



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Regulation Gazette

No. 7525

Regulasiekoerant

Vol. 449

Pretoria, 29 November 2002

No. 24103



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

CONTENTS

No.		Page No.	Gazette No.
	GOVERNMENT NOTICE		
	Social Development, Department of		
	<i>Government Notice</i>		
R. 1493	Social Service Professions Act (110/1978): Regulations: Conducting of inquiries into alleged unprofessional conduct.....	3	24103

INHOUD

No.		Bladsy No.	Koerant No.
	GOEWERMENTSKENNISGEWING		
	Maatskaplike Ontwikkeling, Departement van		
	<i>Goewermentskennisgewing</i>		
R. 1493	Wet op Maatskaplike Diensberoepe (110/1978): Regulasies: Ondersoeke rakende beweerde onprofessionele gedrag	17	24103

GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF SOCIAL DEVELOPMENT DEPARTEMENT VAN MAATSKAPLIKE ONTWIKKELING

No. R. 1493

29 November 2002

REGULATIONS REGARDING THE CONDUCTING OF INQUIRIES INTO ALLEGED UNPROFESSIONAL CONDUCT

The Minister of Social Development, intends in terms of section 28(1)(d) and (e) of the Social Service Professions Act, 1978 (Act No 110 of 1978), and on the recommendation of the South African Council for Social Service Professions, to make the regulations in the Schedule hereto.

Interested parties are invited to submit written comments on the proposed regulations within thirty days of publication of this notice, by –

- (a) mailing comments to the Registrar, S A Council for Social Service Professions, Private Bag X2, Hatfield, Pretoria, 0028; or
- (b) faxing comments to the Registrar, S A Council for Social Service Professions at (012) 342 3025; or
- (c) delivering comments to the Registrar, S A Council for Social Service Professions, 2nd Floor, DRU Building, 413 Hilda Street, Hatfield, Pretoria; and or
- (d) E-Mailing comments to the Registrar at sacssp@lantic.net.

SCHEDULE

DEFINITIONS

1. In these regulations “the Act” shall mean the Social Service Professions Act, 1978 (Act No 110 of 1978), and any expression to which a meaning has been assigned in the Act shall have such meaning and, unless the context otherwise indicates –

“*certified copy*” shall mean a copy of a document certified by a commissioner of oaths to be a true and just copy of the original;

“*chairperson*” shall mean the person chairing a disciplinary inquiry or a preliminary inquiry;

“*committee of preliminary inquiry*” shall mean a committee referred to in regulation 2(4);

“*designated complainant*” shall mean a legal representative who is not a member of the council or a professional conduct committee and who is designated by the council to act as a prosecutor at a specific disciplinary inquiry or at disciplinary inquiries in general;

“*disciplinary inquiry*” shall mean an inquiry held in terms of Chapter III of the Act and these regulations;

“*inquiring body*” shall mean the council or a committee appointed by the Council to perform any functions in terms of these regulations;

“*preliminary inquiry*” shall mean an inquiry held in terms of regulations 5 – 15 of these regulations;

“professional conduct committee” shall mean a committee referred to in regulation 2(1);

“registered person” shall mean a person registered with the council in terms of the Act;

“respondent” shall mean a registered person against whom a complaint of unprofessional conduct has been lodged.

CONSTITUTION OF A PROFESSIONAL CONDUCT COMMITTEE AND A COMMITTEE OF PRELIMINARY INQUIRY

2. (1) Subject to the provisions of subregulation (2) a committee appointed in terms of section 21(7) of the Act, functioning as a professional conduct committee, shall consist of not more than five, but not less than three persons, who are designated by the council, and of whom at least one person shall be a member of the council and one other person shall be a member of the professional board concerned when such a board has been established: Provided that the majority of the members be members of the council and/or professional board concerned.

(2) If, during any stage of a disciplinary inquiry, a member of the inquiring body dies or becomes incapable of acting or is absent for any reason, the disciplinary inquiry shall proceed before the remaining members of the inquiring body if they form a majority of the members before whom the inquiry initially started, and if those remaining members do not form such a majority or only one member remains, the disciplinary inquiry shall start anew unless all the parties at the proceedings agree in writing and unconditionally to accept the decision of the majority of such remaining members or remaining member as the decision of the inquiring body.

(3) Subject to the provisions of subregulation (2) the finding of the majority of the members of the inquiring body shall be the finding of such body.

(4) A committee established in terms of section 10 of the Act, functioning as a committee of preliminary inquiry shall, notwithstanding the provisions of rule 2(1) of the Rules concerning the institution, functions and procedures of committees as published by Board Notice 57 of 18 September 1987, consist of not more than three members who are not members of the professional conduct committee and of whom at least one member shall be a member of the council and one other member shall be a member of the professional board concerned, when such a board has been established.

(5) The chairperson of the committee of preliminary inquiry shall be appointed by the council, but if he or she is absent for any reason during the proceedings of the committee of preliminary inquiry, the committee shall appoint a chairperson from amongst themselves.

(6) The recommendations of the majority of the members of a committee of preliminary inquiry shall be the recommendation of such committee.

PROCESS TO INSTITUTE A PRELIMINARY OR DISCIPLINARY INQUIRY

3. (1) A complaint of alleged unprofessional conduct on the part of a registered person shall be lodged with the registrar or designated official by way of –

(a) a written explanation by the person lodging such complaint; or

(b) the submission of any facts, circumstances, allegations or indications that in any way whatsoever may have come to the knowledge of the council; or

(c) the reference of a record or portion thereof by a court of law as contemplated in section 23 of the Act or any other body.

(2) Any person who lodges a complaint referred to in subregulation (1) shall give a brief explanation of the act(s) or omission(s) giving rise to the complaint and be prepared to give verbal evidence in support of his or her complaint at a preliminary or disciplinary inquiry of the council or its committees if so required.

PROCEDURE AFTER RECEIVING A COMPLAINT

4. (1) The Registrar, or designated official, shall investigate the complaint referred to the Council in terms of regulation 3(1).

(2) The registrar or designated official, may at his or her discretion during his or her investigation of the complaint, if he or she deems it necessary –

(a) consult with or seek further information regarding the complaint from any person or organisation, including the respondent and his or her employer;

(b) forward to the respondent copies of the documents received from the complainant and inform the respondent of the nature of such complaint and request a written explanation from him or her within 21 days and warn him or her that such explanation may be supplied to the professional conduct committee and the complainant and that it may be used in evidence during an investigation and a disciplinary inquiry which may follow;

(c) subpoena any person, who on reasonable grounds, is believed to be in possession of any information or a document, photo, computer record, contract, book, item, article, administrative or financial record, computer data, audio and/or video recording relevant to the complaint in order to make same available to the registrar or designated official before the date determined by the registrar or designated official in the subpoena for the purpose of investigating a complaint in terms of these regulations;

(d) seek legal advice or any other assistance to enable the registrar to perform his or her functions in terms of these regulations; and

(e) on the request of the complainant, and as far as the registrar is legally obliged to, furnish the complainant with a copy of the respondent's reply if the registrar or designated official received a response from the respondent.

(3) Following an investigation subject to the provisions of subregulation (4) the registrar or designated official may –

(a) if he or she is of the opinion that a further inquiry in terms of these regulations would not be appropriate, inform the complainant and the respondent, if applicable, accordingly;

(b) if he or she is of the opinion that the matter can be resolved amicably, procure a settlement between the complainant, respondent and/or any other parties involved;

(c) if he or she is of the opinion that the matter does not fall within the jurisdiction of the council, refer the matter to an appropriate body;

(d) if he or she is of the opinion that further inquiry in terms of these regulations would be appropriate, refer the matter to the committee of preliminary inquiry, with the relevant documentation; and

(e) if he or she is of the opinion that a disciplinary inquiry would be appropriate refer the matter directly to the professional conduct committee.

(4) In the event of a dispute between the registrar or designated official and the complainant and/or respondent, the complaint shall be referred to the committee of preliminary inquiry for further investigation.

REFERRAL TO THE COMMITTEE OF PRELIMINARY INQUIRY

5. The committee of preliminary inquiry or the chairperson of such committee may -

(1) consult with or seek further information regarding the complaint from any person or organisation, including the respondent and his or her employer;

(2) forward to the respondent copies of the documents received from the complainant or inform the respondent of the nature of such complaint and request a written explanation from him or her within 21 days and warn him or her that such explanation may be supplied to the professional conduct committee and the complainant and may be used in evidence during an investigation and a disciplinary inquiry which may follow;

(3) subpoena or instruct the registrar to subpoena any person who on reasonable grounds is believed to be in possession of any information or a document, photo, computer record, contract, book, item, article, administrative or financial record, computer data and/or audio or video recording relevant to the complaint, in order to make same available to the committee of preliminary inquiry before the date determined by the registrar or designated official in the subpoena, for the purpose of investigating a complaint in terms of these regulations;

(4) seek legal advice or any other assistance to enable the committee to perform its functions in terms of these regulations; and

(5) on the request of the complainant, and in so far as the committee is legally obliged to, furnish the complainant with a copy of the respondent's reply if the registrar or designated official received a response from the respondent or, in the absence of such request at his or her discretion.

6. The committee of preliminary inquiry shall take the following factors into consideration in deciding whether it would be appropriate to hold a preliminary or disciplinary inquiry:

(1) The nature of the complaint.

(2) The consequences of the alleged unprofessional conduct of the respondent for the complainant, the general public, council, the respondent, the profession and/or any other interested parties.

