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## GOVERNMENT NOTICE

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### DEPARTMENT OF BASIC EDUCATION

No. R. 371

16 May 2014

### DEPARTMENT OF BASIC EDUCATION

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

#### APPROVAL OF THE REGULATIONS PERTAINING TO THE CONDUCT, ADMINISTRATION AND MANAGEMENT OF THE NATIONAL SENIOR CERTIFICATE EXAMINATION

1. I, Angelina Matsie Motshekga, Minister of Basic Education, hereby in terms of *section 61(d)* of the *South African Schools Act, 1996 (Act. No. 84 of 1996)*, and after consultation with the Council of Education Ministers, approve the regulations pertaining to the conduct, administration and management of the National Senior Certificate examination as set out in the **Schedule**.
2. The regulations pertaining to the conduct, administration and management of the National Senior Certificate examination will be applicable to all assessment bodies responsible for the conduct, administration and management of the National Senior Certificate examination.

**MRS AM MOTSHEKGA, MP**  
**MINISTER OF BASIC EDUCATION**

## DEPARTMENT OF BASIC EDUCATION

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

## REGULATIONS PERTAINING TO THE CONDUCT, ADMINISTRATION AND MANAGEMENT OF THE NATIONAL SENIOR CERTIFICATE EXAMINATION

## GENERAL EXPLANATORY NOTE

[.....] Words in bold in square brackets indicate omissions from the existing regulations.

\_\_\_\_\_ Words underlined with a solid line indicate insertions into the existing regulations.

## SCHEDULE

## DEFINITIONS

1. 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-

## Amendment of Regulation 1 of the Regulations

2. Regulation 1 is hereby amended by-

(a) the insertion of the following definition before the definition of an "assessment body"-

"'act of dishonesty' means candidates engaging in dishonest acts during the examination process which include acts that are identified before the commencement of the examination, as well as acts that are identified while the examination question paper is being written or after the examination is written. This also includes knowingly making a false statement in respect of the authenticity of a particular component of the internal assessment in a subject, or the internal assessment for the subject as a whole;";

(b) the substitution for the definition of an "assessment body" of the following definition-

"'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] an assessment body as defined in the General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001;";

(c) the substitution for the definition of an "assessment irregularity" of the following definition-

"'assessment irregularity' means any [event] error, 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;";

(d) the insertion, after the definition of an "assessment irregularity", of the

following definition-

“assessment task’ means a structured assessment activity designed by the teacher, of the assessment body and used by teachers and learners to determine the performance of learners in a subject, grade or in specific content area;”;

(e) the substitution for the definition of a “candidate” of the following definition-

“‘candidate’ means a learner who has [completed] enrolled in his or her Grade 12-year of the National Senior Certificate programme and who has registered for the National Senior Certificate final examinations;”;

(f) the substitution for the definition of “certification” of the following definition-

“‘certification’ means the [issuing of the National Senior Certificate by Umalusi when the minimum promotion requirements have been met] formal recognition of a qualification or part qualification awarded to a successful learner;”;

(g) the insertion, after the definition of “certification”, of the following definition-

“‘Curriculum and Assessment Policy Statements’ means the policy documents stipulating the aim, scope, content and assessment for each subject listed in the *National Curriculum Statement Grades R – 12*;”;

(h) the substitution for the definition of the “Department of Education” of the following definition-

“‘Department of Basic Education’ means the national department Responsible for basic education;”;

(i) the insertion, after the definition of a “District Assessment Irregularities Committee (DAIC)”, of the following definition-

“‘education department’ means a department as defined in the *South African Schools Act, 1996 (Act No. 84 of 1996)*;”;

(j) the substitution for the definition of an “embargo” of the following definition-

“‘embargo’ means a ban on the release of information for a given period, or that the information must be kept secret;”;

(k) the substitution for the definition of an “examination centre” of the following definition-

“‘examination centre’ means a centre [contemplated in Chapter 5 of these Regulations] registered by an [accredited independent] assessment body;”;

(l) the substitution for the definition of an “examination irregularity” of the following definition-

“‘examination irregularity’ means any [event] error, 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;”;

(m) the substitution for the definition of an “examination process” of the following definition-

“‘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 and moderation of the examination question papers, the transportation and storage of examination material, the security of all examination material, the marking of examination answer scripts, the processing of results, the [certification thereof to ensure integrity of such examination] issuing of results and the certification of these results;”;

(n) the insertion, after the definition of an “examination sitting”, of the following definition-

“‘full-time candidate’ means a learner who has enrolled for tuition in a full-time capacity at a public or independent school or any other registered education institution and who presents the required number of subjects as stipulated in the policy

document, **[National Senior Certificate: A Qualification at Level 4 on the National Qualifications Framework (NQF)]** National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R – 12, Government Gazette No. 34600 of 12 September 2011;”;

(o) the substitution for the definition of a “grade” of the following definition-  
 “‘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] a grade as defined in the South African Schools Act, 1996 (Act No. 84 of 1996);”;

(p) the insertion, after the definition of a “grade”, of the following definition-  
 “‘Head of Department’ as defined in the South African Schools Act, 1996 (Act No. 84 of 1996);”;

(q) the substitution for the definition of the “Head of an assessment body” of the following definition-

“‘Head of an assessment body’ means the Director-General of the Department of Basic Education, the Head of a Provincial Education Department or the Head of an independent assessment body;”;

(r) the substitution for the definition of “immediate family” of the following definition-

“‘immediate family’ means father, mother, brother, sister, grandparents, husband, wife, legal partner, [and] children, guardians, main care-givers and foster parents;”;

(s) the insertion, after the definition of an “imposter”, of the following definition-

“‘independent school’ means a school registered [or deemed to be registered] in terms of section 46 of the South African Schools Act, 1996 (Act No. 84 of 1996);”;

(t) the substitution for the definition of “internal assessment” of the following definition-

“‘internal assessment’ means assessment, [defined] contemplated in section 1 of the General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001);”;

(u) the insertion, after the definition of a “learner”, of the following definition-  
 “‘learner’ who experiences barriers to learning means any learner who has difficulties in accessing the curriculum due to factors that [serve as barriers] prevent learners from learning and/or progressing in their learning;”;

(v) the substitution for the definition of a “moderator” of the following definition-

“‘moderator’ means a person, as defined in section 1 of the General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001);”;

(w) the insertion, after the definition of an “MEC”, of the following definition-  
 “‘MEC’ means a Member of the Executive Council, contemplated in section 1 of the South African Schools Act, 1996 (Act No. 84 of 1996);”;

(x) the substitution for the definition of the “National Examinations Irregularities Committee (NEIC)” of the following definition-

“‘National Examinations Irregularities Committee (NEIC)’ means the body established by the Minister of Basic Education, to coordinate the handling of irregularities identified during internal assessments and examinations”;

(y) the substitution for the definition of a “National Senior Certificate” of the following definition-

“‘National Senior Certificate’ means a qualification at Level 4 on the National Qualifications Framework (NQF) which is awarded to Grade 12 candidates who comply with the national policy requirements set out in the policy document, [National Senior Certificate: A Qualification at Level 4 on the National

**Qualifications Framework (NQF)] National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R – 12;**

(z) the substitution for the definition of a “National Senior Certificate examination” of the following definition-

“National Senior Certificate examination’ means the final [end-of-year] examination at the end of the Grade 12-year conducted by [a department of education] the Department of Basic Education or an assessment body accredited by [the] Umalusi [Council] [as a body responsible for conducting external assessment];

(aa) the insertion, after the definition of the “National Senior Certificate examination”, of the following definition-

“parent’ as defined in the *South African Schools Act, 1996 (Act No. 84 of 1996)*,”

(bb) the insertion, after the definition of a “part-time candidate”, of the following definition-

“processes and procedures for the assessment of learner achievement” means the conduct, administration and management of internal assessment, end-of-year examination, and the final National Senior Certificate examination as stipulated in the policy document, *National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R – 12* and the policy document, *National Protocol for Assessment Grades R-12, Government Gazette No. 34600 of 12 September 2011;*,”

(cc) the insertion, after the definition of “Processes and procedures for the assessment of learner achievement”, of the following definition-

“Provincial Education Department’ means an education department, contemplated in *Section 1 of the Employment of Educators Act, 1998 (Act No. 76 of 1998)*,”

(dd) the substitution for the definition for a “repeat candidate” of the following definition-

“means a candidate who is redoing the examination in one or more subjects in order to [satisfy the outstanding requirements for the National Senior Certificate or] improve his or her National Senior Certificate examination results;,”

(ee) the insertion, after the definition of “SACE”, of the following definition-

“school’ as defined in the *South African Schools Act, 1996 (Act No. 84 of 1996)*,”

(ff) the insertion, after the definition of the “School Assessment Irregularities Committee (SAIC)”, of the following definition-

“school-based assessment” – means [all formal assessment, including examinations, conducted by the school throughout the year on a continuous basis. In Grade 12 the School-Based Assessment component is all the formal tasks including the mid-year and September examinations, but not the end-of-year National Senior Certificate examination] assessment as defined in the policy document, *National Protocol for Assessment Grades R – 12;*,”

(gg) the deletion of the definition of “subject assessment guidelines”;“

(hh) the substitution for the definition of a “supplementary examination”, of the following definition-

“supplementary examination’ means an examination granted under special conditions as contemplated in *Regulation 18* to a full-time and part-time candidate”;

## **Amendment of Regulation 2 of the Regulations**

3. Regulation 2 of the Regulations is hereby amended by the substitution for sub-regulation (2) of the following sub-regulation-

“(2) These Regulations apply to both public and **[private]** independent assessment bodies assessing and examining the *National Curriculum Statement Grades R-12*.”.

### **Amendment of the heading of Chapter 2 of the Regulations**

4. The heading of Chapter 2 of the Regulations is hereby substituted for the following heading-  
 “Conduct of school-based assessment, [and] practical and oral assessment tasks.”.

### **Amendment of Regulation 3 of the Regulations**

5. Regulation 3 is hereby amended by -

- (a) the substitution for sub-regulation (3) of the following sub-regulation-

“(3) In the case of Life Orientation, the final promotion mark will be based on internal assessment, which must be externally moderated, as well as a Common Assessment Task which is externally set and moderated. Monitoring and moderation mechanisms will be determined by Umalusi, and the Department of Basic Education in the case of public schools and the assessment body in the case of independent schools.”.

- (b) the substitution for sub-regulation (4) of the following sub-regulation-

“(4) The composition of the School-Based Assessment of all subjects is outlined 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 the National Protocol for Assessment (Grades R – 12) published in Government Gazette, No. 29467 of 11 December 2006]*** National Protocol for Assessment Grades R-12.”.

- (c) the substitution for sub-regulation (5) of the following sub-regulation-

“(5) In Grades 10, 11 and 12, School-Based Assessment must be moderated by the Department of Basic Education, the [assessment body], Provincial Education Department, the independent assessment body and Umalusi.”.

- (d) the substitution for sub-regulation (6) of the following sub-regulation-

“(6) A Practical Assessment Task is a compulsory component of the final promotion mark for all candidates registered for the following National Senior Certificate subjects.

(a) Agriculture: Agricultural Management Practices and Agricultural Technology;

(b)[(a)] Arts: Dance Studies, Design, Dramatic Arts, Music and Visual Arts;

(c)[(b)] Languages: Oral mark;

(d)[(c)] Technology: Civil Technology, Electrical Technology, Mechanical Technology and Engineering Graphics and Design;

(e)[(d)] Life Orientation;

(f)[(e)] Computer Sciences: Computer Applications Technology and Information Technology; and

(g)[(f)] Services: Consumer Studies, Hospitality Studies And Tourism.”.

(e) the substitution for sub-regulation (9) of the following sub-regulation-  
 “(9) The composition of the Practical Assessment Task of all subjects listed in sub-paragraph (6) is outlined 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 the National Protocol for Assessment (Grades R – 12)]** National Protocol for Assessment Grades R-12.”.

(f) the addition, after sub-regulation (10) of the following sub-regulation-  
“(11) Language Oral Assessment for official languages must be undertaken during the course of the year and it comprises-

- (a) prepared speech;
- (b) unprepared speech; and
- (c) listening and comprehension.”.

#### Amendment of Regulation 4 of the Regulations

6. Regulation 4 is hereby amended by-

The substitution of the heading of regulation 4 for the following heading-

(a) “Compilation of the School-Based Assessment, Practical Assessment Task and Language Oral mark.”.

(b) the substitution for sub-regulation (1)(a) of the following sub-regulation-  
 “(1)(a) comprise assessment tasks that constitute the learners’ final mark;”;

(c) the substitution for sub-regulation (1)(b) of the following sub-regulation-  
 “(1)(b) include a mark awarded for each assessment task marks, and a consolidated mark;”;

(d) the substitution for sub-regulation (1)(c) of the following sub-regulation-  
 “1(c) be guided by assessment components as specified for each subject 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 the National Protocol for Assessment (Grades R – 12)]** National Protocol for Assessment Grades R-12.”.

(e) the substitution for sub-regulation (4) of the following sub-regulation-  
 “(4) The absence of a School-Based Assessment, Practical Assessment Task or Language Oral mark in any subject, without a valid reason, will result in the candidate, registered for that particular subject, receiving an incomplete result. **[The candidate will be given three months to submit outstanding work or present himself or herself for School-Based Assessment and/or a Practical Assessment Task. Should the candidate fail to fulfil the outstanding School-Based Assessment and/or Practical Assessment Task requirements, such,].** Such a candidate will not be resulted and he or she must repeat the subject, and if necessary the year and redo the School-Based Assessment and/or Practical Assessment Task component for that subject.”.

(f) the substitution for sub-regulation (5)(a) of the following sub-regulation-  
 “(5)(a) In the event of a learner not complying with the requirements of School-Based Assessment and/or Practical Assessment Task, 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 or his or her nominee.”.

(g) the substitution for sub-regulation (5)(b) of the following sub-regulation-

“(5)(b) The learner must, within three calendar months from the date on which the opportunity is granted, submit the outstanding work or present himself or herself for School-Based Assessment and/or Practical Assessment Task/Language oral. Should the candidate fail to fulfil the outstanding School-Based and/or Practical Assessment Task Assessment requirements, as contemplated 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 the National Protocol for Assessment (Grades R – 12)] National Protocol for Assessment Grades R-12 and the [Subject Statements] Curriculum and Assessment Policy Statements of all approved subjects listed in the National Curriculum Statement Grades [10] R-12 he or she, registered for that particular subject, will be resulted as incomplete **[and can therefore not sit for the ensuing end-of-year National Senior Certificate examination]**.”.

(h) the insertion, after sub-regulation (5) of the following sub-regulation-

“(5A) A learner who is not able to offer the Physical Education Task (PET) as a fifth component in Life Orientation may be exempted by the Head of the assessment body or his or her representative, provided a valid medical reason is submitted. If the learner’s request for exemption is successful, his or her marks for Life Orientation will be recalculated in terms of four tasks.”.

(i) the substitution for sub-regulation (6)(b) of the following sub-regulation-

“(6)(b) humanitarian reasons, which includes the death of an immediate family member, supported by a copy of the death certificate,”;

(j) the substitution for sub-regulation (8) of the following sub-regulation-

“(8) Where the subject teacher fails to give learners the minimum tasks for School-Based Assessment and/or Practical Assessment Task/Language Oral in the subject for which he or she is responsible, marks will be adjusted accordingly 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 the National Protocol for Assessment (Grades R – 12)] National Protocol for Assessment Grades R-12**. The matter must be resolved by the **[Department of Basic Education and]** in consultation with Umalusi or the independent assessment body in consultation with the assessment body.”.

#### Amendment of Regulation 5 of the Regulations

7. Regulation 5 is hereby amended by the substitution for sub-regulation (3) of the following sub-regulation-

“(3) Moderation should ensure that the quality and standard of the School-Based Assessment and the Practical Assessment Task/Language oral, as contemplated 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 the National Protocol for Assessment (Grades R – 12)] National Protocol for Assessment Grades R-12**, have been met.”.



### Amendment of Regulation 6 of the Regulations

8. Regulation 6 is hereby amended by the substitution for sub-regulation (1) of the following sub-regulation-

“(1) Public and independent schools must ensure that candidates that enrol at these institutions [have complied] comply with the [internal] School-Based Assessment, Practical Assessment Tasks and Language Oral Assessment 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 the National Protocol for Assessment (Grades R – 12)]*** National Protocol for Assessment Grades R-12.”.

### Amendment of Regulation 7 of the Regulations

9. Regulation 7 is hereby amended by -

- (a) the substitution for sub-regulation (1)(a) of the following sub-regulation-

“(1)(a) A candidate in Grade 12, who registers for the National Senior Certificate examination, must comply with the following requirements-  
He or she must register for tuition at a public or an independent school offering a National Senior Certificate course of study as stipulated in paragraph [9] 27 and Annexure C of the policy document, [National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF)] National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R – 12.”.

