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GOVERNMENT NOTICE

DEPARTMENT OF EDUCATION

No. 335

28 February 2003

**REGULATIONS FOR THE REGISTRATION OF
PRIVATE HIGHER EDUCATION INSTITUTIONS**

The Minister of Education, after consultation with the Council on Higher Education, has in terms of section 53(1)(c) read with section 69 of the Higher Education Act, 1997 (No 101 of 1997), published the Annexures to the Regulations.



DEPARTMENT OF EDUCATION

REGULATIONS FOR THE REGISTRATION OF
PRIVATE HIGHER EDUCATION INSTITUTIONS

A GUIDE FOR COMPLETING THE APPLICATION
FOR REGISTRATION AS A PRIVATE HIGHER
EDUCATION INSTITUTION

(APX-01)

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VISION, MISSION AND MANDATE OF THE DEPARTMENT OF EDUCATION

VISION

Our vision is of a South Africa in which all our people have access to lifelong education and training opportunities, which will in turn contribute towards improving quality of life and building a peaceful, prosperous and democratic society.

MISSION

To provide leadership in the construction of a South African education and training system for the 21st century.

MANDATE

The vision for the transformation of the higher education system is articulated in *White Paper 3: A Programme for the Transformation of Higher Education (1997)*. Central to this vision is the building of a rational, seamless higher education system that grasps the intellectual and professional challenges facing South Africans in the 21st century, and meets the learning needs of individuals and the development needs of our society and economy.

The building of such a system necessitates, among other things, the promotion of quality teaching and research, not only in public universities and technikons, but also in privately established institutions of higher learning. It is primarily for this reason that the Higher Education Act, 1997 (Act No. 101 of 1997) (hereafter referred to as "the Act"), makes it a requirement for private institutions offering higher education to register with the Department of Education (DoE).

The registration of private higher education institutions, in accordance with the Act, applies only to institutions that offer learning programmes that result in the awarding of whole qualifications such as certificates, diplomas or degrees at levels 5 to 8 of the National Qualifications Framework (NQF). Registration, as required by the Act, means that an institution is granted the legal authority to offer accredited higher education programmes and qualifications. This requirement applies to all private institutions, be they local or foreign.

The aim of registering these institutions is to ensure that -

- a) all registered private higher education institutions offer an acceptable quality of education;
- b) current and prospective students receive higher education from institutions that have the resources, capacity and/or expertise to deliver quality programmes;
- c) the public obtains qualifications that are aligned with the National Qualifications Framework; and
- d) the education system continues on a path of transformation in accordance with government policy and regulation.

Registration can, therefore, be seen as a means of protecting the integrity of the higher education system and the interests of the public.

Chapter 7 of the Act deals specifically with private higher education institutions. The *Regulations for the Registration of Private Higher Education Institutions, 2002*, of which this guide and the application form are an appendix, provide the legal framework within which the Registrar of Private Higher Education Institutions is required to regulate the registration of private higher education institutions in terms of the Act.

ACRONYMS USED IN THE GUIDE AND APPLICATION FORM

ABET	Adult Basic Education and Training
CHE	Council on Higher Education
CIPRO	Companies and Intellectual Property Registration Office
DoE	Department of Education
FET	Further Education and Training
FTE	Full-time equivalent
GAAP	Generally Accepted Accounting Practice
GET	General Education and Training
HEQC	Higher Education Quality Committee
NQF	National Qualifications Framework
PAAB	Public Accountants' and Auditors' Board
SAAS	South African Auditing Standards
SAICA	South African Institute of Chartered Accountants
SAQA	South African Qualifications Authority

APPLICATION TYPES

Regulations 3, 4 and 5 stipulate the following:

i) **Application for registration**

Any person intending to establish and maintain a private higher education institution must complete an Application for Registration as a Private Higher Education (Form APX-01) and submit it to the registrar at least 18 (eighteen) months before the institution commences its operations.

ii) **Application for amendment**

An institution wishing to amend its registration or provisional registration in terms of section 58 of the Act must complete an Application for Amendment (Form APX-02) and submit it to the registrar at least 12 (twelve) months before the proposed amendment comes into effect.

iii) **Application for conversion**

An institution wishing to have its provisional registration converted to registration in terms of section 54(1)(c) of the Act must complete an Application for Conversion (Form APX-03) and submit it to the registrar by the date determined by the registrar.

IMPORTANT CONSIDERATIONS FOR LODGING THE APPLICATION FOR REGISTRATION

This guide and the accompanying application form must be used when a private institution applies for registration as a private higher education institution.

Private institutions seeking registration should contact the DoE to discuss their eligibility to register in terms of the Act. For an application to be considered for registration, the applicant must -

- a) propose to offer higher education as contemplated in section 1 of the Act; and
- b) have established a juristic person in terms of the *Companies Act, 1973 (Act No. 61 of 1973)* (hereafter referred to as "the Companies Act").

The requirements for registration are prescribed in the Act and operationalised in Chapter 3 of the Regulations. In terms of the Act, the registration of private higher education institutions is linked to two main criteria:

i) **Financial viability**

The applicant must provide proof in the application that its income is or will be sufficient to sustain its programmes in an acceptable manner and that it has, or will have, a stable financial position that will enable it to maintain operational continuity.

The applicant must also submit proof that it has established financial surety or guarantees to ensure that it meets its obligations to its enrolled students.

ii) **Institutional and programme accreditation**

The applicant must propose to offer only programmes leading to qualifications that are registered on the NQF. The application to the DoE must be supported by an application for institutional and programme accreditation by the HEQC, a permanent committee of the CHE established in terms of section 4 of the Act. On applying for registration, an applicant must provide proof that an application for accreditation has been lodged with the HEQC.

Private institutions wishing to discuss accreditation should contact the HEQC directly at:

*The Executive Director: Quality Assurance
The Higher Education Quality Committee
Council on Higher Education
P O Box 13354
THE TRAMSHED
0126*

*Telephone: 012 392 9120
Facsimile: 012 392 9132*

In considering the application, the Registrar is required to consider, inter alia, the evidence provided in the application, as well as the recommendations of the HEQC on the applicant's application for accreditation. On the basis of these, the Registrar must determine whether, if registered, the applicant will maintain acceptable standards that are not inferior to those of a comparable public higher education institutions.

IMPORTANT REQUIREMENTS FOR COMPLETING THE APPLICATION FORM

This guide was developed to assist institutions who wish to apply to the DoE for registration as private higher education institutions. It is important to bear in mind that this document is only a guide and that additional information may be required to support the application.

This guide accompanies an application form (*Form APX-01*). The guide is linked to the various sections of the application form. Applicants are, therefore, strongly urged to read through the guide carefully before commencing with the completion of the application form. Applicants are also strongly advised to read the guide in conjunction with the Act and the Regulations.

When completing the application form, the following must be borne in mind:

- a) An application for registration must be lodged with the DoE at least 18 (eighteen) months before the applicant proposes to initiate operations.
- b) All sections of the form must be completed fully and in the required format and the form must be submitted to the DoE. The Registrar of Private Higher Education Institutions will not process an incomplete application or an application that does not address the items as required.
- c) All application documents must carry the date of submission to the DoE.
- d) The application documents can be accessed electronically in *Microsoft Word for Windows* on the DoE website at: http://education.gov.za/DoE_Sites/Higher_Education/Registrar. However, all applications must be submitted as hard copies.
- e) The application fee must be paid by means of a cheque made out to the DoE.
- f) Important supporting documentation in the form of listed annexures must be provided as part of the application.
- g) The application consists of the following 11 sections:

FORM

Section A: Administrative data (Items 1-6)

Section B: Company registration and governance particulars (Items 7-20)

Section C: Particulars of learning programmes (Items 21 and 22)

Section D: Projected staff and student data (Items 23-25)

Section E: Data on GET and FET programmes (Items 26-28)

ANNEXURES

Section F: Financial viability reports and legal documents (Items 29-34)

Section G: Quality assurance and monitoring (Items 35-37)

Section H: Inter-institutional agreements and marketing information (Items 38 and 39)

Section I: Admission information and student rules (Item 40)

Section J: Declaration on non-discrimination (Item 41)

Section K: Additional information to be submitted by foreign applicants only (Items 42-44)

An application checklist is provided at the end of this document to help applicants determine whether all the required information is included.

In the spaces provided on *Form APX-01*, the required information must be provided as explained per item below. Each explanation corresponds to the item on *Form APX-01*.

A. ADMINISTRATIVE DATA**ITEM 1**

Supply the legal name of the company that is applying for registration as a private higher education institution. Only companies that are registered or recognised as juristic persons in terms of the Companies Act are eligible to apply.

ITEM 2

Fill in the name, designation, telephone number, fax number and e-mail address of the authorised contact person for all correspondence to the applicant.

ITEM 3

Fill in the postal address to which all correspondence to the applicant should be mailed.

ITEM 4

Fill in the physical address and contact details of the applicant's head office. The street, number, suburb and city or town must be clearly indicated.

ITEM 5

If the physical address and contact details of the applicant's main campus are different from those of its head office, the physical address of the main campus must be indicated in the space provided.

ITEM 6

Fill in the applicant's website address.

B. COMPANY REGISTRATION AND GOVERNANCE PARTICULARS**ITEM 7**

Supply the legal name in which the applicant was established as a juristic person in terms of the Companies Act. This name should be the same as in Item 1 above.

ITEM 8

Supply (if applicable) another official trading name, abbreviation, acronym or translation under which the applicant is conducting its business or intends to conduct its business.

ITEM 9

Indicate the applicant's type of juristic person (e.g. *Private company or Association incorporated under section 21*).

ITEM 10

Fill in the company registration number as it appears on the *Certificate of Incorporation or Certificate of Registration of Memorandum of External Company*. The registration number should be written in full, e.g. 2000/123456/09.

ITEM 11

Indicate whether the applicant is a local or a foreign juristic person, as defined in section 1 of the Act.

ITEM 12

If the applicant is a foreign juristic person, indicate the country of origin.

ITEM 13

If the applicant is a foreign juristic person, please supply, in the spaces provided, the following details of the parent institution in the country of origin:

- a) Name of the parent institution
- b) Name of the head of the parent institution
- c) Postal address
- d) Physical address
- e) Telephone number
- f) Fax number
- g) E-mail address
- h) Website address

ITEM 14

This item is divided into (a) and (b).

a) In the spaces provided, the following details of the head or Chief Executive Officer of the applicant must be filled in:

- i) Name (including initials and surname)
- ii) Designation
- iii) Identity number (Passport number and citizenship if not South African)
- iv) Telephone numbers (including the cellular phone number, if available)
- v) Fax number

b) In the spaces provided, the following details of the applicant's directors must be filled in:

- i) Surname and initials
- ii) Title
- iii) Designation in the organisation
- iv) Identity number (Passport number and citizenship if not South African)

ITEM 15

Fill in the applicant's physical address and contact details to be used as *domicilium citandi et executandi* for all purposes arising out of, or in connection with, the application for registration as a private higher education institution.

ITEM 16

If applicable, give the name of the applicant's holding company, or any other organisation to which the applicant is legally, commercially or academically subordinate, or on which it is otherwise dependent, such as a trust or religious body.

ITEM 17

Indicate the relationship between the applicant and its holding company or any other organisation as defined in item 16 above.

ITEM 18

In the spaces provided, fill in the names, titles and identity numbers of the owners of the company, as reflected in the *Memorandum and Articles of Association* issued by *CIPRO*.

ITEM 19

In (a), fill in the name (of the firm) of the applicant's auditor, appointed under Chapter X of the Companies Act and registered as an auditor in terms of the *Public Accountants' and Auditors' Act, 1991 (Act No. 80 of 1991)*. In (b) the auditor's practice or registration number, as issued by the PAAB, should be filled in.

ITEM 20

In this item the following details of the applicant must be filled in:

- a) Value-Added Tax registration number
- b) Income Tax number
- c) Business registration number issued by the Metropolitan Council or Local Authority in terms of the Regional Services Council Act, 1985 (Act No. 109 of 1985).

C. PARTICULARS OF LEARNING PROGRAMMES

The accreditation status of programmes with the HEQC is an important requirement of the Act for the registration of private higher education institutions. The registrar must be satisfied that

the institution will provide education of a standard not inferior to a comparable public institution, and that it will comply with the requirements of the HEQC.

ITEM 21

Details of all programmes submitted to the HEQC for accreditation as higher education programmes must be supplied in Table 01.

For the mode of instruction, please choose either (a) contact education or (b) distance education. Each mode is briefly explained below.

a) Contact education

This involves personal interaction with teachers or supervisors through lectures, tutorials, seminars, practicals and supervision, and occurs at the applicant's premises or site(s).

b) Distance education

The interaction between students and teachers or supervisors is undertaken through distance education techniques, such as correspondence or telematic education. There are a number of different forms of distance education, including:

i) Correspondence learning

Correspondence learning takes place when there is little or no face-to-face contact between the educator and the learner. The learner works independently with no support services and the learning material is usually delivered by post or electronically.

ii) Open learning

Open learning is a form of distance education, which combines face-to-face and other support services such as print materials and telematics.

ITEM 22

"Site" refers to any learning site, such as a campus, satellite campus or learning centre, controlled and administered by the applicant. All learning sites where higher education programmes are delivered must be accredited. Only accredited programmes and sites of delivery for which the applicant assumes legal and financial responsibility will be registered. In the columns provided in Table 02, the following details of the proposed sites of delivery must be supplied:

- a) The name and physical address of the site
- b) Programmes to be delivered at the site

D. PROJECTED STAFF AND STUDENT DATA

ITEM 23

In TABLE 03, the headcount staff and student totals must be supplied for the first three years of operation. The data must be supplied in the required format and according to the categories supplied. The data must be for programmes that the applicant proposes to offer as higher education programmes in accordance with the Act.

Before responding to this item, the following explanations must be taken into consideration:

a) Headcount student enrolment

A headcount student enrolment is literally a counting of heads. Students are counted as units, regardless of whether they are full-time or part-time, and regardless of the number of courses for which they are enrolled. For example, students enrolled for 20%, 50% or 100% of a full-time curriculum will all be counted as units in a headcount total.

The headcount totals reported in the tables must be **unduplicated** ones. In an unduplicated headcount enrolment total a student is counted **once only**. If a student is registered for more than one qualification, he/she must be counted only for the qualification considered by the applicant to be his/her main qualification.

b) Headcount staff totals

A headcount total of staff is literally a counting of heads. Every applicant should indicate how many of its staff are **full-time** and how many are **part-time**.

c) Academic/Research staff

These are the academic members of the applicant's staff involved in teaching and research.

d) Support staff

These are the members of staff who, either directly or indirectly, support the applicant's instructional activities. To be placed in this category are members of staff who perform functions such as academic support services, student support services, human resource management, financial management and administration.

e) Service staff

These are members of staff who perform auxiliary services, such as the operation and maintenance of the physical premises, and who work on, for example, building maintenance, garden services, custodial services and security services.

ITEM 24

In Table 04, the details of programmes the applicant proposes to offer as higher education programmes in accordance with the Act must be supplied. The following explanation must be taken into account before responding to this item:

NQF fields

In terms of *Government Gazette No. 20234*, of 25 June 1999, SAQA has determined the following fields and sub-fields for purposes of registering qualifications with the NQF. "Qualifications" refers to degrees, diplomas and certificates that an applicant proposes to award to students on successful completion of a programme of study. Before completing the form, it is important to check in which field your learning programme belongs.

01 Agriculture and Nature Conservation

Primary and secondary agriculture, nature conservation, forestry and wood technology, horticulture.

02 Culture and Arts

Design studies, visual and performing arts, cultural studies, music, sport, film, television and video.

03 Business, Commerce and Management Studies

Finance, economics and accounting, generic management, human resources, marketing, procurement, office and public administration, project management, public relations.

04 Communication Studies and Language

Communication and information studies, language, literature.

05 Education, Training and Development

Schooling, higher education and training, early childhood development, adult learning.

06 Manufacturing, Engineering and Technology

Engineering and related design, manufacturing and assembly, fabrication and extraction.

07 Human and Social Studies

Environmental relations, general social science, industrial and organisational governance and human resource development, people-/human-centred development, public policy, politics and democratic citizenship, religious and ethical foundations of society, rural and agrarian studies, traditions, history and legacies, urban and regional studies.

08 Law, Military Science and Security

Safety and justice in society, sovereignty of the state.

09 Health Sciences and Social Services

Preventive health, promotive health and development services, curative health, rehabilitative health services.

10 Physical, Mathematical, Computer and Life Sciences

Mathematical, physical, life, information technology and computer, earth and space and environmental sciences.

11 Services

Hospitality, tourism, travel, gaming and leisure, transport, operations and logistics, personal care, wholesale and retail, consumer services.

12 Physical Planning and Construction

Physical planning, design and management, building construction, civil engineering construction, electrical infrastructure construction.

NQF levels

While the development of level descriptors is still being finalised by SAQA, the following is a guide for purposes of completing *Form APX-01*.

NQF level 5 broadly refers to certificates and diplomas.

NQF level 6 generally includes all first degree qualifications.

