

South African Institute of Physics



By-laws

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Chapter 1

The Membership

1.1 Ordinary members

- (a) The application for Ordinary membership shall be submitted on the Council-approved prescribed form. The application shall be seconded by two Voting members in good standing. Certified copies of all degree certificates shall be submitted with the application.
- (b) The application is subject to approval by the Council.
- (c) The membership subscription fee shall be proposed by the Council and approved at the Annual General Meeting and is referred to as the Standard Rate.

1.2 Honorary members

- (a) The nomination of an Honorary member shall be recommended to an Electoral College upon a resolution to this effect by the Council, due notice of the nomination having been given at a previous Council meeting by a member of the Council or a past President or an Honorary member. The nomination shall be accompanied by a substantial motivation.
- (b) The Electoral College shall consist of the Council and any three past Presidents and any three Honorary members.
- (c) Election shall be by secret ballot in a manner and by the date prescribed by the Council.
- (d) The ballots shall be opened by the Secretary and two Scrutineers who are appointed by the Council, and only properly marked ballots shall be counted.
- (e) To secure election more than half of the total number of members of the Electoral College must exercise their vote in favour of the nomination.
- (f) The membership subscription fee is waived.

1.3 Fellows

- (a) The nomination of a Fellow shall be recommended to an Electoral College upon a resolution to this effect by the Council, due notice of the nomination having been given at a previous Council meeting by a member of the Council or a past President or a Fellow. The nomination shall be accompanied by a substantial motivation.

- (b) The Electoral College shall consist of the Council and any three past Presidents and any three Fellows.
- (c) Election shall be by secret ballot in a manner and by the date prescribed by the Council.
- (d) The ballots shall be opened by the Secretary and two Scrutineers who are appointed by the Council, and only properly marked ballots shall be counted.
- (e) To secure election more than half of the total number of members of the Electoral College must exercise their vote in favour of the nomination.
- (f) The membership subscription fee is set at the Standard Rate unless the Retired membership subscription fee or the Life membership subscription fee applies, or unless the individual is an Honorary member. Under exceptional circumstances, the membership subscription fee may be waived by the Council.
- (g) All de Beers Gold Medal award winners shall be elected Fellows.

1.4 Life members

- (a) The application for Life membership shall be submitted on the Council-approved prescribed form.
- (b) The application is subject to approval by the Council.
- (c) The membership subscription fee is waived.

1.5 Retired members

- (a) The application for Retired membership shall be submitted on the Council-approved prescribed form.
- (b) The application is subject to approval by the Council.
- (c) The membership subscription fee is set at 25% of the Standard Rate, appropriately rounded off to the nearest Rand.

1.6 Student members

- (a) The application for Student membership shall be submitted on the Council-approved prescribed form. The application shall be seconded by the applicant's Head of Department or equivalent designate. Certified copies of all degree certificates and/or documentation proving the student status of the applicant shall be submitted with the application.
- (b) The application is subject to approval by the Council.
- (c) The membership subscription fee is set at 20% of the Standard Rate, appropriately rounded off to the nearest Rand.

1.7 Associate members

- (a) The application for Associate membership shall be submitted on the Council-approved prescribed form which shall include a detailed motivation for membership and a description of the individual's involvement in or interest in Physics. The application shall be seconded by two Voting members in good standing. Certified copies of all qualification certificates shall be submitted with the application.

- (b) The application is subject to approval by the Council.
- (c) The membership subscription fee is set at 30% of the Standard Rate, appropriately rounded off to the nearest Rand.

1.8 Corporate members

- (a) The application for Corporate membership shall be submitted on the Council-approved prescribed form.
- (b) The application is subject to approval by the Council.
- (c) The membership subscription fee is set at 1500% of the Standard Rate.

1.9 Professional Physicist

- (a) Any member who meets the criteria stated in these by-laws may apply for Professional Physicist status.
- (b) The professional membership subscription fee shall be proposed by Council and approved at the Annual General Meeting.
- (c) Initial Certification: Each candidate shall:
 - i. Apply and qualify to be a full member of SAIP and maintain his/her membership while certified;
 - ii. Abide by the SAIP code of conduct;
 - iii. Advance his/her competence through Continuous Professional Development (CPD); and
 - iv. Meet physics-related experience requirements as set out below.
- (d) Physics-related experience: Work experience will be considered physics-related if it uses physics directly, or if it significantly utilizes physics modes of thought such as the approach to problem-solving developed in physics education and/or derived from experience in working as a physicist, regardless of whether the experience is in academia, industry, government, or elsewhere. This includes management of physics-related work, supervision of physics-related post graduate student work, and the teaching of physics. Evaluation of physics-related experience shall be based on the following criteria:
 - i. practical experience;
 - ii. management skills, where applicable;
 - iii. understanding of the social implications of physics and the need for ethical conduct.
- (e) For the purposes of the maintenance of the professional certification, work in any field that is physics-related will contribute to points for qualifying for the CPD.
- (f) Reference letters and proof of experience:
 - i. Each candidate shall provide the names of two people who are in a position to confirm that the candidate has the experience necessary to qualify as a professional physicist;
 - ii. The two referees shall provide written reports summarizing the candidates skills, technical competence, ability to apply physics principles or modes of thought, and management skills where applicable;

- iii. One of the referees shall be a member of the SAIP ; and
- iv. Each candidate shall submit a detailed *curriculum vitae* with proof of experience.

