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# IMPORTANT

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# GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

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## DEPARTMENT OF ARTS AND CULTURE

NO. 1105

13 NOVEMBER 2015

### SOUTH AFRICAN LANGUAGE PRACTITIONERS' COUNCIL ACT, 2014: REGULATIONS

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## CHAPTER 1

### PRELIMINARY

#### Definitions

1. (1) In these Regulations, any word or expression to which a meaning has been ascribed or assigned in the Act will bear that meaning and unless the context otherwise indicates —

“**accreditation levels**” means the level of a language practitioner within a category as contemplated in regulation 14(3)(e)(ii) to (iii);

“**accredited CPD**” means continuing professional development for the language practitioner as approved by the Council, which will be provided by accredited institutions in consultation with the Council;

“**accredited institution**” means a tertiary institution offering a qualification(s) included in the National Qualifications Framework, or any other institution which is involved in the training, examination or continuing professional development of language practitioners and has been approved by the Council as such;

“**categories of language practitioners**” means the division of language practitioners into categories as contemplated in regulation 14(3)(a);

“**continuing professional development (CPD)**” means the on-going learning, or other means by which a person maintains, broadens and improves their professional or practising competence during their working life;

“**Disciplinary Committee**” means the South African Language Practitioner’s Council Disciplinary Committee appointed by the Council in terms of regulation 22;

“**prior learning and experience**” means the previous learning and experience of an applicant howsoever obtained, measured against the learning outcomes required for a specific qualification and the acceptance for the purpose of the qualification of that which meets those requirements;

“**quality assurance system**” means a system determined by Council and used to establish a language practitioner’s accreditation, which includes determining the level at which the language practitioner will be accredited through competency tests, through qualifications and examination criteria from a tertiary or other appropriate learning institution or from prior learning and experience;

**“qualified language practitioner”** means a language practitioner having a qualification;

**“registrant”** means a person whose name has been entered on the register;

**“subcategories of language practitioners”** means the subdivision within the categories of language practitioners into subcategories as contemplated in regulation 14(3)(b) to (d);

**“the Act”** means the South African Language Practitioners Act, 2014 (Act No. 8 of 2014).

### **Purpose of these Regulations**

2. (1) These regulations prescribe the manner in which language practitioners will be registered and accredited by the Council.

## **CHAPTER 2**

### **REGISTRATION REQUIREMENTS, CRITERIA AND PROCEDURES**

#### **Particulars to be entered in the Register**

3. (1) The following particulars must be entered in the register as contemplated in section 26(1) of the Act in respect of each applicant for registration —

- (a) full names;
- (b) residential address;
- (c) postal address;
- (d) email address;
- (e) telephone contact details;
- (f) the date of lodgement and application number;
- (g) registration number and registration date which will be deemed to be the date of lodgement of the initial application to register; (Form SALPC 1);
- (h) qualification(s), name of institution and year in which they were obtained where relevant;
- (i) in the event of prior learning and experience, details of the referee;
- (j) date of accreditation which will be deemed to be the date the Council has satisfied itself as to the language practitioner’s compliance with the quality assurance system; and
- (k) accreditation level under the quality assurance system.

#### **Admission to the Register**

4. (1) A person who has lodged Form SALPC1 and submitted the information as set out in the form and paid the registration fee determined by the Council by Notice in the

Gazette will receive confirmation of said lodgement and be provided with an application number.

(2) Once the Council has satisfied itself as to the formalities having been met, in that Form SALPC 1 has been duly completed, the relevant supporting documentation submitted and the registration fee paid, the Council will issue the person with a registration number and a registration certificate.

(3) A person who has registered, paid the required accreditation fee and complied with the quality assurance system to be determined by the Council will be considered a registered and accredited language practitioner and will be issued with an accreditation certificate.

(4) The certificates of registration and accreditation will be issued in forms to be determined by the Council and signed by the chief executive officer or a person with delegated authority to do so in terms of section 38(3) of the Act.

(5) An application for registration and accreditation must be made on the prescribed Form SALPC 1 and accompanied by —

- (a) a certified copy of the applicant's identity document and/ or passport;
- (b) certified copies of a certificate(s) of any relevant qualification(s), where appropriate in terms of the quality assurance system;
- (c) an academic record issued by the tertiary institution or language learning institute which conferred said certificate in sub-regulation 4(5)(b) above;
- (d) where appropriate, details of prior experience in terms of the quality assurance system as set out in Form SALPC 1;
- (e) where appropriate, references and testimonials confirming prior experience in terms of the quality assurance system;
- (f) the registration and accreditation fee as determined by the Council and gazetted, which will not be refunded if the application is withdrawn or abandoned or whatever the outcome of the application may be;
- (g) if called upon to do so by the Council, such other information as the Council may determine, which may include proof of the authenticity



and validity of the documents submitted and/ or such details of the course and examination as the Council may consider necessary.

- (6) The Council has the right to refuse the registration of an applicant —
- (a) if the applicant has been removed from an office of trust or on account of improper conduct;
  - (b) if the applicant has been convicted of an offence in the Republic, other than an offence committed prior to 27 April 1994 associated with political objectives, and was sentenced to imprisonment without the option of a fine, or, in the case of fraud, to a fine or imprisonment or both;
  - (c) if the applicant has been declared by the High Court to be of unsound mind or, mentally disordered or is detained under the Mental Health Care Act, 2002 (Act No.17 of 2002);
  - (d) for as long as the applicant is disqualified from registration as a result of any punishment imposed on him or her under the Act;
  - (e) if the applicant is a rehabilitated insolvent whose insolvency was caused by his or her negligence or incompetence in performing work falling within the scope of the category in respect of which he or she is applying for registration.