NQF level 7 refers to postgraduate qualifications at honours and master's degree levels.

NQF level 8 refers to doctoral degrees.

ITEM 25

In Table 05, the details of higher education programmes for which the applicant offers support, such as tuition, on behalf of another institution must be supplied. Certifying institution refers to the institution that is responsible for issuing certificates and awarding degrees and diplomas to successful students at the end of a programme of study.

E. DATA ON GET AND FET PROGRAMMES**ITEM 26**

- a) By means of a Yes or a No, indicate whether you offer programmes in the GET band.
- b) If Yes, the registration number as an independent school or an ABET centre must be supplied. The number is assigned by the Provincial Education Department.

ITEM 27

By means of a Yes or a No, please indicate whether you offer programmes in the FET band.

ITEM 28

If applicable, the GET and FET student and staff data for the current year must be supplied in Table 06, in the required format and according to the categories indicated.

F. FINANCIAL VIABILITY REPORTS AND LEGAL DOCUMENTS

ITEM 29

ANNEXURE A(1)

Audited annual financial statements OR Audited three-year financial forecasts

a) Audited annual financial statements

An applicant that is already operating in the GET and/or FET band(s) or any other business, but wants to extend its operations to higher education, must submit its most recent audited annual financial statements for the existing business and a business plan for the proposed higher education operations. For purposes of applying for registration as a private higher education institution, the applicant's directors must prepare and submit the audited annual financial statements for the previous financial year. The preparation and presentation of the financial statements must comply with the requirements of the *Higher Education Act, 1997 (Act No. 101 of 1997)*, the *Companies Act, 1973 (Act No. 61 of 1973)* and the *Statements of GAAP*. The financial statements must include the following:

- Auditor's report
- Directors' report
- Balance sheet
- Income statement
- Cash-flow statement
- Statement of changes in equity
- Summary of accounting policies
- Notes to the financial statements

The auditor's report referred to above must comply with requirements as explained in the following section:

i) The auditor's report

In terms of the Act, the auditor's report must be issued by a **registered independent auditor**. In terms of form and content, the auditor's report must conform to the *SAAS 700* issued by the SAICA. The auditor's report must be issued on the auditor's official letterhead. In the report, the auditor must express his/her opinion on the appropriateness of the management's use of the going concern assumption in their preparation of the applicant's financial statements. In terms of section 56(1)(b) of the Act, the auditor's report must be available for public scrutiny. Further, the

auditor must indicate whether or not he/she concurs with the directors' *Financial Viability Statement* referred to below.

ii) **Directors' report**

Any matter not dealt with in the balance sheet, statement(s) of changes in equity, income statement, cash-flow statement or notes thereto, must be dealt with in the directors' report. Any post-balance-sheet event that is material to the appreciation of the financial position of the applicant, its changes in equity, and the results of its operations and cash flows must also be tabled in the directors' report.

In terms of format and content, the directors' report must comply with section 299 and *Part III of Schedule 4* of the Companies Act. It must, therefore, include, but not be limited to, the following aspects:

- *Directors and secretary*
- *Principal activities/Nature of business*
- *Directors' responsibilities*
- *Going concern assessment*
- *Operating results*
- *Dividends*
- *Review of operations*
 - o *Revenue*
 - o *Profit before tax*
 - o *Extraordinary items*
- *Share capital*
- *Post-balance-sheet events*
- *Financial viability statement*

The following verbatim statement must constitute the *Financial Viability Statement* referred to in the list above:

I hereby confirm that I have no reason to believe that (name of the applicant) is not financially capable of meeting its obligations to its students as contemplated in section 53(1)(a) of the Higher Education Act, 1997 (Act No. 101 of 1997).

The Chief Executive Officer, or an official of similar standing, must sign the directors' report.

b) **Audited three-year financial forecasts**

A new applicant who has not previously operated in any form whatsoever, must submit an audited three-year financial forecast. The three-year financial forecast must consist of the following:

- a) *Auditor's report*
- b) *Detailed assumptions*
- c) *Balance sheet*

- d) *Pro forma income statements for three years*
- e) *Pro forma cashflow statements for three years*
- f) *Explanatory notes to the financial forecasts*

aa) Detailed assumptions

These assumptions should serve as the basis for all the figures and calculations done in the pro forma statements.

bb) Balance sheet

This statement must, on analysis, be in a position to provide answers to the following questions:

- What assets does the applicant own?
- How much does the applicant intend investing in the proposed operations?
- What are the applicant's sources of funding?
- What is the proportion of debt to be incurred vis-à-vis own capital/equity?

cc) Pro forma income statements

These statements must, on analysis, be able to show all the sources of the applicant's income and the amounts to be generated from each source. They must further indicate how the applicant is to meet the following funding requirements (start-up expenditure line items):

- *Capital costs*
- *Student accommodation*
- *Laboratory and/or workshop equipment*
- *Library facility*
- *Student support services*
- *Student financial aid*
- *Research*
- *Quality assurance and quality promotion*
- *Professional fees (legal, financial, etc.)*
- *Costs for developing operational policies*
- *Systems design, purchase and implementation*
- *Promotion/Advertising/Marketing Costs*
- *Furniture*
- *Electronic equipment (teaching and learning)*
- *Vehicles*
- *Staff recruitment*
- *Staff salaries*
- *Rent*
- *Travel*
- *Recreation*

- *Telecommunications*
- *Office consumables, etc.*

dd) Pro forma cash flow statements

These statements must indicate how much, during the first three years of operation, the applicant expects to -

- *generate for/from operating activities;*
- *generate for/from investing activities; and*
- *generate for/from financing activities.*

ee) Explanatory notes

Aspects that have not been dealt with as part of *Assumptions*, should be clearly explained in this section. Where applicable, this section should include, but not be limited to, the explanation of the following:

- *Dividend policy (if any)*
- *Financing terms and conditions*
- *VAT treatment, etc.*

ITEM 30

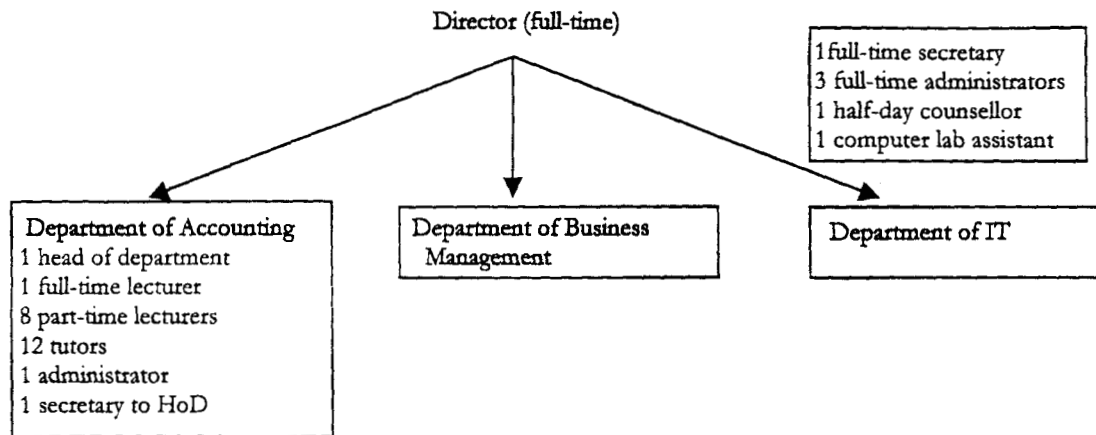
ANNEXURE A(2): Business plan

The audited three-year financial forecast or audited annual financial statements to be submitted to the Registrar of Private Higher Education Institutions must be accompanied by a detailed three-year business plan containing the following headings:

1. **Executive Summary of the Business Plan**
2. **Vision, Mission and Organisational Objectives**
 - 2.1 Vision
 - 2.2 Mission
 - 2.3 Objectives
3. **Scope of operations**
 - 3.1 Description of infrastructure to be used and its suitability for the proposed programmes.
 - 3.2 Nature and level of research to be conducted.
 - 3.3 Areas in which expansion is contemplated within the first three years.

4. Planned structure of the organisation

By means of an organogram, the planned structure of the organisation must be indicated. The organogram must depict all the organisational divisions and their management. It must also show the number of academic and support staff in each academic division. (As an example, see the diagram below).



5. Market Research, Assessment and Feasibility

5.1 Description of the target market.

5.2 Current and long-term demand of the proposed programme offerings.

5.3 Degree of concentration of similar programme offerings by other public or private providers in the geographical area of the applicant's proposed location.

6. Risk Analysis and Management Strategies

6.1 External risks such as market risks and economic risks.

6.2 Internal risks such as:

- a) *Governance/Management/Systems inadequacies/Capacity failure*
- b) *Financial risk*
- c) *Marketing risk*
- d) *Implementation risk*

6.3 Risk management strategies:

- a) *Implementation and phasing*
- b) *Risk monitoring indicators*
- c) *Financial risk indicators*
- d) *Risk Management approach*

7. Organisational policies

7.1 Staffing policy

- a) Employment Equity policy as determined by the requirements of the *Employment Equity Act, 1998 (Act No. 55 of 1998)*.

7.2 Institutional policy dealing with:

- a) *Student admission policy*
- b) *Language policy*
- c) *Rules relating to assessment, academic credits, progression and qualification*
- d) *Fees and charges, including refund in case of cancellation and withdrawal*
- e) *Student financial aid*
- f) *Student support services*
- g) *Student rules and regulations/Code of conduct*
- h) *Staff and student grievance policies and procedures*

7.3 Occupational health and safety policy.

7.4 HIV/AIDS policy

8. Implementation framework

8.1 Implementation time frames

8.2 The rationale for these time frames

8.3 Critical success factors for this projects

ITEM 31**ANNEXURE A(3): Surety agreement**

In terms of Regulation 13(2), an applicant is required to set up surety or guarantee to ensure that the applicant is able to meet its obligations to students for as long as it remains a registered private higher education institution. As documentary proof to this effect, a signed certified copy of the Agreement must be submitted to the Registrar. In this agreement there must be a clear indication of the following:

- a) *Parties entering into the agreement*
- b) *What is agreed upon*
- c) *Terms*
- d) *Conditions*
- e) *The amount of surety or guarantee*
- f) *How the amount was determined*
- g) *Any other consideration*

The surety agreement must be structured in such a way that it takes into account enrolment fluctuations.

ITEM 32

ANNEXURE B: Company registration documents

One of the eligibility criteria for registration as a private higher education institution is that the applicant should be a registered or recognized juristic person established in terms the Companies Act. As proof thereof, please submit signed certified copies of the *Certificate of Incorporation*, *Articles of Association* and a *Memorandum of Association*, or a *Certificate of Registration of Memorandum of External Company* as issued by CIPRO of the Department of Trade and Industry. To be regarded as valid, these documents should bear the official Seal and the signature of the Registrar of Companies.

ITEM 33

ANNEXURE C: Occupational health and safety audit report(s)

The occupational health and safety compliance audit reports for all sites of delivery must be submitted. The audit reports must be issued by a legally competent health and safety professional or organisation.

ITEM 34

ANNEXURE D: Business registration certificate

A certified copy of the business registration certificate issued by the Metropolitan Council or Local Authority in terms of the Regional Services Councils Act must be submitted.

G. QUALITY ASSURANCE AND MONITORING

The declarations contemplated under this section will bind the institution to the requirements of the Act in terms of subjecting itself to the quality assurance mechanisms as determined by the HEQC.

ITEM 35

ANNEXURE E: Declaration on application for accreditation

The following verbatim declaration must be submitted by the applicant on its official letterhead and must be dated and signed by the Chief Executive Officer of the applicant or an official of similar standing in the organisation:

I hereby declare that..... [legal name of the applicant as in 1 above] has applied to the Higher Education Quality Committee (HEQC) for accreditation of the following programmes:

- a) ..
- b) ..
- c) ..

I further declare that, if registered or provisionally registered, [legal name of the applicant] shall comply with the requirements of the HEQC as contemplated in section 53(1)(b)(ii) of the Higher Education Act, 1997 (Act No 101 of 1997).

The original of this declaration must be submitted.

ITEM 36

ANNEXURE F: Undertaking on institutional capacity

The following verbatim undertaking must be submitted by the applicant on its official letterhead and must be dated and signed by the Chief Executive Officer of the applicant or an official of similar standing in the organisation:

I hereby declare that, if registered or provisionally registered,.....[legal name of the applicant] will not exceed the enrolment that the facilities and equipment can reasonably accommodate.

I further declare that.....[legal name of the applicant] has sufficient space, equipment and instructional material to provide education and training of sufficient standard to achieve the objectives of each programme.

I also agree that, if registered or provisionally registered,.....[legal name of the applicant] will maintain full records of each student's admission, academic progress and assessment of learning in respect of each programme.

I declare that all the sites listed in this application are administered and controlled by.....[legal name of the applicant].

The original of this declaration must be submitted.

ITEM 37

ANNEXURE G: Declaration on monitoring and evaluation

The following verbatim undertaking must be submitted by the applicant on its official letterhead and must be dated and signed by the Chief Executive Officer of the applicant or an official of similar standing in the organisation:

I hereby declare that, if registered or provisionally registered,.....[legal name of the applicant] shall comply with an evaluation of the institution at intervals to be determined by the Registrar.

I further declare that, if registered or provisionally registered, [legal name of the applicant] shall comply with any other reasonable process arranged by the registrar after consultation with the institution for the purpose of monitoring compliance with the requirements of the Act and the conditions of registration.

The original of this declaration must be submitted.

H. INTER- INSTITUTIONAL AGREEMENTS AND MARKETING INFORMATION

ITEM 38

ANNEXURE H: Inter-institutional agreements

If applicable, signed certified copies of agreements with other education institutions, whether South African or foreign, must be submitted. Each agreement must reflect the programmes involved. Copies of letters and membership certificates are not acceptable for this purpose.

ITEM 39

ANNEXURE I: Student prospectus, calendar or brochure

If available, a copy of your student prospectus, calendar or brochure must be submitted.

I. ADMISSION INFORMATION AND STUDENT RULES

ITEM 40

ANNEXURE J: Enrolment forms, student contracts, rules and regulations

Sample copies of your enrolment form, contract or written agreement with your students and, if applicable, student rules and regulations must be submitted. An indication of admission criteria and a proposed schedule of fees must be attached.

J. DECLARATION ON NON-DISCRIMINATION

ITEM 41

ANNEXURE K: Non-discrimination declaration

The following verbatim declaration must be submitted by the applicant on its official letterhead and must be dated and signed by the Chief Executive Officer of the applicant or an official of similar standing in the organisation:

I hereby declare that [legal name of the applicant] does not discriminate on the basis of race and that, if registered, [legal name of the applicant] will comply

with the provisions of section 9(4) of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996).

I accept that the Registrar of Private Higher Education Institutions may, in terms of section 29(3) of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), and section 62(1) of the Higher Education Act, 1997 (Act No. 101 of 1997), cancel this institution's registration or provisional registration should it be proven otherwise.

The original of this declaration must be submitted.

K. ADDITIONAL INFORMATION TO BE SUBMITTED BY FOREIGN APPLICANTS ONLY

ITEM 42

ANNEXURE L: Declaration on equality of qualifications

Proof that the home institution will accredit the applicable local qualifications is required. The following verbatim equality of qualifications statement, signed by the head of the foreign institution on the foreign institution's official letterhead, and addressed to the Registrar, is to be provided:

I hereby declare that [legal name of the applicant] will, subject only to the availability of places, allow successful students from its registered South African institution to enrol unconditionally, without any further course work, for further years of study in the same qualification at or any of its other sites.

ITEM 43

ANNEXURE M(1): Proof of recognition in the country of origin

A foreign applicant wishing to be registered must provide proof that in its country of origin it is recognised by official authorities as a higher education institution in terms of the statutes.

ITEM 44

ANNEXURE M(2): Proof of accreditation in the country of origin

A foreign applicant wishing to be registered must also provide proof that in its country of origin it is accredited as a higher education institution in terms of the statutes.

CHECKLIST

Please make sure that you have submitted *Form APX-01* and attached all documents listed below. Fill in this form and submit it with your application.

