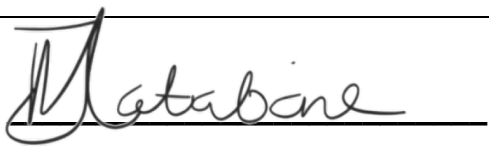
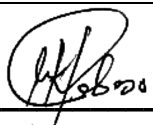


**FRAMEWORK FOR THE RECOGNITION OF A VOLUNTARY ASSOCIATION IN
TERMS OF SECTION 26 OF THE NATURAL SCIENTIFIC PROFESSIONS ACT
2003, ACT 27 OF 2003, AS AMENDED**

DOCUMENT NUMBER	SACNASP/VA/03/2026
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PREPARED BY	 ACTING CHIEF EXECUTIVE OFFICER
RECOMMENDED BY	 PRESIDENT OF COUNCIL
APPROVED BY THE	 DIRECTOR-GENERAL, DEPARTMENT OF SCIENCE, TECHNOLOGY AND INNOVATION (DSTI)
DATE OF APPROVAL	15 JUNE 2026

1. DEFINITIONS

In this framework, and unless the context otherwise indicates, any expression or word to which a meaning has been assigned in the Natural Scientific Professions Act No. 27 of 2003, as amended, bears the same meaning and:–

- 1.1. **“Code of conduct”** means the code of conduct drawn up by the Council in terms of section 28 of the NSP Act;
- 1.2. **“Council”** means the South African Council for Natural Scientific Professions established by section 2 of the NSP Act;
- 1.3. **“Governing body”** means the highest authority of an association charged with controlling it;
- 1.4. **“In good standing”** means that a member of a voluntary association who is not regarded by such voluntary association as being in default of its constitution or any by-laws;
- 1.5. **“Minister”** means the Minister of Science, Technology and Innovation;
- 1.6. **“Registered persons”** means any person who is registered under one or more of the prescribed categories of registration;
- 1.7. **“NSP Act”** means the Natural Scientific Professions Act No: 27 of 2003 as amended;
- 1.8. **“The Act”** means the Natural Scientific Professions Act No. 27 of 2003, as amended;
- 1.9. **“VA member”** means a member of an association which is eligible to vote at any meeting of such association; and
- 1.10. **“Voluntary association”** means an association, the majority of whose members are qualified in a field of practice and are registered in any one of the categories of registration and whose purpose is to promote the development of the disciplines in which their members have expertise.

2. INTRODUCTION

- 2.1. This Framework was compiled in terms of Section 26 of the Natural Scientific Professions Act 2003, (Act No. 27 of 2003), as amended by the Science and Technology Laws Amendment Act (Act No. 7 of 2014) (hereby known as the NSP Act), that requires the Council to set out the requirements with which voluntary associations 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.
- 2.2. In developing this Framework, the Council seeks to establish a foundation for recognition that advances the interests of SACNASP and the broader natural science sector, in alignment with the Department of Science, Technology and Innovation (DSTI) newly adopted mantra of “*Placing Science, Technology and Innovation at the Centre of Government, Education, Industry and Society.*” This will, in turn, support the development of a strong, sustainable natural sciences profession in South Africa.

3. THE PURPOSE OF THE FRAMEWORK FOR RECOGNITION OF VOLUNTARY ASSOCIATIONS

- 3.1. The purpose of the framework for the recognition of voluntary associations is to provide clear guidelines for the requirements and the recognition process.
- 3.2. The guidelines set out principles to ensure that the recognition of voluntary associations is fair, transparent and reasonable and that these principles are applied uniformly across the natural scientific profession.

4. EXEMPTIONS

- 4.1. Notwithstanding the provisions of sections 3 and 4, the Council may exempt an association from having to comply with any of the requirements prescribed therein if the Council is satisfied that such condonation is in the interest of achieving the objectives contemplated in the Act and the Rules.
- 4.2. The Council may impose such conditions as it deems appropriate on an association that has been exempted in terms of section 4.5.

5. APPLICATION FOR RECOGNITION

- 5.1. Any association wishing to be recognised as a voluntary association must submit an application, in the format prescribed, to the Council and provide all the information required therein, and any additional information as the Council may determine in each particular case.

6. EXPECTATIONS FROM THE RECOGNISED VOLUNTARY ASSOCIATIONS

- 6.1. The association must acknowledge and support the Council's mandate regarding the Identification of Work as contemplated in Section 27 of the NSP Act, promote adherence to prescribed scopes of work, and encourage compliance with all regulatory requirements governing professional practice.
- 6.2. In terms of section 3 (1) (a) of the NSP Act, a recognised VA may nominate a Professional or Certificated natural scientist to be considered for appointment to the Council.
- 6.3. In terms of section 35 of the NSP Act, the Council must annually, after consultation with recognised VAs and registered persons, determine guidelines for professional fees and publish those fees in the Government Gazette.
- 6.4. In terms of section 27 of the NSP Act, the Council will consult with all recognised VAs regarding the identification of the nature of natural scientific work that may be performed by registered persons.

