

## DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 108

5 February 2021

**HIGHER EDUCATION ACT, 1997 (ACT No.101 OF 1997), AS AMENDED****CALL FOR PUBLIC COMMENT ON THE DRAFT PROPOSAL ON THE IMPLEMENTATION OF THE PROVISIONS OF SECTION 74 (S74) OF THE HIGHER EDUCATION ACT 1997 (ACT 101 OF 1997): ABOLITION OF STATUTORY STATUS OF COMMITTEE OF UNIVERSITY PRINCIPALS, MATRICULATION BOARD AND COMMITTEE OF TECHNIKON PRINCIPALS**

**Whereas** section 74 of the Higher Education Act provides that:

- (1) The Committee of University Principals, the Matriculation Board and the Committee of Technikon Principals continue to exist and to perform their functions until the date or dates contemplated in subsection (2), as if the Universities Act, 1955 (Act No. 61 of 1955), and the Technikons Act, 1993 (Act No. 125 of 1993), had not been repealed.
- (2) Subject to subsection (3), the Committee of University Principals, the Matriculation Board and the Committee of Technikon Principals cease to exist as statutory bodies on a date or dates determined by the Minister by notice in the *Gazette*.
- (3) The Minister may only make a determination in terms of subsection (2) -(a) after consulting SAQA and the body concerned; and (b) after the Minister has considered the recommendations made by SAQA and the body concerned, as contemplated in section 15 (2) of the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995).
- (4) Notwithstanding subsection (3) (b) the Minister may make a determination in terms of subsection (2) if SAQA and the body concerned have not made recommendations as contemplated in subsection (3) (b) within a reasonable period after a written request by the Minister to do so.
- (5) The Committee of University Principals and the Committee of Technikon Principals must determine the manner in which their assets and liabilities are dealt with upon their dissolution as statutory bodies.
- (6) The joint statutes and joint regulations and rules made in terms of the Universities Act, 1955 (Act No. 61 of 1955), and the Technikons Act, 1993 (Act No. 125 of 1993), continue to exist until the date or dates contemplated in subsection (2);

**Whereas** the South African Qualifications Authority Act, 1995 (Act No.58 of 1995) has been repealed and replaced by the National Qualifications Framework Act, 2008 (Act 67 of 2008); and

**Whereas** UNIVERSITIES SOUTH AFRICA (USAf) has made proposals for the abolition of the Committee of University Principals, the Matriculation Board and the Committee of Technikon Principals and related matters as contemplated by s74 of the Act; and

**Whereas** it is desirable to bring the provisions of section 74 of the Act into operation,

I, Dr Bonginkosi Emmanuel Nzimande, Minister of Higher Education, Science and Innovation hereby republish the proposals set out in the SCHEDULE for public comment. Notice is hereby given that Appendix B and C to the Schedule was omitted in Government Notice No. 1147, published in Government Gazette No. 43851 on 28 October 2020.

This Notice replaces Government Notice 1147 of 2020 published in Government Gazette No. 43851 28 October 2020.

The proposals envisage the abolition of the three bodies on or before **31 March 2021**, the transfer of assets as contemplated by the Act, the transfer of the residual functions of the Matriculation Board having regard to the provisions of the Higher Education Qualifications Sub Framework (HEQSF) (of facilitating alternative access to higher education for those who do not have a National Senior Certificate (NSC), National Certificate (Vocational) (NC(V), a Senior Certificate (SC) with exemption, an (Amended) Senior Certificate or National Senior Certificate for Adults (NASCA) with the minimum requirements as provided for by regulation for admission to higher education to Umalusi, and the replacement of those provisions currently regulated by the Joint statutes and Joint Regulations promulgated under the Universities Act 1955 (Act 61 of 1955) and the Technikons Act 1993 (Act 125 of 1993) that need to be so regulated, by new regulations to be promulgated by me in terms of S 69 of the Act, of which drafts are now published for comment.

All interested persons and organisations are invited to comment on the proposals and draft regulations. Comments must reach the Department within 40 days of publication of this notice.

Submissions should be directed to Ms Mampane (email: [mampane.g@dhet.gov.za](mailto:mampane.g@dhet.gov.za)).

The name, address, telephone number and email address of the person, body or organisation responsible for submitting comments must also be provided.



**Dr B E Nzimande, MP**  
**Minister of Higher Education, Science and Innovation**

Date:

26/01/2021

**SCHEDULE****DRAFT PROPOSALS FOR PUBLIC COMMENT FOR THE IMPLEMENTATION OF THE PROVISIONS OF S74 OF THE HIGHER EDUCATION ACT 1997 (ACT NO. 101 OF 1997)**

