



Framework for the Recognition of a Voluntary Association in terms of Section 26 of the Natural Scientific Professions Act 2003, Act 27 of 2003 as amended

(The Framework below represents the broad principles, which have been approved by the South African Council for Natural Scientific Professions as at 22 September 2020.)

DEFINITIONS

"member" means a member of an association of natural scientists or natural science technologists or a combination thereof who have voting rights in the affairs of such association.

"voluntary association" means an association of natural persons that has:

- (a) an identity separate from its individual members;
- (b) has members registerable in terms of the categories of registration provided for in the Act.

1. Introduction

This Framework was compiled in terms of Section 26(1) and 26(2) of the Natural Scientific Professions Act 2003, (Act 27 of 2003, as amended), (hereby known as the NSP Act) that requires the Council to set out the conditions with which a VA must comply in order to qualify for recognition and that provides a set of criteria and procedures for the recognition in terms of Section 26(2) of the NSP Act.

In formulating this Framework, the Council wishes to define a basis for recognition that positively contributes to promoting the interests of SACNASP and of the VAs. This, in turn, will contribute to the creation of a strong, sustainable natural scientific profession in South Africa. A VA seeking recognition will be expected to make a positive undertaking to comply with its obligations and to fulfil its responsibilities to SACNASP.

2. Qualification for Recognition of a VA

2.2 Qualification for Recognition

To qualify for recognition by the South African Council for Natural Scientific Professions a VA must comply with the following:

- 2.1.1 A VA should be a duly constituted association of natural scientists or natural science technologists or a combination thereof whose members are individuals who could potentially be registered in

one of SACNASP's fields of practice and whose expertise in a field of practice led to the establishment of the VA. A VA may have other categories of membership for individuals who are not necessarily registerable as natural scientists. An organization that is constituted for a purpose not directly related to the formation of an association of natural scientists shall not be recognised even though some of its members may be registered natural scientists.

- 2.1.2 The VA must be governed by a formally accepted Constitution that is not in conflict with the NSP Act or any policies and regulations of SACNASP and that adheres to the South African Constitution in terms of its membership.
- 2.1.3 Sub-sections of a recognised VA may not apply for recognition as independent VAs since they are recognised by SACNASP through their parent VA.
- 2.1.4 A VA seeking recognition will be expected to give a positive undertaking to comply with its obligations and to fulfil its responsibilities to SACNASP
- 2.1.5 SACNASP is the designated body for registration and regulation of natural science professionals in South Africa, hence VAs should encourage their members to register in one of the categories of registration in a relevant field or fields of Practice.

2.2 Nature of the VA

The VA should:

- 2.2.1 be South African based;
- 2.2.2. have been in existence for at least two years.
- 2.2.3. have a membership of at least 50 members. In exceptional circumstances, Council may consider recognising an association consisting of less than 50 members on condition that such association represents a relevant interest group within the natural scientific professions and is a recently formed association.
- 2.2.4. follow principles of good governance, openness, transparency and accountability as defined in their constitution (see 2.1.2)
- 2.2.5. have office bearers who are elected in accordance with the constitution of the organisation.
- 2.2.6. have a code of professional conduct that aligns with the Council's code of conduct.

3. Expectations of recognised VAs

(a) Nomination of candidates for Council membership: A recognised VA can nominate a member to be considered for appointment to the Council.

(b) Professional fees: The Council must, consult with the VAs and registered persons, to annually determine guidelines for professional fees and publish those fees in the *Government Gazette*.

(c) Code of conduct: The Council must, draw up a code of conduct for registered persons in consultation with the VAs and registered persons. A VA's code of conduct must conform to the Council's approved code of conduct.

(d) Identification of work: The Council will consult with registered VAs regarding the identification of the nature of natural scientific work that may be performed by registered persons.

(e) Courses for CDP purposes: The VA must submit to the Council all information regarding its accredited courses that are offered under its auspices for CDP purposes to enable SACNASP to upload the information on its website.

(f) Fields of practice: VAs are expected to give input into the gazetted fields of practice and at times provide advice to Council on amendments to the approved list.

(g) Nomination of members to serve on committees: SACNASP has various committees to assist it in the execution of its functions. These include the Professional Advisory Committees, Critical Skills and Qualifications Assessment Committee, Disciplinary Committee and other relevant committees of Council. Voluntary Associations will be requested to nominate registered Natural Scientists to serve on these committees when notified by Council of vacancies.

(h) Reporting to Council: Council may call upon VAs to submit:

- i. reports, annual reports and comment on the field of practice or sector they represent;
- ii. information that may be available to them including basic membership details that do not infringe on the right to privacy and the constitutional rights of members or any applicable legislation including the statutory provisions contained in the Protection of Personal Information Act, 4 of 2013 (hereinafter referred to as 'POPI');
- iii. assist Council with special projects; and
- vi. legal matters that may arise.

4. Period of Recognition of a VA

A VA that complies with the qualifying criteria as determined by Council, shall be recognised and issued with a certificate of recognition. A VA should display its certificate of recognition in an appropriate location such as its website. A certificate of recognition is valid for a period of five years from the date of issue and may be renewed for further periods of five years. The recognition of a VA lapses if that association no longer complies with the requirements as determined by Council. The chairperson or head of a VA whose recognition has lapsed must on written demand return the certificate of recognition to the Council.