
BOARD NOTICES

BOARD NOTICE 149 OF 2009

Engineering Council of South Africa (ECSA)

APPEALS AGAINST DECISIONS OF ECSA

The Engineering Council of South Africa, hereby makes known that, in terms of Section 36(3) of the Engineering Profession Act, 2000 (Act No. 46 of 2000), it has amended the Rules as set out in the Schedule regarding procedures for appeal against decision of the Council referred to in Section 24 of the Act, as set out in the Schedule to this notice.

SCHEDULE

Definitions

1. In these rules, unless the context otherwise indicates –
 - (i) "Act" means the Engineering Profession Act, 2000;
 - (ii) "appeal committee" means a committee constituted in terms of rule 6;
 - (iii) "appellant" means an applicant contemplated in section 24(1) of the Act;
 - (iv) "chief executive officer" means the person appointed as chief executive officer under section 8(1)(a) of the Act;
 - (v) "Council" means the Engineering Council of South Africa established by section 2 of the Act.

Lodging of an Appeal

2. An appellant who intends to lodge an appeal in terms of section 24(1) of the Act, must do so within 30 days from the date on which the refusal to register him or her, or the cancellation of his or her registration, came to his or her knowledge, by lodging the appeal in the manner prescribed by these rules with the chief executive officer and paying the prescribed fee.
3. Such appeal must be in writing and must set out the grounds for the appeal and all relevant arguments, information and documentation in support thereof;
4. The chief executive officer may grant extension of time for the lodging of an appeal for reasons that he/she deems sufficient.
5. The chief executive officer must, within 14 days after receipt of the appeal and the prescribed fee, submit the appeal, together with all documentation lodged with the appeal, to the relevant committee from which the first recommendation to refuse an application, or the decision to cancel the registration emanated, and request such committee to examine the grounds for the appeal and furnish its comments to the chief executive officer within 21 days after receipt of the request from the chief executive officer.