

parent, legal guardian or other person legally authorised to receive such results on behalf of the client is accompanied by such adequate interpretative aids or explanations as may be necessary.

#### **Information for professional users**

50. (1) A psychologist who offers an assessment procedure or automated interpretation service to another professional shall conduct such service in accordance with the best-practice guidelines for psychometry applicable at the time.
- (2) A psychologist shall explicitly state the purpose and application for which the procedure is recommended and identify any special qualifications required to administer, score and interpret it properly, and shall ensure that any advertisements for the assessment procedure or interpretative service are factual and descriptive.

#### **Interpreting assessment results**

51. (1) When a psychologist interprets assessment results, including automated interpretations, he or she shall take into account the various test factors and characteristics of the client being assessed, such as situational, personal, linguistic and cultural differences that might affect the client's judgements and reduce the validity of the psychologist's interpretations.
- (2) A psychologist shall indicate any significant reservations he or she may have about the accuracy of his or her interpretation.

#### **Explaining assessment results**

52. (1) Unless the nature of the relationship is clearly explained in advance to the client being assessed by the psychologist concerned and precludes providing an explanation of the results, for instance in some organisational consulting, pre-employment or security screening and forensic evaluations, the psychologist shall ensure that the explanation of the results is given in language that is reasonably understandable to the client concerned or to another person legally authorised to receive such explanation on behalf of the client.
- (2) Regardless of whether the administration, scoring and interpretation of tests are done by a psychologist or by others working with or under such psychologist, or by automated or other outside services, the psychologist concerned shall take all reasonable steps to ensure that appropriate explanations of results are given.

#### **Test scoring and interpretation services**

53. A psychologist who offers assessment or scoring procedures to other professionals shall –
- (a) accurately describe the purpose, norms, validity, reliability and applications of the procedures and any special qualifications applicable to their use: Provided that the

psychologist shall explicitly state the language, cultural and any other limitations of the norms;

- (b) select scoring and interpretation services (including automated services) on the basis of evidence of the validity and reliability of the programme and procedures, as well as other appropriate considerations; and
- (c) retain responsibility for the appropriate safety, administration, application, interpretation and use of assessment instruments, whether he or she administers, scores and interprets such tests himself or herself or uses automated or other services.

#### **Release of test data**

- 54. (1) A psychologist may release test data to another psychologist or another qualified professional by virtue of informed written consent by the client concerned.
- (2) A psychologist shall not release test data to a person who is not qualified to use such information, except –
  - (a) as required by law or a court order;
  - (b) by virtue of informed written consent by the client concerned; and
  - (c) to the client concerned; and
- (3) A psychologist may refrain from releasing test data referred to in subparagraph (2) to protect his or her client from harm.

#### **Obsolete tests and outdated test results**

- 55. A psychologist shall not base –
  - (a) his or her assessment or intervention decision or recommendation on data or test results that are outdated for the current purpose; or
  - (b) such a decision or recommendation on tests and measures that are obsolete and not useful for the current purpose, but shall ensure that tests used have been classified by the board and that the provisions of any applicable legislation, such as the Employment Equity Act, 1998 (Act No. 55 of 1998), have been complied with.

#### **Maintaining test security**

- 56. A psychologist shall take all reasonable steps to maintain the integrity and security of tests and other assessment techniques consistent with the law and the code.

**CHAPTER 6**  
**THERAPEUTIC ACTIVITIES**

**Informed consent to therapy**

57. When obtaining informed consent to therapy as required in Standard Informed Consent Forms, a psychologist shall, as early as is feasible in the therapeutic relationship, provide the client concerned with appropriate information, including information about the nature and anticipated course of therapy, the fees, the involvement of third parties and confidentiality, and when –
- (a) obtaining the informed consent of a client for treatment involving emerging areas in which generally recognised techniques and procedures have not been established, the psychologist shall inform the client of the developmental nature of the treatment, the potential risks involved, alternative treatments that may be available, and the voluntary nature of the client's participation; and
  - (b) the psychologist is a trainee and the legal responsibility for the treatment provided resides with the supervisor, the client shall, as part of the informed consent procedure, be informed that the therapist is in training and is being supervised and the client shall be given the name of the supervisor.

