

**MINISTRY**

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**REPUBLIC OF SOUTH AFRICA**

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**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION NUMBER: 1039 [NW2193E]**

**INTERNAL QUESTION PAPER NO.: 17 of 2019**

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**DATE OF REPLY: 14 OCTOBER 2019**

**1039. Mrs S P Kopane (DA) asked the Minister of Public Works and Infrastructure:**

1. Whether the Engineering Council of South Africa (ECSA) has been held accountable for its alleged failure to regulate the practice of registered engineers and technologists who have contributed to (a) the ordering of trains that are too tall by the Passenger Rail Agency of South Africa, (b) various bridge collapses, including the bridge on the M1 highway in Johannesburg, (c) the collapse of the roof of the Tongaat Mall and (d) the delay in the completion of Eskom’s Medupi and Kusile power stations that are running 10 years behind schedule; if not, in each case, what is the position in this regard; if so, in each case, what (i) steps have been taken and (ii) are the further relevant details in this regard;
2. whether she has found that the ECSA’s practice of assessing the registration applications of prospective applicants based on a professional review conducted by peers is fair, ethical and transparent; if not, what is the position in this regard; if so, has she found that this practice has been used to gatekeep the applications of certain applicants;
3. why is a peer review required before a prospective applicant is registered with the ECSA, unlike many other professional bodies where registration is subject to the obtainment of a professional qualification? **NW2193E**

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**REPLY:**

**The Minister of Public Works and Infrastructure**

(1) ECSA has informed me that it is committed to fulfil its mandate to efficiently regulate the conduct of registered persons and the engineering profession to ensure public safety. The Council for the Built Environment (CBE) has the statutory mandate to ensure consistent application of policy by the councils for the built environment professions (CBEP) with regard to, among other things, handling of matters for investigation of matters by the professional councils.

(a) With regard to the ordering of trains that are too tall by the Passenger Rail Agency of South Africa (PRASA), ECSA informed me that it did not conduct an investigation into the matter as it has not been referred to ECSA for investigation and also it is not yet confirmed if this matter falls within ECSA’s mandate.

(b) With regard to the collapse of the bridge on the M1 highway in Gauteng, ECSA informed me as Minister that it conducted a preliminary investigation, but currently ECSA is awaiting the outcome of the official investigation conducted by the Department of Employment and Labour before finalising its investigation.

(c) With regard to the collapse of the Tongaat Mall, ECSA informed me that it conducted a preliminary investigation, but currently ECSA is awaiting the outcome of the official investigation conducted by the Department of Employment and Labour before finalising its investigation.

(d) With regard to the delay in the completion of Eskom’s Medupi and Kusile power stations that are running 10 years behind schedule, ECSA informed me that this matter has not been referred to ECSA for investigation and it is uncertain if this falls under the mandate of ECSA.

(2) ECSA informed me that the process which it currently follows in assessing applications of prospective applicants is based on Council approved policies and standards which are substantially equivalent to policies and standards applied across the globe by countries that are members of the International Engineering Alliance (IEA). The periodic reviews of ECSA by IEA have revealed that ECSA’s systems and processes are fair, ethical and transparent. Above all the policies, standards and processes are the outcomes of the industry consultation process through established structures such as Working Groups overseen by Council Committees, which are composed of industry stakeholders and experts. ECSA has introduced and is currently applying a registration model that makes it improbable for gatekeeping to creep in, as assessments are conducted by assessors who operate independently and who do not have to have access and even know which other assessors have been allocated applications to assess against the approved 11 competency outcomes. The assessment process is multi-layered and applicants are also given the opportunity to appeal should they feel that their applications were dealt with unfairly.

(3) Peer review has been determined by the engineering profession/community both locally through industry stakeholder consultation processes and internationally through different countries forming part of the IEA Competency Agreements, as the best mechanism for the determination of engineering competencies. This is based on the premise that it is only qualified, experienced engineers and Communities of Engineering Expert Practitioners that are best suited to understand competency requirements for engineers within the parameters of the Council approved registration policies. The fact that South African engineering qualifications are seen as been on par with world standards is a testament that the Peer Review mechanism, among other things, is the best way to conduct the engineering competency assessments.