(3) The complexity of the unprofessional conduct.

(4) The penalty which the committee of preliminary inquiry anticipates could be imposed by the professional conduct committee.

(5) Any other matter not referred to above which, in the opinion of the committee of preliminary inquiry, warrants the holding of a preliminary or disciplinary inquiry in terms of the appropriate regulations.

7. The committee of preliminary inquiry, after having investigated the complaint, if necessary, and after having considered all relevant documentation in terms of regulation 4(3)(d), may –

- (1) if it is of the opinion that a complaint, even if it is proven, does not constitute unprofessional conduct, or that the complaint for any other reason should not be subjected to an inquiry, the committee shall take such steps as it may deem necessary and report such steps to the council;
- (2) if it is of the opinion that the matter can be resolved amicably, procure a settlement between the complainant, respondent and/or any other parties involved;
- (3) if it is of the opinion that the matter does not fall within the jurisdiction of the council, refer the matter to an appropriate body;
- (4) if it is of the opinion that a further preliminary inquiry be held, instruct the registrar to prepare the inquiry in terms of regulation 8; and
- (5) refer the matter for a disciplinary inquiry in terms of regulation 16.

INQUIRY BY THE COMMITTEE OF PRELIMINARY INQUIRY

8. The Registrar shall, on receipt of the directive referred to in regulation 7(4) inform the respondent, by notice essentially in the form of Annexure A of –

- (1) the date, time and place of the preliminary inquiry;
- (2) his or her right to be present at the preliminary inquiry and to present his or her case to the committee of preliminary inquiry;
- (3) the fact that he or she is not entitled to legal representation at the preliminary inquiry; and
- (4) a written exposition containing –
 - (a) the nature of the complaint;
 - (b) the consequences of the alleged unprofessional conduct for the complainant, the general public, council, the respondent, the profession or any other interested party;
 - (c) the severity of the alleged unprofessional conduct;
 - (d) the penalty which the committee of preliminary inquiry anticipates could be imposed by the professional conduct committee; and
 - (e) any other matter not referred to above which, in the opinion of the committee of preliminary inquiry, warrants the holding of a preliminary or disciplinary inquiry in terms of the appropriate regulations.

9. The committee of preliminary inquiry, the complainant and the respondent may request the presence of any person or documentary evidence as is set out in regulation 5(3) which, on reasonable grounds, could assist in the assessment of the complaint during the preliminary inquiry and subpoena or request the registrar to subpoena the person(s) concerned.

10. During this stage neither party shall be entitled to legal representation.

11. The respondent shall be entitled to exercise one of the following three options:

(1) If he or she agrees with the contents of the exposition referred to in regulation 8(4), he or she shall complete and sign it in the presence of a commissioner of oaths and return it to the committee of preliminary inquiry before the date of the preliminary inquiry, in which case the said committee shall, on the date scheduled for such inquiry make a finding and impose a penalty in accordance with the exposition. Such penalty shall be limited to a penalty in terms of section 22(1)(a) of the Act.

(2) If he or she disagrees with the contents of the exposition attached to the notice and prefer to present his or her case to the committee of preliminary inquiry, he or she shall appear in person at the preliminary inquiry to –

- (a) hand in written submissions to the committee of preliminary inquiry; or
- (b) lead oral evidence; or
- (c) present argument;

in order to rebut the contents of the exposition.

(3) If he or she prefers that the complaint be adjudicated by the professional conduct committee, he or she shall request so in writing, in which case the matter shall on the date scheduled for such inquiry be referred to the professional conduct committee.

12. If the respondent fails to exercise any of the options in regulation 11, or fails to respond to the notice referred to in regulation 8, the committee of preliminary inquiry may refer the matter to the professional conduct committee.

13. No finding made or penalty imposed by the committee of preliminary inquiry in terms of an exposition shall constitute a previous conviction in any subsequent inquiry of a complaint against the respondent in terms of these regulations.

14. If a committee of preliminary inquiry finds that a complaint, even if it is proven, does not constitute unprofessional conduct or that the complaint for any other reason should not be subjected to an inquiry, the committee shall take such steps as it may deem necessary and report such steps to the council.

15. (1) If it is clear to a committee of preliminary inquiry that a disciplinary inquiry as envisaged in regulation 16 should be held into the conduct of the respondent, the committee shall direct the registrar or designated official as envisaged in regulation 16 to arrange the constitution of a professional conduct committee in terms of section 21(7) of the Act.

(2) No evidence gathered by the committee of preliminary inquiry, with the exception of the complaint referred to in regulation 3(1) and the information or explanation received in terms of regulation 4(2)(a) and (b), shall be submitted to a professional conduct committee.

PREPARATORY PROCEDURES TO A DISCIPLINARY INQUIRY

16. On receipt of a directive referred to in regulation 7(4), 11(3) or 15(1), the registrar or designated official shall arrange for a disciplinary inquiry to be held and he or she shall submit the supporting documents in preparation of the charge sheet to the designated complainant.

17. (1) The registrar or designated official shall issue a summons essentially in the form of Annexure B hereto, addressed to the respondent informing him or her –
- (a) of the date, time and place of the disciplinary inquiry;
 - (b) of the particulars of the complaint;
 - (c) that he or she may reply in writing to the complaint set forth in the summons, but warning him or her at the same time that any such reply may be used as evidence in the disciplinary inquiry; and
 - (d) what document, photo, computer record, contract, book, item, article, administrative or financial record or computer data relevant to the complaint should be brought to the inquiry.
- (2) The summons referred to in subregulation (1), shall be served on the respondent at his or her residential address or forwarded to him or her at his or her postal address by registered letter, or confirmed fax or electronic mail, as the case may be, as entered into the register referred to in section 19 of the Act.
- (3) A registered person duly notified in accordance with this regulation shall appear at the time and place specified in the summons unless, before the disciplinary inquiry he or she has informed the registrar in writing by means of a personally signed letter that he or she pleads guilty to the complaint against him or her.
- (4) Any person referred to in subregulation (3) who has been duly notified in accordance with this regulation, and who refuses or, without a reason acceptable to the inquiring body, fails to appear at the time and place specified in the summons, shall be guilty of an offence and liable, on conviction, to a fine not exceeding R1 000 or, in default of payment, imprisonment for a period not exceeding three months, or both such fine and such imprisonment.

PROCEDURE AT A DISCIPLINARY INQUIRY

18. (1) Every disciplinary inquiry shall be conducted by the council or by the professional conduct committee.
- (2) If the summons referred to in regulation 17(1) has been served on or forwarded to the respondent as prescribed by regulation 17(2), the inquiring body may proceed with the disciplinary inquiry even if the respondent is not present.
- (3) If the respondent is present, the designated complainant shall read out the complaint contained in the summons addressed to the respondent.
- (4) (a) The respondent, if present, shall then be asked by the chairperson to plead guilty or not guilty to the complaint against him or her: Provided that if, before the disciplinary inquiry, the respondent has informed the registrar or designated official in writing by means of a personally signed letter that he or she pleads guilty to the complaint, such plea of guilty may be entered as a plea in his or her absence.
- (b) If the respondent pleads not guilty, the inquiring body shall proceed to hear evidence pertaining to the complaint.
- (c) If the respondent pleads guilty, it shall be for the inquiring body to decide whether or not it wishes to hear evidence regarding the complaint.

(d) If the respondent refuses or fails to plead directly to the complaint, or if the respondent is absent and the summons has been served on or forwarded to him or her as prescribed by regulation 17(2) and he or she has not informed the registrar or designated official in writing that he or she pleads guilty as referred to in paragraph (a), the chairperson shall make a note of such fact and enter a plea of not guilty on behalf of the respondent, and a plea thus entered shall have the same effect as if it had in fact been so pleaded.

(5) (a) Where evidence pertaining to any complaint is to be adduced either because the respondent has pleaded not guilty or because the inquiring body has resolved that evidence is to be adduced, the designated complainant shall be given the opportunity of stating his or her case and thereafter of leading evidence in support thereof.

(b) Upon conclusion of leading such evidence the designated complainant's case shall be closed.

(6) (a) If the respondent is present or is represented by a legal representative, he or she or his or her legal representative shall be given the opportunity of stating his or her case and thereafter of leading evidence in support thereof.

(b) If the respondent is neither present nor represented, any writing, statement, explanation or defence submitted by him or her as a result of a request in terms of regulation 4(b) or as a result of the summons issued in terms of regulation 17(1), or both, shall be read out to the inquiring body and received as evidence.

(c) After the respondent or his or her legal representative has led his or her evidence or, in the place thereof, his or her written exposition, statement, explanation or defence has been read, his or her case shall be closed.

(7) If the inquiring body deems it advisable that further evidence be adduced in order to enable it to arrive at a just decision, it may call further witnesses as it deems fit and may allow further evidence to be led either by the designated complainant or by the respondent or his or her legal representative, or by both parties, after their cases have been closed.

(8) After all the evidence has been led, the designated complainant shall be allowed to address the inquiring body on the evidence and the legal position, and this shall be allowed whether or not the respondent has led evidence.

(9) Thereafter the respondent or his or her legal representative, if present, shall, likewise be allowed to address the inquiring body.

(10) If it deems fit, the inquiring body may allow the designated complainant to reply.

19. (1) Members of the inquiring body may, with the consent of the chairperson, put such questions as they may consider relevant to witnesses while they are giving evidence or are under cross-examination.