(g) Extension of Certification and CPD:

- i. The Professional Physicist Certification shall be renewed on application every five years. Years are accumulated from the date of certification;
- ii. Continuous Professional Development (CPD) shall run in 5-year cycles, during which period each certified physicist shall be required to accumulate a minimum of 25 credits in order to retain certification;
- iii. In any one year, the certified physicist shall be required to accumulate a minimum of 5 credits;
- iv. Extra credits earned in any one year may be carried over to the subsequent year or years of the five year cycle;
- v. In the final year of this five year period, the candidate may apply for an extension of certification;
- vi. A minimum of 25 credits shall be attained accumulatively over the five year period;
- vii. The CPD credits shall be obtained in at least two of the three categories listed below;
- viii. The maximum number of credits, which may be accumulated annually in each category is indicated below;
- ix. Evidence of CPD activities must be attached to the application for Extension of Certification.

(h) Professional Physicists shall ensure a balance in their CPD activities according to 19(g)(vii) above between the following three categories:

Category	Description	Maximum Credits Per Year	Credits Calculation
Category 1:	Developmental Activities	4 credits	= 40 hours (10hrs/credit)
Category 2:	Work-based activities:		
	• Work within Speciality Field	2 credits	= 800 hours (400hrs/credit)
	• Mentoring of students and/or trainees	1 credit	= 50 hours (50hrs/credit)
Category 3:	Individual Activities:		
	• Membership of a recognised voluntary association	1 credit	(not linked to hours)
	• Other activities	3 credits	30 hours (10hrs/credit)

Category 1: Developmental Activities: Attendance of structured educational or physics-related developmental meetings (offered by recognised or accredited tertiary or research institutions) will be credited with one credit per 10 hours (= 1 full day) or half credit per 5 hours (= half day) of attendance. A maximum of 4 credits (40 hours) may be accumulated annually under this category. Examples of such activities are;

- i. Conferences
- ii. Congresses
- iii. Workshops
- iv. Lectures
- v. Seminars
- vi. Refresher courses
- vii. Colloquia

Category 2: Work-based Activities: One credit for every 400 hours per year for Speciality Field related work including management is awarded for this category. A maximum of two credits for 800 hours per year may be earned under this category.

In addition, the mentoring of trainees, students or physicists in the workplace will be recognised as CPD with a maximum of 1 credit for 50 hours of mentoring per year. In-house skills training sessions organised by an employer/company and career guidance for candidates may also be presented under this category.

Category 3: Individual Activities: Membership of a SAIP recognised voluntary association and work within ones speciality field (society, institution or institute) will result in a maximum of 1 credit per annum. Other activities include and will be credited as follows:

- i. Part-time lecturing to undergraduate and/or postgraduate students: one credit for every 10 hours of lecturing.
- ii. Supervision of student(s) undertaking postgraduate studies (if not claimed in Category 2): 2 credits per year.
- iii. Oral examinations of final year and postgraduate students: 1 credit for every 10 hours of active involvement.
- iv. Evaluation of Masters Dissertations and PhD theses by external examiners: 2 credits per year.
- v. Evaluation of final year students by external examiners: 1 credit per year.
- vi. Publication of research in peer-reviewed journals: 1 credit per publication.
- vii. Publication of technical articles: 1 credit per article published.
- viii. Papers presented at conferences or congresses, oral or poster presentations: 1 credit each.
- ix. Participation in statutory, professional, institutional, technical or non-technical committees or task groups: one credit for every 10 hours of active participation.
- x. Development of material for Teaching, Training, Management related, Policy related, News related issues: 1 credit per module/article.
- xi. Evaluation of educational programmes at Universities and Universities of Technology for accreditation purposes: 1 credit for every 10 hours of active involvement.
- xii. Evaluation of competence and applications for registration for SAIP's Professional Standards Committee: 1 credit for every 10 hours of active involvement.

- xiii. Relevant additional qualifications through a completed postgraduate qualification: 5 credits.
- xiv. Self-study which includes, but is not restricted to studying of journals or electronic or computerised material, one credit for every 10 hours of study. All activities under this item shall be verified.

A maximum of 3 credits (30hours) may be accumulated under this category, with the exception stated above for post graduate studies.

- (i) The Professional Standards Committee will review the evidence provided for Initial Certification or Extension of Certification.
 - i. If the evidence is not substantial enough, the Professional Standards Committee will request the member, through the Executive Office, to provide the required evidence.
 - ii. If satisfactory evidence is not provided, the Professional Standards Committee may refuse to certify the member.
 - iii. The member may appeal the decision of the Professional Standards Committee to refuse certification as Professional Physicist by writing to the Executive Officer.

The Professional Standards Committee will consider appeals. The decision of the Professional Standards Committee is final for one year after which it is made. A new application for Initial Certification or for Extension of certification may be made in the following year, supported by the evidence required.

1.10 Benefits of Ordinary members, Honorary members, Fellows, Life members and Retired members

Any member in good standing from the above categories:

- (a) May vote at General Meetings of the membership or Special Meetings of the membership;
- (b) Is entitled to receive notices, announcements and publications of the Institute;
- (c) May be elected to the Council and/or any Structure of the Council and/or any Division and/or any Forum, and may vote in such elections; and
- (d) Is entitled to all further benefits as determined by the Council.

1.11 Benefits of Student members

Any Student member in good standing:

- (a) May attend General Meetings of the membership or Special Meetings of the membership;
- (b) Is entitled to receive notices, announcements and publications of the Institute;
- (c) May be elected to any Structure of the Council and/or any Division and/or any Forum, and may vote in such elections; and
- (d) Is entitled to all further benefits as determined by the Council.

