the NQF

- 29. A professional designation shall be conferred by a professional body to an individual in the form of a title, status and/or registration number.
- 30. A professional designation indicates registration of the individual with a professional body, and where relevant, the right to practice in the particular field of expertise governed by the professional body. Retention of the status is dependent upon compliance with the stated requirements of the professional body concerned.
- 31. A professional designation must be registered separately from a qualification.
- 32. Only professional bodies recognised by SAQA for the purpose of the NQF Act of 2008 may apply to SAQA for the registration of a professional designation on the NQF.
- 33. A professional designation can be revoked in terms of the rules, legislation and/or international conventions of the recognised professional body with which it is associated.
- 34. The same professional designations cannot be registered by more than one recognised professional body in South Africa.
- 35. Professional designations awarded through international awarding bodies shall meet South African requirements as outlined in the policy and criteria for recognising a professional body and registering a professional designation for the purposes of the NQF Act of 2008.
- 36. Verification queries related to professional designations are the exclusive responsibility of the relevant professional body.
- 37. SAQA will publish for comment its intention to register a professional designation in the government gazette for thirty (30) days to solicit any possible objections.
- 38. The registration of a professional designation by SAQA will only be valid for as long as the professional body conferring the designation is recognised by SAQA.
- 39. SAQA may deregister a professional designation if the professional body which submitted the designation for registration no longer complies with the SAQA policy and criteria for the recognition of a professional body, and/or the professional designation no longer complies with the SAQA policy and criteria for the registration of a professional designation.
- 40. A recognised professional body that has its professional designation(s) deregistered or declined for registration on the NQF has the right to appeal to SAQA within a period not exceeding sixty (60) working days.
- 41. Following the deregistration of a professional designation from the NQF the relevant professional body is required to communicate the deregistration to individuals in possession of the designation.

Criteria for registering a professional designation on the NQF

- 42. In order for a professional designation to be registered on the NQF it must:

- i. Be submitted to SAQA by a recognised professional body in accordance with an application process determined by SAQA.
- ii. Be developed, conferred and subject to being revoked in terms of the rules, legislation and/or international conventions applicable to the recognised professional body.
- iii. Be monitored in terms of the rules, legislation and/or international conventions applicable to the recognised professional body.
- iv. Be part of a progression pathway which may include an occupational pathway.
- v. Be linked to a validated database of the names of individuals conferred the professional designation.
- vi. Include, as an initial requirement, an underlying qualification(s), which may include an occupational qualification(s).
- vii. In the case of an individual's qualification having been obtained at an institution not registered in South Africa, the individual applying to a professional body for a professional designation, must ensure that the qualification has been evaluated by SAQA and found to be comparable to the South African underlying qualification.
- viii. Include as general requirements, experiential learning, recognition of prior learning and/or practical experience.
- ix. Include as retention requirements continuing professional development (CPD) and adherence to a code of professional ethics/conduct.

43. These policy and criteria will be reviewed at least every five years by SAQA after consultation with statutory and non-statutory professional bodies and the three Quality Councils.

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Publications: Tel: (012) 334-4508, 334-4509, 334-4510
Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504
Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737
Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001
Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510
Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504
Subskripsies: Tel: (012) 334-4735, 334-4736, 334-4737
Kaapstad-tak: Tel: (021) 465-7531