
GOVERNMENT NOTICE

DEPARTMENT OF EDUCATION

No. R. 872

29 August 2008

SOUTH AFRICAN SCHOOLS ACT, 1996 (ACT NO. 84 OF 1996)

APPROVAL OF THE REGULATIONS PERTAINING TO THE CONDUCTING, ADMINISTRATION AND MANAGEMENT OF ASSESSMENT FOR THE NATIONAL SENIOR CERTIFICATE

I, Grace Naledi Mandisa Pandor, Minister of Education, after consultation with the Council of Education Ministers, hereby make the Regulations in terms of *sections 6A and 61(c) and (d) of the South African Schools Act, 1996 (Act No. 84 of 1996)*, read with *section 27 of the General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001)*, as set out in the Schedule.



GRACE NALEDI MANDISA PANDOR, MP

MINISTER OF EDUCATION

Date: 5 August 2008

SCHEDULE

**REGULATIONS PERTAINING TO THE CONDUCT,
ADMINISTRATION AND MANAGEMENT OF
ASSESSMENT FOR THE NATIONAL SENIOR
CERTIFICATE**

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CHAPTER 1

DEFINITIONS, OBJECTIVES, SCOPE AND APPLICATION

1. Definitions

In these Regulations, any word or expression to which meaning has been assigned in the Act, shall have the meaning so assigned to it, unless the content indicates otherwise.

“act of misconduct” means misbehaving, creating a disturbance or wilfully disobeying legitimate instructions, which may have an adverse effect on the examination process or the outcome of the examination;

“administrative errors or omissions” means irregularities that are of a technical nature, where the candidate or an examination official unintentionally fails to follow the prescribed administrative procedure, and the candidate may be disadvantaged by this error or omission;

“assessment body” means the body accredited by Umalusi, the Council for Quality Assurance in General and Further Education and Training, in accordance with the criteria determined by the South African Qualifications Authority and approved by the Minister in terms of *section 16(6) of the General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001)*. The assessment bodies are the nine provincial departments of education and independent assessment bodies approved by Umalusi

“assessment irregularity” means any event, act or omission, or any alleged event, act or omission, which may undermine or threaten to

	undermine the integrity, credibility, security or the fairness of the examination and assessment process;
“candidate”	means a learner who has registered for the National Senior Certificate final examinations;
“chief examiner”	means a person who manages the process of setting the examination question paper and takes responsibility for the quality and standard of the examination question paper;
“Chief Executive Officer”	means the Chief Executive Officer, contemplated in section 11 of the <i>General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001)</i> ;
“chief invigilator”	means a principal of a registered examination centre, or another person specifically appointed in that capacity, who is accountable and responsible for the administration of the National Senior Certificate examination, and other related assessment matters at the examination centre;
“chief marker”	means a person responsible for the marking of an external examination question paper, written under the auspices of an assessment body accredited by Umalusi;
“Department of Education”	means the national department responsible for education;
“deputy chief marker”	means a person who assists the chief marker with the final marking of an external examination question paper;

“District**Assessment Irregularities****Committee(DAIC)”**

means the District Assessment Irregularities Committee, established by the provincial Head of Department, to coordinate the handling of examination and internal assessment irregularities at a district level.

**“evidence of learner
performance”**

means the collection of the learner’s work that is used to compile his or her internal assessment mark;

“examination”

means the National Senior Certificate examination conducted at the end of the year;

“examination centre”

means a centre contemplated in Chapter 5 of these Regulations;

**“examination
irregularity”**

means any event, act or omission, or any alleged event, act or omission, which may undermine or threaten to undermine the integrity, credibility, security or the fairness of the examination process;

“examination process”

means, but is not limited to, the complete process relating to the examination cycle that includes, amongst others, the registration of candidates, the setting of the examination question papers, moderation, the security, the marking and processing of results, and the certification thereof, to ensure integrity of such examination;

“examination sitting”

means a main examination sitting, excluding a supplementary examination sitting;

“grade”	means that part of an educational programme that a learner may complete in one year, or any other education programme that the Member of the Executive Council (MEC) may deem to be equivalent thereto;
“Head of an assessment body”	means the Head of a Provincial Education Department or the Head of an independent assessment body;
“immediate family”	means father, mother, brother, sister, grandparents, husband, wife, legal partner and children;
“imposter”	means any person who sits and writes the examination illegally on behalf of a candidate;
“internal assessment”	means an assessment, defined in <i>section 1</i> of the <i>General and Further Education and Training Quality Assurance Act, 2001 (Act No.58 of 2001)</i> ;
“investigation”	means the investigation contemplated in <i>Regulation 45</i> ;
“invigilator”	means any person appointed to assist the chief invigilator with the conducting of an examination-related activity at the examination centre;
“marker”	means a person who is appointed to mark an examination answer script;
“marking centre manager”	means an official appointed to be responsible for the management and administration of a marking centre;
“moderation”	means the moderation defined in <i>section 1</i> of the <i>General and Further Education and Training Quality Assurance Act, 2001 (Act No.58 of 2001)</i> ;

- “moderator”** means a person, defined in *section 1* of the *General and Further Education and Training Quality Assurance Act, 2001 (Act No.58 of 2001)*;
- “National Examination Board”** means the advisory body, established by the Minister of Education, to advise the Minister on all matters relating to examinations and assessment;
- “National Examinations Irregularities Committee”** means the body established by the Minister of Education, to coordinate the handling of irregularities identified during internal assessments and examinations;
- “Provincial Examinations Board”** means the advisory body, established by the MEC in the province, to advise the MEC on all matters relating to examinations and assessment;
- “Provincial Examinations Irregularities Committee”** means the body contemplated in *Regulation 45*;
- “Personnel Administration Measures (PAM)”** means measures that govern the remuneration and other service conditions of teachers employed in terms of the *Employment of Educators Act, 1998 (Act No. 76 of 1998)*;
- “preparatory examination”** means an examination, conducted by an assessment body, prior to the final examination, in order to allow candidates an opportunity to write a full-scale examination in preparation for the final examination;

“School Assessment

Irregularities Committee” means the body established by the school to deal with all irregularities identified during examinations and assessment;

“senior marker” means a person who assists the chief marker in the marking process and who takes responsibility for a group of markers at the marking centre;

“service contract” means an agreement between a provincial education department and an independent institution/examination centre that desires to write examinations administered by a provincial assessment body;

“subject assessment guidelines” means guideline documents developed by the Department of Education and independent assessment bodies to specify the internal and external assessment requirements for each of the listed subjects in the *National Curriculum Statement (NCS), Grades 10-12*;

“supplementary examination” means an examination contemplated in *Regulation 18*;

“teacher portfolio” means the full and final record of all the assessment tasks completed by the learners and kept by the teacher as evidence of an internal assessment mark for a particular subject for assessment with regard to the National Senior Certificate. The teacher portfolio will also include marking guidelines and assessment rubrics;

“Umalusi” means the Council, contemplated in section 1 of the *General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001)*.

2. Objectives, scope and application

- (1) To regulate and control the administration, management and conduct of the National Senior Certificate examination and assessment process.
- (2) These Regulations apply to both public and private assessment bodies.

CHAPTER 2

CONDUCT OF INTERNAL ASSESSMENT

3. General requirements

- (1) An internal assessment mark is a compulsory component of the final promotion mark for all candidates registered for the National Senior Certificate (Annexure A).
- (2) The internal assessment mark must count 25% of the final promotion mark in Grade 12.
- (3) In the case of Life Orientation, the final promotion mark will be based on internal assessment, which must be externally moderated. Monitoring and moderation mechanisms will be determined by the Department of Education, the assessment body and Umalusi.
- (4) The composition of the internal assessment of all subjects is outlined in the Subject Assessment Guidelines.
- (5) In Grade 12, internal assessment must be moderated by the Department of Education, the assessment body and Umalusi.

4. Compilation of the internal assessment mark

- (1) Evidence of learners' performance must –
 - (a) comprise assessment tasks that constitute the learners' internal assessment mark;
 - (b) include a mark awarded for each assessment task and a consolidated mark;

- (c) be guided by assessment components as specified for each subject in the relevant Subject Assessment Guidelines;
 - (d) be available for monitoring and moderation; and
 - (e) be evaluated, checked and authenticated by the teacher before being presented as the learner's evidence of performance.
- (2) The teacher portfolio of assessment tasks must –
- (a) be a complete record of assessment in that particular subject;
 - (b) be maintained by the teacher for every subject taught in respect of the National Senior Certificate; and
 - (c) be available for monitoring and moderation purposes at every level.
- (3) Failure by the teacher to maintain a portfolio of assessment tasks constitutes an act of misconduct and will be dealt with in terms of the *Employment of Educators' Act, 1998 (Act No. 76 of 1998)*, or other appropriate measures.
- (4) The absence of an internal assessment mark in any subject, without a valid reason, may result in the candidate, registered for that particular subject, receiving an incomplete result.