1.12 **Benefits of Associate members**

Any Associate member in good standing:

- (a) May attend General Meetings of the membership or Special Meetings of the membership;
- (b) Is entitled to receive notices, announcements and publications of the Institute;
- (c) May be elected to any Structure of the Council and/or any Division and/or any Forum, and may vote in such elections; and
- (d) Is entitled to all further benefits as determined by the Council.

1.13 **Benefits of Corporate members**

Any Corporate member:

- (a) May attend General Meetings of the membership or Special Meetings of the membership;
- (b) Is entitled to receive notices, announcements and publications of the Institute;
- (c) Is entitled to all further benefits as determined by the Council; and

With the approval of the Council, may:

- (d) Communicate with the membership on a Physics-related matter(s), including sending advertisements and recruitment information;
- (e) Network with the membership on a Physics-related matter(s);
- (f) Commission work of the Institute on a Physics-related matter(s) at a preferential rate determined by the Council;
- (g) Advertise in any Institute publication at a preferential rate determined by the Council;
- (h) Set up a booth or place advertising materials at any Institute-affiliated meeting or conference at a preferential rate determined by the Council;
- (i) Display its corporate logo and URL on the Institute webpage; and
- (j) Utilise the support and services of the Institute at a preferential rate determined by the Council in the pursuit of its Physics-related interests.

Chapter 2

Election of the Council

- 2.1 The Council election is managed by the Secretary, who acts as the Council Electoral Officer.
- 2.2 The procedures for the election of the Council may be conducted by remote means.
- 2.3 A notice calling for nominations for all vacant positions on the Council shall go out to all Voting members a minimum of 12 weeks before the Annual General Meeting at which the newly elected Council is to take office.
- 2.4 Nominations shall be requested for the following positions:
 - (a) Secretary
 - (b) Treasurer
 - (c) President-Elect, and
 - (d) four Ordinary members of the Council.
- 2.5 An individual may be nominated under more than one category.
- 2.6 All nominations shall be made on the Council approved nomination form and shall be proposed and seconded by way of signature only by Voting members of good standing. The nominee shall provide:
 - (a) a brief manifesto,
 - (b) a brief resumé, and
 - (c) an acceptance of the nomination by way of signature.
- 2.7 Completed nomination forms shall be received by the Secretary a minimum of 8 weeks before the Annual General Meeting.
- 2.8 Only valid nominations shall be accepted.
- 2.9 The ballots shall go out to all Voting members a minimum of 6 weeks before the Annual General Meeting.
- 2.10 All ballots shall be received by the Secretary a minimum of 2 weeks before the Annual General Meeting.
- 2.11 The ballots shall be opened by the Secretary and two Scrutineers who are appointed by the Council, and only properly marked ballots shall be counted.

2.12 If the individual attaining the highest number of votes is unable to take up the position, then a vacancy shall be declared in which case Clause 3.12 of the Constitution shall apply.

Election of the President

2.13 The President-Elect shall become the President in the term immediately following his/her current term. If the President-Elect is unavailable to take up the position of President in the next term or if there is no incumbent in the position of President-Elect, then the President in the next term shall be elected by the membership in accordance with Clauses 2.1-2.13 of the By-laws governing Council elections.

Election of the Divisional Representative

2.14 The Secretary shall manage an internal election process from amongst the Divisional Chairpersons to elect the Divisional Representative on the Council.

Election of the Student Representative

2.15 The Secretary shall manage an internal election process from amongst the Forum Student Representatives and the Divisional Student Representatives to elect the Student Representative on the Council.

Co-option of additional members of the Council

2.16 The Council may co-opt:

- (a) The immediate-past President; and
- (b) Up to three additional Ordinary members of the Council from amongst the Voting members of the Institute.

Announcement of the election results

2.17 The election results shall be announced by the President at the Annual General Meeting.

Chapter 3

Divisions and Forums

Terms of Reference for Divisions

- 3.1 The associated membership of the Division shall comprise those members of the Institute who have indicated the corresponding Division as representing either their primary or secondary field of research specialization.
- 3.2 The Divisional Executive Committee shall:
 - (a) be elected from amongst its associated membership in a formal and transparent election process managed by the out-going Divisional Executive Committee. The election shall take place once every two years, and shall alternate with elections for the Council;
 - (b) draw up its own specific list of Tasks and Goals;
 - (c) maintain its own website, which shall be linked to the Institute website;
 - (d) consult and communicate widely with its associated membership; shall keep its associated membership informed of activities and opportunities in its field of endeavour; shall make a special effort to increase its associated membership;
 - (e) be called upon by the Council to respond to specific queries by the scientific community, industry, government or society; may be commissioned to undertake studies and/or investigations on behalf of the Council;
 - (f) engage with Industry in promoting Physics in the industrial setting;
 - (g) actively promote its sub-discipline in the country, shall participate in various public understanding of physics initiatives, shall have information on its website that is of relevance to high school students of physics;
 - (h) facilitate visits of international researchers/lecturers to institutions in South Africa;
 - (i) raise funds for special projects, such as awards, competitions, etc.;
 - (j) organize specialist conferences, workshops and schools; shall seek funding from both local and international sources for such meetings;
 - (k) be responsible for the academic programme of the parallel symposia and/or meeting(s) at the annual Institute conference; shall play an active role in ensuring that an appropriately high academic standard is maintained; shall choose the symposia chairpersons carefully and ensure that time allocations are adhered to and that sufficient time is left for discussions;

- (l) make a special effort at attracting established, senior South African physicists in their field of specialisation to participate in the conference and the activities of the Division with the expectation that these individuals will play a mentoring role for the younger members and students; and
- (m) build collaborations with international bodies, commissions or committees representing their interests.

