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DEPARTEMENT VAN MANNEKRAG

KONSEPWETSONTWERP OP PERSONEELPRAKTYK

Die volgende Konsepwetsontwerp word hierby vir algemene inligting en kommentaar gepubliseer.

Enige kommentaar of vertoeë daaromtrent moet voor 1 Desember 1985 skriftelik en in duplikaat by die Direkteur-generaal: Mannekrag, Privaatsak X117, Pretoria, 0001, ingedien word.

KONSEPWETSONTWERP OP PERSONEELPRAKTYK

Om die Suid-Afrikaanse Raad vir Personeelpraktik daar te stel, vir beheer oor die vrywillige registrasie van personeelpraktisyns en personeeltegnici, insluitend registrasie in die verskillende kategorieë van spesialis-dissiplines binne die gebied van personeelpraktik en vir die erkenning van die opleiding van Personeelpraktisyns en Personeeltegnici; om voorsiening te maak vir beheer oor sodanige registrasie en vir die erkenning van sodanige opleiding; en om voorsiening te maak vir verwante aangeleenthede.

1. Woordomskrywing

In hierdie Wet tensy uit die samehang anders blyk, beteken—

- (i) "kandidaat" 'n persoon in opleiding en as sodanig geregistreer ingevolge hierdie Wet, wat tans besig is om die tydperk van praktiese ondervinding te deurloop wat nodig is vir registrasie as Personeelpraktisyn of Personeeltegnikus;
- (ii) "kwalifikasie" 'n graad, diploma, of sertifikaat, wat toegeken is na eksaminering van 'n persoon se vaardigheid in 'n toepaslike vak, of vakke;
- (iii) "lid" 'n lid van die Raad;

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GENERAL NOTICE

NOTICE 621 OF 1985

DEPARTMENT OF MANPOWER

DRAFT PERSONNEL PRACTICE BILL

The following Draft Bill is hereby published for general information and comment.

Any comments or representations thereon should be lodged in writing and in duplicate with the Director-General: Manpower, Private Bag X117, Pretoria, 0001, before 1 December 1985.

DRAFT PERSONNEL PRACTICE BILL

To establish the South African Board for Personnel Practice, for control of the voluntary registration of personnel practitioners and personnel technicians, including registration in the various categories of specialist disciplines within the field of personnel practice, and for recognition of the training of Personnel Practitioners and Personnel Technicians; to provide for control over such registration, and for recognition of such training; and to provide for matters incidental thereto.

1. Definitions

In this Act, unless the context indicates otherwise—

- (i) "Board" means the South African Board for Personnel Practice;
- (ii) "candidate" means a person in training, registered as such under this Act, who is undergoing the period of practical experience necessary for registration as a personnel practitioner or personnel technician;
- (iii) "chairman" means chairman of the Board;

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- (iv) "Minister" die Minister van Mannekrag;
- (v) "ondervinding" die voorgeskrewe tydperk van praktiese ondervinding wat vir registrasie vereis word;
- (vi) "personeelpraktisyn" 'n persoon wat as sodanig ingevolge hierdie Wet geregistreer is;
- (vii) "personeelpraktijk" die ontwikkeling, bestuur, en/of bedryf as 'n personeelpraktisyn of personeel-technikus, van personeelstelsels en -tegnieke gemik op die optimum benutting en instandhouding van die menslike hulpbronne van enige organisasie;
- (viii) "personeeltechnikus" 'n persoon wat as sodanig ingevolge hierdie Wet geregistreer is;
- (ix) "Raad" die Suid-Afrikaanse Raad vir Personeelpraktijk;
- (x) "register" 'n register wat gehou word ooreenkomstig die bepalings van hierdie Wet; en waar dit gebruik word in verband met enige klas, of 'n lid van enige klas persoon waarvan 'n register gehou word, beteken dit die register wat vir daardie klas gehou word;
- (xi) "registreer" om in 'n register aan te teken: die woorde "geregistreer", "registreerbaar" en "registrasie" en alle ander woorde gevorm met, of afgelei van "registreer", het 'n ooreenstemmende betekenis;
- (xii) "vise-voorsitter" die vise-voorsitter van die Raad;
- (xiii) "voorsitter" die voorsitter van die Raad.

HOOFSTUK 1

DAARSTELLING VAN DIE SUID-AFRIKAANSE RAAD VIR PERSONEELPRAKTYK EN DOELWITTE, FUNKSIES EN SAMESTELLING VAN DIE RAAD

2. Doelwitte van die Raad

Die doelwitte van die Raad is—

- (a) om personeelpraktijk te bevorder en om beheer uit te oefen oor alle sake rakende die standaard van professionele optrede van persone in personeelpraktijk, geregistreer ingevolge hierdie Wet;
- (b) om die standaard van opleiding van persone in personeelpraktijk te bevorder en om erkenning te verleen aan daardie opleiding wat 'n voorwaarde is vir registrasie ingevolge hierdie Wet;
- (c) om skakeling te bevorder op gebied van die opleiding waarna in paragraaf (b) verwys word;
- (d) om die Minister te adviseer oor enige aangeleenthede binne die bestek van hierdie Wet; en
- (e) om aan die Minister inligting te kommunikeer in verband met aangeleenthede van openbare belang wat deur die Raad ingewin is in die uitvoering van sy funksies ingevolge hierdie Wet.

3. Funksies van die Raad

Die Raad kan—

- (a) personeelpraktisyns, personeeltegnici en kandidate registreer in kategorieë van spesialisdisiplines binne die gebied van personeelpraktijk;
- (b) onder omstandighede soos voorgeskryf mag wees, of waar andersins daartoe gemagtig deur hierdie Wet, enige naam van 'n register verwyder of, na betaling van die voorgeskrewe gelde, dit herinstel;
- (c) toesighouers aanstel; waardebepalings doen en sertifikate toeken; en voorgeskrewe gelde hef vir sodanige waardebepalings, of sertifikate, soos voorgeskryf;
- (d) opleiding erken, op grond van voorgeskrewe voorwaardes volgens eie oordeel, met die doel om 'n persoon in staat te stel om te kwalifiseer vir registrasie ingevolge hierdie Wet;

- (iv) "experience" means the prescribed period of practical experience required for registration;
- (v) "member" means a member of the Board;
- (vi) "Minister" means the Minister of Manpower;
- (vii) "personnel practice" means the development, management, and/or the operation as a personnel practitioner or personnel technician, of personnel systems and techniques aimed at the optimum utilisation and maintenance of the human resources of any organisation;
- (viii) "personnel practitioner" means a person who is registered as such under this Act;
- (ix) "personnel technician" means a person who is registered as such under this Act;
- (x) "qualification" means a degree, diploma, or certificate awarded after examination of a person's proficiency in a relevant subject, or subjects;
- (xi) "register", when used as a verb, means to enter in a register: the words "registered", "registrable", "registration" and all other words formed with or derived from the word "register" having a corresponding meaning;
- (xii) "register", when used as a noun, means a register kept in accordance with the provisions of this Act; and when used in relation to any class or a member of any class of persons in respect of which a register is kept, means the register kept for that class;
- (xiii) "vice-chairman", means vice-chairman of the Board.