(2) (a) (i) After a witness has given evidence the opposing party or his or her representative shall be entitled to cross-examine such witness.

(ii) Likewise, the respondent if he or she prefers to give evidence and any witness called by him or her on his or her behalf shall, after he or she has given evidence, be subject to cross-examination by the designated complainant.

(b) If evidence has been led, the person who led the evidence shall be entitled to re-examine the witness after cross-examination, but this re-examination shall be confined to matters arising from cross-examination or from questions put by the chairperson or members of the inquiring body.

20. If the respondent is present and the complainant is not present but has filed an affidavit, the respondent or his or her legal representative may reply to the affidavit so as to enable the inquiring body to deal with the matter as may be necessary.

21. (1) All oral evidence shall be given under oath or on affirmation and the inquiring body may decline to admit as evidence a document where the person who gives evidence regarding the document is not present for cross-examination or who declines to submit thereto.

(2) (a) The statement which a complainant or witness not present in person, makes in support of a complaint shall be in the form of an affidavit, but the respondent may object to such evidence if he or she is not given the opportunity to cross-examine such witness: Provided that, where such statement or complaint has been based on the record of a lawfully constituted court, a copy of such record shall at face value be accepted as evidence if it has been certified to be a true copy or if acceptance thereof has been agreed by both parties.

(b) If it is practicable and appears just, the inquiring body may postpone the inquiry in order to subpoena, for the purpose of cross-examination, the witnesses whose evidence appears in the said court.

22. (1) Upon the conclusion of the case, the inquiring body shall deliberate thereon in the absence of the complaint, the respondent and their witnesses.

(2) If the respondent is found not guilty on the charge against him or her, he or she shall be notified accordingly as soon as reasonably possible.

(3) If the inquiring body has determined, regarding a complaint, that sufficient facts have been proved to its satisfaction to support such complaint, it shall decide whether the conduct that is the subject of the complaint so supported, constitutes unprofessional conduct, and it shall announce its finding in this regard.

(4) After a finding referred to in subregulation (3) has been announced or after the respondent has pleaded guilty and the inquiring body has resolved that no evidence shall be led, the designated complainant shall adduce evidence of previous convictions of the respondent under the Act, if any such convictions have been recorded previously against him or her.

(5) (a) (i) Proof of previous convictions under the Act shall be adduced by means of a certificate to be issued under the hand of the registrar.

(ii) Such certificate shall specify the complaint brought against the respondent at the time, as well as the finding, the date thereof and the penalty imposed.

(b) The respondent shall be entitled to challenge the correctness of such certificate, in which case a certified copy of the minutes shall be produced or, if such minutes have been destroyed, a certified copy of the relevant extract from the register concerned, referred to in section 19 of the Act.

(6) The chairperson shall afford the designated complainant the opportunity of making a representation in regard to the imposition of a suitable penalty.

(7) The chairperson shall then afford the respondent or his or her legal representative, if present, the opportunity of addressing the inquiring body in mitigation of the penalty to be imposed and of leading or giving evidence in mitigation.

(8) After the inquiring body has again deliberated in the absence of any other party attending the hearing, it shall impose the penalty on which it decides.

(9) Where the professional conduct committee finds a respondent guilty, it shall report its finding to the council and arrange for the requirements of subregulation (10) to be complied with.

(10) (a) If a penalty is imposed on a registered person in terms of section 22(1) of the Act, such penalty shall be put in writing and signed by the chairperson, and the respondent and complainant informed thereof by the Registrar.

(b) The registrar may, after the registered person has been informed of his or her penalty, publish in the Government Gazette the name of such person and the penalty so imposed.

23. (1) If recommendations regarding complaints against more than one respondent are submitted to the chairperson of the professional conduct committee as referred to in regulation 15 (1), and the chairperson in his or her discretion is of the opinion that –

(a) a duplication of disciplinary inquiries may be avoided or limited by a simultaneous hearing of two or more such disciplinary enquiries.

(b) none of the respondents would be detrimentally affected by such a simultaneous disciplinary inquiry, he or she may direct that the disciplinary enquiries against such respondents, be heard simultaneously.

(2) The chairperson, at a simultaneous disciplinary inquiry referred to in subregulation (1), shall apply the provisions of regulations 18 to 22 on the basis that every reference in it to the respondent or his or her legal representative shall be applied alternately on the respondents in the order determined by the chairperson.

(3) (a) Any respondent may, at any time prior to or during a simultaneous disciplinary inquiry, request a separate hearing.

(b) If the inquiring body is of the opinion that the respondent concerned has indicated good reasons for such separation of the disciplinary inquiry, the proceedings relating to that respondent shall be suspended and the respondent concerned shall be heard separately by an inquiring body constituted of other members.

(4) If the inquiring body deems it advisable, separation of a disciplinary inquiry referred to in subregulation (3) may take place on the basis that two or more of the respondents may be heard together separately.

24. (1) (a) In case of common relevancy of facts or circumstances between two or more disciplinary inquiries, no member of any inquiring body shall serve at more than one such disciplinary inquiry.

(b) If such commonality is revealed during the course of a disciplinary hearing and it appears further that the same member is serving at more than one such disciplinary inquiry that have already commenced and the circumstances are such that he or she may possibly be influenced by the proceedings at one disciplinary inquiry concerning his or her view of another, the proceedings concerned at such disciplinary inquiry shall take place anew before an inquiring body consisting of different members.

(2) The provisions of this regulation shall not be interpreted so as to preclude a simultaneous hearing referred to in regulation 23.

25. (1) The proceedings of a disciplinary inquiry shall be accessible to the public: Provided that –

(a) any decision of the inquiring body with regard to any matter relating to or arising during an inquiry may be taken in the absence of any other party attending the hearing;

(b) any evidence submitted during a disciplinary inquiry, upon submission of valid reasons, may, at the discretion of the inquiring body, be heard *in camera*.

(c) upon submission of valid reasons, the inquiring body may, at its discretion, direct that no person shall, at any time and in any manner, publish any information that is likely to reveal the identity of a specific person, excluding that of the respondent.

(2) Any person who contravenes or fails to obey a directive issued in terms of subregulation (1) shall be guilty of an offence and liable, on conviction in a court of law, to a fine not exceeding R1000.

SUBPOENA

26. (1) A subpoena issued by the registrar or a committee of preliminary inquiry in terms of the regulations, to a person to appear as a witness at any investigation or inquiry, or to produce a book, document or record at any investigation or inquiry shall be essentially in the form of Annexure C to these regulations.

(2) A subpoena referred to in subregulation (1) shall be served on the witness at his or her residential or working address or forwarded to him or her at his or her residential, postal or working address by prepaid registered letter or confirmed fax or electronic mail.

(3) The fees payable to a witness subpoenaed in terms of subregulation (1) shall be in accordance with the tariff applicable to criminal cases in a magistrate's court.

(4) If witnesses are subpoenaed at the request of the respondent, the registrar may require from the respondent a deposit that is sufficient to cover the expenses involved.

REPEAL

27 (1) Regulations made under the *Social Work Act, 1978*, published as Government Notice R. 3026 in Government Gazette 12919 of 28 December 1990, as amended by Government Notices R. 3214 in Government Gazette 14225 of 27 November 1992 and R. 1516 in Government Gazette 15954 of 9 September 1994 are repealed.

(2) A disciplinary inquiry in terms of the regulations referred to in subregulation (1) which started immediately prior to the commencement of these regulations before the council or a disciplinary committee of the council constituted in terms of regulation 2 of those regulations shall be conducted and concluded in terms of the procedures prescribed by those regulations as if they were not repealed.

COMMENCEMENT

These regulations shall come into operation on the date of publication thereof.

Annexure A

SOUTH AFRICAN COUNCIL FOR SOCIAL SERVICE PROFESSIONS

FORM OF NOTICE TO A RESPONDENT TO APPEAR BEFORE A COMMITTEE OF PRELIMINARY INQUIRY IN TERMS OF REGULATION 8 OF THE REGULATIONS REGARDING THE CONDUCTING OF INQUIRIES INTO ALLEGED UNPROFESSIONAL CONDUCT

To:
..... (name and address of respondent)

You are hereby instructed to appear before the Committee of Preliminary Inquiry of the S A Council for Social Service Professions at (place) on the day of 20..... at (time).

You are hereby informed of your right to present your case to the above-mentioned committee. A copy of the exposition referred to in regulation 8(4) is attached hereto as Annexure A.

In terms of regulations 9 and 10 of the *Regulations regarding the conducting of inquiries into alleged unprofessional conduct*, you may request the presence of any person, or production of any documentary evidence, or any evidence, which on reasonable grounds, could assist in the assessment of the complaint, and request the Registrar to subpoena the person(s) concerned. You are, however, not entitled to legal representation.

Should you desire your letter dated (or any further written communication you may wish to submit) to constitute your explanation or defence, please notify the Registrar of the S A Council for Social Service Professions to that effect not later than You are hereby warned that any such communication may be used as evidence in the preliminary inquiry or any other subsequent disciplinary inquiry.

In your own interest you are advised to appear at the preliminary inquiry, unless before the date thereof you plead guilty to the complaint as set out in the exposition attached hereto as Annexure A, by signing the said document in the presence of a Commissioner of Oaths and forwarding it to the Registrar.

Please note that if you sign the exposition, the penalty that could be imposed, is in terms of regulation 11(1) limited to a reprimand or a caution.