1. That the Committee of University Principals (CUP) and the Committee of Technikon Principals (CTP) cease to exist on 31 March 2021, save that each body shall as soon as possible after that date adopt, and furnish the Minister with, audited financial statements for the year ended 31 March 2021.
2. That the assets and liabilities of the CUP and CTP devolve on 1 April 2021 to Universities South Africa (registered under the Companies Act as *Public Universities South Africa NPC* (Registration Number 2005/013211/08)) save that
  - (a) the assets held in trust by the CUP for the *Joint Prizes and Scholarships* as provided for in the Joint Regulations, shall be transferred in trust to the University of South Africa, or failing it, to a university to be determined by the Minister; and
  - (b) the staff employed by the CUP and USAf and the assets and liabilities held by the CUP for the Matriculation Board shall be transferred to Umalusi on 1 April 2021.
3. That the role of holding in trust and investing the capital funds supporting the *Joint Prizes and Scholarships* and of administering these awards be assigned to the University of South Africa or, failing it, to a university to be determined by the Minister, provided that
  - (a) the CUP and/or USAf approach the High Court, *ex parte*, for orders setting aside and amending as necessary the provisions for such prizes that are discriminatory, extending eligibility to all public universities in South Africa; and
  - (b) the University of South Africa, or such university as the Minister determines, shall administer these awards in terms of the provisions currently contained in the joint regulations, as may be amended by orders of the High Court, or *cy pres*.
4. That the Joint Statute and Joint Regulations of the universities and of the technikons cease to exist on the promulgation under S 69 of the Act of the regulations set out in Appendix A and Appendix B to this Schedule.
5. That with effect from 1 April 2021 the alternative access to degree programmes in higher education in South Africa afforded by the Matriculation Board not already provided for by the provisions of the HEQSF be
  - (a) provided by Umalusi (the Council for Quality Assurance in General and Further Education and Training, as provided for in the General and Further Education and Training Act 2001 (Act no 58 of 2001);
  - (b) for alternative access to higher certificate, diploma and bachelors degree programmes of study; and
  - (c) until amended by Umalusi, Umalusi using the rules, *mutatis mutandis*, set out in GN 1317 of 5 December 2008,as provided for under the policy determined by me in terms of S3 of the Act as set in Appendix C to this Schedule.

## Appendix A to Schedule

### DRAFT REGULATIONS FOR STUDENT RECORDS, TRANSCRIPTS AND CERTIFICATES OF CONDUCT

#### Higher Education Act 101 of 1997

The Minister of Higher Education, Science and Innovation as in terms of Section 69 of the Higher Education Act (Act 101 of 1997) made the following regulations in order to regulate the keeping of student records and the issuing of academic transcripts by higher education institutions, to give effect to each higher education institution's responsibilities to be the custodian in perpetuity of a complete *academic record*, and to provide both certification and verification of qualifications obtained by past and present students.

#### DEFINITIONS

In these regulations any word or expression to which a meaning has been assigned by the Act, bears that meaning unless the context indicates otherwise and:

"Academic transcript" means a complete record of a student's academic performance at a higher education institution as determined by these regulations and may include a statement of conduct.

"Act" means the Higher Education Act (Act 101 of 1997).

"Applicant" means a person who has applied for an academic programme offered at a higher education institution.

"Course/module" means an academic offering, according to the terminology applicable at a given higher education institution as a unit for which an assessment is conducted, and a result is given.

"Course/module exemption" means a course from which the senate/academic governing body of the HEI has exempted the student in terms of the HEI's policy on credit accumulation and transfer.

"Credit" means a measure of the volume of learning required for a qualification or part qualification, quantified as the number of notional study hours required for achieving the learning outcomes specified for the qualification or part qualification. One credit is equated to ten (10) notional hours of learning.

"HEQSF" means the Higher Education Qualifications Sub Framework

"HEQF credit" is a measure of the amount of learning required to achieve the defined outcomes at the relevant level, in a course/module, expressed as units of 10 notional hours.

"Language of tuition" means an official language designated by a Higher Education Institution as a language of teaching and learning.

"Official language" means an official language under the Constitution.

"Part qualification" means an assessed unit of learning that is registered as part of a qualification.

"Qualification" means a qualification registered in the NQF.

"South African Qualifications Authority (SAQA)" means the South African Qualifications Authority in terms of Act 67 of 2008 as amended.

"Student Record" means a record of an applicant to or a student who is or was registered at a higher education institution, as provided for in these regulations.

"Student in good standing" means a registered or former student who has complied with the contractual agreements of the higher education institution concerned.

"Transcript supplement" means the supplement issued with the transcript in accordance with the provisions of the HEQSF and these regulations and which must reflect the description of each completed course/module, with its HEQSF credits, HEQSF level and third-order CESM category.

## APPLICATION

1. These regulations apply to all public and private higher education institutions (HEIs).

## APPLICANT AND STUDENT RECORDS

2. A higher education institution must:

- (1) Create and retain a record for each **applicant** reflecting at least the following:
  - (a) school,
  - (b) school-leaving or other admission qualification(s);
  - (c) the qualification(s) to which the applicant seeks admission; and
  - (d) the outcome of the applicant's application and admissions status.
  - (e) credits and/or exemptions that the higher education institution grants to the applicant towards the applicant's intended academic/learning programme based on work done elsewhere and/or through the recognition of prior learning.
- (2) Create and retain a record for each **applicant who registers as a student** at the higher education institution (HEI) concerned, reflecting at least the following and any additional information the higher education institution deems necessary to meet its reporting and governance requirements:
  - (a) Biographical information of the student including the student's:
    - (i) Full name and any former names known to the HEI;
    - (ii) Date of birth.
    - (iii) South African Identification number (for all South African citizens and permanent residents) or passport number (for others).
    - (iv) Physical address while a student and address of domicile, if not the same.
    - (v) Postal address.
    - (vi) Email and telephonic contact details.
    - (vii) Race, if the applicant is South African, if declared by the student.
    - (viii) Gender.
    - (ix) Nationality, including residence status where applicable.
    - (x) Declaration of a disability where applicable.
    - (xi) Financial status, including where relevant:
      - The student's fee account;
      - Results of financial means test where an applicant or student has sought financial aid; and
      - All financial prizes, scholarships, and bursaries, awarded to the student by or through the HEI or NSFAS;
    - (xii) Fee payer details, if applicable, with full contact details and Income Tax Reference Number.
    - (xiii) Previous post-school studies, qualifications, or relevant experience.
    - (xiv) Names and contact details of parent(s) and/or next-of-kin and/or guardian(s).
  - (b) An academic record of the student's achievements including, but not limited to, at least the following:
    - (i) The result for each course/module attempted by the student and the year(s) in which this was attempted;
    - (ii) The number and level of credits (as defined by the HEQSF) for each course/module attempted;
    - (iii) The courses/modules for which credit or exemption have been granted for a qualification;

