



DEPARTMENT OF ENVIRONMENTAL AFFAIRS
AND TOURISM



INTERIM CERTIFICATION BOARD FOR
ENVIRONMENTAL ASSESSMENT
PRACTITIONERS OF SOUTH AFRICA

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

Process Update – October 2007

and

Invitation to comment on:

***Draft Proposal for the Establishment of a Registration Board
for Environmental Assessment Practitioners of South Africa***

Comments requested by 20 November 2007:

*The Draft Proposal can be downloaded at www.eapsa.co.za or requested via Glaudin Kruger
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Background

In November 2005, the Department of Environmental Affairs and Tourism (DEAT) and the Interim Certification Board for Environmental Assessment Practitioners of South Africa (ICB- representing 17 organisations) signed a Memorandum of Understanding. This MoU and associated budget has enabled a broad *Consultative Process* on the establishment of a Registration Authority for environmental assessment practitioners (EAPs) in South Africa as provided for in section 24H of the National Environmental Management Amendment Act, Act No. 8 of 2004 (NEMA).

Key outcomes required

In order that the proposed Registration Authority performs an effective quality assurance role in environmental assessment practice in South Africa, the following outcomes will need to be achieved:

- the establishment of a representative and recognised Registration Board and agreed registration system that is legally competent in terms of section 24H of NEMA Amendment Act, Act 8 of 2004 and that articulates effectively with the National Qualifications Framework of South Africa, under the constitution, as set out in the Draft Proposal;
- the registration of a qualification/unit standards for environmental assessment practice within the NQF in collaboration with SAQA which will take place in parallel with this consultative process; and,
- the conclusion of relevant enabling legal mechanisms involving the Department of Environmental Affairs & Tourism's amendment to the NEMA or EIA regulations making it a requirement for EAPs to be registered.

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

The Consultative Process

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

The process has focused on engaging professionals active in the field of environmental assessment (EA) practice. Thus far, the *Consultative Process* has involved the circulation of a first draft *Proposal* setting out the above key elements (January 2006), provincial workshops (February & March 2006) and a National Stakeholder Conference (March 2006.). A Working Group was mandated at the conference to revise the Proposal. See below the list of documentation related to the consultative process.

The Draft Proposal

The Working Group has held three work sessions and has recently concluded their revisions to this Proposal. They present it for your priority consideration and response. All organisations listed below will be engaged to present a mandated response to the proposal **by 20 November 2007**. These organisations will also nominate one mandated representative (ensuring continuity with the First National Stakeholder Conference) to discuss the mandated responses of the national stakeholder organisations at a Second National Stakeholders Conference, 20 & 21 November 2007.

Development of a Qualification/Unit Standard for Environmental Assessment Practice

The South African Qualifications Authority (SAQA) and the Department of Environmental Affairs and Tourism (DEAT) have finalised a Joint Implementation Plan (JIP) for the development of a qualification/Unit Standards for Environmental Assessment Practice within the Standards Generating Body (SGB) for Environmental Sciences, Environmental Management and Waste Management of SAQA. A nomination call was broadcast for a Task Team of subject matter experts to assist in the development of the qualification/Unit Standards. Fourteen nominations were received and forwarded to SAQA. An initial meeting of the Task Team was held on 17 October 2007 and a Task Team work programme is being developed. The Task Team, draft qualifications will be available to stakeholders for comment and will be formally advertised, as per the required parallel SAQA process.

The Working Group's Recommendations and Next Steps

The Working Group has recommended the following course of action:

- a. *Conclusion and submission of the application to the Minister (in terms of s.24H):* The draft proposal requires written response from all National Stakeholders. After the comment period, the WG will assist in concluding the proposal that will be the basis of the application to be submitted to the Minister by the nominated Board in terms of s. 24H.
- b. *Board Nomination process:* The WG recommends that its mandate (i.e. the mandate given at the First National Stakeholder Conference) be extended to include the oversight of the Board nomination process.

Documentation available from this process

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

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

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

- *Record of Working Group Meeting Two, 25 & 26 January 2007*
- *Process Update June 2007*
- *Record of Working Group Meeting Three, 18 September 2007*
- *Nomination Call and List of Nominations received for Subject Matter Experts for the SAQA Task Team for the development of a Qualification /Unit Standards for Environmental Assessment Practice in South Africa, 15 August 2007 (including comments by the Working Group, 18 September 2007.*
- *Process Update, October 2007.*
- *Draft Proposal for the Establishment of an Environmental Assessment Practitioners Board of South Africa (18 October 2007.*

List of organisations to be engaged for formal response to the draft Proposal:

Associations, Councils & Institutes:

1. Association for the Advancement of Black Scientists, Engineers and Technologists (AABSET);
2. Association of Consulting Town and Regional Planners (ACTRP);
3. South African Council for the Landscape Architectural Profession (SACLAP);
4. Environmental Law Association (ELA);
5. South African Affiliate of the International Association for Impact Assessment (IAIASa);
6. Institute of Landscape Architects of South Africa (ILASA);
7. Institute of Waste Management (IWM);
8. The South African Association for Consulting Engineers (SAACE);
9. South African Black Technical and Allied Careers Organisation (SABTACO);
10. South African Institute of Architects (SAIA);
11. South African Institute for Civil Engineers (SAICE);
12. Southern African Institute of Ecologists and Environmental Scientists (SAIE&ES);
13. South African Planning Institute (SAPI);
14. Water Institute of Southern Africa (WISA);
15. South African Institute for Engineering and Environmental Geologists (SAIEG);

National Government Departments:

16. Department of Environmental Affairs and Tourism (DEAT);
17. Department of Minerals and Energy (DME)
18. Department of Arts, Culture, Science and Technology (DACST);
19. Department of Land Affairs (DLA)
20. Department of Water Affairs and Forestry (DWAF)
21. Department of Provincial and Local Government (DPLG)

Provincial Departments:

22. Department of Agriculture, Conservation and Environment (Gauteng)
23. Department of Agriculture Conservation and Environmental Affairs (North West)
24. Department of Economic Affairs, Environment and Tourism (Eastern Cape)
25. Department of Finance and Economic Development (Limpopo)
26. Department of Agriculture and Environment Affairs (KwaZulu Natal)
27. Department of Tourism, Environment and Conservation (Northern Cape)
28. Department of Environmental Affairs and Development Planning (Western Cape)
29. Department of Agriculture, Conservation and Environmental Affairs (Mpumalanga)
30. Department of Tourism, Environmental and Economic Affairs (Free State)

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