



DIRECTORATE FOR REGISTRATION AND RECOGNITION

**EVALUATION REPORT FOR THE RECOGNITION OF PROFESSIONAL BODIES AND
REGISTRATION OF PROFESSIONAL DESIGNATIONS**

Name of Professional Body	Environmental Assessment Practitioners Association of South Africa (EAPASA)
Statutory or Non-Statutory Body	Statutory
Sector	Business, Commerce and Management
Physical Address	51 West Street, Houghton , 2041
Application Approved by Board/Council	Yes
Application Signed by CEO / Registrar/ Board Chairperson	Yes
Number of Designations Applied for	1
Date of Site Visit	19 February 2019
Date of Gazette Notice	
Name of the Chairperson	Ms Snowy Makhudu
Contact details	011 704 5071



**PROFESSIONAL BODY RECOGNITION AND PROFESSIONAL DESIGNATION
REGISTRATION**

EVALUATION REPORT

**NAME OF BODY: ENVIRONMENTAL ASSESSMENT PRACTITIONERS ASSOCIATION
OF SOUTH AFRICA (EAPASA)**

Background

The Environmental Assessment Practitioners Association of South Africa (EAPASA) applied to SAQA for recognition as a professional body and for the registration of two professional designations on the NQF in terms of the NQF Act, Act 67 of 2008 (as amended, March 2018).

On 8 February 2018 the Minister of Environmental Affairs promulgated the appointment of EAPASA as the single registration authority for Environmental Assessment Practitioners (EAPs) in South Africa, in Notice No 104 in Government Gazette 41434 in terms of section 24H(3)(a) of the National Environmental Management Act, Act No. 107 of 1998 (NEMA) and the Section 24H Registration Authority Regulations.

1. CRITERIA FOR RECOGNISING A PROFESSIONAL BODY

DRR evaluated the application against the *Policy and Criteria for Recognising a Professional Body and Registering a Professional Designation for the Purposes of the NQF Act*. EAPASA was found to meet all the criteria for recognising a professional body listed below:

1.1. Legally Constituted Entity

EAPASA was appointed under Section 24H of the National Environmental Management Act, Act No. 107 of 1998 (NEMA) and the Section 24H Registration Authority Regulations. The Section 24H Registration Authority Regulations stipulate in regulation 14, a compulsory legal requirement that EAPs must be registered in order to prepare or review Environmental Impact Assessments (EIAs), as follows:

14. No person other than a registered environmental assessment practitioner, registered with a registration authority, may hold primary responsibility for the planning, management, coordination or review of environmental impact assessments and associated environmental management programmes (EMPrs).

22. Regulation 14 of these Regulations takes effect 24 months from the date of the appointment of the first registration authority.

Before the above Regulation was promulgated, EAPASA had registered with the Department of Social Development in 2013 with registration number 122-986 NPO. The following document(s) were submitted.

- Department of Social Development with registration number 122-986 NPO
- Constitution
- Registration Authority Regulations

- Rule book
- Transformation charter
- List of current and founding Board members
- List of individual members

1.2. Human Resources

The organogram submitted by the professional body shows that the professional body has a total of 6 employees, 3 full-time employees and 3 interns. During the site visit the staff consisted of the following:

- Full time Registrar
- Financial Manager
- Receptionist
- Two interns, and they are waiting to get the third intern soon.

1.3. Financial Resources

The signed audited financial statements were submitted together with a letter from the Minister of Environmental Affairs detailing how the professional body is going to be funded.

- According to the professional body report, the applicant registration assessment fees and annual membership subscriptions will be the main sources of income.
- The auditors' opinion in the audited financial statements of EAPASA for the year ended 28 February 2018 indicate that the financial statements present fairly, in all material respects, the financial position of Environmental Practitioner's Association of South Africa as at 28 February, and its financial performance and cash flows for the year then ended in accordance with International Financial Reporting Standards and the requirements of the Companies Act of South Africa

1.4. Good Corporate Governance Practices

The professional body submitted its Constitution that contains the terms of reference of the Board and the registration authority Regulations.