- (iv) The student's progression status for each year of registration;
  - (v) Any prizes, scholarships, merit awards and/or distinctions;
  - (vi) A record of each qualification awarded or conferred to the student and the date(s) of each award/conferral;
  - (vii) The Grade Point Average (GPA) where the HEI provides a GPA
- (c) The student's disciplinary record, if any, reflecting at least a record of all disciplinary findings against the student by a competent disciplinary body established in terms of the higher education institution's institutional statute (or, in the absence of an institutional statute, the Standard Institutional Statute for public higher educations), or institutional rules, and such sanction(s) as may have been imposed, including whether the student was suspended, rusticated or expelled.
3. A higher education institution must:
- (1) Keep a student's academic record in perpetuity.
  - (2) Keep such disciplinary, biographical, and financial records of every student as are necessary, for such periods as it determines, but at a minimum must do for the period of the student's registration:
    - (i) For effective administration and good governance; and
    - (ii) To provide the data/information required by the Minister for HEMIS reporting and for the NLRD.
4. The permanent academic record must reflect the data necessary to provide academic transcripts and may contain such additional data/information as the higher education institution concerned may wish to retain which, where this constitutes personal information, is data/information that the higher education concerned has informed the person concerned in terms of the Protection of Personal Information Act 2013, (Act No 4 of 2013) that it will retain these records.

#### THE ACADEMIC TRANSCRIPT

5. A higher education institution must issue an academic transcript(s) of a student's or former/past student's academic record:
- (1) Upon request of a student or former/past student in good standing; or
  - (2) Upon request of someone authorised by the student or former student in good standing; and
  - (3) Subject to payment of such fee determined by the higher education institution for the issuing of academic transcripts.
6. An academic transcript is a complete record of a student's academic performance at a higher education institution and it is not a statement of credits.
7. The academic transcript:
- (1) Must include:
    - (i) A record of every course/module attempted by the student and the result achieved by the student for each course, or, where the course is in progress or the results are outstanding, that fact.
    - (ii) An explanation of the higher education institution's system of classifying academic results.
    - (iii) A statement of the student's conduct (with due regard to the policy principles contemplated in sections 10 to 15).
    - (iv) A record of each qualification awarded or conferred to the student and the date(s) of such award(s) or conferral(s).
    - (v) A supplement compiled in accordance with the requirements of the Higher Education Qualifications Sub-Framework and these regulations.



(2) May include:

- (i) Scholarships, prizes, and awards obtained by the student or former student for academic achievement(s).
- (ii) Details of continuing and/or further professional development courses/modules attended and/or completed by the student or former student.
- (iii) Additional records of the student's or former student's achievements.

(3) Must be certified by the Registrar (or equivalent of a private higher education institution) as a true and complete academic transcript of the student's or former/past student's academic record;

(4) Must be issued in the language of tuition (teaching and learning) of the higher education institution concerned, or where the higher education institution has more than one language of tuition, the language of tuition chosen by the student or former student concerned.

8. A higher education institution may issue academic transcripts:

- (1) In a printed (hard copy) format in accordance with the higher education institution's stipulated security measures/rules, or.
- (2) In electronic format in addition to a printed (hard copy) format; or
- (3) Only in electronic format where such issuing meets the needs of the student or former/past student requesting the academic transcript.

9. A higher education institution may not issue statements of credits that do not meet the requirements of an academic transcript as reflected in this regulation.

#### THE STATEMENT OF CONDUCT

10. A student who was registered at a higher education institution in South Africa or elsewhere must upon application to any other higher education institution submit a current academic transcript from each higher education institution at which he or she was registered with reference to academic achievement(s) and a statement of conduct.

11. The transcript must (a) include certification of a student's conduct while a student or (b) state that it does not and that a certificate of conduct may be obtained upon application to the higher education institution concerned.

12. A higher education institution may refuse admission to an applicant if the applicant does not submit a certificate of conduct acceptable to the HEI from each HEI that the applicant has attended.

13. The certificate of conduct must be founded on the principle that discipline in a higher education institution is by its nature rehabilitative and progressive.

14. The certificate of conduct, whether on the transcript or issued separately must take one of the following two forms:

- (1) **The student qualifies for a Certificate of Good Conduct.** *(where the student had no record of any transgression of the disciplinary code or had complied with conditions of any sanction laid down for a transgression deemed not to be a serious infraction).*
- (2) **The student does not qualify for a Certificate of Good Conduct** *(where the student had been found guilty of an infraction of the student disciplinary code deemed to be a serious infraction).*

15. The Higher Education Institution may review the Certificate of Good Conduct subject to institutional processes in this regard determined by its Council.