(7) Where the Council refuses to register an applicant on the basis of the reasons above or any other reason, the Council will provide the applicant with a notice of refusal and remedial recourse for the applicant.

#### **Registration of Change of Accreditation Level under the Quality Assurance System**

5. (1) In the event that a registered and accredited language practitioner obtains an additional qualification, such language practitioner may apply to record a change of accreditation level in the register upon completion of the relevant portion of Form SALPC 1.

(2) The registered and accredited language practitioner will, upon payment of the required accreditation fee and compliance with the quality assurance system to be determined by the Council, accordingly be issued with a new accreditation certificate.

(3) The registrar must send the certificate of accreditation to the language practitioner by registered post to the postal address or residential address reflected on the register for the language practitioner or by any other means to be determined by Council.

#### **Annual Fee**

6. (1) A registered person, excluding paraprofessionals, will pay an annual registration fee to practise, such fee to be determined by the Council and gazetted in respect of each amendment thereof.

(2) The fee becomes payable on 1 July of the year preceding the year for which it is due and must be paid not later than 30 September of the year preceding the year for which it is due.

(3) The fee is not payable in respect of the calendar year during which a person is registered for the first time under the Act.

(4) A receipt must be issued in a form determined by the Council.

(5) The annual fee prescribed in sub-regulation 6(1) is subject to an increase that will not exceed the average annual percentage change in the consumer price index (CPI) for the previous year.

(6) Subsequent to the first year of registration, an annual practising certificate in terms of section 31(4) of the Act must be issued, in a form to be determined by the Council, upon payment of the prescribed annual fee.

(7) The annual practising certificate must be sent by registered post to the registrant at the postal or residential address reflected on the register for said language practitioner or by any other means to be determined by the Council.

#### **Removal from the Registers upon Application by the Registrant or Interested Party**

7. (1) The name of a person must be removed from the register, as contemplated in section 27(1) of the Act, upon submission of Form SALPC 2 accompanied by —

- (a) a certified copy of a death certificate provided by next of kin or any interested person in the event of the death of the registrant;
- (b) a sworn affidavit executed by any interested person in the event of absence from the Republic by a registrant for a continuous period of three years, setting out details of the absence and reasons for

removal due to said absence: Provided that the Council has satisfied itself that attempts have been made to contact the registrant at all contact details reflected in the register;

- (c) an affidavit as mentioned in a form determined by the Council in the event of a registrant requesting his or her own removal;
- (d) a sworn affidavit executed by any interested person in the event of a registrant having been registered in error or through fraud.

#### **Removal from the Register by Council Resolution and Upon Court Order Notification**

8. (1) The removal of a name from the register must be effected by a resolution taken by the Council —

- (a) if in terms of section 27(1)(f) of the Act, the qualification by virtue of which the registrant's registration was granted is withdrawn, cancelled or suspended by the issuing institution;
- (b) if the registrant's registration was granted in error or through fraudulent means;
- (c) upon receipt of a court order declaring a registrant a mentally ill person.

#### **Lapsing of Registrations**

9. (1) In terms of section 27(1)(e) of the Act, upon failure to pay the annual fee within 90 days as prescribed under regulation 6, the registrar upon direction of the Council must effect removal of a registrant from the register.

(2) Upon removal from the register in terms of sub-regulation 9(1) above, the registrar must notify the person of such removal by registered post, at the address reflected in the register for the language practitioner or by any other means to be determined by Council.

#### **Restoration to the Registers**

10 (1) Subject to section 27(5) of the Act, an application for restoration may be lodged by a lapsed or removed registrant on Form SALPC 3, together with the fee as determined by the Council and any outstanding annual fees, including the annual fee for the current calendar year as determined by the Council by notice in the *Gazette*.

(2) Subject to section 27(4) of the Act, in the event of the removal of a registrant as a result of being declared a mentally ill person by means of a court order, an application for restoration must be accompanied by a discharge notice from the institution, if relevant, in which he or she was detained and a sworn declaration by a registered medical doctor and a registered clinical psychologist stating that the person is fit to practise.

(3) A certificate of restoration will be issued in a form determined by the Council and sent by registered post to the registrant at the postal reflected in the register for said registrant or by any other means to be determined by the Council.

### **Change of Name**

10. (1) A registrant must specifically notify the Council in writing of a change of name by completion and lodgement of Form SALPC 4 accompanied by a certified copy of their marriage certificate or any such documentation in law authorising such change of name.

(2) Upon lodgement of such form and documentation, the Registrar will update the register accordingly and confirmation of such change of name will be sent by registered post to the registrant at the postal address reflected on the register for said registrant or by any other means to be determined by the Council.

### **Change of Residential and Postal Address**

11. (1) A registered person must specifically notify the Council in writing of a change of residential and postal address by completion and lodgement of Form SALPC 4 accompanied by proof of such change of address such as a utility bill.

(2) Upon lodgement of such form and documentation, the registrar will update the register accordingly and confirmation of such change of residential address will be sent by registered post to the registrant at the postal or residential address reflected in the register for said registrant or by any other means to be determined by the Council.