REQUIRED INFORMATION	SUBMITTED YES/NO	INSTITUTION'S COMMENTS	FOR OFFICE USE ONLY
<u><i>Form APX-01:</i></u> <i>Application Form</i>			
<u><i>Annexure A(1):</i></u> <i>Audited annual financial statements or Audited three-year financial forecast</i>			
<u><i>Annexure A(2):</i></u> <i>Business plan</i>			
ANNEXURE A(3): <i>Surety agreement</i>			
<u><i>Annexure B:</i></u> <i>Company registration documents</i>			
<u><i>Annexure C:</i></u> <i>Occupational health and safety audit report(s)</i>			
<u><i>Annexure D:</i></u> <i>Business registration certificate</i>			
<u><i>Annexure E:</i></u> <i>Declaration on application for accreditation</i>			
<u><i>Annexure F:</i></u> <i>Undertaking on institutional capacity</i>			
<u><i>Annexure G:</i></u> <i>Declaration on monitoring and evaluation</i>			
<u><i>Annexure H:</i></u> <i>Inter-institutional agreements</i>			
<u><i>Annexure I:</i></u> <i>Student prospectus, calendar or brochure</i>			
<u><i>Annexure J:</i></u> <i>Enrolment forms, student contracts, rules and regulations</i>			
<u><i>Annexure K:</i></u> <i>Non-discrimination declaration</i>			

<u><i>Annexure L:</i></u> <i>Equality of qualifications of foreign institutions</i>			
<u><i>Annexure M(1):</i></u> <i>Proof of recognition in the country of origin</i>			
<u><i>Annexure M(2):</i></u> <i>Proof of accreditation in the country of origin</i>			



DEPARTMENT OF EDUCATION

REGULATIONS FOR THE REGISTRATION OF
PRIVATE HIGHER EDUCATION INSTITUTIONS

APPLICATION FOR REGISTRATION AS A
PRIVATE HIGHER EDUCATION INSTITUTION

(Form APX-01)

Note: Applicants must consult the document: *A Guide for Completing the Application for Registration as a Private Higher Education Institution.*

A. ADMINISTRATIVE DATA

1. Legal name of the applicant

2. Particulars of authorised contact person

a) Name

b) Designation of contact person (e.g. MD, Principal, Head of Academic Affairs)

c) Telephone number

d) Fax number

e) E-mail address

3. Postal address of the applicant

Code	

4. Physical address and contact details of head office

Code	
Telephone	
Fax	
E-mail address	

5. Physical address and contact details of main campus

Code	
Telephone	
Fax	
E-mail address	

6. Website address

--

B. COMPANY REGISTRATION AND GOVERNANCE PARTICULARS

7. Legal name of the applicant (same as in Item 1)

--

8. Official trading name, abbreviation, acronym or translation (if applicable)

--

9. Type of juristic person

--

10. Company registration number

--

11. Indicate whether the applicant is a local or foreign juristic person

--

12. If foreign, indicate the country of origin

--

13. Details of the parent institution

a) Name of the parent institution

--

b) Name of the head of the parent institution

--

c) Postal address

Code	

d) Physical address

Code	

e) Telephone number

f) Fax number

g) E-mail address

h) Website address

14. Particulars of the Management

a) Chief Executive Officer or head of the institution

i) Name

ii) Title

iii) Identity number (passport number and citizenship if not South African)

iv) Telephone number(s) including cellular phone number, if available

v) Fax number

b) Names and identity numbers of the applicant's current directors

Surname & Initials	Title	Designation	Identity Number	Passport number

15. *Domicilium citandi et executandi* and contact details of the applicant

Code	
Telephone	
Fax	
E-mail address	

16. Holding company or any other organisation to which the applicant is subordinate

--

17. Relationship between the applicant and the holding company or other organisation

--

18. List of owners in accordance with the Articles of Association

Surname & Initials	Title	Identity Number

19. Details of the applicant's auditors

a) Name of the applicant's auditor

b) Registration number issued by the Public Accountants' & Auditors' Board

20. Tax and business registration details

a) VAT Registration Number

b) Income Tax Number

c) Business Registration Number

C. PARTICULARS OF LEARNING PROGRAMMES

21. Table 01: Programmes submitted to the HEQC for accreditation

Name of programme	Entrance requirements	Mode of delivery	Language of instruction	Minimum duration in months	Contact with students	
					Full-time	Part-time

22. Table 02: Proposed sites for programme delivery

Name	Physical address	Programmes to be delivered

D. STAFF AND STUDENT DATA

23. **Table 03:** Total staff expected to be employed and students to be registered for higher education programmes during the first three years of operation. The data should be expressed as headcount only.

		Year 1	Year 2	Year 3
Students				
Academic /Research staff				
	Full-time			
	Part-time			
Support staff				
	Full-time			
	Part-time			
Service staff				
	Full-time			
	Part-time			

24. **Table 04:** Data for each higher education programme.

NQF field	NQF level	Name of the programme	Student headcount enrolment		
			Year 1	Year 2	Year 3

25. **Table 05:** Higher education programmes for which the applicant provides or proposes to provide support on behalf of another institution.

NQF field	NQF level	Name of the programme	Certifying institution	Student headcount enrolment	Nature of support

E. DATA ON FET AND GET PROGRAMMES

26. (a) Do you offer any programmes in the GET band?

(b) If yes, provide the provincial registration number as an independent school or ABET Centre

27. Do you offer any programmes in the FET band?

28. **Table: 06:** Total teaching staff employed and learners enrolled, expressed as headcount, for the GET and FET programmes.

	GET	FET
Teaching staff		
Headcount		
Students		
Headcount		

F. FINANCIAL VIABILITY REPORTS AND LEGAL DOCUMENTS

29. ANNEXURE A(1): Audited annual financial statements OR Audited financial forecasts.
 30. ANNEXURE A(2): Business Plan.
 31. ANNEXURE A(3): Surety agreement.
 32. ANNEXURE B: Company registration documents.
 33. ANNEXURE C: Occupational health and safety compliance audit report(s).
 34. ANNEXURE D: Business registration certificate.
-

G. QUALITY ASSURANCE AND MONITORING

35. ANNEXURE E: Declaration on application for accreditation.
 36. ANNEXURE F: Undertaking on institutional capacity.
 37. ANNEXURE G: Declaration on monitoring and evaluation.
-

H. INTER-INSTITUTIONAL AGREEMENTS AND MARKETING INFORMATION

38. ANNEXURE H: Inter-institutional agreements.
 39. ANNEXURE I: Student prospectus, calendar or brochure.
-

I. ADMISSION INFORMATION AND STUDENT RULES

40. ANNEXURE J: Enrolment forms, student contracts and rules and regulations.
-

J. DECLARATION ON NON-DISCRIMINATION

41. ANNEXURE K: Non-discrimination declaration.
-

K. ADDITIONAL INFORMATION TO BE SUBMITTED BY FOREIGN APPLICANTS ONLY

42. ANNEXURE L: Declaration on equality of qualifications.
43. ANNEXURE M(1): Proof of recognition in the country of origin.
44. ANNEXURE M(2): Proof of accreditation in the country of origin.



DEPARTMENT OF EDUCATION

REGULATIONS FOR THE REGISTRATION OF
PRIVATE HIGHER EDUCATION INSTITUTIONS

A GUIDE FOR COMPLETING THE APPLICATION
FOR AMENDMENT

(APX-02)

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VISION, MISSION AND MANDATE OF THE DEPARTMENT OF EDUCATION

VISION

Our vision is of a South Africa in which all our people have access to lifelong education and training opportunities, which will in turn contribute towards improving quality of life and building a peaceful, prosperous and democratic society.

MISSION

To provide leadership in the construction of a South African education and training system for the 21st century.

MANDATE

The vision for the transformation of the higher education system is articulated in *White Paper 3: A Programme for the Transformation of Higher Education (1997)*. Central to this vision is the building of a rational, seamless higher education system that grasps the intellectual and professional challenges facing South Africans in the 21st century, and meets the learning needs of individuals and the development needs of our society and economy.

The building of such a system necessitates, among other things, the promotion of quality teaching and research, not only in public universities and technikons, but also in privately established institutions of higher learning. It is primarily for this reason that the *Higher Education Act, 1997 (Act No. 101 of 1997)* (hereafter referred to as "the Act"), makes it a requirement for private institutions offering higher education to register with the Department of Education (DoE).

The registration of private higher education institutions, in accordance with the Act, applies only to institutions that offer learning programmes that result in the awarding of whole qualifications such as certificates, diplomas or degrees at levels 5 to 8 of the NQF. Registration, as required by the Act, means that an institution is granted the legal authority to offer accredited higher education programmes and qualifications. This requirement applies to all private institutions, be they local or foreign.

The aim of registering these institutions is to ensure that -

- a) all registered private higher education institutions offer an acceptable quality of education;
- b) current and prospective students receive higher education from institutions that have the resources, capacity and/or expertise to deliver quality programmes;
- c) the public obtains qualifications that are aligned with the NQF; and
- d) the education system continues on a path of transformation in accordance with government policy and regulation.

Registration can, therefore, be seen as a means of protecting the integrity of the higher education system and the interests of the public.

Chapter 7 of the Act deals specifically with private higher education institutions. The *Regulations for the Registration of Private Higher Education Institutions, 2002*, of which this guide and the application form are an appendix, provide the legal framework within which the registrar is required to regulate the registration of private higher education institutions in terms of the Act.

ACRONYMS USED IN THE GUIDE AND APPLICATION FORM

ABET	Adult Basic Education and Training
CHE	Council on Higher Education
CIPRO	Companies and Intellectual Property Registration Office
DoE	Department of Education
FET	Further Education and Training
GET	General Education and Training
HEQC	Higher Education Quality Committee
NQF	National Qualifications Framework
PAAB	Public Accountants' and Auditors' Board
SAQA	South African Qualifications Authority

APPLICATION TYPES

Regulations 3, 4 and 5 stipulate the following:

i) **Application for registration**

Any person intending to establish and maintain a private higher education institution must complete an Application for Registration as a Private Higher Education Institution (Form APX-01) and submit it to the registrar at least 18 (eighteen) months before the institution commences its operations.

ii) **Application for amendment**

An institution wishing to amend its registration or provisional registration in terms of section 58 of the Act must complete an Application for Amendment (Form APX-02) and submit it to the registrar at least 12 (twelve) months before the proposed amendment comes into effect.

iii) **Application for conversion**

An institution wishing to have its provisional registration converted to registration in terms of section 54(1)(c) of the Act must complete an Application for Conversion (Form APX-03) and submit it to the registrar by the date determined by the registrar.

IMPORTANT CONSIDERATIONS FOR COMPLETING THE APPLICATION FOR AMENDMENT

This guide and the accompanying application form must be used when an institution applies for an amendment of its registration or provisional registration. It is important to bear in mind that this document is only a guide and that additional information may be required to support the application.

This guide accompanies an application form (*Form APX-02*), which must be submitted when applying for an amendment. The guide is linked to the various sections of the application form. Institutions are, therefore, strongly urged to read through the guide carefully before commencing with the completion of the application form. Institutions are also strongly advised to read the guide in conjunction with the Act and the Regulations.

When completing the application form, the following must be borne in mind:

- a) An application for amendment must be lodged with the DoE at least 12 (twelve) months before the date on which the amendment is proposed to come into effect.
- b) The application form consists of the following sections:
 - Section A: Administrative data (Items 1 and 2).
 - Section B: Type(s) of amendment(s) (Item 3).
 - Section C: Amendment to the legal name (Items 4 and 5).
 - Section D: Amendment to the type or form of company (Item 6).
 - Section E: Amendment to registered programmes (Item 7-11).
 - Section F: Amendment to sites (Items 12-15).
 - Section G: Foreign institutions: Increase in student enrolment (Items 16-18).
 - Section H: Annexures.
- c) All relevant sections of the application form must be completed. In all instances sections A and B must be completed.
- d) In section B the type(s) of desired amendment(s) must be indicated. An institution can apply for any of the following five types of amendment(s), as reflected in the table below.

TYPES OF AMENDMENT	SUB-TYPES	ANNEXURES REQUIRED
1. Legal name of the institution		A only
2. Change of type of company		B only
3. Registered programmes	a) Addition of a programme	C and D only
	b) Discontinuation of a programme	E only
	c) Changes to the name of a programme	None
4. Sites of delivery	a) Addition of a site	F, G & H only
	b) Discontinuation of a site	I only
5. Foreign institutions: Increase in student headcount enrolment		J and K only

- e) An application for a particular type of amendment must be accompanied by the relevant annexure(s) as indicated in the table in (d) above. A brief description of each annexure is provided below:

Annexure A: Proof of change of legal name, as issued by SACRO.

Annexure B: Proof of change of type or form of the company, as issued by SACRO.

Annexure C: Programme feasibility report.

Annexure D: Declaration on application for accreditation.

Annexure E: Report on programme discontinuation.

Annexure F: Site and programme feasibility report.

Annexure G: Declaration on site control and administration.

Annexure H: Occupational health and safety compliance audit reports.

Annexure I: Report on site discontinuation.

Annexure J: Audited annual student headcount enrolment for the current academic year.

Annexure K: Report on increase in student headcount enrolment.

A detailed explanation of the content of each annexure is provided later in this guide.

- f) An institution wishing to apply for amendment of its registered programmes and/or sites of delivery must also apply to the HEQC for accreditation of the new programme and/or site. The HEQC will forward the accreditation report directly to the DoE.
- g) An institution that wishes to discontinue a programme or site must also inform the HEQC.
- h) The Registrar of Private Higher Education Institutions will not process an incomplete application or an application that does not address the items as required.
- i) All application documents must carry the date of submission to the DoE.

-
- j) The application documents can be accessed electronically in *Microsoft Word for Windows* on the DoE website at: http://education.gov.za/DoE_Sites/Higher_Education/Registrar/. However, all applications must be submitted as hard copies.
 - k) The application fee must be paid by means of a cheque made out to the DoE.
 - l) Important supporting documentation in the form of listed annexures must be provided as part of the application, as indicated in the table in (d) above.
 - m) An application checklist is provided at the end of this document to help institutions determine whether all the required information is included.

A. ADMINISTRATIVE DATA

In the spaces provided on *Form APX-02* the required information must be provided as explained per item below. Each explanation corresponds to the item on *Form APX-02*.

ITEM 1

Supply the legal name of the institution that is applying for amendment(s).

ITEM 2

Fill in the registration number that appears on your certificate of registration as a private higher education institution, as issued to your institution by the DoE.

B. TYPE(S) OF AMENDMENT(S)**ITEM 3**

By means of an (X), an institution contemplating the amendment of its registration or provisional registration must indicate which amendment(s) on the list below it wishes to effect:

1. Amendment to the legal name
 2. Amendment to the type of juristic person
 3. Amendment to registered programmes
 4. Amendment to sites of delivery
 5. Increase in student headcount enrolment (foreign institutions only)
-

C. AMENDMENT TO THE LEGAL NAME**ITEM 4**

If the institution is applying for an amendment to its legal name, the proposed new name must be supplied.

ITEM 5

If the institution's trading name, abbreviation or acronym or the translation of its name is to change, the new trading name, abbreviation, acronym or translation must be filled in.

D. AMENDMENT TO THE TYPE OR FORM OF COMPANY**ITEM 6**

The proposed new type of the company must be filled in. The conversion from one type of company to another must comply with the requirements and procedures stipulated in the *Companies Act, 1973 (Act No. 61 of 1973)*.

E. AMENDMENT TO REGISTERED PROGRAMMES**E1. Addition of a programme****ITEM 7**

In Table 01 the details of a programme which the institution proposes to add, and offer, as a higher education programme in accordance with the Act, must be supplied. The following explanation must be taken into account before responding to this item:

NQF fields

In terms of *Government Gazette No. 20234* of 25 June 1999, SAQA determined the following fields and sub-fields for purposes of registering qualifications with the NQF. "Qualifications" refers to degrees, diplomas and certificates that an institution proposes to award to students on successful completion of a programme of study. Before completing the form, it is important to check in which field your learning programme belongs.

01 Agriculture and Nature Conservation

Primary and secondary agriculture, nature conservation, forestry and wood technology, horticulture.

02 Culture and Arts

Design studies, visual and performing arts, cultural studies, music, sport, film, television and video.

03 Business, Commerce and Management Studies

Finance, economics and accounting, generic management, human resources, marketing, procurement, office and public administration, project management, public relations.

04 Communication Studies and Language

Communication and information studies, language, literature.

05 Education, Training and Development

Schooling, higher education and training, early childhood development, adult learning.

06 Manufacturing, Engineering and Technology

Engineering and related design, manufacturing and assembly, fabrication and extraction.

07 Human and Social Studies

Environmental relations, general social science, industrial and organisational governance and human resource development, people-/human-centred development, public policy, politics and democratic citizenship, religious and ethical foundations of society, rural and agrarian studies, traditions, history and legacies, urban and regional studies.

08 Law, Military Science and Security

Safety and justice in society, sovereignty of the state.

09 Health Sciences and Social Services

Preventive health, promotive health and development services, curative health, rehabilitative health/services.

10 Physical, Mathematical, Computer and Life Sciences

Mathematical, physical, life, information technology and computer, earth and space and environmental sciences.

11 Services

Hospitality, tourism, travel, gaming and leisure, transport, operations and logistics, personal care, wholesale and retail, consumer services.

12 Physical Planning and Construction

Physical planning, design and management, building construction, civil engineering construction, electrical infrastructure construction.

NQF levels

While the development of level descriptors is still being finalised by SAQA, the following is a guide for purposes of completing *Form APX-02*.

NQF level 5 broadly refers to certificates and diplomas.

NQF level 6 generally includes all first-degree qualifications.

NQF level 7 refers to postgraduate qualifications at honours and master's degree levels.

NQF level 8 refers to doctoral degrees.