**THE TRANSCRIPT SUPPLEMENT**

16. The transcript supplement is compiled in accordance with the requirements of the HEQSF and reflects at least the following for each course/module successfully completed by the student or former/past student:

- (1) The syllabus description;
- (2) The number of NQF credits;
- (3) The HEQSF level; and
- (4) The third order CESM category.

**APPLICATION TO ANOTHER HIGHER EDUCATION INSTITUTION**

17. A person who is, or was previously, registered at any higher education institution, or more than one higher education institution, who applies for admission to another higher education institution, must

- (1) submit with his/her/their application; or
- (2) authorise the Registrar (or equivalent of a private higher education institution) of the institution(s) at which he or she is or was previously registered to submit/release to the institution to which he/she they are to apply

a current academic transcript of each higher education institution at which he/she/they was registered.



**Appendix B to Schedule****Draft****DRAFT REGULATIONS FOR CREDIT ACCUMULATION AND TRANSFER**

Higher Education Act 101 of 1997

The Minister of Higher Education, Science and Innovation has in terms of Section 69 of the Higher Education Act (Act 101 of 1997) made the following regulations to provide for Credit Accumulation and Transfer by higher education institutions. These regulations are intended to enable higher education institutions to facilitate lifelong learning and access to the workplace.

**DEFINITIONS**

In these policy principles any word or expression to which a meaning has been assigned by the Act, bears that meaning unless the context indicates otherwise:

“Academic/learning programme” means a purposeful and structured set of learning experiences that leads to a qualification comprising a set of credit-bearing NQF level-pegged courses/modules and offered by a higher education institution, registered on the NQF.

“Academic work” means a formal learning experience for which a person was registered for at a higher education institution.

“Act” means the Higher Education Act 1997 (Act 101 of 1997).

“Advanced standing” means the status granted to a learner for admission to studies at a higher level than the learner’s prior formal learning would have allowed and includes exemption where applicable (SAQA CAT policy 2014).

“Articulation” means facilitating the progress and mobility of learners within and across each of the three Sub-Frameworks and to the world of work, which is achieved by the intentional design of structure and content of qualifications (SAQA CAT policy 2014).

“Comparability” means the degree of similarity between two qualifications in terms of purpose, level, credits and learning outcomes to determine the extent of credit accumulation and/or transfer within or between higher education institutions. The matching of curricular properties should also be considered when comparability is determined (SAQA CAT Policy 2014).

“Course/module” means an academic offering, according to the terminology applicable at a given higher education institution as a unit for which an assessment is conducted, and a result is given.

“Credit accumulation and transfer (CAT) system” means a system allowing both credit accumulation and credit transfer to facilitate lifelong learning and access to the workplace (SAQA CAT Policy 2014).

“Credit accumulation” means the totalling of relevant credits required to complete a qualification or a part-qualification (SAQA CAT Policy 2014).

“Credits” means the amount of learning contained in a qualification or part-qualification where one (1) credit is equated to ten (10) notional hours (SAQA CAT Policy 2014).

“Credit transfer” means the transfer of credits towards a qualification or part qualification on the same or different level, usually between different programmes, or institutions (SAQA CAT Policy 2014).

“Curriculum” means the requirements for learner achievement for a qualification or part qualification in terms of knowledge, skills, and where relevant, also work experience.

“Department (DHET)” means the Department of Higher Education and Training.

"HEQSF" means the Higher Education Qualifications Sub-Framework

"Higher Education Act" means the Higher Education Act, 1997 (Act No. 101 of 1997) as amended.

"Higher Education Institution (HEI)" means a public higher education institution, or a private higher education institution recognised as such in accordance with the Higher Education Act.

"NQF credit" is a measure of the amount of learning required to achieve the defined outcomes at the relevant level, in a course/module, expressed as units of 10 notional hours

"Qualification" means a qualification registered on the National Qualifications Framework.

"Recognition of Prior Learning (RPL)" means the principles and processes through which the prior knowledge and skills of a person are made visible, mediated and assessed for the purposes of alternative access and admission, recognition and certification, or further learning and development (SAQA CAT Policy 2014).

"Senior half of the curriculum" means the courses/modules which the curriculum requires a candidate to complete in the final half of the curriculum, usually related to the specialised discipline of the qualification concerned totalling 50% of the credits for the qualification.

"South African Qualifications authority (SAQA)" means the South African Qualifications Authority in terms of Act 67 of 2008 as amended.

## APPLICATION

1. These regulations apply to all public and private higher education institutions (HEIs).

## PREAMBLE

2. The development of a credit accumulation and transfer (CAT) scheme for HEIs is to enable the granting of credit and/or exemption and the recognition of:
  - (1) Academic work done at the higher education institution or elsewhere prior to the date on which the candidate met or obtained exemption from the minimum admission requirement for the qualification towards which recognition is to be given;
  - (2) Prior learning, for admission;
  - (3) Prior learning, for exemption; and
  - (4) Prior learning, for credit.

