



## Powers and Duties of Council

In the exercise of its powers and the performance of its duties, the Council—

(1) with regard to administrative matters—

- (a) must, with the concurrence of the Minister and the Minister of Finance, appoint, remunerate and determine conditions of service of the Registrar and such other persons employed by the Council as the Council considers necessary for the performance of its functions, and determine their functions;
- (b) must determine where its head office must be situated;
- (c) must determine the manner of convening meetings and the procedure at meetings of the Council and any committee, the quorum for committee meetings and the manner in which minutes of all meetings must be kept;
- (d) may print, circulate, sell, finance and administer the publication of, and generally take any steps necessary to publish any publication relating to the planning profession and related matters; and
- (e) must prescribe the procedure for the cancellation, or suspension of the registration of a person registered in terms of this Act;

(2) with regard to registration of persons under section 13—

- (a) must, subject to the provisions of this Act, consider and decide on any application for registration;
- (b) must keep and maintain a register of registered persons, which must at all reasonable times be open for inspection by any member of the public;
- (c) must decide upon the form of the register and registration certificates to be issued, the reviewing thereof and the manner in which alterations thereto may be effected; and
- (d) must within 90 days of its first meeting, or within such extended period as the Minister may approve, prescribe the manner in which any person must apply for registration and the qualifications necessary for such application;

(3) with regard to fees—

- (a) must prescribe the application, registration and annual fees payable to the Council by the different categories of registered persons, or the portion of such annual fees which is payable in respect of any part of a year, as well as the date on which any fee or portion thereof is payable;
- (b) may grant exemption from payment of application fees, registration fees, annual fees or a portion thereof;
- (c) must determine the fees, or any part thereof, payable to the Council in respect of any assessment referred to in section 13 (4), conducted by or on behalf of the Council;
- (d) must prescribe the fees payable in respect of the lodging of an appeal with the Appeal Board and the copying or transcription of records of a disciplinary tribunal; and
- (e) may determine any other fee it considers necessary;

(4) with regard to education and training—

- (a) must consult with the South African Qualifications Authority established by the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995), or any body established by it and the voluntary associations, to determine competency standards for the purpose of registration in terms of the National Qualifications Framework;
- (b) must conduct accreditation visits to any educational institution which has a department, school or faculty of planning, at least once in five years, and if the Council does not conduct an accreditation visit within the five-year period, it must notify the Minister accordingly;
- (c) may grant, conditionally grant, refuse or withdraw the accreditation of educational programmes with regard to planning;
- (d) must deal with matters pertaining to education and training in consultation with the Council on Higher Education established in terms of the Higher Education Act, 1997 (Act No. 101 of 1997);
- (e) may establish mechanisms for registered persons to gain recognition of their qualifications and professional status in other countries;
- (f) may liaise with the relevant National Standards Body established in terms of Chapter 3 of the Regulations under the South African Qualifications Authority Act, 1995;

(g) may enter into an agreement with any person or body, within or outside the Republic of South Africa, with regard to the recognition of any examination or qualification for the purposes of this Act;

(h) may advise or assist any educational institution, voluntary association or examining body with regard to educational facilities for and the training of registered persons and prospective registered persons;

(i) must prescribe the procedure for any assessment for the purposes of section 13 (4) of this Act; and

( j ) must facilitate the provision of continuing education and training;

(5) with regard to finance—

(a) must collect all moneys due to the Council;

(b) may invest funds of the Council;

(c) may raise loans for the purpose of effectively performing its functions;

(d) may, with a view to the promotion of any matter relating to the planning profession, lend money against such security as the Council considers adequate;

(e) may mortgage any of its immovable property as security for any loan referred to in paragraph (c);

( f ) may undertake fund-raising activities including conferences, production and sale of merchandise and publications;  
and

(g) may open, operate and close such current or savings bank accounts with a registered commercial bank as it may require to effectively perform its functions and duties;

(6) in general—

(a) may acquire or lease such movable or immovable property as it considers necessary for the effective performance of its functions and let, sell or otherwise dispose of property acquired;

(b) must decide upon the manner in which contracts must be entered into on behalf of the Council;

(c) may advise the Minister or any other minister on any matter relating to the planning profession;

(d) may take any steps which it considers necessary for the protection of the public in their dealings with registered persons, for the maintenance of the integrity, the enhancement of the status and the improvement of the standards of services rendered by those persons;

(e) may take any steps which it considers necessary to create an awareness amongst registered persons of the importance of protecting the environment against unsound planning practices;

( f ) must consider and give its final decision on recommendations of a committee of the Council;

(g) may from time to time insure, through a registered insurer, against any risk to which the Council, its members, its employees or registered persons may be exposed;

(h) may do anything necessary for the proper performance of its functions or to achieve the objectives of this Act;

(i) must obtain the Minister's prior written approval, which may be granted subject to such reasonable conditions as he or she may impose, before—

(i) investing funds, borrowing or lending money or entering into any lease, whether as lessor or lessee, if the period of the transaction will be longer than 12 months, and the value exceeds an amount prescribed by the Minister from time to time by publication of an appropriate notice in the Gazette; and

(ii) acquiring, other than as a lessee, or disposing of or encumbering immovable property, irrespective of its value; and

( j ) must invest its funds only in registered financial institutions considered appropriate by the Department of the National Treasury.