Mode of delivery**a) Contact education**

This involves personal interaction with teachers or supervisors through lectures, tutorials, seminars, practicals, supervision, or other forms of required work, and occurs at the institution's premises or site(s).

b) Distance education

The interaction between students and teachers or supervisors is undertaken through distance education techniques, such as correspondence or telematic education. There are a number of different forms of distance education, including:

i) Correspondence learning

Correspondence learning takes place when there is no or little face-to-face contact between the educator and the learner. The learner works independently with no support services and the learning material is usually delivered by post or electronically.

i) Open learning

Open learning is a form of distance education, and combines face-to-face and other support services such as print materials and telematics.

ITEM 8

In Table 02 the details of the anticipated effects of the increase in the number of registered programmes on staff and student headcount totals must be indicated. Before responding to this item, the following explanation should be taken into account:

a) Headcount student enrolment

A headcount student enrolment is literally a counting of heads. Students are counted as units, regardless of whether they are full-time or part-time, and regardless of the number of courses for which they are enrolled. For example, students enrolled for 20%, 50% or 100% of a full-time curriculum will all be counted as units in a headcount total.

The headcount totals reported in the tables must be **unduplicated** ones. In an unduplicated headcount enrolment total a student is counted **once only**. If a student is registered for more than one qualification, he/she must be counted only for the qualification considered by the institution to be his/her main qualification.

b) Headcount staff totals

A headcount total of staff is literally a counting of heads. Every institution should indicate how many of its staff are **full-time** and how many are **part-time**.

c) Academic/Research staff

These are the academic members of the institution's staff involved in teaching and research.

d) Support staff

These are the members of staff who, either directly or indirectly, support the institution's instructional activities. To be placed in this category are members of staff who perform functions such as academic support services, student support services, human resource management, financial management and administration.

e) Service staff

These are members of staff who perform auxiliary services, such as the operation and maintenance of the physical premises, e.g., building maintenance, garden services, custodial services and security services.

E2. Discontinuation of a programme

ITEM 9

In Table 03, the following details of the programme that is to be discontinued must be supplied:

- a) NQF field.
- b) NQF level.
- c) Name of the programme.
- d) Proposed date on which the discontinuation is due to take effect.

ITEM 10

In Table 04 the proposed changes in staff and student data in relation to the reduction in the number of programmes must be supplied according to the categories indicated. The information to be supplied must respond to each of the following questions in respect of students, as well as each category of staff:

What is the current total?

What is the difference between the current and the new total?

What will be the new total if and when the proposed amendment takes effect?

E3. Programme name change

ITEM 11

In Table 05, the details of the programme that is to undergo a name change must be supplied.

F. AMENDMENT TO SITES

F1. Addition of a site

ITEM 12

In Table 06, details of a site to be added must be supplied. "Site" refers to any learning site, such as a campus, satellite campus or learning centre, controlled and administered by the institution. All learning sites where registered higher education programmes are to be delivered must be accredited. Only accredited programmes and sites for which the institution assumes legal and financial responsibility will be registered.

ITEM 13

In Table 07, the proposed changes in staff and student data in relation to the proposed increase in the number of sites must be supplied according to the categories indicated. The information to be supplied must answer each of the following questions in respect of students as well as in respect of each category of staff:

What is the current total?

What is the difference between the current and the new total?

What will be the new total if and when the proposed amendment takes effect?

F2. Discontinuation of a site**ITEM 14**

In Table 08, details of sites to be discontinued must be supplied. The information to be supplied must answer each of the following questions in respect of students as well as in respect of each category of staff:

What is the current total?

What is the difference between the current and the new total?

What will be the new total if and when the proposed amendment takes effect?

ITEM 15

In Table 09, proposed changes in staff and student data in relation to the proposed decrease in the number of sites must be supplied according to the categories indicated. The information to be supplied must answer each of the following questions in respect of students as well as in respect of each category of staff:

What is the current total?

What is the difference between the current and the new total?

What will be the new total if and when the proposed amendment takes effect?

G. FOREIGN INSTITUTIONS: INCREASE IN STUDENT ENROLMENT**ITEM 16**

The proposed student enrolment total must be filled in.

ITEM 17

In Table 10, the proposed changes in student headcount enrolment per programmes must be supplied. The information to be supplied must answer each of the following questions per programme:

What is the programme's NQF field?
 What is the programme's NQF level?
 What is the name of the programme?
 What is the current student enrolment?
 What is the difference between the current and the new enrolment?
 What will be the new student enrolment if and when the proposed amendment takes effect?

ITEM 18

In Table 11 the proposed changes in staff and student data in relation to the proposed increase in the number of students must be supplied according to the categories indicated. The information to be supplied must answer each of the following questions in respect of students as well as in respect of each category of staff:

What is the current total?
 What is the difference between the current and the new total?
 What will be the new total if and when the proposed amendment takes effect?

H. ANNEXURES

ANNEXURE A: Proof of change of legal name

An institution wishing to change its name must lodge an application for amendment. Certified copies of proof of change of name, as issued by CIPRO of the Department of Trade and Industry, must be attached.

ANNEXURE B: Proof of change of type or form of company

An institution wishing to amend its type or form of company must lodge an application for amendment. Certified copies of official proof of change of type or form of company, as issued by CIPRO of the Department of Trade and Industry, must be attached to the application.

ANNEXURE C: Programme feasibility report

An institution wishing to apply for the registration of an additional programme must submit an application for amendment and a programme feasibility report. In terms of format and content, the report must address the following:

1. *Rationale and proposed date of implementation*
2. *Description of the target market*
3. *Current and long-term demand for the proposed programme offerings*
4. *Degree of concentration of similar programme offerings at other providers*
5. *Fees to be charged*
6. *Affordability of the programme in the target market*
7. *How the institution has prepared itself structurally and functionally for this expansion*

This report must be dated and signed by the Chief Executive Officer or an official of similar standing in the institution.

ANNEXURE D: Declaration on application for accreditation

An institution wishing to apply for the registration of an additional programme must submit the following verbatim declaration on its official letterhead and the declaration must be dated and signed by the Chief Executive Officer of the institution or an official of similar standing in the organisation:

I hereby declare that[legal name of the institution] has applied to the Higher Education Quality Committee (HEQC) for accreditation of the following additional programmes:

- a) ..
- b) ..
- c) ..

I further declare that, if registered or provisionally registered, [legal name of the institution] shall comply with the requirements of the HEQC as contemplated in section 53(1)(b)(ii) of the Higher Education Act, 1997 (Act No. 101 of 1997).

ANNEXURE E: Report on programme discontinuation

An institution wishing to discontinue a programme must submit an application for amendment to which a report on programme discontinuation must be attached. The report must deal with, but not be limited to, the following:

1. *Rationale and proposed date of implementation*
2. *Programmes to be affected*
3. *Anticipated impact of programme discontinuation on institution*
4. *Arrangements made for affected students and staff*
5. *Disputes (if any) arising out of these arrangements and how they are to be resolved*

This report must be dated and signed by the Chief Executive Officer or an official of similar standing in the institution.

ANNEXURE F: Site and programme feasibility report

An institution wishing to apply for the registration of an additional site must submit an application for amendment to which a site and programme feasibility report must be attached. In terms of format and content, the report must address the following:

1. *Rationale and proposed date of implementation*
2. *Description of the target market in the proposed location of the site*
3. *Current and long-term demand for the proposed programme offerings*
4. *Degree of concentration of similar programme offerings at other providers in the geographical area of the institution's proposed site*
5. *Affordability of the programme in the target market*
6. *How the institution has prepared itself structurally and functionally for this expansion*

This report must be dated and signed by the Chief Executive Officer or an official of similar standing in the institution.

ANNEXURE G: Declaration on site control and administration

The following verbatim declaration must be submitted by the institution on its official letterhead and must be dated and signed by the Chief Executive Officer of the institution or an official of similar standing in the organisation:

I declare that the additional site(s) listed in this application is (are) administered and controlled by [legal name of the institution].

The original version of this declaration must be submitted.

ANNEXURE H: Occupational health and safety compliance audit report

The occupational health and safety compliance audit report for each additional site of delivery must be submitted. The audit report must be issued by a legally competent health and safety professional or organisation.

ANNEXURE I: Report on site discontinuation

An institution wishing to discontinue a site must submit an application for amendment to which a report on sites to be discontinued should be attached. The report must deal with, but not be limited to, the following:

1. *Rationale and proposed date of implementation*
2. *Anticipated impact of site discontinuation on institution*
3. *Arrangements made for the affected students and staff*
4. *Disputes (if any) arising out of these arrangements and how they are to be resolved.*
5. *Proposed date of implementation*

This report must be dated and signed by the Chief Executive Officer or an official of similar standing in the institution.

ANNEXURE J: Audited student headcount enrolment

A registered foreign institution wishing to apply for amendment of the conditions pertaining to student enrolment must submit, together with the application, an auditor's report on student headcount enrolment for the current academic year. The auditor's report must be issued by an independent auditor registered with the PAAB in terms of the *Public Accountants and Auditors Act, 1991 (Act No. 80 of 1991)*.

ANNEXURE K: Report on increase in student headcount enrolment

A registered foreign institution wishing to apply for amendment of the conditions pertaining to student enrolment must submit, together with the application, a report on the intended increase in student headcount enrolment. The report must deal with, but not be limited to, the following:

1. *Rationale and proposed date of implementation*
2. *Result of the institution's market research*
3. *Current and long-term demand for the current programme offerings*
4. *How the institution has prepared itself structurally and functionally for this expansion*

CHECKLIST

Please make sure that you have submitted *Form APX-02* and attached all the relevant documents listed below. Fill in this form and submit it with your application.

<i>REQUIRED INFORMATION</i>	<i>SUBMITTED YES/NO</i>	<i>INSTITUTION'S COMMENTS</i>	<i>FOR OFFICE USE ONLY</i>
<i>Form APX-02: Application Form</i>			
<i>Annexure A: Proof of change of legal name issued by CIPRO</i>			
<i>Annexure B: Proof of change of type or form of company</i>			
ANNEXURE C: <i>Programme feasibility report</i>			
<i>Annexure D: Declaration on application for accreditation</i>			
<i>Annexure E: Report on programme discontinuation</i>			
<i>Annexure F: Site and programme feasibility report</i>			
<i>Annexure G: Declaration on site control and administration</i>			
<i>Annexure H: Occupational health and safety compliance audit report</i>			
<i>Annexure I: Report on site discontinuation</i>			
<i>Annexure J: Audited student headcount enrolment</i>			
<i>Annexure K: Report on increase in student headcount enrolment</i>			



DEPARTMENT OF EDUCATION

REGULATIONS FOR THE REGISTRATION OF
PRIVATE HIGHER EDUCATION INSTITUTIONS

APPLICATION FOR AMENDMENT

(Form APX-02)

Note: Applicants must consult the document: *A Guide for Completing the Application for Amendment.*

A. ADMINISTRATIVE DATA

1. Legal name of the institution

2. Registration number issued by the Department of Education

B. TYPES OF AMENDMENT

3. By means of an (X), indicate the amendment(s) for which you wish to apply:

3.1 Legal name of the institution

3.2 Type of company

3.3 Registered programmes

3.4 Sites of delivery

3.5 Student enrolment (foreign institutions)

C. AMENDMENT TO THE LEGAL NAME

4. What is the proposed new legal name of the institution?

5. What is the proposed new trading name, abbreviation or acronym or the proposed translation of the new name of the institution?

D. AMENDMENT TO THE TYPE OF JURISTIC PERSON

6. What is the proposed new type of company?

8. In the light of your answer to 7 above, the anticipated effects of the increase in registered programmes on staff and student totals must be indicated in Table 02 below.

Table 02: Proposed changes in staff and student totals

	Current totals	Increase	New totals
Students			
Academic staff			
Full-time			
Part-time			
Support staff			
Service staff			

10. The changes in staff and student totals in relation to the reduction of registered programmes must be supplied in Table 04 below.

Table 04: Proposed changes in staff and student statistics

	Current totals	New totals	Decrease in headcount (Difference)
Students			
Academic staff			
Full-time			
Part-time			
Support staff			
Service staff			

13. In Table 07 below, please indicate the changes in staff and student data in relation to the proposed increase in the number of sites.

Table 07: Proposed changes in staff and student data

	Current totals	Increase in headcount	New totals
Students			
Academic staff			
Full-time			
Part-time			
Support staff			
Service staff			

F2. Discontinuation of sites

14. The details of a site that is to be discontinued must be provided in Table 08 below.

Table 08: Details of site(s) to be discontinued

Name	Physical address	Programme details		
		Name	Field	Level

15. If you are applying for the discontinuation of sites, the changes in staff and student data in relation to the proposed discontinuation of sites must be indicated.

Table 09: Proposed changes in staff and student data

	Current totals	Decrease in headcount	New totals
Students			
Academic staff			
Full-time			
Part-time			
Support staff			
Service staff			

G. FOREIGN INSTITUTIONS: AMENDMENT TO STUDENT HEADCOUNT ENROLMENT

16. By how many students do you propose to increase the current limit?

17. In Table 10 the proposed increase in student headcount enrolment per programme must be indicated.

Table10: Proposed increase in student headcount enrolment per programme

NQF field	NQF level	Name of the programme	Current totals	Increase in headcount	New totals

18. In Table 11, indicate how the staff totals are to increase in relation to the proposed increase in student headcount enrolment.

Table 11: Proposed changes in staff and student data

	Current totals	Increase in headcount	Projected totals
Students			
Academic staff			
Full-time			
Part-time			
Support staff			
Service staff			

H. ANNEXURES

ANNEXURE A: Proof of change of legal name, as issued by CIPRO.

ANNEXURE B: Proof of change of type or form of the company, as issued by CIPRO.

ANNEXURE C: Programme feasibility report.

ANNEXURE D: Declaration on application for accreditation.

ANNEXURE E: Report on programme discontinuation.

ANNEXURE F: Site and programme feasibility report.

ANNEXURE G: Declaration on site control and administration.

ANNEXURE H: Occupational health and safety compliance audit reports.

ANNEXURE I: Report on site discontinuation.

ANNEXURE J: Audited annual student headcount enrolment for the current academic year.

ANNEXURE K: Report on increase in student headcount enrolment.



DEPARTMENT OF EDUCATION

REGULATIONS FOR THE REGISTRATION OF
PRIVATE HIGHER EDUCATION INSTITUTIONS

A GUIDE FOR COMPLETING THE APPLICATION
FOR CONVERSION

(APX-03)

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VISION, MISSION AND MANDATE OF THE DEPARTMENT OF EDUCATION

VISION

Our vision is of a South Africa in which all our people have access to lifelong education and training opportunities, which will in turn contribute towards improving quality of life and building a peaceful, prosperous and democratic society.

MISSION

To provide leadership in the construction of a South African education and training system for the 21st century.

MANDATE

The vision for the transformation of the higher education system is articulated in *White Paper 3: A Programme for the Transformation of Higher Education (1997)*. Central to this vision is the building of a rational, seamless higher education system that grasps the intellectual and professional challenges facing South Africans in the 21st century, and meets the learning needs of individuals and the development needs of our society and economy.

The building of such a system necessitates, among other things, the promotion of quality teaching and research, not only in public universities and technikons, but also in privately established institutions of higher learning. It is primarily for this reason that the *Higher Education Act, 1997 (Act No. 101 of 1997)* (hereafter referred to as "the Act"), makes it a requirement for private institutions offering higher education to register with the Department of Education (DoE).

The registration of private higher education institutions, in accordance with the Act, applies only to institutions that offer learning programmes that result in the awarding of whole qualifications such as certificates, diplomas or degrees at levels 5 to 8 of the National Qualifications Framework (NQF). Registration, as required by the Act, means that an institution is granted the legal authority to offer accredited higher education programmes and qualifications. This requirement applies to all private institutions, be they local or foreign.

The aim of registering these institutions is to ensure that -

- a) all registered private higher education institutions offer an acceptable quality of education;
- b) current and prospective students receive higher education from institutions that have the resources, capacity and/or expertise to deliver quality programmes;
- c) the public obtains qualifications that are aligned with the NQF; and
- d) the education system continues on a path of transformation in accordance with government policy and regulation.

Registration can, therefore, be seen as a means of protecting the integrity of the higher education system and the interests of the public.

Chapter 7 of the Act deals specifically with private higher education institutions. The *Regulations for the Registration of Private Higher Education Institutions, 2002*, of which this guide and the application form are an appendix, provide the legal framework within which the Registrar is required to regulate the registration of private higher education institutions in terms of the Act.

ACRONYMS USED IN THE GUIDE AND APPLICATION FORM

CHE	Council on Higher Education
DoE	Department of Education
HEQC	Higher Education Quality Committee
NQF	National Qualifications Framework

APPLICATION TYPES

Regulations 3, 4 and 5 stipulate the following:

i) **Application for registration**

Any person intending to establish and maintain a private higher education institution must complete an Application for Registration as a Private Higher Education Institution (Form APX-01) and submit it to the Registrar at least 18 (eighteen) months before the institution commences its operations.

ii) **Application for amendment**

An institution wishing to amend any condition of its registration must complete an Application for Amendment (Form APX-02) and submit it to the Registrar at least 12 (twelve) months before the proposed amendment comes into effect.

iii) **Application for conversion**

An institution wishing to have its provisional registration converted to registration in terms of section 54(1)(c) of the Act must complete an Application for Conversion (Form APX-03) and submit it to the Registrar by the date determined by the Registrar.