- (b) the substitution for sub-regulation (1)(b) of the following sub-regulation-

“(1)(b) He or she must register for the minimum required number of subjects as stipulated in paragraph [9] 27 and Annexure C of the policy document, [National Senior Certificate: A qualification at Level 4 on the National Qualifications Framework (NQF)] National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R – 12.”.

- (c) the substitution for sub-regulation (1)(c) of the following sub-regulation-

“(1)(c) He or she must comply with all [internal] School-Based Assessment, Practical Assessment Task and Language Oral requirements where applicable.”.

- (d) the substitution for sub-regulation (1)(d) of the following sub-regulation-

“(1)(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)]*** National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R – 12.”.

- (e) the substitution for sub-regulation (2)(c) of the following sub-regulation-

“(2)(c) The candidate has satisfied the School-Based Assessment, Practical Assessment Tasks and Language Oral Assessment requirements ***[for internal assessment]*** with regard to the specific subject.”.

- (f) the substitution for sub-regulation (2)(e) of the following sub-regulation-

“(2)(e) The school offering the additional subject must forward the [internal assessment] School-Based Assessment, Practical Assessment Tasks and Language Oral Assessment marks to the school of registration, prior to commencement of the final written examination.”.

(g) the substitution for sub-regulation (2)(f) of the following sub-regulation-  
“(2)(f) The school where the learner is registered must capture all **[internal assessment] School-Based Assessment, Practical Assessment Tasks and Language Oral 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.”.

(h) the substitution for sub-regulation (2)(g) of the following sub-regulation-  
“(2)(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 or his or her representative to sit for the examination at another centre.”.

(i) the insertion of sub-regulation (2A) following sub-regulation (2)-  
“(2A) A part-time candidate is a Grade 12 learner who has-  
(a) registered for one or more subjects in an examination [that does not offer tuition on a full-time basis]. The school at which the candidate registers, must ensure and verify whether the part-time candidate has-  
(i) completed the programme requirements for Grades 10, 11 and 12 separately;  
(ii) complied with the School-Based Assessment, Practical Assessment Task and Language Oral Assessment requirements for Grades 10, 11 and 12; and  
(iii) complied with the external assessment requirements of Grade 12 as contemplated in the [Subject Statements and the Subject Assessment Guidelines] Curriculum and Assessment Policy Statements of the various subjects; and.  
(b) registered for the National Senior Certificate examination with an assessment body which must verify whether the part-time candidate has complied with sub-regulations (i) to (iii).”.

(j) the substitution for sub-regulation (3) of the following sub-regulation-  
“(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 five (5) years, after the completion of the first National Senior Certificate examination written by the candidate in that subject.. From 2014 the maximum period will change from five (5) years to three (3) years.”.

(k) the insertion of sub-regulation (4A) following sub-regulation (4)-  
“(4A) A learner receiving home education must register with an education provider registered with the assessment body responsible for the conduct of the final National Senior Certificate examination to ensure that he or she complies with-  
(i) the programme requirements for Grades 10, 11 and 12 separately;  
(ii) the School-Based Assessment, Practical Assessment Task and Language Oral Assessment requirements for Grades 10, 11 and 12; and  
(iii) the external assessment requirements of Grade 12 as contemplated in the Curriculum and Assessment Policy Statements of the various subjects.”.

(l) the substitution for sub-regulation (5) of the following sub-regulation-  
“(5) The School-Based Assessment, Practical Assessment Task (PAT), Practical Assessment and Language Oral marks obtained by a candidate in his or her last National Senior Certificate examinations will be valid for a period of five (5) years, after the completion of the first National Senior Certificate examination written by the candidate in that subject. **[Post] From 2014 the maximum validity period will change from five (5) years to three (3) years, provided that an alternative qualification for repeaters and part-time candidates has been developed. However, should an alternative qualification not be implemented prior to the expiry date of the School-Based Assessment component, the validity period may be extended until such time as deemed expedient by the Minister.**”.

### **Amendment of Regulation 8 of the Regulations**

10. Regulation 8 is hereby amended by -

(a) the substitution for sub-regulation (4) of the following sub-regulation-  
“(4) Approval for changing a subject in Grade 12 must be obtained from the Head of the assessment body, or his or her representative, provided the following are furnished:”;

(b) the substitution for sub-regulation (5) of the following sub-regulation-  
“(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, or his or her representative based on the impact of the change on the internal assessment programme.”.

(c) the substitution for sub-regulation (6)(b) of the following sub-regulation-  
“(6)(b) National Senior Certificate candidates who sat for the National Senior Certificate examination and who wishes to repeat the entire [whole] National Senior Certificate examination [qualification obtained] to improve the results obtained, may do so provided that the candidate-

(a) provides documentary evidence that he or she has offered the National Senior Certificate; and

(b) **[registers] enrolls** with an accredited assessment body so that [with the aim of ensuring that all] the School-Based Assessment, Practical Assessment Task (PAT), [Practical Assessment] and [Language] Oral assessment requirements for all subjects that will be offered [for the improved qualification], are met.”.

(d) the substitution for sub-regulation (7)(a) of the following sub-regulation-  
“(7)(a) sat for the National Senior Certificate examination **[in the previous year] previously;**”;

### **Amendment of Regulation 9 of the Regulations**

11. Regulation 9 is hereby amended by -

(a) the substitution for sub-regulation (1) of the following sub-regulation-  
“(1) An assessment body that wishes to offer a new subject not listed as part of the National Senior Certificate must comply with the requirements set out in **[Annexure B] sub-paragraph (2).**”.

(b) the substitution for sub-regulation (1) of the following sub-regulation-  
“(1) The Minister of Basic Education may approve a new subject to be offered by a learner as part of the 7-subject package, subject to specific conditions, as contemplated in Annexure B of this document and Annexure C of the policy

document, National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R – 12.”.

#### **Amendment of Regulation 10 of the Regulations**

12. Regulation 10 is hereby amended by the substitution of the following regulation-

“10. An Endorsed National Senior Certificate for learners with **[special education needs]** who experience barriers to learning A learner **[with special education needs]** who experiences barriers to learning, who has met the minimum requirements as stipulated in **[the paragraph 34 of 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,] National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R – 12 may obtain a National Senior Certificate with an endorsement for learners [with special education needs]** who experience barriers to learning.”.

#### **Amendment of Regulation 11 of the Regulations**

13. Regulation 11 is hereby amended by -

(a) the substitution for sub-regulation (4) of the following sub-regulation-

“(4) For the purpose of registration, registration forms, designed by the Department of Basic Education, in consultation with the Provincial Education Department **[assessment body]**, **[Department of Education]** must be **completed [used]** by learners **[in public schools and those learners at independent schools who opted for]** writing the Public National Senior Certificate examination.”.

(b) the insertion of sub-regulations (8), (9) and (10) following sub-regulation (7)-

“(8) Learners receiving home education must provide proof that they were registered at an education provider as contemplated in regulation 7(4A) before they can be allowed to register for the National Senior Certificate examination with an assessment body.”.

“(9) Part-time learners may only with the approval of the Head of the assessment body or his or her representative, register at two different assessment bodies.”.

“(10) Part-time candidates must register each year by 15 March, if they desire to write the examination in that year. **[until they have complied with all promotion and certification requirements.]”.**

#### **Amendment of Regulation 12 of the Regulations**

14. Regulation 12 is hereby amended by-

(a) the substitution for sub-regulation (1) of the following sub-regulation-

“(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] Department**, if the candidate is irregular in attendance or has committed a serious misdemeanour as contemplated in Annexure M, paragraph 1(3)(j).”.

(b) the substitution for sub-regulation (2) of the following sub-regulation-

“(2) Such a candidate must be given an opportunity to appeal to to

either the MEC in the case of public schools or to the Head of the independent assessment body if the candidate is registered at an independent school, before a final decision is taken."

(c) the addition of sub-regulation (3) following sub-regulation (2)-

"(3) The decision of the [Provincial Head of Department] MEC or the Head of the independent assessment body [must apply his or her mind to the circumstance] will be regarded as final in this case."

### **Amendment of Regulation 13 of the Regulations**

15. Regulation 13 is hereby amended by-

(a) the substitution for sub-regulation (1) of the following sub-regulation-

"(1) The Director-General of the Department of Basic Education, following consultation with the Heads of Education Departments' Committee (HEDCOM), may determine fees for candidates writing [learners registered at public schools and those learners registered at independent schools who have opted to write] the Public National Senior Certificate examination, regarding the following-

- (a) writing the examinations;
- (b) viewing of examination answer scripts;
- (c) re-checking of examination answer scripts;
- (d) 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;

(e) the verification of qualifications other than those verified by Umalusi; and

(f) the [re-] issuing of a replacement of a statement of results [and certificates]."

(b) the substitution for sub-regulation (2) of the following sub-regulation-

"(2) Candidates registered at public schools 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 exempted from the payment of school fees or attended a no-fee-school."

(c) the substitution for sub-regulation (3) of the following sub-regulation-

"(3) A candidate registered at a public school 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."

### **Amendment of Regulation 14 of the Regulations**

16. Regulation 14 is hereby amended by the substitution for sub-regulation (1) of the following sub-regulation-

"(1) Assessment bodies must comply with 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) National Protocol for Assessment Grades R-12 and the [Subject Statements] Curriculum and Assessment Policy Statements of all approved subjects listed in the National Curriculum Statement Grades [10] R-12;".

**Amendment of Regulation 16 of the Regulations**

17. Regulation 16 is hereby amended by-

- (a) the substitution of the heading thereof for the following heading-  
“Concessions **[for candidates classified as deaf, aphasic, dyslectic or suffering from a mathematical disorder]**”
- (b) the substitution for sub-regulation (1) of the following sub-regulation-  
“(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)]** policy document, *National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R – 12*, is offered in the place of the official language that is not being offered; and
    - (ii) such **[a deaf, aphasic and dyslectic]** 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)] National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R – 12*.
  - (b) **[Candidates suffering from]** Learners who have been diagnosed to have a mathematical disorder, such as dyscalculia, may be exempt from offering Mathematical Literacy or Mathematics as a subject, if –
    - (i) another subject from Groups A or B, listed in the policy document, **[National Qualifications Framework (NQF)]** *National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R – 12*, is offered in place of Mathematical Literacy or Mathematics; and
    - (ii) such candidate complies with the promotion requirements as contemplated in *paragraph [11(1)] 29(1) of the policy document, [National Senior Certificate: A qualification at Level 4 on the NQF] National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R – 12*.”
- (c) the substitution for sub-regulation (3) of the following sub-regulation-  
“(3) All applications referred to in *sub-regulation (2)* must be accompanied by an evaluation conducted by the unit in the Provincial Education Department responsible for learners **[with special education needs]** who experience barriers to learning, or by external, professionally registered experts in the relevant fields.”.

**Amendment of Regulation 17 of the Regulations**

18. Regulation 17 is hereby amended by the substitution for sub-regulation (2) of the following sub-regulation -

- “(2) Candidates who absent themselves without a valid reason from the end-of-year external examination **[will]** must not be permitted to register for the supplementary examination.”.

## Amendment of Regulation 18 of the Regulations

19. Regulation 18 is hereby amended by-

(a) the substitution for sub-regulation (1) of the following sub-regulation -  
“(1) If a candidate has not met the minimum promotion and certification requirements, but requires a maximum of two subjects to obtain the National Senior Certificate, he or she may-

(a) register for a maximum of two subjects for the supplementary examination in the following year. These subjects, subject to *sub[paragraph] regulation (c)*, must be subjects that he or she sat for in the previous end-of-year examination. This option may only be exercised once by a part-time candidate, namely, after the candidate has completed all subjects for the National Senior Certificate examination, that is after his or her final end-of-year examination.

(b) Register for Life Orientation, **[which is] comprising an internally assessed component and a Common Assessment Task**, as one of the two subjects to be registered for the supplementary examination in *sub-regulation (a)*. The re-assessment of both components of Life Orientation must be completed within the period in which the supplementary examination is conducted.”.

(b) the substitution for sub-regulation (3) of the following sub-regulation -  
“(3) In combining these subjects contemplated in *sub-[paragraph] regulation (2)*, the performance in the seven (7) subjects will be taken into consideration, provided that it meets the programme requirements of the National Senior Certificate as contemplated in paragraphs 9 and 10 of the policy document, **[National Senior Certificate: A Qualification at Level 4 on the National Qualifications Framework (NQF), promulgated in Government Gazette No. 27819 as Government Notice, No 744 of 20 July 2005]** National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R – 12.”.

(c) the substitution for sub-regulation (4) of the following sub-regulation-  
“(4) If there is a death in the immediate family of a candidate, or other special reasons for the candidate's absence, which meets the approval of the Head of the assessment body, he or she may register for the supplementary examination.”.

(d) the substitution for sub-regulation (5) of the following sub-regulation -  
“(5) In cases contemplated in *sub-regulations (1) to (4)* above, the **[internal] School-Based Assessment, Practical Assessment Task and the Language Oral marks** of the Grade 12-year will be used.”.

(e) the addition, after sub-regulation (7) of the following sub-regulations-  
“(8) Candidates that repeat one or more subjects must be allowed to combine their subjects based on the current National Senior Certificate requirements to obtain a National Senior Certificate.”.

“(9) In combining these subjects contemplated in *sub[paragraph] regulation (1)*, the performance in the seven (7) subjects will be taken into consideration, provided that it meets the programme requirements of the National Senior Certificate as contemplated in paragraphs 9 and 10 of the policy document, **[National Senior Certificate: A Qualification at Level 4 on the National Qualifications Framework (NQF), promulgated in Government Gazette No. 27819 as Government Notice, No 744 of 20 July 2005]** National policy pertaining to the

programme and promotion requirements of the National Curriculum Statement Grades R – 12.”.

#### **Amendment of Regulation 19 of the Regulations**

20. Regulation 19 is hereby amended by-

(a) the substitution for sub-regulation (1)(a) of the following sub-regulation-  
“(1)(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] School-Based Assessment, Practical Assessment Tasks and Language Oral Assessment requirements**, for the applicable subjects as contemplated in the Curriculum and Assessment Policy Statements of the various subjects.”.

(b) the insertion of sub-regulation 3A following sub-regulation (3)-  
“3A The following criteria will be used to select a centre outside the borders of the Republic of South Africa-

(a) A suitable room with sufficient light and ventilation and suitable furniture, e.g. a chair and table for the candidate and the invigilator, should be available.

(b) A vault or safe should be available for the safekeeping of the examination question papers and examination material.”.

(c) the insertion of sub-regulation 3B following sub-regulation (3A) -  
“3B Invigilation must be conducted in accordance with regulation 30.”.

(d) the substitution for sub-regulation (4)(a) of the following sub-regulation-  
“(4)(a) packaging, delivery and postage;”;

(e) the insertion of sub-regulation 4A following sub-regulation (4)-  
“4A It will be the responsibility of the relevant assessment body to make all the necessary arrangements and ensure that these arrangements comply with the relevant regulations and policy.”.

(f) the insertion of sub-regulation 4B following sub-regulation 4A -  
“4B Costs regarding this correspondence will be borne by the candidate.”.

#### **Amendment of Regulation 21 of the Regulations**

21. Regulation 21 is hereby amended by the deletion of sub-regulation (2)-  
“**[(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.]**”.

#### **Amendment of Regulation 22**

22. Regulation 22 is hereby amended by the substitution of the following regulation-

“22 The Department of Basic Education [, or where applicable, the **independent assessment body, must]** 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] R-12*. The independent assessment body must develop an examination timetable for the National Senior Certificate examination that it conducts.”.

### Amendment of Regulation 23

23. Regulation 23 is hereby amended by-

(a) the substitution for sub-regulation (4) of the following sub-regulation-

“(4) Sub-regulation 3 is not applicable to an independent assessment body.”.

(b) the substitution for sub-regulation (5) of the following sub-regulation-

“(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 an examiner or moderator must be relieved from the responsibility of setting or moderating examination question papers for that particular **[year] period**.”.

(c) the substitution for sub-regulation (6) of the following sub-regulation-

“(6) The Director-General of Basic Education **[and]** or the Head of the independent assessment body must ensure that examiners or moderators **[attached to public and independent assessment bodies respectively]** do not participate in any activity that may compromise the confidentiality of the examination.”.