**Couples or family therapy**

58. (1) When a psychologist agrees to render psychological services to two or more persons who have a relationship, such as spouses, parents or children, the psychologist –
- (a) shall clarify at the outset which of the individuals are clients and the relationship such psychologist will have with each person;
  - (b) may be called on to perform potentially conflicting roles such as a family therapist and then as a witness in divorce proceedings; and
  - (c) shall clarify and modify or withdraw from roles when appropriate.
- (2) The clarification referred to in subrule (1)(a) includes the psychologist's role and the probable use of the psychological services provided or the information obtained.

**Group therapy**

59. When a psychologist provides psychological services to several persons in a group setting, the psychologist shall, at the outset, describe the roles and responsibilities of all parties and any exceptions to the requirement of confidentiality.

### **Therapy for those served by others**

60. (1) In deciding to render psychological services to those already receiving mental health services, a psychologist shall carefully consider the treatment issues and the potential client's welfare.
- (2) A psychologist shall discuss the issues contemplated in subrule (1) with the potential client or the legally authorised person of such client, for example parent, guardian, attorney or juristic person in a correctional services or juvenile justice setting such as a reformatory, in order to minimise the risk of confusion and conflict, consult with the other service providers when appropriate and proceed with caution and sensitivity to the therapeutic issues.

### **Sexual intimacies with current therapy clients**

61. A psychologist shall not engage in sexual intimacies of any nature (whether verbal, physical or both) with a current client.

### **Sexual intimacies with relatives or significant others of current clients or patients**

62. (1) A psychologist shall not engage in sexual intimacies with an individual he or she knows to be the parent, guardian, spouse, significant other, child or sibling of a current client.
- (2) A psychologist shall not terminate therapy to circumvent the prohibition referred to in subrule (1).

### **Therapy for former sexual partners**

63. A psychologist shall not accept as a client any person with whom he or she has engaged in sexual intimacies.

### **Sexual intimacies with former clients**

64. A psychologist shall not engage in sexual intimacies with a former client for at least 24 months after termination of the professional relationship and the onus rests on a psychologist who enters into a sexual relationship with a former client after such a period to demonstrate that there has been no exploitation, bearing in mind all relevant factors, including –
- (a) the period of time that has elapsed since the professional relationship was terminated;
  - (b) the nature, duration, and intensity of the professional relationship;
  - (c) the circumstances of the termination of the professional relationship;
  - (d) the client's personal history;
  - (e) the client's current mental status;
  - (f) the likelihood of an adverse effect on the client; and

- (g) any statements made or actions taken by the psychologist in the course of the professional relationship suggesting or inviting the possibility of a post-termination sexual or romantic relationship with the client.

#### **Interruption of professional services**

65. When entering into employment or contractual relationships, or where third-party payers are involved, a psychologist shall take all reasonable steps to provide for the orderly and appropriate resolution of his or her responsibility for client care in the event that the employment or contractual relationship ends, with paramount consideration given to the welfare of the client.

#### **Terminating professional services**

66. (1) A psychologist shall terminate professional services inclusive of therapy for a client when it becomes reasonably clear that the client no longer needs the psychological service concerned or is not likely to benefit or is being harmed by continuing that psychological service.
- (2) A psychologist may terminate psychological services when threatened or endangered in any way by a client or another person with whom that client has a relationship, in which circumstances careful thought shall be given to an appropriate referral or disposition plan.
- (3) Except where precluded by the actions of a client or third-party payer, a psychologist shall, prior to termination, provide pre-termination counselling and suggest alternative service providers, if appropriate.

### **CHAPTER 7 PSYCHO-LEGAL ACTIVITIES**

#### **Competence**

67. (1) A psychologist who performs psycho-legal (including forensic) functions, such as assessments, interviews, consultations, reports or expert testimony, shall comply with all the provisions of these rules to the extent that they apply to such activities.
- (2) A psychologist shall base his or her psycho-legal work on appropriate knowledge of and competence in the areas underlying such work, including specialised knowledge concerning specific populations.

#### **Basis for psycho-legal opinion**

68. A psychologist shall ensure that psycho-legal assessments, recommendations and reports are based on information and techniques sufficient to provide appropriate substantiation for the findings.

### **Qualified opinions**

69. A psychologist may provide written or oral psycho-legal reports or testimony about the psychological characteristics of a client only after he or she has conducted an examination of the client which is adequate to support his or her findings: Provided that when, despite reasonable efforts, such an examination is not feasible, the psychologist shall clarify the effect of his or her limited information on the reliability and validity of his or her reports and testimony, and limit the nature and extent of his or her findings accordingly.