Terms of Reference for Forums

3.3 The associated membership of the Forum shall comprise those members of the Institute who have indicated the corresponding Forum as representing their interest.

3.4 The Forum Executive Committee shall:

- (a) be elected from amongst its associated membership in a formal and transparent election process managed by the out-going Forum Executive Committee. The election shall take place once every two years, and shall alternate with elections for the Council;
- (b) draw up its own specific list of Tasks and Goals;
- (c) maintain its own website, which shall be linked to the Institute website;
- (d) consult and communicate widely with its associated membership; shall keep its associated membership informed of activities and opportunities in its field of endeavour; shall make a special effort to increase its associated membership;
- (e) be called upon by the Council to respond to specific queries by the scientific community, industry, government or society; may be commissioned to undertake studies and/or investigations on behalf of the Council;
- (f) engage with Industry in promoting Physics in the industrial setting;
- (g) actively promote its interest in the country, shall participate in various public understanding of physics initiatives, shall have information on its website that is of relevance to high school students of physics;
- (h) facilitate visits of international researchers/lecturers to institutions in South Africa;
- (i) raise funds for special projects, such as awards, competitions, etc.;
- (j) organize specialist conferences, workshops and schools; shall seek funding from both local and international sources for such meetings;
- (k) be responsible for the academic programme of the parallel symposia and/or meeting(s) at the annual Institute conference; shall play an active role in ensuring that an appropriately high academic standard is maintained; shall choose the symposia chairpersons carefully and ensure that time allocations are adhered to and that sufficient time is left for discussions;
- (l) make a special effort at attracting established, senior South African physicists to participate in the conference and the activities of the Forum with the expectation that these individuals will play a mentoring role for the younger members and students; and

- (m) build collaborations with international bodies, commissions or committees representing their interests.

Chapter 4

The Executive Office

- 4.1 The South African Institute of Physics Executive Office, hereafter referred to as the Executive Office, is the executive and administrative arm of the Institute.
- 4.2 The mission of the Executive Office is to support the Institute in being the voice of Physics in South Africa.
- 4.3 An important goal of the Executive Office is to solicit and implement donor- and grant-funded projects that promote the role of Physics in education, research, health, the environment, technology and sustainable economic development, thereby enhancing the influence of Physics in South Africa while ensuring that the Institute operates as a world class Physics professional body with a sustainable business footing.
- 4.4 The Executive Office shall be headed by the Executive Officer, who shall be accountable to the Council, and who shall act under instruction of the Council. The Executive Officer shall:
 - (a) be in attendance at Council meetings;
 - (b) submit a written report to each meeting of the Council;
 - (c) provide strategic financial management and budgets for the Executive Office;
 - (d) provide full financial reporting of the Executive Office to each Council meeting;
 - (e) serve on the Council Audit and Risk Committee;
 - (f) arrange an annual strategic planning meeting with the Council Executive;
 - (g) seek support and approval from the Council Executive for all major decisions;
 - (h) endeavour to keep the Council Executive fully informed of all developments of direct relevance to the Executive Office;
 - (i) provide management and leadership of all staff within the Executive Office under his/her authority;
 - (j) maintain authority and control of all assets of the Executive Office; and
 - (k) generally support the Council in its role of furthering the goals of the Institute.

4.5 The major functions and services of the Executive Office are to:

General

- (a) Provide executive and administrative support to the Council, and its Committees, Task Teams and Working Groups, as well as to the Forums and Divisions of the Institute;
- (b) Administer the day-to-day affairs of the Institute;
- (c) Provide a postbox for the Institute;
- (d) Provide policy advice and advocacy on Physics related matters.

Project Management Services

- (a) Identify Physics project opportunities for the Institute;
- (b) Formulate, submit and follow up on Institute project proposals and business plans;
- (c) Manage, implement and monitor Institute projects; and
- (d) Report to Council on the status of all current and proposed projects.

Institute Conferences, Seminars and Meetings

- (a) Standardize and co-ordinate the annual Institute conference; and
- (b) Provide general events management and logistical services for Institute meetings, seminars, conferences, etc.

Maintaining National and International Networks

- (a) Forge links between universities, national facilities, industry and commerce;
- (b) Maintain a database of Physics grant providers, sources of scholarships and research funds; and
- (c) Keep members informed of Physics opportunities and developments, e.g. bursaries, workshops, conferences, policy matters, etc.
- (d) Provide an interface between the Institute and donors, government and the international community;
- (e) Maintain a database of national Physics stakeholders, e.g. Physics departments, National Facilities, Heads of Departments, etc.; and
- (f) Maintain a database of international Physics stakeholders and relevant institutions such as international Physical Societies, International Council for Science (ICSU), International Union for Pure and Applied Physics (IUPAP), etc.

Membership Matters

- (a) Receive membership applications or queries;

- (b) Maintain a database of the membership; and
- (c) Devise strategies for increasing the membership of the Institute.

Physics Marketing and Public Understanding

- (a) Market Physics, increase the public awareness of Physics and enhance the public understanding of Physics in society;
 - (b) Increase the understanding of Physics training for jobs in industry and commerce; and
 - (c) Communicate the availability of jobs in Physics to schools, universities and the community-at-large.
- 4.6 The Executive Officer and all staff employed within the Executive Office shall abide by the Code of Conduct as prescribed in the By-laws; may be reprimanded, suspended or dismissed by the Council if he/she is found to be guilty of being in breach of the Code of Conduct by an independent tribunal of peers established by the Council.
- 4.7 In the event that there is overlap between the duties of the Secretary and the duties of the Executive Office, then the division of labour shall be determined by the Council.

