



DEPARTMENT OF ENVIRONMENTAL AFFAIRS  
AND TOURISM



INTERIM CERTIFICATION BOARD FOR  
ENVIRONMENTAL ASSESSMENT  
PRACTITIONERS OF SOUTH AFRICA

**TOWARDS THE ESTABLISHMENT OF A REGISTRATION AUTHORITY FOR  
ENVIRONMENTAL ASSESSMENT PRACTITIONERS IN SOUTH AFRICA  
CONSULTATIVE PROCESS WITH KEY STAKEHOLDERS**

**Process Update – June 2007**

**Introduction**

In November 2005, the Department of Environmental Affairs and Tourism (DEAT) and the Interim Certification Board for Environmental Assessment Practitioners of South Africa (the ICB) signed a Memorandum of Understanding. This MoU and associated budget has enabled a broad *Consultative Process* on the establishment of a Registration Authority for environmental assessment practitioners (EAPs) in South Africa as provided for in section 24H of the National Environmental Management Amendment Act, Act No. 8 of 2004 (NEMA).

**The Consultative Process**

The *purpose of the Consultative Process*, which has focused on professionals active in the field of environmental assessment (EA), is to strive for broad agreement on the purpose, function and structure of a proposed future Registration Authority, its constitution, code of ethics, the registration criteria and process, and the sanction processes. These are the key elements that must be addressed in an application to the Minister of Environmental Affairs and Tourism when a body wishes to apply to be recognised as a Registration Authority for Assessment Practitioners in terms of s.24H of NEMA.

Thus far, the *Consultative Process* has included the circulation of a first draft *Proposal* setting out the above key elements (January 2005), provincial workshops (February & March 2006) and a National Stakeholder Conference (March 2006.). A Working Group was mandated at the conference to revise the Proposal. The Working Group is currently concluding revisions to this Proposal and thereafter, it will be circulated in preparation for formal responses from National Stakeholders and a second National Stakeholder Conference.

Revisions to the MoU between the ICB and DEAT and associated budget is in the process of formal approval but there are agreements in principle between the key parties, the ICB, DEAT and SAQA, that the following essential outcomes will be achieved as part of the process of establishing a Registration Authority:

- **Sufficient agreement of all key stakeholders on the content of the *Proposal* being revised by a Working Group mandated at National Stakeholder Conference 1 (by end of September 2007).**

*The revised Proposal will be formally submitted to all National Stakeholders at least one month before National Stakeholder Conference 2 when it will also be advertised in national and provincial newspapers for comment. The proposal will be the basis of the application to the Minister in terms of s. 24H which will be submitted by the nominated Board.*

- **Establishment and recognition by the Minister of the Registration Board (by end of June 2008).**

*A Board will be nominated and appointed and will submit, on behalf of Stakeholders, the final Proposal that has been agreed through the consultative process. The Board will become effective once it has achieved a favourable in principle response to its application from the*

*Minister and operational budget is available for implementation of the first three-year business plan.*

- **Registration of Environmental Assessment Practice Unit Standards with SAQA in terms of the National Qualifications Framework (by end May 2008).**

*A Joint Implementation Plan between DEAT and SAQA as well as the associated funding allocations are being finalised for the development of Unit Standards for Environmental Assessment Practice within the sector Standards Generating Body. A Task Team will be selected and mandated to assist in the development of the detailed content of the Unit Standards. The registration of Unit Standards requires that a standardised SAQA process must be followed which also involves formal advertising them for comment in the Government Gazette. The Unit Standards will be based on the competencies described in the Final Draft Proposal.*

- **Concluding enabling regulatory mechanism with the Department Environmental Affairs & Tourism (by end of August 2008).**

*The enabling regulatory mechanisms may include the Minister's appointment of the Registration Authority by notice in the Government Gazette, as well as amendments to NEMA and/or the Regulations published under section 24 of NEMA that would make it compulsory for environmental assessment practitioners to be registered.*

Minister Van Schalkwyk has urged and pledged support for achievement of all of the above outcomes and the effective operation of a Registration Authority by the end of August 2008.

### **The Working Group's Progress and Recommendations**

The *Working Group* has held two successful working sessions on 14 & 15 September 2006 and 25 & 26 January 2007 at which proposals to amend the draft *Proposal* were discussed and agreed. The Working Group is in the process of adding their final comments to the Revised Proposal prior to circulation. Further, the Working Group has provided recommendations on the conclusion of the process and nomination process of the proposed Registration Board. These are as follows:

- a. *Board Nomination process:* The WG recommends that its mandate be expanded to include the oversight of the Board nomination process.
- b. *Conclusion and submission of the application to the Minister (in terms of s.24H):* The draft proposal requires written response from all National Stakeholders. The Working Group recommends that representation at the National Stakeholder Conference 2 should include one mandated person from each invited organisation, presenting a mandated response to the draft proposal. After the comment period, the WG will assist in concluding the proposal that will be the basis of the application to be submitted to the Minister by the nominated Board in terms of s. 24H.

### **The way forward**

1. Working Group concludes Revised Draft Proposal;
2. Circulation and advertising of the revised Draft Proposal for comment (40 day comment period);
3. Engagement with each represented National Stakeholder organisation to discuss written response and representation at the National Stakeholder Conference;
4. Preparation for, and engagement, in the second National Stakeholder Conference (date to be decided/ and communicated with Draft Proposal Documentation);
5. Advertising for Board nominations;
6. Nomination Committee meets and selects new Board; and
7. Board Meeting One:
  - i) Selection of Registration Sub Committee;
  - ii) Conclusion of application to Minister in terms of s.24H of NEMA (based on final Working Group proposal); and,
  - iii) Signing of the Register of EAPs in SA.

## **Documentation available from this process**

The following documents that record the history and debates in this consultative process are available on the EAPSA website: [www.eapsa.co.za](http://www.eapsa.co.za)

*"Towards the establishment of a registration authority for environmental assessment practitioners in South Africa, consultative process with key stakeholders*

- *Press release, 27 January 2006*
- *Background Information Document, January 2006*
- *Record of Provincial Workshops, Comments and Responses Document, March 2006*
- *Record of Provincial Workshops and Input from Stakeholders, March 2006*
- *Single Text document for National Conference, March 2006*
- *Draft Constitution of the Environmental Assessment Practitioners Board of South Africa*
- *Programme, National Stakeholder Conference, 28th & 29th March 2006, Airport Grand Hotel, Johannesburg*
- *Record of National Stakeholder Conference, 28th & 29th March 2006, Airport Grand Hotel, Johannesburg*
- *Summary Report on the Outcome of the Conference, 28 & 29th March and Status quo of the Process*
- *Record of Working Group Meeting One, 14 & 15 September 2006*
- *Letter and Report to Minister Marthinus van Schalkwyk, Minister of Environmental Affairs & Tourism, November 2006*
- *Process Update, January 2007*
- *Record of Working Group Meeting Two, 25 & 26 January 2007*
- *Process Update June 2007*

For more information, please contact: Glaudin Kruger, PO Box 599, Onrusrivier, 7201,  
Tel 028 316 2905, Fax 088 028 316 2905, Email [kruger@kruger-associates.com](mailto:kruger@kruger-associates.com)