CHAPTER 1

ESTABLISHMENT OF THE SOUTH AFRICAN BOARD FOR PERSONNEL PRACTICE AND OBJECTS, FUNCTIONS AND COMPOSITION OF THE BOARD

2. Objects of the Board

The objects of the Board are—

- (a) to promote personnel practice and to exercise authority in respect of all matters affecting the standard of professional conduct of persons in personnel practice who are registered in terms of this Act;
- (b) to promote the standard of training of persons in personnel practice, and to recognise training which qualifies persons for registration in terms of this Act;
- (c) to promote liaison in the field of training referred to in paragraph (b);
- (d) to advise the Minister on any matters falling within the scope of this Act; and
- (e) to communicate to the Minister information on matters of public importance acquired by the Board in the course of the performance of its functions in terms of this Act.

3. Functions of the Board

The Board may—

- (a) register personnel practitioners, personnel technicians and candidates in prescribed categories of specialist disciplines within the field of personnel practice;
- (b) in such circumstances as may be prescribed, or where otherwise authorised by this Act, remove any name from a register or, upon payment of the prescribed fee, restore it thereto;
- (c) appoint supervisors, conduct assessments and award certificates; and charge such fees in respect of such assessments or certificates as may be prescribed;
- (d) recognise, on such prescribed conditions as it may deem fit, training which qualifies a person for registration in terms of this Act;

- (e) op versoek van 'n persoon, enige kwalifikasie wat deur hom verkry is, erken (ongeach of sodanige kwalifikasie in die Republiek van Suid-Afrika of elders verkry is) as synde gelykwaardig te wees, deels of in sy geheel, aan enige voorgeskrewe kwalifikasies;
- (f) 'n professionele gedragskode opstel vir personee geregistreer ingevolge hierdie Wet;
- (g) aan enige aangeleentheid wat die personeelpraktik raak en wat die Raad gerade ag, aandag skenk; en
- (h) sodanige ander funksies verrig soos voorgeskryf mag wees en om in die algemeen al daardie dinge te doen wat die Raad nodig of raadsaam mag ag, om die doelwitte van hierdie Wet te bereik.

4. Samestelling van die Raad

(1) Die Raad bestaan uit—

- (a) agt lede, wat geregistreerde personeelpraktisyns is, verkies deur geregistreerde personeelpraktisyns;
- (b) twee lede, wat geregistreerde personeeltechnici is, verkies deur geregistreerde personeeltechnici;
- (c) vyf lede, wat geregistreerde personeelpraktisyns of personeeltechnici is, genomineer deur die organisasies soos gelys in die regulasies, om die belange van sodanige organisasies te verteenwoordig; en
- (d) 10 lede wat deur die Minister aangestel is, waarvan minstens vier afkomstig moet wees van opvoedkundige inrigtings waar opleiding in personeelpraktik aangebied word, en ten minste twee uit die openbare sektor.

(2) Die lede van die Raad moet vir 'n tydperk van drie jaar hierdie amp beklee maar sal geregtig wees op herverkiesing of hernominasie of heraanstelling, soos die geval mag wees.

(3) So gou moontlik na die verkiesing van die lede waarna verwys word in paragraaf (a) en (b) van subartikel (1), sal die Minister en die organisasies die registrateur in kennis stel van die name van daardie persone wat deur hulle genomineer en aangestel is kragtens paragraaf (c) en (d) van daardie subartikel.

(4) Die name van die lede van die Raad en die datum waarop hulle amptydperk 'n aanvang neem, moet deur die registrateur in die *Staatskoerant* gepubliseer word, so gou moontlik na die samestelling van die Raad.

(5) Enige persoon wat by die Suid-Afrikaanse Raad vir Personeelpraktik geregistreer is as 'n personeelpraktisyn of 'n personeeltechnikus of as 'n kandidaat moet as sodanig geregistreer geag word ingevolge hierdie Wet.

5. Neerlê van amp en vul van vakatures

(1) 'n Lid van die Raad moet sy amp neerlê indien—

- (a) hy afwesig was vir meer as twee opeenvolgende gewone vergaderings van die Raad, sonder verlof van die Raad; of
- (b) hy gediskwalifiseer is of gediskwalifiseer word van registrasie ingevolge hierdie Wet; of
- (c)
 - (i) hy, synde 'n verkose lid, sy bedanking skriftelik by die registrateur indien; of
 - (ii) hy, synde 'n genomineerde of aangestelde lid, nie langer oor die kiesvereistes beskik wat nodig was vir sy aanstelling nie, of sy bedanking skriftelik by die registrateur indien; of
- (d) die Minister, in die openbare belang, sy lidmaatskap beeindig.

- (e) upon application of any person, recognise any qualifications held by him (whether such qualifications have been obtained in the Republic of South Africa or elsewhere) as being equal either wholly or in part, to any prescribed qualifications;
- (f) establish a code of professional conduct for persons registered in terms of this Act;
- (g) consider any matter affecting personnel practice which the Board deems advisable; and
- (h) perform such other functions as may be prescribed, and generally, do all such things as the Board deems necessary or expedient to achieve the objects of this Act.

4. Constitution of the Board

(1) The Board shall consist of—

- (a) eight members, who are registered personnel practitioners, elected by registered personnel practitioners;
- (b) two members, who are registered personnel technicians, elected by registered personnel technicians;
- (c) five members, who are registered personnel practitioners or personnel technicians, nominated by the organisations listed in the regulations, to represent the interests of such organisations; and
- (d) 10 members appointed by the Minister, of whom at least four shall be appointed from educational institutions offering training in personnel practice, and at least two from the public sector.

(2) The members of the Board shall hold office for a period of three years, but shall be eligible for re-election or re-nomination or re-appointment, as the case may be.

(3) As soon as possible after the election of members referred to in paragraphs (a) and (b) of subsection (1), the organisations and the Minister shall inform the registrar of the names of the persons nominated or appointed by them in terms of paragraphs (c) and (d) of that subsection.

(4) The names of the members of the Board, and the date of commencement of their terms of office, shall be published by the registrar in the *Government Gazette* as soon as possible after the constitution of the Board.

(5) Any person registered by the South African Board for Personnel Practice as a personnel practitioner or a personnel technician or as a candidate shall be deemed to be so registered in terms of this Act.

5. Vacation of office and filling of vacancies

(1) A member of the Board shall vacate his office if—

- (a) he has been absent for more than two consecutive ordinary meetings of the Board without the Board's leave; or
- (b) he is, or becomes, disqualified from registration in terms of this Act; or
- (c)
 - (i) being an elected member, he tenders his resignation in writing to the registrar; or
 - (ii) being a nominated or an appointed member, he ceases to hold the qualification necessary for his appointment, or tenders his resignation in writing to the registrar; or
- (d) the Minister, in the public interest, terminates his membership.

(2) Alle vakatures wat in die Raad ontstaan, voortspruitend uit 'n omstandigheid soos beskryf in subartikel (1) en alle vakatures wat ontstaan as gevolg van die dood van 'n lid, moet gevul word by wyse van verkiesing, of nominasie, of aanstelling soos die geval mag wees, deur die persone of instansies deur wie en op die wyse waardeur die uittredende lid se verkiesing of nominasie of aanstelling voorheen geskied het en elke lid sodanig verkies of genomineer of aangestel sal die amp beklee vir die onverstreke gedeelte van die tydperk waarvoor die uittredende lid verkies of genomineer of aangestel was.

6. Voorsitter en vise-voorsitter

(1) Tydens die eerste vergadering van elke nuut saamgestelde Raad, moet die lede van die Raad 'n voorsitter en vise-voorsitter vanuit hulle eie geledere kies.