### Amendment of Regulation 24 of the Regulations

24. Regulation 24 is hereby amended by-

(a) the substitution for the introduction of sub-regulation (1) for the following introduction-

“The [Department of Basic Education and the] assessment body must ensure that-“

(b) the substitution for sub-regulation (1)(c) of the following sub-regulation-

“(1)(c) examination question papers conform to the requirements of the *National Curriculum Statement Grades [10] R-12*”;

(c) the substitution for sub-regulation (1)(d) of the following sub-regulation-

“(1)(d) the internal moderator ensures that the examination question papers conform to the requirements of the **[Subject Statements and the Subject Assessment Guidelines]** Curriculum and Assessment Policy Statements for a specific subject as listed in the *National Curriculum Statement Grades [10] R-12*”;

(d) the substitution for sub-regulation (1)(e) of the following sub-regulation-

“(1)(e) an examiner or internal moderator complies with all instructions and deadlines issued by the **[Department of Basic Education, the]** assessment body and Umalusi.”.

(e) the substitution for sub-regulation (3) of the following sub-regulation-

“(3) An internal moderator or examiner, appointed to a national panel, of the Department of Basic Education, may not serve on the examination panel of any independent assessment body.”.

(f) the substitution for sub-regulation (4) of the following sub-regulation-

“(4) The **[Department of Basic Education and the independent]** assessment body~~ies~~ must ensure that all examination question papers are approved by the internal and external moderators.”.

(g) the substitution for sub-regulation (5)(a) of the following sub-regulation-  
“(5)(a) 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 Basic 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 Basic Education or independent]** assessment body~~ies~~ must make the final determination.”.

(h) the substitution for sub-regulation (6) of the following sub-regulation-

“(6) The **[Department of Basic Education and the independent]** assessment body must comply with the requirements of Umalusi with regard to the external moderation of examination question papers.”.

(i) the substitution for sub-regulation (7) of the following sub-regulation-

“(7) The **[Department of Basic 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; **and**

(e) number of marks for a particular subject – sections of the examination question papers.”.

(j) the substitution for sub-regulation (8)(b)(i) of the following sub-regulation-

“(8)(b)(i) ascertain that an examination question paper–

(i) conforms to the **[Subject Statement and Subject Assessment Guidelines]** Curriculum and Assessment Policy Statements for the various subjects as listed in the *National Curriculum Statement Grades [10] R-12*;

(ii) provides adequately for differentiation; and

(iii) includes questions addressing different cognitive levels;”.

### Amendment of Regulation 25 of the Regulations

25. Regulation 25 is hereby amended by-

(a) the substitution for sub-regulation (1) of the following sub-regulation-

“(1) The **[Department of Basic 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.”.

(b) the substitution for sub-regulation (4) of the following sub-regulation-

“(4) The processing of examination question papers for the public examination must be done in terms of Annexure F. Independent assessment bodies must comply with the Umalusi requirements.”.

**Amendment of Regulation 26 of the Regulations**

26. Regulation 26 is hereby amended by-

- (a) the substitution for sub-regulation (1) of the following sub-regulation-  
“(1) The assessment body must ensure strict security with regard to the storage and distribution of examination question papers at all times.”.
- (b) the addition of sub-regulation (4) following sub-regulation (3)-  
“(4) The storage and distribution of question papers for the public examination must be done in terms of Annexure F. Independent assessment bodies must comply with the Umalusi requirements.”.

**Insertion of Regulation 26A of the Regulations**

27. The insertion of Regulation 26A following Regulation 26-

“Requirements for the registration of independent schools as examination centres

- (1) In order for an independent school to be registered as an examination centre by either an accredited private assessment body or the state, such a school, besides being registered as a school, must also be accredited by Umalusi.
- (2) Independent schools that have complied with registration by the relevant Provincial Education Department and accreditation by Umalusi, must apply to the relevant assessment body for registration as examination centres under their own names.
- (3) The registration of independent schools as examination centres is also determined by the fulfillment of the requirements of the assessment body which is either the public or a private assessment body accredited by Umalusi.
- (4) Examination centres that have complied with all the requirements will be registered by the assessment body in accordance with the criteria as stipulated in Regulation 27.”.

**Amendment of Regulation 27 of the Regulations**

28. Regulation 27 is hereby amended by-

- (a) the substitution for sub-regulation (1) of the following sub-regulation-  
“(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)] (c) provision of proper lighting;
  - [(e)] (d) availability of water and toilet facilities;
  - [(f)] (e) suitably qualified teaching staff or members of the community who can be trained as invigilators;
  - [(g)] (f) availability of a strong room or safe for the safekeeping of assessment material;

~~[(h)]~~ (g) the capacity to assess learners experiencing barriers to learning;

~~[(i)]~~ (h) capacity to complete the School-Based Assessment requirements, Practical Assessment Tasks and Oral. In the case of repeaters enrolled at registered institutions, [the normal approval process must be followed] such repeaters must comply with the requirements as contemplated in *Regulation 7(3), 7(4) and 7(5)*; and

~~[(j)]~~ (i) report on previous irregularities at the centre with specific reference to the nature and outcome of the irregularities.”.

(b) the substitution for sub-regulation (3) of the following sub-regulation-  
“(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;] and

~~[(c)]~~(b) registered institutions for repeaters who do not have to comply with School-Based Assessment requirements, Practical Assessment Tasks and Oral requirements.”.

(c) the substitution for sub-regulation (7) of the following sub-regulation-  
“(7) The assessment body must ensure strict security with regard to the storage of examination question papers at all times.”.

### **Amendment of Regulation 29 of the Regulations**

29. Regulation 29 is hereby amended by-

(a) the substitution for sub-regulation (2)(b) of the following sub-regulation-  
“(2)(b) The Head of ~~[Department]~~ the assessment body or his or her representative shall inform the owner or management, in writing, of the course to be followed.”.

(b) the substitution for sub-regulation (2)(e) of the following sub-regulation-  
“(2)(e) The Head of the assessment body ~~[Department]~~ must consider such representation and make a final decision as to whether or not to close the centre down.”.

(c) the substitution for sub-regulation (3)(b)(i) of the following sub-regulation-  
“(3)(b)(i) Officials of the ~~[provincial education department]~~ assessment body should investigate the reported irregularities.”.

### **Amendment of Regulation 30 of the Regulations**

30. Regulation 30 is hereby amended by-

(a) the substitution for sub-regulation (1) of the following sub-regulation-  
“(1) Assessment bodies must ensure that all chief invigilators and invigilators are appointed in writing and receive the appropriate training as set out in paragraphs 1, 2 and 3 of Annexure I.”.

(b) the insertion of sub-regulation 1A following sub-regulation (1) -  
“1A All persons involved with the conduct, administration and

management of the National Senior Certificate examination must sign the declaration of confidentiality form as contemplated in paragraph 4 of Annexure I."

(c) the insertion of sub-regulation 1B following sub-regulation 1A -  
"1B Chief invigilators must perform specific examination duties as contemplated in paragraph 5 of Annexure I. Independent assessment bodies must have appropriate procedures in place to ensure the credibility of the examination."

(d) the insertion of sub-regulation 1C following sub-regulation 1B -  
"1C All full-time, part-time, repeat and supplementary examination candidates must show proof of identity as contemplated in paragraphs 6(1), 6(2) and 6(3) of Annexure I."

(e) the substitution for sub-regulation (3) of the following sub-regulation-  
"(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 as contemplated in paragraphs 6(4), 6(5) and 6(5) of Annexure I.

(b) failing this, the normal procedure pertaining to irregularities must be followed as contemplated in paragraph 6(7) of Annexure I."

(f) the substitution for sub-regulation (4) of the following sub-regulation-  
"(4) All candidates registered for the National Senior Certificate examination must sign an attendance register for each subject written, as contemplated in paragraph 7 of Annexure I."

(g) the substitution for sub-regulation (5) of the following sub-regulation-  
"(5) A candidate who does not present him or herself on time for an examination should be dealt with in terms of paragraph 8 of Annexure I."

### **Amendment of Regulation 31 of the Regulations**

31. Regulation 31 is hereby amended by-

(a) the insertion of sub-regulation (1A) following sub-regulation 1 -  
"(1A) The chief invigilator and/or invigilator must ensure that the examination question papers and examination scripts are handled in terms of the requirements contemplated in paragraphs 9 and 10 of Annexure I."

(b) the substitution for sub-regulation (6) of the following sub-regulation-  
"(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 first required number of questions [fulfilling the requirements] will be marked. This condition will apply provided that the instructions are clear."

(c) the insertion of sub-regulation (6A) following sub-regulation 6 -  
"(6A) Invigilation during the public National Senior Certificate Examination must be conducted in accordance with the requirements contemplated in paragraphs 11 and 12 of Annexure I. Independent assessment bodies must have appropriate procedures in place."

(d) the insertion of sub-regulation 6B following sub-regulation (6A)-

“(6B) Concessions granted to learners experiencing barriers related to deafness, aphasia and dyslexia may be applied in terms of paragraph 13 of Annexure I.”.

(e) the insertion of sub-regulation (6C) following sub-regulation (6B)-

“(6C) The packaging of the examination answer scripts and the completed mark sheets is the responsibility of the chief invigilator and must be adhered to by public assessment bodies in terms of paragraphs 14 and 15 of Annexure I. Independent assessment bodies must have similar procedures in place to ensure rigorous invigilation.”.

#### **Amendment of Regulation 32 of the Regulations**

32. Regulation 32 is hereby amended by the substitution thereof with the following regulation-

“32. The **[Department of Basic 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 process **[, commencing with the preparatory phase and concluding with the release of the results].”.**

#### **Amendment of Regulation 33 of the Regulations**

33. Regulation 33 is hereby amended by the substitution for sub-regulation (2) of the following sub-regulation-

“(2) The monitoring teams of **[the Department of Basic Education and]** the assessment bodies **[should] must** visit the marking centres to observe the marking process.”.

#### **Amendment of Regulation 34 of the Regulations**

34. Regulation 34 is hereby amended by-

(a) the substitution for sub-regulation (2) of the following sub-regulation-

“2 These descriptions are intended to assist teachers and examiners to assess learners and grade them at the correct level.”.

(b) the substitution for sub-regulation (6) of the following sub-regulation-

“(6) Final promotion schedules for Grades 10 and 11 must be approved and signed by the **[the relevant assessment body]** Head of the assessment body or his or her representative.”.

#### **Amendment of Regulation 35 of the Regulations**

35. Regulation 35 is hereby amended by-

(a) the substitution for sub-regulation (2) of the following sub-regulation-

“(2) Markers at **[provincial]** public assessment bodies are appointed in terms of the PAM (Annexure K), and any other additional criteria as determined and approved by **[HEDCOM]** the Head of the assessment body [Department] or his or her representative.”.

(b) the substitution for sub-regulation (5) of the following sub-regulation-

“(5) Any person appointed as a marker must declare with the Head of [Department] the assessment body or his or her representative 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] family member.”.

#### **Amendment of Regulation 37 of the Regulations**

36. Regulation 37 is hereby amended by-

(a) the insertion of sub-regulation (5)(a)(ii) following sub-regulation 5)(a)(i)-

“(5)(a)(ii) All [unregistered] manually generated mark sheets or examination answer scripts are to be recorded in a specific register.”.

(b) the addition of sub-regulation (5)(c)(v) following sub-regulation 5)(c)(iv)-

“(5)(c)(v) Capture from the examination answer script if mark sheets are not used.”.

#### **Amendment of Regulation 38 of the Regulations**

37. Regulation 38 is hereby amended by the substitution for sub-regulation (1) of the following sub-regulation-

“(1) Marking procedures should be clearly formulated by the [provincial] public assessment body, as contemplated in Annexure L. Independent assessment bodies may determine their own procedures.”.

#### **Amendment of Regulation 39 of the Regulations**

38. Regulation 39 is hereby amended by the substitution thereof with the following regulation-

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

#### **Amendment of Regulation 40 of the Regulations**

39. Regulation 40 is hereby amended by the substitution for sub-regulation (1) of the following sub-regulation-

“(1) The marks obtained by candidates, as reflected on the mark sheets or on the examination answer scripts, should be captured by specially trained staff.”.

#### **Amendment of Regulation 41 of the Regulations**

40. Regulation 41 is hereby amended by-

(a) the substitution for sub-regulation (1) of the following sub-regulation-

“(1) Mark adjustments are done by Umalusi, in conjunction with the [Department of Basic Education and] assessment bodies.”.

(b) the substitution for sub-regulation (3) of the following sub-regulation-

“(3) Recommendations regarding the standardisation of marks, together with clear motivations, will be presented by the [Department of Basic Education and] assessment bodies to Umalusi for consideration.”.

**Amendment of Regulation 42 of the Regulations**

41. Regulation 42 is hereby amended by the substitution thereof by the following regulation-

**“42. Release of the results and confidentiality**

(1) The release date of the results [for] of the National Senior Certificate examination of the State, 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 *sub-regulation (1)* is subject to approval of the National Senior Certificate results by Umalusi.

(3) The Department of Basic Education must ensure that all Provincial Departments of Education have secure methods, and measures and procedures in place to protect and secure examination records.

(4) All concerned parties involved with the release of results of public schools and those independent schools that wrote the public National Senior Certificate examination, must comply with the embargoes stipulated by the Department of Basic Education to ensure that candidates only receive their results at stipulated times.

(5) The examination results data of public schools and those independent schools that wrote the public National Senior Certificate examination, will remain the property of the Department of Basic Education.

(6) Researchers, individuals and non-governmental organisations may receive information regarding examination results, subject to the approval of the Director-General: Basic Education.

(a) Each recipient of examination result data must comply with the following-

(i) keeping of confidentiality of all information (written, electronic format and oral) regarding the content thereof;

(ii) not disclosing, without the Department of Basic Education's written consent, any information in whole or in part to any person; and

(iii) using examination information solely for the purpose stated in the agreement.

(b) All electronic examination result data provided to a third party must be destroyed after a six week period.

(c) The Department of Basic Education must monitor compliance with Regulation 42(6).

**Amendment of Regulation 43 of the Regulations**

42. Regulation 43 is hereby amended by the substitution thereof with the following regulation-

**“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)] fourteen (14) 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](2)** The fees [contemplated in *sub regulation [(2)] 13(1)* must be refunded to the candidate who wrote the public National Senior Certificate examination on application if the re-marking results in an improvement of the rating code.

**[4](3)** The prescribed fee must be communicated on the statement of results to the candidate after the writing of the public National Senior Certificate examination.”.

#### **Amendment of Regulation 44 of the Regulations**

43. Regulation 44 is hereby amended by the substitution for sub-regulation (2) of the following sub-regulation-

“2 **[Viewing of an examination answer script will only be allowed]** When a learner is not satisfied with his or her result obtained in a subject, such a learner will, subject to the following conditions, be allowed to view the relevant examination answer script, with the aim of satisfying him- or herself with the marking-

(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 appointed by the Head of the assessment body [Head of Department] or his or her representative and the script 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 who wrote the public National Senior Certificate examination may apply to the Head of Department for a final re-mark. If the candidate is not satisfied with the outcome of the final (second) re-mark, 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 in the case of an independent assessment body. The Decision of the MEC or Umalusi is final.”.

**Amendment of Regulation 45 of the Regulations**

44. Regulation 45 is hereby amended by-

(a) the substitution for sub-regulation (2) of the following sub-regulation-  
“(2) The Head of **[the] a Provincial [assessment body] Department** of Education must establish a Provincial Examination Irregularities Committee to investigate irregularities and make recommendations to the MEC and the Head of Department.”.

(b) the substitution for the introduction of sub-regulation (5) of the following introduction -  
“The following steps must be followed regarding the issuing of a National Senior Certificate to a candidate who wrote the public National Senior Certificate examination suspected of committing an irregularity.”.

(c) the addition of sub-regulation (8) following sub-regulation (7)-  
“(8) If an official is required to present him or herself at a disciplinary irregularity or hearing, a union representative may attend such a hearing as an observer.”.

**Amendment of Regulation 47 of the Regulations**

45. Regulation 47 is hereby amended by the substitution thereof with the following regulation-

“47 Annexure M provides details on how to deal with irregularities committed by learners in public schools and those learners in independent schools who opted for the public examination. Independent assessment bodies must have appropriate procedures, contemplated in Annexure M and aligned with Umalusi directives, in order to handle irregularities pertaining to the conduct, administration and management of the internal assessment and external examination components of the National Senior Certificate examination.”.

**Amendment of Regulation 48 of the Regulations**

46. Regulation 48 is hereby amended by-

- (a) the substitution for sub-regulation (1) of the following sub-regulation-  
“(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; and
  - (f) the IT system or data base.”.
- (b) the substitution for sub-regulation (2)(e) of the following sub-regulation-  
“(2)(e) examination question papers **[leaving]** handed over by the [Department of Basic Education and] assessment bodies;”;
- (c) the substitution for sub-regulation (3) of the following sub-regulation-

“(3) The **[national]** security and confidentiality agreement relating to examination matters must be signed by all officials involved in managing and administering the examination process.”.

