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**GOVERNMENT NOTICE**

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**DEPARTMENT OF SOCIAL DEVELOPMENT**

No. R. 838

31 October 2014

**SOCIAL SERVICE PROFESSIONS ACT, 1978  
(ACT NO. 110 OF 1978)  
REGULATIONS FOR CHILD AND YOUTH CARE WORKERS,  
AUXILIARY CHILD AND YOUTH CARE WORKERS, AND STUDENT  
CHILD AND YOUTH CARE WORKERS**

I, Bathabile Olive Dlamini, the Minister of Social Development has, on the recommendation of the Council under section 28 of the Social Professions Act, 1978 (Act No. 110 of 1978), made the Regulations in the Schedule.

**B. O. DLAMINI (MP)****MINISTER OF SOCIAL DEVELOPMENT****DATE: 17.09.14**

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## 1. Definitions

In these Regulations, any word or expression to which a meaning has been assigned in the Act, shall have such meaning and, unless the context otherwise indicates-

**"Act"** means the Social Service Professions Act, 1978 (Act No.110 of 1978)

**"annual fee"** means the annual fee referred to in regulation 22;

**"auxiliary category of registration"** means the category of registration which allows a child and youth care worker to perform the acts referred to in regulation 19;

**"auxiliary child and youth care worker"** means a person practicing auxiliary child and youth care work and registered under section 18 of the Act;

**"behaviour management"** means the prevention and correction by a child and youth care worker of inappropriate behaviour of a child, and includes the teaching of appropriate behaviour to a child;

**"certificate of registration"** means a certificate of registration referred to in section 18A of the Act;

**"child"** means a person under the age of 18 years;

**“Child and Youth Care work”** means the acts performed by a child and youth care worker which focuses on children and youth within the context of the family, the community, and the life time of a person;

**“child and youth care worker”** means a person registered under section 18A of the Act;

**“developmental assessment”** means the process of establishing a comprehensive profile of the behaviour and development of a child;

**“FET”** means further education and training;

**“life-space”** means the environment in which an individual’s daily flow of activities take place;

**“NQFA”** means the National Qualifications Framework Act, 2008 (Act No. 67 of 2008);

**“planned environments”** means environments which are created with the purpose of optimising the development and healing of a child;

**“professional category of registration”** means the category of registration which allows a child and youth care worker to perform the acts referred to in these regulations;

**“qualification”** means a qualification contemplated in section 18A(2) read with section 17B(1) of the Act;

**“register”** means a register referred to in section 19(1) of the Act;

**“RPL”** means recognition of prior learning;

**“SAQA”** means South African Qualifications Authority;

**“student”** means a person studying Child and Youth Care work at either professional or auxiliary level;

**“student child and youth care worker”** means a person who is registered with the SACSSP on condition that he or she completes the necessary qualification in order to meet the requirements for registration;

**“supervision”** means support and guidance provided to a child and youth care worker to facilitate his or her development in the work environment;

**“training provider”** means a recognised and accredited body that delivers learning programmes focused on the achievement of specified NQF registered qualifications and standards on the SAQA database and manages the assessment of learning achievements or, prior to the existence of SAQA, a body recognised by the Council for this purpose; and

**“Youth”** means a child between the ages of 13 and 21.

## **2. Objects of regulations**

The object of these Regulations is to provide for matters relating to the proper administration of the affairs of, and the registration of, child and youth care workers, auxiliary child and youth care workers, and student child and youth care workers.

## **3. Conditions of registration as student child and youth care worker**

(1) A person may register as a student child and youth care worker with the Council if the person—

- (a) is registered with a training provider in the RSA and is in his or her first year of study; or
- (b) is serving practical's with an organisation that is a non profit organisation registered in terms of the Non-Profit Organisation Act, 1997 (Act No.71 of 1997), and any relevant organ of state, from the first year of registration.

(2) The Council may approve an application for registration from a student child and youth care worker from outside the RSA who wishes to do practical learning in the RSA if the student submits documentary proof required in terms of these Regulations.

#### **4. Application for registration**

(1) A student child and youth care worker referred to in regulation 3 must apply for registration as a student child and youth care worker on a form obtainable from the Registrar on or before 31 March of the year of study concerned.

