

DEPARTMENT OF SOCIAL DEVELOPMENT

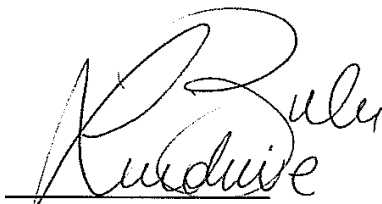
NO. R. 2618

14 October 2022

SOCIAL SERVICE PROFESSIONS ACT, 1978
(Act No. 110 OF 1978)FEES PAYABLE BY SOCIAL WORKERS, CHILD AND YOUTH CARE WORKERS,
SOCIAL AUXILIARY WORKERS, AUXILIARY CHILD AND YOUTH CARE
WORKERS, STUDENT SOCIAL WORKERS, STUDENT SOCIAL AUXILIARY
WORKERS, STUDENT CHILD AND YOUTH CARE WORKERS AND STUDENT
AUXILIARY CHILD AND YOUTH CARE WORKERS AMENDMENT REGULATIONS

I, Lindiwe Zulu, Minister of Social Development, has in terms of Sections 12(1)(a), 17(2) (b), 17C (3) (c), 17C(2A)(b), 17D(3), 18A(5), 18A (6) (b), 18B (2) (b), 20(3) and 28 (1) (a) of the Social Service Professions Act, (Act No. 110 of 1978), on the recommendation of the South African Council for Social Service Professions make the Regulations as set out in the Schedule.

Interested persons are invited to submit substantiated written comments on the amended regulation to the Minister of Social Development, Private Bag X901, Pretoria 0001 or 134 Pretorius Street, Pretoria, 0001 (for the attention of Ms Galeboe Rapoo) or by email to Professionalsupport@dsd.gov.za within **30 days from the date of publication** of this Notice in the Government Gazette



MS L. ZULU, MP
MINISTER OF SOCIAL DEVELOPMENT

DATE: 22.08.2022

SUBMISSION FOR PUBLIC COMMENTS**SOCIAL SERVICE PROFESSIONS ACT, 1978
(Act No. 110 OF 1978)**

FEES PAYABLE BY SOCIAL WORKERS, CHILD AND YOUTH CARE WORKERS, SOCIAL AUXILIARY WORKERS, AUXILIARY CHILD AND YOUTH CARE WORKERS, STUDENT SOCIAL WORKERS, STUDENT SOCIAL AUXILIARY WORKERS, STUDENT CHILD AND YOUTH CARE WORKERS AND STUDENT AUXILIARY CHILD AND YOUTH CARE WORKERS AMENDMENT REGULATIONS.

SUB- REGULATIONCOMMENTED ON (indicate specific sub- regulationcommented on)	PROPOSAL (provide a clear proposal on how the particular sub-regulation should be amended)	MOTIVATION (provide detailed motivation for the proposed amendment)

- [] Words in bold type in square brackets indicate omissions from existing enactments.
Words underlined indicate insertions in existing enactments.

SCHEDULE

AMENDMENT OF REGULATION 1

1. Regulation 1 of the Regulations in terms of the Social Service Professions Act, 1978 (Act No 110 of 1978) ("The Regulations") is hereby amended as follows:
 - (a) by the substitution of the definitions for the following:

"Financial Year" means a year ending 31 March of every year;

'Reference Number' means a unique identifier assigned to any financial transaction that will enable Council to identify the person making a payment and allocate such payment against that person's name;

'The Act' means 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 dictates;

'The Regulations' means Regulations made in terms of sections 17(2) (b), 17C (3) (c), 18A (6) (b), 18B (2) (b) and 28 (1) (a) of the Act, regarding fees payable by Social Workers, Child and Youth Care Workers, Social Auxiliary Workers, Auxiliary Child and Youth Care Workers, Student Social Workers, Student Social Auxiliary Workers, [and] Student Child and Youth Care Workers and Student Auxiliary Child and Youth Care Workers;

AMENDMENT OF REGULATION 2

2. Regulations 2 of the Regulations is hereby amended:-
 - (a) by the substitution of Regulation 2 in its entirety for the following:

“(a) The following fees shall be paid to the Council by Social Workers and Child and Youth