- The Association is governed and administered by the Board in the public interest in terms of this Constitution and of the Rule Book of the Association.
- There must at all times be at least thirteen (13) members of the Board; on condition that the Board will be deemed to be properly constituted even if there are less than thirteen members, solely to allow for the appointment of replacements.
- In electing or appointing members to the Board from time to time, the Association must seek to maintain a Board membership which comprises:
 - Nine (9) Registered EAPs of whom four (4) should preferably be in the fulltime employment of a provincial government, four (4) should be women and four (4) should be black and all should be respected and experienced in the practice of Environmental Assessment
- No Board member will serve for longer than four years without having submitted themselves for re-election at a general meeting.
- The initial Board of the Association may remain as members of the Board until the first general meeting of the Association, at which meeting seven (7) of the thirteen (13) members of the Board must resign.
- At each general meeting, at least seven (7) Board members must be elected to replace those resigning.
- Retiring Board members will remain eligible for re-election, on condition that no person may serve more than eight (8) consecutive years as a Board member subsequent to the appointment of EAPASA as a Registration Authority.
- According to the registration authority regulations, the executive members of the registration authority must be able to perform the work relating to an application for registration as an environmental assessment practitioner or candidate environmental assessment practitioner in an objective manner.
- A minimum of two thirds of the executive members of the registration authority must meet the requirements for registration as environmental assessment practitioners.

- According to section 8 of the registration authority regulations, registration authority must, from its members, appoint a registration committee which will be responsible for considering and deciding on any application for registration, renewal or termination as either registered environmental assessment practitioners or candidate environmental assessment practitioners.
- The professional body has the following committees:
 - Public Relations
 - Registration
 - Professional Development
 - Standards and Criteria
 - Secretariat

1.5. Code of conduct and Protection of the Public

The professional body submitted the following documents:

- Constitution
- Code of Ethical Conduct and Practice
- Disciplinary Policy and Procedure, and
- Appeals Policy and Procedure.
- Registration authority Regulations.
- The Code of Ethical Conduct and Practice is available to members of the public in the Rule Book which is contained on EAPASA's website at: <https://www.eapasa.org/index.php/documents>
- The EAPASA Board, through its Professional Conduct Committee and based on procedures outlined in the Rule Book, is responsible for:
 - responding to complaints regarding the conduct or practices of registered EAPs or Candidate EAPs;
 - investigating complaints and conducting hearings; and
 - deciding on disciplinary measures or sanctions to be taken, where necessary, in regard to registered EAPs.
- The Professional Conduct Committee may call professional conduct inquiries and hearings in cases of alleged contraventions, in line with the Professional Conduct Committee procedures.
- The powers of the Committee allow it to:
 - exonerate the member;
 - reprimand the member;
 - suspend the member from EAPASA for a specified period (but not exceeding the maximum number of days for such suspensions as determined by the Board from time to time); or
 - expel the member from EAPASA; and, in all such cases,
 - the Professional Conduct Committee may fine the member;
- After the Professional Conduct Committee has performed an enquiry or hearing, the outcome is communicated to interested and affected parties involved in a particular case, and to the public if there has been a contravention.
- Members expelled from EAPASA are removed from the EAP Register.
- The EAPASA Board as the Registration Authority may revoke/terminate the registration of an EAP or Candidate EAP according to the criteria listed in EAPASA's Policy for Awarding and Revoking Designations.
- In terms of the provisions of regulation 18 of the Section 24H Registration Authority Regulations, the Board must provide the person with a written notice of the termination of registration, noting the reasons for such termination.
- Section 12 of the Registration authority regulations states that a registration authority must establish procedures for the submission and consideration of appeals on decisions taken by the registration authority and must ensure that no member of a registration committee that considered an application for registration may consider an appeal on such a decision.
- All applicants of the designations are required to sign the code of conduct.

1.6. Awarding of Professional Designations

The professional body submitted the following documents:

- EAPASA Policy for Awarding and Revoking Designations
- EAPASA Policy on Foreign Qualifications
- Membership/designation application form
- Applicant Guideline Manual.
- Applicants submit their applications on the EAPASA website.
- The registrar checks the completeness of the application and the application documents are allocated to the registered assessors.
- The registration committee makes the final decision on the application received from the assessors.
- An applicant must submit a comprehensive Portfolio of Evidence outlining their qualification(s) and experience on the online registration system. For each assessment criterion, applicants are given 350 words in which to provide written evidence that they have met the criterion, and are required to further upload a range of supporting documents.

1.7. Recognition of Prior Learning (RPL)

The professional body submitted its RPL policy and evidence of RPL implementation.