- (5) In the event of a learner not complying with the requirements of internal assessment, but where a valid reason is provided:
 - (a) He or she may be granted another opportunity to be assessed in the assigned tasks, based on a decision by the Head of the assessment body.
 - (b) The learner must, within three calendar months from the date on which the opportunity is granted, submit outstanding work or present himself or herself for internal assessment.
- (6) "Valid reason" in this context includes the following:
 - (a) illness, supported by a valid medical certificate, issued by a registered medical practitioner;
 - (b) humanitarian reasons, which includes the death of an immediate family member, supported by a death certificate;
 - (c) the learner appearing in a court hearing, which must be supported by written evidence; or
 - (d) any other reason as may be accepted as valid by the Head of the assessment body or his or her representative.
- (7) In the event of a learner failing to comply with the internal assessment requirements of a particular subject, and where valid reasons are provided, the evidence of such valid reasons must be included with the evidence of learner performance.
- (8) Where the subject teacher fails to give learners the minimum tasks for internal assessment in the subject for which he or she is responsible, marks will be adjusted accordingly as stipulated in the guidelines of the Department of Education. The matter must be resolved by the

Department of Education and the assessment body in consultation with Umalusi.

- (9) Umalusi must issue directives for internal assessment in order to ensure the reliability of assessment outcomes. These directives must include measures for the verification of assessment.
- (10) The Head of the assessment body must monitor the implementation of internal assessment and must report, in writing and without delay, any irregularity that is identified, as well as the steps taken to deal with such irregularity, to Umalusi and to the Director-General of the Department of Education.

5. Monitoring and moderation of internal assessment

- (1) All internal assessment must be subject to monitoring and moderation by the Department of Education, the assessment body and Umalusi.
- (2) Monitoring should determine whether the minimum requirements for internal assessment in a particular subject have been met in terms of the frequency and components.
- (3) Moderation should ensure that the quality and standard of the internal assessment, as contemplated in the Subject Assessment Guidelines, have been met.

CHAPTER 3

CANDIDATES TO BE ASSESSED

6. Admission: General

- (1) Public and independent schools and assessment bodies must ensure that candidates have complied with the internal assessment requirements as stipulated in the Subject Assessment Guidelines.
- (2) All learners attending public schools must write the National Senior Certificate examination of the Department of Education, except in cases where the subject offered by the candidate is not examined by the Department of Education but by another assessment body.

7. Admission of a candidate

- (1) A candidate in Grade 12, who registers for the National Senior Certificate examination, must comply with the following requirements:
 - (a) He or she must register for tuition at a public or a independent school offering a National Senior Certificate course of study.
 - (b) He or she must register for the minimum required number of subjects listed in the *National Curriculum Statement Grades 10-12*.
 - (c) He or she must comply with all internal assessment, oral and Practical Assessment Task requirements where applicable.
 - (d) He or she must have complied with the promotion requirements for Grades 10 and 11 as contemplated in the policy document,

National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF).

- (2) Learners in Grade 12 may register for an additional subject or subjects for the National Senior Certificate, subject to the following conditions:
- (a) The candidate has obtained written permission from the Head of the assessment body or his or her representative.
 - (b) The candidate has offered and passed the additional subject in Grades 10 and 11.
 - (c) The candidate has satisfied the requirements for internal assessment with regard to the specific subject.
 - (d) If the additional subject that the candidate wishes to offer is not presented at the school of registration, the candidate must obtain approval from the Principal of the school of registration, as well as permission from the Principal of the school where the additional subject is offered, to register for that subject at such school.
 - (e) The school offering the additional subject must forward the internal assessment mark to the school of registration, prior to commencement of the final written examination.
 - (f) The school where the learner is registered must capture all internal assessment marks of the learner, and the relevant forms on which these marks are captured must be signed by the principal to confirm the correctness thereof.
 - (g) The candidate must sit for the final examination at the centre of registration or, where this is not possible, obtain special

permission from the Head of the assessment body to sit for the examination at another centre.

- (3) A repeat candidate is a candidate who has failed the National Senior Certificate examination and/or the supplementary examination and who wants to satisfy the outstanding requirements for the National Senior Certificate. Such candidate will be allowed to meet the requirements within a maximum period of three (3) years, following the date of the first National Senior Certificate examinations written by the candidate.
- (4) A repeat candidate need not receive full-time tuition at a public or independent school.
- (5) The School-Based Assessment mark obtained by a repeat candidate in his or her last National Senior Certificate examinations will be valid for a period of three (3) years after the completion of the first National Senior Certificate examinations written by the candidate.

8. Changing of subjects in Grades 10, 11 and 12

- (1) A learner may change a maximum of **two** subjects in Grade 10, subject to the approval of the Principal of the school where the learner is registered.
- (2) A learner may change **one** subject in Grade 11, subject to the approval of the Principal of the school where the learner is registered.
- (3) In exceptional cases a learner may change **one** subject in Grade 12, provided it is done before 31 January 2008 of the Grade 12-year.
- (4) Approval for changing a subject in Grade 12 must be obtained from the Head of the assessment body, provided the following are furnished:
 - (a) a letter of motivation from the learner's parent or guardian;

- (b) a letter from the Principal, either supporting or providing reasons for not supporting the change; and
 - (c) a letter from the subject teacher, outlining the programme to be followed to assist the learner in covering those aspects of the curriculum statements for the previous grade that were not covered.
- (5) The closing date for changing a subject or subjects in Grade 10 and 11 must be determined by the Head of the assessment body, based on the impact of the change on the internal assessment programme.

9. Requirements for the offering of additional subjects

- (1) An assessment body that wishes to offer an additional subject as part of the National Senior Certificate, must comply with the requirements set out in Annexure B.
- (2) The Minister of Education may approve an additional subject to be offered by a learner as part of the 7-subject package, subject to specific conditions, as contemplated in Annexures B and C.

10. An endorsed National Senior Certificate for learners with special education needs

A learner with special education needs, who has met the minimum requirements as stipulated in the policy document, *An addendum to the policy document, the National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF)*, regarding learners with special needs, may obtain a National Senior Certificate with an endorsement for learners with special education needs.

11. Registration of candidates

- (1) The deadline for the registration of candidates for the National Senior Certificate examination is 15 March of the year in which the examination will be written.
- (2) No registrations should be accepted after this date, unless the Head of the assessment body, or his or her representative, approves such late registration, based on exceptional circumstances.
- (3) Candidates who write a supplementary examination and who are unsuccessful, will be given 15 working days, following the release of the supplementary examination results, to register for the end-of-year examination.
- (4) For the purpose of registration, registration forms, designed by the Department of Education, in consultation with the provincial assessment body, must be used.
- (5) An independent assessment body may decide on the format of its registration form.
- (6) The information furnished on the entry forms must be processed by the relevant assessment body and submitted to the examination centre for checking and final verification, prior to the commencement of the National Senior Certificate examination. At this stage of the process only corrections shall be allowed.
- (7) The transfer of a candidate from one province to another must be mutually agreed by the assessment bodies concerned. If no mutual agreement can be reached, the matter must be referred to the Director-General of the Department of Education for a final decision.

12. Entries

- (1) The Principal of a school may recommend the cancellation of the registration of a candidate in Grade 12 to the Head of the assessment body, if the candidate is irregular in attendance or has committed a serious misdemeanour.
- (2) Such a candidate must be given an opportunity to appeal before a final decision is taken.

13. Fees

- (1) The Director-General of the Department Education, following consultation with the Heads of Education Departments' Committee (HEDCOM), may determine fees for:
 - (a) writing the examinations;
 - (b) viewing of examination answer scripts;
 - (c) the re-checking of examination answer scripts;
 - (d) the re-marking of examination answer scripts. The fees must be refunded to the candidate if the re-marking results in an improvement of the rating scale; and
 - (e) the re-issuing of a statement of results.
- (2) Candidates may be exempted by the Head of Department from paying the above-mentioned fees, if the candidate can prove that he or she has been exempt from the payment of school fees or attended a no-fee-school.

- (3) A candidate may appeal to the Member of the Executive Council against a decision by the Head of Department regarding non-exemption from payment of such fees.
- (4) An independent assessment body may determine its own fees.

14. Assessment policies and guidelines

Assessment bodies must comply with:

- (1) the policy document, *An addendum to the policy document, the National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF), regarding the National Protocol for Assessment (Grades R – 12;* and
- (2) Subject Assessment Guidelines of the Department of Education or independent assessment bodies for the National Senior Certificate.

15. Language related to the examination question paper

- (1) Examination question papers must be set in the language of learning and teaching.
- (2) Unless otherwise directed in the examination question paper, a candidate must answer all questions according to the instructions in the examination question paper.
- (3) If the examination question paper is set in two languages, the candidate must answer the examination question paper in one language only, unless otherwise instructed.

16. Concessions for candidates classified as deaf, aphasic, dyslectic or suffering from a mathematical disorder

(1) The following concessions in respect of languages may be applied to candidates who experience barriers related to deafness, aphasia and dyslexia:

(a) Deaf, aphasic or dyslectic candidates may offer only one official language at First Additional Level, if –

(i) another subject from Group B, as listed in the *National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF)*, is offered in the place of the official language that is not being offered; and

(ii) such deaf candidate complies with the promotion requirements as contemplated in *paragraph 11(1)* of the policy document, *National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF)*.