(2) Die voorsitter en vise-voorsitter moet hierdie amp beklee vir die ampstydperk van die lede van die Raad, tensy die voorsitter of die vise-voorsitter voor die verstryking van die tydperk bedank, of nie langer 'n lid van die Raad is nie.

(3) Die vise-voorsitter mag, indien die voorsitter afwesig is of om enige ander rede nie in staat is om as voorsitter op te tree nie, al die funksies van die voorsitter verrig.

(4) Indien beide die voorsitter en vise-voorsitter afwesig is van enige vergadering, moet die aanwesige lede 'n persoon uit hulle eie geledere kies om by daardie vergadering voor te sit en sodanige persoon mag tydens daardie vergadering en totdat die voorsitter of vise-voorsitter sy pligte hervat, al die funksies van die voorsitter verrig en al sy magte uitoefen.

(5) Indien beide die voorsitter en vise-voorsitter afwesigheidsverlof toegestaan is, moet die lede van die Raad 'n persoon uit hulle geledere kies om as voorsitter op te tree, tot tyd en wyl die voorsitter of vise-voorsitter sy pligte hervat of sy amp neerlê.

(6) Indien die amp van voorsitter of vise-voorsitter vakant raak, moet die lede van die Raad, by die eerste vergadering nadat sodanige vakature ontstaan het, of so gou daarna as wat gerieflik is, 'n nuwe voorsitter of vise-voorsitter, soos die geval mag wees, uit hulle eie geledere verkies en sodanige verkose lid sal die pos beklee vir die onverstreke gedeelte van die tydperk waarvoor sy voorganger verkies is.

(7) 'n Voorsitter of vise-voorsitter mag sy amp neerlê, sonder dat sodanige neerlegging van sy amp op sigself sy lidmaatskap van die Raad beëindig.

7. Vergaderings van die Raad

(1) Die Raad moet in die loop van elke jaar minstens twee vergaderings hou, op plekke soos deur die Raad besluit en mag afgesien daarvan, verdere vergaderings hou waarop die Raad van tyd tot tyd mag besluit.

(2) Die voorsitter mag te eniger tyd 'n spesiale vergadering van die Raad belê wat gehou moet word op 'n tyd en plek van sy keuse en hy moet op ontvangs van 'n geskrewe versoek van die Minister of 'n geskrewe versoek, deur minstens 10 lede onderteken, 'n spesiale vergadering byeenroep, wat gehou moet word binne 30 dae na die datum waarop die aansoek ontvang is, op 'n tyd en plek wat hy mag bepaal: Met dien verstande dat sodanige geskrewe versoek die doel waarvoor die vergadering aangevra word, duidelik sal uiteensit.

8. Kworum en prosedure by vergaderings

(1) Dertien lede sal by enige vergadering van die Raad 'n kworum uitmaak.

(2) 'n Besluit deur 'n meerderheid van die Raadslede teenwoordig by enige vergadering, sal geld as 'n besluit van die Raad: Met dien verstande dat in geval van 'n staking van stemme die voorsittende lid 'n beslissende stem sal hê, bo en behalwe sy gewone stem.

(2) Every vacancy on the Board arising from circumstances referred to in subsection (1), and every vacancy caused by the death of a member, shall be filled by election, nomination, or appointment, as the case may be, by the persons or body by whom and in the manner in which the vacating member was required to be elected, nominated, or appointed, and every member so elected, nominated, or appointed shall hold office for the unexpired portion of the period for which the vacating member was elected, nominated or appointed.

6. Chairman and vice-chairman

(1) At the first meeting of every newly constituted board, the members shall elect a chairman and a vice-chairman from amongst themselves.

(2) The chairman and vice-chairman shall hold office during the terms of office of the members of the Board unless the chairman or vice-chairman shall resign sooner or cease to be a member of the Board.

(3) The vice-chairman may, if the chairman is absent or for any reason unable to act as chairman, perform all the functions and exercise all the powers of the chairman.

(4) If both the chairman and vice-chairman are absent from any meeting, the members present shall elect one of their number to preside at that meeting and the person so presiding may, during that meeting and until the chairman or the vice-chairman resumes duty, perform all the functions and exercise all the powers of the chairman.

(5) If both the chairman and the vice-chairman have been given leave of absence, the members of the Board shall elect one of their number to act as chairman until the chairman or the vice-chairman resumes duty or vacates office.

(6) If the office of chairman or vice-chairman becomes vacant, the members of the Board shall, at the first meeting after such vacancy occurs or as soon thereafter as may be convenient, elect from amongst themselves a new chairman or vice-chairman, as the case may be, and the member so elected shall hold office for the unexpired portion of the period for which his predecessor had been elected.

(7) A chairman or vice-chairman may vacate office, without such vacation in itself, terminating his membership of the Board.

7. Meetings of the Board

(1) The Board shall hold at least two meetings in each year at venues to be determined by the Board, and may, in addition, hold such further meetings as the Board may determine from time to time.

(2) The chairman may at any time convene a special meeting of the Board, to be held on such date and at such place as he may determine and he shall, upon a written request by the Minister or a written request signed by at least 10 members, convene a special meeting to be held, within 30 days after the date of the request, on such date and at such place as he may determine: Provided that such written request shall state clearly the purpose for which the meeting is to be convened.

8. Quorum and procedure at meetings

(1) Thirteen members shall constitute a quorum at any meeting of the Board.

(2) A decision of the majority of the members of the Board present at any meeting shall constitute a decision of the Board: Provided that in the event of an equality of votes the member presiding shall have a casting vote in addition to a deliberative vote.

(3) Geen besluit wat deur die Raad geneem is, of handeling wat uitgevoer is op gesag van die Raad, moet ongeldig wees slegs omdat 'n interim vakature op die Raad bestaan, of omdat 'n persoon wat nie geregtig is om 'n lid van die Raad te wees nie as lid van die Raad gedien het ten tyde van die besluit, of toe die handeling goedgekeur is, indien die besluit geneem of die handeling goedgekeur is deur die vereiste meerderheid lede van die Raad wat op daardie tydstip teenwoordig was en geregtig was om as lede op te tree.

9. Uitvoerende komitee

(1) Die Raad mag 'n uitvoerende komitee stig wat moet bestaan uit die voorsitter, onder-voorsitter en drie ander lede van die Raad, soos deur die Raad bepaal.

(2) Die uitvoerende komitee mag, onderhewig aan die opdragte van die Raad, al die magte en funksies van die Raad uitoefen gedurende periodes tussen vergaderings, maar het nie die mag, behalwe insoverre die Raad anders besluit, om enige besluit van die Raad ter syde te stel of te verander nie, en enige daad gepleeg of besluit geneem sal van krag wees behalwe as dit ter syde gestel of verander word deur die Raad by die daaropvolgende vergadering.

10. Komitees van die Raad

Die Raad is by magte om komitees saam te stel waarop soveel persone moet dien as wat die Raad mag goedgevind en aanstel, maar wat minstens een van die lede van die Raad moet insluit wat as voorsitter van elk van die komitees moet optree, om uitvoering te gee aan die gesag van die Raad en sodanige funksies te vervul as wat die Raad van tyd tot tyd aan hulle mag toeskryf.

11. Aanstelling van registrateur en personeel

(1) Die Raad moet 'n registrateur aanstel en mag ook sodanige ander persone aanstel as wat nodig geag mag word om sy funksies ingevolge hierdie Wet uit te voer; en mag die registrateur of enige sodanige ander persone ontslaan.