Given under my hand this day of 20.....

.....
REGISTRAR

Annexure B

SOUTH AFRICAN COUNCIL FOR SOCIAL SERVICE PROFESSIONS

FORM OF SUMMONS TO A RESPONDENT TO APPEAR BEFORE THE PROFESSIONAL CONDUCT COMMITTEE IN TERMS OF REGULATION 17 OF THE REGULATIONS REGARDING THE CONDUCTING OF INQUIRIES INTO ALLEGED UNPROFESSIONAL CONDUCT

Summons

To:
 (name and address of respondent)

You are hereby instructed to appear before the S A Council for Social Service Professions or a Professional Conduct Committee of the Council for Social Service Professions at (place) on the day of 20..... at (time), when a disciplinary inquiry will be held to inquire into the following complaint which has been lodged against you:

You are further instructed to bring with you in terms of regulation 17(1)(d) the following items:

In terms of section 21(6) of the *Social Service Professions Act, 1978* (Act 110 of 1978), you are entitled, either in person or through your legal representative,* to answer to the complaint at the disciplinary inquiry and be heard in your defence. You are entitled to call witnesses, provided you secure their presence at the inquiry, unless prior arrangements with the Registrar in terms of Regulation 26 to subpoena such witnesses, have been made.

If you fail to appear at the disciplinary inquiry without an acceptable reason you will be guilty of a contravention of regulation 17(4) of the *Regulations regarding the conducting of inquiries into alleged unprofessional conduct* read together with section 28(3) of Act 110 of 1978, and on conviction will be liable to a fine not exceeding R1000 or to imprisonment for a period not exceeding three months. In your absence, the inquiring body may proceed with the disciplinary inquiry and make a finding.

Should you desire your letter dated (or any further written communication you may wish to submit) to constitute your explanation or defence, please notify me to that effect as soon as possible and not later than You are hereby warned that any such communication may be used as evidence in the disciplinary inquiry.

In your own interest you are advised to appear at the disciplinary inquiry, unless before the date thereof you plead guilty to the complaint in a letter signed by you personally and addressed to the registrar.

Given under my hand this day of 20.....

.....
 REGISTRAR

* Legal representative means an advocate or an attorney.

Annexure C

SOUTH AFRICAN COUNCIL FOR SOCIAL SERVICE PROFESSIONS

FORM OF SUBPOENA TO APPEAR BEFORE:

1. THE S A COUNCIL FOR SOCIAL SERVICE PROFESSIONS;
2. THE REGISTRAR OR DESIGNATED OFFICIAL OF THE COUNCIL;
3. A COMMITTEE OF PRELIMINARY INQUIRY OF THE COUNCIL; OR
4. THE PROFESSIONAL CONDUCT COMMITTEE OF THE COUNCIL

To:
..... (name and address of person summoned)

You are hereby instructed to appear before theof the Council, established in terms of the *Social Service Professions Act*, 1978 (Act 110 of 1978), at (place) on the day of 20.....at (time), to give evidence regarding and you are directed to bring with you (specify the book, document or record).

In the absence of sufficient cause, failure to comply with this subpoena shall constitute an offence and the offender shall be liable on conviction to a fine as provided for in section 51(2) of the Magistrate's Courts Act, 1944 (Act 32 of 1944).

Given under my hand this day of 20.....

.....
REGISTRAR

No. R. 1493

29 November 2002

**REGULASIES BETREFFENDE ONDERSOEKE RAKENDE BEWEERDE
ONPROFESSIONELE GEDRAG**

Die Minister van Maatskaplike Ontwikkeling beoog om ingevolge artikel 28(1)(d) en (e) van die Wet op Maatskaplike Diensberoepe, 1978 (Wet No 110 van 1978), op aanbeveling van die Suid-Afrikaanse Raad vir Maatskaplike Diensberoepe, die regulasies in die Bylae hiervan uiteengesit uit te vaardig.

Belangstellendes word uitgenooi om geskrewe kommentaar op die voorgestelde regulasies binne dertig dae vanaf publikasie van hierdie kennisgewing in te dien deur kommentaar te –

- (a) pos aan die Registrateur, S A Raad vir Maatskaplike Diensberoepe, Privaatsak X2, Hatfield, Pretoria, 0028;
- (b) faks aan die Registrateur, S A Raad vir Maatskaplike Diensberoepe, (012) 342 3025;
- (c) af te lewer by die Registrateur, S A Raad vir Maatskaplike Diensberoepe, 2de verdieping, DRU-gebou, Hildastraat 413, Hatfield, Pretoria;
- (d) voorsien deur middel van E-pos aan die Registrateur, te sacssp@lantic.net.

BYLAE**WOORDOMSKRYWING**

1. In hierdie regulasies beteken “die Wet” die Wet op Maatskaplike Diensberoepe, 1978 (Wet 110 van 1978), en het enige uitdrukking waaraan ‘n betekenis in die Wet geheg is, daardie betekenis, en, tensy uit die samehang anders blyk, beteken –

“aangewese klaer” ‘n regsverteenwoordiger wat nie ‘n lid van die raad of ‘n professionele gedragskomitee is nie en wat deur die raad aangestel word om as aanklaer by ‘n bepaalde tugondersoek of by tugondersoeke in die algemeen op te tree;

“geregistreerde persoon” iemand wat kragtens die Wet by die raad geregistreer is;

“gesertifiseerde afskrif” ‘n afskrif van ‘n dokument wat deur ‘n kommissaris van ede as ‘n ware en juiste afskrif van die oorspronklike gesertifiseer is;

“komitee van voorlopige ondersoek” ‘n komitee in regulasie 2(4) bedoel;

“ondersoekliggaam” die raad of ‘n komitee deur die raad aangestel om enige funksies ingevolge hierdie regulasies te vervul;

“professionele gedragskomitee” ‘n komitee in regulasie 2(1) bedoel;

“respondent” ‘n geregistreerde persoon teen wie ‘n klagte van onprofessionele gedrag ingebring word;

“tugondersoek” ‘n ondersoek wat kragtens Hoofstuk III van die Wet en hierdie regulasies gehou word;

"*voorlopige ondersoek*" 'n ondersoek wat ingevolge regulasies 5 – 15 van hierdie regulasies gehou word;

"*voorsitter*" die persoon wat by 'n tugondersoek of voorlopige ondersoek voorsit.

SAMESTELLING VAN 'N PROFESSIONELE GEDRAGSKOMITEE EN 'N KOMITEE VAN VOORLOPIGE ONDERSOEK

2. (1) Behoudens die bepalings van subregulasie (2) bestaan 'n professionele gedragskomitee kragtens artikel 21(7) van die Wet aangestel, uit hoogstens vyf maar nie minder as drie persone wat deur die raad aangewys word en van wie ten minste een persoon 'n lid van die raad en een ander persoon 'n lid van die betrokke beroepsraad is wanneer sodanige beroepsraad ingestel is: Op voorwaarde dat die meerderheid van die lede, lede van die raad en/of betrokke beroepsraad is.

(2) Indien 'n lid van die ondersoekliggaam in enige stadium gedurende 'n tugondersoek te sterwe kom of onbekwaam word om op te tree of weens enige rede afwesig is, word die tugondersoek, indien die oorblywende lede van die ondersoekliggaam 'n meerderheid uitmaak van die lede voor wie dit begin het, voor daardie oorblywende lede voortgesit, en indien daardie oorblywende lede nie so 'n meerderheid uitmaak nie, of indien slegs een lid oorbly, word die tugondersoek van vooraf begin, tensy al die partye by die verrigtinge skriftelik en onvoorwaardelik ooreenkom om die beslissing van die meerderheid van bedoelde oorblywende lede of oorblywende lid as die beslissing van die ondersoekliggaam te aanvaar.

(3) Behoudens die bepalings van subregulasie (2) is die bevinding van die meerderheid van die lede van die ondersoekliggaam die bevinding van die ondersoekliggaam.

(4) 'n Komitee van voorlopige ondersoek kragtens artikel 10 van die Wet ingestel, bestaan, ondanks die bepalings van reël 2(1) van die Reëls afgekondig by Raadskennisgewing 57 van 18 September 1987, uit hoogstens drie lede wat nie ook lede van die professionele gedragskomitee is nie en van wie minstens een lid 'n lid van die raad en een ander lid 'n lid van die betrokke beroepsraad moet wees, wanneer sodanige beroepsraad ingestel is.

(5) Die voorsitter van die komitee van voorlopige ondersoek word deur die raad aangewys, maar indien hy of sy tydens die verrigtinge van die komitee van voorlopige ondersoek afwesig is, wys die komitee 'n voorsitter uit sy midde aan.

(6) Die aanbeveling van die meerderheid van die lede van 'n komitee van voorlopige ondersoek is die aanbeveling van die komitee van voorlopige ondersoek.

PROSES VIR DIE INSTELLING VAN 'N VOORLOPIGE OF 'N TUGONDERSOEK

3. (1) 'n Klagte oor beweerde onprofessionele gedrag teen 'n geregistreerde persoon moet by die registrateur of daartoe gemagtigde amptenaar ingedien word by wyse van –

(a) 'n skriftelike verduideliking deur die persoon wat die klagte inbring;

(b) die voorlegging van enige feite, omstandighede, bewerings of aanduidings wat op enige wyse hoegenaamd tot die raad se kennis gekom het; of

(c) die verwysing van 'n oorkonde of gedeelte daarvan deur 'n geregshof soos in artikel 23 van die Wet bedoel, of enige ander liggaam.