(b) Candidates suffering from a mathematical disorder, such as dyscalculia, may be exempt from offering Mathematical Literacy or Mathematics as a subject, if –

(i) another subject from Group B, listed in the policy document, *National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF)*, is offered in place of Mathematical Literacy or Mathematics; and

(ii) such candidate complies with the promotion requirements as contemplated in *paragraph 11(1)* of the policy

document, *National Senior Certificate: A qualification at Level 4 on the NQF*.

- (2) All applications for concessions must be directed to the Head of the assessment body when the learner enters Grade 10, or immediately after the learner has been diagnosed with the learning disorder, as contemplated in *Regulation 16(1)(a) and (b)*.
- (3) All applications referred to in *subregulation (2)* must be accompanied by an evaluation conducted by structures responsible for learners with special education needs, as well as by external, professionally registered experts in the relevant fields.

17. Absentees

- (1) In the case of illness or any other circumstances beyond the candidate's control, medical certificates or affidavits must be provided by the candidate and countersigned by the Principal of the school concerned, before being submitted to the relevant assessment body.
- (2) Candidates who absent themselves from the end-of-year external examination will not be permitted to register for the supplementary examination.
- (3) If a candidate is unable to write or complete one or more of the National Senior Certificate examination question papers for reasons other than illness or injury the principal of the school must submit a written report in which the circumstances are explained to the Head of the assessment body, who will then decide whether or not the candidate will be allowed to sit for the supplementary examination.

18. Supplementary examination

A supplementary examination will be granted under the following conditions:

- (1) If a candidate has not met the minimum promotion and certification requirements in the final external examination, but requires a maximum of two subjects to obtain the National Senior Certificate, he or she may register for a maximum of two subjects for the supplementary examination in the following year. These two subjects must be subjects that the candidate sat for in the previous end-of-year examination.
- (2) If a candidate is medically unfit and, as a result, is absent from one or more external examinations, he or she may register for the supplementary examination.
- (3) A candidate who provides documentary evidence that he or she qualifies for admission to a higher education institution or for an occupation, but does not satisfy the higher education faculty requirements or the requirements for the specific occupation, may be allowed to register for a maximum of two subjects.
- (4) If there is a death in the immediate family of a candidate, or other special reasons for the candidate's absence, he or she may register for the supplementary examination.
- (5) In cases contemplated in *subregulations (1) to (4)* above, the internal assessment of the Grade 12-year will be used, including practical or oral assessment marks where applicable, in order to meet the internal assessment and external examination requirements.
- (6) In a case where an irregularity is being investigated, provisional enrolment for the supplementary examination may be granted to the candidate concerned, pending the outcome of the investigation.

- (7) A candidate who did not write or complete the end-of year examination has the opportunity to write the supplementary examination for the subject that he or she did not write in the end-of-year-examination.

19. Conduct of the National Senior Certificate examination beyond the borders of the Republic of South Africa

- (1) The following candidates will be considered for the National Senior Certificate examination conducted outside the borders of South Africa:
 - (a) candidates abroad who are citizens of the Republic of South Africa and registered for the National Senior Certificate examination and who have fully complied with the internal assessment requirements, as well as the Practical Assessment Tasks, for the applicable subjects;
 - (b) children of diplomats or staff members of an embassy or consulate; and
 - (c) candidates who represent the country or province in a recognised and registered form of sport or a cultural event.
- (2) Assessment bodies will only consider applications if –
 - (a) a candidate has registered for the National Senior Certificate examination; and
 - (b) a motivation, in writing, requesting permission to be examined at an approved venue outside South Africa, is provided.
- (3) Examination centres outside the borders of the Republic of South Africa will be established at South African diplomatic missions, or at alternative centres approved by the relevant assessment body.

(4) Candidates will be responsible for all expenses, including:

- (a) packaging and postage;
- (b) the fee of the invigilator;
- (c) renting of the venue if applicable; and
- (d) any other incidental costs.

(5) Adherence to the South African Standard Time requirements:

Examinations must be conducted in terms of the South African Standard Time requirements for the particular examination question paper.

CHAPTER 4

PREPARATION FOR THE NATIONAL SENIOR CERTIFICATE EXAMINATION

20. Management plan relating to the examination

- (1) Assessment bodies must have a clear and detailed management plan that covers the entire examination cycle, which must include the following:
 - (a) objectives or targets to be achieved pertaining to the examination process;
 - (b) steps and processes that will result in the achievement of the said targets;
 - (c) persons who are responsible and accountable;
 - (d) a time frame;
 - (e) a monitoring process;
 - (f) a process for moderation and verification of internal assessment;
and
 - (g) a process for identification of, reporting of and dealing with irregularities.
- (2) A management plan must be developed in conjunction with key persons involved in the examination process.

21. The examination cycle

- (1) The examination cycle commences with the appointment of examiners and internal moderators to set and moderate the examination question papers for the scheduled examination, and concludes with certification.
- (2) All relevant processes related to the preparation of the external examination must be concluded at least six months prior to the commencement of the external examination.
- (3) The Department of Education, the assessment body and Umalusi will monitor the entire examination cycle in order to ensure delivery of a credible examination.

22. Examination timetable

The Department of Education, or where applicable, the independent assessment body must develop an examination timetable for the National Senior Certificate examination to be conducted in Grade 12 in the subjects listed in the *National Curriculum Statement Grades 10-12*.

23. Appointment of examiners and internal moderators

- (1) The appointment of teachers as examiners must be done in terms of Annexure D.
- (2) An examiner or internal moderator must be appointed by an assessment body for a maximum period of four years (Annexure E).
- (3) Remuneration for the performance of examination-related duties and compensation for travel and subsistence must be made in terms of the Personnel Administration Measures (PAM).
- (4) *Regulation 23* is not applicable to an independent assessment body.

- (5) A person who is appointed as an examiner or internal moderator must declare whether his or her son, daughter, brother or sister is sitting for the National Senior Certificate examination during the period of appointment, and such examiner or moderator must be relieved from the responsibility of setting or moderating examination question papers for that particular year.
- (6) The Director-General of Education and the Head of the independent assessment body must ensure that examiners or moderators do not participate in any activity that may compromise the confidentiality of the examination.

24. Responsibilities of chief examiners, examiners and internal moderators

- (1) The Department of Education and the assessment body must ensure that:
 - (a) chief examiners and examiners set the examination question papers and prepare the memoranda for the examination question papers required, both for the final and the supplementary examination, as well as an additional examination question paper that will serve as a backup examination question paper;
 - (b) the examination question paper, its back-up examination question paper and the supplementary examination question paper are set at the same time, in order to ensure comparability of standards across all three examination question papers;
 - (c) examination question papers conform to the requirements of the *National Curriculum Statement Grades 10-12*;
 - (d) the internal moderator ensures that the examination question papers conform to the requirements of the Subject Statements and the Subject Assessment Guidelines for a specific subject as listed in the *National Curriculum Statement Grades 10-12*; and

- (e) an examiner or internal moderator complies with all instructions and deadlines issued by the Department of Education, the assessment body and Umalusi.
- (2) If the examination question paper is rejected twice by Umalusi, then the services of the internal moderator and/or the examiner may be terminated.
- (3) An internal moderator or examiner, appointed to a national panel, may not serve on the examination panel of any assessment body.
- (4) The Department of Education and the independent assessment bodies must ensure that all examination question papers are approved by the internal and external moderators.
- (5) In the event of a disagreement between the examiner and the moderator, the following procedure must be followed:
 - (a) If the disagreement is between the internal moderator and the examiner, the Department of Education or independent assessment body must –
 - (i) attempt to mediate between the examiner and the internal moderator; and
 - (ii) if consensus cannot be reached, the Department of Education or independent assessment bodies must make the final determination.

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- (b) If the disagreement is between the internal moderator and the external moderator, the Chief Executive Officer of Umalusi must-
 - (i) mediate between them; and
 - (ii) if consensus cannot be reached, the Chief Executive Officer of Umalusi must make the final determination.
 - (6) The Department of Education and the independent assessment body must comply with the requirements of Umalusi with regard to the external moderation of examination question papers.
 - (7) The Department of Education and the independent assessment body must provide examiners and internal moderators with guidelines for the setting of examination question papers, which must include the following:
 - (a) duration of the examination question paper;
 - (b) maximum marks;
 - (c) number of examination question papers; and
 - (d) format of the examination question paper.
 - (8) Internal moderators must perform the following functions:
 - (a) ensure that the examination question paper is of an appropriate standard and quality, and that correct and accessible language has been used;
 - (b) ascertain that an examination question paper –
 - (i) conforms to the Subject Statement and Subject Assessment Guidelines for the various subjects as listed in the *National Curriculum Statement Grades 10-12*;
 - (ii) provides adequately for differentiation; and

- (iii) includes questions addressing different cognitive levels;
 - (c) recommend the necessary changes to the examination question papers;
 - (d) approve and sign off the examination question papers prior to printing;
 - (e) attend the memorandum discussions;
 - (f) approve and sign off the finally agreed-upon memorandum, following the memorandum discussion;
 - (g) moderate the marked examination answer scripts;
 - (h) liaise with external moderators;
 - (i) provide examiners with advice, support and guidance; and
 - (j) submit a report to the external moderator.
- (9) An internal moderator may be appointed by the assessment body specifically to perform the function of the moderation of examination answer scripts during the marking process. In such an event, the functions of the internal moderator may include the following:
- (a) moderation of marked examination answer scripts to ensure compliance with the marking memorandum;
 - (b) an analysis of candidates' responses to identify areas of weakness and areas of good performance; and
 - (c) the compilation of a composite report on the marking of examination answer scripts.