(2) Die Registrateur moet optree as sekretaris en tesourier van die Raad en moet die funksies verrig en pligte uitvoer wat aan hom voorgeskryf word, asook sodanige ander funksies en pligte wat van tyd tot tyd deur die Raad aan hom toevertrou sal word.

(3) Geen aanstelling mag kragtens hierdie artikel gemaak word tensy die persoon wat aangestel word albei ampstale van die Republiek van Suid-Afrika magtig is nie.

12. Finansiering van die Raad

(1) Alle registrasie en eksamengelde en enige ander gelde wat betaalbaar is ingevolge hierdie Wet, moet aan die Raad betaal word en moet sy gelde uitmaak en die Raad moet sy fondse aanwend om koste wat in die uitvoering van sy funksies aangegaan word, te dek.

(2) Die Raad moet enige onbestede gedeelte van sy gelde belê en mag sodanige reserwefondse daarstel en mag na goedgevunde sodanige bedrae wat as gerade geag word, daarin betaal.

13. Ministeriële regstelling

Indien enige iets ingevolge hierdie Wet nagelaat, of weggelaat is wat die aanstelling, benoeming of verkiesing van enige lid betref, of nie binne die gegewe tyd of metode soos deur die Wet vereis, gedoen is nie, mag die Minister opdrag gee dat die nodige stappe gedoen word om sodanige fout of weglating reg te stel, of mag enige iets wat op 'n onreëlmatige wyse of vorm plaasgevind het, goedgekeur ten einde uitvoering te gee aan die doelwitte van hierdie Wet.

(3) No decision taken by the Board, or act performed on the authority of the Board, shall be invalid by reason only of an interim vacancy on the Board, or of the fact that a person who is not entitled to sit as a member of the Board, served as a member at the time when the decision was taken or the act was authorised, if the decision was taken or the act was authorised by the requisite majority of the members of the Board who were present at the time and entitled to sit as members.

9. Executive committee

(1) The Board may establish an executive committee consisting of the chairman, vice-chairman and three other members of the Board designated by the Board.

(2) The executive committee may, subject to the directions of the Board, exercise all the powers and perform all the functions of the Board during periods between meetings but shall not have the power, save in as far as the Board otherwise directs, to set aside or amend any decision of the Board, and any act performed or decision taken by the executive committee shall be of force and effect unless it is set aside or amended by the Board at its next meeting.

10. Committees of the Board

The Board is empowered to form committees which shall consist of as many persons as the Board may appoint at its discretion, but which shall include at least one member of the Board who shall be the chairman of each committee, to exercise such of the Board's powers and perform such of the Board's functions as the Board may from time to time assign to them.

11. Appointment of registrar and staff

(1) The Board shall appoint a registrar and such other persons as it may deem necessary for carrying out its functions in terms of the Act; and may dismiss the registrar or any such other persons.

(2) The registrar shall act as secretary and treasurer to the Board, and shall perform the functions and carry out the duties assigned to or imposed upon him in terms of the Act, as well as such functions and duties as may from time to time be assigned to or imposed upon him by the Board.

(3) No appointment may be made in terms of this section unless the person appointed is proficient in both official languages of the Republic of South Africa.

12. Financing of the Board

(1) All registration and examination fees and any other fees payable in terms of this Act, shall be paid to the Board and shall constitute its funds, and the Board shall utilise its funds for defraying expenses incurred in connection with the performance of its functions.

(2) The Board shall invest any unexpended portion of its moneys, and may establish such reserve funds and pay therein such amounts as it may deem necessary or expedient.

13. Ministerial rectification

The Minister may rectify defects. If anything required to be done in terms of this Act in connection with the election, nomination, or appointment of any member is omitted or not done within the time or in the manner required by this Act, the Minister may order such steps to be taken as may be necessary to rectify the omission or error, or may validate anything done in an irregular manner or form, in order to give effect to the objects of this Act.

HOOFTSTUK 2**OPLEIDING EN REGISTRASIE****14. Erkenning van opleiding**

(1) 'n Opvoedkundige inrigting wat enige opleiding aanbied of verskaf met die doel om 'n persoon in staat te stel om te kwalifiseer vir registrasie ingevolge hierdie Wet, mag die Raad nader om erkenning van sodanige opleiding.

(2) Die Raad mag enige aansoek toestaan of weier wat geraak word ingevolge subartikel (1).

15. Hou van registers

(1) Die registrateur moet afsonderlike registers hou vir personeelpraktisyns, personeeltegnici en kandidate en moet in opdrag van die Raad die naam, adres, kwalifikasies, kategorieë van spesialis-dissiplines, datum van aanvanklike registrasie en enige ander sodanige besonderhede waarop die Raad mag besluit, in die toepaslike register aanbring, van elke persoon wie se aansoek om registrasie ingevolge hierdie Wet toegestaan word.

(2) Die registrateur moet die registers korrek hou en in ooreenstemming met die bepalings van hierdie Wet en sal die name van alle geregistreerde persone wat te sterwe kom, of wie se registrasie beëindig is, van die register verwyder en moet van tyd tot tyd die nodige veranderinge in die adresse van geregistreerde persone aanbring.

(3) Elke geregistreerde persoon wat van adres verander, moet die registrateur binne 30 dae na sodanige verandering, skriftelik daarvan in kennis stel.

(4) Geen kwalifikasie sal in die register aangeteken word nie tensy die registrateur tevrede is dat die persoon wat aanspraak maak op sodanige kwalifikasie wel geregtig is daarop, of indien dit nie die Raad se goedkeuring wegdra nie; en enige inskrywing, waar daar tot die Raad se tevredeheid bewys is dat dit foutief is, of deur wanvoorstelling of onder omstandighede geskied het wat nie ingevolge die Wet goedgekeur is nie, kan van die register verwyder word en 'n rekord wat die rede aangee van enige sodanige verwydering moet in die register aangebring word en die persoon ten opsigte van wie sodanige verwydering aangebring is, moet skriftelik daarvan in kennis gestel word en enige serti-fikate wat uitgereik is ten opsigte van die registrasie sal as gekanseleer beskou word van die datum waarop sodanige kennisgewing gegee is.

16. Uitreiking van registrasiesertifikate

Die registrateur moet, op instruksie van die Raad, 'n registrasiesertifikaat uitreik aan diegene wie se registrasie ingevolge hierdie Wet goedgekeur is.

17. Verwydering van naam, van, en herinstelling tot register

(1) Die Raad kan die registrateur aansê om die naam van enige persoon van 'n register te verwyder—

- (a) wat versoek het dat sy naam van die register verwyder word;
- (b) wat nagelaat het om die registrateur van sy nuwe adres in kennis te stel binne drie maande vanaf datum van 'n navraag deur die registrateur per geregistreerde brief aan die adres gestuur wat vir sodanige persoon in die register verskyn;
- (c) wat nagelaat het om aan die Raad enige jaargelde te betaal soos voorgeskryf deur die Raad, binne drie maande vanaf datum waarop dit betaalbaar geword het;
- (d) wat skuldig bevind is aan onbehoorlike of skandelige gedrag, na 'n ondersoek ingevolge artikel 26, en op wie die straf omskryf in artikel 27 (1) (c) opgelê is.

CHAPTER 2**TRAINING AND REGISTRATION****14. Recognition of training**

(1) An educational institution offering or providing any training having as its object to enable a person to qualify for registration in terms of this Act, may apply to the Board in writing for recognition of such training.

(2) The Board may grant or refuse any application made in terms of subsection (1).

