

Engineering Council of South Africa

Media Release

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Engineering Council of South Africa under threat of losing autonomy

On the 4th March 2008, the Engineering Council of South Africa (ECSA) was notified by the Council for the Built Environment (CBE) about the proposed amendments of the statutory regulatory framework of the Built Environment Professions, which entails that a single juristic body be established, to be named the South African Council for the Built Environment (SACBE).

This body will control and exercise authority over the professional boards, resulting in ECSA becoming powerless to operate as an independent entity. The proposed change in policy suggests that the SACBE will be given the overarching responsibility of dealing with all matters relating to strategic policy, implementation of Government policy and advising Government on matters falling within the scope of the built environment professions.

The CBE was established as a statutory body by Government, resulting in the built environment landscape being administered by the Council for the Built Environment Act, 2006 (Act 43 of 2006). This mandate allows the CBE to govern the professional councils of the various professions, namely the Architectural Profession Act, 2000 (Act 44 of 2000), the Landscape Architectural Profession Act, 2000 (Act 45 of 2000), the Engineering Profession Act, 2000 (Act 46 of 2000), the Property Valuers Act, 2000 (Act 47 of 2000), the Project and Construction Management Professions Act, 2000 (Act 48 of 2000) and the Quantity Surveying Professions Act, 2000 (Act 49 of 2000).

ECSA is the statutory body established in terms of the Engineering Profession Act, 2000 (Act 46 of 2000), and derives its powers and responsibilities from that Act. ECSA is currently under threat of its legislative mandate as a result of the proposal of the amendment of the existing legislative framework. ECSA's key focus is aimed at promoting the safety, health and interests of the public in relation to the engineering work and Professional Conduct of persons registered in terms of its legislative mandate.

It has become increasingly important for ECSA to remain autonomous because of issues of national crises, which can be linked to the engineering skills shortage in the country. In addition, one cannot ignore the role the organisation plays not only to the profession, but to the industry

and all other relevant stakeholders and target publics. ECSA currently reports directly to the Minister for the Department of Public Works (DPW), yet important to note that ECSA receives no funding from Government, resulting in day to day operations wholly dependent on fees from registered persons. Moreover, ECSA was also not consulted about the proposed amendments to the statutory regulatory framework of the Built Environment Professions.

Some of the crucial reasons for ECSA to remain autonomous are:

- Setting and auditing of academic standards for purposes of registration through a process of accreditation of engineering programmes – ECSA has a well defined process, which is not only recognised by organisations such as the Council for Higher Education but also internationally through various Accords. The accreditation assessments are undertaken by large pool of trained peers. This pool needs to be maintained through constant expansion and training. This is an intensive exercise and requires a tremendous amount of administrative capital, which is carried out by a combination of skilled staff members and a committee structure which consists primarily of peers.
- Registration Process: This includes the setting and auditing of professional development standards through the provision of guidelines which positioned ECSA's post-qualification requirements for registration in the different categories of registration, evaluation of applications, maintenance of registers, monitoring Continuing Professional Development and renewal of registration. Again, a rigorous exercise which is managed by skilled ECSA personnel, carried out by a combination of staff members and a committee structure consisting of peers.
- Prescription of a Code of Conduct, Code of Practice and the enforcing of such conduct through an Investigating Committee and a Disciplinary Tribunal. Diversity in the professions dictates that each profession should identify which norms should be adhered to by its practitioners and the monitoring and evaluation of professional practice are dependent on a high level of expertise in the specific field.
- Advising the CBE and Minister of Public Works on matters relating to the engineering profession and cognate matters, this mode of counsel clearly requires the expertise of persons in the engineering profession itself.

The provisional timeline for the Draft CBE Bill allows the Minister of the DPW to submit the proposed amendments to Parliament on the 12th May 2008. This seemingly well organised process indicates an intention on the part of the DPW to control the professional boards falling under the Built Environment Professions, clearly indicated through the unrealistic timeline. ECSA is concerned that this process may go ahead, without consultation which will quite possibly alienate engineering professionals, most notably during an acknowledged critical engineering skills shortage.

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