(d) the substitution for sub-regulation (4) of the following sub-regulation-

“(4) Employees who are involved in the National Senior Certificate examination, and who have immediate relatives in Grade 12, must disclose such information within a period of 18 months before the commencement of the final end-of-year National Senior Certificate examinations to the relevant assessment body.”.

#### **Amendment of Regulation 50 of the Regulations**

47. Regulation 50 is hereby amended by-

(a) the substitution for sub-regulation (4) of the following sub-regulation-

“(4) **[Provincial]** Public 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.”.

(b) the deletion of sub-regulation (5)-

“**[(5) Certified examination data must be transferred to the National Learner Records Database (NLRD) at the South African Qualifications Authority (SAQA).]**”.

#### **Amendment of Regulation 51 of the Regulations**

48. Regulation 51 is hereby amended by-

(a) the substitution for sub-regulation (2) of the following sub-regulation-

“(2) The assessment body must manage [transfer] the certified certification records and transfer them to the historical certification records of the Department of Basic Education.”.

(b) the substitution for sub-regulation (3) of the following sub-regulation-

“(3) The Department of Basic Education must ensure that there are back-up copies of the historical certification records of **[provincial]** public assessment bodies.”.

(c) the substitution for sub-regulation (4) of the following sub-regulation-

“(4) The **[Department of Basic 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.”.

(d) the substitution for sub-regulation (5) of the following sub-regulation-

“(5) The **[Department of Basic Education and the]** assessment body must have secure methods, measures and procedures in place, in order to ensure safekeeping of examination records.”.

#### **Amendment of Regulation 53 of the Regulations**

49. Regulation 53 is hereby amended by the substitution for sub-regulation (1) of the following sub-regulation-

“(1) Copies of historical certification records of candidates who wrote

the public National Senior Certificate examination are a national asset and are the responsibility of the Department of Basic Education.”.

#### **Amendment of Regulation 54 of the Regulations**

50. Regulation 54 is hereby amended by-

- (a) the substitution for sub-regulation (2) of the following sub-regulation-  
“(2) The **[provincial]** assessment bodies should have a computer infrastructure that can access the centralised historical database.”.
- (b) the substitution for sub-regulation (3) of the following sub-regulation-  
“(3) These records should be used for queries, the combination of results, and **[for the verification of certification data]** preparing data for verification for Umalusi with respect to the issuing of replacement certificates.”.

#### **Amendment of Regulation 55 of the Regulations**

51. Regulation 55 is hereby amended by-

- (a) the substitution for sub-regulation (1) of the following sub-regulation-  
“(1) The Department of Basic Education **[and]** or the accredited independent assessment body must establish the minimum requirements for a computer programme to be used in the examination process.”.
- (b) the substitution for sub-regulation (3) of the following sub-regulation-  
“(3) The Department of Basic Education or the accredited independent assessment body must develop user requirement specifications which must be in line with the Umalusi specifications in order to facilitate certification.”.

#### **Amendment of Regulation 56 of the Regulations**

52. Regulation 56 is hereby amended by-

- (a) the substitution for sub-regulation (1) of the following sub-regulation-  
“(1) Documents and reports printed by the computer system, relating to the examination, are the responsibility of the assessment bodies.”.
- (b) the substitution of sub-regulation (2) of the following sub-regulation-  
“(2) The Head of the assessment body **[Department]** or his or her Representatives must check the signatures and the **[descriptions]** information on these documents.”.
- (c) the substitution of sub-regulation (3) of the following sub-regulation-  
“(3) Documentation **[on the resulting process]** of the computer system is **[essential for use by]** the property of the relevant assessment bodies and should be available to them.”.
- (d) the substitution of sub-regulation (4) of the following sub-regulation-  
“(4) **[This]** Documentation information is used for reference purposes **[in order]** and to maintain and further develop the system.”.

#### **Amendment of Regulation 57 of the Regulations**

53. Regulation 57 is hereby amended by the substitution thereof by the following regulation-

**“57. The establishment of examination boards**

The following examination boards **[are]** may be established on a date as determined by the Minister of Basic Education-

- (1) a National Examination Board to advise the Minister on all matters relating to national examination and assessment; and
- (2) a Provincial Examination Board to advise the Member of the Executive Council (MEC) on all matters relating to provincial examinations and assessment **[(Annexure Q)]**.”.

**Amendment of Regulation 58 of the Regulations**

54. Regulation 58 of the Regulations is hereby amended by the substitution thereof with the following Regulation-

**“58 [Repeal] Amendment of [Report 550 (2001/08)] the Regulations pertaining to the *Conduct, Administration and Management of the National Senior Certificate* underpinned by the *National Curriculum Statement Grades 10-12***

**[(1) The policy document, *Résumé of instructional programmes in schools, Report 550 (09/05)*, 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.]**

**(1) On 31 December 2013 the *Regulations Pertaining to the Conduct, Administration and Management of the National Senior Certificate*, underpinned by the *National Curriculum Statement Grades 10-12*, will be replaced by the *Regulations Pertaining to the Conduct, Administration and Management for the National Senior Certificate Examination* underpinned by the *National Curriculum Statement Grades R-12 as contemplated in Regulation 59(8), [59(9) and 59(10)]*.”.**

**Amendment of Regulation 59 of the Regulations**

55. Regulation 59 of the Regulations is hereby amended by the substitution thereof with the following Regulation-

**“[(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.**

**(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)](1) 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)]*, *National Policy Pertaining to the Conduct, Administration and Management of the National Senior Certificate Examination* will continue to exist until such a date as determined by the Minister of Basic Education.

[(5)](2) The Minister may also determine the date, contemplated in *Sub regulation [4] 1* 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)](3) The policy pertaining to part-time candidates contemplated in *Sub regulation [5] 2* will continue for a further period of three (3) years after the date referred to in *sub regulation [4] 1*. In order to accommodate the candidates already enrolled as part-time candidates on the date determined by the Minister.

[(7)](4) 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)]* *National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R – 12*.

[(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)](5) Learners who register as part-time candidates for the first time in Grade 10 [in post 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)]* *National Policy Pertaining to the Programme and Promotion Requirements of the National Curriculum Statement Grades R – 12*.

[(10)](6) Once a learner as contemplated in *sub regulation [9] 5* 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.

(7) The following policy documents will be phased out on 31 December 2013-

(a) National Curriculum Statement Grades 10-12 promulgated in Government Gazettes, No. 25545 of 6 October 2003, No. 27594 of 17 May 2005, No. 27819 of 20 July 2005 and No. 28300 of 7 December 2005.

(b) National Senior Certificate: A Qualification at Level 4 on the National Qualifications Framework (NQF), promulgated in Government Gazette No. 27819 of 20 July 2005;

(c) 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, promulgated in Government Gazette, No. 29466 of 11 December 2006; and

(d) 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), promulgated in Government Gazette No. 29467 of 11 December 2006.

(8) On 1 January 2014 the National Curriculum Statement Grades R – 12 comprising the following policy documents will replace the documents contemplated in sub regulation (7) and will form the basis for all National Senior Certificate examinations post 2013-

(a) Curriculum and Assessment Policy Statements for all approved subjects listed in this document;

(b) National Policy Pertaining to the Programme and Promotion Requirements of the National Curriculum Statement Grades R – 12; and

(c) National Protocol for Assessment Grades R – 12.

(9) The Minister may, if deemed necessary, amend the transitional arrangements as contemplated in *Regulation 59*.”.

#### **Amendment of Regulation 60 of the Regulations**

56. Regulation 60 of the Regulations is hereby amended by the substitution thereof with the following Regulation-

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

#### **Amendment of Annexure A of the Regulations**

57. Annexure A of the Regulations is amended by:

(a) The heading of Annexure A of the Regulations is hereby substituted for the following heading-

“Administrative issues relating to the School-Based Assessment (SBA) [and], Practical Assessment Task (PAT) and Language Oral marks”

(b) the substitution for sub-paragraph (2) of paragraph 1 of the following sub-paragraph-

“(2) A Practical Assessment Task/Language Oral mark is a

Compulsory component of the final promotion mark for all candidates registered for the following National Senior Certificate subjects.

(aA) Agriculture: Agricultural Management Practices and Agricultural Technology;

(a) Arts: Dance Studies, Design, Dramatic Arts, Music and Visual Arts;

(b) Languages: Oral mark;

(c) Technology: Civil Technology, Electrical Technology, Mechanical Technology and Engineering Graphics and Design;

(d) Life Orientation;

(e) Computer Sciences: Computer Applications Technology and Information Technology; and

(f) Services: Consumer Studies, Hospitality Studies and Tourism.”.

(c) the substitution for sub-paragraph (3) of paragraph 1 of the following sub-paragraph-

“(3) Learners who have not submitted a learner portfolio of Evidence as part of the School Based Assessment component, and/or Practical Assessment Task/Language Oral mark based on valid reasons, must be given three months from publication of the results to submit School-Based Assessment tasks and/or a Practical Assessment Task/Language Oral for evaluation. In such an event, the code “999” is indicated on the mark sheet.”.

(d) the substitution for sub-paragraph (3) of paragraph 1 of the following sub-paragraph-

“If a learner fails to present a component or components of the School Based Assessment and/or a Practical Assessment Task/Language Oral during the course of the year, and **valid reasons** are provided, the learner should be allowed the opportunity to redo the task and/or Practical Assessment Task/Language Oral or, where this is not possible, the mark for that component of the School-Based Assessment and/or a Practical Assessment Task/Language Oral component 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).”.

(e) the addition of a new sub-paragraph (6) of paragraph 1 following Sub-paragraph (5)-

“(6) If a learner fails to present a component or components of the School-Based Assessment and Language oral, **without a valid reason**, the learner must be awarded a zero mark (“0”) for such component or components (refer to Table 2).”.

(f) the substitution for paragraph 2 of the following paragraph-

## “2. INCOMPLETE RESULTS

A learner’s results are regarded as incomplete if he or she did not **[offer any component]** submit any assessment tasks of the School-Based Assessment and/or a Practical Assessment Task, a Practical Assessment or a Language Oral mark and no valid reason was provided. This implies that the learner did not submit **[all]** any assessment tasks specified for School-Based Assessment, Practical Assessment Task, Practical Assessment or Language Oral requirements 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 the National Protocol for Assessment (Grades R – 12)]** National



*Protocol for Assessment Grades R – 12* and **[Subject Assessment Guidelines] Curriculum and Assessment Policy Statements**. In such an event, the code “444” is indicated on the mark sheet. Therefore the candidate cannot receive a result in the subject, since he or she has not satisfied the requirements of the National Senior Certificate and will not qualify for a National Senior Certificate. In such an event, the code “444” is indicated on the mark sheet. Such a candidate must repeat the subject in the subsequent examination, but not the supplementary examination. If a candidate fails to do this, he or she will not qualify for a National Senior Certificate, until outstanding requirements have been met.”.

- (g) the substitution for sub-paragraph (2) of paragraph 3 of the following Sub-paragraph-

“2 In the event that the candidate was absent, based on valid reasons, code “999” will be captured. The outstanding School-Based Assessment, and/or Practical Assessment Tasks, Practical Assessment or Language Oral mark must be submitted within the stipulated three-month period. The result in the subject will be regarded as incomplete. In such an event the candidate cannot receive a result, since he or she has not satisfied the requirements of the National Senior Certificate. Should the candidate not submit the School-Based Assessment tasks and/or Practical Assessment Tasks/Language Oral in the stipulated period, the code “777” will be changed to “444”.”.

- (h) the substitution for sub-paragraph (3) of paragraph 3 of the following Sub-paragraph-

“(3) Candidates who have not met the School-Based Assessment and Practical Assessment Task component requirements that repeat the National Senior Certificate qualification or a subject, may be allowed to improve their marks obtained in the School-Based Assessment and Practical Assessment Task components, subject to satisfactory arrangements being made with the relevant accredited assessment body.”.

- (i) the substitution for sub-paragraph (2) of paragraph 4 of the following sub-paragraph-

“(2) Learners whose School-Based Assessment marks and/or Practical Assessment Task/Language Oral 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.”.

### **Amendment of Annexure B of the Regulations**

58. Annexure B of the Regulations is amended by-

- (a) the substitution for paragraph 1 of the following paragraph-

“1. Candidates in public and independent schools may offer a maximum of one subject developed by an assessment body other than the Department of Basic Education and approved by the Minister of Basic Education, in addition to the required seven compulsory subjects for the National Senior Certificate.”.

- (b) the substitution for paragraph 3 of the following paragraph-

“3 Additional subjects to be considered by the Department of Basic Education for inclusion in the *National Curriculum Statement Grades [10] R-12* must be supported by the following documents:

(a) a **[Subject Statement]** Curriculum and Assessment Policy Statement that includes the **[learning outcomes, assessment standards]** aims and content

[(b) a Learning Programme Guideline;

(c) a Subject Assessment Guideline]; and

[(d)](b) 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.”.

(c) the substitution for paragraph 4 of the following paragraph-

“4. An assessment body approved by the Minister of Basic Education and accredited by Umalusi, should undertake the development of the additional subject requested, as well as the conduct of the examination thereof.”.

### **Amendment of Annexure C of the Regulations**

59. Annexure C1 of the Regulations is amended by the substitution thereof with the following Annexure -

“(1) A learner at a public or independent school **[who requests to]** may offer one of the following external music programmes **[offered by the assessment bodies, listed in *sub regulation 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 for the National Senior Certificate-

(a) Associated Board of the Royal Schools of Music (ABRSM);

(b) Trinity College of London (TCL); and

(c) Unisa.

(2) The external music programmes listed in paragraph 1 may be offered in terms of the conditions contemplated in *paragraph 28(7) of the policy document, National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R – 12*.”.

### **Amendment of Annexure D of the Regulations**

60. Annexure D of the Regulations is amended by the substitution for paragraph 1 of the following paragraph-

“1 Advertisements for the posts of examiners and internal moderators for the public National Senior Certificate examination, should be included in a departmental circular, as well as published in the national or local press.”.

### **Amendment of Annexure F of the Regulations**

61. Annexure F of the Regulations is amended by-

(a) the substitution for sub-paragraph (4) of paragraph 1 for the following sub-paragraph-

“(4) **[All typists must complete a Contract of Confidentiality]**  
The typing of examination question papers must be executed in terms of the security measures as contemplated in *paragraph 4*.”.

(b) the substitution for sub-paragraph (4) of paragraph 2 for the following Sub-paragraph-

“(4) **[All members of the editing team must complete a**

**Contract of Confidentiality.]** The editing of examination question papers must be executed in terms of the security measures as contemplated in *paragraph 4*.

- (c) the substitution for paragraph 3 of the following paragraph-  
 “3. Printing of examination question papers

(1) Collection of master copies of examination question papers for printing

(a) For security reasons, two senior officials from each Provincial Department of Education collect the master copies of the examination question papers from the Department of Basic Education.

(b) On arrival in the province, the senior manager acknowledges the receipt of the master copies of the examination question papers by sending a fax to the Department of Basic Education, and in return receives a password to open the CD.

(c) The question papers received from the Department of Basic Education are under the direct custody of the Senior Manager.

(d) The daily operation of examination question papers at provincial level is managed by an official nominated by the Senior Manager.

(e) The senior officials from each Provincial Education Department collecting the master copies of the examination question papers from the Department of Basic Education must sign for these copies once they are satisfied that they have received the correct copies for printing.

(f) The management of the collection and safekeeping of the master copies of the examination question papers must be executed in terms of the security measures as contemplated in *paragraph 4*.

(2) Printing process of examination question papers  
The [Department of Basic 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.]**

(a) In terms of printing, the assessment bodies must move to establish in-house printing facilities.

(b) Where in-house printing is done, the person involved in the printing may also be involved in the packaging.

(c) The printing process must be carried out under the close supervision of a senior official.

(d) This official must be entrusted with the task of approving the quality and standard of the first batch of printed examination question papers.

(e) The master copies of the examination question papers issued to the senior official responsible for printing must be verified by him or her and must be signed for on a print register.

(f) The senior official responsible for printing first proof reads the final printed copy and then grants approval for the bulk printing to commence.

(g) The printing venue must be cleared of all materials and all machines must be flushed before starting a new print.

(h) Operators must checked regularly 200 printed copies at intervals to ensure that the quality is not compromised.

(i) For security reasons, all pre-packed examination question papers must be sealed in transparent plastic bags according to the needs of the various provinces.

(j) In cases where it is possible to print two examination question papers simultaneously, it must be ensured that the examination question papers are not printed in the same room.

**[(g)](k) [All members of the printing team must complete a Contract of Confidentiality.]** The printing of examination question papers must be executed in terms of the security measures as contemplated in paragraph 4.