15. Keeping of registers

(1) The registrar shall keep separate registers in respect of personnel practitioners, personnel technicians, and candidates, and shall, on the instructions of the Board, enter in the appropriate register the name, address, qualifications, categories of specialist disciplines, date of initial registration and such other particulars as the Board may determine, of every person whose application for registration has been granted in terms of this Act.

(2) The registrar shall keep the registers correctly and in accordance with the provisions of this Act and shall remove therefrom the names of registered persons who have died, or whose registration has been terminated and shall from time to time make the necessary alterations to the addresses of registered persons.

(3) Every registered person who changes his address shall notify the registrar thereof in writing within 30 days after such change.

(4) No qualification shall be entered in the register unless the registrar is satisfied that the person claiming to possess such qualification is entitled thereto, or if the Board is not satisfied; and any entry which to the satisfaction of the Board proves to have been made in error, or through misrepresentation, or in circumstances not authorised by this Act, may be removed from the register and a record of the reason for every such removal shall be made in the register, and the person in respect of whose entry such removal has been made, shall be notified thereof in writing and any certificate issued in respect of the registration in question shall be deemed to be cancelled as from the date on which notice has been given.

16. Issue of registration certificates

The registrar shall, on instructions from the Board, issue a certificate of registration to those persons whose registration in terms of the Act has been approved.

17. Removal of name from, and restoration to, register

(1) The Board may direct the registrar to remove from a register the name of any person—

- (a) who has requested that his name be removed from the register;
- (b) who has failed to notify the registrar of his present address within three months as from the date of an enquiry sent by the registrar by registered letter to the address appearing in the register in respect of such person;
- (c) who has failed to pay to the Board, within three months from the date on which it became due for payment, any annual fee prescribed by the Board;
- (d) who has been found guilty of improper or disgraceful conduct, after an inquiry in terms of section 26 and upon whom the penalty described in paragraph (c) of section 27 (1) has been imposed.

- (e) Kennisgewing van die verwydering, kragtens hierdie subartikel, van sy naam van 'n register, of van die verwydering, kragtens artikel 15 (4) van 'n inskrywing in die register, moet deur die registrateur aan die betrokke persoon gegee word by wyse van 'n geregistreerde brief, gerig aan sodanige persoon by die adres wat vir hom in die register verskyn.
- (f) Enige sertifikaat wat deur die Raad uitgereik is aan 'n persoon wie se naam geskrap is, moet deur sodanige persoon aan die Raad terug besorg word.
- (2) Die naam van 'n persoon, wie se naam kragtens subartikel (1) van 'n register verwyder is, of 'n inskrywing wat van 'n register verwyder is kragtens artikel 15 (4) moet deur die registrateur heringestel word indien die betrokke persoon—
 - (a) op die voorgeskrewe vorm aansoek doen vir sodanige herinstelling;
 - (b) die voorgeskrewe gelde betaal vir sodanige herinstelling (indien enige);
 - (c) voldoen aan sodanige ander vereistes wat die Raad mag vasstel.

18. Appèlreg

- (1) Enige persoon wat gegrief is deur die Raad se besluit—
 - (a) waarvolgens die Raad weier om hom te registreer, of om in die betrokke register enige kwalifikasie, addisionele kwalifikasie, spesialiteitsrigting of besonderheid wat hy verlang, waarop hy aanspraak maak om so aangeteken te word kragtens die bepalings van hierdie Wet; of
 - (b) om sy naam of enige kwalifikasie, addisionele kwalifikasie, spesialiteitsrigting of besonderheid van 'n register te verwyder, welke inskrywing hy kragtens die bepalings van hierdie Wet, op geregtig voel om in die register aangeteken te hê,
 kan, na kennisgewing aan die Raad en binne 'n tydperk van twee maande na die datum sodanige besluit, aan die Minister appèl rig insake sodanige besluit.
- (2) Die Minister mag sodanige appèl verwerp, of waar hy van mening is dat die Raad nie ingevolge die bepalings van hierdie Wet opgetree het nie, mag hy die Raad aansê om hulle besluit te herroep of te wysig, of hy mag die aangeleentheid na die Raad terugverwys vir verdere oorweging, of sodanige ander optrede beveel soos hy toepaslik mag ag.

19. Bewaring en publikasie van registers.

Die registers moet by die Raad se kantoor gehou word en die registrateur moet van tyd tot tyd, soos deur die Raad bepaal, volgens die instruksies en op gesag van die Raad, van die registers of van aanvullende lys, waarop alle veranderinge, byvoegings, hersienings en skappings wat sedert die laaste publikasie van die volledige registers verskyn, afskrifte maak wat gepubliseer moet word.

20. Register as bewys

- (1) 'n Afskrif van die laaste gepubliseerde uitgawe van 'n register of enige aanvullende lys wat op gesag van die Raad gedruk en gepubliseer is, sal as prima facie-bewys dien van die feite daarin opgeteken en die afwesigheid van enige persoon se naam op sodanige afskrif sal as bewys dien, totdat die teendeel bewys is, dat sodanige persoon nie kragtens die bepalings van hierdie Wet geregistreer is nie; met voorbehoud dat in die geval van enige persoon wie se naam—
 - (a) nie op sodanige afskrif verskyn nie, of wie se naam tot die register bygevoeg is na die laaste datum van publikasie daarvan, 'n gesertifiseerde afskrif, onder die hand van die registrateur van die inskrywing van die naam van sodanige persoon in die register, as bewys sal dien dat sodanige persoon geregistreer is, ingevolge die bepalings van die Wet;

- (e) Notice of the removal, in terms of this subsection, of his name from the register, or of the removal, in terms of section 15 (4) of an entry from a register, shall be given by the registrar to the person concerned by way of a registered letter addressed to such person at the address appearing in respect of him in the register.
- (f) Any certificate that has been issued by the Board to a person whose name has been removed shall be returned to the Board by such person.
- (2) The name of a person whose name has been removed from a register in terms of subsection (1), or any entry removed from a register in terms of section 15 (4) shall be restored to the register by the registrar, upon the person concerned—
 - (a) applying on the prescribed form for such restoration;
 - (b) paying the fee prescribed for such restoration (if any);
 - (c) complying with such other requirements as the Board may determine.

18. Right of appeal

- (1) Any person aggrieved by the Board's decision—
 - (a) to refuse to register him or to enter in the appropriate register any qualification, additional qualification, speciality, or particular which he desires and maintains to be entitled to have so entered in terms of the provisions of this Act; or
 - (b) to remove from a register his name or any qualification, additional qualification, speciality, or particular which he maintains to be entitled to have entered in the register in terms of the provisions of this Act,
 may, after notice to the Board, and within two months after the date of such decision, appeal to the Minister against such decision.
- (2) The Minister may dismiss such appeal, or, if he is of the opinion that the Board has not acted in accordance with the provisions of this Act, may order the Board to reverse or modify their decision, or may refer the matter to the Board for further consideration, or order such other action as he may deem appropriate.

19. Custody and publication of registers

The registers shall be kept at the office of the Board and the registrar shall, at intervals to be determined by the Board and according to the instructions and on the authority of the Board, cause copies of the registers, or of supplementary lists showing all alterations, additions, revisions and deletions made since the last publication of the complete registers, to be printed and published.