### **Suspension from Practising**

12. (1) Subject to section 28 of the Act, the registrar must mark in the register the name of a registrant who has been suspended from practising and must indicate in the register the period of suspension.

(2) The registrar must send the required notice of suspension to the registrant by registered post at the postal address reflected in the register for the registrant or by any other means to be determined by the Council.

(3) The registrar must remove the details of suspension from the register —

(a) upon expiry of the period of suspension, provided that the language practitioner has met all conditions that had to be met during the period of suspension; or

(b) at an earlier date by resolution of the Council.

(4) The registrar must send confirmation of removal of suspension details to the language practitioner by registered post to the residential or postal address held in the register or by any other means to be determined by Council.

#### **Application for Accreditation and Levels of Accreditation**

13. (1) Subject to section 21 of the Act and regulations 3 and 4 as they relate to admission to the register, a person seeking accreditation must complete Form SALPC 1 which includes selection of the category(ies) and subcategory(ies) of language practitioners being applied for and submission of supporting documentation in relation to said category(ies) and subcategory(ies) of for accreditation evaluation purposes.

(2) The quality assurance system, as defined in the regulations, will be utilised by the Council together with the required supporting documentation as set out in Form SALPC 1, when reviewing the application for registration and accreditation to determine the level at which the language practitioner should be accredited within the category(ies) and subcategory(ies) of language practitioner selected.

(3) So as to implement the provisions of sections 21(3), 21(4) and 33 of the Act and these regulations, the Council identifies the following categories, subcategories and levels of language practitioners —

(a) The categories of language practitioners are as defined in the Act, including but not limited to translators, interpreters, text editors, terminologists and lexicographers.

(b) The subcategories of translators are paraprofessional translators, professional translators and sworn translators.

- (c) The subcategories of interpreters are paraprofessional interpreters, professional simultaneous interpreters and professional consecutive interpreters.
- (d) The subcategories of text editors are paraprofessional editors and professional editors.
- (e) The levels identified within each category are level one for paraprofessional language practitioners, level two for professional language practitioners and level three for expert language practitioners.
  - (i) Level one — paraprofessional language practitioners represent persons who have no formal qualifications and practise as language practitioners in informal situations within a community environment. These include but are not limited to persons who interpret in churches, assist members of their community by interpreting for them at hospitals and clinics, assist the Deaf and similar activities.
  - (ii) Level two — professional language practitioners represents language practitioners whether working on a full-time or part-time basis, who are fully competent in the field of language practice concerned and are in possession of either a degree or postgraduate degree or approved prior learning and experience in lieu of such degree. This category includes but is not limited to formal-hearing interpreters and medical interpreters.
  - (iii) Level three — expert language practitioners represents language practitioners who have been accredited at level two prior to applying for accreditation at level three and have the competency to handle complex, technical and sophisticated language practice work. The standard of an expert will be benchmarked according to international practice. The person must be in possession of either a degree or postgraduate degree or recognised prior learning and experience in lieu of such degree

accompanied by a wealth of experience in the relevant field, which may include but is not limited to sworn translators with relevant legal knowledge and high-level conference interpreters.

(4) Except for paraprofessionals, no person may practise at any of the levels contemplated in these regulations unless he or she has been accredited at that level within the quality assurance system.

(5) Upon compliance with the quality assurance system and acceptance by the Council the language practitioner will be granted accreditation denoted by category, subcategory and level of language practitioner.

(6) Subject to section 21(3)(b) of the Act and in terms of regulation 4(5)(f), an accreditation fee will be determined by the Council and published by Notice and gazetted. The fee will not be refunded if the application is withdrawn or abandoned or whatever the outcome of the application may be.

#### **Authorised Titles**

14. (1) A person who is registered and accredited at any of the levels referred to in regulation 14(3)(e) may describe himself or herself as and use the following titles —

- (a) If accredited at level one — paraprofessional language practitioner
- (b) If accredited at level two — professional language practitioner
- (c) If accredited at level three — expert language practitioner

(2) Any registered and accredited person must use their title in all services rendered, in any report produced or in any other documentation prepared by them in the course of their work.

(3) The Council may determine abbreviations or acronyms for the titles referred to in these Regulations.

#### **Accreditation Certificates**

15. (1) In terms of section 22(1) of the Act, a certificate of accreditation must be issued in a form determined by the Council and signed by the chief executive officer or a person with delegated authority to do so.

## CHAPTER 3

### CONDUCT AND ETHICS

#### Continuing Professional Development

16. (1) Except for paraprofessionals, persons registered with the Council will be required to participate in a system of continuing professional development (“CPD”) that will be introduced and administered by the Council in association with accredited institutions.

(2) The Council will determine the CPD system to be used and the portfolio required towards earning CPD units.

(3) Registered language practitioners who do not comply with the CPD system stand to have their registration withdrawn.

(4) The Council must create relations with accredited institutions and in collaboration with these accredited institutions confirm events, courses and workshops to be conducted annually and the CPD units to be allocated to these.

#### Code of Conduct

17. (1) The Council is responsible for administering a code of conduct and must ensure that all language practitioners are provided with a copy of the code of conduct and that the code is available to all language practitioners and members of the public at all reasonable times.

(2) All registered language practitioners must comply with the code of conduct and failure to do so will constitute improper conduct on their part.

(3) The Council is responsible for determining the rules applicable to the code of conduct for language practitioners and for specific categories and subcategories of language practitioners to be published by Notice in the Gazette.