## UNDERLYING PRINCIPLES

3. There is a distinction between the granting of credit and the granting of exemption. For example:
  - (1) Higher Education Institution A grants exemption from Italian I to a 1st year BA student schooled in Italian who took Italian as a subject in the 12<sup>th</sup> or 13<sup>th</sup> year of schooling. This allows the student direct entry to Italian II, but he/she is not given credit for this and must complete the 360 credits required for the degree.
  - (2) Higher Education Institution B has a distinctive set of academic/learning programmes in Philosophy. Higher Education Institution A has strong Philosophy but very different academic/learning programme. Higher Education Institution B grants **credit** for the course completed at A, but because its academic programmes are different does not **give exemption** from Philosophy I because this would give direct entry to its Philosophy II course/module, which presupposes a foundation in a different school of Philosophy.

4. The maximum number of NQF credits that may be used from a **completed qualification** towards a further qualification is 50%. Not more than 50% of the NQF credits required for a further qualification may be taken from a previous completed qualification or qualifications.
5. The rule that the senior half of the credits for a qualification must be obtained at the higher education institution that awards/confers the qualification is replaced by provisions that
  - (a) state this as a rule, but allow the higher education institution's Senate/academic governing body to grant credit for up to 25% of the senior half for academic work completed elsewhere (still requiring the candidate to complete 50% of the credits required for the qualification at the awarding/conferring higher education institution); and
  - (b) allow the institution's Senate/academic governing body to depart from these rules in exceptional circumstances **consistent with the requirements for the accreditation of the qualification**.
6. The number of NQF credits recognised by a receiving HEI may not exceed the number of credits earned at the first HEI.
7. A higher education institution may **exempt a student from a curriculum requirement** for work completed prior to meeting the minimum admission requirement. Examples are:
  - (a) An entering student who did advanced work at school may be exempted from a curriculum requirement, e.g. a 1st year course/module.
  - (b) A mature entrant (e.g. a person who has worked for many years in a laboratory) may be exempted from a 1st year course/module by Recognition of Prior Learning.
8. A higher education institution may **grant credit** to a student **towards a qualification** for work completed prior to admission, including work completed prior to meeting the minimum admission requirements for admission to the qualification:
  - (a) If the work is recognised by the Senate/academic governing body; and
  - (b) subject to the 50% rule for credits from completed qualifications.
9. Where a person is admitted for non-degree purposes (NDP), succeeds, and, based on this success, is allowed to register for a qualification the Senate/academic governing body may grant credit towards the qualification for any recognised course/module completed for NDP purposes.

#### **ELEMENTS OF A CREDIT ACCUMULATION POLICY**

10. A higher education institution may allow credit transfer between an incomplete academic/learning programme and another academic programme leading to the same qualification at the same institution.
11. A higher education institution may allow credit transfer from an incomplete qualification to another qualification at the same level and at the same institution.
12. A higher education institution may allow credit transfer between an incomplete qualification at the same level from a different institution.

#### **CREDITS, EXEMPTIONS AND ACCEPTANCE OF PERIODS OF ATTENDANCE**

13. Subject to the requirements of the HEQSF, and the provisions set out below, the senate/academic governing body of a higher education institution may:
  - (1) Grant credit for a course/module prescribed for a qualification including a degree, diploma or certificate or for such other curriculum requirement as it may determine to a student who

has completed a course/module or courses/modules or other work, including work assessed through a policy on the Recognition of Prior Learning which the senate considers equivalent, at another higher education institution or elsewhere;

and/or

(2) Grant exemption:

(a) from a course/module prescribed for a qualification; or

(b) from such other curriculum requirement as it may determine

to a student who has completed a course/module or courses/modules or academic work, including academic work assessed through a policy on the recognition of prior learning, which the senate considers equivalent, at another higher education institution or elsewhere, provided that in granting exemption from a prescribed course/module or other curriculum requirement the senate may not thereby reduce the number of NQF credits that the candidate must complete towards the qualification;

and/or

(3) Accept as part of, but not more than half of, the minimum period of attendance and registration prescribed for a qualification including a degree, diploma or certificate, a period or periods of attendance and registration, at another higher education institution.

14. A Senate/academic governing body of a higher education institution may *not* grant credit:

- (1) For more than half of the courses/modules of the curriculum concerned;
- (2) For more than half of the NQF credits reflected in the curriculum concerned;
- (3) For the courses/modules or NQF credits comprising the senior half of the curriculum concerned:
  - (a) unless at least 25% of the credits and the courses/modules comprising the senior half of the curriculum *and* at least 50% of the NQF credits required for the qualification have been obtained at the awarding/conferring higher education institution for the qualification; and
  - (b) provided that in a case considered by the HEI to be *exceptional*, it may depart from this rule;
- (4) For the research component (non-coursework/lectured course(s)/module(s)) of a postgraduate qualification (NQF levels 8, 9 and 10) that has previously been submitted or accepted, for a qualification at any higher education institution or elsewhere.
- (5) Towards a further qualification for more than 50% of the NQF credits that the candidate completed towards the previous qualification or qualifications.
- (6) For a course/module or curriculum requirement for work completed at the institution or elsewhere
  - (a) at a lower HEQSF level than the prescribed course/module for which credit is to be given; or
  - (b) for a greater credit value than the completed work has.

15. Where a candidate for a registered jointly offered qualification has registered at an institution's partner institution or institutions, the time spent while registered for this qualification may be recognised as time spent at the higher education institution that awards/confers the qualification.

16. The combination of the period of attendance and registration at the higher education institution awarding/conferring the qualification and the periods recognised by the senate for this purpose must be not less than the minimum period prescribed for the qualification.