Care Workers:

Classification category and service	Current fees	Proposed fees
(i) Registration fee by applicants who obtained their qualifications at a training institution in the Republic of South Africa.	[R245.00]	<u>R262.00</u>
(ii) Additional levy in the case of paragraph (a)(i) for a registration that is requested to be finalised within three working days.	[R117.00]	<u>R325.00</u>
(iii) Registration fee by applicants who obtained their qualifications at a training institution outside the Republic, in a SADC country.	[R1,807.00]	<u>R1,934.00</u>
(iv) Registration fee by applicants who obtained their qualifications at a training institution outside the Republic in countries other than those mentioned in paragraph (a)(iii).	[R3,555.00]	<u>R3,804.00</u>
(v) Re-registration fee by a person whose registration has been suspended in terms of section 22(1)(b) of the Act.	[R750.00]	<u>R803.00</u>
(vi) Re-registration fee by a person whose registration has been cancelled in terms of section 22(1)(c) of the Act.	[R263.00]	<u>R803.00</u>
(vii) Annual fee, subject to regulation 3.	[R466.00]	<u>R500.00</u>
(viii) [Fee] <u>Registration and annual fee</u> for the restoration of the name of a person whose name has been removed from the register in terms of section 20(3) of the Act.	[R233.00]	<u>R762.00</u>
(ix) Registrar's fine for fees paid after 31 March, <u>subject to section 20(1)(d) of the Act.</u>	[R434.00]	<u>R465.00</u>
(x) Examination fee for the purpose of an examination of a person who obtain a qualification outside the Republic in terms of section 17D (3).	[R1000.00]	<u>R1,2340.00</u>
(xi) Examination fee for the purpose of an examination of a person who obtain a qualification inside the Republic in terms of section 18A (5).	[R1250.00]	<u>R1,340.00</u>
(xii) Administrative fee additional to the fees prescribed in paragraphs (a) (i), (iii), (iv), (v), (vi) and (vii) for	[R200.00]	<u>R214.00</u>

Classification category and service	Current fees	Proposed fees
the re-assessment of an application that needs to be re-submitted due to insufficient Information.		

- (b) The following fees shall be paid to the Council for registering a speciality in terms of section 17C of the Act:

Classification category and service	Current fees	Proposed Fees
(i) Assessment fee.	[R840.00]	<u>R900.00</u>
(ii) Registration fee.	[R233.00]	<u>R262.00</u>
(iii) Re-registration fee by a person whose registration of the speciality has been suspended in terms of section 22(1)(b) of the Act.	[R750.00]	<u>R803.00</u>
(iv) Re-registration fee by a person whose registration of the speciality has been cancelled in terms of section 22(1)(c) of the Act.	[R263.00]	<u>R803.00</u>
(v) Annual fee, subject to regulation 3.	[R466.00]	<u>R500.00</u>
(vi) [Fee] Registration and annual fee for the restoration of the name of a person whose name has been removed from the register in terms of section 20(3) of the Act.	[R222.00]	<u>R762.00</u>
(vii) Registrar's fine for fees paid after 31 March, <u>subject to section 20(1)(d) of the Act.</u>	[R456.00]	<u>R488.00</u>
(viii) Examination fee for speciality in terms of section 17C(2A) (b) of the Act.	[R900.00]	<u>R1,340.00</u>
(ix) Administrative fee additional to the fees prescribed in paragraphs (b)(i), (ii), (iii) and (v) for the re-assessment of an application that needs to be re-submitted due to insufficient Information.	[R200.00]	<u>R214.00</u>

- (c) The following fees shall be paid to the Council by student social workers and student child and youth care workers:

Classification category and service	Current fees	Proposed Fees
(i) Registration fee before 31 March of the first year of study.	[R228.00]	<u>R262.00</u>

