

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

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17 October 2025

HIGHER EDUCATION ACT, 1997 (ACT NO.101 OF 1997)

**POLICY FOR THE RECOGNITION OF SOUTH AFRICAN HIGHER
EDUCATION INSTITUTIONAL TYPES DETERMINED IN TERMS OF
SECTION 3 OF THE HIGHER EDUCATION ACT**

I, Minister of Higher Education and Training, Mr KB Manamela, hereby promulgate the *Policy for Recognition of the South African Higher Education Institutional Types*, in terms of the Higher Education Act, 1997 (Act 101 of 1997), as set out in the Schedule. The purpose of this policy is the classification of the Institutional types in the Higher Education Act, thereby charactering the distinct scope and range of operations. By setting clear parameters for the recognition/ declaration/ establishment and registration of the various types of higher education institutions, the policy aims to create enabling mechanism for the expansion, differentiation and articulation within higher education sector.

This policy is promulgated after consultation with the Council on Higher Education as required in terms of section 3 (1) of the Act.

**MR KB MANAMELA, MP****MINISTER OF HIGHER EDUCATION AND TRAINING**



higher education & training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

POLICY FOR THE RECOGNITION OF SOUTH AFRICAN HIGHER EDUCATION INSTITUTIONAL TYPES

**DETERMINED IN TERMS OF SECTION 3 OF THE
HIGHER EDUCATION ACT, 1997 (ACT NO. 101 OF
1997), AS AMENDED**

March 2025

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PREAMBLE

The Higher Education Act, 1997 (Act No. 101 of 1997), as amended (the Act), establishes the legal framework for the existence and recognition of Higher Education Colleges, University Colleges and Universities.

Section 3(1) of the Act, states that:

“(1) the Minister must, taking into consideration the provisions of the Constitution and after consulting the CHE, determine policy on higher education, which policy includes, but is not limited to —

- (a) transformation goals and oversight mechanisms for these goals;*
- (b) articulation and recognition of prior learning frameworks across the education system; and*
- (c) criteria for recognition as a university, university college, or higher education college”.*

Once published in the Gazette and tabled in Parliament in terms of section 3(2) of the Act, institutions that meet the criteria contemplated in section 3(1)(c) of the Act may be established, converted or declared as a public university, university college, or higher education college, with the following sections regulating the process:

- (a) Section 20 of the Act, governing the establishment of a public higher education institution;
- (b) Section 21 of the Act, governing the declaration of education institutions as public higher education institutions;
- (c) Section 22 of the Act, governing the consequence of declaration as public higher education institutions;
- (d) Section 23 of the Act, governing the merger of public higher education institutions;
- (e) Section 24 of the Act, governing the incorporation of subdivisions of public higher education institutions.

Chapter 7 of the Act governs the registration of private higher education institutions (PHEIs). Any institution seeking to operate as a private higher education college, private university college or private university must first be registered as a private higher education institution in accordance with Chapter 7 of the Act.

Private higher education institutions registered in accordance with section 54(1)(c) of the Act may apply to the registrar to have their registration classified as a private higher education college, private university college, or private university, with this classification reflected on their registration certificate and in the official register.

The regulations governing the registration of private higher education institutions will be revised and updated to align with changes in the Act and this policy.

In terms of section 3(3) of the Act:

“(3) The Minister may, in terms of the policy contemplated in subsection (1) and in the interest of the higher education system as a whole, determine the scope and range of operations of —

- (a) public higher education institutions;*
- (b) private higher education institutions; and*
- (c) individual public or private higher education institutions”.*

Higher education colleges, university colleges and universities will be subject to a scope and range of operations that meet the criteria for recognition as prescribed by the Minister under section 3(1)(c) of the Act, with the authority to regulate such matters derived from section 69(d), which empowers the Minister to make regulations on any policy matter contemplated in section 3 of the Act.

In terms of funding, public higher education colleges, university colleges and universities are subject to section 39(1), (2) and (3) of the Act. Accordingly, the Minister, after consulting the Council on Higher Education (CHE) and with the concurrence of the Minister of Finance, must determine and publish a funding policy for public higher education, ensuring fairness, transparency and redress of past inequalities (Section 39(1) of the Act).

Public funds must be allocated fairly and transparently (Section 39(2) of the Act), and the Minister may impose reasonable conditions on such allocations (Section 39(3) of the Act). Should a public higher education institution fail to comply with any legal provision or funding condition, the Minister may request compliance within a specified period (Section 39(3A) of the Act). Failure to comply may result in the withholding of funds, subject to due process, including written notice, an opportunity for representations and parliamentary reporting (Sections 39(3B) - (3D) of the Act).

Public higher education institutions must also comply with the planning and reporting framework established under section 69(c) of the Act. The Minister may publish additional regulations for each institutional type in line with section 3(1) of the Act.

This policy establishes a typology for higher education institutions without creating a hierarchical ranking. Instead, it provides a framework that allows institutions to position themselves according to their own objectives and ambitions, ensuring alignment with South Africa's higher education needs.

The criteria, scope and range of operations are determined and published in terms of section 3 of the Act.