**Appendix C to Schedule****Draft****HIGHER EDUCATION ACT 1997 (ACT 101 OF 1997)****MINIMUM ADMISSION REQUIREMENTS FOR HIGHER CERTIFICATE, DIPLOMA AND BACHELOR'S DEGREE PROGRAMMES**

I, Bonginkosi Emmanuel Nzimande, Minister of Higher Education, Science and Innovation hereby promulgate the Minimum Admission Requirements for Higher Certificate, Diploma and Bachelor's Degree Programmes in public and private higher education programmes as policy in terms of section 3 of the Higher Education Act, 1997 (Act No. 101 of 1997) read with Section 16(7) and Section 27 of the General and Further Education and Training Quality Assurance Act, 2001 (**Act No. 58 of 2001**). The policy will be applicable to all higher education institutions and will be effective from 1 April 2021.

This policy restates the minimum admissions requirements set out for holders of

- (a) the National Senior Certificate (NSC) in GN 751 of 11 July 2008 as amended by GN 1309 of 30 November 2018;
- (b) the National Certificate (Vocational) (NC(V)) in GN 1114 of 26 November 2009 as amended by GN 1345 of 7 December 2018; and
- (c) the Senior Certificate (Amended) (SC(A)) in GN 165 of 2 March 2018.

As many adult learners who have not achieved an NSC, NC(V) or SC(A) or equivalent qualification can benefit from higher education, this policy, in keeping with the objectives of the National Qualifications Framework, allows people to achieve the minimum admission requirements to higher education programmes through the recognition of prior learning and through the provisions of the Higher Education Qualifications Sub-Framework (HEQSF) as published under GN 1040 of 14 December 2012 and as amended by GN 648 of 30 August 2013

This policy introduces provisions to take effect with the abolition of the Matriculation Board in terms of a determination made by me in terms of S 74 of the Act.

Although the NSC and the NC(V) are the primary gateways between schools (NSC) and colleges (NC(V)) and higher education, achieving the minimum NSC or NC(V) standards as provided for in this policy does not guarantee a learner's admission to any programme of study in higher education. Subject to this policy, higher education institutions must determine admissions policies in terms of S37 of the Act and may *inter alia* determine entrance requirements in respect of their higher education programmes.

The transfer of the function, of regulating alternative admission into higher education programmes, from the Matriculation Board to Umalusi will involve an interim phase where Umalusi will issue Certificates

of Exemption to those who would have been able to obtain these from the Matriculation Board under the 2008 regulations. This period will last until the promulgation of replacement regulations to allow for the issuing of Certificates of Exemption by Umalusi. I have asked the Council for Higher Education in consultation with Universities South Africa (USAf) and after consultation with organisations representing private higher education institutions to advise me on these replacement regulations.



**Dr Bonginkosi Emmanuel Nzimande, MP**

**Minister of Higher Education, Science and Technology**

**Date:**

26/01/2021



### POLICY

A person wishing to register for a higher certificate, diploma or bachelor's degree registered on the HEQSF at a higher education institution in South Africa must have attained the minimum requirement for admission as set out in this policy and must provide to the higher education institution to which they seek admission, before registration:

1. A National Senior Certificate (NSC) endorsed by Umalusi as having met the minimum admissions requirements for admission to the higher certificate, diploma or bachelor's degree as set out in Part A; or
2. A National Certificate (Vocational) (NC(v)) endorsed by Umalusi as having met the minimum admissions requirements for admission to the higher certificate, diploma or bachelor's degree as set out in Part B; or
3. A National Senior Certificate (NSC) endorsed by Umalusi as having met the minimum admissions requirements for admission to the higher certificate, diploma or bachelor's degree as set out in Part C; or
4. A Certificate of Exemption, or a Conditional Certificate of Exemption, issued by the Matriculation Board prior to 31 December 2020 under the terms of the regulations published in GN 1317 of 5 December 2008; or
5. A Certificate of Exemption issued by the Matriculation Board in terms of the regulations applicable prior to 5 December 2008; or
6. A Matriculation Board issued by the Matriculation Board or the predecessor Joint Matriculation Board; or,
7. A Certificate of Exemption issued by Umalusi in terms of the provisions set out in Part D to a person
  - (a) Whose prior learning has been assessed by the higher education institution concerned through a procedure for the recognition of prior learning (RPL), which complies with RPL policy set down for higher education, as equivalent to the minimum admission requirements for the qualification to which they seek admission; or
  - (b) Who in the opinion of the senate or governing academic body of a higher education institution, has demonstrated in a selection process approved by the senate or governing academic body that they is suitable for admission to the higher education programme concerned at that higher education institution; or
  - (c) Who would have qualified for the issue of a Certificate of Exemption or a Certificate of Conditional Exemption by the Matriculation Board under the terms of the regulations published in GN 1317 prior to 31 December 2020, whether applicable to a private or public higher education institution until the promulgation of regulations to replace these under S 27 of the GENFETQA Act.

Provided that a higher education institution may accept as evidence that an applicant for admission hold an endorsed NSC, NC(V) or SC(A) confirmation of the fact from Umalusi or the accredited examining body concerned; and

Provided further that a person who has obtained

- (a) a Higher Certificate at level 5 of the HEQSF is deemed to have met the minimum admission requirements for admission to diploma or bachelor's degree study; and
- (b) a Diploma at level 6 of the HEQSF is deemed to have met the minimum admission requirements for admission to bachelor's degree study;

in line with the articulation principles on the HEQSF.