Classification category and service	Current fees	Proposed Fees
(ii) Re-registration fee by a person whose registration has been suspended in terms of section 22(1)(b) of the Act.	[R250.00]	<u>R803.00</u>
(iii) Re-registration fee by a person whose registration has been cancelled in terms of section 22(1)(c) of the Act.	[R250.00]	<u>R803.00</u>
(iv) Fee for the restoration of the name of a person whose name has been removed from the Register in terms of section 20(3) of the Act.	[R222.00]	<u>R262.00</u>
(v) Administrative fee additional to the fees prescribed in paragraphs (c)(i), (ii), (iii) and (iv) for the re-assessment of an application that needs to be re-submitted due to insufficient Information.	[R150.00]	<u>R214.00</u>

- (d) The following fees shall be paid to the Council by social auxiliary workers and auxiliary child and youth care workers:

Classification category and service	Current fees	Proposed Fees
(i) Registration fee by applicants who obtained their qualifications at a training institution in the Republic of South Africa.	[R228.00]	<u>R262.00</u>
(ii) Additional levy in the case of paragraph (d)(i) for a registration, which is requested to be finalised within three working days.	[R117.00]	<u>R325.00</u>
(iii) Registration fee by applicants who obtained their qualifications at a training institution outside the Republic, in a SADC country	[R1224.00]	<u>R1,310.00</u>
(iv) Registration fee by applicants who obtained their qualifications at training institutions outside the Republic in countries other than those mentioned in paragraph (a)(iii).	[R2,331.00]	<u>R2,495.00</u>
(v) Registration fee by a person whose registration has been suspended in terms of section 22(1)(b) of the Act	[R500.00]	<u>R803.00</u>
(vi) Registration fee by a person whose registration has been cancelled in terms of section 22(1)(c) of the Act	[R246.00]	<u>R803.00</u>

Classification category and service	Current fees	Proposed Fees
(vii) Annual fee, subject to regulation 3	[R233.00]	<u>R250.00</u>
(viii) [Fee] registration and annual fee for the restoration of the name of a person whose name has been removed from the register in terms of section 20(3) of the Act.	[R233.00]	<u>R512.00</u>
(ix) Registrar's fine for fees paid after 31 March, <u>subject to section 20(1)(d) of the Act</u>	[R228.00]	<u>R245.00</u>
(x) Examination fee for the purpose of an examination of a person who obtain a qualification outside the Republic in terms of section 17D(3)	[R1200.00]	<u>R1,340.00</u>
(xi) Examination fee for the purpose of an examination of a person who obtain a qualification inside the Republic in terms of section 18A(5)	[R900.00]	<u>R1,340.00</u>
(vi) Administrative fee additional to the fees prescribed in paragraphs (d)(i), (iii), (iv), (v), <u>(vi)</u> , [(vii)] and (viii) for the re-assessment of an application that needs to be re-submitted due to insufficient Information.	[R200.00]	<u>R214.00</u>

- (e) The following fees shall be paid to the Council by student social auxiliary workers, student auxiliary child and youth care workers and learner auxiliary child and youth care workers:

Classification category and service	Current fees	Proposed Fees
(i) Registration fee before 31 March of the first year of study	[R216.00]	<u>R262.00</u>
(ii) Re-registration fee by a person whose registration has been suspended in terms of section 22(1)(b) of the Act	[R233.00]	<u>R803.00</u>
(iii) Re-registration fee by a person whose registration has been cancelled in terms of section 22(1)(c) of the Act	[R233.00]	<u>R803.00</u>
(iv) Fee for the restoration of the name of a person whose name has been removed from the Register in terms of section 20(3) of the Act	[R210.00]	<u>R262.00</u>
(v) Administrative fee additional to the fees prescribed in paragraphs (e)(i), (ii), [and] (iii), <u>and (iv)</u> for the	[R200.00]	<u>R214.00</u>

Classification category and service	Current fees	Proposed Fees
re-assessment of an application that needs to be re-submitted due to insufficient Information		

- (f) The following fees pertaining to Continuing Professional Development (CPD) activities shall be paid to the Council:

Classification category and service	Current fees	Proposed fees from Public Comments
(i) Fees for the approval of a CPD activity offered to practitioners at no cost to the practitioner.	[R117.00]	<u>R150.00</u>
(ii) Fees for the approval of a CPD activity offered to practitioners at a specified registration fee or cost to the practitioner.	[R583.00]	<u>R800.00</u>
(iii) Administrative fee for the re-assessment of an application in terms of paragraphs (f)(i) or (ii) that needs to be re-submitted due to insufficient Information	[R200.00]	<u>R214.00</u>