25. Processing of examination question papers

- (1) The Department of Education and the independent assessment body must ensure that clear structures and procedures are in place, regarding the typing, editing, translation and printing of examination question papers.
- (2) Examination question papers must be submitted to the external moderator timeously, so as to allow for:
 - (a) thorough moderation;
 - (b) changes;
 - (c) adaptations; and
 - (d) the final duplication of the examination question papers.
- (3) Examination question papers must be ready for external moderation at least six months prior to the commencement of the external examination.
- (4) The processing of examination question papers must be done in terms of Annexure F.

26. Storage and distribution of examination question papers

- (1) The assessment body must ensure strict security with regard to the examination question papers at all times.
- (2) Each assessment body must select the distribution mechanism best suited to the schools under its jurisdiction.
- (3) Irrespective of the mechanism adopted, the following principles must be adhered to at all times:
 - (a) The distribution chain should be as short as possible.

- (b) The number of persons involved in the distribution process should be restricted to a minimum.
- (c) The transfer of the examination question papers from one responsible officer to another should be carefully checked and signed upon receipt.
- (d) Any discrepancies that are detected during the transfer process should be reported immediately to the Head of the assessment body.
- (e) All persons involved in the distribution process should sign a Contract of Confidentiality.

CHAPTER 5

CONDUCTING THE EXAMINATION

27. Establishment and registration of examination centres

- (1) Examination centres must be registered by the assessment body in accordance with the following criteria:
 - (a) a suitable venue to accommodate candidates, i.e. sufficient space and appropriate furniture to be used by candidates;
 - (b) security of the venue. See Annexure G;
 - (c) clearance in terms of the local health and fire services bylaws;
 - (d) provision of proper lighting;
 - (e) availability of water and toilet facilities;
 - (f) suitably qualified teaching staff or members of the community who can be trained as invigilators;
 - (g) availability of a strong room or safe for the safekeeping of assessment material;
 - (h) capacity to complete Practical Assessment Tasks; and
 - (i) report on previous irregularities at the centre with specific reference to the nature and outcome of the irregularities.
- (2) All examination centres must be evaluated by an official from the assessment body, to verify that all the necessary facilities required for conducting the examination are available at the centre.

- (3) The following institutions must apply to the relevant assessment body for registration as examination centres under their own names:
 - (a) independent schools; and
 - (b) independent learning institutions;
- (4) The institutions contemplated in *subregulation (3)* must comply with these Regulations and must be subjected to the monitoring and moderation procedures of the assessment body.
- (5) If the centre, institution or venue is approved as an examination centre, a centre number should be issued to that effect.
- (6) Centres must apply and register as examination centres on an annual basis in October of the year prior to the examination.
- (7) The total number of candidates at an examination centre may not exceed 500 for any one session, unless prior approval has been obtained from the Head of the assessment body.

28. An agreement between a provincial assessment body and an independent school

- (1) All institutions listed in *Regulation 27(3)* must enter into a contractual agreement with the provincial assessment body concerned.
- (2) A *pro forma* contract between a provincial education department and an independent school is attached hereto as Annexure H.

29. Deregistration of an examination centre

- (1) In the event of the physical relocation of the examination centre from the premises approved by the assessment body to other premises, the centre will be deregistered.

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- (2) The following procedure should be followed when a centre relocates to new premises:
- (a) The onus is on the owner or management to inform the Head of the assessment body timeously of the intention to relocate.
 - (b) The Head of the assessment body or his or her representative shall inform the owner or management, in writing, of the course to be followed.
 - (c) If the application for the registration of the centre at the new premises is unsuccessful, the Head of the assessment body or his or her representative shall give notice to the owner or management of his or her intention to deregister the centre.
 - (d) The owner or management must respond to the notice within 14 days from the date of issue, and furnish reasons as to why the centre should not be deregistered.
 - (e) The Head of Department must consider such representation and make a final decision as to whether or not to close the centre down.
 - (f) This decision must be conveyed, in writing, to the owner or management.

- (3) An examination centre may also be deregistered if there is evidence that the integrity of the examination is being undermined at the centre.

- (a) Examination centres will be deregistered if:

- (i) examination question papers in the care of the centre are given to candidates before the examination;
- (ii) examination question papers are repeatedly opened prior to the examination time or date;
- (iii) there is fabrication of internal assessment marks;
- (iv) the centre allows examination imposters; or
- (v) if there is any other serious irregularity that warrants deregistration.

- (b) The following procedure should be followed when it is found that irregular practices have occurred at an examination centre:

- (i) Officials of the provincial education department should investigate the reported irregularities.
- (ii) If clear evidence of an irregularity emerges from such investigation, disciplinary action should be instituted and steps taken to deregister the centre.
- (iii) The owner or management must be informed, in writing, of the intention of the Head of the assessment body to close down the centre due to the irregularities.
- (iv) The owner or management must respond to the notice within 14 days from the date of issue, and furnish reasons as to why the centre should not be closed down.
- (v) The Head of the assessment body must consider such representation before making a final decision as to whether or not to close the centre down.
- (vi) This decision must be communicated, in writing, to the owner or management.

(4) Maladministration

- (a) Examination centres may be deregistered if maladministration results in any advantage or disadvantage to candidates, or affects the integrity of the examination, or impacts negatively on the ability of the centre to render an examination service.
- (b) The following procedure should be followed when maladministration occurs at an examination centre:
 - (i) The owner or management of such examination centre must be informed within a specified period of three (3) months in writing, of the situation and given an opportunity to rectify the matter.
 - (ii) If maladministration at the centre continues, the centre may be placed on probation for a period not exceeding one academic year.
 - (iii) If the owner or management again demonstrates an inability to administer the examination process adequately during the probation period, the centre may be deregistered at the end of the academic year.
 - (iv) If maladministration takes place during the conducting of an examination, the centre may be placed under the administration of the assessment body, until further notice.

30. Appointment and duties of chief invigilators and invigilators

- (1) Assessment bodies must ensure that all chief invigilators and invigilators receive the appropriate training (Annexure I).
- (2) Invigilators must ensure that every candidate produces his or her letter of admission, as well as proof of his or her identity upon admission to the examination room.

- (3) A candidate who fails to produce the required documentation will:
 - (a) be allowed to sit for the examination, but will be required to present such documentation to the invigilator after the examination.
 - (b) failing this, the normal procedure pertaining to irregularities must be followed.

31. Information to candidates

- (1) General examination instructions must be provided to candidates, in writing, at the commencement of the examination, and each candidate must sign to confirm receipt and acceptance of these instructions.
- (2) Candidates must also be provided with clear written instructions regarding the specific examination question paper that is being written.
- (3) All examination question papers that are not in English must have an instruction page in English, as well as in the language of the examination question paper.
- (4) A period of ten minutes before the official commencement of the examination must be allowed for reading of the examination question paper, in addition to the time allocated for the reading of any instructions that may be necessary.
- (5) No writing may take place during reading time.
- (6) In the event that a candidate is required to answer only a selected number of questions from those appearing in an examination question paper, and the said candidate answers more than the required number of questions, only the questions fulfilling the requirements will be marked. This condition will apply provided that the instructions are clear.

- (7) The return of examination answer scripts to the assessment body or any other collection point must be handled with the same care and security as the examination question papers (Annexure J).

32. Monitoring of the National Senior Certificate examination

The Department of Education, the assessment body and Umalusi must have a clear programme relating to the monitoring of the National Senior Certificate examinations. This programme must cover all stages of the examination, commencing with the preparatory phase and concluding with the release of the results.

33. Visits to the centres by monitoring teams

- (1) The Department of Education and the assessment bodies must visit examination centres while the examination is in progress, and report on at least the following:
- (a) general management of the examination;
 - (b) invigilation;
 - (c) the condition of examination rooms;
 - (d) the seating of candidates;
 - (e) the handing out of examination question papers;
 - (f) the ten minutes reading time;
 - (g) the collection of examination question papers;
 - (h) the return of examination answer scripts; and
 - (i) security.
- (2) The monitoring teams of the Department of Education and the assessment bodies should visit the marking centres to observe the marking process.