#### Professional Conduct

19. (1) Any person registered with the Council as a language practitioner must conduct themselves in a professional manner by complying with the following duties —

(a). Competency



- (i) They must discharge their duties in a professional manner with due care, skill and diligence.
  - (ii) They may only undertake work, which their education, training and or prior leaning and experience have rendered them competent to perform and which is within the category and level of their accreditation and registration.
  - (iii) They must, when carrying out their work, adhere to the norms of the language practitioner's profession.
- (b). Integrity
- (i) They must discharge their duties with integrity, fidelity and honesty.
  - (ii) They must not undertake work under conditions or on terms that would compromise their ability to carry out their work in accordance with the norms of such work.
  - (iii) They must not engage in any work of corruption, dishonesty or bribery.
- (c) Confidentiality
- (i) They must treat all assignment related work as strictly confidential.
- (d) Impartiality
- (i) They must maintain professional detachment, impartiality and objectivity in their work.
- (e) Quality
- (i) They must strive to maintain the highest possible quality in their work.
- (f) Responsibility

- (i) They must accept full responsibility for their work.
- (g) Obligations to fellow professionals and the profession
- (i) They must take part in professional activities and always conduct themselves in a manner that will be to the credit of the profession and that respects and supports fellow language practitioners.
- (h) Dignity of the profession
- (i) They must conduct themselves in a manner that upholds the dignity of the profession.
  - (ii) They may not maliciously, whether in the practice of their profession or otherwise, knowingly injure the reputation of another registered and accredited language practitioner or that of the Council.
  - (iii) They may not advertise their professional services in a misleading or exaggerated manner or in a manner that is harmful to other language practitioners or the Council.
  - (iv) They may not maliciously criticise the work of other language practitioners or discuss such work except as it may be required by the Act or any other law.

### **Disciplinary Procedures**

20. (1) The Council is responsible for appointing a Disciplinary Committee to attend to disciplinary hearings through the following procedures —
- (a) Investigation of a charge of improper conduct —
    - (i) Subject to the provisions of section 14 of the Act, the Council must establish an Investigating Committee for matters brought to it for investigation.
  - (b) The Council must refer any matter brought against a registered or accredited language practitioner to an Investigating Committee if —

- (i) the Council has reasonable grounds to suspect that a registered and accredited language practitioner has committed an act which may render him or her guilty of improper conduct; or
  - (ii) a complaint, charge or allegation of improper conduct has been brought against a registered language practitioner by another language practitioner or any member of the public.
- (c) At the request of the Council, the investigating committee must —
- (i) investigate the matter; and
  - (ii) obtain evidence to determine whether or not in its opinion the registered language practitioner concerned may be charged and, if so, recommend to the Council the charge or charges that may be brought against the registered language practitioner.

(2) An Investigating Committee may not question the registered language practitioner concerned unless the Investigating Committee informs that language practitioner that he or she —

- (a) has the right to be assisted or represented by another Language Practitioner; and
- (b) is not obliged to make any statements and that any statements so made may be used in evidence against that language practitioner.

(3) The Investigating Committee must after the conclusion of its investigation, submit a report making its recommendations to the Council regarding any matter referred to it in terms of these regulations.

### **Charge of Improper Conduct**

21. (1) The Council must, after considering a report of the Investigating Committee, charge a registered language practitioner with improper conduct if the Council is convinced that sufficient grounds exist for a charge to be brought against such a registered language practitioner.

(2) The Council must furnish the registered language practitioner so charged with a charge sheet —

- (a) with the details and nature of the charge;

- (b) requiring that he or she, in writing, admit or deny the charge;
- (c) indicating that he or she may, together with the admission or denial, submit a written explanation regarding the improper conduct with which he or she is charged; and
- (d) indicating the period, which must be reasonable, within which his or her admission or denial in terms of these regulations must be submitted to the Council.

(3) Where a registered language practitioner so charged admits that he or she is guilty of the offence, he or she is considered to have been found guilty of improper conduct as charged.

(4) Where the registered language practitioner has admitted guilt, the Council may —

- (a) impose upon him or her a fine not exceeding R5 000,00 or a written warning;
- (b) for a specified period or until otherwise decided by the Council remove the language practitioner from the register of practitioners;
- (c) recover from him or her the costs incurred by the Council in connection with the investigation.

(5) An acquittal or conviction of a registered language practitioner by a court of law on a criminal charge is not a bar to proceedings against him or her under these regulations on a charge of improper conduct, even if the facts stated in the charge of improper conduct would, if proved, constitute an offence stated in the criminal charge on which he or she was acquitted or convicted or any other offence of which he or she might have been acquitted or convicted on the criminal charge.

#### **Appointment of a Disciplinary Committee**

22. (1) The Council must appoint a Disciplinary Committee to hear a charge of improper conduct if the registered language practitioner so charged —

- (a) denies the charge; or

- (b) fails to comply with the code of conduct as set out in the regulations; or
  - (c) displays any conduct which in the opinion of the Council undermines the profession.
- (2) The Disciplinary Committee must consist of at least —
- (a) two registered and accredited language practitioners who specialise in the professional field concerning the charge;
  - (b) [a person with relevant appropriate experience in disciplinary matters;]  
and
  - (c) a person who is qualified in law and who has appropriate experience in disciplinary matters.