(2) 'n Persoon wat 'n klagte inbring soos in subregulasie (1) bedoel moet 'n bondige uiteensetting gee van die handeling(e) of versuim(e) wat tot die klagte aanleiding gegee het en

moet bereid wees om, indien die raad of sy komitees dit vereis, mondelinge getuienis ter stawing van die klagte by 'n voorlopige- of tugondersoek af te lê.

PROSEDURE NADAT 'N KLAGTE ONTVANG IS

4. (1) Die registrateur, of daartoe gemagtigde amptenaar, moet die klagte wat na die raad toe verwys is in terme van regulasie 3(1) ondersoek.

(2) Die registrateur of daartoe gemagtigde amptenaar kan volgens sy of haar diskresie gedurende sy of haar ondersoek van die klagte, indien hy of sy dit nodig ag –

(a) konsulteer met of nadere inligting aangaande die klagte van enige persoon of organisasie, insluitende die respondent of sy of haar werkgewer inwin;

(b) afskrifte van die dokumente wat van die klaer ontvang is aan die respondent stuur, en die respondent van die aard van sodanige klagte in kennis stel, en hom of haar versoek om binne 21 dae 'n skriftelike verduideliking te verskaf en hom of haar waarsku dat sodanige verduideliking voorsien kan word aan die professionele gedragskomitee en die klaer en dat dit as getuienis gebruik kan word by 'n ondersoek of 'n tugondersoek wat mag volg;

(c) enige persoon wie op redelik gronde vermoed word om in besit te wees van enige inligting of 'n dokument of foto, rekenaarverslag, kontrak, boek, item, artikel, administratiewe of finansiële verslag, rekenaardata, oudio en/of video opname relevant tot die klagte dagvaar, ten einde dit aan die registrateur of daartoe gemagtigde amptenaar beskikbaar te stel voor die datum wat deur die registrateur of daartoe gemagtigde amptenaar in die dagvaarding bepaal is met die doel om in terme van hierdie regulasies die klagte te ondersoek;

(d) regsadvies inwin of enige hulp om die registrateur in staat te stel om sy of haar funksies ingevolge hierdie regulasies te verrig inroep; en

(e) op versoek van die klaer, en in soverre die registrateur regtens daartoe gemagtig is, die klaer van 'n kopie van die respondent se verduideliking voorsien, indien die registrateur of daartoe gemagtigde amptenaar 'n verduideliking van die respondent ontvang het.

(3) Na 'n ondersoek ingevolge die bepalings van subregulasie (4) kan die registrateur of daartoe gemagtigde amptenaar –

(a) indien hy of sy van mening is dat 'n verdere ondersoek ingevolge hierdie regulasies nie gepas sal wees nie, die klaer en die respondent, indien van toepassing, dienooreenkomstig inlig;

(b) indien hy of sy van mening is dat die aangeleentheid vriendskaplik opgelos kan word, 'n ooreenkoms tussen die klaer, respondent en/of enige ander betrokke partye verkry;

(c) indien hy of sy van mening is dat die aangeleentheid nie binne die jurisdiksie van die raad val nie, die aangeleentheid na 'n gepaste liggaam verwys;

(d) indien hy of sy van mening is dat verdere ondersoek ingevolge hierdie regulasies gepas is, die aangeleentheid, met die relevante dokumentasie, na die komitee van voorlopige ondersoek verwys; en

(e) indien hy of sy van mening is dat 'n tugondersoek gepas is die aangeleentheid na die professionele gedragskomitee verwys.

(4) In geval van 'n dispuut tussen die registrateur of die daartoe gemagtigde amptenaar en die klaer en/of respondent, moet die klagte vir verdere ondersoek na die komitee van voorlopige ondersoek verwys word.

VERWYSING NA DIE KOMITEE VAN VOORLOPIGE ONDERSOEK

5. Die komitee van voorlopige ondersoek of die voorsitter van sodanige komitee kan –

(1) konsulteer met of nadere inligting aangaande die klagte van enige persoon of organisasie, insluitende die respondent of sy of haar werkgever inwin;

(2) afskrifte van die dokumente wat van die klaer ontvang is aan die beskuldigde stuur, of die beskuldigde van die aard van sodanige klagte in kennis stel, en hom of haar versoek om binne 21 dae 'n skriftelike verduideliking te verskaf en hom of haar waarsku dat sodanige verduideliking voorsien kan word aan die professionele gedragskomitee en die klaer en as getuienis gebruik kan word by 'n ondersoek of 'n tugondersoek wat mag volg;

(3) enige persoon wie op redelike gronde vermoed word om in besit te wees van enige inligting of 'n dokument of foto, rekenaarverslag, kontrak, boek, item, artikel, administratiewe of finansiële verslag, rekenaardata, oudio en/of video opname relevant tot die klagte, dagvaar of die registrateur gelas om te dagvaar, ten einde dit aan die komitee van voorlopige ondersoek beskikbaar te stel voor die datum wat deur die registrateur of daartoe gemagtigde amptenaar in die dagvaarding bepaal is met die doel om in terme van hierdie regulasies die klagte te ondersoek;

(4) regsadvies inwin of enige hulp om die komitee in staat te stel om sy funksies ingevolge hierdie regulasies te verrig, inroep; en

(5) op versoek van die klaer, en in soverre die komitee regtens daartoe gemagtig is, die klaer van 'n kopie van die respondent se verduideliking voorsien, indien die registrateur of daartoe gemagtigde amptenaar 'n verduideliking van die respondent ontvang het, of in die afwesigheid van sodanige versoek, op sy of haar diskresie.

6. Die komitee van voorlopige ondersoek moet die volgende faktore oorweeg wanneer besluit word of dit gepas is om 'n voorlopige of 'n tugondersoek te hou:

(1) Die aard van die klagte.

(2) Die gevolge van die beweerde onprofessionele gedrag van die respondent vir die klaer, die algemene publiek, die raad, die respondent, die professie en/of enige ander belanghebbende party.

(3) Die kompleksiteit van die onprofessionele gedrag.

(4) Die straf wat die komitee van voorlopige ondersoek van mening is die professionele gedragskomitee kan opleë.

(5) Enige ander aangeleentheid waarna nie hier bo verwys word nie, wat na die mening van die komitee van voorlopige ondersoek die hou van 'n voorlopige of 'n tugondersoek ingevolge die toepaslike regulasies regverdig.

7. Na 'n ondersoek van die klagte, indien nodig, en na oorweging van alle relevante dokumentasie ingevolge regulasie 4(3)(d), kan die komitee van voorlopige ondersoek –

(1) indien dit van mening is dat 'n klagte, selfs al word dit bewys, nie onprofessionele gedrag uitmaak nie of dat die klagte om enige ander rede nie aan 'n ondersoek onderwerp

behoort te word nie, moet die komitee sodanige stappe doen as wat dit goedvind en sodanige stappe aan die raad rapporteer;

(2) indien dit van mening is dat die aangeleentheid vriendskaplik opgelos kan word, 'n ooreenkoms tussen die klaer, respondent en/of enige ander betrokke partye verkry;

(3) indien dit van mening is dat die aangeleentheid nie binne die jurisdiksie van die raad val nie, die aangeleentheid na 'n gepaste liggaam verwys;

(4) indien dit van mening is dat 'n verdere voorlopige ondersoek gehou moet word, die registrateur gelas om 'n ondersoek ingevolge regulasie 8 voor te berei; en

(5) die aangeleentheid vir 'n tugondersoek ingevolge regulasie 16 verwys.

ONDERSOEK DEUR DIE KOMITEE VAN VOORLOPIGE ONDERSOEK

8. Die registrateur moet na ontvangs van die lasgewing bedoel in regulasie 7(4) die respondent by wyse van die kennisgewing bedoel in Aanhangsel A in kennis stel van –

(1) die datum, tyd en plek van die voorlopige ondersoek;

(2) sy of haar reg om persoonlik tydens die voorlopige ondersoek teenwoordig te wees ten einde sy of haar saak aan die komitee van voorlopige ondersoek te stel;

(3) die feit dat hy of sy nie tydens die voorlopige ondersoek op regsverteenvoording geregtig is nie; en

(4) 'n geskrewe uiteensetting wat insluit –

(a) die aard van die klagte;

(b) die gevolge van die beweerde onprofessionele gedrag vir die klaer, die algemene publiek, die raad, die respondent, die professie of enige ander belanghebbende party;

(c) die erns van die beweerde onprofessionele gedrag;

(d) die straf wat die komitee van voorlopige ondersoek voorsien deur die professionele gedragskomitee opgelê mag word; en

(e) enige ander aangeleentheid wat na die mening van die komitee van voorlopige ondersoek die hou van 'n voorlopige of tugondersoek in terme van die gepaste regulasies regverdig en waarna nie hierbo verwys word nie.

9. Die komitee van voorlopige ondersoek, die klaer en die respondent kan die teenwoordigheid versoek van enige persoon of dokumentêre bewys soos uiteengesit in regulasie 5(3) wat op redelike gronde in die assessering van die klagte tydens die voorlopige ondersoek kan help en die betrokke persoon(e) dagvaar of die registrateur versoek om die betrokke persoon(e) te dagvaar.