- The Registration Committee of EAPASA uses the principles of Recognition of Prior Learning to assess applicants against the six core competencies and associated assessment criteria of the National Qualification Standard.
- Each individual applying for registration is assigned two anonymous and independent assessors by the Registration Committee.
- Assessors must be Registered EAPs who have undergone formal EAPASA approved Recognition of Prior Learning (RPL) training:
- The Registration Committee maintains a list of Registered EAPs who have completed RPL training and who are willing to be called on to act as an assessor and provide their report timeously to the Registration Committee.
- A roster system is applied when assigning assessors to applicants, while ensuring independence, objectivity and no conflict of interest.
- The Registrar is responsible for managing the roster and assigning assessors.
- A confidential assessor's report accompanies the application when it is assessed and considered by the Registration Committee.
- All personal information submitted to EAPASA is treated with due confidentiality and stored in a protected digital location. The EAPASA Board and its employees at all times adhere to the principles of the Protection of Personal Information Act and information will only be used for its intended purpose.

1.8. Continuing Professional Development (CPD)

The professional body submitted its CPD policy and the CPD reporting format. However, on evidence of CPD, the professional body explains that as EAPASA's registration process is in the initial stages, there is as yet no evidence to present of CPD implementation.

- All EAPs, once registered, are required to undertake and record Continuing Professional Development (CPD) activities as a prerequisite for renewal of their professional registration.
- The responsibility for meeting the CPD obligation rests with the individual professional.
- All EAPs are required to submit CPD records when applying to renew their registration at the stipulated period.
- In order for an EAP to optimise his/her CPD, it is recommended that the EAP explicitly identifies and prioritises those particular areas within their current and/or foreseeable future work, including specific personal and career ambitions, that would benefit from additional learning or skills acquisition.
- The CPD record sheet is assessed for progress in two key areas, namely:
 - Area 1: Evidence of the EAP updating and improving his/her knowledge and understanding of environmental assessment, and technical skills.

- Area 2: Contribution to the EA industry, capacity building and awareness raising: evidence of the EAP having 'given back' his/her knowledge, understanding or related skills of environmental assessment to peers, Candidate EAPs and the wider public.
- During the first registration cycle (2018 to 2023) EAPASA will not accredit training courses and therefore the onus of determining whether a particular training course is appropriate will be left to the person signing up for the course, to make sure that it meets the training they need to build their case for a well-rounded professional development record.
- According to the CPD policy, the requirement for CPD is a minimum of 125 points of CPD over a five-year period, with a minimum of 25 points from Area 1 and a minimum of 50 points from Area 2.
- Each practitioner should keep adequate records of evidence which can be assessed and verified if subjected to an audit. This record sheet is to be submitted to the registration authority on application for renewal of professional registration.
- On site the professional body explained that they have online CPD activities in order to accommodate everyone.

1.9. List of Members

The professional body submitted the list of its individual members in the EAP register required by section 24H Registration Authority Regulations.

- The list has 38 designated members.
- On site, it was verified that the database has 182 members who have applied for the designation.
- According to the observations from the National Learners' Records Database (NLRD) team, the Professional Body has a member database that would allow it to be able to submit data to the NLRD.
- The Professional Body's Information Technology representative further mentioned that they used the Professional Bodies Load Specifications from SAQA as a guide when they designed their system.

1.10. Unfair Exclusionary Practices

EAPASA has a Constitution, a Rule Book and a Transformation Charter that stipulates transformation imperatives throughout all aspects of its role as the Registration Authority, in order to be representative of the demographics of the country. Key aspects in this regard are as follows:

- Clause 8.8 of the Constitution stipulates the transformation requirements for the membership of the Board;
- Clause 8.11 states that a Transformation Charter must be in place, and also in clause 8.12 of the EAPASA Constitution;

1.11. Career Advice Information

- EAPASA carries out several road shows across the provinces and at Wits University.
- They have been invited to take part in the programme of grooming a girl child at the Motsepe foundation.

1.12. Education and Training

EAPASA complies with Section 19 of the Policy and Criteria for Recognising a Professional Body and Registering a Professional Designation for the Purposes of the National Qualification Framework Act, Act 67 of 2008.