## **PART A**

### **MINIMUM ADMISSION REQUIREMENTS FOR ENTRY INTO HIGHER CERTIFICATE, DIPLOMA, AND BACHELOR'S DEGREE PROGRAMMES OF STUDY FOR HOLDERS OF THE NATIONAL SENIOR CERTIFICATE**

(These requirements were published under GN 751 of 11 July 2008, as amended with effect from 1 August 2018 by GN 1309 of 30 November 2018 as policy under S3 of the Act.)

The purpose of this policy is to provide the statutory minimum admission requirements for holders of the National Senior Certificate, for which specifications were approved by the Minister of Education in the National Senior Certificate - A qualification at level 4 on the National Qualifications Framework, Government Gazette, Vol. 481, No. 27819, July 2005, for entry into Higher Certificate, Diploma, and Bachelors Degree programmes of study.

Qualifications in higher education are designed to have high social and economic value for the country. They represent significant learning achievement, but all qualifications are not alike. They make different intellectual demands and reflect different intellectual achievements on an increasing scale of difficulty, and this is reflected in the different requirements for admission to Higher Certificate, Diploma, and bachelor's degree programmes of study.

A 20- credit NSC subject is any subject recognised for the seven-subject NSC package as approved by the Minister of Basic Education in terms of the National Education Policy Act, 1996 (Act No. 27 of 1996).

#### ***Minimum Admission Requirement for admission to Higher Certificate programmes of study***

The minimum admission requirement is a National Senior Certificate (NSC) with a minimum of 30% in the language of learning and teaching of the higher education institution as certified by the Council for General and Further Education and Training (Umalusi).

***Minimum Admission Requirement for admission to Diploma programmes of study***

The minimum admission requirement is a National Senior Certificate (NSC) with a minimum of 30% in the language of learning and teaching of the higher education institution coupled with an achievement rating of 3 (Moderate Achievement, 40-49%) or better in four recognised NSC 20-credit subjects, as certified by the Council for General and Further Education and Training (Umalusi).

***Minimum Admission Requirement for admission to bachelor's degree programmes of study***

The minimum admission requirement is a National Senior Certificate (NSC) with a minimum of 30% in the language of learning and teaching of the higher education institution as certified by Umalusi, coupled with an achievement rating of 4 (Adequate Achievement, 50 - 59 %) or better in four 20- credit NSC subjects.

**PART B****MINIMUM ADMISSION REQUIREMENTS FOR ENTRY INTO HIGHER CERTIFICATE, DIPLOMA, AND BACHELOR'S DEGREE PROGRAMMES OF STUDY FOR HOLDERS OF THE NATIONAL CERTIFICATE (VOCATIONAL)**

(These requirements were published under GN 1114 of 26 November 2009 as amended by GN 1345 of 7 December 2018 as policy under S3 of the Act.)

The purpose of this policy is to provide the minimum admission requirements for holders of the National Certificate (Vocational): a Qualification at Level 4 on the National Qualifications Framework provided for in the Gazette Volume 489, No 28677, 29 March 2006 and amended in Government Gazette, Volume 507, No. 30266, 7 September 2007, for entry into Higher Certificate, Diploma, and Bachelors Degree programmes of study.

Qualifications in higher education are designed to have high social and economic value for the country. They represent significant learning achievement, but all qualifications are not alike. They make different intellectual demands and reflect different intellectual achievements on an increasing scale of difficulty, and this is reflected in the different requirements for admission to Higher Certificate, Diploma, and bachelor's degree programmes of study.

The NC (V) Level 4 is registered as a 130-credit qualification on the NQF. It comprises two components, namely: a fundamental learning component and a vocational component.

The Fundamental component comprises three (3) subjects, selected from those approved for the qualification. Together these subjects contribute 50 credits to the qualification: of these a) 20 credits are for a language at NQF Level 4 obtained in one of the eleven official languages that is the language of learning and teaching (LOLT) of the FET college; b) 20 credits are for Mathematical

Literacy or Mathematics at the level of certification; and c) 10 credits for Life Orientation at the level of certification.

The vocational component defines the qualification as being of a specific type. It involves learning experiences in situations contextually relevant to particular vocational fields and it provides for the attainment of specific learning required for depth and specialisation within a programme. The vocational component indicates specialisation. A credit value of at least 80 credits at the level of certification must be obtained in the vocational component, comprising four (4) subjects of 20 credits each.

***Minimum Admission Requirement for admission to Higher Certificate programmes of study***

Subject to institutional admission requirements, the minimum admission requirements to a Higher Certificate programme are

- (a) a National Certificate (Vocational) Level 4 issued by the Council for General and Further Education and Training, and
- (b) compliance with the requirements for the language of learning and teaching in the higher education institution.

***Minimum Admission Requirement for admission to Diploma programmes of study***

Subject to institutional admission requirements, the minimum admission requirement is a National Certificate (Vocational) Level 4 issued by Council for General and Further Education and Training.

In addition, a student must

- (a) achieve at least 40% in **three fundamental subjects** including the language of learning and teaching in the higher education institution; and
- (b) achieve at least 50% in the **three compulsory vocational subjects**.

***Minimum Admission Requirement for admission to Degree programmes of study***

Subject to institutional admission requirements, the minimum admission requirement to a bachelor's degree programme is a National Certificate (Vocational) Level 4 issued by Council for General and Further Education and Training.

