

NOTICE 104 OF 2015**DEPARTMENT OF HIGHER EDUCATION AND TRAINING****DRAFT NATIONAL REGISTER OF ARTISANS REGULATIONS, 2015
SKILLS DEVELOPMENT ACT, 1998 (ACT 97 OF 1998)**

I, Dr Bonginkosi Emmanuel Nzimande, MP, Minister of Higher Education and Training, in terms of Section 26 C of the Skills Development Act, 1998, after consultation with the National Skills Authority, hereby publish the Draft National Register of Artisans Regulations for public comment.

The full document is available at the Department of Higher Education and Training's website: www.dhet.gov.za. All interested institutions, persons and organisations are invited to comment on the Regulations. Comments should be submitted to Mr Jabu Ntshingila via email: Ntshingila.j@dhet.gov.za and Mr Nic Louw Louw.n@dhet.gov.za not later than thirty-one (31) days after the publication of this gazette.

**DR BE NZIMANDE, MP****MINISTER OF HIGHER EDUCATION AND TRAINING****DATE:** 15/07/2015

DRAFT REGULATIONS
Schedule
PREAMBLE

These regulations:

- Establish a legislative framework for the professionalisation of artisan development practices in South Africa.
- Define the requirements for and the process of registering as an artisan with the Department of Higher Education and Training (DHET).
- Will assist to enhance the quality of work delivered by registered practicing artisans.
- Will enable the DHET to distinguish for statistical purposes between qualified artisans and artisans practicing the trade in which they are qualified.
- Will assure Industry that if it employs a registered practicing artisan, that that artisan is up to date with developments within that trade and will be able to deliver quality work.
- Will implement Section 26 C of the Skills Development Act, as amended in 2008.
- Will enable the DHET to determine and grow the capacity for mentoring of artisan learners.

ARRANGEMENT OF REGULATIONS

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1. Definitions

In these regulations, any word or expression to which a meaning has been assigned in the Act has that meaning unless the context indicates otherwise; and

“Artisan Assessor” means a person who has passed a trade test in a listed trade and is appointed at an accredited Trade Test Centre to conduct a Trade Test on the trade in which he/she is qualified.

“Artisan Mentor” means a person who has passed a trade test in a listed trade and is appointed at an approved workplace to mentor artisan learning during the workplace learning component of the trade in which he/she is qualified.

“Artisan Moderator” means a person who has passed a trade test in a listed trade and is appointed at an accredited Trade Test Centre to conduct internal and external moderations on Trade Tests conducted on the trade in which he/she is qualified and related trades as determined by the NAMB.

“Artisan Trainer” means a person who has passed a trade test in a listed trade and are appointed at an accredited Skills Development Provider to deliver the knowledge and/or practical skills components of the trade in which he/she is qualified.

“Interim Artisan Mentor” means a person who has not passed a trade test in a listed trade and is appointed at an approved workplace to mentor artisan learning during the workplace learning component of the trade in which he/she practices based on extensive experience or effluction of time.

“Line Supervisor” means a person who has passed a trade test in a listed trade and are directly supervising a Practicing artisan in the fulfilling of his/her duties.

“Listed Trade” means a trade listed in terms of Section 26 B of the Act and published in Government Gazette No 35625 dated 31 August 2012

“**NADSC**” means the National Artisan Development Support Centre, a centre which is part of the DHET located at Ekurhuleni East Technical Vocational Education and Training College, Kwa Thema, Campus in Springs Gauteng

“**Practicing Artisan**” means a person who has passed a trade test in a listed trade and are using tools, equipment and machinery to manufacture, produce, service, install or maintain tangible goods, products or equipment in an engineering and/or technical work environment in the listed trade in which he/she is qualified.

“**Qualified Artisan**” in terms of these regulations means a person who is certificated as an artisan in terms of this or any other Act in a specific listed trade;

“**Technical Manager**” means a person who has passed a trade test in a listed trade and he or she is directly applying trade related knowledge and skills in a managerial function in a technical environment.

2. National Register of Artisans

The Director-General must establish and maintain a National Register of Artisans as captured in Section 26 C of the Act.

3. Categories of Registration

(1) An artisan who has successfully completed a Trade Test in a listed trade **must** register with the NADSC at <http://nadsc.dhet.gov.za/> in one or more of the following categories in accordance with their current employment activities and the listed Trade in which they are qualified.

- (a) Practicing Artisan
- (b) Line Supervisor
- (c) Technical Manager
- (d) Artisan Trainer
- (e) Artisan Assessor
- (f) Artisan Moderator
- (g) Artisan Mentor
- (h) Interim Artisan Mentor

- (i) Artisan Recognition of Prior Learning Advisor
- (j) Unemployed but not on Pension
- (k) Unemployed and on Pension

(2) Qualified artisans currently on pension and qualified in a listed trade through the successful completion of a Trade Test **may** register with the NADSC at <http://nadsc.dhet.gov.za/> in accordance with the prescribed form attached as Appendix A indicating their availability and willingness to assist with artisanal training in the Trade in which they are qualified.