IMPORTANT CONSIDERATIONS FOR LODGING THE APPLICATION FOR CONVERSION

This guide and the accompanying application form must be used when an institution applies for the conversion of its provisional registration, that is, registration in terms of section 54(3) of the Act, to registration in terms of section 54(1)(c).

The requirements for registration as prescribed in the Act and operationalised in Chapter 3 of the Regulations are also applicable to institutions applying for conversion. Furthermore, in determining an application for conversion, the Registrar of Private Higher Education Institutions must take into consideration the performance of the applicant in the course of its provisional registration, as contemplated in Chapter 6 of the Regulations. In determining the application for conversion, therefore, the Registrar must consider the application against the following main requirements:

i) Financial viability

The applicant for conversion must provide proof in the application that its income is or will be sufficient to sustain its programmes in an acceptable manner and that it has or will have a stable financial position that will enable it to maintain operational continuity.

The applicant must also submit proof that it maintains the financial surety or guarantees that were established to ensure that it meets its obligations to its enrolled students.

ii) Institutional and programme re-accreditation

In the case of an institution granted provisional registration for two years or longer, the application for conversion must be supported by an application for institutional and programme re-accreditation by the HEQC, a permanent committee of the CHE established in terms of section 4 of the Act. On applying for conversion, an applicant must provide proof that an application for re-accreditation has been lodged with the HEQC.

Private institutions wishing to discuss re-accreditation should contact the HEQC directly at:

*The Executive Director: Quality Assurance
The Higher Education Quality Committee
Council on Higher Education
P O Box 13354
THE TRAMSHEED
0126*

*Telephone: 012 392 9120
Facsimile: 012 392 9132*

iii) Discharging of responsibilities of a registered institution

The application for conversion must provide proof that the applicant, in the course of its provisional registration, has fulfilled the responsibilities of a registered institution as contemplated in Chapter 6 of the Regulations, and that it has complied with its conditions of registration.

It is important to bear in mind that this document is only a guide. Additional information may be required to support the application.

IMPORTANT REQUIREMENTS FOR COMPLETING THE APPLICATION FORM

This guide accompanies an application for conversion form (*Form APX-03*). The guide is linked to the various sections of the application form. Applicants are, therefore, strongly urged to read the guide carefully before commencing with the completion of the application for conversion form. Applicants are also strongly advised to read the guide in conjunction with the Act and the Regulations.

When completing the application for conversion form, the following must be borne in mind:

a) The application for conversion is divided as follows:

PART I: COMPLIANCE WITH THE REQUIREMENTS AND CONDITIONS OF REGISTRATION

Section A: Institutional name and registration number (Items 1 and 2)

Section B: Quality assurance (Items 3-5)

Section C: Financial management (Items 6 and 7)

Section D: Maintenance of student records (Item 8)

Section E: Other conditions of registration (Item 9)

PART II: APPLICATION FOR RE-ACCREDITATION

Section F: Details of programmes for re-accreditation (Item 10)

Section G: Details of sites of delivery (Item 11)

PART III: ASSESSMENT OF INSTITUTIONAL MANAGEMENT

Section H: Vision, mission and organisational goals (Item 12)

Section I: Organisational structure (Item 13)

Section J: Infrastructure and facilities (Items 14-16)

Section K: Ability to attract students (Item 17)

Section L: Risk Management (Item 18)

Section M: Implementation of student policies (Item 19)

Section N: Implementation of the Employment Equity Act (Item 20)

Section O: Implementation of the Occupational Health and Safety Act (Item 21)

PART IV: ANNEXURES

Section P(1): Annexures to be submitted by all institutions applying for conversion (Items 22-24)

Section P(2): Annexures to be submitted by institutions granted provisional registration for two years or longer (Item 25)

Section P(3): Annexures to be submitted by foreign institutions only (Items 26-28)

- b) Part I of the application for conversion form is applicable to all institutions applying for conversion.
- c) Parts II and III must be completed only by institutions that have been granted provisional registration for two years or longer.

- d) An application for conversion submitted by an institution that has been granted provisional registration for two years or longer must be accompanied by -
- i) an annual report, submitted in terms of section 57(2) of the Act and regulation 29(1); and
 - ii) an application to the HEQC for institutional and programme re-accreditation.
- e) Part IV requires institutions applying for conversion to submit annexures. P(1) applies to all institutions and P(2) to institutions that have been granted provisional registration for two years or longer, while the annexures listed in P(3) must be submitted by foreign institutions only.
- f) All sections of the form that apply to an institution must be completed fully and in the required format. The Registrar of Private Higher Education Institutions will not process an incomplete application or an application that does not address the questions as required.
- g) All application documents must carry the date of application to the Department of Education.
- h) The application documents can be accessed electronically in *Microsoft Word for Windows* on the DoE website at: http://education.gov.za/DoE_Sites/Higher_Education/Registrar/. However, all applications must be submitted as hard copies.
- i) The application fee must be paid by means of a cheque made out to the Department of Education.
- j) Important supporting documentation in the form of listed annexures must be provided as part of the application.

An application checklist is provided at the end of this document to help applicants determine whether all the required information is included.

PART I: COMPLIANCE WITH THE REQUIREMENTS AND CONDITIONS OF PROVISIONAL REGISTRATION

All institutions applying for conversion of provisional registration must complete this part of the application form.

A. NAME AND REGISTRATION NUMBER**ITEM 1**

Supply the name of the institution applying for conversion. This name must be the same name in which the institution was granted provisional registration as a private higher education institution in terms of the Act.

ITEM 2

Fill in the registration number that appears on your certificate of registration as a provisionally registered private higher education institution, as issued to your institution by the Department of Education.

B. QUALITY ASSURANCE**ITEM 3**

The institution must indicate and, where applicable, provide proof of, how, in the course of its provisional registration, it has complied with the requirements of the HEQC, including the conditions of accreditation.

ITEM 4

The institution must indicate and, where applicable, provide proof of, how, in the course of its provisional registration, it has complied with conditions of registration on maintaining health and safety standards on its premises, including its sites of delivery.

ITEM 5

The institution must indicate and, where applicable, provide proof of, how, in the course of its provisional registration, it has complied with conditions of registration on the provision of adequate facilities and equipment for its enrolled students.

C. FINANCIAL MANAGEMENT**ITEM 6**

If an institution, on being granted provisional registration, is required to comply with particular conditions of registration relating to its finances, the institution must show how, in the course of its provisional registration, it has taken steps to comply with such conditions of registration. Where necessary, proof of such compliance must be attached.

ITEM 7

The institution must show and provide proof of how, in the course of its provisional registration, it has maintained the necessary financial surety or guarantees to ensure that the institution meets its financial obligations to students.

D. MAINTENANCE OF STUDENT RECORDS**ITEM 8**

The institution must indicate and, where applicable, provide proof of, how, in the course of its provisional registration, it has complied with conditions of registration relating to maintaining records of each student's admission, academic progress and assessment of learning in respect of each registered programme.

E. OTHER CONDITIONS OF REGISTRATION**ITEM 9**

Where an institution, on being granted provisional registration, is required to comply with any other conditions of registration, it must show how, in the course of its provisional registration, it has taken the necessary steps to comply with these other conditions of registration.

PART II: APPLICATION FOR AN ACCREDITATION REVIEW

This section of the application form is applicable only to institutions that have been provisionally registered for two years or longer.

F. DETAILS OF PROGRAMMES SUBMITTED FOR AN ACCREDITATION REVIEW**ITEM 10**

Details of all programmes submitted to the HEQC for an accreditation review must be supplied in Table 01.

G. DETAILS OF SITES OF DELIVERY SUBMITTED FOR THE ACCREDITATION REVIEW**ITEM 11**

"Site" refers to any learning site, such as a campus, satellite campus or learning centre, controlled and administered by the provisionally registered institution. All learning sites where registered programmes are delivered must be accredited. Only accredited programmes and sites of delivery for which the institution assumes legal and financial responsibility will be considered for registration in terms of section 54(1)(c) of the Act. In the columns provided in Table 02, the following details of sites of delivery for which the institution is seeking re-accreditation must be supplied:

- a) The name and physical address of the site.
- b) Provisionally registered programmes delivered at the site.

PART III: ASSESSMENT OF INSTITUTIONAL MANAGEMENT

The business plan submitted on application for registration provides an instrument against which the provisionally registered institution can conduct a self-assessment of important dimensions of its organisational and managerial capacities for achieving the organisation's goals. The registrar's interest in how the institution assesses its own performance against elements in its business plan concerns the impression that this will provide of how the institution is managed, from an organisational and operational point of view. The exercise will assist the registrar's assessment of the institution's potential to fulfil its responsibilities as a registered institution.

This section of the application form is applicable only to institutions that have been provisionally registered for two years or longer.

H. VISION, MISSION AND ORGANISATIONAL GOALS

ITEM 12

The institution must give an indication of the extent to which, in the course of its provisional registration, it has been able to attain its vision, mission and organisational objectives.

I. ORGANISATIONAL STRUCTURE

ITEM 13

Should the organisational structure of the institution be different from the planned structure submitted on application, the institution must provide the considerations that informed the current structure, particularly considerations relating to academic divisions and numbers of academic and support staff.

J. INFRASTRUCTURE AND FACILITIES

ITEM 14

The institution must report the degree to which the infrastructure it proposed on application, or the structure outlined in Item 13 above, has met the needs for the provision and delivery of its provisionally registered programmes, and for the nature and level of any research that it has conducted. Reporting on this item must be as specific as possible (for example, available equipment must be named and ratios for number of students to equipment provided). The report must include an assessment of how adequate the equipment and facilities are for both the number of students enrolled and the nature and level of programme(s) offered.

ITEM 15

If the institution has, in the course of its provisional registration, applied for expanding its operations, by adding either new learning programmes or new sites of delivery, it must in this item give details of the expansion and report on the following:

- i) The nature of the expansion applied for.
- ii) Whether the expansion was in line with the areas of expansion contemplated in the business plan.

- iii) How such expansion has impacted on the operations and finances of the institution and how the institution's management has dealt with the impact.

ITEM 16

If the institution has, in the course of its provisional registration, experienced shrinkage, by discontinuing either learning programmes or sites of delivery, it must in this item give details of the shrinkage and report on the following:

- i) The nature of the shrinkage.
ii) How such shrinkage has impacted on the operations and finances of the institution and how the institution's management has dealt with the impact.

K. ABILITY TO ATTRACT STUDENTS

ITEM 17

The institution must comment on its performance in relation to its ability to attract students in the study fields of its programme offerings in the course of its provisional registration, in the context of the market and feasibility assessment it had conducted on application for registration.

L. RISK MANAGEMENT

ITEM 18

This item requires the institution to evaluate its approach to risk management, and to comment on the implementation, in the course of its provisional registration, of the risk management strategies proposed in its business plan. A further indication of how the institution is maintaining its risk management implementation plan is required.

M. IMPLEMENTATION OF POLICIES CONCERNING STUDENTS

ITEM 19

An evaluation of the institution's performance regarding the implementation of the following student related policies in the course of provisional registration must be provided:

- i) Student admission policy;
ii) Language policy;
iii) Rules relating to assessment, academic credits, progression and qualification;
iv) Fees and charges, including refund in case of cancellation and withdrawal;
v) Student financial aid;
vi) Student support service;
vii) Student rules and regulations/code of conduct; and
viii) Staff and student grievance policies and procedures.

N. IMPLEMENTATION OF EMPLOYMENT EQUITY ACT**ITEM 20**

An evaluation of the institution's performance, in the course of provisional registration, on the implementation of the requirements of the Employment Equity Act must be furnished.

O. IMPLEMENTATION OF OCCUPATIONAL HEALTH AND SAFETY ACT**ITEM 21**

An evaluation of the institution's performance regarding the implementation of the requirements of the Occupational Health and Safety Act in the course of provisional registration must be furnished, including steps taken by the institution to address shortcomings identified in previous audit reports.

PART IV: ANNEXURES**P(1): ANNEXURES TO BE SUBMITTED BY ALL INSTITUTIONS**

All institutions applying for conversion must submit the annexures in this section.

ITEM 22**ANNEXURE A: Non-discrimination declaration**

The following verbatim declaration must be submitted by the institution on its official letterhead and must be dated and signed by the Chief Executive Officer of the applicant or an official of similar standing in the organisation:

I hereby confirm that this institution does not discriminate on the basis of race. I accept that the Department of Education may, in terms of section 29(3) of the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), and section 62(1) of the Higher Education Act, 1997 (Act No. 101 of 1997), cancel this institution's conditional registration should it be proven otherwise.

The original of this declaration must be submitted.

ITEM 23**ANNEXURE B: Undertaking on institutional capacity**

The following verbatim undertaking must be submitted by the institution on its official letterhead and must be dated and signed by the Chief Executive Officer of the institution or an official of similar standing in the organisation:

I hereby agree that, if registered in terms of section 54(1)(c) of the Higher Education Act, 1997 (Act No. 101 of 1997),.....[legal name of the institution] will not exceed the enrolment that the facilities and equipment can reasonably accommodate.

I further confirm that[legal name of the institution] has sufficient space, equipment and instructional material to provide education and training of sufficient standard to achieve the objectives of each programme.

I also agree that, if registered in terms of section 54(1)(c) of the Act,.....[legal name of the institution] will maintain full records of each student's admission, academic progress and assessment of learning in respect of each programme.

I declare that all the sites listed in this application are administered and controlled by.....[legal name of the institution].

The original of this declaration must be submitted.

ITEM 24

ANNEXURE C: Declaration on monitoring and evaluation

The following verbatim undertaking must be submitted by the institution on its official letterhead and must be dated and signed by the Chief Executive Officer of the applicant or an official of similar standing in the organisation:

I hereby declare that, if registered or provisionally registered,..... [legal name of the institution] shall comply with an evaluation of the institution at intervals to be determined by the Registrar.

I further declare that, if registered or provisionally registered,..... [legal name of the institution] shall comply with any other reasonable process arranged by the registrar after consultation with the institution for the purpose of monitoring compliance with the requirements of the Higher Education Act, 1997 (Act No. 101 of 1997) and the conditions of registration.

The original of this declaration must be submitted.

P(2): ANNEXURES TO BE SUBMITTED ONLY BY INSTITUTIONS WHO HAVE BEEN GRANTED PROVISIONAL REGISTRATION FOR TWO YEARS OR LONGER

ITEM 25

ANNEXURE D: Declaration on application for an accreditation review

The following verbatim undertaking must be submitted by the institution on its official letterhead and must be dated and signed by the Chief Executive Officer of the applicant or an official of similar standing in the organisation.

I hereby confirm that[legal name of the institution] has applied to the Higher Education Quality Committee (HEQC) for an accreditation review of the following programmes:

- a) ..¹
- b) ..
- c) ..

I further agree that, if registered in terms of section 54(1)(c) of the Higher Education Act, 1997 (Act No. 101 of 1997), [legal name of the institution] shall comply with the requirements of the HEQC as contemplated in section 53(1)(b)(ii) of the Act.

The original of this declaration must be submitted.

P(3): ANNEXURES TO BE SUBMITTED BY FOREIGN INSTITUTIONS ONLY

ITEM 26

ANNEXURE E: Equality of qualifications of foreign institutions

Proof that the home institution will accredit the applicable local qualifications is required. The following verbatim equality of qualifications statement, on the foreign institution's official letterhead, signed by the head of the foreign institution and addressed to the Registrar, is to be provided:

I hereby confirm that [legal name of the institution] will, subject only to the availability of places, allow successful students from its South African site to enrol unconditionally, without any further course work, for further years of study in the same qualification at [legal name of the institution] or any of its other sites.

ITEM 27

ANNEXURE F: Proof of recognition in the country of origin

A foreign institution wishing to be registered must provide proof that in its country of origin it is recognised by official authorities as a higher education institution in terms of the statutes.

ITEM 28

ANNEXURE G: Proof of accreditation in the country of origin

A foreign institution wishing to be registered must also provide proof that in its country of origin it is accredited as a higher education institution in terms of the statutes.

¹ List the names of the programmes for which you applied for re-accreditation.

CHECKLIST

Please make sure that you have submitted *Form APX-02* and attached all documents listed below. Fill in this form and submit it with your application.