- (g) The following miscellaneous fees shall be paid to the Council:

Classification category and service	Current fees	Proposed fees from Public Comments
(i) Fee for a duplicate registration certificate	[R257.00]	<u>R275.00</u>
(ii) Fee for inspection of the register (per occasion)	[R257.00]	<u>R275.00</u>
(iii) Fee for the issue of an extract from the register (per page)	[R525.00]	<u>R562.00</u>
(iv) Fee for certificate of status of good standing	[R630.00]	<u>R675.00</u>
(v) Additional levy in the case for any <u>express service</u> which is requested to be finalised within three working days	[R117,00]	<u>R325.00</u>

- h) The **[annual]** fees referred to in paragraphs (a)**[(vii)]**, (b)**[(v)]**, **(c)**, (d)**[(vii)]** and (e)**(iv)]** and (e) shall be payable subject to the following -

- (i) annual fees in terms [subject to the provisions] of sub-regulation (a)**(vii)**, (b)**(v)** **[(c)]** and (d)**(vii)** are payable **[be paid]** on or before 1 January of every year;

- (ii) in the case of a person who is registered for the first time as a social worker; **[or]** a social auxiliary worker, **[and]** child and youth care worker or auxiliary child and youth care worker; or a person registering a speciality in terms of the Act, **[, be calculated pro rata for the period extending from the first day of the month during which he or she is registered to the end] the registration fee and annual fee is payable in full for [of]** the financial year concerned before such person's name is entered in the register;
- (iii) in the case of a person who applies for re-registration in terms of section 22(4) of the Act, the registration fee and annual fee is payable in full for the financial year concerned before such person's name is entered in the register; [or]
- (iv) in the case of a person who applies for re-registration in terms of section 22(5) of the Act, the registration fee and annual fee is payable in full for the financial year concerned before such person's name is entered in the register; or
- (v) in the case of a person whose name is restored in terms of section 20(3) of the Act to a register referred to in section 19(1) of the Act **[, be calculated pro rata for the period extending from the first day of the month during which the person's name is restored to the register, to the end of the financial year concerned and] the restoration fee and annual fee must be paid in full for the financial year concerned** before such person's name is re-entered or restored to the register; provided that: in the case of a person who has failed to pay any money in terms of section 20(1)(d) of the Act and such person has proceeded to practice, **[as a social worker or child and youth care worker]** the annual fee be paid in full for the current financial year, and **[all the]** outstanding financial years **[if]** he or she practiced, before such person's name can be restored to the register concerned; **[and]**
- (vi) be payable for the financial year(s) following the publication of these Regulations and shall apply to all persons irrespective of the date of publication; and
- (vii) The fees referred to in these Regulations include Value Added Tax.

AMENDMENT OF REGULATION 3

3. Regulations 3 of the Regulations is hereby amended:-

(a) by the substitution of Regulation 3 in its entirety for the following:

“RESERVATION

3. Notwithstanding the provisions of paragraphs (a)(vi), (b)(iv) and (d)(vi) of Regulation 2 –

(a) Any person who attains the age of 65 years on 1 [2nd] January [in terms of section 28(4)(a)] and [in the course of a financial year attains the age of 65 years on or before 31 March of that financial year] who is not full-time employed or continue to be full time employed, shall be exempted from the payment of annual fees in terms of section 28(4)(a) of the Act for the following financial years [year], if such application reach Council annually on or before 30 November [and shall re-apply annually for the renewal of the exemption status]; provided that if such a person being exempted from payment of annual fees becomes full time employed after he or she has been exempted, he or she must declare the employment status and pay the full annual fees for the financial year concerned.