20. Register as proof

- (1) A copy of the last published issue of a register or any supplementary list printed and published on the authority of the Board shall be prima facie proof of the facts therein recorded, and the absence of the name of any person from such copy shall be proof, until the contrary is proved, that such person is not registered according to the provisions of this Act: Provided that in the case of any person whose name—
 - (a) does not appear in such copy, or whose name has been added to the register after the date of the last published issue thereof, a certified copy under the hand of the registrar of the entry of the name of such person in the register, shall be proof that such person is registered under the provisions of this Act;

(b) enige straf, soos in paragraaf (b) of (c) van artikel 27 (1) uiteengesit, oplê, maar die toepassing van sodanige straf opskort vir sodanige periode en onderhewig aan sodanige voorwaardes as waarop hulle mag besluit.

(2) (a) Indien die Raad aan die einde van die periode waarvoor die oplegging van 'n straf uitgestel is kragtens subartikel (1) (a), tevrede is dat die betrokke persoon al die voorwaardes nagekom het, moet die Raad die betrokke persoon in kennis stel dat geen straf opgelê sal word nie.

(b) Indien die uitvoering van 'n straf opgeskort is kragtens subartikel (1) (b) en die Raad tevrede is dat die betrokke persoon al die tersaaklike voorwaardes vir die hele tydperk van opskorting nagekom het, moet die Raad die betrokke persoon in kennis stel dat sodanige straf nie uitgevoer sal word nie.

(c) Indien die uitvoering van 'n straf opgeskort is, kragtens subartikel (1) (b) en die betrokke persoon enige van die voorwaardes van opskorting verontagsaam, moet die Raad sodanige strafmaatreëls toepas, behalwe as sodanige persoon die Raad tevrede kan stel dat die verontagsaming van die voorwaarde ter sprake te wyte was aan omstandighede buite sy beheer.

29. Kennisname deur Raad van optrede van geregistreerde persone onder sekere omstandighede

(1) Die Raad kan teen enige geregistreerde persoon wat, of voor of na registrasie, deur 'n geregshof skuldig bevind is aan enige oortreding, ingevolge die bepalings van hierdie hoofstuk, optree indien die Raad van mening is dat sodanige oortreding dui op onbehoorlike of skandalige gedrag, of gedrag wat, in die lig van sodanige persoon se profesie, as onbehoorlik of skandalig beskou kan word en sal op bewys van die skuldigbevinding, hom blootstel aan een of ander van die strafmaatreëls waarna in artikel 27 (1) verwys word: Met dien verstande dat, voor die oplegging van die straf, sodanige persoon die geleentheid gegun sal word om 'n verduideliking aan die Raad te verskaf ter versagting van die optrede ter sprake.

(2) Indien die Raad die mag uitoefen wat volgens artikel 26 aan hulle toegeken is, sal die Raad enige persoon aanstel as *pro forma*-klaer om die saak aan die Raad te stel: Met dien verstande dat die huidige registrateur of enige lid van die Raad, nie as sodanig aangestel sal word nie.

(3) Die Raad mag, ingevolge die voorwaardes van die voorbehoud tot subartikel (2) 'n persoon aanstel om 'n geding in te stel teen, of om voort te gaan daarmee, indien die persone wat kragtens hierdie subartikel aangestel is, om enige rede nie in staat is om dit te doen nie.

30. Beperking van aanspreeklikheid

Behalwe soos waar voorsiening daarvoor in hierdie Wet gemaak is, sal geen siviele geregtelike stappe geneem kan word teen enige individuele lid of beampte van die Raad ten opsigte van enige handeling te goede trou verrig, of enige verpligting ooreenkomstig hierdie hoofstuk.

31. Die Raad moet reëls maak betreffende oortredings kragtens hierdie hoofstuk

(1) Die Raad moet van tyd tot tyd, reëls maak wat daardie handelinge, of die versuim daarvan, spesifiseer ten opsigte waarvan die Raad, kragtens hierdie hoofstuk, dissiplinêre stappe mag doen: Met dien verstande dat die magte van die Raad om ondersoek in te stel na en aandag te skenk aan enige klagtes, aanklag of aantyging kragtens hierdie hoofstuk, nie beperk sal wees tot slegs die gespesifiseerde handelinge of die versuim daarvan nie.

(2) Geen reël wat kragtens subartikel (1) gemaak is, of enige wysiging of herroeping daarvan, sal van krag wees of toepasbaar wees, tot tyd en wyl dit deur die Minister goedgekeur en in die *Staatskoerant* gepubliseer is nie.

(b) impose any penalty mentioned in paragraph (b) or (c) of section 27 (1) but order the execution of such penalty to be suspended for such period and on such conditions as may be determined by it.

(2) (a) If, at the end of the period for which the imposition of a penalty has been postponed in terms of subsection (1) (a), the Board is satisfied that the person concerned has observed all the relevant conditions, the Board shall inform the person concerned that no penalty will be imposed upon him.

(b) If the execution of a penalty has been suspended in terms of subsection (1) (b) and the Board is satisfied that the person concerned has observed all relevant conditions throughout the period of suspension, the Board shall inform such person that such penalty will not be executed.

(c) If the execution of a penalty has been suspended in terms of subsection (1) (b) and the person concerned fails to observe any of the conditions of suspension, the Board shall put such penalty into operation, unless such person satisfies the Board that non-observance of the condition concerned was due to circumstances beyond his control.

29. Cognisance by the Board of conduct of registered persons under certain circumstances

(1) Every registered person who, either before or after registration, has been convicted of any offence by a court of law may be dealt with by the Board in terms of the provisions of this chapter if the Board is of the opinion that such offence constitutes improper or disgraceful conduct, or conduct which, with due regard to such person's profession, is improper or disgraceful; and shall be liable, on proof of the conviction, to one or other of the penalties referred to in section 27 (1): Provided that, before imposition of any penalty, such person shall be afforded an opportunity of tendering an explanation to the Board in extenuation of the conduct in question.

(2) If the Board exercises the powers conferred upon it by section 26 it shall appoint any person as *pro forma* complainant to present the case to the Board: Provided that the registrar for the time being, or any member of the Board, shall not be so appointed.

(3) The Board may, subject to the provisions of the proviso to subsection (2), appoint a person to institute proceedings or to continue proceedings if the person appointed in terms of this subsection is, for any reason, unable to do so.

30. Limitation of liability

Save as is provided in this Act, no civil legal proceedings shall lie against any individual member or officer of the Board, in respect of any act done in good faith or duty performed in accordance with this chapter.

31. Board to make rules relating to offences under this chapter

(1) The Board shall, from time to time, make rules specifying the acts or omissions in respect of which the Board may take disciplinary steps in terms of this chapter: Provided that the powers of the Board to inquire into and deal with any complaint, charge, or allegation under this chapter shall not be limited to the acts or omissions so specified.

(2) No rule made in terms of subsection (1) or any amendment or repeal thereof, shall be of force and effect until approved by the Minister and published in the *Government Gazette*.

32. Straf vir wanvoorstelling

Enige geregistreerde persoon wat—

- (a) by wyse van valse voorstelling, hetsy verbaal of skriftelik, ingevolge hierdie Wet registrasie verkry, of poog om te verkry, of enige sertifikaat, bestelling of voorskrif waarna in hierdie Wet verwys word, of enige persoon help of bystaan om dit te doen;
- (b) enige ongemagtigde inskrywing maak of veroorsaak dat sodanige inskrywing gemaak word of verandering in, of verwydering van 'n register, of gesertifiseerde afskrif daarvan, of uittreksel daaruit of enige sertifikaat uitgereik kragtens hierdie Wet;
- (c) 'n valse verklaring maak of veroorsaak dat dit gemaak word, op enige identifikasiekoevert of dokument wat in verband met 'n verkiesing uitgereik word;
- (d) enige dokument vervals, of wetende dat dit vervals is, dit uitgee as synde 'n sertifikaat uitgereik ingevolge hierdie Wet te wees;

sal, na bewys van so 'n wanvoorstelling, homself blootstel aan een of ander van die strafmaatreëls waarna in artikel 27 (1) verwys word.