CHAPTER 6

RECORDING AND REPORTING OF ASSESSMENT FOR THE NATIONAL SENIOR CERTIFICATE

34. Scale of achievement

- (1) Seven levels of competence are described for each subject in the National Senior Certificate.
- (2) These descriptions are intended to assist teachers to assess learners and grade them at the correct level.
- (3) Teachers or examiners must record learners' results in marks and report them as percentages.
- (4) The percentage obtained will determine which rating code on the scale of achievement will be allocated to a learner.
- (5) The various achievement levels and their corresponding percentage bands are indicated in Table 1 below.
- (6) Final promotion schedules for Grades 10 and 11 must be approved and signed by the relevant assessment body.

**TABLE 1: SCALE OF ACHIEVEMENT FOR THE NATIONAL
CURRICULUM STATEMENT GRADES 10-12 (GENERAL)**

RATING CODE	RATING	MARKS %
7	Outstanding achievement	80 – 100
6	Meritorious achievement	70 – 79
5	Substantial achievement	60 – 69
4	Adequate achievement	50 – 59
3	Moderate achievement	40 – 49
2	Elementary achievement	30 – 39
1	Not achieved	0 – 29

CHAPTER 7

THE MARKING PROCESS

35. Appointment of markers

- (1) The Head of the assessment body is responsible for the appointment of markers.
- (2) Markers at provincial assessment bodies are appointed in terms of the PAM (Annexure K), and any other additional criteria as determined and approved by HEDCOM.
- (3) The process of appointing markers must commence at least six months prior to the commencement of the specific marking session. This will allow for the verification of the markers' credentials, as well as for training, should this be necessary.
- (4) The information provided by the applicant for the position of marker must be verified, in writing, by his or her employer and the relevant assessment body. In the case of provincial assessment bodies, the verification must be done by the school principal and the district manager.
- (5) Any person appointed as a marker must declare whether he or she has an immediate relative sitting for a National Senior Certificate examination in the year of appointment. After having made such declaration, the marker may be allowed to mark, but he or she may not mark the examination answer script of an immediate relative.
- (6) An assessment body must select an additional marker in the event that an appointed marker fails to report for duty.

- (7) Markers, senior markers and chief markers must be appointed annually.
- (8) All selection panels for markers must be chaired by the relevant Head of the assessment body or his or her representative.

36. Establishment of marking centres

Each assessment body must have criteria pertaining to the establishment and management of marking centres.

37. Marking centres

- (1) The following aspects need to be considered before a marking venue is selected:
 - (a) marking space;
 - (b) catering facilities;
 - (c) overnight accommodation (if required);
 - (d) security;
 - (e) a suitable control centre;
 - (f) ICT facilities; and
 - (g) the availability of water, electricity and other basic facilities.
- (2) If the number of markers exceeds six hundred (600), a decentralised approach to marking may be adopted.
- (3) Marking may be decentralised in terms of geographic regions or in terms of groups of subjects.
- (4) If a subject is marked at more than one venue, special measures must be taken to ensure a common standard of marking.

- (5) The control centre forms the heart of operations at the marking centre. The control of mark sheets and examination answer scripts at the control centre may be divided into three phases, namely:
- (a) Phase one:
 - (i) This phase entails an audit of all mark sheets and their respective examination answer scripts at the marking centre.
 - (b) Phase two:
 - (i) Chief markers sign a control list when examination answer scripts are issued to them and again when the examination answer scripts are returned.
 - (c) Phase three:
 - (i) Mark sheets should be kept in a safe place and sent to the chief marker.
 - (ii) During this phase, copies should be made of the completed mark sheets, which have been returned by the chief markers.
 - (iii) The original mark sheet should be sent for data capturing. At this stage, control lists are checked to establish whether the chief markers have returned all the examination answer scripts.
 - (iv) Mark sheets could be scanned for security purposes.

38. Marking procedures

- (1) Marking procedures should be clearly formulated by the provincial assessment body, as contemplated in Annexure L.
- (2) The assessment body may release the marking memoranda and examination question papers of an examination to interested parties at the end of April in the year following the writing of the examination.

CHAPTER 8

PROCESSING OF MARKS

39. Processing of marks

The Department of Education and the assessment bodies must establish, or must have access to a fully-fledged and compatible Information Technology component.

40. Capturing of marks by trained staff

- (1) The marks obtained by candidates, as reflected on the mark sheets, should be captured by specially trained staff.
- (2) Verification of all data using the double capture method, is recommended.

41. Standardisation

- (1) Mark adjustments are done by Umalusi, in conjunction with the Department of Education and assessment bodies.
- (2) The data and evidence required for the standardisation of results are determined by Umalusi.
- (3) Recommendations regarding the standardisation of marks, together with clear motivations, will be presented by the Department of Education and assessment bodies to Umalusi for consideration.
- (4) The standardisation of marks is the responsibility of Umalusi and its decision is final in all cases.

42. Release of the results

- (1) The release date of the results must be decided upon by the Council of Education Ministers (CEM) on the recommendation of HEDCOM, and this must be done on an annual basis.
- (2) The date contemplated in *subregulation (1)* is subject to approval of the National Senior Certificate results by Umalusi.

CHAPTER 9

RE-MARKING, RE-CHECKING AND VIEWING OF EXAMINATION ANSWER SCRIPTS

43. Re-marking and re-checking of examination answer scripts

- (1) The following are applicable to the re-marking and re-checking of examination answer scripts:
 - (a) A candidate may apply for the re-marking or re-checking of his or her examination answer scripts, within twenty-one (21) calendar days of the official release of the results.
 - (b) This applies to both the end-of-year and supplementary examinations.
 - (c) A candidate may obtain an application for re-marking, re-checking or viewing of an examination answer script from any examination centre.
- (2) Following consultation with the Heads of Departments, the Director-General may, by way of a notice in the *Government Gazette*, determine the following fees for provincial assessment bodies:
 - (a) the re-marking of examination answer scripts;
 - (b) supplementary examinations;
 - (c) the re-checking of examination answer scripts;
 - (d) viewing of examination answer scripts; and
 - (e) a statement of results.
- (3) The fees contemplated in *subregulation (2)* must be refunded to the candidate if the re-marking results in an improvement of the rating code.

- (4) The prescribed fee must be communicated to the candidate with the statement of results.

44. Viewing of examination answer scripts

- (1) Subject to the provisions of the *Promotion of Access to Information Act, 2000 (Act No.2 of 2000)*, the candidate, the candidate's parent, guardian or their representative, will be allowed to view the examination answer script of such candidate.
- (2) Viewing of an examination answer script will only be allowed subject to the following conditions:
 - (a) The candidate or his or her parents may apply to view an examination answer script if, after the re-checking and re-marking process, the candidate is still not satisfied with the result.
 - (b) An application to view the examination answer script must be made within seven (7) days of the release of the re-marked results and must provide clear reasons for the request.
 - (c) The examination answer script will be viewed in the presence of an examination official and may not be removed from the viewing room.
 - (d) No other document, except the examination answer script of the candidate, will be allowed into the room where the viewing takes place.
 - (e) No writing on the examination answer script during the viewing process will be allowed.

- (f) After the re-marking or viewing of an examination answer script, a candidate may apply to the Head of Department for a final remark. If the candidate is not satisfied with the outcome, he or she may appeal to the MEC, or to Umalusi in the case of an independent assessment body. The decision of the MEC or Umalusi is final.

CHAPTER 10

DEALING WITH IRREGULARITIES

45. Dealing with irregularities

- (1) The Minister of Education must establish the National Examination Irregularities Committee to support the provincial assessment bodies in ensuring that the credibility of the examination is maintained.
- (2) The Head of the provincial assessment body must establish a Provincial Examination Irregularities Committee to investigate irregularities and make recommendations to the MEC and the Head of Department.
- (3) Provincial education departments may establish District Assessment Irregularities Committees. The function of these committees will be to support and co-ordinate the handling of irregularities at a district level.
- (4) Independent assessment bodies must establish appropriate structures to handle irregularities.
- (5) The following steps must be followed regarding the issuing of a National Senior Certificate to a candidate suspected of committing an irregularity:
 - (a) It should be established whether the irregularity was caused by the conduct of the candidate or that of another person.
 - (b) If the irregularity pertains to one of the examination question papers of a subject, the results of the subject as a whole will not be released, but this will not affect the release of the results of other subjects.

- (c) If the irregularity was not caused by the candidate's actions and the candidate did not gain any advantage, the examination answer script must be marked and marks must be allocated as set out in the marking memorandum and the results must be released.
- (6) A candidate who attends an irregularity hearing may have legal representation.
- (7) Should a candidate decide to have legal representation, the provincial education department must be informed of this intention three (3) working days before the hearing, in order to allow the Department of Education to ensure appropriate departmental representation at the hearing.

46. Release of results under investigation

- (1) Assessment bodies must ensure that irregularities are finalised before the results are released.
- (2) In cases where the nature of the irregularity is such that it cannot be finalised before the results are released, the results of the relevant candidates must be withheld, pending further investigation.
- (3) If a candidate is found guilty of an irregularity in one subject, only the results of that subject must be withheld.
- (4) Candidates that are found guilty of an irregularity will have the irregularity recorded on the computer system and such information must be made available to all assessment bodies.