- 6.5. In terms of section 28 of the NSP Act, the Council must, after consultation with the Director General, recognised VAs and registered persons, draw up a code of conduct for registered persons.
- 6.6. The VA must submit to the Council all information regarding its accredited courses that are offered under its auspices for CPD purposes to enable SACNASP to upload the information on the CPD portal.
- 6.7. SACNASP establishes committees to support the execution of its statutory functions. These include the Professional Advisory Committees (PAC), the Critical Skills Review Committee (CSRC), the Professional Conduct Committee (PCC), the Qualifications Assessment Committee (QAC), the Independent Appeals Committee (IAC), the Disciplinary Committee, and any other committees established by the Council.
- 6.8. In terms of the Governance Framework, each recognised VA must, when requested by SACNASP, formally nominate suitably qualified and registered Professional Natural Scientists to serve as members of these committees.
- 6.9. The Council may require recognised VAs to submit the following: -
 - 6.9.1. reports, including annual reports, and formal input or advisory notes relating to the field of practice or sector represented by the recognised VA.
 - 6.9.2. information available to the VA, including membership information, provided that such disclosure does not infringe on members' rights to privacy, constitutional rights, or any applicable legislation, including the Protection of Personal Information Act No. 4 of 2013 ("POPIA").

7. PROVISION FOR PERIODIC REVIEW OF RECOGNITION

- 7.1. SACNASP shall conduct a review of the recognition status of each recognised Voluntary Association at intervals not exceeding five (5) years.

- 7.2. Notwithstanding clause 7.1, each recognised voluntary association shall remain subject to ongoing compliance monitoring by SACNASP.
- 7.3. For the purposes of such ongoing monitoring:
- 7.3.1. a voluntary association shall submit annual reports or such other periodic returns as Council may determine, confirming its continued compliance with the requirements of this Framework;
 - 7.3.2. a voluntary association shall promptly notify SACNASP of any material change affecting its governance, constitution, membership, or operations;
 - 7.3.3. SACNASP may, at its discretion, require the submission of additional information or documentation as may be reasonably necessary.
- 7.4. SACNASP reserves the right to conduct an ad hoc or special review of a Voluntary Association's recognition status at any time where:
- 7.4.1. a voluntary association shall submit annual reports or such other periodic returns as Council may determine, confirming its continued compliance with the requirements of this Framework;
 - 7.4.2. there are reasonable grounds to believe that the Voluntary Association no longer meets the prescribed criteria for recognition;
 - 7.4.3. a complaint or concern has been raised regarding the conduct or governance of the Voluntary Association; or
 - 7.4.4. it is otherwise in the interests of SACNASP or the public to do so.
- 7.5. The purpose of such review shall be to assess the VA's continued compliance with:
- 7.5.1. the criteria for recognition as set out in this Framework;
 - 7.5.2. its constitutional and operational obligations; and
 - 7.5.3. any directives, policies, or requirements issued by SACNASP from time to time.
- 7.6. Following the review, SACNASP may:-

- 7.6.1 confirm continuation of recognition;
- 7.6.2. impose conditions for continued recognition; or
- 7.6.3. initiate proceedings for suspension or withdrawal of recognition.

8. PROVISION FOR WITHDRAWAL OF RECOGNITION

- 8.1. SACNASP may withdraw recognition of a Voluntary Association where it determines that the VA:
 - 8.1.1 no longer meets the prescribed criteria for recognition;
 - 8.1.2. has failed to comply with the provisions of this Framework or its obligations thereunder; or
 - 8.1.3. has acted in a manner inconsistent with the objectives of SACNASP, code of conduct or the NSP Act.
- 8.2. Prior to the withdrawal of recognition, SACNASP shall:
 - 8.2.1 provide written notice to the voluntary associations outlining the grounds for the proposed withdrawal; and
 - 8.2.2. afford the voluntary associations a reasonable opportunity to make representations within a specified period.
- 8.3. SACNASP shall duly consider any representations submitted before making a final determination.
- 8.4. Where recognition is withdrawn:
 - 8.4.1 SACNASP shall communicate its decision in writing, including reasons therefor; and
 - 8.4.2. the effective date of withdrawal shall be specified.
- 8.5. The Framework should further provide for an internal appeal or review mechanism against a decision to withdraw recognition.