### **Disciplinary Hearing**

23. (1) The disciplinary hearing must be conducted by the Disciplinary Committee.
- (2) The Disciplinary Committee may, for the purpose of a hearing, subpoena any registered and accredited language practitioner or any other person —
- (a) who in its opinion may be able to give material information concerning the subject of the hearing; or
  - (b) who it suspects or believes has in his or her possession or custody or under his or her control any book, document or object which has any bearing on the subject of the hearing , to appear before the Disciplinary Committee at the time and place specified in the subpoena, to be questioned or to produce a book, document or object.
- (3) A subpoena issued in terms of these regulations must —
- (a) be in the prescribed form;
  - (b) be signed by the chairperson of the Disciplinary Committee or, in his or her absence, any member of the Disciplinary Committee; and
  - (c) be served on the language practitioner concerned personally or by registered post

(4) The Disciplinary Committee may retain a book, document or object produced in terms of these regulations for the duration of the hearing.

(5) The chairperson of the Disciplinary Committee may call upon and administer an oath to or take an affirmation from any witnesses at the hearing who were subpoenaed in terms of these regulations.

(6) At the hearing the registered and accredited language practitioner charged —

- (a) may be personally present at the proceedings;
- (b) may be assisted or represented by another language practitioner in the proceedings;
- (c) has the right to be heard;
- (d) may call witnesses;
- (e) may cross-examine any language practitioner called as a witness in support of the charge;
- (f) may have access to documents produced in evidence;
- (g) may admit at any time before conviction that he or she is guilty of the charged offence despite the fact that he or she denied the charge at an initial stage;
- (h) may in the case where he or she makes an admission in terms of these regulations, be deemed to be guilty of improper conduct as charged.

(7) The registered and accredited language practitioner charged, may during the hearing —

- (a) lead evidence and advance argument in support of his or her defence and may cross examine witnesses;

- (b) question any language practitioner who was subpoenaed in terms of these regulations;
  - (c) call anyone to give evidence or to produce any book, document or object in his or her possession or custody or under his or her control which the language practitioner so charged suspects or believes to have a bearing on the subject of the hearing.
- (8) A witness who has been subpoenaed may not —
- (a) without sufficient cause, fail to attend the hearing at the time and place specified in the subpoena;
  - (b) refuse to be sworn in or to be affirmed as a witness;
  - (c) without sufficient cause, fail to answer fully and satisfactorily to the best of his or her knowledge to all questions lawfully put to him or her;  
or
  - (d) fail to produce any book, document or object in his or her possession or custody or under his or her control which he or her has been required to produce.
- (9) A witness who has been subpoenaed must remain in attendance until excused by the chairperson of the Disciplinary Committee from further attendance.
- (10) A witness who has been subpoenaed may request that the names of the members of the Disciplinary Committee be made available to her or him.
- (11) The law relating to privilege, as applicable to a witness subpoenaed to give evidence or produce a book, document or object in a civil trial before a court of law may, with the necessary changes, apply in relation to the examination of, or the production of any book, document or object for the Disciplinary Committee by, any language practitioner called as a witness in terms of these Regulations.
- (12) A witness may not, after having been sworn in or having been affirmed as a witness, give false statement on any matter, knowing the answer or statement to be false.
- (13) A language practitioner may not prevent another language practitioner from complying with these regulations or the subpoena or from giving evidence or producing a

book, document or object which he or she is in terms of these regulations required to give or produce.

(14) The record of evidence which has a bearing on the charge before the Disciplinary Committee and which was presented before any commission which investigated an event or conduct is admissible without further evidence being led, if —

- (a) the record is accompanied by a certificate from the chairperson; and
- (b) the certificate certifies that the investigation was lawful, reasonable and procedurally fair.

(15) If the improper conduct with which the language practitioner is charged amounts to an offence of which he or she has been convicted by a court of law, a certified copy of the record of his or her trial and conviction by that court is, on the identification of the language practitioner as the language practitioner referred to in that record, sufficient proof of the commission by him or her of that offence, unless the conviction has been set aside by a superior court.

#### **Proceedings after the Hearing**

24 (1) After the conclusion of the hearing, the Disciplinary Committee must within thirty (30) days —

- (a) decide whether or not the registered language practitioner charged is guilty of improper conduct;
  - (b) if the Disciplinary Committee finds that the language practitioner charged is guilty of improper conduct, take cognisance of any aggravating or mitigating circumstances;
  - (c) inform the registered language practitioner so charged and the Council of its findings; and
  - (d) inform the registered language practitioner so charged of his or her right to appeal its decision.
- (2) A registered language practitioner found guilty of improper conduct may —
- (a) address the Disciplinary Committee in mitigation of the sentence;



- (b) call witnesses to give evidence on his or her behalf in mitigation of sentence.

(3) If the registered language practitioner charged is found guilty of improper conduct, or if he or she admits that he or she is guilty of the charge, the Disciplinary Committee must either —

- (a) caution or reprimand the registered language practitioner;
- (b) suspend the registration of the registered language practitioner concerned for a period not exceeding one year; or
- (c) cancel the registration of the registered language practitioner concerned and remove his or her name from the register; and
- (d) impose a fine to be determined by the Council.

(4) Unless such sanction was appealed, the Council must publish the findings and the sanction imposed in the Government Gazette.

#### **Appeal Against Decision of the Disciplinary Committee**

25. (1) Any registered language practitioner whose interests and rights are affected by a decision made by the Disciplinary Committee may appeal to the Minister.