HOOFSTUK 4**ALGEMENE EN AANVULLENDE BEPALINGS****33. Regulasies**

(1) Die Minister mag, op aanbeveling van die Raad, regulasies maak wat betrekking het op—

- (a) die bedryf van sake en prosedure by vergaderings van die Raad en komitees van die Raad, en die wyse waarop notule van sodanige vergaderings gehou moet word;
- (b) die manier waarop kontrake namens die Raad gesluit sal word, die boeke van die Raad gehou sal word en geld wat die Raad toekom, aangewend sal word;
- (c) die toelae wat aan lede van die Raad of lede van komitees van die Raad, uitgesluit lede wat voltyds in diens van die Staat is, wanneer hulle besig is om die dienste vir die Raad te verrig;
- (d) die pligte en diensvoorwaardes van die registrateur en ander beamptes wat deur die Raad aangestel word;
- (e) enige gelde betaalbaar ingevolge hierdie Wet;
- (f) die formaat van die registers wat gehou moet word kragtens die bepalings van hierdie Wet en van alle sertifikate wat kragtens hierdie Wet uitgereik kan word en die wyse waarop veranderinge in sodanige registers aangebring kan word;
- (g) die vorms wat voltooi moet word en die dokumente wat deur aansoekers ingedien moet word vir registrasiedoeleindes of vir herinstelling tot die registers;
- (h) die registrasie deur die Raad van studente wat by enige opvoedkundige inrigting studeer, die gelde betaalbaar ten opsigte van sodanige registrasie en enige voorwaardelike vereistes vir sodanige registrasie en die verwydering van die name van sodanige studente, aldus geregistreer, van die betrokke register, deur die Raad;
- (i) die aard en duur van opleiding wat ondergaan moet word deur enige persoon alvorens hy geregistreer mag word;
- (j) die omstandighede waaronder enige persoon na wie in paragraaf (i) verwys word, geregtig sal wees op vrystelling van sodanige opleiding;
- (k) die registrasie van kandidate, insluitend—
 - (i) die aantekening van besonderhede van hulle opleiding en bewys van die uitvoering daarvan;
 - (ii) die persone met wie sodanige opleiding onderneem mag word;
 - (iii) enige ander aangeleentheid wat verband hou met die registrasie of opleiding van kandidate;

32. Penalty for misrepresentation

Any registered person who—

- (a) procures, or attempts to procure, any certificate, order or prescription referred to in this Act by means of a false representation, whether verbally or in writing, or aids or abets any person in so doing;
- (b) makes or causes to be made any unauthorised entry, or alteration in, or removal from, a register or certified copy thereof, or extract therefrom, or on any certificate issued under this Act;
- (c) makes or causes to be made a false declaration on any identification envelope or document issued in connection with an election;
- (d) forges or, knowing it to be forged, utters any document purporting to be a certificate issued in terms of this Act;

shall be liable, on proof of the misrepresentation, to one or other of the penalties referred to in section 27 (1).

CHAPTER 4**GENERAL AND SUPPLEMENTARY PROVISIONS****33. Regulations**

(1) The Minister may, on the recommendation of the Board, make regulations relating to—

- (a) the conduct of the business and the procedures at meetings of the Board, and committees of the Board, and the manner in which minutes of such meetings shall be kept;
- (b) the manner in which contracts shall be entered into on behalf of the Board, the accounts of the Board shall be kept, and money accruing to the Board shall be disposed of;
- (c) the allowances which may be paid to members of the Board or the members of committees of the Board excluding members who are in the full-time employment of the State, when engaged on the service of the Board;
- (d) the duties and conditions of service of the registrar and other officers appointed by the Board;
- (e) any fees payable in terms of this Act;
- (f) the form of the registers to be kept in terms of the provisions of this Act, and of all certificates that may be issued in terms of this Act, and the manner in which alterations may be effected in such registers;
- (g) the forms to be completed and the documents to be submitted by applicants for registration or for restoration to the registers;
- (h) the registration by the Board of students studying at any educational institution, the fees payable in respect of such registration, and any conditions precedent to such registration; and the removal by the Board from the registers in question of the names of such students so registered;
- (i) the nature and duration of the training to be undergone by any person before he may be registered;
- (j) the circumstances under which any person referred to in paragraph (i) shall be entitled to exemption from such training;
- (k) the registration of candidates including—
 - (i) the recording of particulars of their training and proof of the performance thereof;
 - (ii) the persons with whom such training may be undertaken;
 - (iii) any other matter incidental to the registration or training of candidates;

- (l) die vereistes vir die geldige nominasie van 'n kandidaat vir verkiesing as 'n lid van die Raad;
- (m) die instelling van 'n ondersoek kragtens die bepalings van artikel 26 insluitend—
 - (i) die metode waarvolgens klagtes of aanklagtes, wat teen 'n geregistreerde persoon ingebring word, ingedien moet word;
 - (ii) die metode waarvolgens 'n aangeklaagde persoon versoek word om te verskyn en die straf vir versuim of weiering aan die kant van enige geregistreerde persoon om, soos versoek, teenwoordig te wees, of vir dwarsboming of onderbreking van die verrigtinge;
 - (iii) enige ander aangeleentheid wat verband hou met die instelling van sodanige ondersoek;
- (n) enige aangeleentheid wat kragtens enige bepaling van hierdie Wet vereis word, of voorgeskryf mag word, by wyse van regulasie;
- (o) in die algemeen, alle sake wat hy nodig of wenslik ag om voor te skryf, sodat die doelwitte van hierdie Wet bereik mag word.

(2) Die Minister kan, na konsultasie met die Raad, indien hy dit in die professionele belang ag—

- (a) sonder aanbevelings deur die Raad, regulasies maak betreffende aangeleenthede waarna in subartikel (1) verwys word, of enige regulasie wat kragtens daardie subartikel gemaak is, wysig of herroep; en
- (b) enige reël wat kragtens die bepalings van hierdie Wet gemaak is, wysig of herroep.

(3) Enige regulasie wat kragtens hierdie artikel gemaak is, mag strafmaatreëls voorskryf vir enige ootreding daarvan, of versuim om daaraan gehoor te gee, tot 'n maksimum boete van R50.

(4) Enige kennisgewing wat uitgereik word, of regulasie, of reël wat kragtens hierdie Wet gemaak word, mag van tyd tot tyd, deur die gesag wat dit uitgereik of gemaak het, gewysig of herroep word.

34. Heffing van gelde

(1) Die Minister mag, op aanbeveling van die Raad, te eniger tyd, deur kennisgewing in die *Staatskoerant*, die Raad daartoe magtig om gelde voor te skryf wat deur geregistreerde persone aan die Raad betaal moet word: Met dien verstande dat, waar sodanige gelde voorgeskryf word, die Raad onderskeid mag tref tussen persone wat voor of na 'n datum soos in die kennisgewing gespesifiseer, geregistreer is.

(2) Indien 'n persoon se naam kragtens die Wet van die register verwyder is, is 'n voorvereiste vir die herinstelling van sy naam tot die register, die betaling van uitstaande gelde.