**[(2)](l)** 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.

**(3)** Packing and packaging of the examination question papers

**(a)** Packing and packaging are carried out by officials in the employment of the Provincial Education Department and authorised by the Head of the assessment body or his or her representative.

**(b)** Packing teams must be established comprising:  
(i) an official in charge of the packing and

packaging staff;

(ii) a team leader; and

(iii) a verifier.

**(c)** The following preparation for packing and packaging needed to be done-

(i) sufficient stationery must be provided;

(ii) The correct statistics must be obtained.  
Packing schedules may be used as a verification mechanism;

(iii) all centres/schools must be captured;  
and

(iv) labels must be created using the following information-

(aa) subject;

(bb) examination question paper;

(cc) time allocation;

(dd) date of examination;

(ee) centre number

(ff) name of school;

(gg) district;

(hh) number of candidates;

(i) number of examination question  
papers; and

(j) language version of the examination  
question papers.

**(d)** The following packing and packaging procedure must be followed-

(i) the packing venue must be cleared of  
previous packing material;

(ii) the official in charge must ascertain that  
the packing is done according to the time table;

(iii) one examination question paper /  
subject must be packed at a time;

(iv) the packing schedule and labels must  
be given to each packing team;

- (v) the packing team leaders must calculate the number of examination question papers per subject, district and school;
- (vi) the official in charge retrieves the examination question papers from the strong room and issues them to the packing teams;
- (vii) each packing team must ensure that the examination question papers are properly sealed;
- (viii) each packing team must ensure that the correct labels are affixed to the examination question papers;
- (ix) examination question papers must be counted, scanned out and packed into security bags/boxes per district and per school; and
- (x) the packed papers must be stored correctly in terms of a delivery plan.

(e) The following quality checks should be performed-

- (i) The official in charge/packing team leader/verifier must ensure that quality checks are done randomly;
- (ii) a control register must be maintained for each subject packed; and
- (iii) quality checks must be done by other senior departmental officials.

(f) The packing and packaging processes must be executed in terms of the security measures as contemplated in *paragraph 4*.

(4) The distribution of printed examination question papers  
 (a) The distribution of printed examination question papers should be conducted as follows-

- (i) a management plan for complete distribution procedure including communication information with all truck drivers, all District/Circuit officials and Head Office officials should be drawn up;
- (ii) the following security measures for distribution should be adhered to-
  - (aa) the signing of the Service Level Agreement documents with private companies;
  - (bb) the administering of security clearance to the armed security officials;
  - (cc) the installing of tracking devices into delivery trucks;
  - (dd) ensuring that there is police escort/security guards during delivery;
  - (ee) the sealing/locking of trucks to secure the consignment of examination question papers; and
  - (ff) striving for a daytime delivery of the examination question papers.

(b) Provinces should have procedures in place when examination question papers are in transit.

(c) The following breakdown procedures should be followed-

the Head Office;  
unauthorised person; and  
for this purpose should visit the breakdown to ascertain the extend of the breakdown and to put appropriate measures in place.  
to the District/Circuit Office and from District/Circuit Office to school

(5) The distribution process from Provincial Head Office to the District / Circuit Office and from District/Circuit Office to school

(a) For deliveries from the Provincial Head Office, the District/Circuit Office must -

intact before opening the truck;

Provincial Head Office are staggered;

secret codes; and

the Provincial Head Office.

(b) For deliveries from the District/Circuit Office to schools, District/Circuit Office must -

examination question papers on a daily basis according to a delivery plan and the final examination timetable; and

material is delivered to the correct examination centre.”.

(d) the insertion of paragraph 4 following paragraph 3 of Annexure F-

“4. Security measures

(1)The adaptation, translation, typing, editing and printing of examination question papers must be conducted in a secure venue which must include the following minimum security measures-

- (a) secured building;
- (b) controlled access;
- (c) closed circuit camera surveillance and recording;
- (d) alarm systems;
- (e) guarded security at all entrances
- (f) smoke detectors; and
- (g) fire extinguishers.

(2)Officials involved in the adaptation, translation, typing, editing and printing of examination question papers, as well as any other person entering or exiting restricted examination administrative areas must comply with the following requirements-

- (a) security clearance;
  - (b) signing of an agreement to maintain secrecy;
- and
- (c) declare if a close relative has registered
- for the examination.

(3)The packing and packaging venue must also comply

with the following additional security measures-

- (a) the entry door to the packing venue must have a dual locking system;
- (b) a register must be kept at the entrance of each door and signed regularly upon entry and exit;
- (c) keys must be kept in a safe and a register must be in place for the issuing and returning of the keys;
- (d) windows of the packing venue must be sealed and burglar proofed; and
- (e) if possible the packing venue should be located on the same floor where the printing is done."

### **Amendment of Annexure G of the Regulations**

62. Annexure G of the Regulations is amended by the substitution thereof for the following Annexure-

#### **"PRACTICAL EXAMINATION IN COMPUTER APPLICATIONS TECHNOLOGY AND INFORMATION TECHNOLOGY**

1. Computer laboratories should be visited by the assessment bodies accompanied by IT support staff to ensure that the infrastructure is compliant with the Practical Examination guideline document. This must be done six (6) **[months]** weeks 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]** three phases, namely the computer laboratory certification, **[and]** the invigilation during the examination sitting, and the verification of CDs/DVDs.

3. Local authorities should be informed about the examination timetable at least six (6) weeks prior to the examinations 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]** One day prior to the examination in Computer Applications Technology and in Information Technology, the specific centre and/or network shares to be used for these examinations should be off limits to all candidates.

(3) All electronic equipment in respect of Computer Applications Technology and Information Technology at the school should be inspected prior to the examinations, for example **[to ensure that it is in good condition and that]** the electricity cables and wall connections **[are]** must be in good working order. This **[will]** may prevent a power failure caused by defective electrical apparatus. Preferably each computer room should be on its own circuit breaker as strenuous load, for example, due to air conditioners create problems.

(4) **[The]** All hardware and software must be

checked to ensure **[that they are in]** working condition. Computers/Networks must be virus-free. Anti-virus software must be updated shortly (at least one day) before the examination.

(5) Only approved hardware configurations and versions of software, as specified by Practical Examination guidelines, may be used and certified. Only legal copies of software may be used.

(6) The Computer Applications Technology and/or Information Technology teacher must ensure that all computers are "clean". No program~~[mes]~~ or documents, (other than those required by the said examination), hidden files and/or examples of any kind may be stored or be accessible on the hard disks or the network. **[This should not be accessible to candidates during the examination.]**

(7) E-mails and/or [internet] messaging systems must be de-activated during the examination.

(8) Security should be in place to prevent candidates from accessing any other computers, folders and/or documents other than those required by the said examination. In the case of peer-to-peer networks or where learners store on local hard drives, all network communication devices must be switched off. This includes wireless and wired network connectors such as switches and routers.

(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]** technical support person/teacher must ensure that all computers are clean when the second session starts. This includes emptying the recycle bin. Candidates from two sessions should not make contact.

(11) Printing **[is optional]** certain work may be required by the examination paper. Ensure the following-

(a) printers are installed;

**[(a)](b)** Printers must print clearly.

**[(b)](c)** Use new cartridges, if possible.

**[(c)](d)** The assessment body is

responsible for supplying sufficient suitable paper for printers.

(12) Ensure that the following settings for each computer are correct and in keeping with South Africa-

(a) date and time; and

(b) regional settings (South Africa).

(13) Compact disks or related storage media:

**[candidate]** examination centre with **[two]** at least three (3) CDs/DVDs **[clean formatted disks]** or related storage media (one for backup) per mark sheet sent to the school on which to save [his or her] the candidate's work on.

**[(c)](b)** **[The disks must be clearly marked.**

**Alternatively, schools that do not work with disks, can submit all candidates' files on CDs.]** One [backup] CD/DVD containing the candidates' saved answers must be submitted immediately after writing to the relevant assessment body and **[one]** two (2) duplicate backup CDs/DVDs 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]** the network cables 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.

(b) The data files required by each candidate must be copied into each folder or onto a suitable saving device.

(c) It must not be possible for the candidate to access any other data folders on the network.

(d) A separate user ID and password must be created for each candidate and these must be linked to a specific folder and the file re-direction setup must be tested to ensure files are not pointing to one folder.

(e) The user ID and password must differ from those used by the candidates during the normal course of their practical work.

(f) Access codes should preferably be randomly generated, e.g. user ID: AxCyfDT, Password: ShwOfT.

(g) **[E-mail and]** Electronic messaging systems between work stations must be deactivated during the examination, so that candidates are not able to send messages or files from one work station to another.

(16) On some networks, it is possible to keep a log of access to folders. If the network makes use of this facility, it should be activated during the examination and retained after the completion of the examination, should any queries concerning irregularities arise.

**[(17) Only legal copies of software may be used.]**

**[(18)](17)** There should be at least two (2) additional computers and one (1) additional printer available as backup.

**[(19)](18)** An experienced Computer Applications Technology or Information Technology teacher must be present during all practical sessions, so that he or she can provide the necessary technical assistance if computers are faulty. This teacher is NOT part of the invigilation team and may not work on any computer during the writing session, unless to provide technical assistance.

**[(20)](19)** Invigilation

(a) A minimum of two teachers must be present as invigilators in any one computer [at each] centre during the examinations in Computer Application Technology and Information Technology.

(b) Additional invigilators should be present in accordance with Table 1:

**Table 1**

Number of candidate	Computer Applications Technology/Information Technology teacher	Invigilators	End-of-session assistance	Total number of invigilators during the end of the session
Less than 10	1	1	1	3
10 – 25	1	2	2	5
26 – 40	1	3	3	7
More than 40	2	4	4	10

**[(21)](20) Document retrieval**

(a) One week before the examinations commence, schools **[will] must** receive a disk or related storage media **[with] containing** the documents (data files/folders) for retrieval on the day of the examination.

(b) The responsible teacher must make a backup copy of this storage media immediately and determine if he or she can access the files. Thereafter, the original and the backup storage media is placed in safekeeping with the principal of the school. Any problem with accessing the files must be reported to the assessment body immediately.

(c) It is the task of the responsible teacher to save this information on the network or on the hard drives of individual computers, or to prepare an individual disk for each candidate, one day prior to the commencement of the examination. Examination centres must then be off limits to candidates or any other learners or teachers on this day.

(d) It is essential that each **[candidate's disk] folder** is carefully prepared a day before the examination session commences.

(e) The teacher must ensure that each candidate has an electronic folder [disk or storage medium is] clearly marked with [the] that candidate's examination number and the centre number.

(f) Candidates may, under no circumstances, have access to **[these files] the examination data (folders/files)** prior to the examination.

**[(22)](21) [The] All security processes** must be carried out under the supervision of the chief invigilator.

**[(23)](22)** Schools will be permitted to run a maximum of two consecutive sessions of computer practical examinations per day. The necessary precautions must be taken in order to prevent any communication between candidates in the two groups.

**[(24)](23)** No cellphones, manuals and/or electronic documents are allowed inside the examination centre, unless otherwise specified by the Department of Basic Education and the assessment body.

**[(25)](24)** Candidates may use the help functions on the computer.

(25) Where candidates may have visible access to adjacent computers, dividers between workstations must be set up.

## 5. Procedure during the examination session

(1) Invigilators play a vital role in ensuring that no copying of any kind takes place. Therefore, it is crucial that **[the minimum] all** supervisory requirements are strictly adhered to.

(2) The additional assistant used at the end of the session (last 30 minutes of the session) must assist with printing (if required) and verifying that candidates' files are written to CDs/DVDs and **[that the]** are saved correctly and ensure that all candidates' files/folders saved on the CDs/DVDs can **[open] be accessed afterwards.** In the event of stand-alone computers, invigilators must use flash drives to retrieve all candidates' work from the individual workstations. Invigilators must ensure that no editing or keying in takes place after the examination time has elapsed.

(3) Candidates should save their work at regular intervals, e.g. every 10 minutes. In addition, auto save recovery options should be set to every five minutes.

**[(4)] If candidates wish to do the speed endorsement, they will do so at the beginning of the examination session.**

(a) A Computer Applications Technology and/or Information Technology teacher will be present to manage the time of the session in accordance with to keyboarding rules.

(b) The principals or centre managers and chief invigilators should be informed of the fact that a timed accuracy test will be conducted.

(c) Although the instructions to invigilators state that no candidates may be admitted to the examination room earlier than ten minutes before the examination is due to start, candidates for the timed accuracy test must be allowed into the examination room earlier in order to practice on their computers and to get the computers ready for the examination.

(d) Candidates must, however, terminate these activities fifteen minutes before the examination commences.

(e) Candidates must be allowed fifteen minutes to read the instructions on the examination question paper and to prepare themselves for the timed accuracy test.

(f) Immediately after the timed accuracy test has been completed, the answers must be printed and the invigilator must sign after the last printed word on each page.

(g) Only one printout per candidate is allowed for the timed accuracy test. The candidates may leave the room only after the invigilator has ensured that all candidates have printed the timed accuracy test.

(h) Candidates may use the spell-checker during the course of the timed accuracy test.]

6. If a power failure occurs during the examination, the following procedure should be followed-

(1) Candidates are to remain in the computer room until the power supply has been restored or two (2) hours have elapsed.

(2) Candidates may not communicate with each other while waiting for the power supply to be restored.

(3) The time lost during the power failure should be allowed as additional examination time.

(4) If, after two hours, the power supply has not been restored yet, the examination should be rescheduled.

(5) The Department of Basic Education and the assessment body should be informed of the power failure immediately.

(6) When a power failure occurs, the centre manager should inform the local authorities immediately. He or she should also ascertain, if possible, how long the power failure is likely to last.

(7) The disks with the work completed by the candidates are to be handed in and submitted to the assessment body.

(8) In the case of an examination being cancelled due to a power failure, the candidates should write the backup examination question paper on another date.

(9) In the event where two examination sessions are scheduled during an examination, namely in the morning and afternoon, the above procedure applies to both sessions.

7. In the event of a computer breakdown during the examination, the following procedure should be followed-

(1) Candidates must be moved to backup equipment

immediately, and appropriate additional time must be provided to the candidates concerned. A maximum period of 10 minutes must be provided in cases where the work has not been saved by the candidate.

(2) No additional time will be allowed for work lost that was not correctly saved.

(3) Candidates must complete the examination question paper within the set time.

(4) Only the printing, saving of learners' work to CD/DVD and testing of [results] CDs/DVDs will be allowed after the set time has elapsed.

(5) Printouts

(a) **[The printing of questions is optional, but]** Invigilators must take all precautionary measures to ensure that the candidates' files are written to CD/storage media and are able to be [opening] opened correctly.

(b) **[All other]** Any printouts as required by the examination question paper must be handed in to the invigilator.

(c) **[These printouts must be destroyed after the conclusion of the examination.]** In certain instances, candidates may print their work to show evidence of work done, in the case of software failure. This must then be submitted with a letter giving an explanation as to what happened.

(d) No printouts are allowed to leave the examination room.

8. In the event where two sittings per day take place, the following procedure must be followed-

(1) The responsible teacher will divide the candidates into two groups.

(2) Group 1 will complete the examination during the first sitting and Group 2 will complete it during the second sitting.

(3) Candidates in Group 2 must meet at least one hour before the end of the first sitting. They will be **[invigilated]** supervised and escorted to the computer room before the start of the second sitting and after all the candidates from the first sitting have left the computer room.

(4) No candidate may leave the examination room before the end of the examination session.

(5) No contact between the two groups is permitted during either of the two sessions.

9. Responsibilities of candidates-

(1) Each candidate must fill in his or her examination number, the examination centre number and the workstation number as well as complete the information sheet and/or folder accompanying the examination question paper **[, including his or her examination number, the examination centre number and the workstation number]**.

(2) Candidates must further indicate what software packages they have used in completing the examination question paper.

(3) Ensure that each candidate **[must]** has saved his or her work and that it is available on the disk/storage media/folder provided **[to him or her]** by the assessment body.

(4) These disks or storage media must be submitted, together with the printouts (if applicable) to the examination section of the assessment body.

(5) After completion of the examination, the

candidates must make sure that each file is stored **[on disk/]** in his or her examination folder and that each file opens from the storage media.

**[(6)]** Candidates must only submit the relevant files for marking.]

**[(7)](6)** Where **[different]** two groups of candidates **[are sharing]** will use the same computer and printer, it is essential that **[all]** the first group of candidates close all their files on the computer and remove all printouts before **[the]** that computer and/or printer **[may be]** is used by the next group of candidates.

**[(8)]** The second disk or other storage media should be used as backup for each candidate.]

10. After the practical examination session, the following procedure must be followed-

(1) The responsible teacher must make two (2) backup or duplicate copies of candidates' work on relevant storage media. One **[backup]** disk must be sent to the marking centre and **[one]** two (2) disks must be kept at the school.