### **CHAPTER 4 GENERAL PROVISIONS**

#### **Short title and commencement date**

26. (1) These regulations are the South African Language Practitioners' Council Regulations, 2015 and will initially apply only to registration of language practitioners working as translators, interpreters or editors with effect from the promulgation of these regulations and will be extended to other language practitioners at a date to be determined by the Minister, in consultation with the Council and published by Notice in the *Gazette*.

(2) The accreditation of the language practitioners through the quality assurance system will be implemented at a date to be determined by the Minister in consultation with the Council and published by Notice in the *Gazette*.

(3) When accreditation is introduced, it will initially apply only to language practice in the official languages of the Republic of South Africa and South African Sign Language and will be extended to other languages at a date or dates to be determined by the Minister in consultation with the Council and published by Notice in the *Gazette*.

(4) The subcategory of paraprofessionals must apply to register on the prescribed Form SALPC 1 with supporting documentation but are exempt from accreditation as a level one language practitioners through the quality assurance system, payment of an annual practising fee and continuing professional development requirements, until such time as the Minister determines, in consultation with the Council, makes accreditation through the quality assurance system applicable to paraprofessionals.

## SCHEDULE 1

## ANNEXURE A

## Form SALPC 1

# SALPC

SOUTH AFRICAN LANGUAGE PRACTITIONERS' COUNCIL

**APPLICATION FOR PROFESSIONAL REGISTRATION AND ACCREDITATION****For Office Use**

<b>Lodgement details</b>	<b>Amount paid</b>		<b>Application No:</b>	<b>Date lodged:</b>
<b>Date of lodgement:</b>	<b>Registration fee:</b>		<b>Registration No:</b>	<b>Date approved:</b>
	<b>Accreditation fee:</b>		<b>Accreditation No:</b>	<b>Date approved:</b>

**1. Personal information**

Title: (Mark with X)	PROF.	DR	MR	MRS	MS
Surname:					
Full first name(s) as per South African ID or foreign passport:					
Please attach certified copy of ID	ID No				
Date of birth:	D	D	M	M	Y
					Y
					Y
					Y
	Passport number if not SA citizen or permanent resident				
Race: (Please mark with an X) (for statistical purposes only)	Asian		African		Coloured
Gender: (Mark with an X) (for statistical purposes only)	Female		Male		White

**Employer details**

Current employer (Name of company in full):						
Sector of employment (Mark with an X)	Private	Government	Statutory body	State enterprise	University	Other

**Contact details: Residential**

Residential address:					
Province:				Postal code:	
Telephone No:			Fax No:		
E-mail address:					

**Contact details: Postal**

Postal address:					
Province:				Postal code:	
Please indicate the address at which you prefer to receive your correspondence and account:				Postal	Residential

## ANNEXURE A

## Form SALPC 1

## 2. Categories and subcategories

Complete the table below to indicate the categories and subcategories of language practitioners in which you wish to register and/or accredit and attach the relevant supporting documentation

Categories of language practitioners	Mark with an X	Subcategories of language practitioners	Mark with an X	Supporting documents to be submitted	Mark with an X	Office use Level:
A. Translator		1. Paraprofessional translator		• Certified copy of ID/passport		
				• References and testimonials confirming experience		
		2. Professional translator		• Certified copy of ID/passport		
				• Certified copy of relevant qualifications		
				• Certified copy of academic record from tertiary institution		
		3. Sworn translator		• Certified copy of ID/passport		
				• A copy of a certificate as a sworn translator issued by the High Court		
				• Certified copy of relevant qualifications		
		3. Interpreter		1. Paraprofessional interpreter		
• References and testimonials confirming experience						
2. Consecutive interpreter				• Certified copy of ID/passport		
				• Certified copy of relevant qualifications		
				• Certified copy of academic record from tertiary institution		
3. Simultaneous interpreter				• Certified copy of ID/passport		
				• Certified copy of relevant qualifications		
				• Certified copy academic record from tertiary institution		
4. Text editor				1. Paraprofessional editor		• Certified copy of ID/passport
		Certified copy of any academic record, including schooling				
		2. Professional editor		• Certified copy of ID/passport		
				• Certified copy of relevant qualifications		
				• Certified copy of academic record from tertiary institution		

## ANNEXURE A

## Form SALPC 1

## 3. Language combinations

Indicate the languages and/or language combinations in which you wish to register and/or accredit (if the table is not large enough, add a separate page with the additional information)

		Source language	Target language
1. Sworn translation	Combination 1		
	Combination 2		
	Combination 3		
	Combination 4		
	Combination 5		
2. Professional translation	Combination 1		
	Combination 2		
	Combination 3		
	Combination 4		
	Combination 5		
3. Paraprofessional translation	Combination 1		
	Combination 2		
	Combination 3		
	Combination 4		
	Combination 5		
4. Simultaneous interpreting	Combination 1		
	Combination 2		
	Combination 3		
	Combination 4		
	Combination 5		
5. Consecutive interpreting	Combination 1		
	Combination 2		
	Combination 3		
	Combination 4		
	Combination 5		
6. Paraprofessional interpreting	Combination 1		
	Combination 2		
	Combination 3		
	Combination 4		
	Combination 5		
7. Professional editor	Language 1		
	Language 2		
	Language 3		
	Language 4		
	Language 5		
8. Paraprofessional editor	Language 1		
	Language 2		
	Language 3		
	Language 4		
	Language 5		

## 4. Request for change/upgrade of accreditation level

If you wish to request a change/upgrade of accreditation level, complete the table below and attach the relevant documentation

Your registration number	Existing category and subcategory of language practitioner	Requested category and subcategory of language practitioner	Supporting documents/certified copy of degree/diploma	Office use Level:

## ANNEXURE A

## Form SALPC 1

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**5. Academic qualifications**

Complete table below with the details of all academic qualifications relevant to this application and attach certified copies of the qualifications and academic transcripts – list ALL RELEVANT qualifications. (Please note qualifications include degrees, diplomas or certificates).

