

PROPOSED AMENDMENTS AS DISCUSSED

SOUTH AFRICAN LANGUAGE PRACTITIONERS' COUNCIL BILL

[B14 – 2013]

CLAUSE 1

1. On page 4, in line 14, to omit "council for higher ducation" and to substitute "Council for Higher Education".
2. On page 4, in line 15, to omit "in" and to substitute "on".
3. On page 4, in line 17, to omit "national government" and to substitute "National Government".
4. On page 4, in line 20, after "form" to insert "or signed form".
5. On page 4, in line 22, after "form" to insert "or signed form".
6. On page 4, in line 23, to omit to definition of "language editor".
7. On page 4, in line 27, before "terminologist", to insert "language planners".

8. On page 5, after line 6, to insert the following definition:

"text editor" means a person who effects corrections of language and style in written texts, or recorded signed texts;"

9. On page 5, in line 8, to omit the definition of "translation" and to substitute:

"translation" means that the act of transposing a text or other spoken or a target language in a written of spoken or signed form;"

10. On page 5, in line 10, to omit the definition "translator" and to substitute:

"translator" means transposes a text or other spoken or a target language in a written of spoken or signed form."

CLAUSE 2

1. On page 5, in line 14, after "council" to insert "and application of Act".

2. On page 5, in line 18, to omit "national public entity" to substitute "National Public Entity".

3. On page 5, after line 19, to insert the following subsection:

"(3) The Bill applies to all language practitioners within the Republic of South Africa."

CLAUSE 3

1. On page 5, in line 23, to omit "deemed".
2. On page 5, in line 24, to omit "deemed".
3. On page 5, in line 26, to omit "ethics" and to substitute "conduct".
4. On page 5, in line 31, to omit paragraph *(h)* for the following paragraph:
 "*(h)* regulate the provision of language service to members of the
 public."
5. On page 5, in line 34, to omit "disadvantaged" and to substitute "indigenous".
6. On page 5, in line 35, to omit "industry" and to substitute "profession".
7. On page 5, in line 36, to omit "industry" and to substitute "profession".

CLAUSE 4

1. On page 5, in line 41, after "by" to insert "an Act of".
2. On page 5, in line 42, to omit "from" and to substitute "by an Act of".

3. On page 5, in line 50, to omit "council for higher education" and substitute "Council for Higher Education".
4. On page 5, in line 52 to omit "and".
5. On page 5, in line 55, after ";" to insert "and".
6. On page 5, after line 55, to insert a new subparagraph:
"(v) organised language professional bodies;
7. On page 6, in line 1, to omit "and regulate".
8. On page 6, in line 1, after "registered" to insert "language".
9. On page 6, in line 27, to omit "ethics" to substitute "conduct".
10. On page 6, in line 32, after ";" to omit "and".
11. On page 6, in line 33, to omit ";" and to substitute "; and".
12. On page 6, after line 33, to insert the following paragraph:
"(v) develop, implement, enforce and review the code of conduct of all registered and accredited professionals."

CLAUSE 5

1. On page 7, in line 3, to omit "industry" and to substitute "profession".
2. On page 7, in line 11, to omit "historic" and to substitute "historical".
3. On page 7, from line 12 up to line 21, to omit paragraph (b) and to substitute:
"(b) that a balance of interests is maintained between persons representing—
 - (i) the Department of Basic Education;
 - (ii) the Council for Higher Education
 - (iii) the Pan South African Language Board;
 - (iv) the South African Qualification Authority;
 - (v) stakeholders in the language profession;"
4. On page 7, in line 22, after "must" to insert "in consultation with the Board".
5. On page 7, from line 25 to 30, to omit subsection (5).
6. On page 7, in line 31, to omit "(6)" and to substitute "(5)".
7. On page 7, in line 31, after "Gazette" to insert "and at least two national newspapers".

8. On page 7, in line 33, to omit "(7) and to substitute "(6)".
9. On page 7, in line 38, to omit "(8) and to substitute "(7)".
10. On page 7, in line 39 after "officials" to insert "including language practitioners".
11. On page 7, in line 41, to omit "(9) and to substitute "(8)".
12. On page 7, in line 45, to omit "(10) and to substitute "(9)".
13. On page 7, in line 48, to omit "(11) and to substitute "(10)".
14. On page 7, after line 49, to insert the following subsection:

"(11) The Minister may dissolve the Board if he or she considers the Board to be dysfunctional upon given it or reasonable opportunity to make written representation on why it should not be dissolved."

CLAUSE 8

1. On page 8, in line 31, to omit "must".

CLAUSE 9

1. On page 8, in line 39, to omit "may" and to substitute "must".

CLAUSE 12

1. On page 10, in line 9, to omit "of Finance".

CLAUSE 16

1. On page 11, in line 19, to omit "ethics" to substitute "conduct".
2. On page 11, after line 32, to insert the following subsection:

"(3) If there is no Board, the Minister must appoint the Chief Executive Officer of the Council in an acting capacity for a specified period:
Provided that no person may act for more than 12 months.

CLAUSE 19

1. On page 12, in line 5, after "Gazette" to insert "and in at least two national newspapers".
2. On page 12, in line 5, to omit "after" and to substitute "in".
3. On page 12, in line 9, to omit subsection (3) for the following subsection:

"(3) The Minister may, by notice in the *Gazette* and in at least two national newspapers and in consultation with the Board, amend, substitute or withdraw such a code of conduct."

CLAUSE 20

1. On page 12, in line 19, to omit "Board" and substitute "Council".
2. On page 12, from line 22, to omit paragraph (a) and to substitute for the following paragraph:
 - (a) evaluate every application for accreditation in accordance with its procedures;".
3. On page 12, in line 25, to omit "Board" and to substitute "Council".

CLAUSE 22

1. On page 13, in line 2, to omit "registration and explanation" and to substitute "assessment".

CLAUSE 25

1. On page 14, in line 24, to omit "30" and to substitute "90".

CLAUSE 26

1. On page 14, in line 48, to omit "three months" and substitute "90 days".

CLAUSE 28

1. On page 15, in line 33, to omit "one month" and to substitute "90 days".
2. On page 15, in line 36, to omit subsection (2) for the following subsection"

"(2) A notice of the appeal must be given within 90 days from the date on which such decision was given or when such decision came to his or her knowledge."

CLAUSE 32

1. On page 16, in line 31, to omit "Board" and to substitute "Council".
2. On page 16, in line 35, in line 34, to omit subsection (2) for the following subsection:

"(2) A holder of any qualification contemplated in subsection (1), obtained separately or conjointly with any other qualification, is eligible for registration in terms of this Act if he or she has before or in connection with or after the acquisition of the qualification in question, complied with the prescribed conditions or requirements".

CLAUSE 33

1. On page 16, in line 40, after "Gazette" to insert "and in at least two national newspapers".
2. On page 16, in line 47, to omit "in a competent court".

CLAUSE 34

1. On page 17, in line 5, after "." to insert "and other relevant legislation".

CLAUSE 38

1. On page 18, after line 12, to insert the following subsection:

"(4) A person is guilty of an offence if he or she does professional work of a language practitioner without being in possession of a valid accreditation or registered certificate for the period in question."

CLAUSE 40

1. On page 18, in line 18, after "Board" to insert "and other relevant institution".

ARRANGEMENT OF SECTION

1. On page 1. In line 10, after "council" to insert "and application of Act".