(2) After each CD/DVD has been written, the invigilator/teacher must ensure that all folders/files can be accessed and opened.

**[(2)](3)** Printouts **[(optional)]** required and disks must be handled in the following way-

(a) Each printout must have the candidate's examination number inserted as a header.

**[(a)](b)** Check that the printouts of a candidate are in the correct order, if applicable. Only one printout per question must be submitted.

**[(b)](c)** Place the candidate's information sheet, printouts and disk in a specially designed examination folder (standardised format). This will not be applicable if all the candidates' folders are written to one CD/DVD.

**[(c)](d)** The examination number and the centre number must be clearly indicated on all media submitted to the assessment body.

**[(d)](e)** Organise all folders numerically and place them in a marked box/bag.

**[(e)](f)** Answers to questions will be marked from the disks or storage media, therefore it is essential that disks or storage media reach the marking centre intact.

11. All CDs/DVDs must be verified for completeness and accessibility of all files/folders by the assessment body BEFORE the marking commences."

### Amendment of Annexure H of the Regulations

63. Annexure H of the Regulations is amended by-the substitution of sub-paragraph (2) of paragraph 10 for the following sub-paragraph-

"(2) In exceptional circumstances, and provided that the centre has an unblemished record as far as irregularities and administration are concerned, the Head of Department may allow the centre to continue to operate for the current final exit examination year only, during which time the centre must apply for, and be granted examination centre status in respect of the new premises. Should such permission be refused, or for any other reason not be granted, the registration of the centre shall lapse forthwith."

### Amendment of Annexure I of the Regulations

64. Annexure I of the Regulations is amended by-

(a) the insertion of sub-paragraphs (6) and (7) of paragraph 1 following Sub-paragraph (5)-

“(6) If a principal has a child or children or close relative in Grade 12 he or she cannot be appointed as the chief invigilator. The District Director must be informed in writing and the next most senior official at the institution may be appointed as chief invigilator.”

“(7) All examination centres writing the public National Senior Certificate examination are bound by these regulations.”

(b) the substitution of sub-paragraph (1) of paragraph 2 for the following Sub-paragraph-

“(1) At [full-time] examination centres, suitably qualified teachers from the teaching staff may be appointed as invigilators by the chief invigilator. At private centres, invigilators are to be appointed in accordance with the instructions of the Head of the assessment body.”

(c) the insertion of paragraph 4 of Annexure I following paragraph 3-

“4 Contravention of any regulation or rule by an official

(a) All persons involved in the Exit Examinations must sign the declaration of confidentiality form.

(b) Should any Head of institution, chief invigilator, invigilator or other official contravene any of the above prohibitions, or contravene any regulation or rule, an irregularity shall be declared and a charge laid against the official concerned in terms of section 17 of the *Employment of Educators Act, 1998 (Act No. 76 of 1998)*, or sections 18 and 20 of the *Public Service, 1994 (Act No. 103 of 1994)*, or any other legislation that is applicable.

(c) A departmental inquiry may be instituted and simultaneously, the suspect party may be suspended from any duty until an outcome has been achieved by the inquiry. The Head of institution shall be held accountable for any breach of these prohibitions / regulations / rules.”

(d) the substitution of paragraph 5 for the following paragraph-

“5. Invigilation

(1) Duties of the Principal of the school or chief invigilator-

(a) The Principal of the school or chief invigilator is fully responsible and therefore accountable for the examination conducted at his or her examination centre. He or she must be present at the examination centre for the entire duration of every examination session.

(b) [His or her] The Principal of the school or chief invigilator’s specific examination-related duties may include the following-

(i) Distribute the individual examination timetables in Good time to all the candidates registered at his/her examination centre.

(ii) [The chief invigilator should] Select and appoint invigilators.

(iii) Arrange for an additional examination room in cases where centres have candidates for which an amanuensis has been approved as a concession..

(iv) [The chief invigilator should] Draw up Invigilation and relief invigilation timetables and submit these to the assessment body for approval.

- (v) **[The chief invigilator should]** Ensure the preparation and readiness of the examination rooms, which include the following:
- (aa) candidates may not sit two to a desk or table;
  - (bb) candidates must be seated at least one metre apart;
  - (cc) all subject matter, such as drawings, must be removed from the walls;
  - (dd) chalk-boards must be cleared of any writing, formulae or drawings;
  - (ee) examination rooms must be sufficiently ventilated and illuminated; and
  - (ff) where the examination venue is sufficiently big enough to accommodate all the candidates, candidates should be allocated permanent seats for the duration of the examination;
- (vi) **[The chief invigilator and]** With the assistance of the invigilators, [must] ensure that no material and/or equipment that are not required for the writing of the examination are present in the examination room, including cell phones.
- (vii) **[The chief invigilator should]** Read the Instructions relating to the examination to candidates, and inform them that they could forfeit their results should they contravene any of the instructions.
- (viii) **[The chief invigilator should]** Point out before the commencement of the examination session, that candidate must read all the instructions carefully, so as to ascertain whether they should answer all the questions or only a certain number of questions.
- (ix) **[The chief invigilator should]** Ensure that Candidates have ten minutes reading time per examination question paper, during which time [which] no writing may take place, before the official commencement of the examination. This is over and above the reading of any other instructions that may be necessary.
- (x) Ascertain with the assistance of an invigilator Before opening the examination question papers in the examination room, **[the chief invigilator and an invigilator should ascertain]** that the examination question paper is the correct examination question paper, in terms of the time and date specified on the examination timetable. In the case of languages, whether the correct language level examination question paper has been issued.
- (xi) **[The chief invigilator should]** Open the examination question paper envelopes in front of the candidates and remain in the examination room until the examination question papers have been issued to candidates.
- (xii) **[The chief invigilator should]** Visit the examination room frequently during each session, and ensure that a high standard of invigilation is maintained.
- (xiii) **[The chief invigilator should]** Draw up a seating plan, indicating the examination room with the desk arrangements and the examination numbers of candidates. Such seating plan must be submitted for each examination question paper written. If the chief invigilator prefers to combine groups in one hall or room, the arrangement will have to be reflected on the plan.
- (xiv) **[The chief invigilator should]** Ensure that there are no unauthorised persons in and around the examination room.
- (xv) **[The chief invigilator should]** Ensure that all

candidates are advised timeously of requisites such as rulers and drawing instruments to be used in the writing of specific subjects.

(xvi) **[The chief invigilator should]** Ensure that the invigilators complete the absent and present columns on the mark sheets correctly.

(xvii) **[The chief invigilator should]** Assist with relief invigilation in centres.

(xviii) Ensure that no one, except the candidate himself or herself, is allowed to make any alterations to the examination number on the answer book. The candidate must initial next to the changes.

(xix) **[The chief invigilator should]** Ensure that examination answer scripts are properly batched and packed according to the candidates' examination numbers, once the session has ended. The mark sheet pertaining to a specific batch of examination answer scripts must be included with that batch.

(xx) Seal examination answer scripts [should be sealed] in a special envelope provided for such purpose, in order to prevent them being tampered with.

(xxi) Take responsibility for the collection of the examination answer scripts and the delivery of the examination answer scripts to the regional, district or circuit office, as arranged by the regional, district or circuit office [is the responsibility of the chief invigilator].

(xxii) **[Chief invigilators should]** Ensure that all equipment, including computers, printers, typewriters and drawing boards, to be used by candidates, are serviced timeously and are in perfect working condition, and that they are available at the examination venue on the day of the examination. See Annexure G.

(xxiii) **[The chief invigilator should]** Collect, check and sign all invigilation claim forms, if applicable.

(xxiv) **[The chief invigilator should]** Submit written reports on all suspected cases of irregularities to the assessment body without delay.

## (2) Specific duties of invigilators

(a) Admission of candidates to, and their exit from the examination room.

(i) Ensuring that every candidate produces his or her admission letter, as well as proof of identity.

(ii) Ensure that candidates are seated at least thirty minutes before the commencement of the examination session.

(iii) **[The invigilator should]** Ensure that the candidates have ten minutes reading time per examination question paper.

(iv) Ensure that only in exceptional circumstances may a candidate be admitted to the examination room after the commencement of an examination, but not after an hour has passed.

(v) Ensure that a candidate [may] does not leave the examination room during the course of the first hour of the examination session.

(vi) Ensure that only candidates who have registered For the examination, the invigilators concerned, and the chief invigilator or an authorised representative of the assessment body, [may be] are only allowed people to be present during an examination.

(vii) Ensure tat only in a case of [In] an emergency a candidate may leave the examination room temporarily but only under supervision.

(viii) **[The invigilator should]** Move around the examination room constantly, but without disturbing the candidates.

(ix) Refer to the chief invigilator without delay,



any candidate contravening the rules and regulations of the examination **[should be referred to the chief invigilator without delay]**.

(x) **[The invigilator must]** Check whether a candidate's examination number, which appears on his or her timetable, is written at the top of each examination answer book, and at the top of each loose sheet of paper used by that candidate during the examination.

(b) Instructions to candidates-

The invigilator must read the instructions to candidates during an information session before the actual start of the examination and, if necessary, again at the start of each examination session.

(c) The following is a guideline of instructions **[that may be read]** should be brought the attention of candidates-

(i) NO cell phones are allowed inside the examination room.

(ii) NO food or drinks are allowed inside the examination room (except where necessary for diabetic candidates).

(iii) NO smoking shall be permitted in a room where an examination is being conducted.

(iv) No explanation of examination questions may be asked for or given. Only questions relating to the number of questions to be answered, and whether some questions are compulsory, would be answered.

(v) As soon as the candidates have handed in their examination answer scripts, they must leave the examination room. They will not be allowed to leave the examination room within the first hour of the session. In an emergency, a candidate will be allowed to leave the examination room under supervision.

(vi) Candidates must not assist other candidates or try to assist a candidate in getting help or communicating with anybody. Any questions should be directed to the invigilator.

(vii) Candidates may not create a disturbance in the examination room or behave in an improper or unseemly manner.

(viii) Candidates may not disregard the instructions of the invigilator.

(ix) Candidates may not have a book, memorandum, notes, maps, photos or other documents or papers (including unused paper), or any other material, which may be of help to them in the examination, other than that which was provided to them by the invigilator, and their letters of admission or permits in their possession, while they are in the examination room.

(x) Only calculators, as approved and prescribed, may be used by a candidate in the examination, except in subjects where these are indicated on the examination question paper as being prohibited.

(xi) If candidates do not obey these instructions, they render themselves liable to suspension from current and future examinations, and the assessment body may, in such an event, refuse to give them credit for other examination question papers written.

(xii) All aids and answer books, as well as answer sheets issued to candidates, must be handed in before they leave the examination room.

(xiii) Any errata on a specific examination question paper must be read to the candidates concerned.

(xiv) Candidates are allowed ten minutes reading time

of the examination question paper before the official commencement of the examination, during which time no writing of any kind may take place.

(d) Where only one invigilator is present, he or she may leave the examination room only in exceptional circumstances and then only if relieved, with the approval of the chief invigilator, by a member of the teaching staff.

(e) An invigilator shall not-

(i) allow candidates access to any textbook, diagram, summary or any other material that will assist them in answering a question;

(ii) answer any question posed by a candidate which may result in the explanation of an examination question;

(iii) provide a candidate with loose paper for 'rough work' or make any change in an examination paper without the prior instruction or permission of the Department or act in a way that will disturb or distract a candidate;

(iv) read over the candidate's shoulder or stand behind the candidate in such a way that a candidate may be disturbed or distracted;

(v) give a copy of the examination question paper to any person other than a candidate, before the end of the examination;

(vi) allow more than the stipulated time for each examination question paper, except in cases where candidates have been granted extra time as indicated on their individual timetables;

(viii) read to candidates any examination question paper or part of an examination question paper or draw attention to any error which he or she may observe in any of the examination papers or mark allocation, unless he or she has been instructed to do so in the errata sheet or by an examination official of the Department;

(ix) by his or her conduct, create any opportunity which facilitates the contravention of any examination instruction by a candidate;

(x) assist a candidate in any way in answering an examination question paper, or allow another person to assist any candidate in any way whatsoever; or

(xi) communicate with the media, teachers' organisations or any other unofficial personnel concerning the administration of the examination or about any problems with examination question papers, etc. These issues should be raised with the Examinations Directorate at the Head Office.

(f) The chief invigilator must also refer candidates to the last two pages of the examination timetable, where the Rules and Regulations for Examinations are printed.

(e) the substitution for paragraph 6 of Annexure I of the following paragraph-

#### 6. Invigilation session

(1) Invigilators must ensure that candidates write their correct identity numbers/examination numbers on their examination answer scripts.

(2) Chalk-boards must be cleared of all writing and drawings. All drawings and maps must be removed from the walls.

(3) Each session must commence and be terminated according to the time specified on the examination timetable.

(3A) One or more invigilators shall be present in the examination room at all times while the examination is being written.

(4) An invigilator may not knit, read, mark or do any work that will hamper him or her in the execution of his or her duties as an invigilator. Cellular phones may not be used by invigilators under any circumstances.

(4A) During the entire session, invigilators must maintain constant supervision over the candidates, so as to preclude the possibility of candidates availing themselves of unauthorised assistance.

(4B) Invigilators must give their entire attention to supervision. Under no circumstances may an invigilator read, knit, write, mark or listen to Walkmans, iPods, etc.

(5) An invigilator may not sit down, but must move about the examination room without disturbing the candidates.

(6) An invigilator may not assist a candidate with the answering of any examination question or explain any "unclear" part of the examination question paper to a candidate.

(7) An invigilator may not invigilate a subject which he or she teaches in any grade, except where the subject demands it, e.g. Information Technology, Computer Application Technology and Engineering Graphics and Design.

(8) Invigilators may not cause any disturbance.

(9) Invigilators may not leave the examination room or leave the candidates unattended.

(10) An invigilator may not invigilate from outside the examination room by looking through a window.

(11) Invigilators may not allow candidates to copy, or assist them, or allow candidates to be assisted by anyone during the examination.

(12) Copies of examination question papers may not be given to anybody outside the examination room, nor may they be taken out of the examination room before the session has ended and the candidates have left the room.

(13) Invigilators must adhere to the special examination requirements of certain subjects.

(f) the insertion of paragraph 8 of Annexure I following paragraph 7-  
"8 Monitoring invigilators

(1) The monitoring invigilators are appointed at independent schools for the duration of the examination by the Head of Examination in the Provincial Department of Education. The Provincial Department of Education, may where necessary, appoint a monitoring invigilator at a public school.

(2) The Monitoring Invigilator should be remunerated for the duration of his deployment at an independent school even if such a person is not in the employ of the Provincial Education Department.

(3) The duties of the Monitoring invigilator are, to:-

(a) monitor the invigilation at independent schools or any learning institution that has registered as an examination centre with the Provincial Department of Education;

(b) monitor the transport of examination answer scripts to and from the regional/ district and or circuit offices; and

(c) perform any other duty as may be assigned by the Head of Examination."

(g) the insertion of paragraph 9 of Annexure I following paragraph 8-

"9. Identification of candidates

(1) Full-time candidates writing in schools may be identified

from their individual examination timetables by the invigilators provided that the invigilators know the candidates. Since the National Senior Certificate Examinations are monitored by external bodies such as Umalusi, candidates must be able to produce identification when writing.

(2) National Senior Certificate Supplementary Examination candidates generally write at cluster centres or other venues, or are invigilated by persons who do not necessarily know them. To gain admission to an examination centre, National Senior Certificate Supplementary candidates MUST produce their letter of admission, as well as proof of their identity and their individual examination timetable. It is incumbent upon the chief invigilator to check the photograph and date of birth in the identity document and to compare it with each candidate's physical appearance.

(3) The current Grade 11 learners must be informed that they need to apply for their South African identity document from their local office of the Department of Home Affairs before the end of their Grade 11 year, to ensure that they have an ID number for inclusion on their examination registration form.

(4) Dealing with candidates who cannot be identified

(a) Heads of institutions and chief invigilators of centres or private examination centres or other venues must ensure that candidates produce a valid identity document, i.e. South African identity document, valid passport (South African or foreign) or a driver's licence.

(b) In the event where a candidate has not yet received his/her official identity document from the Department of Home Affairs by 1 October, the following procedure must be followed-

(i) The candidate must submit to the chief invigilator an identity-size colour photograph of him or herself.

(ii) The chief Invigilator must ascertain that the person is the same person who has registered for the examination.

(iii) The chief invigilator must attach the proof of application for an identity document.

(5) Dealing with candidates during the examination

(a) The temporary examination identity document form remains at the centre/school in the examination file. (If not available, centres/schools must create such a file.)

