



**INTERIM CERTIFICATION BOARD FOR
ENVIRONMENTAL ASSESSMENT
PRACTITIONERS OF SOUTH AFRICA**

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The Minister: Environment Affairs and Tourism
Pvt Bag X447
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24 November 2006

Ref. 03/2

Dear Minister,

**PROGRESS REGARDING CREATION OF A FORMAL STRUCTURE FOR REGULATION AND
REGISTRATION OF ENVIRONMENTAL ASSESSMENT PRACTITIONERS**

In reply to your letter of 10 October 2006, I appreciate your concerns that progress has been slow, partly because of the complex process of getting consensus between the many organisations which have a stake in the EIA process. However, I believe there has been significant progress.

Below, I summarise the process to date, confirming where necessary your own view thereof.

At our meeting on 18 March 2005 we agreed that there was a need for professional registration of Environmental Assessment Practitioners (EAPs). At that stage, and still, our body, the Interim Certification Board for Environmental Assessment Practitioners is the only one that registers such professionals, as a voluntary process representing 15 representative bodies within the EA industry. Up till our meeting with you we had hoped that this body would simply transform from an interim into a permanent Certification Board for Environmental Assessment Practitioners, and we were indeed in the process of becoming one. We would then have been a voluntary body from the EA industry registering EAPs, much as you had wished. This latter process was put on hold when you appointed us to "initiate a systematic and inclusive process, which would deliver on the identified needs and legal requirements for the establishment of a registration authority for EAPs in South Africa".

In order to do this, and according to a contract (MoU) with your department, and as we were a voluntary body without staff beyond a secretary, we engaged a consultant to coordinate a series of provincial workshops to inform the EA industry and to gauge its concerns, leading up to a national workshop of stakeholders at the Airport Grand Hotel in Gauteng during March 2006. This workshop

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Association for the Advancement of Black Scientists, Engineers and Technologists; The Association of Consulting Town & Regional Planners; Department of Arts, Culture, Science and Technology; Department of Environmental Affairs and Tourism; The Environmental Law Association; International Association for Impact Assessment South African Affiliate; Institute of Landscape Architects of South Africa; Institute of Waste Management Southern Africa; The South African Association of Consulting Engineers; South African Black Technical and Allied Careers Organisation (Western Cape); South African Council for the Landscape Architectural Profession; South African Institute of Architects; South African Institution of Civil Engineering; Southern African Institute of Ecologists and Environmental Scientists; Water Institute of Southern Africa.

was well attended, including senior members of your department, but there was no clear consensus on the way forward, partly because the representatives of organisations appeared in some cases not to be speaking on behalf of those organisations, but rather for themselves. Reflecting the society in which we live, there was much general suspicion of motives. While many valuable views were expressed, the meeting decided to elect, by consensus, a representative working group which would come up with proposals on the way forward.

This Working Group was elected for its balanced composition, regarding representation of sector, expertise, gender and ethnicity. It also includes representation from your department. So, in order to prevent suspicion of bias, it was important that, when it met, it should have all members present. This was ultimately possible and the Working Group meeting was very fruitful. It has come up with concrete recommendations (summary report attached – the full report is already in your department's possession), which promise good and rapid progress in order to meet your requirements of a single registration authority in the shortest possible time.

I dearly hope that it will not be necessary for you to take the step of instructing your department to develop regulations in this regard. However, should you decide to do so, I fear it will only extend, not shorten the process.

A key advantage of the industry regulating itself, rather than the Government regulating the industry, is that the Working Group and ICB's proposed system would address quality assurance in both private and public sectors. Should you decide to regulate the industry, that regulation would target only the private sector, leaving one of the key problems currently with quality assurance in EA in SA, namely problems with competency in government departments, unresolved.

To this end, and to avoid the above step, we submit the attached summary report of progress to date and an explanation of the way forward. I believe that the matter is in hand and hope that you will also see it this way. It is extremely important for us at the ICB for EAPs that the long process that we have developed this far should be for the benefit of the industry. In a spirit of altruism, we wish that a body should come into existence which will take its aims further and not have to go through the lengthy process of starting again to build trust and consensus.

It appears that the major limitation at present, which process, I must stress, is beyond our control, is the process of developing a qualification standard for EAPs via the South African Qualifications Authority (SAQA), a body well disposed to our process but with limited competence. The process of developing appropriate standards is attached.

The ICB has worked closely with DEAT since its inception. DEAT should, therefore, be familiar with the complexities of establishing a registration body that crosses numerous disciplines, has no common or single education or training path leading to the profession, and that must gain the acceptance of these disciplines if it is to be sufficiently robust to persist. Similarly, the issue of developing unit standards for EA is a critical success factor for any registration body for EAPs - without this solid basis, it is probable that the criteria and key competency requirements for certification and registration will remain in contention and disputed (with allegations of bias, prejudice, discretion, etc.). I think the point must be emphasised that the process of developing unit standards is effectively beyond the ICB's control. Here we must look to government to 'drive' SAQA in order to develop the necessary unit standards and enable - once DEAT have amended the NEMA regulations - a credible registration authority to be appointed.

In that respect, it is essential that the SAQA process be systematic, explicit, and involves the best and most appropriate people in the EA field. Again, I feel that the partnership built between the ICB and DEAT during the current process would be best placed to oversee the development of unit standards.

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I appreciate your very serious concerns that the registration of EAPs be solved once and for all, as they are indeed our concerns too. We have indeed been pursuing this goal for a number of years. In this light, I therefore request a meeting with you to explain our progress and to allay your concerns, whenever it would suit you.

Yours sincerely,

A handwritten signature in blue ink that reads "Maitland Seaman". The signature is written in a cursive style and is positioned above the printed name and title.

Maitland Seaman
Chair

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