Qualifications	Major subjects	Year qualification was completed	Institution at which qualification was obtained

**Postgraduate qualifications**

Please list the titles of all postgraduate (honours, masters, doctorate) dissertations, mini-dissertations, theses and/or research projects produced for the qualifications indicated in the table above – attach copies of the title page and abstract for all projects


**6. Employment**

Complete the tables below and attach a **comprehensive** report on **relevant** work experience

**Current employment record**

Name of current employer	Your position	From	To	Number of months employed	Name, telephone number and e-mail of a superior at the employer

**Previous employment record**

Employer	Your position	From	To	Number of months employed	Name, telephone number and e-mail of a superior at the employer

**Self-employment record**

For each of the categories in which you wish to register and accredit, list four clients for whom you do freelance work on a regular basis

Client	Service you provide	From	To	Number of months employed	Name, telephone number and e-mail of a contact at the client

**ANNEXURE A****Form SALPC 1**


**7. Paraprofessional references**

If you are applying for registration as a paraprofessional, complete this section and attach a testimonial from each referee

**Referee 1**

Title, initials and surname:	
Telephone (office):	
E-mail address:	
Position held by applicant:	
Field of practice (applicant):	

**Referee 2**

Title, initials and surname:	
Telephone (office):	
E-mail address:	
Position held by applicant:	
Field of practice (applicant):	

**Referee 3**

Title, initials and surname:	
Telephone (office):	
E-mail address:	
Position held by applicant:	
Field of practice (applicant):	

**Declaration**

- I accept that the processing of my application will be delayed should I fail to submit the required documents/information or to submit the required testimonials or if my application form is unsigned.
- I accept that the window period for submission of outstanding information is three months and that my application will be archived should I fail to comply with this.
- I accept that after this window period I will forfeit the application fee and will need to re-apply in order for my application to be processed.
- I declare that I am the person referred in the certificate(s) included with this application.
- I undertake to abide by all the provisions of the South African Language Practitioners' Council Act, Act 8 of 2014, and the related Code of Conduct and regulations.
- I solemnly declare that, to the best of my knowledge, all the information contained herein is true and correct.

**Undertaking**

As a professional language practitioner I undertake –

- to abide by all provisions of the South African Language Practitioners' Council Act and regulations;
- to discharge my duties in a professional manner with due care, skill and diligence;
- only to undertake work that I am competent to perform and that is within the category and level of my accreditation and registration;
- to discharge my duties with integrity, fidelity and honesty;
- not to engage in any corrupt or dishonest activity;
- to conduct myself in a professional manner at all times;
- to treat all assignment-related information as strictly confidential;
- to maintain professional detachment, impartiality and objectivity in my work;
- to strive to maintain the highest possible quality in my work;



**ANNEXURE A****Form SALPC 1**

- to accept full responsibility for my work;
- to take part in professional activities and always to conduct myself in such a way as to be a credit to my occupation, and to respect and support my fellow professionals;
- to always conduct myself in such a manner as to uphold the dignity of the profession.

Place of signature: ..... Date: .....

Print your initials and surname here: .....

Signature: .....

**OFFICE USE ONLY****ASSESSMENT OF APPLICATION: LIST OF DOCUMENTS AND INFORMATION REQUIRED (Mark with an X)**

APPLICATION FORM: All fields must be filled in for data capturing.

QUALIFICATION: Diploma, Degree, Honours, Masters or PhD (A4 format).

Note: Copies should bear the original stamp and signature of a Commissioner of Oaths

TRANSCRIPTS OF ACADEMIC RECORDS: WITH OFFICIAL TERTIARY INSTITUTION STAMP

Diploma, Degree, Honours, Masters or PhD (A4 format).

Note: Computer printouts or individual result slips for each subject passed are not acceptable.

ABSTRACTS: Title and abstract of the research project (Diploma, Degree, Honours, Masters or PhD).

WORK EXPERIENCE: Complete section of relevant work experience.

JOB DESCRIPTION/PROFILE – Only expert/specialist professionals.

TESTIMONIALS: Only compulsory for recognition of prior learning and experience applicants.

APPLICATION FEE: Proof of payment must be included with application documents.

MARRIAGE CERTIFICATES/OFFICIAL PROOF OF CHANGE OF SURNAME: Required if official documents are issued in another surname.

ID/PASSPORT: South African ID or, if not a South African citizen or permanent resident, certified copy of passport.