10. Gedurende hierdie fase sal geen party op regsverteenvoording geregtig wees nie.

11. Die respondent sal daarop geregtig wees om een van die volgende drie opsies uit te oefen:

(1) Indien hy of sy met die inhoud van die uiteensetting waarna in regulasie 8(4) verwys word saamstem, moet hy of sy dit voltooi en in die teenwoordigheid van 'n kommissaris van ede onderteken en aan die komitee van voorlopige ondersoek terugbesorg, voor die datum van die voorlopige ondersoek in geval waarvan die genoemde komitee op die datum waarop sodanige ondersoek geskeduleer is 'n bevinding moet maak en 'n straf wat beperk is tot die straf ingevolge artikel 22(1)(a) van die Wet in ooreenstemming met die uiteensetting moet oplê.

(2) Indien hy of sy nie met die inhoud van die uiteensetting wat aan die kennisgewing aangeheg is saamstem nie en verkies om sy of haar saak aan die komitee van voorlopige ondersoek te stel moet hy of sy persoonlik by die voorlopige ondersoek verskyn om –

(a) geskrewe voorleggings by die komitee van voorlopige ondersoek in te handig; of

(b) mondelinge getuienis te lei; of

(c) betoog voor te dra;

ten einde die inhoud van die uiteensetting te weerlê.

(3) Indien hy of sy verkies dat uitspraak oor die klagte deur die professionele gedragskomitee gelewer moet word, moet hy of sy sodanige versoek skriftelik doen, in welke geval die aangeleentheid op die datum wat vir sodanige ondersoek geskeduleer is na die professionele gedragskomitee verwys moet word.

12. Indien die respondent nalaat om enige van die opsies in regulasie 11 uit te oefen, of nalaat om te reageer op die kennisgewing in regulasie 8 bedoel, kan die komitee van voorlopige ondersoek die aangeleentheid na die professionele gedragskomitee verwys.

13. Geen bevinding gemaak of straf opgelê deur die komitee van voorlopige ondersoek ingevolge 'n uiteensetting, sal 'n vorige skuldigbevinding in enige daaropvolgende ondersoek of 'n klagte teen die respondent ingevolge hierdie regulasies uitmaak nie.

14. Indien 'n komitee van voorlopige ondersoek besluit dat 'n klagte, selfs al word dit bewys, nie onprofessionele gedrag uitmaak nie, of, om enige ander rede, nie aan 'n ondersoek onderwerp behoort te word nie, moet die komitee sodanige stappe doen as wat dit goedvind, en sodanige stappe aan die raad rapporteer.

15. (1) Indien dit vir 'n komitee van voorlopige ondersoek duidelik is dat 'n ondersoek ingevolge regulasie 16 na die gedrag van 'n respondent gehou moet word, moet die komitee die registrateur of daartoe gemagtigde amptenaar soos in regulasie 16 bedoel, gelas om reëlins te tref vir die samestelling van 'n professionele gedragskomitee ingevolge artikel 21(7) van die Wet.

(2) Geen getuienis wat deur die komitee van voorlopige ondersoek ingewin is, met uitsondering van die klagte bedoel in regulasie 3(1) en die inligting of verduideliking verkry ingevolge regulasies 4(2)(a) en (b), word aan 'n professionele gedragskomitee voorgelê nie.

VOORBEREIDENDE PROSEDURES TOT 'N TUGONDERSOEK

16. Nadat 'n lasgewing in regulasies 7(4), 11(3) of 15(1) bedoel, ontvang is, tref die registrateur of daartoe gemagtigde amptenaar reëlins vir die hou van 'n tugondersoek en lê hy of sy die stawende dokumente ter voorbereiding van die klagstaat aan die aangewese klaer voor.

17. (1) Die registrateur of daartoe gemagtigde amptenaar reik 'n dagvaarding wesenlike in die vorm van Aanhangsel B hiervan uit, gerig aan die respondent waarin hy of sy in kennis gestel word –

(a) van die datum, tyd en plek van die tugondersoek;

(b) van die besonderhede van die klagte; en

(c) dat hy of sy skriftelik op die klagte, soos in die dagvaarding uiteengesit, mag antwoord, maar waarin hy of sy terselfdertyd gewaarsku word dat enige sodanige antwoord as getuienis tydens die tugondersoek gebruik kan word; en

(d) watter dokument, foto, rekenaaruitdruk, kontrak, boek, item, artikel, administratiewe of finansiële verslag of rekenaardata wat op die klagte betrekking het na die ondersoek gebring moet word.

(2) Die dagvaarding in subregulasie (1) bedoel, word aan die respondent beteken by sy of haar woonadres of per geregistreerde brief gerig aan sy of haar posadres, of bevestigde faks of elektroniese pos, na gelang van die geval, soos aangeteken in die betrokke register in artikel 19 van die Wet bedoel.

(3) 'n Geregistreerde persoon wat behoorlik ooreenkomstig hierdie regulasie kennis gegee is, moet op die tyd en plek in die dagvaarding vermeld, verskyn, tensy hy of sy die registrateur voor die tugondersoek skriftelik by wyse van 'n brief, deur hom persoonlik onderteken, verwittig het dat hy of sy skuldig pleit op die klagte teen hom of haar.

(4) 'n Persoon bedoel in subregulasie (3) wat behoorlik ooreenkomstig hierdie regulasie kennis gegee is en wat weier of, sonder 'n rede wat vir die ondersoekliggaam aanvaarbaar is, versuim om op die tyd en plek in die dagvaarding vermeld te verskyn, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of, by wanbetaling, gevangenisstraf vir 'n tydperk van hoogstens drie maande, of daardie boete sowel as daardie gevangenisstraf.

PROSEDURE BY 'N TUGONDERSOEK

18. (1) Elke tugondersoek word gehou deur die raad of deur die professionele gedragskomitee.

(2) Indien die dagvaarding in regulasie 17(1) bedoel aan die respondent beteken of versend is soos by regulasie 17(2) voorgeskryf, kan die ondersoekliggaam met 'n tugondersoek voortgaan al is die respondent nie teenwoordig nie.

(3) Indien die respondent teenwoordig is, lees die aangewese klaer die klagte voor soos vervat in die dagvaarding gerig aan die respondent.

(4) (a) Die respondent, indien teenwoordig, word dan deur die voorsitter gevra om skuldig of onskuldig te pleit op die klagte teen hom of haar: Met dien verstande dat indien die respondent voor die tugondersoek die registrateur of daartoe gemagtigde amptenaar skriftelik by wyse van 'n brief deur hom of haar persoonlik onderteken, verwittig het dat hy of sy op die klagte skuldig pleit, sodanige pleit van skuldig in sy of haar afwesigheid as sy of haar pleit aangeteken kan word.

(b) Indien die respondent onskuldig pleit, hoor die ondersoekliggaam getuienis ten opsigte van die klagte aan.

(c) Indien die respondent skuldig pleit, berus dit by die ondersoekliggaam of hy getuienis oor die klagte wil aanhoor of nie.

(d) Indien die respondent weier of in gebreke bly om regstreeks op 'n klagte te pleit, of indien die respondent afwesig is en 'n dagvaarding aan hom of haar beteken of versend is soos in regulasie 17(2) voorgeskryf en hy of sy nie die registrateur of daartoe gemagtigde amptenaar skriftelik verwittig het dat hy of sy skuldig pleit soos bedoel in paragraaf (a) nie, maak die voorsitter 'n aantekening daarvan en teken hy of sy voorts 'n pleit van onskuldig namens die respondent aan, en 'n pleit aldus aangeteken, het dieselfde gevolg asof dit inderdaad aldus gepleit is.

(5) (a) Waar getuienis ten opsigte van 'n klagte aangebied moet word omdat die respondent onskuldig gepleit het of die ondersoekliggaam besluit het dat getuienis aangebied moet word, word die aangewese klaer die geleentheid gegee om sy of haar saak uiteen te sit en daarna getuienis ter stawing daarvan te lei.

(b) Na beeëndiging van sodanige getuienis is die aangewese klaer se saak gesluit.

(6) (a) Indien die respondent teenwoordig is of deur 'n regsverteenwoordiger verteenwoordig word, word hy of sy of sy of haar regsverteenwoordiger die geleentheid gegee om sy of haar saak uiteen te sit en daarna getuienis ter stawing daarvan te lei.

(b) Indien die respondent afwesig is en hy of sy ook nie verteenwoordig word nie, word enige skrywe, verklaring, verduideliking of verweer wat hy of sy voorgelê het na aanleiding van 'n versoek kragtens regulasie 4(b) of na aanleiding van die dagvaarding uitgereik kragtens regulasie 17(1), of albei, aan die ondersoekliggaam voorgelees en as getuienis ontvang.

(c) Nadat die respondent of sy of haar regsverteenwoordiger sy of haar getuienis gelei het of in die plek daarvan, sy of haar skriftelike uiteensetting, verklaring, verduideliking of verweer voorgelees is, is sy of haar saak gesluit.

(7) Indien die ondersoekliggaam dit raadsaam ag dat verdere getuienis aangevoer word ten einde die ondersoekliggaam in staat te stel om tot 'n regverdige beslissing te kom, kan hy toelaat dat verdere getuienis gelei word deur óf die aangewese klaer óf die respondent óf sy of haar regsverteenwoordiger óf albei partye nadat hulle sake reeds gesluit is.

(8) Nadat alle getuienis afgelê is, word die aangewese klaer toegelaat om die ondersoekliggaam toe te spreek oor die getuienis en die regsposisie, en dit word toegelaat afgesien daarvan of die respondent getuienis gelei het of nie.