4. Registration as an artisan

An artisan must apply to the Director General through the NADSC in the form and manner required by Director General to be registered as an artisan if:

- (1) after passing a trade test and qualifying in that specific trade registration is applied for; and
- (2) is practicing the trade he or she is qualified in as an artisan, functional manager, trainer or Education Training and Development (ETD) practitioner, or
- (3) self-employed as an artisan or functional manager, for the specific trade he or she is qualified in and requesting registration in, or
- (4) is retired as an artisan, functional manager, and trainer or ETD practitioner in a listed trade.

5. De-registration of an artisan.

The Director General may de-register an artisan if -

- (1) the registered artisan is not practicing the trade as an artisan, trainer, assessment practitioner or functional manager for a period of three (3) years or longer,
- (2) poor quality work was reported to the Department of Higher Education and Training (NAMB) by clients, employers, relevant SETAs or an occupational health and safety inspector and was suitably verified by the Department after compliance with the requirements of the provisions of the Promotion of Administrative Justice Act 2000:
- (3) a registered artisan acts in contravention of the code of conduct for practicing artisans.

6. Registration process.

- (1) An applicant must complete the required application form on the NADSC web site at <http://nadsc.dhet.gov.za/> (Annexure A) and upload the following documentary evidence:
- (a) a certified copy of ID document;
 - (b) a certified copy of trade test certificate;
 - (c) in the case of an applicant applying for registration in the categories Artisan Assessors and Moderators, evidence of experience in assessment and moderation must be provided.¹
 - (d) a service letter on a formal company letter head from the employer stating clearly what functions were performed by the applicant in his current employment.
 - (e) if self employed the following must be submitted to replace the letter of employment as stated above
 - i. business registration documentation (if applicable);
 - ii. an affidavit giving clear description on scope of business conducted if business was not registered;
 - iii. contact details of three (3) most recent clients serviced in terms of the trade registration is applied for.
 - (f) a summarized Curriculum Vitae with clear references.
 - (g) for renewal only attach proof of previous registration and a letter of service letter on a formal company letter head from the employer stating clearly what functions are being performed.
 - (h) a signed copy of the Code of Conduct for Registered Artisans.
 - (i) for unemployed and retired artisans sub regulation 6.1 (c) to (d) will not apply
 - (j) all certified copies must not be older than three (3) months.
- (2) The application will be evaluated and a decision made by the Director-General or the delegated authority.

¹ Registration as an Artisan is a pre-requisite for assessor and moderator registration with the NAMB and registration as an artisan in this category does not provide Assessor or Moderator registration but only artisan registration under the specific category.

- (3) Registration will be awarded to an artisan if all criteria for registration are met.
- (4) The registered practicing artisan must renew his or her registration after a three year period.
- (5) The Department will issue proof of registration in the form and manner determined by the Director-General to the applicant allocating a unique registration number.

- (6) Re- Registration
 - (a) Once a practicing artisan was de-registered by the Director-General in terms of Regulation 5, an application for re-registration can be submitted according to Regulation 5 sub regulations (1) to (3) if -
 - i. no critical changes were affected to the curriculum components of the trade applying for re-registration since de-registration;
 - ii. training was attended to address the critical changes identified in the curriculum components of the trade;
 - iii. top up training and assessment were attended to address the gaps identified during employment by a client, employer or an occupational health and safety inspector which led to poor work quality.

 - (b) Re-registration of artisans de-registered due to poor quality work will be evaluated by the National Artisan Moderation Body to determine whether re-assessments will be required in the trade prior to re-registration. Trade certification will not be revoked and a trade test result for the specific module tested will be issued as required for re-registration.

7. Short title and commencement

These Regulations are the National Registration of Artisans Regulations 2015 and come into effect on 1 April 2015.

8. Appendix A: Application for Registration as an Artisan



**higher education
& training**

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

Application for the Registration as an Artisan.

(In terms of Section 26 (C) of the Skills Development Act.)

Application Details:

Application type:	Renewal		New registration		Re-registration	
Name and surname						
ID. Number						
Address						
Telephone						
e-mail						
Trade qualified in						
Date qualified						

Category of registration applied for:

No	Category	Mark X
1.	Practicing Artisan	
2.	Line Supervisor	
3.	Technical Manager	
4.	Artisan Trainer	
5.	Artisan Assessor	
6.	Artisan Moderator	
7.	Artisan Mentor	
8.	RPL Advisor	
9.	Unemployed, not on pension	
10.	Pensioner (Available for Artisanal Training support.)	
11.	Pensioner (Not Available for Artisanal Training support.)	
12.	Interim Artisan Mentor	

Employment detail: (Only last three employers :)

Company Name (1)		
Address		
Position held		
Employment duration (from/to)		
Duration of employment in years		
Contact Person Details		
Name and surname		
Telephone		
e-mail		
Position		
Short Description of tasks		

Company Name (2)		
Address		
Position held		
Employment duration (from/to)		
Duration of employment in years		
Contact Person Details		
Name and surname		
Telephone		
e-mail		
Position		
Short Description of tasks		

Company Name (3)		
Address		
Position held		
Employment duration (from/to)		
Duration of employment in years		
Contact Person Details		
Name and surname		
Telephone		
e-mail		
Position		
Short Description of tasks		

For Re-registration complete:

Training attended prior to application of re-registration.