(b) The temporary examination identity document form must be handed to candidates prior to the commencement of each examination.

(c) The temporary examination identity document form must be placed/displayed on the left-hand corner of the candidate's desk.

(d) The temporary examination identity document must be collected by the chief invigilator 45 minutes before the end of each examination session.

(6) Dealing with candidates after the Examination

(a) Only in cases where the candidate writes the examination **without** a valid identity document, i.e. South African identity document, valid passport (South African or foreign), any other document with a photo affixed to it, e.g. driver's license or the duly completed temporary examination identity document, an irregularity must be declared.

(b) The examination answer script must be marked in such a manner (ID number, date of birth) that it can be identified or traced back to the particular candidate.

(7) Candidates who have not registered for a specific subject are **not allowed** to write the examination. However, if a candidate **insists** on writing, the candidate should be allowed to write in the interests of good order, but the

candidate must be told at the end of the examination session that the results will not be released. The following procedure must then be followed-

(a) An irregularity must be declared, according to the procedures.

(b) The national policy is not to release the results of these candidates until the irregularity is resolved.”.

(h) the insertion of paragraph 10 of Annexure I following paragraph 9-

“10. Attendance register

(1) Accompanying the examination question papers and examination answer books that are collected from the distribution points, is a computer-generated attendance register for each examination centre. Each sheet will indicate the names and examination numbers of the candidates entered for the particular examination in numerical sequence. On each sheet there is a column to indicate present/absent and a column for the candidate’s signature. The candidate signs the attendance register personally- just printing the first letters of the names and surname does not constitute signing or initialling the form.

(2) Once the examination has settled and all the examination material issued to the candidates, the invigilator must ensure that no candidate signs the attendance register and vacate the examination venue as this will cause an irregularity. The invigilator may take the register on a clipboard from candidate to candidate to sign as they are seated in the room or hall. Under no circumstances may the register be passed from candidate to candidate while the examination is in progress.

(a) The attendance register must be signed by every candidate present for a specific examination session and ticked (✓) in the column with \* above it.

(b) Absentees must be indicated with the letter “A” alongside the name and examination number of the candidate in the column with \* above it.

(c) The attendance register must be returned with the candidates’ answer scripts to the distribution point – each attendance register with the names candidates must be placed on top of the batch of answer books of these particular candidates listed on the attendance register, with the wrapper placed around the answer books and register of that particular batch. The list of absentees completed by the Chief Invigilator must correspond with the attendance register.

(d) Invigilators must ensure that candidates sign in the correct space in the attendance register and that absentees are correctly indicated. In cases where a candidate insists on writing a different examination question paper other than the one registered for (e.g. Home Language instead of First Additional Language), the candidate must not sign the attendance register where his or her name appears as he or she is not writing the particular subject. The following must be written next to the name of the candidate in the attendance register, “IRR”. A candidate is then required to sign an attendance register for irregularities form indicating the subject he or she is actually writing.

(3) The attendance register contains the names of the candidates, and will therefore not be available to markers at the marking centres. At the marking centre, the official mark sheet will be used that only reflects the candidates’ examination numbers. It is therefore imperative that the correct transferring of “✓” or “A” is done at the office when the examination scripts are received.”.

(i) the insertion of paragraph 11 of Annexure I following paragraph 10-

"11. Absence of candidates

(1) If it is the policy of chief invigilators to paste a label on the desks of candidates indicating their names and examination number, etc., the candidate's contact telephone number should be written on the label to enable the school/centre to contact the learner in a case of an emergency. Alternatively, an updated list of each candidate's contact telephone numbers should be kept available in the examination room.

(2) Should a candidate not present him or herself on time for an examination, the missing candidate must be phoned to ascertain the reason for his or her absence.

(3) Should a candidate miss an examination without a valid reason, he or she will not be allowed to write a supplementary examination the following year, and the candidate will not receive a result.

(4) Candidates may only miss an examination, supported by documentary evidence, for the following reasons-

(a) illness (A valid medical doctor's certificate required);

(b) family bereavement (Letter required);

(c) attending an initiation school (Letter required);

and

(d) representing the country or province in a sporting or cultural event (Official letter required);

(5) The doctor's certificate or letter must be handed in to the chief invigilator within seven (7) days. Any supporting documents handed in must contain the candidate's examination number, candidate's surname and names must correspond with the registration details. The candidate must ensure that he/she registers for the supplementary examinations.

(6) The following procedures must be followed-

(a) The word 'Absent' must be written in the attendance register alongside the candidate's name.

(b) Particulars of the candidate must be filled in on the absentee form.

(c) The medical certificate or the letter from the family or organisation and a letter from the Head of the institution, validating the candidate's absence must be attached. A copy of the medical certificate must be kept and attached to the supplementary examination entry form.

(d) Documents must then be sent to the District/Regional Office where an official will forward them to the Provincial Head Office."

(j) the insertion of paragraph 14 of Annexure I following paragraph 13-

"14. Candidates with special concessions

(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;

(b) Candidates suffering from a Mathematical disorder such as dyscalculia may be exempted from offering Mathematical Literacy or Mathematics as a subject-

(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.

(3) All applications referred to above must be accompanied by an evaluation conducted by structures responsible for learners with special educational needs, as well as by external, professionally registered experts in the relevant fields.

(4) Chief invigilators must take cognisance of their candidates who have been granted a special concession for the examinations-

(a) The concessions granted are clearly indicated at the bottom of the examination timetable of a particular candidate, which may differ from what has been requested by the school. For example, the concession approved will appear on the timetable as follows: "Writing problem: Additional Time: 5 minutes per hour."

(b) Invigilators may not deviate from these instructions on the admission letter. This must not be used as a guide for a candidate with a similar problem who was not granted a concession or who did not apply for a concession.

(c) Where concessions have been granted, excluding additional time, (e.g. language concessions for the deaf, aural impairment, Braille papers, visual impairment, spelling and writing problems, alternative questions, attention deficit problems), an examination form of the province must be completed and attached to the candidate's answer book together with a copy of the candidate's admission letter.

(5) The official sign language interpreter must-

(a) Obtain the examination question paper when the box is opened and must read through the documents to prepare him or herself to sign for the examination question paper.

(b) Transcription must take place immediately after the examination question paper has been completed.

(c) The candidate must be available after the examination to clarify any part of the written record.

(d) The scribe should not be the subject teacher or be related to the candidate.

(e) The original script must be attached to the transcription and both must be submitted.

(f) Transcribing must not take place in the examination room. A separate, suitable room should be provided.

(g) The scribe and a candidate must each receive a copy of the examination question paper and the errata sheet where applicable.

(6) With the exception of learners with barriers to learning and development, the only concession that is likely to be granted to a candidate in a mainstream school is that of additional time (extra minutes for every hour of the examination), or the use of a typewriter or computer.

(7) Chief invigilators who may need clarification concerning special concessions or training on the conducting of special concessions for candidates, should contact the coordinator of their District/Region Examinations Concessions Committee (DECC). Should it become necessary for a candidate to be assessed in an alternative way owing to an injury sustained before or during the examination, an application in this regard, accompanied by a medical report, should be submitted to the District Examination Concession Committee coordinator."

- (k) the substitution of the introduction of paragraph 15(1) of Annexure I of the following introduction-

“15(1) Invigilators **[should] must-**”.

### **Amendment of Annexure K of the Regulations**

65. Annexure K of the Regulations is amended by-

- (a) the substitution of paragraph 1(4.3) of Annexure K of the following paragraph-  
 “4.3 In respect of setting of an examination question paper where no suitable candidate can be recruited with the set minimum qualifications or experience, the Director-General (Basic Education) may approve the appointment of a suitable candidate with other appropriate post school qualifications or with less than the required experience, after consultation in this regard with the relevant teacher unions. The final decision with regard to the appointment of examiners and internal moderators rests with the Director-General.” (*Personnel Administration Measures (PAM)*, pp. 104 & 105).” (*Refer to a paragraph*).”
- (b) the substitution of sub-paragraph 1 of paragraph 1(4.4) of Annexure K of the following paragraph-  
 “1(4.4)(1) a recognised three-year post school qualification, which must include the subject concerned at second or third year level or other appropriate post matric qualifications;”;
- (c) the deletion of paragraph 2 for Annexure K following paragraph 1-

#### **“[2. PAYMENT OF MARKERS**

- (1) Marking related payment is determined by the Formula stipulated in the (*Personnel Administration Measures (PAM)*).
- (2) Marking tariffs will be reviewed annually and will be in accordance with the annual general agreements for salaries in the ELRC.
- (3) Marking tariffs will not separately be negotiated.
- (4) Tariffs in the PAM will be determined per subject as stipulated in terms of the norm time of that subject.
- (5) Marking tariffs as contemplated in *sub-paragraphs (1), (2) and (3)* are not applicable to independent assessment bodies].”.

### **Amendment of Annexure M of the Regulations**

66. Annexure M of the Regulations is amended by-

- (a) the insertion of sub-paragraph (1)(c)(iii)(ccA) of paragraph 1 following sub-paragraph (1)(c)(iii)(cc)-  
 “(1)(c)(iii)(ccA) Decisions taken without any appeals must be finalised within 14 days.”;
- (b) the insertion of sub-paragraph (1)(c)(iii)(ccB) of paragraph 1 following sub-paragraph 1(c)(dd)-  
 “(1)(c)(iii)(ccA) Special cases, court cases and appeals may delay the timeframe.”;
- (c) the insertion of sub-paragraph (1)(c)(iii)(ccC) of paragraph 1 following sub-paragraph 1(c)(iii)(ccB)-  
 “(1)(c)(iii)(ccC) If an investigation has not been completed yet, provinces



may not use this as an excuse for not completing their own processes. Provincial Education Departments must therefore complete their own processes and impose sanctions where needed;

(d) the insertion of sub-paragraph 2A of paragraph 1 following sub-paragraph (2)-

"2A The District/Regional Assessment Irregularities Committee (DAIC)

(a) The District Assessment Irregularities Committee (DAIC) must be established by the Head of Department, based on recommendations from the District/Regional Manager and the Head of Examinations in the province.

(b) The DAIC will take responsibility for the handling of irregularities relating to internal assessment conducted at school level. This will be done by ensuring a consistent approach in the handling of irregularities across all schools in the district/region.

(c) The DAIC will become involved in the handling of examination related irregularities, only on instruction of the PEIC or the Head of Examination in the province. The primary focus of the DAIC are the internal assessment irregularities.

(d) The DAIC is an appendage of the Provincial Examination Irregularities Committee (PEIC) and will operate under the jurisdiction of the PEIC and report to the PEIC on a regular basis. The PEIC will consolidate the inputs from all the DAICs and present a provincial report to the National Examinations Irregularities Committee.

(e) The DAIC will comprise the following members:

(i) The District /Regional manager or his representative will serve as the chairperson of the DAIC.

(ii) The District/Regional coordinator/official responsible for the co-ordination of examinations at the district/regional level.

(iii) Circuit Managers (maximum of 10) in cases where the number of circuits is greater than 10, the PED must decide on how all circuits will be represented within the designated number.

(iv) One member of the PEIC. This official will serve as a link between PEIC and DAIC.

(v) Subject area specialists from the district/region co-opted on a needs basis, based on the nature of the irregularity being handled.

(vi) The representative from each of the recognized teacher unions will be nominated as observers i.e. National Professional Teachers' Association of South Africa (NAPTOSA), South African Democratic Teachers' Union (SADTU), and the Suid-Afrikaanse Onderwysersunie (SAOU).

(f) The duration of the term of office of the RAIC will be three years.

(g) The DAIC will have jurisdiction in any alleged irregularity that occurs at the schools within the control of the Region/District which are identified during internal assessment conducted at school. These irregularities relate to the following processes-

(i) registration of learners;

(ii) compilation of internal assessment marks;

assessment: (iii) monitoring and moderation of internal  
internal assessment: (iv) capturing and processing of data in respect of  
question papers: (v) setting and moderation of internal assessment  
 (vi) quarterly Assessment School reports; and  
 (vii) any other irregularity related to internal  
assessment, which cannot be resolved by the SAIC.

(h) All decisions taken by the DAIC, relating to irregularities in the above stages of the assessment process will be subject to final ratification by the PEIC.

(i) The DAIC must -  
 (i) support the schools in the establishment of the School Assessment Irregularities Committee and review the recommendations of the SAIC;

(ii) build capacity of the SAICs in terms of identification, investigation, imposition of sanctions and reporting of irregularities;

(iii) ensure that the sanctions, as formulated by the PEIC, with regard to [internal assessment] School-Based Assessment and the Practical Assessment Task/Language Oral Assessment are implemented consistently across all schools;

(iv) coordinate and support the School Assessment Irregularities Committee in the handling of assessment irregularities in their respective schools;

(v) receive reports from the SAICs on a regular basis, on all irregularities committed by educators and learners during the [internal] School-Based Assessment and the Practical Assessment Task/Language Oral Assessment process;

(vi) intervene in the case of [internal assessment] School-Based Assessment and the Practical Assessment Task/Language Oral irregularities that cannot be resolved by the SAIC;

(vii) Investigate any other [internal assessment] School-Based Assessment and the Practical Assessment Task/Language Oral irregularity as and when requested by the regional or district director or his/her nominee;

(viii) ensure that assessment irregularities are handled in a consistent manner across the region/district;

(ix) identify schools that have recurring irregularities or high frequency of irregularities and offer support in solving the problems; and

(x) investigate or assist in the handling of examination irregularities as requested by the PEIC or the Head of Examinations.

(i) Irregularities involving learners during [Internal Assessment] School-Based Assessment and the Practical Assessment Task/Language Oral may include the following-

(i) a candidate who refuses to abide by any or all of the minimum requirements in respect of the compilation of a mark for internal assessment in a subject, with no valid reason. The DAIC must approve the validity of the reason presented; and

(ii) A candidate who presents work that is not his or her original work.

(iii) This may take various forms and may include the following:

(aa) copying verbatim from another source. In this case, if the teacher is suspicious and has evidence of sections or the complete assignment or project being lifted verbatim from another source, this must be declared an irregularity;

(bb) an assignment/project that is not his or her own effort. This may have been completed by another learner, his or her parent, or purchased;

(cc) reproduction of an assignment or project from another learner and there is evidence of such copying;

(dd) work that has been previously presented and for which credits were received, which could either be his or her own effort or that of another individual;

(ee) the whole or part of a portfolio that is not his or her own, but that of another learner from the same school/learning institution or another school/learning institution; and

(ff) a candidate who resorts to any dishonest act to mislead the educator in terms of the authenticity/ originality of the portfolio presented.

(gg) A candidate who, in respect of a component of a mark for [internal assessment] School-Based Assessment and the Practical Assessment Task/Language Oral that is completed under controlled conditions does the following-

(aaa) creates a disturbance or intimidates others, or behaves in an improper or unseemly manner despite a warning;

(bbb) is drunk or behaves in a disorderly manner;

(ccc) disregards the arrangements or reasonable instructions of the [educator] teacher despite a warning; or

(ddd) continues to disregard assessment regulations despite a warning.

(iv) A candidate making a false statement in respect of the authenticity of a particular component of the a mark for [internal] School-Based Assessment and the Practical Assessment Task/Language Oral Assessment.

(v) An [educator] teacher who misrepresents or fraudulently compiles [CASS] School-Based Assessment and the Practical Assessment Task/Language Oral marks to candidates without any authentic source how the marks were generated.

(vi) The assessment irregularities involving teachers during internal assessment may include the following-

(aa) the teacher willfully and intentionally, without a valid reason, fails to satisfy the requirements or excludes one or more assessment tasks from the compilation of the final assessment marks;

(bb) the teacher/practitioner alters, in other words, either decreases or increases the marks of candidates without the approval of the internal moderator or Head of the institution;

(cc) the teacher willfully provides assistance to a learner that advantages a learner unfairly in comparison to other learners; and

(dd) the teacher who collaborates with a candidate who presents the whole or part of the portfolio that is not her or his own work.

(k) The DAIC must report on a quarterly basis to the PEIC on all irregularities detected and handled by the SAIC. In cases where an irregularity requires an investigation, the initial reporting must be followed by a detailed report on conclusion of the investigation.

(l) The DAIC will recommend to the PEIC the sanctions to be imposed for each of the irregularities identified and investigated.”.

(e) the substitution for sub-paragraph (4)(i) of paragraph 1 of the following sub-paragraph-

“(4)(i) The jurisdiction of the SAIC-

(i) The SAIC will have jurisdiction in any alleged internal assessment irregularities.

(ii) These irregularities may occur during the various stages of the School-Based Assessment and the Practical Assessment Task/Language Oral Assessment process, which includes-

(aa) compilation of School-Based Assessment and the Practical Assessment Task/Language Oral marks; and

(bb) monitoring and moderation of School-Based Assessment and the Practical Assessment Task/Language Oral Assessment.