Chapter 5

Awards

Gold Medal Award

- 5.1 The award is in the form of a Gold Medal with the design as determined by the Council in consultation with the sponsor.
- 5.2 The award is made for outstanding achievements in any of the following facets of any branch of Physics: research, education, technology and industrial development. As the highest standards are applied, the award is intended to be the greatest distinction that is conferred in South Africa for achievements in Physics.
- 5.3 The award or, in exceptional cases, two awards shall be conferred every second year. The award cannot be divided and only one award shall be made to any one person. No award will be made if there is no suitable candidate.
- 5.4 All Voting members shall be invited to nominate physicists for the award. The submission shall consist of a full Curriculum Vitae of the nominee, accompanied by a substantial motivation that must describe the fields of activity in Physics in which the nominee has excelled, what his/her actual contributions are and the standards by which these contributions have been measured. Nominees must have been normally resident in South Africa up to the closing date set by the Council for the receipt of nominations. Only work done by a South African citizen or South African resident shall be considered for this award. The work must have been done in South Africa or during a temporary visit abroad.
- 5.5 The Council Awards Committee shall adjudicate on the nominations; may consult outsiders on the merits of the nominees for the award; shall recommend to the Council with a full motivation a single candidate for the award or, in exceptional cases, two candidates or no candidates.
- 5.6 The Council shall accept or reject the recommendation by a simple vote; has the right to refer the nominations back to the Council Awards Committee for reconsideration.
- 5.7 The announcement of the Gold Medal award winner, the reading of the citation, the presentation of the medal and the medal certificate, shall take place at the dinner held in conjunction with the annual conference in the year in which the medal is awarded.

Silver Jubilee Medal Award

- 5.8 The award in the form of a Silver Medal, with a design as determined by the Council, commemorates the Silver Jubilee Year of the Institute.
- 5.9 The award shall be made for the outstanding achievements by a young physicist in any of the following facets of any branch of Physics: research, education, technology and industrial development. Awards shall be made to persons who are less than 35 years old on the closing date for the receipt of nominations. Allowance for career interruptions may be made for a maximum of eight additional years.
- 5.10 The award or, in exceptional cases, two awards shall be conferred every second year. The award cannot be divided and only one award shall be made to any one person. No award will be made if there is no suitable candidate.
- 5.11 All Voting members shall be invited to nominate physicists for the award. The submission shall consist of a full Curriculum Vitae of the nominee, accompanied by a substantial motivation that must describe the fields of activity in Physics in which the nominee has excelled, what his/her actual contributions are and the standards by which these contributions have been measured. Nominees must have been normally resident in South Africa up to the closing date set by the Council for the receipt of nominations. Only work done by a South African citizen or South African resident shall be considered for this award. The work must have been done in South Africa or during a temporary visit abroad.
- 5.12 The Council Awards Committee shall adjudicate on the nominations; may consult outsiders on the merits of the nominees for the award; shall recommend to the Council with a full motivation a single candidate for the award or, in exceptional cases, two candidates or no candidates.
- 5.13 The Council shall accept or reject the recommendation by a simple vote; has the right to refer the nominations back to the Council Awards Committee for reconsideration.
- 5.14 The announcement of the Silver Medal award winner, the reading of the citation, and the presentation of the medal and medal certificate, shall take place at the dinner held in conjunction with the annual conference in the year in which the medal is awarded.
- 5.15 The Silver Medal award may be augmented by a cash prize as determined by the Council.
- 5.16 The name of the donor(s) and/or sponsor(s) together with a brief inscription may be emblazoned on the medal certificate.

Chapter 6

Code of Conduct

6.1 Aim

- (a) To promote the image of the South African professional physicist and South Africa physics locally and internationally.
- (b) To promote professional behaviour amongst the members of the South African Institute of Physics (SAIP).
- (c) To maintain the integrity of the SAIP and its members.
- (d) To enhance the status of the SAIP, its members and physics in South Africa and internationally.
- (e) To protect the public in their dealings with the SAIP and its members.
- (f) To improve the standards of services rendered by the members of the SAIP.
- (g) To create an awareness amongst members of the SAIP of the importance to protect the environment against harmful natural scientific practices.
- (h) To promote correct and ethical scientific behaviour amongst members of the SAIP.
- (i) To promote behaviour as specified in the Code of Conduct given in section 6.2 below.

6.2 Specific Regulations

Every member of the Institute shall:

- (a) Further the goals and objectives of the Institute; shall serve the best interests of the Institute at all times; shall act in accordance with the values of the Institute as enunciated in the Constitution;
- (b) Be familiar with and abide by all constitutional and other instructions applicable to his/her duties; shall execute his/her duties in a professional and competent manner;
- (c) Approach all meetings in accordance with the highest ethical standards of professional and personal conduct;
- (d) Promote transparency and accountability; but shall respect the privacy and confidentiality of sensitive issues relating to any member of the Institute;
- (e) Not profit materially from holding any office in the Institute; and