### **Truthfulness and candour**

70. In psycho-legal testimony and reports, a psychologist shall –
- (a) testify truthfully, honestly and candidly and in a manner consistent with the applicable legal procedures; and
  - (b) describe fairly the basis for his or her testimony and conclusions.

### **Conflicting roles**

71. (1) A psychologist shall avoid performing multiple and potentially conflicting roles in psycho-legal matters.
- (2) When a psychologist may be called on to serve in more than one role in legal proceedings, for example as a consultant or expert for one party or for the court and as a witness on the facts, he or she shall, in advance and to the extent feasible, clarify his or her role expectations and any exceptions to the requirement of confidentiality in order to avoid compromising his or her professional judgement and objectivity.

### **Maintenance of expert-witness role**

72. A psychologist shall be aware of the conflicting demands made on him or her by the code and the requirements of the court system, and shall attempt to resolve such conflict by making known his or her commitment to these rules and by taking steps to resolve such conflict in a responsible manner.

### **Prior relationships**

73. (1) A prior professional relationship with a client shall not preclude a psychologist from testifying as a witness on the facts to the extent permitted by law.
- (2) A psychologist shall take into account the ways in which a prior relationship might affect his or her professional objectivity or opinion and disclose the potential conflict to the attorney or presiding officer whether a client or not.

**Role as witness on the facts**

74. (1) When a psychologist is required by a court to appear as a witness on the facts, the psychologist is legally obliged to present evidence.
- (2) A psychologist may declare his or her reluctance to appear as a witness on the facts by appearing as a witness under protest.
- (3) Irrespective of whether a psychologist appears as a witness under protest or not, he or she shall be a truthful and fully disclosing witness.

**CHAPTER 8**

**ACTIVITIES IN RESPECT OF ADVERTISING AND OTHER PUBLIC STATEMENTS**

**Accuracy in professional representation**

75. (1) A psychologist shall not misrepresent in any manner his or her professional qualifications with regard to education, experience or areas of competence.
- (2) A psychologist shall not make false, deceptive or fraudulent statements concerning –
- (a) his or her education and training, experience or competence;
  - (b) his or her academic or professional qualifications;
  - (c) his or her credentials;
  - (d) his or her institutional, association or professional society affiliations;
  - (e) the psychological services he or she provides;
  - (f) the clinical or scientific basis for or the results or degree of success of his or her psychological services;
  - (g) his or her fees; or
  - (h) his or her publications or research findings.
- (3) A psychologist may claim a qualification as a credential for his or her psychological services only if such qualification –
- (a) was obtained from a nationally accredited institution; or
  - (b) formed the basis for his or her registration with the board.

**Statements by others**

76. A psychologist who engages others to create or place a public statement that promotes his or her professional practice, products or activities shall retain professional responsibility for such statements and –
- (a) shall not compensate employees of the press, radio, television or other communication medium in return for publicity in a news item;
  - (b) if a paid advertisement pertaining to the psychological services rendered by that psychologist is published, such services must be identified or be clearly recognisable unless such services are already apparent from the context of that advertisement;

- (c) when a psychologist provides advice or comment by means of a public lecture, demonstration, radio or television programme, pre-recorded tape, printed article, mailed material, internet or other electronic transmission, or any other media, he or she shall take all reasonable precautions to ensure that –
  - (i) such advice or comment is based on appropriate psychological literature and practice and is consistent with these rules; and
  - (ii) the recipients of such advice or comment are not encouraged to infer that a personal relationship has been established between the psychologist concerned and them;
- (d) shall not solicit testimonials from a current client or any other person who, because of his or her particular circumstances, is vulnerable to undue influence; and
- (e) shall take immediate steps to correct any misrepresentation of himself or herself that may be made by others in any media.

#### **In-person solicitation**

- 77. (1) A psychologist shall not engage, directly or through an agent, in uninvited in-person solicitation of business from actual or potential clients or other persons who, because of their particular circumstances, are vulnerable to undue influence.
- (2) The prohibition contained in subrule (1) does not preclude a psychologist from –
  - (a) attempting to establish appropriate collateral contacts for the purpose of benefiting a client; or
  - (b) providing emergency, disaster or community outreach psychological services.