In addition, a student must

- (a) achieve at 50% in three fundamental subjects, including the language of learning and teaching in the higher education institution; and
- (b) achieve at least 60% in four vocational NC (V) Level 4 Subjects.

**PART C****MINIMUM ADMISSION REQUIREMENTS FOR ENTRY INTO HIGHER CERTIFICATE, DIPLOMA, AND BACHELOR'S DEGREE PROGRAMMES OF STUDY FOR HOLDERS OF THE SENIOR CERTIFICATE (AMENDED)**

(These requirements were published under GN 165 of 2 March 2018 as policy under S3 of the Act.)

This policy provides the statutory minimum requirements for admission to Higher Certificate, Diploma, and bachelor's degree programmes of study for holders of the Senior Certificate (amended) (SC(a)). The SC(a) is a qualification aimed at adult learners.

***Minimum Admission Requirement for admission to Higher Certificate programmes of study***

The minimum admission requirement is a Senior Certificate issued under the regulations for the Senior Certificate published under Government Notices 612 and 613 of August 2014 for the SC and the SC(A), with a

- (a) minimum of 30% in the case of SC(A); or
- (b) minimum of 33.3% in the case of SC (Report 550)

in the language of learning and teaching of the higher education institution

as issued by the Quality Council for General and Further Education and Training (Umalusi).

***Minimum Admission Requirement for admission to Diploma programmes of study***

The minimum admission requirement is a Senior Certificate issued under the regulations for the Senior Certificate published under Government Notices 612 and 613 of August 2014 for the SC(A) with a

- (a) minimum of 30% in the case of NSC/SC(a); or
- (b) minimum of 33.3% in the case of SC (Report 550)

in the language of learning and teaching of the higher education institution;

and

- (c) If the candidate offered six NSC/SC(a) 20-credit subjects, an achievement rating of 3 (40%) or better in four NSC/SC(a) subjects; or
- (d) If the candidate offered a mix of SC (Report 550), NSC and SC(a) 20-credit subjects, and passes an achievement rating of 3 (40%) or better in at least four subjects, which must be Higher Grade SC and/or NSC and/or SC(a) subjects, provided that a candidate may complete one Standard Grade SC subject at 50% or better in place of one Higher Grade SC subject at 40% or better.



as issued by the Quality Council for General and Further Education and Training (Umalusi)

***Minimum Admission Requirement for admission to bachelor's degree programmes of study***

The minimum admission requirement is a Senior Certificate issued under the regulations for the Senior Certificate published under Government Notices 612 and 613 of August 2014 for the SC(A) with a

- (a) minimum of 30% in the case of NSC/SC(a); or
- (b) minimum of 33.3% in the case of SC (Report 550)

in the language of learning and teaching of the higher education institution;

and

- (c) If the candidate offered six NSC/SC(a) 20-credit subjects, an achievement rating of 4 (50%) or better in four NSC/SC(a) subjects; or
- (d) If the candidate offered a mix of SC (Report 550), NSC and SC(A) 20-credit subjects, and passes an achievement rating of 4 (50%) or better in at least four subjects, which must be Higher Grade SC and/or NSC and/or SC(A) subjects, provided that a candidate may complete one Standard Grade SC subject at 50% or better in place of one Higher Grade SC subject at 40% or better;

as issued by the Quality Council for General and Further Education and Training (Umalusi)

**PART D**

**Admission to higher certificate, diploma, and bachelor's degree study programmes at higher education institutions on the basis of Certificates of Exemption from the statutory minimum requirements for admission issued by Umalusi**

Umalusi shall, on application by any person, and on payment of such fee as Umalusi may determine for the purpose, issue a Certificate of Exemption from the statutory minimum requirements for admission to

- (a) Higher certificate study; or
- (b) Higher Certificate and Diploma study; or
- (c) Higher Certificate and Diploma and bachelor's degree study

In respect of an applicant

1. Whose prior learning has been assessed by the higher education institution concerned through a procedure for the recognition of prior learning (RPL), which complies with RPL policy set



down for higher education, as equivalent to the minimum admission requirements for the qualification to which they seek admission; or

2. Who in the opinion of the senate or governing academic body of a higher education institution, has demonstrated in a selection process approved by the senate or governing academic body that they is suitable for admission to the higher education programme concerned at that higher education institution; or

3. Who would have qualified for the issue of a Certificate of Exemption or a Certificate of Conditional Exemption by the Matriculation Board under the terms of:

(a) the regulations published in GN 1317 prior to 31 March 2021, until the promulgation of regulations to replace these; or

(b) these regulations amended

(i) by Substituting in paragraph 30(1)(a):

"for an accredited (i) higher certificate (i) diploma or (ii) bachelor's degree, for which

(a) an appropriately endorsed NSC or NC(V) or SC(A); or,

(b) a certificate of exemption,

is a minimum requirement"

in place of:

"for a bachelor's degree with a minimum prescribed full-time duration of three years, for which a matriculation endorsement of certificate of exemption is a prerequisite".

and

(ii) by the addition to paragraph 30(1), after 30(i)(b), of –

"or

"(c) before the date of validity of the certificate to be issued, obtained a National Senior Certificate (NSC), or the National Certificate (Vocational) (NC(V)) or the amended Senior Certificate (SC(A)) endorsed by Umalusi as having met the minimum requirements for admission to Higher Certificate or Diploma studies."