- (f) Advise the Institute, his/her employer or any relevant authority whenever he/she believe that he/she has a professional or personal conflict of interest (in a professional context), that may impair his/her ability to make objective judgment;
- (g) Exhibit honesty, integrity and transparency when applying for grants, financial funding or project approval;
- (h) Ensure that any professional activities do not unnecessarily put at risk the health, safety or welfare of any person, and they shall have due regard for the effects on the environment and for the sustainability of any resources;
- (i) Strive to be objective, unbiased and truthful in all aspects of his/her work. He/She shall exercise all reasonable due diligence, in presenting quality work to the best of his/her ability, by critically assessing the likelihood of experimental, methodological, systematic or human errors and avoiding bias or unfair influence;
- (j) Properly acknowledge and correct any technical errors in his/her work at the earliest opportunity, and shall never plagiarise nor claim the credit or benefit for the work of others, nor fabricate, falsify or misrepresent data or results;
- (k) Record the source material of his/her work in an auditable trail for the purposes of any professional scrutiny or quality based verification and shall ensure that those who have made a significant contribution to any piece of work are appropriately acknowledged;
- (l) Not recklessly or maliciously damage, or attempt to harm, directly or indirectly, the reputation, prospects or businesses of others;
- (m) Not claim expertise or skill in any area of knowledge or professional practice in which he/she has insufficient competence, qualifications or experience;
- (n) Take all necessary steps to maintain and develop his/her professional competence and knowledge, in relation to new developments relevant to his/her fields of professional activity, and shall encourage persons working under his/her direction, management or supervision to do likewise;
- (o) Conduct themselves in such a way as to uphold the dignity, standing and reputation of the physics profession;
- (p) Discharge their duties to their respective employers or clients efficiently and with integrity;
- (q) Not knowingly misrepresent or permit misrepresentation of their own or their associates' academic or professional qualifications, nor exaggerate their own degree of responsibility for any work of a physics nature;
- (r) Not personally, or through any other agency, attempt to obtain consulting work grants, financial funding or project approval by way of touting or bribery.

Chapter 7

Disciplinary Procedure

- 7.1 Council shall appoint a Disciplinary Committee comprising of not less than three and not more than seven members.
- (a) The Disciplinary Committee Chair shall be appointed by Council.
 - (b) The composition of the Disciplinary Committee shall include at least two members who have had previous experience of serving on such a committee in an institutional context.
- 7.2 The Disciplinary Committee shall examine those cases where a member of the Institute or other person or body has laid a complaint against a member of the South African Institute of Physics (the respondent) or has alleged that such member has acted in contravention of the code of conduct.
- 7.3 The Council delegates to the Disciplinary Committee the following powers:
- (a) To expel or suspend any member from membership;
 - (b) To remove any member from the register of Professional Physicists;
 - (c) To reprimand any member;
 - (d) To call for a written undertaking from any member as to his/her future conduct;
 - (e) To issue a written warning. Such warnings would be entered on to the members database record and would remain there for a period of 2 years;
 - (f) To dismiss a complaint;
 - (g) To direct that a statement recording the exercise of any of the above powers shall be entered on the membership record of the member. This would not be done until the final outcome of the proceedings, including any appeal, is known.
 - (h) If the Disciplinary Committee deems it necessary, to report to the South African Council for Professional Scientists the outcome of the investigation of the complaint as well as the final outcome of the hearing.
- 7.4 An investigation to gather any evidence in support of the complaint against a member must be made by the Disciplinary Committee prior to making any decision in accordance with regulation 7.3 above.

- (a) The respondent under investigation must be informed of the details of the investigation in writing by the Executive Officer of the Institute (hereafter called the EO) and be given a reasonable opportunity to respond in writing to the allegations. A member under investigation must not contact the Disciplinary Committee members or the complainant except at agreed times and through agreed methods until the investigation has been concluded. If requested by the responded, and if the EO deems it to be appropriate, the EO will organise a meeting(s) between the respondent and the Disciplinary Committee members and/or the complainant.

7.5 Investigations by the Disciplinary Committee

- (a) When the Secretary or EO receives a complaint against a member the EO shall call for a written statement from the complainant (in a maximum of 1000 words) and shall pass this to the President.
- (b) If the Disciplinary Committee considers that the complaint is of a frivolous or trivial nature, regulation 7.3(f) can be applied.
- (c) Where a complaint is found to warrant further investigation, the Disciplinary Committee will investigate the nature of the complaint and ensure it is within the remit of the Disciplinary Committee.
- (d) It is the duty of the EO to notify the respondent in writing of:
 - i. The nature and full particulars of the complaint and the source of the complaint where applicable, together with copies of all the written evidence collected. Copies of the Code of Conduct and this chapter of the Bylaws shall be included with that letter.
 - ii. The fact that the complaint will now be considered by the Disciplinary Committee.
 - iii. The respondent has the right to submit a written statement to the Disciplinary Committee within 30 working days of notice of the complaint being sent to the respondent.
 - A. The respondent must respect regulation 7.4(a) while the investigation is in process. Should this regulation not be observed, the Chair may issue a written warning delivered by the EO to the respondent. Should the respondent then persist in his/her disruption of the investigation, he/she may be expelled from membership without further investigation.
 - B. If the EO is unable to contact the respondent within 30 working days, the EO shall notify the Disciplinary Committee. The investigation shall be suspended until the respondent has been contacted.
 - iv. The Disciplinary Committee can proceed without further reference to the respondent, should the respondent notify the Institute in writing that he/she does not wish to contest the proceedings, provided due notice has been given and provided he/she was given full details of the complaint against him/her.
- (e) The EO will circulate the written statement referred to in regulation 7.5(b) to the members of the Disciplinary Committee.