<i>REQUIRED INFORMATION</i>	<i>SUBMITTED YES/NO</i>	<i>INSTITUTION'S COMMENTS</i>	<i>FOR OFFICE USE ONLY</i>
<i>Form APX-03: Application Form</i>			
<i>Annexure A: Non-discrimination declaration</i>			
<i>Annexure B: Undertaking on institutional capacity</i>			
<i>Annexure C: Declaration on monitoring and evaluation</i>			
<i>Annexure D: Declaration on application for an accreditation review</i>			
<i>Annexure E: Equality of qualifications of foreign institutions</i>			
<i>Annexure F: Proof of recognition in the country of origin</i>			
<i>Annexure G: Proof of accreditation in the country of origin</i>			



DEPARTMENT OF EDUCATION

REGULATIONS FOR THE REGISTRATION OF
PRIVATE HIGHER EDUCATION INSTITUTIONS

APPLICATION FOR CONVERSION

(Form APX-03)

Note: Applicants must consult the document: *A Guide for Completing the Application for Conversion.*

PART I

A. NAME AND REGISTRATION NUMBER

1. Legal name of the institution

2. Registration number issued by the Department of Education

B. QUALITY ASSURANCE

3. Describe how your institution has fulfilled the requirements of the HEQC, including the conditions of accreditation.

4. Describe how your institution has complied with the conditions of registration relating to maintaining health and safety standards on its premises.

5. Describe how your institution has complied with the conditions of registration relating to the provision and maintenance of adequate facilities and equipment for its enrolled students.

C. FINANCIAL MANAGEMENT

6. Describe how your institution has complied with the conditions of registration relating to its finances.

7. Provide details of how your institution has maintained its financial surety or guarantee.

D. MAINTENANCE OF STUDENT RECORDS

8. Describe how your institution has complied with the conditions of registration relating to the maintenance of student records.

E. OTHER CONDITIONS OF REGISTRATION

9. Describe how your institution has complied with any other condition(s) of registration.

PART II

F. DETAILS OF PROGRAMMES SUBMITTED FOR AN ACCREDITATION REVIEW

10. Table 01: Programmes submitted to the HEQC for an accreditation review

Name of programme	Entrance requirements	Mode of delivery	Language of instruction	Minimum duration in months	
				Full-time	Part-time

G. DETAILS OF SITES OF DELIVERY SUBMITTED FOR THE ACCREDITATION REVIEW

11. Table 02: Sites for programme delivery

Name	Physical address	Programmes to be delivered

PART III**H. VISION, MISSION AND ORGANISATIONAL GOALS**

12. Assess the extent to which your institution has achieved its vision, mission and organisational goals.

I. ORGANISATIONAL STRUCTURE

13. If your organisational structure is different from what was originally proposed in your business plan, outline the considerations behind the establishment of this current structure.

J. INFRASTRUCTURE AND FACILITIES

14. Assess the extent to which the infrastructure and facilities proposed on application, or as outlined in Item 13 above, have met the needs for the provision and delivery of your provisionally registered programmes, and for research, if any.

15. Report on expansion.

16. Report on shrinkage.

K. ABILITY TO ATTRACT STUDENTS

17. Assess your institution's performance in attracting students in the study fields of your programme offerings in relation to the market and feasibility assessment you conducted on application.

L. RISK MANAGEMENT

18. Evaluate the performance of your institution's approach to risk management and the implementation and maintenance of its risk management strategies.

M. IMPLEMENTATION OF POLICIES RELATING TO STUDENTS

19. Evaluate the performance of your institution in its implementation of policies relating to students.

N. IMPLEMENTATION OF EMPLOYMENT EQUITY ACT

20. Evaluate the extent to which your institution has achieved its goals in the implementation of the Employment Equity Act.

O. IMPLEMENTATION OF OCCUPATIONAL HEALTH AND SAFETY ACT

21. Evaluate the extent to which your institution has achieved its goals in the implementation of the Occupational Health and Safety Act.

PART IV**ANNEXURES**

ANNEXURE A: Non-discrimination declaration.

ANNEXURE B: Undertaking on institutional capacity.

ANNEXURE C: Declaration on monitoring and evaluation.

ANNEXURE D: Declaration on application for an accreditation review.

ANNEXURE E: Equality of qualifications of foreign institutions.

ANNEXURE F: Proof of recognition in the country of origin.

ANNEXURE G: Proof of accreditation in the country of origin.



DEPARTMENT OF EDUCATION

REGULATIONS FOR THE REGISTRATION OF
PRIVATE HIGHER EDUCATION INSTITUTIONS

A GUIDE FOR COMPLETING THE ANNUAL REPORT

(APX-04)

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VISION, MISSION AND MANDATE OF THE DEPARTMENT OF EDUCATION

VISION

Our vision is of a South Africa in which all our people have access to lifelong education and training opportunities, which will in turn contribute towards improving quality of life and building a peaceful, prosperous and democratic society.

MISSION

To provide leadership in the construction of a South African education and training system for the 21st century.

MANDATE

The vision for the transformation of the higher education system is articulated in the *White Paper 3: A Programme for the Transformation of Higher Education (1997)*. Central to this vision is the building of a rational, seamless higher education system that grasps the intellectual and professional challenges facing South Africans in the 21st century, and meets the learning needs of individuals and the development needs of our society and economy.

The building of such a system necessitates, among other things, the promotion of quality teaching and research, not only in public universities and technikons, but also in privately established institutions of higher learning. It is primarily for this reason that the *Higher Education Act, 1997 (Act No. 101 of 1997)* (hereafter referred to as "the Act"), makes it a requirement for private institutions offering higher education to register with the Department of Education (DoE).

The registration of private higher education institutions, in accordance with the Act, applies only to institutions that offer learning programmes that result in the award of whole qualifications such as certificates, diplomas or degrees at levels 5 to 8 of the National Qualifications Framework (NQF). Registration, as required by the Act, means that an institution is granted the legal authority to offer higher education programmes and qualifications accredited by the Higher Education Quality Committee (HEQC) of the Council on Higher Education (CHE) and approved by the Registrar of Private Higher Education Institutions. This requirement applies to all private institutions, be they local or foreign.

The aim of registering private institutions is to ensure that -

- a) all private higher education institutions offer an acceptable quality of education;
- b) current and prospective students receive higher education from institutions that have the resources, capacity and/or expertise to deliver quality programmes;
- c) the public obtains qualifications that are aligned with the NQF; and

- d) the education system continues on a path of transformation in accordance with government policy and regulation.

Registration can, therefore, be seen as a means of protecting the integrity of the higher education system and the interests of the public.

Chapter 7 of the Act deals specifically with private higher education institutions. The Regulations for the Registration of Private Higher Education Institutions, 2002, of which this guide and annual reporting form are an appendix, provide the legal framework within which the Registrar of Private Higher Education Institutions is required to regulate the registration of private higher education institutions in terms of the Act.

As a further means of protecting the integrity of the higher education system and the interests of the public, section 57 of the Act makes it mandatory for institutions to report on their operations annually in the manner determined by the registrar. This section reads as follows:

- (1) *Every private higher education institution must, in accordance with generally accepted accounting practice, principles and procedures –*

- (a) *keep books and records of income, expenditure, assets and liabilities;*
 (b) *prepare financial statements within three months of the end of the year, including at least:*

- (i) *a statement of income and expenditure for the previous year;*
 (ii) *a balance sheet as at the end of the previous year; and*
 (iii) *any other information the registrar may reasonably require.*

- (2) *Every private higher education institution must, within the period determined by the registrar -*

- (a) *ensure an annual audit of its books, records of account and financial statements by an auditor, who must conduct the audit in accordance with generally accepted auditing standards;*
 (b) *provide to the registrar a certified copy of the auditor's report in respect of the financial statements referred to in subsection (1); and*
 (c) *provide to the registrar any additional information, particulars or documents in the manner determined by the registrar.*

In terms of regulation 29(1) of Chapter 6 of the Regulations, an institution is required to submit an annual report before 30 April of each year. The Department uses the information submitted in an annual report to achieve the following objectives:

- To monitor and evaluate the performance of each institution on an annual basis.
- To develop profiles of the private higher education sector as a whole, through analyses of data such as participation rates, throughput rates and staff and student profiles, in a manner and for reasons similar to the manner and reasons in and for which the public higher education system is profiled.
- To foster accountability within the private higher education sector.

Chapter 6 defines further responsibilities that must be executed by an institution in order to maintain its registration. These include:

- reporting changes in institutional operations;
- displaying the registration status;
- responsibilities relating to the offering of higher education programmes, the placing and re-imburement of students in the case of the discontinuation of a programme and the addition, withdrawal or suspension of a programme or site;
- publishing a prospectus, calendar or brochure annually for the information of students and the public;
- maintaining academic records;
- responsibilities relating to marketing and advertising;
- submitting a financial audit as part of the annual report and any other information as specified by the registrar; and
- responsibilities relating to the lapsing or cancellation of registration.

In summary, therefore, the maintenance of an institution's registration is dependent on -

- discharging the responsibilities of an institution as defined in Chapter 6 of the Regulations;
- continued fulfillment of the requirements for registration as defined in Chapter 3 of the Regulations; and
- compliance with conditions of registration as determined by the Registrar of Private Higher Education Institutions in terms of section 60 of the Act.

The annual report must provide evidence of how the institution has continued to fulfill the above requirements in the year for which the report is issued. Failure to comply can result in the cancellation of registration in accordance with section 62 (1) of the Act.

ACRONYMS USED IN THE GUIDE AND ANNUAL REPORT FORM

ABET	Adult Basic Education and Training
CHE	Council on Higher Education
CIPRO	Companies and Intellectual Property Registration Office
DoE	Department of Education
FET	Further Education and Training
FTE	Full-time equivalent
GAAP	Generally Accepted Accounting Practice
GET	General Education and Training
HEQC	Higher Education Quality Committee
NLRD	National Learner's Record Database
NQF	National Qualifications Framework
PAAB	Public Accountants' and Auditors' Board
SAAS	South African Auditing Standards
SAICA	South African Institute of Chartered Accountants
SAQA	South African Qualifications Authority

IMPORTANT CONSIDERATIONS FOR COMPLETING THE ANNUAL REPORT FORM

This guide and the accompanying annual reporting form, *Form APX-04*, must be used when a private institution is preparing its annual report.

The guide is linked to the various sections of the annual reporting form. Institutions are therefore urged to read the guide carefully before commencing with the completion of the annual reporting form. Institutions are also advised to read the guide in conjunction with the Act and the Regulations.

When completing the annual reporting documents, the following should be borne in mind:

- (a) Annual reports must be submitted by 30 April each year, for the previous year.
- (b) The financial audit must be for the year for which the annual report is submitted.
- (c) The annual report, including the financial audit, must be submitted in English.
- (d) Important supporting documents in the form of the listed annexures must be provided as part of the annual report. Annual reporting documents to be submitted are *APX-04* and Annexures A – O.
- (e) All sections of the form must be completed in full and in the required format. An institution that submits an incomplete annual report or incorrect information will be considered not to have submitted an annual report.
- (f) All annual reports must carry the date of submission to the DoE.
- (g) The annual reporting documents can be accessed electronically in Microsoft Word for Windows on the DoE website at: [http://education.gov.za/DoEActivities/Higher Education/Registrar of Private Higher Education Institutions](http://education.gov.za/DoEActivities/HigherEducation/Registrar_of_Private_Higher_Education_Institutions). However, all forms must be submitted as hard copies.
- (h) The annual reporting documents are both divided into the following sections:

FORM

Section A:	Registered name and number (Items 1 and 2)
Section B:	Changes in administrative data (Items 3-15)
Section C:	Loss of any physical facility or supporting service or any reduction in financial or personnel resources (Items 16-19)
Section D:	Amendments initiated by the institution and approved by the registrar (Items 20-25)
Section E:	Data on General Education and Training (GET) and Further Education and Training (FET) programmes (Items 26-28)

Section F:	Particulars of registered higher education programmes (Items 29-31)
Section G:	Staff and student data (Items 32-38)
Section H:	Changes in inter-institutional agreements (Items 39-42)
Section I:	Continued fulfillment of the requirements for registration (Items 43-47)
Section J:	Discharging the responsibility of an institution (Items 48-55)
Section K:	Other (Items 56 and 57)

ANNEXURES

Annexure A1:	Termination of agreement with other institutions (Item 40)
Annexure A2:	Entering into a new agreement (Item 41)
Annexure A3:	Amendments to existing agreements (Item 42)
Annexure B:	Compliance with the requirements of the HEQC (Item 43)
Annexure C:	Compliance with regulations relating to the health and safety of persons (Item 44)
Annexure D:	Evidence of non-discrimination on the basis of race (Item 45)
Annexure E:	Proof of maintenance of financial surety (Item 46)
Annexure F:	Audited annual financial statements (Item 47)
Annexure G:	Record of academic achievement (Item 48)
Annexure H:	Issuance of transcripts of academic records (Item 49)
Annexure I:	Issuance of certificates (Item 50)
Annexure J:	The National Learner's Records Database (NLRD) (Item 51)
Annexure K:	Sample copy of an enrolment and/or application form (Item 52)
Annexure L:	Institutional prospectus, calendar or brochure (Item 53)
Annexure M:	Official marketing/advertising material (Item 54)
Annexure N:	Evidence in respect of the continued fulfillment of the conditions of registration (Item 55)
Annexure O:	Risk analysis and management strategy (Item 56)

An annual reporting checklist is provided at the end of this document to help institutions determine whether all the required information is included.

In the spaces provided on *Form APX-04*, the required information must be provided as explained per item below. Each explanation corresponds to the item on *Form APX-04*.

A. REGISTERED NAME AND NUMBER**ITEM 1**

Supply the name in which the institution is registered as a private higher education institution.

ITEM 2

Fill in the registration number that appears on your certificate of registration as a private higher education institution, as issued to your institution by the Registrar of Private Higher Education Institutions.

B. CHANGES IN ADMINISTRATIVE DATA

In terms of Regulation 23(e), institutions are required to inform the registrar of changes in the information submitted in terms of the Act, and the Regulations for the Registration of Private Higher Education Institutions.

ITEM 3

If the institution has a new contact person, fill in the name, title, designation, telephone number, cell phone number, fax number and e-mail address of the new contact person.

ITEM 4

If the postal address for all correspondence to the institution has changed, indicate the new postal address in the spaces provided.

ITEM 5

If the physical address of the institution's head office has changed, indicate the new physical address in the spaces provided.

ITEM 6

If the contact details of the institution's head office have changed, indicate the new details in the spaces provided.

ITEM 7

If the physical address of the institution's main campus has changed, indicate the new details in the spaces provided.

ITEM 8

If the address used as the institution's *domicilium citandi et executandi* has changed, indicate the new details in the spaces provided.

ITEM 9

If the institution's website address has changed, indicate the new address in the spaces provided.

ITEM 10

If the head or Chief Executive Officer (CEO) of the institution has been replaced, indicate the details of the new incumbent in the spaces provided.

ITEM 11

If the owners of the institution have changed, indicate in Table 01, the names, titles and identity numbers of the new owners of the institution, as reflected in the *Articles of Association*.

ITEM 12

Indicate, in the spaces provided in Table 02, the names of directors who have resigned in the course of the year for which the annual report is issued.

ITEM 13

Indicate, in the spaces provided in Table 03, the names of directors who have been appointed in the course of the year for which the annual report is issued.

ITEM 14

If the institution's holding company or parent institution has changed, indicate the details of the new holding company or parent institution in the spaces provided.

ITEM 15

If the institution's auditors have changed, indicate the details of the new auditors in the spaces provided. This should include:

- (a) the name (of the firm) of auditors registered with (PAAB) in terms of section 15 of the *Public Accountants' and Auditors' Act, 1991 (Act No. 80 of 1991)*; and
- (b) the auditor's practice or registration number, as issued by PAAB.

C. LOSS OF ANY PHYSICAL FACILITY OR SUPPORTING SERVICE OR ANY REDUCTION IN FINANCIAL OR PERSONNEL RESOURCES

In terms of regulation 23(i), an institution must immediately report to the registrar any changes relating to the loss of any physical facility necessary for the proper conduct of a programme, the loss of any supporting service to a programme and any significant reduction in the financial or personnel resources needed to sustain a programme.

ITEM 16

In the spaces provided, indicate the date of occurrence of any loss experienced by your institution in the year for which the annual report is submitted. If no loss was experienced, place a cross in the column marked No Loss Experienced.

ITEM 17

If the institution experienced the loss of a physical facility necessary for the proper conduct of a programme, describe, in the space provided, the nature of the loss (equipment, offices, buildings, laboratories, etc.) and its impact on the academic activities of the institution.

ITEM 18

If the institution experienced the loss of a supporting service, describe, in the space provided, the nature of the loss and its impact on the academic activities of the institution.

ITEM 19

If the institution experienced a significant reduction in its financial or personnel resources needed to sustain registered programme(s), describe, in the space provided, the nature of the reduction and its impact on the academic activities of the institution.

D. AMENDMENTS INITIATED BY THE INSTITUTION AND APPROVED BY THE REGISTRAR

In terms of section 58 of the Act and Regulation 4, an institution may apply to the registrar to amend its registration. Regulation 25(3) requires that an institution must submit an application for amendment to the registrar in terms of Regulation 4 if it intends to withdraw, indefinitely suspend or add a programme or site.

This section is applicable to institutions that applied for, and were granted, (an) amendment(s) to their registration by the registrar in the year for which the annual report is submitted.

ITEM 20

In the spaces provided, indicate the date of the approval of the amendment by the registrar. If no application for amendment was lodged, place a cross in the column marked Not Applicable.