(9) Daarna word die respondent of sy of haar regsverteenwoordiger, indien teenwoordig, insgelyks toegelaat om die ondersoekliggaam toe te spreek.

(10) Die ondersoekliggaam kan na goedgevondenheid die aangewese klaer toelaat om repliek te lewer.

19. (1) Lede van die ondersoekliggaam kan, met die toestemming van die voorsitter, sodanige vrae aan getuies tydens getuienislewering of kruisondervraging stel as wat hulle relevant ag.

(2) (a) (i) Nadat 'n getuie getuig het, is die teenparty of sy of haar regsverteenwoordiger geregtig om die getuie te kruisvra.

(ii) Net so is die respondent, indien hy of sy verkies om getuienis af te lê, en enige getuie wat deur of namens hom of haar opgeroep word om te getuig, onderworpe aan kruisondervraging deur die aangewese klaer nadat hy of sy getuienis gelewer het.

(b) Indien getuienis gelei is, is die persoon wat die getuienis gelei het daarop geregtig om die getuie na kruisondervraging te herondervra, maar hy of sy moet sy of haar herondervraging beperk tot aangeleenthede voortspruitende uit kruisondervraging of uit die vrae gestel deur die voorsitter of lede van die ondersoekliggaam.

20. In 'n geval waar die respondent teenwoordig is en die klaer nie teenwoordig is nie maar 'n beëdigde verklaring ingedien het, kan die respondent of sy of haar regsvertegenwoordiger antwoord op die beëdigde verklaring ten einde die ondersoekliggaam in staat te stel om die aangeleentheid te behandel soos wat nodig is.

21. (1) Alle mondelinge getuienis word onder eed of bevestiging afgelê en die ondersoekliggaam kan weier om die getuienis toe te laat rakende 'n dokument waar die persoon wat die getuienis moet lewer nie vir kruisondervraging teenwoordig is nie, of wat weier om hom of haar daaraan te onderwerp.

(2) (a) Die verklaring van die klagte gedoen deur 'n klaer of getuie wat nie persoonlik teenwoordig is nie, moet in die vorm van 'n beëdigde verklaring wees, maar die respondent kan teen sodanige getuienis beswaar maak indien hy of sy nie in die geleentheid gestel word om die klaer of getuie te kruisvra nie: Met dien verstande dat waar die verklaring of klagte gegrond is op die oorkonde van 'n wetlike ingestelde hof, 'n afskrif van sodanige oorkonde as weerlegbare getuienis aanvaar moet word indien dit as 'n ware afskrif gesertifiseer is of indien albei partye ooreengekom het om dit te aanvaar.

(b) Indien dit uitvoerbaar is en regverdig blyk, kan die ondersoekliggaam die ondersoek uitstel ten einde die getuie wie se getuienis in sodanige oorkonde verskyn, vir doeleindes van kruisondervraging te dagvaar.

22. (1) Na afloop van die saak moet die ondersoekliggaam alleen daaroor beraadslaag sonder die teenwoordigheid van enige persone wat die verhoor bygewoon het.

(2) Indien die respondent onskuldig bevind word aan die klagte teen hom of haar, word hy of sy so gou as wat redelik moontlik is dienooreenkomstig in kennis gestel.

(3) Indien die ondersoekliggaam met betrekking tot 'n klagte vasgestel het dat voldoende feite tot sy tevredenheid bewys is om sodanige klagte te staaf, moet hy besluit of die gedrag wat die onderwerp is van die klagte aldus gestaaf, onprofessionele gedrag uitmaak, en moet hy sy bevinding in hierdie verband bekend maak.

(4) Na bekendmaking van 'n bevinding, soos in subregulasie (3) bedoel, of nadat die respondent skuldig gepleit het en die ondersoekliggaam besluit het dat geen getuienis gelei word nie, moet die aangewese klaer bewys aanvoer van vorige skuldigbevindings van die respondent ingevolge die Wet indien enige sodanige skuldigbevindings voorheen teen hom of haar aangeteken is.

(5) (a) (i) Bewys van vorige skuldigbevindings ingevolge die Wet moet aangevoer word deur middel van 'n sertifikaat uitgereik onder die hand van die registrateur.

(ii) Sodanige sertifikaat moet die klagte aangee wat indertyd teen die respondent ingebring is, asook die bevinding, die datum daarvan en die opgelegde straf.

(b) Die respondent het die reg om die korrektheid van sodanige sertifikaat te betwis, in welke geval 'n gesertifiseerde afskrif van die notule van sodanige vorige

tugondersoek voorgelê moet word, of indien sodanige notule reeds vernietig is, 'n gesertifiseerde afskrif van die relevante gedeelte uit die betrokke register in artikel 19 van die Wet bedoel.

(6) Die voorsitter gee aan die aangewese klaer die geleentheid om vertoë te rig in verband met die oplegging van 'n gepaste straf.

(7) Die voorsitter gee dan aan die respondent of sy of haar regsverteenwoordiger, indien teenwoordig, die geleentheid om die ondersoekliggaam ter versagting van die straf wat opgelê staan te word, toe te spreek en getuienis ter versagting te lei of te lewer.

(8) Na verdere beraadslaging alleen, sonder die teenwoordigheid van enige persone wat die verhoor bygewoon het, lê die ondersoekliggaam sodanige straf op as waarop hy besluit.

(9) Waar die professionele gedragskomitee 'n respondent skuldig bevind, rapporteer die professionele gedragskomitee sy bevinding aan die raad en reël hy verder dat die vereistes van subregulasie (10) nagekom word.

(10) (a) Indien 'n geregistreerde persoon 'n straf kragtens artikel 22(1) van die Wet opgelê word, moet sodanige straf op skrif gestel en deur die voorsitter onderteken word en moet die registrateur die respondent en klaer daarvan in kennis stel.

(b) Die registrateur kan nadat 'n geregistreerde persoon van sy of haar straf in kennis gestel is, sy of haar naam en die straf aldus opgelê is in die Staatskoerant laat publiseer.

23. (1) Indien aanbevelings wat met klagtes teen meer as een respondent verband hou aan die voorsitter van die professionele gedragskomitee voorgelê word soos bedoel in regulasie 15(1), en die voorsitter in sy of haar diskresie van oordeel is dat –

(a) 'n duplisering van tugondersoeke vermy of beperk kan word deur 'n gelyktydige verhoor van twee of meer van sodanige respondente; en

(b) nie een van sodanige respondente deur so 'n gelyktydige tugondersoek benadeel behoort te word nie, kan hy of sy gelas dat sodanige klag of klagtes teen sodanige respondente, gelyktydig verhoor word.

(2) Die voorsitter by 'n gelyktydige tugondersoek bedoel in subregulasie (1), pas die bepalings van regulasies 18 tot 22 toe op die basis dat elke verwysing daarin na die respondent of sy of haar regsverteenwoordiger, beurtelings op die respondente toegepas word, in die volgorde deur die voorsitter bepaal.

(3) (a) 'n Respondent kan te eniger tyd voor of tydens 'n gelyktydige tugondersoek aansoek doen vir 'n afsonderlike verhoor.

(b) Indien die ondersoekliggaam van oordeel is dat die betrokke respondent goeie gronde vir sodanige skeiding van die tugondersoek aangetoon het, word die verrigtinge wat daardie respondent betref, opgeskort en word die betrokke respondent daarna van vooraf verhoor deur 'n ondersoekliggaam saamgestel uit ander lede.

(4) Indien die ondersoekliggaam dit raadsaam ag, kan die skeiding van 'n tugondersoek bedoel in subregulasie (3) plaasvind op die basis dat twee of meer van die respondente gesamentlik van vooraf verhoor word.

24. (1) (a) In geval van 'n gemeenskaplike relevantheid van feite of omstandighede tussen twee of meer tugondersoeke, dien geen lid van enige ondersoekliggaam by meer as een van sodanige tugondersoeke nie.

(b) Indien sodanige gemeenskaplikheid tydens die verloop van 'n tugondersoek na vore tree, en dit verder blyk dat dieselfde lid by meer as een van sodanige tugondersoeke wat reeds daadwerklik 'n aanvang geneem het dien, en die omstandighede sodanig is dat hy of sy moontlik beïnvloed mag word deur die verrigtinge by een tugondersoek ten opsigte van sy of haar siening betreffende 'n ander, word die betrokke verrigtinge by elke sodanige tugondersoek, opgeskort en vind tugondersoeke van vooraf plaas voor 'n ondersoekliggaam bestaande uit verskillende lede.

(2) Die bepalings van hierdie regulasie word nie so uitgelê dat dit 'n gelyktydige verhoor, bedoel in regulasie 23, belet nie.

25. (1) Die verrigtinge by 'n tugondersoek is vir die publiek toeganklik: Met dien verstande dat –

(a) enige besluit van die ondersoekliggaam ten opsigte van enige aangeleentheid wat in verband met of gedurende 'n ondersoek ontstaan, alleen, sonder die teenwoordigheid van persone wat die verhoor bygewoon het, geneem kan word;

(b) enige getuienis voorgelê gedurende 'n tugondersoek by voorlegging van gegronde redes in die diskresie van die ondersoekliggaam alleen, sonder die teenwoordigheid van enige persone wat die verhoor bygewoon het, aangehoor kan word;

(c) die ondersoekliggaam by voorlegging van gegronde redes in sy diskresie kan beveel dat niemand te eniger tyd en op enige wyse enige inligting wat die identiteit van 'n bepaalde persoon, uitgesonderd die respondent, waarskynlik aan die lig sal bring, openbaar maak nie.