Course Title	Provider	Date attended

Documents attached:

Document title	Yes	No
Summarized Curriculum Vitae		
Certified copy of ID document		
Certified copy of Trade test certificate		
Signed Code of Conduct for registered artisans		
Letter of employment detailing responsibilities and scope of work		
FOR RE-REGISTRATION/ RENEWAL - Proof of previous registration.		
FOR RE-REGISTRATION – Proof of training if required.		

I,..... ID No.....
 hereby state that all the information given is true and that no false representation was made of qualification or work experience. I understand that my registration if awarded may be revoked if any false statement is made on this application.

.....

Applicant.

.....

Date

.....

Current / previous employer

.....

Date

(For re-registration-most recent employer)

For official use.

Received by:		Name	
		Designation	
		Date	
		Signature	
Recommended by:	Not recommended by	Name	
		Designation	
		Date	
		Signature	
Approved by	Not approved by	Name	
		Designation	
		Date	
		Signature	
Captured by		Name	
		Designation	
		Date	
		Signature	
Trade name			
OFO Code:			
Registration no			

Reason for non recommendation:
Reason for non approval:

10. Appendix C: Code of Conduct for Registered Artisans:

Code of Conduct for Registered Artisans

DEFINITION OF A PRACTICING ARTISAN

A practicing artisan is a person qualified in a trade and practicing that trade in any of the following contexts:

1. Artisan working on the trade in a production, service or maintenance environment.
2. Line supervisor or manager to a specific trade utilizing his trade expertise in the fulfillment of his daily tasks
3. Trade training staff, mentors and coaches.
4. Trade assessment practitioners.

OBJECTIVES

The objectives of this code of conduct for artisans are to:

1. Define acceptable behavior for practicing artisans in the workplace.
2. Develop and maintain a high quality of artisan practices and promote best practices within the occupation in the workplace and training environment.
3. Provide norms and standards for practicing for evaluating their own practices and behaviors;
4. Guide artisan to practice their trade with integrity, sincerity and in accordance with the accepted standards of the artisan occupation
5. To ensure artisans respect the interests of clients and the integrity of the artisan occupation.

CODE OF CONDUCT

All practicing artisans must conduct their occupation in line with the general rules and guidelines stipulated below:

1. Execute their job functions with professionalism, good attitude and values, due care and diligence.
2. Adhere to acceptable practices and high quality standards when carrying out their work
3. Continuously improve their skills within the trade area and mentor and guide new entrants in the occupation.
4. Not perform their work or conduct them in any manner that will compromise the standard of the occupation or training in and for the occupation.
5. Not engage in any act of dishonesty, corruption or bribery in the execution of their duties.

6. Disclose to the relevant parties any interest in clients, business or stakeholders to avoid any perceived, real or potential conflict of interest at all times.
7. Not knowingly misrepresent or permit misrepresentation of their own trade qualification or competency or those of any other person involved with work.
8. Give artisan workplace or training decisions, recommendations or opinions that are honest, objective and based on facts.
9. May neither personally or through any other person improperly seek to obtain work, or by way of commission or otherwise, make or offer to make payment for a client or prospective client for obtaining such work.
10. May not, unless required by law or by these rules, divulge any information of a confidential nature, which they obtained in the exercise of their duties in the workplace or in the training and assessment environment.
11. Notify NAMB immediately if they become aware of any violation of these rules by any registered artisan in the workplace or in the training and assessment environment.
12. Notify without delay NAMB if they become aware of any assessment practitioner conducting their responsibility in any manner harmful to the occupation.
13. Actively participate in activities to develop and enhance trade occupations.
14. Act in a manner that will enhance and maintain a positive image towards the trade occupations.
15. Must at all-time have due regard for health and safety in and around the workplace.
16. Have due regard for the environment in the execution of their work and avoid, any adverse impact there on.
17. May not willfully harm the employment, reputation or business of any other practicing artisan.
18. Maintain the level of confidentiality required by and in the execution of the duties in terms of his or her employment in the occupation.
19. Always ensure adequate supervision of and take responsibility for work carried out by subordinates in the workplace.
20. Submit in writing any information requested by the NAMB with reference to improper conduct by themselves or any other practicing artisan.
21. Maintain registration status as prescribed by the Department of Higher Education and Training

Names			
Surname			
ID No			
Trade			
Date		Signature	