ITEM 21

In the space provided, indicate what impact, if any, the change in legal name has had on the academic activities of your institution.

ITEM 22

In the space provided, indicate what impact, if any, the change in type of company has had on the academic activities of your institution.

ITEM 23

In the space provided, indicate what impact the amendment to registered programmes has had on the academic activities of your institution.

ITEM 24

In the space provided, indicate what impact the amendment to sites of delivery has had on the academic activities of your institution.

ITEM 25

In the space provided, indicate what impact the amendment to student enrolment has had on the academic activities of your institution.

E. DATA ON GET AND FET PROGRAMMES**ITEM 26**

By means of a Yes or No, please indicate whether you offered programmes in the General Education and Training (GET) band in the year for which the annual report is submitted.

ITEM 27

If you offered GET programmes in the year for which the annual report is submitted, the registration number as an independent school or an ABET centre must be supplied. The provincial Department of Education assigns the number.

ITEM 28

By means of a Yes or No, please indicate whether you offered programmes in the Further Education and Training (FET) band in the year for which the annual report is submitted.

F. PARTICULARS OF REGISTERED HIGHER EDUCATION PROGRAMMES

Regulation 25 requires an institution to offer only such programmes on only such sites as are approved by the registrar and reflected in the registration certificate.

ITEM 29

In Table 04, list the registered higher education programmes offered by your institution and provide the details required in the spaces provided. The following explanation must be taken into account before responding to this item:

NQF FIELDS

In terms of *Government Gazette* No. 20234 of 25 June 1999, the South African Qualifications Authority has determined the following fields and sub-fields for purposes of registering qualifications on the National Qualifications Framework (NQF). Before completing the annual reporting forms, check the field in which the institution's learning programme(s) fall(s).

01 Agriculture and Nature Conservation

Primary and secondary agriculture, nature conservation, forestry and wood technology, horticulture.

02 Culture and Arts

Design studies, visual and performing arts, cultural studies, music, sport, film, television and video.

03 Business, Commerce and Management Studies

Finance, economics and accounting, generic management, human resources, marketing, procurement, office and public administration, project management, public relations.

04 Communication Studies and Language

Communication and information studies, language, literature.

05 Education, Training and Development

Schooling, higher education and training, early childhood development, adult learning.

06 Manufacturing, Engineering and Technology

Engineering and related design, manufacturing and assembly, fabrication and extraction.

07 Human and Social Studies

Environmental relations, general social science, industrial and organisational governance and human resource development, people-/human-centred development, public policy, politics and democratic citizenship, religious and ethical foundations of society, rural and agrarian studies, traditions, history and legacies, urban and regional studies.

08 Law, Military Science and Security

Safety and justice in society, sovereignty of the state.

09 Health Sciences and Social services

Preventive health, promotive health and development services, curative health, rehabilitative health services.

10 Physical, Mathematical, Computer and Life Sciences

Mathematical, physical, life, information technology and computer, earth and space and environmental sciences.

11 Services

Hospitality, tourism, travel, gaming and leisure, transport, operations and logistics, personal care, wholesale and retail, consumer services.

12 Physical Planning and Construction

Physical planning, design and management, building construction, civil engineering construction, electrical infrastructure construction.

While the development of level descriptors is still being finalised by SAQA, the following is a guide for purposes of completing *Form APX-04*.

NQF level 5 broadly refers to certificates and diplomas.

NQF level 6 generally includes all first-degree qualifications.

NQF level 7 refers to postgraduate qualifications at honours and master's degree levels.

NQF level 8 refers to doctoral degrees.

ITEM 30

If the primary language of instruction of the programmes listed under Item 29 has changed in the year for which the annual report is submitted, provide details of what programmes have been affected, reasons for the change and how it has impacted on the institution.

ITEM 31

If the primary mode of delivery of the programmes listed under Item 29 has changed in the year for which the annual report is submitted, provide details of what programmes have been affected and reasons for the change, and explain how this change has impacted on the institution.

For the mode of delivery, please choose either (a) contact education or (b) distance education. Each mode is briefly explained below.

a) Contact education

This involves personal interaction with institutional teachers or institutional supervisors through lectures, tutorials, seminars, practicals, supervision, or other forms of required work and occurs at the institution's premises or at a site of programme delivery of the institution.

b) Distance education

The interaction between students and institutional teachers or institutional supervisors is undertaken through distance education techniques, such as correspondence or telematic education. There are a number of different forms of distance education, including:

i) *Correspondence learning*

Correspondence learning takes place when there is no face-to-face contact between the educator and the learner. The learner works independently with no support services and the learning material is usually delivered by post or electronically. This is the traditional mode of distance education.

ii) *Open learning*

Open learning is a form of distance education, and combines face-to-face and other support services such as tutors, print-materials and telematics. It is often described as giving the learner the freedom of place, time, pace, access and exit.

iii) *Flexible learning*

This is another form of distance education. Flexible learning consists of a mixture of face-to-face teaching, often through block release or e-periods of intensive

teaching. It is also largely supported by the usual support services and is enhanced with technology applied in an integrated manner; i.e. the technology support is a component of the teaching and learning programme.

G. STAFF AND STUDENT DATA

ITEM 32

In Table 05, supply headcount staff and student totals with respect to higher education programmes offered in the year for which the annual report is issued, in the required format and according to the categories supplied. Before responding to this item, the following explanations must be taken into consideration:

REPORTING HEADCOUNT AND FULL-TIME EQUIVALENT STUDENT ENROLMENTS

Headcount student enrolments

A headcount student enrolment is literally a counting of heads. Students are counted as units, regardless of whether they are full-time, or part-time, and regardless of the number of courses they are taking. For example, students enrolled for 20%, 50% or 100% of a full-time curriculum will all be counted as units in a headcount total.

The headcount totals reported in the tables must be **unduplicated** ones. In an unduplicated headcount enrolment total a student is counted **once only**. If a student is registered for more than one qualification, he/she must be counted only for the qualification considered by the institution to be his/her main qualification.

Full-time equivalent student enrolments

A full-time equivalent (FTE) student enrolment differs fundamentally from a headcount total. In an FTE total the only students who are counted as units are those following **all the courses required for a standard full-time curriculum**. Students following fewer courses have to be counted as fractions of an FTE student. For example, a part-time student who is taking a quarter of a full-time load would be counted as 0,25 of an FTE student, and one taking half of a full-time load would be counted as 0,5 of an FTE student.

The FTE student total for most institutions is lower than its headcount student total. In the case of institutions that have mainly full-time students, the FTE total is normally between 80% and 90% of the headcount total. In the case of institutions that register mainly part-time students, the FTE total is normally 50% to 60% of the headcount total.

An FTE student total is not calculated by assigning fractions or units to each registered student. A simpler calculation method, using the notions of curriculum, course and minimum time, is employed. This calculation is done in this way:

Step 1

The courses that appear in the curriculum for a specific qualification must be listed (preferably by year of study). A percentage indicating what proportion of the curriculum it constitutes must be assigned to each course. Suppose that a qualification has a curriculum consisting of six (6) courses, and suppose further that a number of alternatives appear at certain slots in the curriculum, the listing and the proportions would look like this:

Table 1: Weighting of courses

Certificate X	
Courses in curriculum	Weighting of course selected
Course A or course B	20%
Course C	15%
Course D or course E or course F	10%
Course G	25%
Course H or course I	8%
Course J or course K or course L	22%
TOTAL	100%

Note

1. These tables are set up as examples of how *Annual Report Forms* will be completed when information is sent in electronically.
2. These tables are linked in the sense that they contain formulae that are related to one another. For example: The weighting of courses selected in Table 1 is linked to the calculation of the credit values in Table 2.
3. These tables are not set up as blueprints, but can be used as such in order to generate the required information for all the programmes or qualifications and courses. They are, therefore, used as examples to show how the use of formulae can simplify the task of completing these forms.

Step 2

Credit values must be calculated for each of the courses for a qualification. These calculations use the minimum time for a qualification and the weightings assigned to each course in a table such as the one above. Suppose that certificate X of the example above has a minimum time total of 1,5 years. The credit values for X would then be as follows:

Table 2

Credit values for certificate X		
Courses in curriculum	Weighting x minimum time	Credit value
Course A or course B	20% x 1,5 =	0,30
Course C	15% x 1,5 =	0,22
Course D or course E or course F	10% x 1,5 =	0,15
Course G	25% x 1,5 =	0,37
Course H or course I	8% x 1,5 =	0,12
Course J or course K or course L	22% x 1,5 =	0,34
TOTAL	100% x 1,5 =	1,50

Step 3

The student enrolments for each course have to be determined as on a specific census day. This census day should normally be close to the midpoint of the normal time span of the course. The FTE student total for the course will then be its enrolment on the census day multiplied by its credit value. The calculations made of the FTE enrolment total for certificate X would normally run along the following lines (the enrolments shown are examples only):

Table 3

Certificate X: FTE student enrolments			
Courses in curriculum	Census day enrolments	Credit value of course	FTE student total
Course A	30	0,30	9
Course B	150	0,30	45
Course C	50	0,22	11
Course D	60	0,15	9
Course E	75	0,15	11,25
Course F	120	0,15	18
Course G	40	0,37	14,8
Course H	25	0,12	3
Course I	31	0,12	3,72
Course J	20	0,34	6,8
Course K	22	0,34	7,48
Course L	44	0,34	14,96
TOTAL			154,01

Calculating success rates

Success rates for a qualification are calculated by dividing the total number of full-time equivalent (FTE) students passing the courses for a qualification by the FTE total of students enrolled for the courses for that qualification. As a first step, a calculation of this kind has to be made (again using the example of certificate X):

Table 4

Certificate X: FTE successful students			
Courses in curriculum	Students passing course	Credit value of course	FTE successful student total
Course A	18	0,30	5,4
Course B	105	0,30	31,5
Course C	40	0,22	8,8
Course D	45	0,15	6,75
Course E	30	0,15	4,5
Course F	90	0,15	13,5
Course G	35	0,37	12,95
Course H	15	0,12	1,8
Course I	23	0,12	2,76
Course J	15	0,34	5,1
Course K	11	0,34	3,74
Course L	35	0,34	11,9
TOTAL			108,7

The weighted average success rate for certificate X would be the FTE successful student total divided by the FTE enrolled student total = $108,7/154,01 = 70\%$.

REPORTING HEADCOUNT AND FULL-TIME EQUIVALENT STAFF TOTALS

Institutions must report all staff who are engaged in the delivery of educational and support activities and who are paid directly through the institution's payroll.

Headcount total of staff

A headcount total of staff is literally a counting of heads. Both full-time and part-time staff members are counted as units for this purpose.

Full-time equivalent staff total

A full-time equivalent (FTE) staff member is defined as someone who is employed in a full-time post for a 12-month period. Anyone who does not fit this criterion is counted as a fraction of an FTE staff member. Some examples follow:

- A full-time staff member employed by the institution for six months of the academic year would be $1 \times 6/12 = 0,5$ of an FTE staff member.
- A full-time staff member employed for 10 months of the academic year would be $1 \times 10/12 = 0,83$ of an FTE staff member.

In respect of part-time staff, institutions may have to make calculations differently from the examples above. This would normally apply to part-time lecturing staff who would be contracted to offer a certain number of teaching hours during the academic year. The following method is to be used to convert these part-time lecturers to an FTE total:

Suppose that an institution's 100 part-time academic staff members are contracted to offer a total of 6 000 teaching hours during a specific year. Suppose, also, that the institution's norm for a full-time staff member for a full year is 350 hours. The part-time academic staff members could be converted to an FTE total by dividing their contracted total of hours by the norm for a full-time academic staff member. The result would be that these 100 part-time staff members would be converted to 17,14 FTE staff members.

Some other examples follow:

- A part-time member holding a post equivalent to 50% of a full time post for eight months of the academic year would be $0,5 \times 8/12 = 0,33$ of an FTE staff member.
- A part-time staff member holding a post equivalent to 33% of a full-time post for nine months of the academic year would be $0,33 \times 9/12 = 0,24$ of an FTE staff member.

STAFF CATEGORIES

Staff must be reported in the following categories:

Instruction/Research staff

These are the academic members of the institution's staff. Any member of staff who spends 50% or more of his/her official time on duty at the institution is to be classified as an instruction or research staff member. This 'official time on duty' is to be determined by the contractual relationship that the institution has with the staff member.

Support staff

These are the members of staff who, either directly or indirectly, support the institution's instruction activities. To be placed in this category are members of staff must who perform functions such as academic support services and student support services, and such institutional support services as human resource management, financial management and administration.

Service staff

These are members of staff who perform auxiliary services, such as the operation and maintenance of plant, e.g., building maintenance, garden services, custodial services and security services.

ITEM 33

In Table 06, if applicable, provide the required details of higher education programmes offered on behalf of, and certified by, other institutions. "Other institutions", in this instance, refers to institutions for which you also operate as a tuition centre.

ITEM 34

Supply student data for each registered higher education programme in the required format and according to the categories supplied in Table 07. Refer to Item 31 above for an explanation of modes of delivery.

ITEM 35

Supply headcount race and gender enrolment data for each higher education programme, in the required format and according to the categories supplied in Table 08.

ITEM 36

In Table 9, supply headcount nationality and gender enrolment data for students who are not citizens of South Africa. This applies only to foreign students who are physically residing in South Africa. Students enrolled for attendance at sites of delivery located outside the borders of South Africa must be excluded.

ITEM 37

In Table 10, supply information on student success rates in accordance with supplied categories. The information required for this table must be supplied per year level. For example, if a four-year professional qualification such a Bachelor's Degree in Technology is offered, the institution must indicate the success rate in this programme for the first, second, third and fourth years individually.

ITEM 38

In Table 11, if applicable, supply data of students and staff in the required format and according to the categories supplied.

H. CHANGES IN INTER-INSTITUTIONAL AGREEMENTS

Regulation 29(1)(iii) requires that a signed, certified copy of any agreement relating to the provision of academic or administrative services or the sharing of staff or facilities between the institution and another institution be submitted to the registrar.

ITEM 39

Indicate the type of change(s) that have occurred in agreements with other institutions in respect of termination, new agreements and/or amendments.

ITEM 40**ANNEXURE A1: Termination of agreement with other institutions**

If the institution has terminated any agreement(s) with other institution(s), provide certified copies of the termination of agreement indicating the programmes involved, the date and conditions of termination. Reasons for the termination must be provided.

ITEM 41

ANNEXURE A2: Entering into a new agreement

If the institution has entered into new agreements with other institutions, provide signed, certified copies of the agreement indicating the programmes involved, the date of signing of the agreement and the conditions of the agreement.

ITEM 42

ANNEXURE A3: Amendments to existing agreements

If parts of existing agreements have been amended, provide signed, certified copies of the agreement, clearly indicating the programmes involved, the date of amendment and the actual amendments.

I. CONTINUED FULFILMENT OF THE REQUIREMENTS FOR REGISTRATION

In accordance with sections 51 and 53 of the Act and Chapter 3 of the Regulations, an institution must continue to fulfill the following requirements in order to ensure their continued registration:

- Registration as a company in terms of the *Companies Act, 1973 (Act No. 61 of 1973)*.
- Non-discrimination on the basis of race.
- Registered programmes must lead to qualifications that are registered on levels five to eight of the NQF.
- Compliance with the requirements of the HEQC.
- Compliance with regulations relating to the health and safety of persons on its premises.
- Financial sustainability and maintenance of the financial surety or guarantee.
- Foreign institutions must prove that the parent institution operates lawfully in its country of origin, that the parent institution recognises qualifications awarded in its name and that awardees will not suffer disadvantage if they wish to enroll at the parent institution.
- Compliance with the periodic evaluation by the registrar, at intervals to be determined by the registrar.
- Compliance with any other reasonable process arranged by the registrar for the purpose of monitoring compliance with the requirements of the Act and the

conditions of registration as imposed by the registrar in terms of section 60 of the Act.

ITEM 43

ANNEXURE B: Compliance with the requirements of the HEQC

If the institution had any conditions of accreditation to comply with in the year for which the annual report is submitted, provide a brief report as to how the institution complied with such requirements.

ITEM 44

ANNEXURE C: Compliance with regulations relating to the health and safety of persons

In this Annexure the health and safety compliance audit report for the year of reporting, for all sites of delivery, must be submitted. The audit report must be issued by a legally competent health and safety professional or organization.

ITEM 45

ANNEXURE D: Evidence of non-discrimination on the basis of race

Provide evidence as to how the institution has continued to fulfill the requirement on non-discrimination on the basis of race in the year for which the annual report is submitted.

ITEM 46

ANNEXURE E: Proof of maintenance of financial surety or guarantee

Provide evidence as to how the institution has maintained its surety or guarantee in the year for which the annual report is submitted. For this purpose a confirmation is required from the financial institution with whom you entered into an agreement.