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1.ACRONYMS AND ABBREVIATIONS

CAT	Credit Accumulation Transfer
CHE	Council on Higher Education
GFETQSF	General and Further Education and Training Qualification Sub-Framework
HEI	Higher Education Institution
HEQF	Higher Education Qualification Framework
HEQSF	Higher Education Qualification Sub-Framework
NQF	National Qualifications Framework
OQSF	Occupational Qualification Sub-Framework
PHEI	Private Higher Education Institution
PQM	Programme Qualification Mix
PSET	Post School Education and Training
QCTO	Quality Council for Trade and Occupations
RPL	Recognition of Prior Learning
SAQA	South African Qualifications Authority

2. DEFINITIONS

In this policy, unless otherwise indicated by the context, the following words and expressions have the meanings assigned to them by the Act:

TERM	DEFINITION
Academic employee	means a person appointed to teach or to conduct research at a higher education institution and any other employee designated as such by the council of that institution.
Act	refers to the Higher Education Act, 1997 (Act No. 101 of 1997), as amended.
Articulation	means the process of forming connections between qualifications and/or part-qualifications to allow for the vertical, lateral, and diagonal movement of students within the formal education and training system and its linkages with the world of work.
CHE	means the Council on Higher Education established in terms of section 4 of the Act.
Cognate	means similar or related in content or discipline.
Comparability	means extent of similarity between two or more qualifications or part-qualifications in terms of purpose, level, credits and learning outcomes to determine credit accumulation and/or transfer between institutions. Curricular alignment should also be considered when assessing comparability.
Convert	means the process of conversion as contemplated in section 20(1) of the Act in terms of which an identified higher education institution or subdivision, faculty, school, department, section or component of a public higher education institution or education institution becomes a juristic or new juristic person, as the case may be, on a date specified by the Minister in the Notice contemplated in section 20(1).
Council	means the governing body of a PSET institution.
Hard skills	mean the technical skills required for employment, acquired and enhanced through education and experience.
Higher Education	means all learning programmes which must be registered in accordance with the provisions of the National Qualifications Framework Act, 2008 (Act 67 of 2008), as a qualification or part-qualification on the HEQSF, regardless of whether such programmes are in fact registered or not on the sub-framework.
Higher Education College	means a higher education institution providing higher education, but with a limited scope and range of operations

TERM	DEFINITION
	and which meets the criteria for recognition as a higher education college as prescribed by the Minister in terms of Section 69(d); and a) Established, merged, converted, deemed to have been established or declared as a public higher education college; or b) Registered as a private higher education college.
Institutional statute	means any statute made by the council of a public higher education institution under section 32 of the Act.
National Qualification Framework	means the national qualifications framework contemplated in the National Qualifications Framework Act, 2008 (Act No. 67 of 2008).
Minister	means the Minister responsible for Higher Education and Training.
Part qualification	means an assessed unit of learning with a defined outcome that is, or will be, registered as part of a qualification on the NQF.
Private higher education institution	means any institution registered or conditionally registered as a private higher education institution in terms of Chapter 7 of the Act.
Programme	means a structured set of learning experiences leading to a qualification, which may be discipline-based, professional, career-focused, trans/inter- or multi-disciplinary in nature. A programme has recognised entry and exit points. All higher education programmes and qualifications must have a core component and may have a fundamental and or elective component depending on the purpose of the programme or the qualification. The credit allocation for core, fundamental and elective learning will depend on the purpose of the programme or qualification. The internal organisation of programmes is otherwise not prescribed by this document.
Provide higher education	means the performing any or all of the following functions: a) Registering of students for higher education; b) taking responsibility for the provision and delivery of a higher education curriculum; c) assessing a of student's performance in a higher education programme; and d) conferring a higher education qualifications; <i>In the name of the higher education institution concerned.</i>
Public higher education institution	means any higher education institution that is established, deemed to be established, converted or declared a public higher education institution under the Act.
Qualification	means (a) a qualification or part-qualification that is : (i) registered on the NQF; (ii) offered by a registered, established, declared, or merged and accredited education institution or

TERM	DEFINITION
	skills development provider in terms of [the NQF Act] the applicable law; and (iii) which has been lawfully obtained; and (b) in relation to a foreign qualification means a qualification or part-qualification – (i) that is lawfully offered by a foreign institution; (ii) obtained from a foreign country; and is evaluated by the SAQA in terms of this Act and found to be authentic.
Range	means the diversity of functions and activities performed by a higher education institution. This may entail the variety of programmes registered on the NQF and activities that an institution may choose to have or offer. It encompasses whether an institution is single-field focused or diversified within a study field or across academic fields such as information technology, health or life sciences. The internationalisation footprint and transformation agenda must be visible.
Recognition of Prior Learning (RPL)	means the principles and processes through which 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	means the South African Qualifications Authority originally established under the now repealed South African Qualifications Authority Act, 1995 (Act No. 58 of 1995) and continuing under the National Qualifications Framework Act, 2008 (Act No. 67 of 2008). SAQA oversees the further development and implementation of the NQF, ensures the achievement of its objectives and co-ordinates its three sub-frameworks.
Scope	refers to the primary focus area of a higher education institution, including teaching and learning, research and development and community engagement initiatives. It defines the breadth of academic fields in which a higher education institution may operate and highlights areas of specialisation and diversity. This includes the types and levels of qualifications the institution may offer, the skills programs it may provide and its involvement in research activities.
Senate	means the body contemplated in section 28 of the Act and includes an academic board.
Soft skill	means character traits and interpersonal skills that complement hard skills, including but are not limited to critical thinking, problem solving, public speaking, teamwork, leadership and work ethic.
Student	means any person enrolled as a student at any PSET institution.