- (f) For its investigations, the Disciplinary Committee has the power to call upon such expert advice as it feels necessary.
- (g) The Disciplinary Committee shall meet electronically or in person within 30 working days of receipt of the respondent written statement.
- (h) The Disciplinary Committee shall consider the evidence and may either reach a conclusion or suspend consideration from time to time to enable further enquiries to be made. The results of further enquiries shall be made available to the respondent and the complainant by the EO, who will then invite additional written comments to be submitted by both the complainant and the respondent.
 - i. Both the complainant and the respondent must confine their additional comments to the new evidence.
- (i) Decisions of the Disciplinary Committee shall be by simple majority of votes and all decisions will be taken as the decision of the Disciplinary Committee. In the case of a tied vote, the Chair shall have a second or casting vote.
 - i. If the Disciplinary Committee decides there is no case to answer, the parties shall be informed promptly in writing.
 - ii. If the Disciplinary Committee finds there is a case to answer they shall proceed to a disciplinary hearing and shall inform the complainant and the respondent of this in writing, including a copy of the report of the investigation meeting, using secure delivery.
- (j) A written record of the investigation meeting shall be retained.

7.6 Disciplinary hearing

- (a) If the Disciplinary Committee agrees that the matter is in the public interest, one additional member representative of the public interest and not a member of the Institute shall be co-opted to sit on the Disciplinary Committee. This member shall have the power to vote and his/her duties will end with the conclusion of the disciplinary procedure.
- (b) The quorum for a meeting of the Disciplinary Committee shall be not less than three members. Decisions shall be made by a majority vote. In the case of a tied vote, the Chair shall have a second or casting vote.
- (c) Where a case is to be referred for a hearing, the EO shall:
 - i. Notify the respondent and complainant in writing.
 - ii. Prepare a statement of the case and a full dossier of evidence.
 - iii. Check whether the facts giving rise to the case are *sub-judice* or subject to investigation by any other competent tribunal or body.
- (d) The date and time of the hearing will be determined by the EO following consultation with the Disciplinary Committee, the respondent and the complainant.
 - i. If the respondent confirms in writing that he/she chooses not to appear at the Disciplinary Committee, it is authorised to proceed in his/her absence.

- ii. The respondent shall be informed in writing of the date of the hearing and that he/she has the right (at his/her own expense) to be accompanied at the hearing by one person chosen by the respondent or to send (at his/her own expense) one person to the hearing in his/her absence to represent him/her.
 - A. The respondent must supply the EO with the curriculum vitae of this person at least 10 working days before the hearing.
 - B. If both the respondent and an accompanying person are present at the hearing, only the respondent may address the Disciplinary Committee and may question the witnesses, unless the Chair of the Disciplinary Committee decides otherwise.
 - iii. The respondent shall also be informed in writing that he/she has the right to call such witnesses (at his/her own expense) as he/she deems appropriate.
 - A. The respondent must supply the EO with the curriculum vitae of the witnesses at least 10 working days before the hearing.
 - iv. The complainant shall be informed in writing of the date of the hearing and that he/she has the right to appear (at his/her own expense) at the hearing and lead the complaint.
 - v. If the complainant confirms in writing that he/she cannot or chooses not to appear at the Disciplinary Committee, it must appoint somebody to lead the complaint at the hearing.
- (e) The EO will notify the concerned parties, i.e. Disciplinary Committee, the complainant and the respondent, of the date and time of the hearing. Parties are notified of
- i. The date and time of the hearing.
 - ii. A full statement of the grounds of the complaint and copies of any evidence that will be considered.
 - iii. A requirement to furnish the EO not less than 10 working days before the hearing with copies of all documents the parties will rely on.
 - iv. In the case of the respondent, a requirement to notify the EO not less than 10 working days before the hearing of whether the respondent intends to appear in person or be represented (to be represented the respondent must also be present), whether the respondent will be accompanied by any person, and the name and curriculum vitae of such a person.
 - v. In the case of the respondent, a requirement to notify the EO not less than 10 working days before the hearing of whether the respondent intends to call witnesses and the names and curriculum vitae of such witnesses.
 - vi. The authority to continue with the hearing in the absence of the respondent should the respondent fail to attend the hearing without prior notification to the Institute.
 - vii. The Code of Conduct and this chapter of the Bylaws, copies of which should be enclosed with the notification letter.

- viii. In the case of the complainant, a requirement to notify the EO not less than 10 working days before the hearing of whether the complainant intends to appear in person.
 - A. In case the complainant will not appear at the hearing, the Disciplinary Committee will appoint somebody to lead the complaint at the hearing in line with 7.6 (d) v.
- (f) If the respondent fails to attend without prior notification to the Institute then the Disciplinary Committee should satisfy itself that due notice was given and, if it was, may proceed with the hearing.
 - i. If the respondent is unable to attend due to ill health, as certified by a doctor, and is unable to send a representative in his/her place a new date for the hearing shall be rearranged by the EO complying with the requirements of 7.6(d). In the event of a representative attending in circumstances where the respondent is ill or incapacitated then the representative shall be able to speak on the respondent's behalf.
 - ii. Ill health as certified by a doctor can prevent the hearing happening on two occasions. Should the respondent fall ill for a third hearing, and no representative is chosen by him/her to attend in his/her place, then the hearing will continue in his/her absence and he/she will be awarded a reasonable (in the case of a dispute, the Chair of the Disciplinary Committee will decide what is reasonable) opportunity to respond to the hearings findings in writing before the hearing is formally concluded.
- (g) A hearing shall be conducted and conclusions on the merits of a complaint shall be reached on the basis that the respondent is innocent until proven guilty beyond any reasonable doubt. It shall be held in private unless the Disciplinary Committee decides that it is in the public interest or in the interests of justice that it should be held in public.
- (h) The Chair or his/her appointed deputy shall preside and shall have power to postpone or adjourn the hearing and, following consultation, set a date for its reconvention.
- (i) No document or witness shall be submitted to the hearing that has not been submitted in accordance with these regulations, without the consent of the Chair.
- (j) Any member of the Disciplinary Committee shall have the right to question the complainant and respondent and his/her accompanying person and witnesses as appropriate.
- (k) The Chair shall have the right to suspend the hearing at any time to consult with the Disciplinary Committee, advisors or at the reasonable request of the respondent.
- (l) At the conclusion of the hearing, all except the Disciplinary Committee and EO shall withdraw and allow private deliberation to occur. A written record of the proceedings shall be retained.
- (m) The decision will be communicated to the respondent and complainant in writing within 10 working days. The respondent will be notified in that correspondence of his/her right to appeal any decision and the timeframe for doing so.