ITEM 47

ANNEXURE F: Audited annual financial statements

For purposes of the annual reports of private higher education institutions, only audited annual financial statements of the registered entity will be accepted. Group financial statements are not acceptable for this purpose. To this effect, the institution's directors shall prepare and submit the original audited annual financial statements, or signed and certified copies thereof, for the year for which the annual report is submitted. The preparation and presentation of the financial statements must comply with the requirements of the *Higher Education Act, 1997 (Act No. 101 of 1997)*, the *Companies Act, 1973 (Act No.61 of 1973)*, and the *Statements of GAAP*. The audited financial statements must include the following:

- *Auditor's report*
- *Director's report*
- *Balance sheet*
- *Income statement*
- *Cash flow statement*
- *Statement of changes in equity*
- *Summary of accounting policies*
- *Notes to the financial statements*

The annual financial statements of an institution must, in conformity with generally accepted accounting practice, fairly present its financial position, its changes in equity and the results of its operations and cash flows. The audited financial statements must be accompanied by an auditor's report and a director's report, which must comply with the requirements explained in the section below.

i) The auditor's report

In terms of the Higher Education Act, a **registered independent auditor** must issue the auditor's report. In terms of form and content, the auditor's report must conform to the statements of SAAS, issued by SAICA. The auditor's report must be issued on the auditor's official letterhead. In the report, the auditor must express his/her opinion on the appropriateness of the management's use of the going concern assumption in their preparation of the institution's financial statements. In accordance with Section 56(1)(b) of the Act, the auditor's report must be available for public scrutiny.

Furthermore, the auditor must indicate whether he/she concurs with the directors' *Financial Viability Statement*, referred to below.

ii) Directors' report

Any matter not dealt with in the balance sheet, statement of changes in equity, income statement, cash flow statement or notes thereto, including any post-balance-sheet event, which is material to the appreciation of the financial position of the institution, its changes in equity and the results of its operations and cash flows, must be dealt with in the directors' report.

In terms of format and content, the director's report must comply with section 299 and Part III of Schedule 4 of the Companies Act, (Act No. 61 of 1973). It must, therefore, include, but not be limited to, the following aspects:

- *Directors and secretary*
- *Principal activities/Nature of business*
- *Director's responsibilities*
- *Going concern assessment*
- *Operating results*
- *Dividends*
- *Review of operations*
 - o *Revenue*
 - o *Profit before tax*

- *Extraordinary items*
- *Share capital*
- *Post-balance-sheet events*
- *Financial viability statement*

The following verbatim statement must constitute the *Financial Viability Statement* referred to in the list above: "I hereby confirm that I have no reason to believe that (name of the institution) is not financially capable of meeting its obligations to its students as contemplated in section 53(1)(a) of the Higher Education Act, 1997 (Act No. 101 of 1997)."

The Chief Executive Officer, or an official of similar standing, must sign the directors' report.

J. DISCHARGING THE RESPONSIBILITIES OF AN INSTITUTION

ITEM 48

ANNEXURE G: Record of academic achievement

Regulation (27) requires an institution to keep a comprehensive record of the academic achievement of each student enrolled in a registered programme. Furnish a report on how your institution has discharged its responsibilities in this regard.

ITEM 49

ANNEXURE H: Issuance of transcripts of academic records

Regulation 27(2) requires an institution to make available to an enrolled student or a past student, on request, a transcript of his or her academic record that shows:

- (a) full name;
- (b) identity number or passport number and nationality if not a South African;
- (c) student number;
- (d) courses taken by code number and name for each year in chronological order;
- (e) mark or grade for each course, with an explanatory note on the marking or grading system;
- (f) qualification awarded.

A sample copy of a transcript of a student's academic record, issued in the year for which the annual report is submitted, must be provided as evidence that the above responsibility is being discharged.

ITEM 50

ANNEXURE I: Issuance of certificates

Regulation 27(3) requires an institution to make available to an enrolled student or past student on request a copy of a certificate awarded. A sample copy of a certificate

awarded for each of the registered higher education programmes in the year for which the annual report is submitted, must be provided.

ITEM 51

ANNEXURE J: The National Learner's Records Database (NLRD)

Regulation 27(4) requires an institution to submit to SAQA such information from its academic records as SAQA requires for the National Learner's Records Database. Provide evidence as to whether the required information was submitted to SAQA for the academic year for which the annual report is issued.

ITEM 52

ANNEXURE K: Sample copy of an enrolment and application form

Submit an original version of the institution's application and enrolment form for the year for which the annual report is issued.

ITEM 53

ANNEXURE L: Institutional prospectus, calendar or brochure

Regulation 26 requires an institution to publish, at least once a year, a calendar, prospectus or brochure for the information of students and the public. The institution's student prospectus, yearbook and brochure must be submitted for the year for which the annual report is issued. These must be in published format and must feature the year of publication. Loose pages are not acceptable for this purpose.

ITEM 54

ANNEXURE M: Official documents, marketing and advertising material

In order to assist the registrar in determining whether the institution complies with Regulation 28, originals of the institution's official documents and marketing and advertising material for the academic year for which the annual report is issued must be submitted. These must bear the corporate identity/logo of the institution. Any other advertising material that the institution has provided to the public, such as newspaper/magazine articles, videos, audiocassettes, material prepared for television or a summary of workshops held at schools, must be included. An original version of the official letterhead used by the institution in the year for which the annual report is submitted must also be attached.

ITEM 55

ANNEXURE N: Evidence in respect of the continued fulfillment of the conditions of registration

Section 60(1) of the Act allows the registrar to impose any reasonable condition on a private higher education institution. The conditions of registration of the institution are outlined in the letter of registration. Provide a brief summary in respect of the

institution's continued fulfilment of its conditions of registration in the year for which the annual report is submitted. Where applicable, documentary evidence must be provided.

K. OTHER

ITEM 56

ANNEXURE Q: Risk analysis and management strategy

Provide an account of how the institution is maintaining its risk analysis and management strategy for the year for which the annual report is submitted.

CHECKLIST

Please make sure that you have submitted Form *APX-04* and attached all documents listed below. Fill in this form and submit it with your application.

<u>REQUIRED INFORMATION</u>	<u>SUBMITTED YES/NO</u>	<u>INSTITUTION'S COMMENTS</u>	<u>DATE OF REVISION</u>
<u>Form APX-04:</u> <i>Annual Report Form</i>			
<u>Annexure A1:</u> <i>Termination of agreement with (an) other institution(s)</i>			
<u>Annexure A2:</u> <i>Entering into a new agreement</i>			
<u>Annexure A3:</u> <i>Amendments to existing agreements</i>			
<u>Annexure B:</u> <i>Compliance with the requirements of the HEQC</i>			
<u>Annexure C:</u> <i>Compliance with the regulations relating to the health and safety of persons</i>			
<u>Annexure D:</u> <i>Evidence of non-discrimination on the basis of race</i>			
<u>Annexure E:</u> <i>Proof of maintenance of financial surety or guarantee</i>			
<u>Annexure F:</u> <i>Audited annual financial statements</i>			
<u>Annexure G:</u> <i>Record of academic achievement</i>			
<u>Annexure H:</u> <i>Issuance of transcripts of academic records</i>			
<u>Annexure I:</u> <i>Issuance of certificates</i>			
<u>Annexure J:</u> <i>The National Learner's Records Database (NLRD)</i>			
<u>Annexure K:</u> <i>Sample copy of an enrolment and application form</i>			
<u>Annexure L:</u> <i>Institutional prospectus, calendar or brochure</i>			

<u><i>Annexure M:</i></u> <i>Official documents, marketing and advertising material</i>			
<u><i>Annexure N:</i></u> <i>Evidence in respect of the continued fulfillment of the conditions of registration</i>			
<u><i>Annexure O:</i></u> <i>Maintenance of the risk analysis and management strategy</i>			



DEPARTMENT OF EDUCATION

REGULATIONS FOR THE REGISTRATION OF
PRIVATE HIGHER EDUCATION INSTITUTIONS

ANNUAL REPORTING FORM

(Form APX-04)

Note: Institutions must consult the document: *A Guide for Completing the Annual Report.*

A. REGISTERED NAME AND NUMBER

1. Name in which the institution is registered as a private higher education institution

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2. Registration number issued by the Department of Education

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B. CHANGES IN ADMINISTRATIVE DATA

3. New contact person

Name	
Title	
Designation	
Telephone number	
Fax number	
Cell number	
E-mail address	

4. New postal address

New address:	
Code	

5. New physical address of the head office

New address:	
Code	

6. New contact details of the institution's head office

	New contact details
Phone	
Fax	
E-mail address	

7. New physical address of the main campus

New address:	
Code	

8. New address used as the institution's domicilium citandi et executandi

New address :	
Code	

9. New website address

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10. Contact details of the new head or Chief Executive Officer (CEO)

Surname	
Name	
Title	
Designation	
Identity number	
Phone number	
Fax number	
Cell number	
E-mail address	

11. Table 01: New owners of the institution in accordance with the *Articles of Association*

Surname and initials	Title	Identity number

12. Table 02: Directors who have resigned

Surname and initials	Title	Designation	Date resigned	Identity number

13. **Table 03: Newly appointed directors**

Surname and initials	Title	Designation	Date appointed	Identity number

14. **Details of new holding company or parent institution**

	New holding company
Name	
Address	
Phone number	
Fax number	
Cell number	
E-mail address	
Website address	
Details of relationship	

15. **Details of institution's new auditors**

	New auditors
(a) Name of firm	
(b) Practice or registration number	

C. LOSS OF A PHYSICAL FACILITY OR SUPPORTING SERVICE OR ANY REDUCTION IN FINANCIAL OR PERSONNEL RESOURCES

16. Indicate the type of loss experienced and state the date on which the loss occurred

Type of loss	Date of loss	No loss experienced
Loss of a physical facility necessary for the proper conduct of a programme		
Loss of a supporting service to a programme		
Reduction in the financial and/or personnel resources needed to sustain a programme		

17. Nature of the physical facility lost and impact of the loss on the academic activities of the institution

18. Nature of supporting service lost and impact of the loss on the academic activities of the institution

19. Nature of reduction in financial and/or personnel resources and impact of the reduction on the academic activities of the institution

D AMENDMENTS INITIATED BY THE INSTITUTION AND APPROVED BY THE REGISTRAR

20. Type of amendment for which the institution applied

Type of amendment	Date of amendment	Not applicable
Legal name of the institution		
Change of type of company		
Registered programmes		
Sites of delivery		
Other		

21. Describe the impact that the amendment to the legal name has had on the academic activities of the institution in the year for which the annual report is submitted

22. Describe the impact that the change in type of company has had on the academic activities of the institution in the year for which the annual report is submitted

23. Describe the impact that the amendment to registered programmes has had on the academic activities of the institution in the year for which the annual report is submitted

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24. Describe the impact that the amendment to sites of delivery has had on the institution in the year for which the annual report is submitted

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25. Describe the impact of any other amendment on the academic activities of the institution in the year for which the annual report is submitted

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E. DATA ON GENERAL EDUCATION AND TRAINING (GET) AND FURTHER EDUCATION AND TRAINING (FET) PROGRAMMES

26. Do you offer programmes in the GET band?

Yes	
No	

27. If yes, provide your registration number as an independent school or an ABET centre.

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28. Do you offer programmes in the FET band?

Yes	
No	

F. PARTICULARS OF REGISTERED HIGHER EDUCATION PROGRAMMES

29. Table 04: Registered higher education programmes

Name of programme	NQF Field	NQF Level	Date registered	Entrance requirements	Minimum duration in months	Interaction with students		Primary mode of delivery	
						Full-time	Part-time	Contact	Distance

30. Changes in the primary language of instruction and impact of these changes on the institution

Previous language of instruction	Current language of instruction	Programmes affected	Reasons for change	Impact on the activities of the institution

31. Changes in the primary mode of delivery and impact of these changes on the institution

Previous mode of delivery	Current mode of delivery	Programmes affected	Reasons for change	Impact on the activities of the institution

G. STAFF AND STUDENT DATA

32. **Table 05:** Consolidated staff and student data for the year for which the annual report is submitted

CATEGORIES OF STAFF/STUDENTS	Registered programmes certified by the institution	HIGHER EDUCATION PROGRAMMES Programmes certified by other institutions
Students		
Headcount		
Full-time equivalent (FTE)		
Academic/Research Staff		
Headcount		
Full-time equivalent (FTE)		
Service Staff		
Full-time (Headcount)		
Part-time (Headcount)		
Support Staff		
Full-time (Headcount)		
Part-time (Headcount)		

33. Table 06: Higher education programmes offered on behalf of other institutions in the year for which the annual report is submitted

NQF Field	NQF level	Name of programme	Certifying institution	Student enrolments	
				Head-count	FTE

34. **Table 07:** Students enrolled per registered higher education programme in the year for which the annual report is submitted

NQF Field	NQF Level	Name of the programme	Certifying institution	Academic staff	Student enrolments		Interaction with students		Mode of delivery	
					Headc ount	FTE	Full- time	Part- time	Contact	Distance

35. Table 08: Headcount race & gender data per registered higher education programme (South African citizens) for the year for which the annual report is submitted

NQF Field	NQF Level	Name of programme	South African citizens and permanent citizens												Sub-totals
			African		Coloured		Indian		White						
			Male	Female	Male	Female	Male	Female	Male	Female	Male	Female			

36. **Table 09: Headcount data on nationality and gender per registered higher education programme (non-South African citizens) for the year for which the annual report is submitted**

		Number of non-South African citizens					
NQF Field	NQF Level	Name of programme	Country of origin	Male	Female	Sub-total	

37. **Table 10:** Headcount success rates per registered higher education programme in the year for which the annual report is submitted

NQF Field	NQF Level	Name of registered programme	Duration (months)	Year levels	Headcount enrolment		Number of successful students	
					Males	Females	Males	Females
				1 st				
				2 nd				
				3 rd				
				4 th				
				1 st				
				2 nd				
				3 rd				
				4 th				
				1 st				
				2 nd				
				3 rd				
				4 th				
				1 st				
				2 nd				
				3 rd				
				4 th				
				1 st				
				2 nd				
				3 rd				
				4 th				
				1 st				
				2 nd				
				3 rd				
				4 th				
				1 st				
				2 nd				
				3 rd				
				4 th				

38. **Table 11:** Total staff and registered students, expressed as headcount, for General Education & Training (GET) and Further Education and Training (FET) programmes in the year for which the annual report is submitted

CATEGORIES OF STAFF/STUDENTS	NUMBER OF STAFF FOR GET AND FET	
	GET	FET
Students		
Headcount		
Academic/Research Staff		
Headcount		
Service Staff		
Headcount		
Support Staff		
Headcount		
TOTAL NUMBER OF STAFF		

H. CHANGES IN INTER-INSTITUTIONAL AGREEMENTS

ANNEXURE A1: Termination of agreements with other institutions

ANNEXURE A2: Entering into a new agreement

ANNEXURE A3: Amendments to existing agreements

I. CONTINUED FULFILLMENT OF THE REQUIREMENTS FOR REGISTRATION

ANNEXURE B:	Compliance with the requirements of the HEQC
ANNEXURE C:	Compliance with regulations relating to the health and safety of persons
ANNEXURE D:	Evidence on non-discrimination on the basis of race
ANNEXURE E:	Proof of maintenance of financial surety or guarantee
ANNEXURE F:	Audited annual financial statements

J. DISCHARGING THE RESPONSIBILITY OF AN INSTITUTION

ANNEXURE G:	Record of academic achievement
ANNEXURE H:	Issuance of transcripts of academic records
ANNEXURE I:	Issuance of certificates
ANNEXURE J:	The National Learner's Records Database (NLRD)
ANNEXURE K:	Sample copy of an enrolment and/or application form
ANNEXURE L:	Institutional prospectus, calendar or brochure
ANNEXURE M:	Official documents, marketing and advertising material
ANNEXURE N:	Evidence in respect of the continued fulfillment of the conditions of registration

K. OTHER

ANNEXURE O: Risk analysis and management strategy

Note: Applicants must consult the document: *A Guide for Completing the Application for Amendment.*

K. OTHER

ANNEXURE O: Risk analysis and management strategy



DEPARTMENT OF EDUCATION

REGULATIONS FOR THE REGISTRATION OF
PRIVATE HIGHER EDUCATION INSTITUTIONS

SCHEDULE OF FEES PAYABLE BY PRIVATE INSTITUTIONS ON
LODGING AN APPLICATION FOR REGISTRATION, AN
APPLICATION FOR AMENDMENT AND AN APPLICATION FOR
CONVERSION

(APX-05)

SCHEDULE OF FEES

In terms of sections 52 and 58(b) of the *Higher Education Act, 1997 (Act No 101 of 1997)* and regulations 3(3), 4(1) and 5 of the *Regulations for the Registration of Private Higher Education Institutions, 2002*, a prescribed fee is payable on lodging an application for registration, an amendment application or an application for conversion.

Fee payable on applying the application for registration

A fee of R500.00 is payable on lodging an application for registration.

Fee payable on applying for the conversion of provisional registration in terms of section 54 (3) to registration in terms of section 54(1)(c)

A fee of R500.00 is payable on lodging an application for conversion.

Fee payable on applying for amendment of registration

A fee of R500.00 is payable on lodging an application for amendment of registration.

The above schedule of fees is subject to an annual review.

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