47. Details of dealing with irregularities

- (1) Annexure M provides details on how to deal with irregularities.

CHAPTER 11

SECURITY AND CONFIDENTIALITY

48. Security and confidentiality

- (1) The assessment body must take every reasonable step to ensure the security and confidentiality of:
 - (a) the examination question papers;
 - (b) examination answer books;
 - (c) examination answer scripts;
 - (d) mark sheets; and
 - (e) other assessment documents.

- (2) Effective security and confidentiality measures should be in place in the following areas of the examination process:
 - (a) the setting and moderation of the examination question papers;
 - (b) the printing of the examination question papers;
 - (c) the storage of the final printed examination question papers, as well as the printed back-up examination question papers;
 - (d) persons entering or exiting restricted examination administrative areas;
 - (e) examination question papers leaving the Department of Education and assessment bodies;
 - (f) the distribution of examination question papers and the transfer of examination answer scripts to and from examination centres;
 - (g) examination answer scripts of candidates under investigation; and
 - (h) the maintenance of the IT system.

- (3) The national security and confidentiality agreement relating to examination matters must be signed by all officials involved in managing and administering the examination.
- (4) Employees who are involved in the National Senior Certificate examination, and who have immediate relatives in Grade 12, must disclose such information to the relevant assessment body.
- (5) The Head of the assessment body will make a decision with regard to the involvement of the official referred to in *subregulation (4)* in the National Senior Certificate examination for that year.

49. The use of outside agents

The use of an outside agent or institution in the examination process is the responsibility of the assessment body. Issues relating to security, cost-effectiveness and capacity-building must be taken into consideration before an outside agency or institution is engaged.

CHAPTER 12

ACCESS TO EXAMINATION AND CERTIFICATION INFORMATION

50. Access to examination information

- (1) The Minister of Education is the custodian of examination data. The Director-General approves access to examination data by members of the public.
- (2) Assessment bodies must ensure that all examination material is properly archived to allow for easy retrieval for at least six (6) months.
- (3) Assessment bodies must keep all examination answer scripts and other examination-related documentation for at least six (6) months from the date of the release of the examination results.
- (4) Provincial assessment bodies may shred the examination answer scripts after six (6) months, unless litigation is still pending, or an investigation into irregularities has not been finalised.
- (5) Certified examination data must be transferred to the National Learner Records Database (NLRD) at the South African Qualifications Authority (SAQA).

51. Access to certification information

- (1) The assessment body must submit approved candidate records for certification to Umalusi, subject to the directives issued by Umalusi.
- (2) The assessment body must transfer the certified certification records to the historical certification records of the Department of Education.

- (3) The Department of Education must ensure that there are back-up copies of the historical certification records of provincial assessment bodies.
- (4) The Department of Education and the assessment body must ensure stringent security measures during the following processes:
 - (a) queries;
 - (b) combination of results; and
 - (c) verification of results.
- (5) The Department of Education and the assessment body must have secure methods, measures and procedures in place, in order to ensure safekeeping of examination records.

52. Accessibility of examination and certification information

Assessment bodies must ensure that examination answer scripts are filed per subject, per examination question paper, and in centre order, for the purposes of re-checking, re-marking, viewing or resolving of queries.

CHAPTER 13

HISTORICAL RECORDS (ARCHIVING) AND DATA RETENTION

53. Copies of historical certification records and data retention

- (1) Copies of historical certification records are a national asset and are the responsibility of the Department of Education.
- (2) Subject to the *National Archives of South Africa Act, 1996 (Act No.43 of 1996)*, the original documents of the assessment and certification process will form part of the provincial filing system.

54. Access to historical records

- (1) Access to historical records is an integral part of the functioning of any examination section.
- (2) The provincial assessment bodies should have a computer infrastructure that can access the centralised historical database.
- (3) These records should be used for queries, the combination of results, and for the verification of certification data.

CHAPTER 14

MINIMUM REQUIREMENTS FOR AN EXAMINATION COMPUTER SYSTEM, AND DOCUMENTS AND DOCUMENT CONTROL PERTAINING TO THE EXAMINATION SYSTEM

55. Minimum requirements for an examination computer system

- (1) The Department of Education and the assessment body must establish the minimum requirements for a computer programme to be used in the examination process.
- (2) A guideline to establish such minimum requirements is contained in Annexure N.
- (3) The Department of Education or the independent assessment body must develop user requirement specifications.

56. Documents and document control pertaining to the examination system

- (1) Documents printed by the computer system, relating to the examination, are the responsibility of the assessment bodies.

- (2) The Head of the assessment body or his or her representatives must check the signatures and the descriptions on these documents.
- (3) Documentation on the resulting process of the computer system is essential for use by the assessment bodies and should be available to them.
- (4) This information is used for reference purposes in order to maintain and further develop the system.

CHAPTER 15

EXAMINATION BOARDS

57. The establishment of examination boards

- (1) The following examination boards are established:
 - (a) a National Examination Board to advise the Minister on all matters relating to national examination and assessment; and
 - (b) a Provincial Examination Board to advise the Member of the Executive Council (MEC) on all matters relating to provincial examinations and assessment (Annexure O).

CHAPTER 16

REPEAL OF THE POLICY DOCUMENT, *RÉSUMÉ OF INSTRUCTIONAL PROGRAMMES IN SCHOOLS, REPORT 550 (2001/08)* AND TRANSITIONAL ARRANGEMENTS

58. Repeal of Report 550 (2001/08)

- (1) The policy document, *Résumé of instructional programmes in schools, Report 550 (2001/08)*, containing the programme and promotion requirements for the Senior Certificate, is repealed, subject to *Regulation 59*.
- (2) Learners entering Grade 12 in 2008 must write the National Senior Certificate examination.

59. Transitional arrangements

- (1) The following candidates will be given an opportunity to complete outstanding requirements for the Senior Certificate until May/June 2011:
 - (a) unsuccessful candidates in the Senior Certificate examination of 2007;
 - (b) part-time candidates who are already enrolled for the Senior Certificate,
 - (c) candidates who have passed Grade 11 in previous years; and
 - (d) other special cases where the Heads of provincial and independent assessment bodies may use their discretionary powers to allow such candidates admission to the May/June Senior Certificate examination.

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- (2) All Senior Certificate subjects, successfully completed prior to 2007 and provided they are in compliance with the policy document, *Résumé of instructional programmes in schools, Report 550 (2001/08)*, will be recognised for the issuing of the Senior Certificate until May/June 2011.
- (3) No new enrolments of learners will be accepted in Grades 10 for any subjects listed in the policy document, a *Résumé of instructional programmes in schools, Report 550 (2001/08)* from 1 January 2006.
- (4) National education policy pertaining to part-time candidates as stipulated in the policy document, *National policy on the conduct, administration and management of the National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF)*, will continue to exist until such a date as determined by the Minister of Education.
- (5) The Minister may also determine the date, contemplated in *subregulation 4* after:
- (a) an alternative qualification for part-time candidates has been developed and implemented; and
 - (b) public and independent distance/correspondence education institutions have been identified and have become operational to assist part-time candidates to obtain the qualification presented by the Minister in the *Government Gazette*.
- (6) The policy pertaining to part-time candidates contemplated in *subregulation 5* will continue for a further period of three (3) years after the date referred to in *subregulation 4* in order to accommodate the candidates already enrolled as part-time candidates on the date determined by the Minister.
- (7) Part-time candidates must comply with the National Senior Certificate

requirements as stipulated in the policy document, *National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF)*.

- (8) Candidates who have registered as part-time candidates for the National Senior Certificate during the period 2006-2008 must show proof that they have complied with the National Senior Certificate requirements as stipulated in the policy document, *National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF)* before they will be allowed by an assessment body to register and sit for the final National Senior Certificate examination.
- (9) Learners who register as part-time candidates for the first time in Grade 10 in 2009, must register with an accredited assessment body to ensure that such learners comply with the National Senior Certificate requirements as stipulated in the policy document, *National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF)*.
- (10) Once a learner as contemplated in *subregulation 9* has registered with an assessment body, such assessment body must provide guidelines regarding the National Senior Certificate with respect to the three year duration of the qualification and the compliance with the internal assessment and external examination requirements.
- (11) The Minister may, if deemed necessary, amend the transitional arrangements as contemplated in *Regulation 59*.

60. Short title and commencement

These Regulations may be cited as the *Regulations pertaining to the Conduct, Administration and Management of the National Senior Certificate* and will come into effect on the date of publication in the *Government Gazette*.