(2) The application must be accompanied by –

- (a) a certified copy of the applicant's identity document or passport if applicable, proof of residence and residence permit number if applicable;
- (b) a certified copy of the applicant's original academic record at the accredited training provider, indicating the subjects, modules and number of years, courses passed in each subject as well as those for which he or she is enrolled;
- (c) a certified copy of the marriage certificate whether a civil union or customary union and proof of change of surname where applicable; and
- (d) the prescribed registration fee.

(3) A person who has abandoned his or her study in Child and Youth Care Work for a period of three years -

- (a) must re-apply for registration as a student child and youth care worker and pay the prescribed registration fee;
- (b) may not be registered as a child and youth care worker in terms of the Act; and

(c) who wishes to enrol for a qualification in Child and Youth Care Work, must register on or before 31 March of the first year of such study as a student child and youth care worker and pay the prescribed fee for such registration.

(4) An applicant must ensure that documents that are not written in English are translated into English by a translator and such translation must be certified by a commissioner of oaths before the applicant sends the documents to the Registrar.

#### **5. Issue of duplicate certificate of registration to student child and youth care worker**

If the Registrar is satisfied that a certificate of registration issued in terms of section 18B (2)(a) of the Act has been destroyed or lost, he or she may, upon application by the student child and youth care worker and upon payment of the prescribed fee, issue a duplicate registration certificate.

#### **6. Payments to Council**

Payments to the Council must be in the currency of RSA.

#### **7. Recording of particulars**

(1) The Registrar must record in the register the following details contemplated in section 19(1) of the Act in respect of every student child and youth care worker:

- (a) Surname;
- (b) Previous surname if applicable;
- (c) First names;
- (d) Title;

- (e) Gender;
- (f) Identity, passport or resident's permit number;
- (g) Home language;
- (h) Date of birth;
- (i) Residential address;
- (j) Postal address;
- (k) Contact details such as telephone number, cellular number, fax number and e-mail address;
- (l) Qualification, institution from which qualification obtained and year qualification obtained;
- (m) Registration number;
- (n) Registration date;
- (o) Disciplinary steps, if any, in terms of section 22 of the Act;
- (p) Nationality;
- (q) Race;
- (r) Country of origin;
- (s) Current employer;
- (t) Setting of practice and indicate whether practice is-
  - (i) urban;
  - (ii) rural;
  - (iii) Government;
  - (iv) NGO;
  - (v) business; or
  - (vi) private ;
- (u) Disability, if any; and
- (v) Specialised fields of practice, where applicable.

(2) The name of a student child and youth care worker must be removed from the register as soon as—

- (a) he or she is registered as a child and youth care worker;
- or



- (b) proof is submitted, to the satisfaction of the Registrar, that the student child and youth care worker concerned has successfully completed his or her course or has abandoned his or her studies.
- (3) The register is, upon payment of the prescribed fee, open for inspection during normal office hours to a member of the public who has a professional interest in inspecting the register.
- (4) The Registrar may, at the request of a person—
- (a) who, in the opinion of the Registrar, has a professional interest in the information concerned;
  - (b) upon payment of the prescribed fee; and
  - (c) subject to such conditions as the Council in general or in a particular case may determine,
- issue to such person an extract from the register.
- (5) The Council may grant to a person who wishes to examine or make extracts from the register partial or total exemption from the fees referred to in sub-regulations (3) and (4).
- (6) The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) may also be used to access information from the register.

## **8. Application for restoration in register**

An application for restoration contemplated in section 20(3) of the Act must be made on a form obtainable from the Registrar and be accompanied by the prescribed restoration fee.

## **9. Application for termination of suspension**

An application for termination of suspension contemplated in section 22 (5) of the Act must be made on a form obtainable from the

Registrar and must be accompanied by the prescribed registration fee if it has not been paid.

#### **10. Change of name, residential and postal address**

(1) A student child and youth care worker who is registered under the Act must notify the Registrar in writing-

- (a) within three months of any change of name and provide evidence of the change; and
- (b) within six weeks of any change of residential and postal address and provide evidence of the change.

(2) The Registrar must, upon receipt of a notice contemplated in sub-regulation (1), update the register.