#### **Description of workshops and educational programmes**

- 78. (1) A psychologist associated with an announcement, flyer, brochure or advertisement which describes a workshop, seminar or educational programme for non-degree purposes shall ensure that such announcement, flyer, brochure or advertisement accurately describes –
  - (a) the audience for which such workshop, seminar or programme is intended;
  - (b) the educational objectives;
  - (c) the presenters;
  - (d) the fees involved; and
  - (e) the restrictions on practice namely that such workshop, seminar or programme does not allow people to claim competencies beyond those provided by the workshop.
- (2) A workshop, seminar or programme referred to in subrule (1) shall not create any impression with a person not registered with the council as a psychologist that such workshop, course or programme will lead to registration as a psychologist.

**CHAPTER 9  
TEACHING, TRAINING AND SUPERVISION**

**Design of education and training programmes**

79. A psychologist responsible for an education and training programme shall seek to ensure that such programme is competently designed and provides for proper education and training and meets the requirements for competency which it claims to provide and meet.

**Descriptions of education and training programmes**

80. (1) A psychologist responsible for an education and training programme shall provide a current and accurate description of the programme content, training goals and objectives, and shall set objective requirements that must be met for entrance into and satisfactory completion of that programme.
- (2) The psychologist concerned shall ensure that the description of the programme content, training goals and objectives, and the objective requirements referred to in subrule (1) are readily available to all interested parties.

**Accuracy and objectivity in teaching**

81. When engaged in teaching or training, a psychologist shall –
- (a) present psychological information accurately and with a reasonable degree of objectivity; and
  - (b) recognise the power he or she holds over students, supervisees and trainees, and shall therefore make every reasonable effort to avoid engaging in conduct that is demeaning to such persons and shall ensure that the constitutional rights of such persons are upheld.

**Student or trainee disclosures**

82. A psychologist shall not require a student, supervisee or trainee to disclose, either orally or in writing, personal information regarding his or her sexual history, history of abuse or neglect, psychological treatment, or relationship with a parent, peer, or spouse, except if such information is necessary to evaluate or obtain assistance for such student, supervisee or trainee whose personal problems could reasonably be judged to be preventing him or her from performing his or her work-related activities in a competent manner or posing a threat to himself or herself or others.

**Mandatory individual or group therapy or experiential activities**

83. (1) A psychologist shall not impose individual or group therapy on any trainee student as a mandatory programme requirement.

- (2) Where individual or group therapy is recommended in a programme, the psychologist associated with that programme shall allow a student, supervisee or trainee the option of –
- (a) withdrawing from such therapy; or
  - (b) selecting similar therapy outside the programme.

### **Assessing performance**

84. In an academic and supervisory relationship, a psychologist shall establish an appropriate process for providing feedback to a student, supervisee or trainee, and the psychologist shall evaluate such student, supervisee or trainee on the basis of his or her actual performance on relevant and established programme requirements determined objectively by the psychologist.

### **Sexual intimacies with student, supervisee or trainee**

85. A psychologist shall not engage in a sexual relationship with a student, supervisee or trainee who is in his or her department, agency or training centre or over whom the psychologist has or is likely to have evaluative authority.

## **CHAPTER 10 RESEARCH AND PUBLICATION**

### **Compliance with law and standards**

86. A psychologist shall plan and conduct research in a manner consistent with the law, and with internationally acceptable standards for the conduct of research, in particular those national and international standards for research with human participants and animal subjects.

### **Institutional approval**

87. A psychologist shall –
- (a) obtain written approval from the host institution or organisation concerned prior to conducting research;
  - (b) provide the host institution or organisation with accurate information about his or her research proposals; and
  - (c) conduct the research in accordance with the research protocol approved by the institution or organisation concerned.

### **Research responsibilities**

88. Prior to conducting research (except research involving only anonymous surveys or naturalistic

observations, or similar research), a psychologist shall enter, with every participant, into an agreement that sets out the nature of the research and the responsibilities of each party.