ANNEXURE A

ADMINISTRATIVE ISSUES RELATING TO SCHOOL-BASED ASSESSMENT (SBA) MARKS

1. PRESENTATION OF SCHOOL-BASED ASSESSMENT MARKS

- (1) All learners must have a School-Based Assessment (SBA) mark for each subject presented for the National Senior Certificate.
- (2) Learners who have not submitted a learner portfolio of evidence, based on valid reasons, must be given three months from publication of the results to submit SBA tasks for evaluation.
- (3) If a learner fails to present a component or components of the SBA during the course of the year, and **valid reasons** are provided, the learner should be allowed the opportunity to redo the task or, where this is not possible, the mark for that component of the internal assessment should not be taken into consideration and the maximum mark, in this particular case, must be recalculated, based on the remaining number of tasks (refer to Table 1).

Table 1

SBA components of subject with learner's marks:

	Component 1	Component 2	Component 3	Component 4	Component 5	Component 6	Component 7
Max marks	5	5	30	20	40	40	40
Learner	4	Did not offer (valid reason given)	16	Did not offer (valid reason given)	20	15	12

$$\text{SBA mark} = (4+16+20+15+12) / (5+30+40+40+40+40)$$

$$= 67/155$$

$$= 43\%$$

If a learner fails to present a component or components of the SBA, **without a valid reason**, the learner must be awarded a zero mark ("0") for such component or components (refer to Table 2).

Table: 2

SBA components of subject with learner's marks:

	Component 1	Component 2	Component 3	Component 4	Component 5	Component 6	Component 7
Max marks	5	5	30	20	40	40	40
Learner	4	Did not offer (no valid reason given)	16	Did not offer (No valid reason given)	20	15	12

$$\text{SBA mark} = (4+0+16+0+20+15+12) / (5+5+30+20+40+40)$$

$$= 67/180$$

$$= 37\%$$

2. INCOMPLETE RESULTS

A learner's results are regarded as **incomplete** if he or she did not offer any component of the SBA mark and no valid reason was provided. This implies that the learner did not submit a specific assessment task specified for SBA in the Subject Assessment Guidelines. In such an event, the code "999" is indicated on the mark sheet. In such an event the candidate cannot be resulted, since he or she has not satisfied the requirements of the National Senior Certificate. Such a

candidate must be given three months from publication of the results to submit SBA tasks for evaluation. If a candidate fails to do this, he or she will not qualify for a National Senior Certificate.

3. OUTSTANDING MARKS

A mark is regarded as outstanding if, during the capturing process, the reason for the outstanding mark is not completely established. The code, “777”, is used to indicate an outstanding mark. An outstanding internal assessment mark must be resolved as soon as possible and the “777” code replaced with either a mark or a “999” code (absent). In the event where the learner was absent, based on valid reasons, the outstanding assessment tasks must be submitted within the stipulated three-month period. Should the candidate not submit the assessment tasks in the stipulated period, the code “777” will be changed to “999”, which will then be regarded as a failed subject.

4. STATISTICAL MODERATION OF SBA MARKS

All SBA marks are statistically moderated, based on the norm determined by Umalusi. The norm, which is articulated as a formula for the statistical moderation process, will be provided by Umalusi. The Department of Education will ensure that the computer system is programmed to process the marks in accordance with the formula. However, the final responsibility rests with Umalusi to verify the accuracy of the statistical moderation process on the IT system.

Learners whose SBA marks are outstanding, absent or have not been finalised at the time of the statistical moderation, are removed from the moderation process. The examination results for these learners are initially left out of the moderation process, and the moderated marks are calculated at a later stage, using information from the rest of the group.

ANNEXURE B

THE APPROVAL PROCESS FOR SUBJECTS OFFERED BY OTHER ASSESSMENT BODIES

1. THE STATUS OF SUBJECTS OFFERED BY OTHER ASSESSMENT BODIES

- (1) Candidates may offer a maximum of one subject developed by an assessment body other than the Department of Education and approved by the Minister of Education, in addition to the required seven compulsory subjects for the National Senior Certificate.
- (2) All requests regarding the offering of additional subjects to be listed in the National Senior Certificate must be directed to the Department of Education, in order to determine whether the Department of Education will consider the inclusion of the subject in the *National Curriculum Statement Grades 10-12*.
- (3) Additional subjects to be considered by the Department of Education for inclusion in the *National Curriculum Statement Grades 10-12* must be supported by the following documents:
 - (a) a Subject Statement that includes the learning outcomes, assessment standards and content;
 - (b) a Learning Programme Guideline;
 - (c) a Subject Assessment Guideline; and
 - (d) in the case of additional languages, the appropriate English Language level documents, i.e. Home, First Additional and Second Additional Language level should be used as a template.
- (4) An assessment body should undertake the development of the additional subject requested, as well as conduct the examination thereof.

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- (5) However, no guarantee can be given to institutions that the Minister of Education will approve the developed documents submitted to the Department of Education. All development is done at own risk and any costs incurred must be borne by the applicant.
 - (6) All relevant documents referred to in *subregulation (3)* above, must be submitted not later than April of the year prior to the planned implementation.
 - (7) Once satisfied that all the above requirements have been met, the Department of Education will evaluate the subject in question and make a recommendation to the Minister of Education.
 - (8) Subjects that have been approved by the Minister of Education for offering as part of the National Senior Certificate will be implemented for the first time in Grade 10 in the month of January, following the year of approval.
 - (9) Assessment bodies and schools that wish to enrol learners for additional subjects to the National Senior Certificate, developed and assessed by an assessment body, should contact the Head of the relevant assessment body for details about the enrolment and assessment procedure for the additional subject.
 - (10) The Department of Education could request assessment bodies, accredited by Umalusi and approved by the Minister of Education, to assist with the examination of the approved additional subject, offered by a learner as part of his or her 7-subject package.

ANNEXURE C

REQUIREMENTS FOR THE OFFERING OF MUSIC PROGRAMMES OF ACCREDITED ASSESSMENT BODIES

A learner who requests to offer one of the approved music programmes offered by the assessment bodies, listed in *subregulation 8*, as one of the seven (7) compulsory subjects for the National Senior Certificate, or as an additional subject, i.e. as an eighth or ninth subject, may do so under the following conditions:

- (1) The learner enrolls for the music programme in the year that he or she registers for Grade 10 for the first time.
- (2) The selected music programme is registered as one of the Group B subjects of the National Senior Certificate, as contemplated in *paragraph C2* of Annexure C of the document, *National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF)*, in January of the year of the first registration for Grade 10.
- (3) A learner completes the theory component of the selected music programme prior to his or her registration, in Grade 10, for the National Senior Certificate.
- (4) A learner registers for a music programme, offered by an assessment body listed in *subregulation 8*, at a minimum level of Grade 4, for the selected practical music examination in Grade 10, provided that such learner progresses to at least Grade 6 of that practical examination in his or her Grade 12-year, and that Grade 6 of the practical music examination and its theory component, offered by an assessment body,

are regarded as the minimum acceptance level for the National Senior Certificate (Table 1).

- (5) Learners who register for the first time in Grade 10 for a music programme, offered by an assessment body, at a Grade 5 or Grade 6 level of the selected music programme, must progress to Grade 6 and 7 respectively in Grade 12, in order to fulfil the National Senior Certificate programme requirements, as contemplated in *paragraph 9* of the document, *National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF)*.
- (6) Learners who register for the first time in Grade 10 for a music programme, offered by an assessment body at Grade 7 level of the selected music programme, must offer these programmes for the three-year period of Grades 10-12, in order to fulfil the National Senior Certificate programme requirements, as contemplated in *paragraph 9* of the document, *National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF)*.
- (7) Assessment bodies, which have been approved by the Minister to offer music as a subject, must submit the theory and practical marks of their candidates separately. However, the final result obtained by a learner in the music programme offered by such assessment body, must be calculated as a combination of both the practical music examination and its theory component.

**TABLE 1(A): ASSOCIATED BOARD OF THE ROYAL
SCHOOLS OF MUSIC (ABRSM)**

NSC Grade 10	NSC Grade 11	NSC Grade 12
Grade 4 practical and Grade 4 theory	Grade 5 practical and Grade 5 theory	Grade 6 practical and Grade 6 theory
Grade 5 practical and Grade 5 theory	Grade 6 practical and Grade 6 theory	Grade 7 practical and Grade 6 theory

TABLE 1(B): TRINITY COLLEGE OF LONDON (TCL)

NSC Grade 10	NSC Grade 11	NSC Grade 12
Grade 4 practical and Grade 4 theory	Grade 5 practical and Grade 5 theory	Grade 6 practical and Grade 6 theory
Grade 5 practical and Grade 5 theory	Grade 6 practical and Grade 6 theory	Grade 7 practical and Grade 6 theory

TABLE 1(C): UNISA

NSC Grade 10	NSC Grade 11	NSC Grade 12
Grade 4 practical and Grade 3 theory	Grade 5 practical and Grade 4 theory	Grade 6 practical and Grade 5 theory
Grade 5 practical and Grade 4 theory	Grade 6 practical and Grade 5 theory	Grade 7 practical and Grade 5 theory

- (8) The theory components of the music programmes of the approved assessment body are as follows:

TABLE 2

Practical music examination	Prerequisite
Associated Board of the Royal Schools of Music (ABRSM) Practical music examination Grade 4	ABRSM music theory Grade 4
Associated Board of the Royal Schools of Music (ABRSM) Practical music examination Grade 5	ABRSM music theory Grade 5
Associated Board of the Royal Schools of Music (ABRSM) Practical music examination Grade 6	ABRSM music theory Grade 6
Associated Board of the Royal Schools of Music (ABRSM) Practical music examination Grade 7	ABRSM music theory Grade 6
Trinity College of London (TCL) Practical music examination Grade 4	TCL music theory Grade 4
Trinity College of London (TCL) Practical music examination Grade 5	TCL music theory Grade 5
Trinity College of London (TCL) Practical music examination Grade 6	TCL music theory Grade 6
Trinity College of London (TCL) Practical music examination Grade 7	TCL music theory Grade 6
Unisa Practical music examination Grade 4	UNISA theory Grade 3
Unisa Practical music examination Grade 5	UNISA theory Grade 4
Unisa Practical music examination Grade 6	UNISA theory Grade 5
Unisa Practical music examination Grade 7	UNISA theory Grade 5

- (9) A maximum of one of the Associated Board of Royal Schools of Music, or Trinity College of London, or the UNISA practical music examination, Grades 6 or 7, may be offered in combination with a National Senior Certificate subject, which may include Music.