(2) Iemand wat 'n bevel kragtens subregulasie (1) uitgereik oortree of versuim om dit na te kom, is aan 'n misdryf skuldig en by skuldigbevinding in 'n geregshof strafbaar met 'n boete van hoogstens R1000.

DAGVAARDING

26. (1) 'n Dagvaarding uitgereik ingevolge die regulasies deur die registrateur of 'n komitee van voorlopige ondersoek aan 'n persoon om as 'n getuie by enige ondersoek of verhoor te verskyn of om 'n boek, dokument of verslag by enige ondersoek of verhoor te lewer, moet wesenlike wees in die vorm van Aanhangsel C tot hierdie regulasies.

(2) 'n Dagvaarding verwys na in subregulasie (1) sal op die getuie by sy of haar woon- of werkadres beteken word, of aan hom of haar by sy of haar woon-, werk- of posadres per voorafbetaalde geregistreerde brief gestuur word, of per bevestigde faks of elektroniese pos.

(3) Die gelde betaalbaar aan 'n getuie wat ingevolge subregulasie (1) gedagvaar is sal wees in ooreenstemming met die tarief van toepassing op kriminele sake in 'n landdroshof.

(4) Indien getuies op versoek van die respondent gedagvaar word, kan die registrateur van die respondent 'n deposito wat voldoende is om die uitgawe wat betrokke is te dek, verlang.

HERROEPING

27 (1) Regulasies ingevolge die Wet op Maatskaplike Werk, 1978, gepubliseer as Goewermenskennisgewing R. 3026 in Staatskoerant 12919 van 28 Desember 1990, soos gewysig deur Goewermenskennisgewings R. 3214 in Staatskoerant 14225 van 27 November 1992 en R. 1516 in Staatskoerant 15954 van 9 September 1994 word herroep.

(2) 'n Tugondersoek kragtens regulasies in subregulasie (1) bedoel wat onmiddellik voor die inwerkingtreding van hierdie regulasies daadwerklik 'n aanvang geneem het voor die

raad of 'n tugkomitee van die raad soos saamgestel kragtens regulasie 2 van daardie regulasies, word kragtens die prosedures by daardie regulasies voorgeskryf, gevoer en afgehandel asof daardie regulasies nie herroep is nie.

INWERKINGTREDING

Hierdie regulasies tree in werking op die datum van publikasie daarvan.

Aanhangsel A

SUID-AFRIKAANSE RAAD VIR MAATSKAPLIKE DIENSBEROEPE

VORM VAN KENNISGEWING AAN 'N RESPONDENT OM VOOR 'N KOMITEE VAN
VOORLOPIGE ONDERSOEK INGEVOLGE REGULASIE 8 VAN DIE REGULASIES
BETREFFENDE ONDERSOEKE RAKENDE BEWEERDE ONPROFESSONELE GEDRAG
TE VERSKYN

Aan:
..... (naam en adres van respondent)

U word hierby aangesê om op die dag van 20..... om
(tyd) te (plek) voor die Komitee van Voorlopige Onderzoek
van die S A Raad vir Maatskaplike Diensberoepe te verskyn.

U word hiermee in kennis gestel van u reg om u saak aan die bogenoemde Komitee voor
te lê. 'n Kopie van die uiteensetting soos in regulasie 8(4) bedoel is hierby aangeheg as
Bylae A.

Ingevolge regulasies 9 en 10 van die *Regulasies rakende beweerde onprofessionele
gedrag* mag u die teenwoordigheid versoek van enige persoon of die verskaffing van
dokumentêre bewys wat op redelike gronde in die assessering van die klagte kan help
en die Registrateur versoek om die betrokke persoon(e) te dagvaar. U is egter nie op
regsverteenvoordiging geregtig nie.

As u verkies dat u brief gedateer (of enige verdere skriftelike mededeling wat
u wil indien) as u verduideliking of verweer moet dien, geliewe die Registrateur van die S
A Raad vir Maatskaplike Diensberoepe dienoooreenkomstig en nie later as ... in kennis te
stel. U word hierby gewaarsku dat enige sodanige mededeling as getuienis by die
voorlopige ondersoek of enige ander daaropvolgende tugondersoek gebruik kan word.

In u eie belang word u aangeraai om by die voorlopige ondersoek te verskyn tensy u
voor die datum daarvan skuldig pleit op die klagte soos aangedui in die uiteensetting
wat as Bylae A hierby aangeheg is, deur die genoemde dokument in die teenwoordigheid
van 'n Kommissaris van Ede te onderteken en aan die Registrateur terug te stuur.

Geliewe kennis te neem dat, indien u die uiteensetting teken, die straf wat ingevolge
regulasie 11(1) opgelê kan word, beperk is tot 'n berisping of 'n waarskuwing.

Gegee onder my hand op hede die dag van
20.....

.....
REGISTRATEUR

SUID-AFRIKAANSE RAAD VIR MAATSKAPLIKE DIENSBEROEPE

VORM VAN DAGVAARDING AAN 'N RESPONDENT INGEVOLGE REGULASIE 17 VAN
DIE REGULASIES BETREFFENDE ONDERSOEKE RAKENDE BEWEERDE
ONPROFESSIONELE GEDRAG OM TE VERSKYN VOOR DIE PROFESSIONELE
GEDRAGSKOMITEE

Dagvaarding

Aan:
..... (naam en adres van respondent)

U word hierby aangesê om op die dag van (tyd) te
..... (plek) voor die S A Raad vir Maatskaplike Diensberoepe of 'n
professionele gedragskomitee van die S A Raad vir Maatskaplike Diensberoepe te
verskyn waartydens 'n tugverhoor gehou sal word ten einde ondersoek in te stel na die
volgende klagte wat teen u aanhangig gemaak is:

.....
.....

U word verder gelas om ingevolge regulasie 17(1)(d) die volgende items saam te bring:

.....
.....

Ingevolge artikel 21(6) van die Wet op Maatskaplike Diensberoepe, 1978 (Wet nr 110 van 1978), is u daarop geregtig om of self of deur u regsverteenwoordiger,* tydens die tugondersoek op die klagte te antwoord en u verdediging aan te voer. U is daarop geregtig om getuies te roep, maar u moet self hulle teenwoordigheid by die tugondersoek verseker tensy u vooraf kragtens regulasie 26 met die Registrateur gereël het om sodanige getuies te dagvaar.

As u sonder 'n aanvaarbare rede versuim om by die tugondersoek te verskyn, maak u uself skuldig aan 'n oortreding van regulasie 17(4) van die Regulasies betreffende ondersoeke rakende beweerde onprofessionele gedrag, gelees met artikel 28(3) van Wet 110 van 1978, en is u by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of, gevangenisstraf vir 'n tydperk van hoogstens drie maande. Die ondersoekliggaam kan dan ook in u afwesigheid voortgaan met die tugondersoek en uitspraak lewer.

As u verkies dat u brief gedateer (of enige verdere skriftelike mededeling wat u wil indien) as u verduideliking of verweer moet dien, geliewe my dienooreenkomstig so spoedig moontlik en nie later as in kennis te stel. U word hierby gewaarsku dat enige sodanige mededeling as getuienis by die tugondersoek gebruik kan word.

In u eie belang word u aangeraai om by die tugondersoek te verskyn tensy u voor die datum daarvan per brief deur u persoonlik onderteken, gerig aan die Registrateur, skuldig pleit op die klagte.

Gegee onder my hand op hede die Dag van 20.....

.....
REGISTRATEUR

* Regsverteenwoordiger beteken 'n advokaat of 'n prokureur

Aanhangsel C

SUID-AFRIKAANSE RAAD VIR MAATSKAPLIKE DIENSBEROEPE

VORM VAN DAGVAARDING OM TE VERSKYN VOOR:

1. DIE S A RAAD VIR MAATSKAPLIKE DIENSBEROEPE;
2. DIE REGISTRATEUR OF DAARTOE GEMAGTIGDE AMPTENAAR VAN DIE RAAD;
3. 'N KOMITEE VAN VOORLOPIGE ONDERSOEK VAN DIE RAAD; OF
4. DIE PROFESSIONELE GEDRAGSKOMITEE VAN DIE RAAD.

Aan:

 (naam en adres van die persoon wat gedagvaar word)

U word hierby aangesê om op die dag van 20
 (tyd) te (plek) te verskyn voor die van die Raad,
 ingestel ingevolge die Wet op Maatskaplike Diensberoepe, 1978 (Wet 110 van 1978) en
 word gelas om saam met u te bring (spesifiseer die boek, dokument of
 oorkonde)

Versuim om sonder genoegsame rede aan hierdie getuiedagvaarding gehoor te gee, is 'n
 misdryf en die oortreder is by skuldigbevinding strafbaar met 'n boete soos bepaal in
 artikel 51(2) van die *Wet op Landdroshowe*, 1944 (Wet No 32 van 1944).

Gegee onder my hand op hede die dag van 20.....

.....
 REGISTRATEUR

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
 Publications: Tel: (012) 334-4508, 334-4509, 334-4510
 Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504
 Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737
 Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001
 Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510
 Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504
 Subskripsies: Tel: (012) 334-4735, 334-4736, 334-4737
 Kaapstad-tak: Tel: (021) 465-7531