#### **11. Provision of lists of names**

A training provider to student child and youth care workers must submit to the Registrar, on or before 31 July of every year, a list with the full names and year of study of every student in Child and Youth Care Work -

- (a) in their first year of study who are so enrolled at such training provider's institution on 1 May of that year;
- (b) who abandoned their study during the previous twelve months, specifying the date of abandonment;
- (c) who temporarily abandoned their study during the previous twelve months, specifying -
  - (i) the reasons for the temporary abandonment; and

- (ii) the date on which the students concerned expect to resume their study;
- (d) who, after temporary abandonment of their study, resumed their study during the previous twelve months, specifying the date of resumption; and
- (e) who, during the previous twelve months, obtained the qualification for which they were registered.

## **12. Disclosure of criminal offences**

(1) A person applying for registration as a student child and youth care worker who has been convicted of a criminal offence must disclose such an offence to the Council.

(2) A training provider must inform the Council of the outcome of a disciplinary hearing relating to an allegation of a criminal offence against a person registered to study child and youth care work with that training provider who was found guilty.

(3) Failure to disclose information referred to in sub-regulation (1) may result in the removal of the person's name from the register.

## **13. Disqualification from registration**

A person whose name is entered into Part B of the Child Protection Register, established in terms of the Children's Act, 2005 (Act No. 38 of 2005) is not eligible for registration as a child and youth care worker.

#### **14. Disciplinary inquiries**

The regulations regarding the conducting of inquiries into alleged unprofessional conduct, published by Government Notice R917 in Government Gazette No. 25109 on 27 June 2003 apply, with the necessary amendments as required by the context, to the holding of disciplinary inquiries with regard to student child and youth care workers.

#### **15. Transition clause**

Regulation 3(3) (a) of the Regulations made under the Act published by Government Notice R 102 in Government Gazette No. 34020 on 18 February 2011 remains in force for a student child and youth care worker who was registered as a student child and youth care worker before the commencement of these Regulations.

#### **16. Requirements for registration as child and youth care worker in professional category of registration**

- (1) A person who possesses the following qualifications may apply for registration as a child and youth care worker within the professional category of registration:
- (a) A degree in Child and Youth Care equivalent to a NQF Level 8 qualification registered with SAQA;
  - (b) A B:Tech Child and Youth Development NQF Level 7 or such other level as SAQA may determine: Provided that the applicant submits a portfolio of evidence, which must include an assessment proving that the applicant meets the outcomes reflected in the degree referred to in sub-regulation 16(1)(a);
  - (c) A degree in Human Sciences equivalent to an NQF Level 7 qualification obtained prior to the

promulgation of these Regulations and approved by the Council, plus a combination of both theoretical and practical learning in Child and Youth Care obtained over a period equivalent to 12 calendar months: Provided that the applicant submits a portfolio of evidence, which must include an assessment proving that the applicant meets the outcomes reflected in the degree referred to in sub-regulation 16(1)(a); or

- (d) a qualification in Child and Youth Care equivalent to an NQF Level 6 qualification and approved by the Council plus practical learning in child and youth care obtained over a period equivalent to 24 calendar months subsequent to the completion of the qualification: Provided that the applicant submits a portfolio of evidence, which must include an assessment proving that the applicant meets the outcomes reflected in the degree referred to in sub-regulation 16(1)(a).

- (2) The qualifications referred to in sub-regulations 16(1)(a) to (d) may be obtained through RPL, provided that not more than 50% of the qualification may be obtained through RPL.

#### **17. Requirements for registration as child and youth care worker in auxiliary category of registration**

(1) A person who possesses the following qualifications may apply for registration as a child and youth care worker within the auxiliary category of registration:

- (a) A FET Certificate in child and youth care equivalent to an NQF Level 4 qualification registered with SAQA; or

- (b) Theoretical and practical learning obtained prior to the commencement of compulsory registration in terms of these Regulations approved by the Council equivalent to 1650 hours: Provided that the applicant submits a portfolio of evidence, which must include an assessment proving that the candidate meets the outcomes reflected in the FET Certificate in child and youth care work;
- (2) The qualifications referred to in (a) and (b) may be obtained partially or as a whole through RPL.
- (3) A person who, on the date of the commencement of these regulations, does not meet the requirements for registration as a child and youth care worker within the auxiliary category of registration, may apply for such registration if he or she provides the following:
- (a) Documentary proof acceptable to the Council that he or she was practicing or employed as a child and youth care worker on the date of commencement of these regulations;
  - (b) A job description acceptable to the Council from his or her employer indicating that he or she meets the job profile of a child and youth care worker; or
  - (c) A declaration to the Council to the effect that the content of the job description and employment designation is a true reflection of his or her employment contract with the employer concerned.
- (4) A person may apply within a period of 3 years from the promulgation of these regulations for registration as a child and youth care worker within the auxiliary category of registration.