#### **Informed consent to research**

89. (1) A psychologist shall use language that is reasonably understandable to the research participant concerned in obtaining his or her informed consent.
- (2) Informed consent referred to in subrule (1) shall be appropriately documented, and in obtaining such consent the psychologist shall –
- (a) inform the participant of the nature of the research;
  - (b) inform the participant that he or she is free to participate or decline to participate in or to withdraw from the research;
  - (c) explain the foreseeable consequences of declining or withdrawing;
  - (d) inform the participant of significant factors that may be expected to influence his or her willingness to participate (such as risks, discomfort, adverse effects or exceptions to the requirement of confidentiality);
  - (e) explain any other matters about which the participant enquires;
  - (f) when conducting research with a research participant such as a student or subordinate, take special care to protect such participant from the adverse consequences of declining or withdrawing from participation;
  - (g) when research participation is a course requirement or opportunity for extra credit, give a participant the choice of equitable alternative activities; and
  - (h) in the case of a person who is legally incapable of giving informed consent, nevertheless—
    - (i) provide an appropriate explanation;
    - (ii) obtain the participant's assent; and
    - (iii) obtain appropriate permission from a person legally authorised to give such permission.

#### **Dispensing with informed consent**

90. Before deciding that planned research (such as research involving only anonymous questionnaires, naturalistic observations, or certain kinds of archival research) does not require the informed consent of a participant, a psychologist shall consider the applicable regulations and institutional review board requirements, and shall consult with colleagues as may be appropriate.

#### **Informed consent in research filming or recording**

91. A psychologist shall obtain the informed consent of the participant concerned prior to filming or recording him or her in any way, unless the research simply involves naturalistic observations in public places and it is not anticipated that the film or recording will be used in a manner that could cause the participant to be identified or harmed.

**Offering inducements to research participants**

92. In offering professional psychological services as an inducement to obtain the participation of a person in research, a psychologist shall –
- (a) explain the nature of such services, as well as the risks, obligations and limitations involved; and
  - (b) not offer excessive or inappropriate financial or other inducements to obtain the person's participation, particularly when such inducement might tend to exert undue influence on that person to participate.

**Deception in research**

93. (1) A psychologist shall not conduct a study involving deception unless he or she has established that the use of deceptive techniques is justified by the study's prospective scientific, educational or applied value and that equally effective alternative procedures that do not use deception are not feasible.
- (2) A psychologist shall not deceive a research participant about significant matters that would affect such participant's willingness to participate, such as physical risks, discomfort or unpleasant emotional experiences.
- (3) Any other deception that is an integral feature of the design and conduct of an experiment shall be explained by a psychologist to a research participant as early as is feasible, preferably at the conclusion of that participant's participation, but not later than at the conclusion of the research.

**Debriefing of research participants**

94. A psychologist shall, without delay, afford a participant the opportunity to obtain appropriate information about the nature, results and conclusions of the research, and the psychologist shall attempt to correct any misconceptions that that participant may have and –
- (a) if scientific or humane values justify delaying or withholding such information, the psychologist shall take reasonable measures to reduce the risk of harm; or
  - (b) when the psychologist becomes aware that research procedures have harmed the participant, he or she shall take all reasonable steps to minimise the harm.

**Care and use of animals in research**

95. A psychologist who conducts research involving animals shall treat such animals humanely and according to international standards.

**Reporting research results**

96. A psychologist shall not fabricate data or falsify results in any publication of research findings such as a book, a journal article or an in-house professional report, and if he or she discovers significant errors

in any published data, he or she shall take all reasonable steps to correct those errors in a correction, a retraction, an erratum or other appropriate means of publication.

### **Plagiarism**

97. A psychologist shall not present substantial portions or elements of another person's work or data as his or her own, even if the other work or data source is cited occasionally.

### **Publication credit**

98. (1) A psychologist may take responsibility and credit, including authorship credit, only for –
- (a) work he or she has actually performed or to which he or she has contributed;
  - (b) principal authorship or other publication credits if these accurately reflect his or her relative scientific or professional contribution to the publication concerned, regardless of his or her relative status; or
  - (c) minor contributions to research or publications, which shall be appropriately acknowledged, such as in footnotes or in an introductory statement.
- (2) The mere holding of an institutional position, such as chairperson of a department, shall not entitle a psychologist to any authorship credit.
- (3) A student shall be listed as principal author of any multiple-authored article if that article is substantially based on such student's dissertation or thesis.

### **Publication of non-original data**

99. (1) A psychologist shall not publish as original data, any data that have been published previously.
- (2) Subrule (1) does not preclude the republication of data when such republication is accompanied by proper acknowledgement of the original author.