(b) The following persons registered with Council who has applied in writing to Council for exemption from payment of the annual fee, shall be exempted from the payment of such annual fee for the following financial year, subject to the conditions determined in these regulations, and by Council, and that such an application reach Council annually on or before 30 November for the following financial year -

(i) a person who does not practice his or her profession because of health reasons; or

(ii) a person who has been unemployed for a period of three consecutive months or longer, subject to the submission of the following with his or her application:

(aa) written proof that he or she is unemployed for a period of three consecutive months or longer;

(bb) an affidavit completed at the South African Police Service on a prescribed form that he or she is not employed, nor has any form of income;

(iii) a person contemplated in sub-paragraphs (i) and (ii) shall re-apply annually for the renewal of the exemption status.

[Any person who in the opinion of Council does not practice the profession because of health reasons or he or she is registered with Council at a professional or auxiliary level, or who has been unemployed for a period of three consecutive months or longer, subject to the submission of written proof on or before the annual fee is payable, and who has applied in writing to Council for exemption from payment of the annual fee, shall for the period and on the conditions determined by the Council, be exempted from the payment of annual fees for the following financial year; provided that in the case of a person who is unemployed, s/he provides proof to Council in the form of an affidavit completed at the South African Police Service on a prescribed form that he or she is not employed, nor has any form of income.]

- (c) Any person, other than a person mentioned in paragraphs (a) and (b), who in the course of a financial year ceases to practise the profession on or before 31 March of that financial year, and who applies in writing to the Council on or before 30 November for partial exemption from payment of the annual fee, shall pay only an amount which is calculated to be fifty (50) percent of the annual fee payable.
- (d) Any person who qualifies for an exemption in terms of paragraphs (b) and (c) is not allowed to practice the profession that he or she is registered for and must before re-entering the profession inform Council in writing of such intention, and shall pay within thirty (30) days, the **[outstanding pro rata]** annual fee for the financial year during which he or she resume practice, after which such exemption shall fall away.

AMENDMENT OF REGULATION 4A

4. Regulations 4A of the Regulations is hereby amended:-

- (a) by the substitution of Regulation 4A in its entirety for the following:

“METHOD OF PAYMENT

4A (1) Fees and fines referred to these Regulations may be paid to the Council—

- (a) by cash deposited over the counter at the bank into the Council's bank account;
 - (b) by Internet transfer or other electronic banking means, provided that the payment is made into the Council's bank account; or
 - (c) by any other method made available by the Council from time to time.
- (2) In respect of any payment mentioned in sub-regulation (1), the correct reference number to identify the person who made the payment must be supplied. A person registered with the Council shall use his or her registration number as social worker, child and youth care worker, social auxiliary worker, auxiliary child and youth care worker, student social worker, student child and youth care worker, student social auxiliary worker or student auxiliary child and youth care worker; and any other person shall use his or her allocated reference number.
- (3) The Council will publish a list of the valid transaction type codes mentioned in sub-regulation (2) **[3]** on its website, which may be revised from time to time according to the Council's requirements.
- (4) Payments that cannot be correctly allocated because of failure to comply with sub-regulation (2) **[(3)]** will be regarded as not received in time if there is a deadline by which the payment is due.
- (5) A payment contemplated in sub-regulation (4) shall be kept in a separate account until such time the person who made the payment is identified for a period not exceeding three years, where after, the fee will be regarded as un-allocated and recognised as other income in relation to the operations of Council. This will apply *mutatis mutandis* regarding unidentified fees receive prior to the date of the publication of these regulations.
- (6) Organisations wishing to make a single bulk payment in respect of annual fees of two or more persons must first contact the Registrar regarding the necessary arrangements to ensure that the payment is correctly allocated to the organisation and that the Registrar can correctly sub-allocate the various amounts to the persons for whom the payments are made.
- (7) Payments made will only be considered to have been paid on time if the item appears with correct reference number on the Council's bank statement with a transaction date before or on the due date for payment.

A person paying by Internet or other electronic banking must consider the banking rules pertaining to the transaction date that will apply to such payment."

AMENDMENT OF REGULATION 5

5. Regulations 5 of the Regulations is hereby amended:-

(a) by the deletion of the year 2021 and the words youth care workers as follows:

" SHORT TITLE

These regulations are called the Fees payable by social workers, child and youth care workers, social auxiliary workers, auxiliary child and youth care workers, student social workers, student child and youth care workers, student social auxiliary workers and student auxiliary child and youth care workers 2021 Amendment Regulation."