## **18. Scope of practice for child and youth care work within professional category of registration**

(1) The scope of practice of a child and youth care worker, who has complied with the requirements for registration within the professional category of registration, may include the following:

(a) Care and development of children and youth where their-

- (i) physical;
- (ii) emotional;
- (iii) spiritual;
- (iv) cognitive;
- (v) social survival; and
- (vi) developmental,

needs are protected;

- (b) Behaviour management of an individual child or of groups of children;
- (c) Design and implementation of programmes for children and youth on the basis of their identified developmental needs;
- (d) Developmental assessment of children and youth within their life-space;
- (e) Development and maintenance of planned environments in Child and Youth Care work;
- (f) Implementation of life-space work;
- (g) Undertaking of child and youth care work administration;
- (h) Developmental play;
- (i) Advocacy for the rights of children;
- (j) Policy development in the field of child and youth care;
- (k) Consulting, supervision management and directing of child and youth care workers;
- (l) Participation in and the leading of multi-disciplinary teams; and

- (m) Life-space counselling.

**19. Scope of practice for child and youth care work within auxiliary category of registration**

(1) The scope of practice of a child and youth care worker, who has complied with the requirements for registration within the auxiliary category of registration, may include the following acts performed under the supervision of a registered child and youth care worker:

- (a) The provision of basic and developmental care of children and youth where their physical, emotional, spiritual, cognitive and social needs are protected;
- (b) The application of behaviour management and support techniques in routine child and youth care work;
- (c) Assistance with the implementation of programmes and activities for children and youth on the basis of their identified developmental needs;
- (d) Participation in the developmental assessment of children and youth;
- (e) The maintenance of planned environments in child and youth care work;
- (f) The implementation of life-space work, including life-space counselling;
- (g) The undertaking of basic child and youth care work administration;
- (h) Participation in a multi-disciplinary team;
- (i) Developmental play; and
- (j) Advocacy for the rights of children.



## **20. Application for registration**

- (1) An application for registration as a child and youth care worker must be made on a form obtainable from the Registrar.
- (2) The application form must be accompanied by –
  - (a) a certified copy of the applicant's identity document or passport, proof of residence and residence permit number, if applicable;
  - (b) a certified copy of the qualification on the basis of which application is being made for registration;
  - (c) a certified copy of the summary of results from the training provider or the competency of the applicant pertaining to the achievement of outcomes of the qualification;
  - (d) in the case of a child and youth care worker practicing within the auxiliary category, a confirmation from his or her employer that the child and youth care worker may function under a registered child and youth care worker;
  - (e) proof that the applicant was able to register or practice in their country of origin;
  - (f) in the case of a qualification obtained outside the RSA, a certified copy of-
    - (i) documentary proof from the institution where the applicant received the education and training of the courses completed and proof that the content of the theoretical and practical learning that was received is equivalent to qualifications stipulated in these Regulations;
    - (ii) documentary proof that the institution where the applicant received the education and training in child and youth care is accredited, specifying the body of accreditation, or if not

accredited, proof of any other form of recognition that the institution has; and

(iii) in the case of an institution that is accredited, documentary proof from the accrediting body that the qualification is or was the accepted education and training for child and youth care in the country concerned;

(g) the prescribed registration fee; and

(h) the annual fee.

## **21. Certificate of registration as child and youth care worker**

(1) A certificate of registration as a child and youth care worker-

(a) must be in a form determined by the Council;

(b) must be signed by the President of South African Council for Social Service Professions and the Registrar; and

(c) must bear the official seal of the Council.

(2) A certificate of registration issued to child and youth care worker is considered to have been withdrawn from the date on which the name of the holder of the certificate was removed from the register concerned as contemplated in the Act.