(3) Die Raad mag deur middel van 'n besluit, vir 'n bepaalde of onbepaalde tydperk, enige geregistreerde persone wat in die besluit gespesifiseer word, onthef van die betaling van enige gelde soos voorgeskryf kragtens subartikel (1).

35. Kort titel en inwerkingtreding

Hierdie Wet sal genoem word die Wet op Personeelpraktik, 1987, en sal in werking tree op 'n datum vasgestel deur die Staatspresident by proklamasie in die *Staatskoerant*.

- (l) the requirements for a valid nomination of a candidate for election as a member of the Board;
- (m) the conduct of an inquiry held in terms of the provisions of section 26 including—

- (i) the manner in which complaints or charges brought against a registered person shall be lodged;
- (ii) the method of requesting an accused person to attend and the penalties for failure or refusal on the part of any registered person to attend as requested, or for obstructing or interrupting the proceedings;
- (iii) any other matter relating to the conduct of such an inquiry;

(n) any matter which in terms of any provision of this Act is required to be or may be prescribed by regulation;

(o) generally, all matters which he considers necessary or expedient to prescribe in order that the purposes of this Act may be achieved.

(2) The Minister may, after consultation with the Board, if he deems it to be in the professional interest—

- (a) make regulations relating to any of the matters referred to in subsection (1), or amend or repeal any regulation made in terms of that subsection; and
- (b) amend or repeal any rule made in terms of the provisions of this Act.

(3) Any regulation made under this section may prescribe penalties for any contravention thereof or failure to comply therewith, not exceeding a fine of R50.

(4) Any notice issued, or regulation, or rule made under this Act may, from time to time, be amended or repealed by the authority which issued or made it.

34. Levying of fees

(1) The Minister may, on the recommendation of the Board, at any time by notice in the *Government Gazette*, authorise the Board to prescribe a fee to be paid annually to the Board by registered persons: Provided that in prescribing such a fee, the Board may differentiate between persons according to whether they were registered before or after a date specified in the notice.

(2) If a person's name has been removed from the register in terms of the Act, it shall be a condition precedent for the restoration of his name to the register that he pays the outstanding fee.

(3) The Board may by resolution exempt, for an indefinite or definite period, any registered persons specified in the resolution from payment of any fee prescribed in terms of subsection (1).

35. Short title and commencement

This Act shall be called the Personnel Practice Act, 1987, and shall come into operation on a date fixed by the State President by proclamation in the *Government Gazette*.

MEMORANDUM OOR DIE OOGMERKE VAN DIE KONSEPWETSONTWERP OP PERSONEELPRAKTYK

Statutêr word tans geen voorsiening gemaak vir die wye spektrum van aktiwiteite van die personeelpraktik nie. Sielkundiges en bedryfsielkundiges wie se aktiwiteite deels binne die personeelveld val, geniet reeds statutêre erkenning.

In die huidige omstandighede waar opleiding, beter benutting van mannekrag en arbeidsverhoudinge al groterwordende eise stel, word professionele personeelpraktik wat op 'n geordende wyse fungeer, van al groter belang.

Die opleiding van persone binne die personeelpraktik sal deur die instelling van 'n Statutêre Raad vir Personeelpraktik bevorder word en uniforme minimum opleidingstandaarde sal daargestel word. Die Raad vir Personeelpraktik sal oor statutêre mag beskik om die optrede van lede te kontroleer en te verseker dat werkgewers 'n professionele diens ontvang. Registrasie is egter vrywillige en die konsepwetsontwerp bevat geen klousules wat werksaamhede beperk tot geregistreerde personeelpraktisyns nie.

MEMORANDUM REGARDING THE AIM OF THE BILL ON PERSONNEL PRACTICE

At the moment, no statutory provision has been made for the wide spectrum of activities in personnel practice. Psychologists and industrial psychologists, whose activities fall partially into the personnel field, already enjoy statutory recognition.

Under the present circumstances where training, better utilisation of manpower and labour relations are setting ever increasing demands, a professional personnel practice that functions in a regulated manner, is of increasing importance.

The training of people within personnel practice will be furthered by the institution of a Statutory Board for Personnel Practice, which will set uniform minimum standards of training. The Personnel Practice Board will also have statutory power to control the conduct of members and to ensure that employers receive professional service. Registration is, however, voluntary and the bill does not include any clauses that limit the activities to registered personnel practitioners.

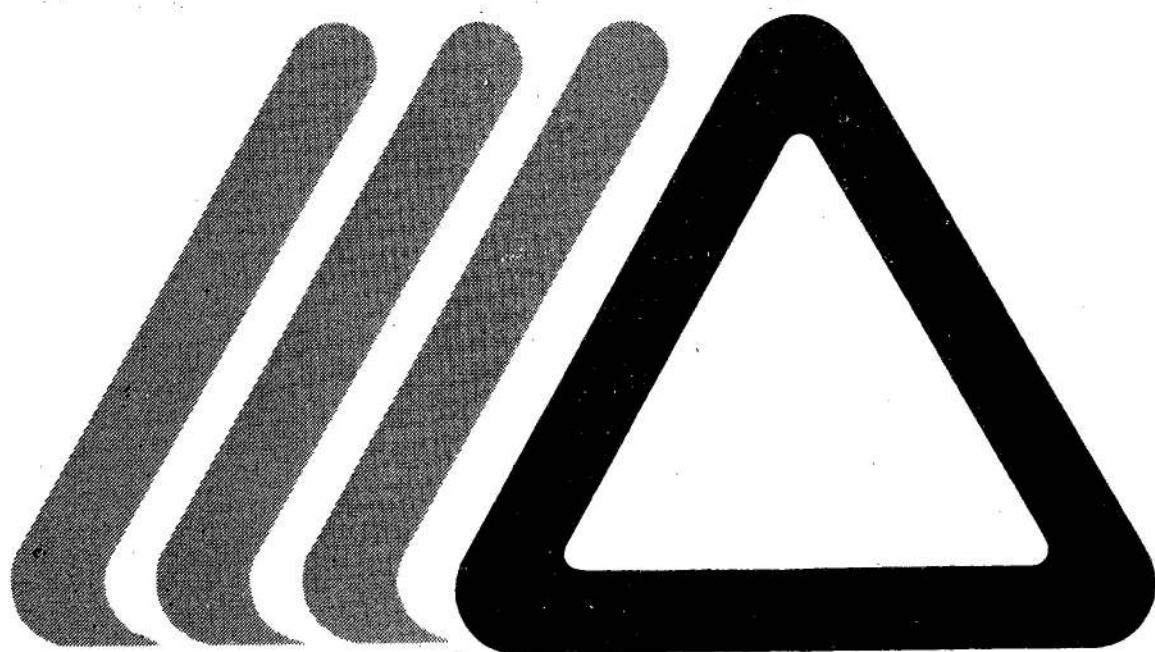
Spaar 'n druppel — en vul die dam

Indien almal van ons besparingsbewus optree, besnoei ons nie slegs uitgawes nie maar wen ook ten opsigte van ons kosbare water- en elektrisiteitsvoorraad

**Save a drop — and save a million**

Water conservation is very important to the community and industry to ensure their survival. So save water!

**Drink en bestuur is 'n kriminele
oortreding**



**Drinking and driving is a criminal
offence**

Werk mooi daarmee

Ons leef  daarvan

water is kosbaar

Use it

Don't abuse  it

water is for everybody

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