## ANNEXURE B

Form SALPC 2

# SALPC

SOUTH AFRICAN LANGUAGE PRACTITIONERS' COUNCIL

**APPLICATION FOR REMOVAL FROM REGISTER****For Office Use:**

<b>Date of lodgement:</b>	<b>Date of acceptance of removal:</b>
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**1. Details of registrant to be removed**

Title:	
First names of language practitioner:	
Surname of language practitioner :	
Registration No.:	
Accreditation No.:	
Residential address:	
Telephone No.:	
Email address:	
Postal address:	

**2. Details of the person requesting the removal of the registrant**

Title:	
First names:	
Surname:	
Residential address:	
Telephone No.:	
Email address:	
Postal address:	
Relation to registrant, if any:	

**ANNEXURE B****Form SALPC 2****3. Reasons for removal (please mark with an X) and supporting documentation to be attached**

Death of registrant	Certified copy of death certificate
Absence from the Republic	Sworn affidavit setting out the details and length of the absence from the Republic
Registrant's request for own removal	Sworn affidavit setting out the reasons why the registrant is of the opinion his/her name should be removed
Registrant registered in error or through fraud	Sworn affidavit setting out the reason why the registrant has in your opinion been registered in error or through fraud
Registrant guilty of fraud	Sworn affidavit setting out the facts relating to the registrant having been found guilty of fraud and any other relevant document

**Declaration**

- I accept that the processing of this application will be delayed should I fail to submit the required documents/information or to sign this application.
- I accept that the window period for submission of outstanding information is three months and that my application will be archived should I fail to comply with this.
- I accept that after this window period I will need to reapply in order for my application to be processed.
- I declare that I am the person referred to in the supporting documentation included with this application.
- I solemnly declare that, to the best of my knowledge, all the information contained herein is true and correct.

**Place of signature:** ..... **Date:** .....

**Print your initials and surname here:** .....

**Signature:** .....

ANNEXURE C

Form SALPC 3

# SALPC

SOUTH AFRICAN LANGUAGE PRACTITIONERS' COUNCIL

## APPLICATION FOR RESTORATION TO THE REGISTER

### For Office Use

Date of lodgement:	Date of acceptance of restoration:
Application fee:	

### 1. Details of registrant to be restored

Title:	
First names of language practitioner:	
Surname of language practitioner:	
Registration No.:	
Accreditation No.:	
Residential address:	
Telephone No.:	
Email address:	
Postal address:	

### 2. Reasons for restoration (please mark with an X) and supporting documentation to be attached

In the event of the registrant having been declared mentally ill by means of a court order	<input type="checkbox"/>	Discharge notice from institution in which he/she was detained
	<input type="checkbox"/>	Sworn declaration by a registered medical doctor and a registered clinical psychologist stating that the person is fit to practise.
In the event of lapsed registration owing to non-payment of annual fees or any prescribed Council fee	<input type="checkbox"/>	Proof of payment of outstanding fees
In the event of failure to notify the Council of any details requested by the Council	<input type="checkbox"/>	Sworn affidavit giving reasons for such failure and proof of compliance

**ANNEXURE C****Form SALPC 3****Declaration**

- I accept that the processing of this application will be delayed should I fail to submit the required documents/information or to sign this application.
- I accept that the window period for submission of outstanding information is three months and that my application will be archived should I fail to comply with this.
- I accept that after this window period I will need to reapply in order for my application to be processed.
- I declare that I am the person referred to in the supporting documentation included with this application.
- I solemnly declare that, to the best of my knowledge, all the information contained herein is true and correct.

**Place of signature:** ..... **Date:** .....

**Print your initials and surname here:** .....

**Signature:** .....

ANNEXURE D

Form SALPC 4

# SALPC

SOUTH AFRICAN LANGUAGE PRACTITIONERS' COUNCIL

## APPLICATION FOR CHANGE OF NAME AND/OR RESIDENTIAL ADDRESS

### For Office Use:

Date of lodgement:	Registration No:
Date approved:	

**Note:** If you need to update your address and name details, complete ALL parts of this form.

### Part A: Applicant's details as currently registered

Title:	
First names:	
Surname :	
Date of birth:	
Residential address:	
Telephone No.:	
Email address:	
Postal address:	

### Part B: Change of name

#### Details of the applicant's new name

First names:	
Surname:	

#### Supporting documentation for new name – please mark with an X and attach

Certified copy of marriage certificate	
Certified copy of any documentation in law proving such change of name	

## ANNEXURE D

## Form SALPC 4

**PART C: Change of residential details****Details of the applicant's new residence**

Residential address:	
Telephone No.:	
Address for correspondence (if same as above, write 'AS ABOVE')	
Email address:	

**Supporting documentation for applicant's new address – please mark with an X and attach**

Utility bill	
Any other proof of address (e.g. bank statement, account)	
Certified copy of identity document	

**Declaration**

- I accept that the processing of this application will be delayed should I fail to submit the required documents/information or to sign this application.
- I accept that the window period for submission of outstanding information is three months and that my application will be archived should I fail to comply herewith.
- I accept that after this window period I will need to reapply in order for my application to be processed.
- I declare that I am the person referred to in the supporting documentation included with this application.
- I solemnly declare that, to the best of my knowledge, all the information contained herein is true and correct.

**Place of signature:** ..... **Date:** .....

**Print your initials and surname here:** .....

**Signature:** .....

# IMPORTANT Information from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.

## RULES

### GPW Business Rules

1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
2. Notices can only be submitted in Adobe electronic form format to the email submission address [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – [www.gpwonline.co.za](http://www.gpwonline.co.za))
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za))
8. All re-submissions by customers will be subject to the above cut-off times.
9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za).



**eGazette**