### **Sharing data**

100. After research results have been published, a psychologist shall not withhold the data on which his or her conclusions are based from other competent professionals who seek to verify the substantive claims through re-analysis and who intend to use such data only for that purpose: Provided that confidentiality with respect to any research participant can be maintained and legal rights concerning proprietary data do not preclude the release thereof.

### **Professional reviewers**

101. A psychologist who reviews submissions submitted for a publication or a grant or as a research proposal shall respect the confidentiality of and the proprietary rights in those submissions which are vested in those who submitted such submissions.

## CHAPTER 11 RESOLVING ETHICAL ISSUES

### **Uncertainty about ethical issues**

102. When a psychologist is uncertain whether a particular situation or course of action would violate these rules, he or she shall consult with another psychologist knowledgeable about ethical issues, with an appropriate national psychology ethics committee, or with another appropriate authority in order to make the proper decision.

### **Conflicts between ethics and law**

103. (1) If a psychologist's ethical responsibilities conflict with the law, such psychologist shall make known his or her commitment to these rules and take steps to resolve the conflict.
- (2) If the conflict referred to in subrule (1) cannot be resolved, the psychologist concerned shall comply with the requirements of the law.

### **Conflicts between ethics and organisational demands**

104. If the demands of an organisation with which a psychologist is affiliated, conflict with these rules, the psychologist shall clarify the nature of the conflict, shall make known his or her commitment to these rules and shall, to the extent feasible, seek to resolve the conflict in a way that permits the fullest compliance with these rules.

### **Informal resolution of ethical violations**

105. When a psychologist believes that there may have been an ethical violation by another psychologist, he or she shall attempt to resolve the issue by bringing it to the attention of that other psychologist if an informal resolution appears appropriate and the intervention does not violate any confidentiality rights that may be involved.

### **Reporting ethical violations**

106. (1) If the informal resolution of an apparent ethical violation is not appropriate or if such a violation cannot properly be resolved in that fashion, a psychologist shall take such further action as is appropriate to the situation, unless that action conflicts with confidentiality rights in a manner that cannot be resolved.
- (2) Any action referred to in subrule (1) may include referral to an appropriate professional ethics committee or colleague for arbitration, conciliation, or advice on a further course of action.

### **Reporting colleague impairment**

107. (1) If a psychologist has a reasonable basis for suspecting that a colleague is professionally impaired owing to a psychological disturbance, a physical illness or substance abuse, he or she shall timeously inform the health committee of his or her concerns.
- (2) Where a psychologist informs the health committee as contemplated in subrule (1), factual proof shall not be required: Provided the psychologist has bona fide concerns.
- (3) The health committee shall consider the matter and may initiate an investigation by the appropriate organ of the board.

### **Co-operating with ethics committees**

108. (1) A psychologist shall give his or her full cooperation with respect to an ethics investigation, any proceedings or any related requirements of the board and shall, for purposes of such investigation, proceedings or requirements, make a reasonable effort to resolve any issues relating to confidentiality.
- (2) Failure by a psychologist to cooperate as contemplated in subrule (1) shall in itself be an ethics violation.

### **Improper complaints**

109. A psychologist shall not file or encourage the filing of an ethics complaint that is frivolous and is intended to harm the psychologist against whom the complaint is brought rather than protect the public.

### **Discrimination against complainant or respondent**

110. (1) A psychologist shall not deny any person treatment, employment, advancement, promotion or admission to a training programme on the grounds of that person's having made or having been the subject of an ethics complaint.
- (2) The prohibition contemplated in subrule (1) does not preclude a psychologist from taking action based on the outcome of an inquiry held in terms of Chapter IV of the Act.

### **Disciplinary sanctions**

111. (1) Behaviour by a psychologist that is unprofessional, immoral, unethical, negligent or deceptive or that fails to meet the minimum reasonable standards of acceptable and prevailing psychology practice shall include, but not be limited to, any act or practice that violates these rules, or the Act, or any regulations that are made under the Act and that are applicable to a psychologist, or board notices or board resolutions.
- (2) The provisions of subrule (1) are applicable to a psychologist and to anyone under his or her supervision.
- (3) The board shall have the power to impose any sanction that is provided for in the Act.