- It is not accredited as an education and training provider by a Quality Council
- It is not registered as an education and training provider with the Department of Higher Education and Training

1.13. Proliferation of Professional Bodies

The application form submitted and as explained during the site visit by EAPASA states that the South African Council for Natural Scientific Professions (SACNASP) is the

statutory professional body in the sector. However, the professional body explained that:

An understanding has been reached between EAPASA and SACNASP, and that is SACNASP will continue to register environmental and other natural scientists who may - among other roles - contribute specialist scientific studies to EIAs, and EAPASA will be registering the EAPs who manage, undertake and review EIAs. The SACNASP and EAPASA registration processes are complementary.

Going forward SACNASP will continue to register natural scientists, although the Section 24H Regulations do not stipulate that people providing specialist scientific input to EIAs need to be registered - only the EAPs need to be registered with EAPASA.

In response to the question on any legal impediment to the operation of the second/subsequent body, the professional body said:

Section 24H (6) of the NEMA stipulates that the Minister may appoint more than one association but may limit the number to a single registration authority, as per the extract from the Act below:

(6) The Minister may appoint as registration authorities such number of associations as are required for the purposes of this Act and may, if circumstances so require, limit the number of registration authorities to a single registration authority.

The Minister appointed EAPASA as the single registration authority for Environmental Assessment Practitioners in South Africa on 8 February 2018 as in Notice No 104 in Government Gazette 41434).

1.14. Professional Designations

Designation(s) to be Registered

Designation title: Environmental Assessment Practitioner (EAP)

Underlying Qualification(s)	The qualification described below is the: National Certificate: Environmental Assessment Practice NQF Level 7 (Pre-2009, Level TBA) ID number 61831
Experiential Learning and Practical Experience	Regulation 15. (1) of the Section 24H Registration Authority Regulations sets clear requirements for the registration of EAPs: a. At least three years of appropriate professional experience; and b. At least three Environmental Impact Assessments (EIAs) or Reviews concluded in the period of 10 years preceding the date of coming into effect of the Section 24H Registration Authority Regulations, or initiated in the period of 10 years preceding the date of coming into effect of the regulations, but concluded after the date of the coming into effect of these regulations, which demonstrates the required level of competence; or at least three EIAs or Reviews concluded before the 10 year period contemplated in the regulations, coupled with active, in depth involvement in the field of EIA during the 10 year period preceding the date of coming into effect of the regulations, which demonstrates the required level of competence; such EIAs or reviews should be at an appropriate scale, in which the applicant has participated in but not held primary responsibility, and which

	demonstrate the required level of competence in terms of each of the designation competencies listed below and adequately meet the criteria specified for each of these.
Board / Admission Examination / Assessment	Applications are assessed by two anonymous, independent and RPL-accredited assessors, who are themselves EAPs, appointed to review the application. The assessors complete a report on their assessment of the applicant in a standard format. The completed report, together with the application, is considered by the EAPASA Board's Registration Committee who make the decision regarding admission to the Register.
Continuing Professional Development (CPD) Requirements	A minimum of 125 points of CPD over a five-year period
Application of Recognition of Prior Learning (RPL)	<p>The Section 24H Registration Authority Regulations make specific provision for registering EAPs based on Recognition of Prior Learning (RPL), as shown in Regulation 15. (1)(a)(iii) below:</p> <p>15. (1) A registration authority may register an applicant as an environmental assessment practitioner if—</p> <p>(a) he or she ---</p> <p>(i) has a Qualification: Environmental Assessment Practice; or</p> <p>(ii) has an equivalent qualification to the qualification contemplated in sub regulation (1)(a)(i); or</p> <p>(iii) is deemed to be competent, based on a Recognition of Prior Learning assessment in terms of the relevant environmental assessment qualification registered with the national qualifications authority.</p> <p>At this stage, RPL methods will be utilised in all applications to assess competence in terms of the core competencies outlined below. Upon future accreditation of degree programmes in terms of the national qualification standard for Environmental Assessment Practice, RPL assessment will be applied only where required.</p>
<p>Designation Competencies</p> <p>Candidates should be able to demonstrate:</p> <ul style="list-style-type: none"> • the conceptual understanding of the environment, sustainable development, environmental assessment, and integrated environmental management. • the ability to think critically, holistically, systemically, systematically, spatially and in an integrative manner and to discern what is relevant to decision-making. • the ability to identify and apply environmental assessment and management procedures and methods. • the ability to manage and review environmental assessment and management procedures and methods, and manage and monitor the implementation of development proposals. • the ability to conduct applied research activities in a specific context. • the ability to meet specific communication requirements at all levels through environmental reporting processes, stakeholder engagement and conflict management. 	