(3) If the Registrar is satisfied that a certificate of registration of a child and youth care worker has been destroyed or lost, the Registrar may upon-

(a) application by the holder of the certificate; and

(b) payment of the prescribed fee,

issue a duplicate of the certificate of registration.

## **22. Annual fee**

- (1) The prescribed annual fee payable by each child and youth care worker must be paid on or before 2 January of every year.
- (2) The annual fee of a person who is registered after the start of any calendar year, must be-
  - (a) calculated pro rata from the month he or she is registered to the end of the calendar year concerned; and
  - (b) payable on the last day of the month in which such a person is registered.
- (3) In the case of a person-
  - (a) who is re-registered in terms of section 22(4) of the Act; and
  - (b) whose name is restored in terms of section 20(3) of the Act to a register, the fee must be-
    - (i) calculated pro rata from the first day of the month during the month he or she is registered to the end of the financial year concerned; and
    - (ii) payable on or before the last day of the month in which such a person's name is restored to the register.

## **23. Payment to Council**

Payments to the Council must be in South African currency.

## **24. Recording of particulars and keeping of register**

- (1) The Registrar must record in the register the following details in respect of a child and youth care worker:
  - (a) Surname;
  - (b) Previous surname (if applicable);
  - (c) First names;

- (d) Title;
- (e) Gender;
- (f) Identity or residences permit number;
- (g) Home language;
- (h) Date of birth;
- (i) Residential address;
- (j) Postal address; e-mail address, telephone number, cellular number and, fax number;
- (k) Qualifications, institution obtained and year obtained;
- (l) Registration number;
- (m) Registration date;
- (n) Disciplinary steps taken against the child and youth care worker in terms of section 22 of the Act, if any;
- (o) Nationality or race;
- (p) Country of origin;
- (q) Current employer;
- (r) Setting of practice (urban or rural);
- (s) Physical or any other challenges of the child and youth care worker; and
- (t) Specialised fields of practice.

(2) The Registrar must, at the request of a child and youth care worker and upon submission of a certified copy of the qualification, enter in the register opposite the name of such person –

- (a) an advanced (post-registration) qualification in child and youth care obtained by such person; and
- (b) an academic qualification obtained by such person in another field of study.

(3) The Registrar may issue to an applicant an extract from the register if the applicant –

- (a) has a professional interest in the information concerned;
- (b) has a valid reason for requesting such information;

- (c) upon payment of the prescribed fee; and
  - (d) subject to such conditions as the Council in general or in a particular case may determine.
- (4) The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) may also be used to access information from the register.

## **25. Application for termination of suspension of registration**

An application in terms of section 22(5) of the Act must be made on a form obtainable from the Council and must in the case of an application for termination of suspension of registration, be accompanied by the prescribed annual fee for the current financial year if it has not yet been paid.

## **26. Application for restoration to register**

An application contemplated in section 20(3) which is obtainable from the Registrar must be accompanied by the prescribed annual fee and restoration fee.

## **27. Change of name and address**

- (1) A child and youth care worker must notify the Registrar in writing within three months of any change of name and supply supporting evidence for such change.
- (2) A child and youth care worker must notify the Registrar in writing of any change in residential and postal address within six weeks of such change.
- (3) The Registrar must, upon receipt of a notice contemplated in sub-regulations (1) and (2), update the register.

**28. Disclosure of criminal offence**

(1) A person who has been convicted of a criminal offence and who wishes to apply for registration as a child and youth care worker must disclose such an offence to the Council.

(2) An employer must inform the Council of any offence committed by a child and youth care worker that led to a disciplinary hearing during which the person was found guilty.

(3) Failure to disclose information referred to in sub-regulation (1) may result in the removal of the child and youth care worker's name from the register.

**29. Disciplinary inquiries**

The Regulations regarding the conducting of inquiries into unprofessional conduct; published in Government Notice R917 in Government Gazette No. 25109 on 27 June 2003; apply with the necessary changes required by the context, to the holding of disciplinary inquiries with regard to child and youth care workers.

**30. Disqualification from registration**

A person whose name is entered into Part B of the Child Protection Register, established by the Children's Act, 2005 (Act No. 38 of 2005) is not eligible for registration as a child and youth care worker.