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- (10) Learners who offer one of the Associated Board of Royal Schools of music, or Trinity College of London, or the UNISA practical music examination, Grades 6 or 7, in combination with the subject Music, as listed in the *National Curriculum Statement Grades 10-12*, may not offer the same main instrument as a first and second instrument.
- (11) Learners may not offer a music programme, comprising a combination of components of the subject Music, as listed in the *National Curriculum Statement Grades 10-12*, for the Associated Board of Royal Schools of Music's practical music examination, Trinity College of London's practical music examination, or UNISA's practical music examination.
- (12) Learners, who register for a music programme offered by an assessment body, must offer the required level or levels of the music programme entered for, for all three years of the National Senior Certificate programme, namely Grades 10 to 12. A learner must fulfil all the requirements in respect of School-Based Assessment for each level of the music programme that he or she enrolled for.
- (13) Learners will not be allowed to change from one assessment body to another, once they have enrolled at a specific assessment body in their Grade 10-year.

ANNEXURE D

APPOINTMENT OF EXAMINERS AND INTERNAL MODERATORS: AN EXCERPT FROM THE PERSONNEL ADMINISTRATION MEASURES

In addition to the general criteria referred to in *Regulation 23*, the following minimum criteria should apply with regard to the selection and appointment of examiners (for the setting and moderation of examination question papers and accompanying memoranda) and internal moderators:

- (1) Advertisements for the posts of examiners and internal moderators should be included in a departmental circular, as well as published in the national or local press.
- (2) For the examination, set by the Department of Education, a selection panel shall be appointed by the Department of Education. Teacher unions that are members of the Education Labour Relations Council shall be allowed observer status on such a panel.
- (3) The following minimum criteria will apply in respect of the selection and appointment of candidates:

The appointee must:

- (a) have at least a recognised three-year post matric qualification, which must include the subject concerned at second or third-year level;
- (b) have extensive experience as a teacher in the particular subject or in a related area, and at least two (2) years teaching experience during the last five (5) years, at the appropriate level; and
- (c) he or she must have experience as a marker.

ANNEXURE E

EXAMINATION PANELS

1. It is advantageous to appoint two to four examiners to set an examination question paper, in order to maintain the appropriate standard for a subject. This allows for the perspectives of two to four experts in the particular subject to be utilised in the setting of the examination question paper.
2. Advantages of the panel system:
 - (a) it allows for capacity-building, by including one or two persons who lack prior experience in the setting of examination question papers.
 - (b) If a panel of examiners is used, it is important that a chief examiner be appointed.
 - (c) The chief examiner takes final responsibility for the quality and standard of the examination question paper.
3. Duly binding contracts must be signed between the examiner and the Department of Education or the assessment body.

ANNEXURE F

PROCESSING OF EXAMINATION QUESTION PAPERS

1. TYPING OF EXAMINATION QUESTION PAPERS

- (1) A team of selected staff members, not exceeding four to five typists, supervised by a chief typist, may carry out the typing of examination question papers.
- (2) They may do their work on personal computers, not linked to an external network, and all the work should be done in a restricted area.
- (3) This task should be supervised by a senior staff member. The hard disks should be cleared and transferred to other relevant media, such as compact discs (CDs), which must then be locked away daily.
- (4) All typists must complete a Contract of Confidentiality.

2. EDITING OF EXAMINATION QUESTION PAPERS

- (1) Language editing may be carried out by specially appointed language editors.
- (2) Alternatively, this function may be carried out by a select group of subject specialists, who must complete the Contract of Confidentiality document.
- (3) The final editing should be the task of the chief examiner, and he or she, together with the internal moderator, should sign it off, certifying that he or she has checked the examination question paper in every respect and that the examination question paper is ready for printing.
- (4) All members of the editing team must complete a Contract of Confidentiality.

3. PRINTING OF EXAMINATION QUESTION PAPERS

- (1) The Department of Education and the assessment body must ensure the following:
 - (a) A building with proper security, which could be used for typing, printing, packaging and storage.
 - (b) All examination activities may then be carried out in this safe building, allowing access only to specific persons.
 - (c) In terms of printing, the assessment bodies must move to establish in-house printing facilities.
 - (d) Where in-house printing is done, the person involved in the printing may also be involved in the packaging.
 - (e) The printing process must be carried out under the close supervision of a senior official.
 - (f) This official must be entrusted with the task of approving the quality and standard of the first batch of printed examination question papers.
 - (g) All members of the printing team must complete a Contract of Confidentiality.
- (2) Where assessment bodies choose to use external agencies for the purpose of printing, the agency concerned should be fully investigated to ensure that, *inter alia*, strict security measures are in place, and that the quality of the printing is of an acceptable standard. A detailed contract, a service level agreement and a Contract of Confidentiality must be signed between the assessment body and the external provider of printing services.

ANNEXURE G

PRACTICAL EXAMINATION IN COMPUTER APPLICATIONS TECHNOLOGY AND INFORMATION TECHNOLOGY

1. Computer laboratories should be visited by the assessment bodies to ensure that the infrastructure is compliant. This must be done six (6) months prior to the commencement of the final National Senior Certificate examination.
2. The security measures to be taken in the subjects Computer Applications Technology (CAT) and Information Technology (IT), comprise two phases, namely the computer laboratory certification, and the invigilation during the examination sitting.
3. Local authorities should be informed about the examination timetable to ensure that load shedding is not applicable.
4. The following measures must be taken during the computer laboratory certification process:
 - (1) All schools offering Computer Applications Technology and Information Technology must complete a specified checklist that should be certified by the Principal of the school and submitted to the assessment body two (2) days prior to the commencement of the examination.
 - (2) Two days prior to the examination in Computer Applications Technology and in Information Technology, the specific centre to be used for these examinations should be off limits to all candidates.
 - (3) All electronic equipment at the school should be inspected prior to the examinations to ensure that it is in good condition and that the electricity

cables and wall connections are in good working order. This will prevent a power failure caused by defective electrical apparatus.

- (4) The hardware and software must be checked to ensure that they are in working condition.
- (5) Only approved hardware configurations and versions of software may be used and certified.
- (6) The Computer Applications Technology and/or Information Technology teacher must ensure that all computers are “clean”. No programmes or documents, hidden files and/or examples of any kind may be stored on the hard disks or the network. This should not be accessible to candidates during the examination.
- (7) E-mails, internet messaging systems must be de-activated during the examination.
- (8) Security should be in place to prevent candidates from accessing other computers, folders and/or documents.
- (9) Passwords, which are familiar only to the invigilators, should be used as a security measure during the examination session.
- (10) If an examination is conducted in two sessions, invigilators must ensure that all computers are clean when the second session starts. Candidates from two sessions should not make contact. This includes emptying the recycle bin.
- (11) Printing is optional
 - (a) Printers must print clearly.
 - (b) Use new cartridges, if possible.

- (c) The assessment body is responsible for supplying sufficient suitable paper for printers.
- (12) Ensure that the following settings for each computer are correct:
 - (a) date and time; and
 - (b) regional settings (South Africa).
- (13) Disks or related storage media:
 - (a) The assessment body must supply each candidate with two clean formatted disks or related storage media (one for backup) to save his or her work on.
 - (b) The responsible teacher must format these disks or storage media beforehand (even if new disks are being used).
 - (c) The disks must be clearly marked. Alternatively, schools that do not work with disks, can submit all candidates' files on CDs. One backup CD must be submitted and one kept at the centre.
- (14) Peer-to-peer networks do not provide the same level of security as server-based networks. Therefore, the use of peer-to-peer networks is discouraged and schools should disconnect them for the duration of the examination and use the computers as stand-alone machines.
- (15) If schools use network facilities to conduct practical examinations, the following steps must be taken to prevent possible copying of files by candidates:
 - (a) Separate folders must be created for each candidate on the appropriate network drive. The folder should be labelled with the candidate's examination number.