- (n) Should the respondent not begin appeal proceedings within 30 days of the result being notified to them, the EO will:
 - i. Enter a report of the proceedings on the respondent's database record if 7.3(a) or 7.3(b) or 7.3(c) or 7.3(d) or 7.3(e) is the outcome.
- (o) The Disciplinary Committee will report their findings to the Council. Where regulation 7.3(f) is the outcome, or an appeal is pending, the respondent's name will not appear in the report. Published details may not extend beyond the name of the respondent, the offence alleged and any sanction in each case.
- (p) The Disciplinary Committee will keep its deliberations and its minutes confidential.

7.7 Right to Appeal

- (a) The complainant has no right to appeal to the decision. He/she has the right to submit a new statement concerning the behaviour of a member not less than 12 calendar months from the date of the previous decision. A new hearing may then be convened which will not make use of any information relating to the original hearing.
- (b) The respondent has the right to appeal to all or part of the decision. Any such appeal is strictly restricted to grounds of procedural irregularity or new evidence.
- (c) If the respondent wishes to appeal the decision, He/she must indicate this to the Secretary in writing within 30 days of the date of the decision. Such period of 30 days may be extended by the EO at his discretion.
 - i. Within this time period, the respondent must submit to the EO a document outlining the reasons for his/her appeal against the decision.
- (d) The EO shall notify the complainant, the Chair and the President of the appeal.
- (e) The EO will pass the appeal document to the Chair.
 - i. The Chair will then comment on the appeal document.
- (f) The EO will pass the minutes of the hearing, along with all evidence seen, plus the appeal document and the Chair's comments thereon, to the President.
 - i. Requests for an appeal will only be considered if there is evidence that
 - A. the Disciplinary Committee's proceedings were not conducted in accordance with the current regulations in some material respect;
 - B. material new evidence has become available since the Disciplinary Committees meeting to hear the case; or
 - C. some other material irregularity has occurred. Disagreement with any decision of the Disciplinary Committee alone cannot constitute grounds for an appeal. In addition, if the President feels that the appeal is of a frivolous or trivial nature, the appeal can be dismissed without the need for an Appeal Panel to be convened.

- (g) The President will establish an Appeal Panel (the Panel) consisting of at least three current members of the Council, excluding any who are members of the Disciplinary Committee or who investigated the complaint originally or who were members at the time of the original decision. Any appeal will be heard as soon as is reasonably practicable, normally within 15 working days. The role of the Panel is to consider the case and be satisfied that the investigation and disciplinary proceedings were carried out adequately and fairly.
- (h) The EO will pass copies of all documents received and considered by the Disciplinary Committee, and the record of the Disciplinary Committee meeting and decision, to the Panel members.
- (i) The Panel will then discuss the appeal, either in person or electronically.
- (j) The Panel can choose to interview the respondent or complainant to clarify existing points. The respondent shall be notified of when the Panel is meeting to discuss his/her appeal, his/her right to be represented (again in line with regulation 7.6 (d)) and, where the appeal is based on material new evidence, shall be informed of his/her right to present that evidence to the Panel as the Panel deems appropriate. A written record of the proceedings of the Panel shall be kept.
- (k) Once the Panel is satisfied that it has all the required information; it can make one of the following recommendations:
 - i. The decision of the Disciplinary Committee is upheld and the same penalty applies.
 - ii. The decision of the Disciplinary Committee is upheld and a different penalty applies.
 - iii. The original decision of the Disciplinary Committee is not upheld, on the grounds either that:
 - A. the case was not dealt with properly by the Disciplinary Committee in some material respects;
 - B. there was some material new evidence which was not taken into account properly; or
 - C. there was some other material irregularity, and the penalty is withdrawn.
- (l) The EO will promptly communicate in writing the Panel's decision to the complainant, respondent and original Disciplinary Committee members.
- (m) The President will report the outcome of the appeal at the next meeting of Council.
- (n) Once these proceedings have been concluded, no further appeal is possible.

7.8 Applications for Re-Instatement of Professional Physicist Status

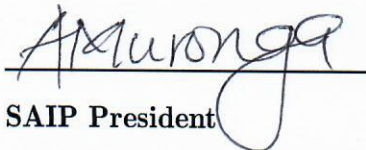
- (a) If a person from whom permission to use a Professional Physicist designation has been withdrawn as a result of disciplinary action shall subsequently apply for its reinstatement, such application shall be considered by the Professional Standards Committee who will also be notified of past disciplinary issues.

- (b) If a person from whom permission to use the Professional Physicist designation has been withdrawn as a result of failure to update his/her Continuous Professional Development shall subsequently apply for its reinstatement, such application shall be considered by the Professional Standards Committee.
- (c) If a person from whom permission to use the Professional Physicist designation has been withdrawn as a result of failure to pay any required membership subscriptions or registration fees shall subsequently apply for its reinstatement, such application shall be considered by the Professional Standards Committee.

These by-laws were approved and accepted by members of the South African Institute of Physics at the Annual General Meeting held on 07 July 2014



SAIP Honorary Secretary



SAIP President