**31. Fees payable to Council**

(1) The following fees are payable to the Council by a child and youth care worker:

- (a) Registration fee of R 210.00 by applicants who obtained their qualifications at a training institution in the RSA;

- (b) An additional levy of R 100.00 in the case of sub-regulation (a) for a registration which is requested to be finalised within three working days;
- (c) Registration fee payable by applicants who obtained their qualifications from a training institution in countries listed hereunder and any other country classified as a first world country is R 3 050.00:
- (i) Australia;
  - (ii) Austria;
  - (iii) Belgium;
  - (iv) Canada;
  - (v) Denmark;
  - (vi) Finland;
  - (vii) France;
  - (viii) Germany;
  - (ix) Ireland;
  - (x) Israel;
  - (xi) Italy;
  - (xii) Japan;
  - (xiii) Netherlands;
  - (xiv) New Zealand;
  - (xv) Singapore;
  - (xvi) Spain;
  - (xvii) Sweden;
  - (xviii) Switzerland;
  - (xix) United Arab Emirates;
  - (xx) United Kingdom; and
  - (xxi) United States of America.
- (d) Registration fee payable by applicants who obtained their qualifications at training institutions in all foreign countries excluding those mentioned in sub-regulation 30(1)(c) is R 1 550.00.

- (e) Re-registration fee payable by a person whose registration has been cancelled in terms of section 22(1)(c) of the Act is R 225.00.
- (f) Annual fee, subject to other regulations that provide the contrary, is R 400.00.
- (g) Fee for the restoration of the name of a person whose name has been removed from the register in terms of section 20 of the Act, is R 200.00.

(2) The following fees are payable to the Council by a student child and youth care worker:

- (a) Registration fee of R 195.00.
- (b) Reregistration fee by a person whose registration has been cancelled as contemplated in section 22(1) (c) of the Act, is R 205.00.
- (c) Fee for the restoration of the name of a person whose name has been removed from the Register as contemplated in section 20 of the Act, is R 190.00.

(3) The following fees are payable to the Council by an auxiliary child and youth care worker:

- (a) Registration fee of R 185.00.
- (b) Re-registration fee payable by a person whose registration has been cancelled in terms of section 22(1) (c) of the Act, is R 200.00.
- (c) Fee for the restoration of the name of a person whose name has been removed from the Register in terms of section 20 of the Act, is R 180.00.

(4) The following miscellaneous fees are payable to the Council:

- (a) Fee for a duplicate registration certificate is R 220.00.
- (b) Fee for inspection of the register, per occasion, is R 220.00.
- (c) Fee for an extract from the register, per page, is R 220.00.



(5) The following fees pertaining to Continuing Professional Development (CPD) activities are payable to the Council:

- (a) Fees for the approval of a CPD activity offered to practitioners at no cost to the practitioner is R 100.00.
- (b) Fees for the approval of a CPD activity offered to practitioners at a specified registration fees is R 500.00.

(6) Despite sub-regulations (1) to (5)-

- (a) a person who in the course of a financial year attains the age of 65 years on or before 31 March of that financial year is exempted from the payment of annual fees for the following financial years, but may continue to practice;
- (b) a person—
  - (i) who in the opinion of the Council does not practice the profession of child and Youth Care work because of health reasons; and
  - (ii) who has applied in writing to the Council for exemption from payment of the annual fee, is, for the period and on the conditions determined by the Council, exempted from the payment of annual fees; and
- (c) a person who in the course of a financial year ceases to practice the profession of child and youth care work on or before 31 March of that financial year and who applies in writing to the Council for exemption is exempted from the payment of the annual fees of the following financial year .

(7) Despite sub-regulation 31(6)(c) the category of persons mentioned in that sub-regulation must pay only an amount which is calculated to be 50 percent of the annual fees. This amount is however, only payable in the event where a person, before re-entering the profession, informs the Council in writing of such intention. This pro-rata annual fee is calculated

from the first day of the month of re-entry to the profession, within twenty-one days after being notified of the amount payable, after which the said exemption falls away.

### **32. Short title**

These regulations are called Regulations for Child and Youth Care Workers, Auxiliary Child and Youth Care Workers and Student Child and Youth Care Workers, 2014.

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