(iii) Conditions under which educators conduct School-Based Assessment and the Practical Assessment Task/Language Oral Assessment.

iv) Conditions under which learners are internally assessed.

(v) Capturing and processing of data in respect of School-Based Assessment and the Practical Assessment Task/Language Oral Assessment.

(vi) Any other irregularity related to School-Based Assessment and the Practical Assessment Task/Language Oral Assessment.

(vii) Setting and moderating of School-Based Assessment and the Practical Assessment Task/Language Oral Assessment question papers.”.

(f) the substitution for sub-paragraph (4)(j) of paragraph 1 of the following sub-paragraph-

“(4)(j) The functions of the SAIC-

(i) The SAIC must -

(aa) work closely with the examination official based at the District offices in respect of all School-Based Assessment and the Practical Assessment Task/Language Oral Assessment irregularities that could occur at all stages;

(bb) investigate all irregularities by educators in the School-Based Assessment and the Practical Assessment Task/Language Oral Assessment process;

(cc) investigate all School-Based Assessment and the Practical Assessment Task/Language Oral Assessment irregularities by any other person involved in School-Based Assessment and the Practical Assessment Task/Language Oral Assessment processes;

(dd) investigate all irregularities committed by learners during the School-Based Assessment and the Practical Assessment Task/Language Oral Assessment process;

(ee) investigate any other School-Based Assessment and the Practical Assessment Task/Language Oral Assessment irregularity as and when requested by the district/regional director or his or her nominee; and

(ff) report all School-Based Assessment and

The Practical Assessment Task/Language Oral Assessment irregularities to the PEIC.”.

(g) the substitution for sub-paragraph (4)(k) of paragraph 1 of the following sub-paragraph-

“(4)(k) Irregularities relating to School-Based Assessment and the Practical Assessment Task/Language Oral that may be handled by the SAIC-

(i) Irregularities involving candidates during School-Based Assessment and the Practical Assessment Task/Language oral, may include the following-

(aa) a candidate who refuses to abide by any or all of the minimum requirements in respect of the compilation of a mark for School-Based Assessment and the Practical Assessment Task/Language Oral Assessment in a subject, with no valid reason; and

(bb) a candidate who presents work that is not his or her original work. This may take various forms and may include the following-

(aaa) copying verbatim from another source. In this case, if the teacher is suspicious and has evidence of sections or the complete assignment or project being lifted verbatim from another source, this must be declared an irregularity;

(bbb) an assignment/project that is not his or her own effort. This may have been completed by another learner, his or her parent, or purchased;

(ccc) reproduction of an assignment or project from another learner and there is evidence of such copying;

(ddd) work that has been previously presented and for which marks were awarded, which could either be his or her own effort or that of another individual;

(eee) the whole or part of a portfolio that is not his or her own, but that of another learner from the same school/learning institution or another school/learning institution; and

(fff) a candidate who resorts to any dishonest act to mislead the educator in terms of the authenticity/originality of the portfolio presented.

(cc) A candidate who, in respect of a component of a mark for School-Based Assessment and the Practical Assessment Task/Language Oral that is completed under controlled conditions does the following-

(aaa) creates a disturbance or intimidates others, or behaves in an improper or unseemly manner despite a warning;

(bbb) is drunk or behaves in a disorderly manner;

(ccc) disregards the arrangements or reasonable instructions of the educator despite a warning; or

(ddd) continues to disregard assessment regulations despite a warning.

(dd) A candidate making a false statement in respect of the authenticity of a particular component of the mark for School-Based Assessment and the Practical Assessment Task/Language Oral Assessment.

(ii) Irregularities involving teachers and other assessment officials during School-Based Assessment and the Practical Assessment Task/Language Oral may occur during the following stages at the school or learning institution-

(aa) the compilation of the mark for School-

School-Based Assessment and the Practical Assessment Task/Language Oral Assessment and Practical Assessment Tasks;

(bb) the monitoring or moderation of the mark achieved in respect of School-Based Assessment and the Practical Assessment Task/Language Oral Assessment and Practical Assessment Tasks;

(cc) the capturing and processing of data; and

(dd) investigations in respect of suspected School-Based Assessment and the Practical Assessment Task/Language Oral irregularities.

(iii) The assessment irregularities may include the following-

(aa) the teacher willfully and intentionally without a valid reason, fails to satisfy the requirements or excludes one or more assessment tasks from the compilation of the final assessment marks;

(bb) the teacher alters, in other words, either decreases or increases the marks of candidates without the approval of the internal moderator or head of the institution;

(cc) the teacher willfully provides assistance to a learner that advantages a learner unfairly in comparison to other learners; and

(dd) the teacher who collaborates with a candidate who presents the whole or part of the evidence of learner performance that is not her or his own work.”.

(h) the substitution for sub-paragraph (4)(l) of paragraph 1 of the following sub-paragraph-  
“(4)(l) Reporting

The SAIC must report all School-Based Assessment and the Practical Assessment Task/Language Oral Assessment irregularities, in writing, to the (PEIC), within seven days of the alleged irregularity. In cases where an irregularity requires an investigation, the initial reporting must be followed by a detailed report on conclusion of the investigation.”.

(i) the substitution for sub-paragraph (1) of paragraph 3 of the following sub-paragraph-

“3(1) **Identification of irregularities in respect of School-Based Assessment and the Practical Assessment Task/Language Oral Assessment**

(1) Candidates

(a) Irregularities in respect of School-Based Assessment and the Practical Assessment Task/Language Oral Assessment, and involving candidates, may occur via administrative errors or omissions, or they may derive from behavioural offences or acts of dishonesty.

(b) This category of irregularity includes-

(i) A candidate not fulfilling the minimum Requirements in respect of the compilation of a mark for School-Based Assessment and the Practical Assessment Task/Language Oral Assessment in a subject.

(ii) A candidate refusing to abide by any or all of The minimum requirements in respect of the compilation of a mark for School-Based Assessment and the Practical Assessment Task/Language Oral Assessment in a subject and Practical Assessment Tasks.

(iii) A candidate who, in respect of any component of a mark for School-Based Assessment and the Practical Assessment Task/Language Oral Assessment, completed under controlled conditions, is guilty the following-

(aa) continues to create a disturbance or

- intimidate others, or behave in an improper or unseemly manner, despite a warning;  
 (bb) drunk or disorderly conduct;  
 (cc) persists in disregarding the arrangements  
 or reasonable instructions of a teacher, despite a warning; or  
 (dd) continues to disregard assessment  
 regulations, despite a warning.
- (iv) A candidate knowingly making a false statement in respect of the authenticity of a particular component of the mark for any part of the School-Based Assessment and the Practical Assessment Task/Language Oral Assessment in a subject, or the internal assessment mark for the subject as a whole.”.
- (j) the substitution for sub-paragraph (2)(a) of paragraph 3 of the following sub-paragraph-  
 “(2)(a) Irregularities in respect of School-Based Assessment and the Practical Assessment Task/Language Oral Assessment could be committed by-”.
- (k) the substitution for sub-paragraph (2)(a)(v) of paragraph 3 of the following sub-paragraph-  
 “(2)(a)(v) Irregularities in respect of internal assessment, involving examination officials, may be identified at any of the following stages-  
 (aa) the compilation of the mark for School-Based Assessment and the Practical Assessment Task/Language Oral Assessment at the school or learning institution;  
 (bb) the monitoring or moderation of the mark achieved in respect of School-Based Assessment and the Practical Assessment Task/Language Oral Assessment;  
 (cc) the capturing and processing of data; and  
 (dd) an investigation in respect of suspected School-Based Assessment and the Practical Assessment Task/Language Oral Assessment irregularities.”.
- (l) the substitution for sub-paragraph (2)(a) of paragraph 4 of the following sub-paragraph-  
 “(2)(a) candidates creating a disturbance or intimidating others or behaving in an improper or unseemly manner, despite a warning;”;
- (m) the substitution for sub-paragraph (4)(b) of paragraph 4 of the following sub-paragraph-  
 “(4)(b) candidates creating a disturbance, intimidating others or behaving in an improper or unseemly manner;”;
- (n) the substitution for sub-paragraph (2)(d) of paragraph 5 of the following sub-paragraph-  
 “(2)(d) Prior to an investigation being conducted in respect of assessment officials suspected of a School-Based Assessment and the Practical Assessment Task/Language Oral Assessment irregularity, the Head of Department or his or her representative, provided that substantial evidence in respect of the alleged irregularity exists, may-”.
- (o) the substitution for sub-paragraph (5)(b)(i) of paragraph 5 of the following sub-paragraph-  
 “(5)(b)(i) All examination irregularities suspected by markers, must be reported immediately to the senior marker, the deputy chief marker or the chief marker, who

then refers it to the centre manager. The matter is then referred to the Head of [Examinations] the assessment body and the PEIC.”.

- (p) the insertion of sub-paragraph (8)(b)(ivA) of paragraph 5 following sub-paragraph (8)(b)(ivA)-

“(8)(b)(ivA) If the Head of a province is not satisfied with the NEIC report, and the dispute cannot be resolved, the MEC of that province must make a final decision.”.

- (q) the substitution of sub-paragraph (10)(d) of paragraph 5 for the following sub-paragraph-

“(10)(d) Examination answer scripts missing or lost by the assessment body: After all possible steps locate the examination answer script have been exhausted and an investigation conducted, report in this regard must be submitted to the Department of Basic Education which will apply to Umalusi on behalf the candidate. Based on the report, Umalusi will officially declare the examination answer scripts missing and request the assessment body to determine a calculated mark in accordance with Umalusi guidelines. The final calculated marks must be submitted to Umalusi for approval. An examination answer script lost due to the negligence of an official, 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.”.

- (r) the insertion of sub-paragraph (10)(dA) of paragraph 5 following sub-paragraph (10)(d)-

“(10)(d) Writing on an incorrect grade: If the action was unintentional or the result of misinterpretation, the candidate’s mark must be converted as indicated in the Umalusi guidelines. If the action was intentional or deliberate, the results of the candidate must be declared null and void.”.

- (s) the substitution of sub-paragraph (10)(e) of paragraph 5 for the following sub-paragraph-

“(10)(e) Candidates found in possession of unauthorised material during the examination: The candidate’s results for that examination question paper is declared null and void. The candidate may be barred, depending on the circumstances and severity of the case, from a minimum of one and a maximum of three subsequent examinations, excluding the supplementary examinations.”.

- (t) the substitution of sub-paragraph (10)(h) of paragraph 5 for the following sub-paragraph-

“(10)(h) Candidates assisting another candidate during the examination session: The candidate’s results for that examination question paper is declared null and void. The candidate may be barred, depending on the circumstances and severity of the case, from a minimum of one and a maximum of three subsequent examinations, excluding the supplementary examinations.”.

- (u) the substitution of sub-paragraph (10)(k) of paragraph 5 for the following sub-paragraph-

“(10)(k) The handwriting of a different person on the script: The candidate’s results for that examination question paper is declared null and void. The candidate may be barred, depending on the circumstances and severity of the case, from a minimum of one and a maximum of three subsequent examinations, excluding the supplementary examinations.”.



- (v) the substitution of sub-paragraph (10)(m) of paragraph 5 for the following sub-paragraph-

“(10)(m) Crib notes discovered in examination answer scripts at the marking centre: The candidate’s results for that examination question paper is declared null and void. The candidate may be barred, depending on the circumstances and severity of the case, from a minimum of one and a maximum of three subsequent examinations, excluding the supplementary examinations.”.

- (w) the substitution of sub-paragraph (10)(p) of paragraph 5 for the following sub-paragraph-

“(10)(p) Leaked/stolen examination question paper: A leaked examination question paper is a paper to which a learner had access, e.g. a copy of the examination question paper, a part of it or a transcript which resembles the examination question paper. This must be regarded as a criminal case and be referred to the SAPS. In the event where it can be proven that specific candidates have stolen an examination question paper prior to it being written, the guilty candidates must be barred from writing the examination for a period of three (3) to five (5) years, from the date of the offence. The results obtained for the subject should be declared null and void. In the case of a leaked examination question paper, the Director-General: Basic Education must in conjunction with Umalusi and the relevant Head of [Examination] the assessment body decide what action should be taken to ensure the credibility of the examination.”.

- (x) the substitution for sub-paragraph (13) of paragraph 5 of the following Sub-paragraph-

“(13) All alleged irregularities must be reported immediately to the next level of responsibility in the assessment process, which, in turn, must report it to the Chairperson of the PEIC and the Head of [Examinations] the assessment body[, or the independent assessment body]. This reporting may be done verbally, but must be followed with a written report within 12 hours.”.

#### Amendment of Annexure N

67. Annexure N of the Regulations is amended by the substitution for it of the following Annexure-

“1. Browse information on files: Must enable the user to browse through information available on all data files, e.g. look through the names of candidates registered at a specific centre, in order to find a specific candidate's [ID number] information.

2. Entries: Candidates' entries are registered per examination by means of [electronic/magnetic media] approved off-line systems, or directly within the on-line environment. Full candidate validation takes place in accordance with the rules and regulations, as set out by the Department of Basic Education.

3. Mark sheets: The generation of mark sheets, as well as the capturing and controlling of mark sheets. The mark sheets are furthermore printed with bar codes for controlling the flow of mark sheets at strategic points.

4. Examination results: All results are processed by the computer [programme] system, in accordance with the rules and regulations, as set out by the Department of Basic Education and Umalusi.

5. Standardisation of marks: A process used to adjust the marks, using qualitative and quantitative data and reports as set out per Umalusi directives.

6. Subject information: All subject and examination question paper information is Carried forward from the previous examination and, where required, changes are made. Subject information has a direct influence on the validation of candidates' entries, candidates' promotion, as well as on conversion, examination packing [procedures] material, timetables, admission letters [of admission], etc.

7. Irregularities: Candidates found guilty of irregularities are suspended individually or per examination centre. This sub-system controls the correspondence with regard to, and investigations into these irregularities.

8. Region, [area, circuit] or Examination centres: All examination centres are registered and allocated to a [circuit, area and] region and district, as well as according to their respective provinces.

9. Candidates' documentation history: The [names of] Candidates, who enter on a continuous basis (repeaters) and apply for certification, are processed along with their historical information for possible combination certification.

10. Document issuing and issues: [Control and] Enquiries with regard to all system documents issued or controlled by the Department of Basic Education via the computer system.

11. Preliminary number of candidate entries: [It is an optional system that can] Documentation should be available to be used by management to gauge the number of candidate entries per school, with a view to planning, budgeting and stationery requirements.

[12. Recovery of funds: Control of funds received from examination centres for examination fees paid.]

[13] (12) Re-marking and re-checking: When a candidate applies for re-marking or re-checking, his [certificate is] marks are suspended and re-marking or re-checking takes place.

[14] 13. Supplementary examinations: [Automatic registration of] Candidates [that] who qualify for supplementary examinations or informed by letter that their certificates are withheld.

[15. Stationery and examination aids: Checking of codes and descriptions used by candidates during examinations.]

[16. Examination question paper stock maintenance: Used to monitor the reproduction of examination papers and to pinpoint shortages.]

[17] 14. Packaging of stationery/examination question papers: Reports are generated to assist with the packaging and distribution of examination question papers, as well as with examination stationery supplied by the Department.

[18] 15. Statistics: All statistics pertaining to pass and failing rates, entry irregularities, etc., can be extracted per province, per region, or at a national level, and made available for the purpose of media releases, or for use by subject advisors, planners and management.

[19] 16. Timetable: Dates, times and the duration of each examination question paper are maintained for candidate admission letters, payment of examiners, etc.

[20] 17. System parameters and system index maintenance [indexes]-Standard/generic [names] information used, etc., are maintained by the systems administrator.

[21. Word processor: Editing of letters pertaining to irregularities, examination results, candidate entries, etc.]

[22] 18. Examination marking claims: Control and payment of examiners for bulk marking sessions by means of a cheque or direct payment is managed by the Provincial Departments of Education.

[23. Hand claims: Indirect payment of examiners' claims and expenses incurred by means of a cheque or direct payment.]

[24. SANMED functions: Updating of sectors and magisterial codes per examination centre for statistical purposes, for use by the Department of Basic Education.]

[25. Invigilators' claims: Payment of invigilators' claims and expenses incurred by means of a cheque or direct payment.]

[26. Examination question papers (setting of papers): Checking the setting of examination question papers and the correspondence between the Department, examiners and moderators.]

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**[27. Examination officials: Appointment and checking of all examination officials' personal information.]**

**[28. Job control and general functions: Control of batch processes, bulk printing, task scheduling, etc.]”.**

68. Annexure O of the Regulations is deleted.

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