TERM	DEFINITION
The Department	means the Department of Higher Education and Training.
University	means a higher education institution providing higher education and with a scope and range of operations, including undergraduate and postgraduate higher education programmes, research and community engagement, which meets the criteria for recognition as a university as prescribed by the Minister under section 69 (d); and (a) established, merged, converted, deemed to have been established or declared as a public university; or (b) registered as a private university, in terms of this Act;
University college	means a higher education institution providing higher education, but with a limited scope and range of operations and which meets the criteria for recognition as a university college as prescribed by the Minister under section 69 (d); and (a) established merged, converted, deemed to have been established or declared as a public university college; or (b) Registered as a private university college.

3. Introduction

- 3.1. Schedule 4 of the Constitution of the Republic of South Africa, 1996 (the Constitution) designates tertiary education as a national competence, requiring higher education institutions' programmes and qualifications to be accredited by the relevant Quality Council (QC) and aligned with the Higher Education Qualifications Sub-Framework (HEQSF).
- 3.2. The *White Paper for Post-School Education and Training* (PSET) (2013) defines the post-school system as comprising all education and training provisions for individuals who have completed; not completed; or never attended school. This system provides a diverse range of educational opportunities and institutional types, offering multiple entry points into the PSET system to support an effective, efficient, responsive and transformed higher education sector.
- 3.3. These diverse institutions offer various programmes and learning modes that shape the post-school system. While programme content may vary, all qualifications will be aligned with the National Qualifications Framework (NQF) to ensure curriculum comparability and accessible entry points. This approach deliberately establishes an articulated, differentiated PSET system rather than one formed by default.

Background and context

- 3.4. The development of this policy takes place within the context of the ongoing transformation agenda in South African higher education. In 2001, colleges of education were fully incorporated into the higher education sector as subdivisions of universities and technikons (*Government Gazette, Vol. 426, No. 21913, December 2000*). However, other public colleges offering higher education qualifications such as colleges of Agriculture, Emergency Medical Services and Nursing continue to operate outside the mandate of the Department. These colleges remain under concurrent national and provincial jurisdiction, with transitional arrangements in place to ensure alignment with the HEQSF.
- 3.5. The amendments to the Act introduced higher education college category to expand undergraduate programmes in technical and professional fields. These institutions, established under a specific ministerial mandate, are intended to be smaller, less costly and less complex than universities while still offering accredited higher education qualifications and other sub-framework certifications. Public colleges that previously fell outside the post-school education system were intended to be the first of these institutions. Through structured academic pathways, these colleges would collaborate with universities, enabling graduates to pursue postgraduate studies at partner institutions while also providing alternative higher education options for National Senior Certificate holders.
- 3.6. The university college model was introduced in the Act following the establishment of two new universities in 2013, namely the University of Mpumalanga (UMP) and Sol Plaatje University (SPU). Although classified as universities, these institutions initially did not meet full university requirements. The Council on Higher Education

(CHE) recommended that future universities be established as university colleges first and transition into fully-fledged universities over ten years. However, the Act did not originally make provisions for this. UMP and SPU were therefore established as universities with ten-to-fifteen-year development plans, relying on accredited programmes from established universities and funding through earmarked grants, which they continue to receive.

- 3.7. The university college model has historically shaped university development in South Africa, as seen with the University of the Cape of Good Hope (1873), which later became the University of South Africa (UNISA) (1916). This model, widely used internationally, enables gradual institutional growth, allowing universities to develop governance structures, quality assurance mechanisms, policies and systems while solidifying their institutional identity.
- 3.8. The current higher education landscape includes private providers classified as private higher education institutions. These institutions are registered under section 54 of the Act, which outlines the requirements and process for their registration or provisional registration. Private institutions are generally smaller in scale, often focusing on specialized fields, mainly at the undergraduate level, though some offer qualifications across the three national qualification sub-frameworks. Registration is subject to the fulfilment of section 53 requirements, with provisional registration available in cases where institutions are expected to meet the requirements within a reasonable period.
- 3.9. The amendment of the Act introduced provisions allowing PHEIs to register as private higher education colleges, private university colleges or private universities. Previously, the registrar could impose conditions under section 60(1) of the Act preventing PHEIs from using "university" or its derivatives in their names. However, amendments now permit registered PHEIs that meet specific criteria to apply for designation as private universities, private university colleges or private higher education colleges. This registration remains subject to the revision of the Regulations for the Registration of PHEIs, ensuring compliance with quality assurance and governance requirements.

The current context

- 3.10. The National Plan for Post-School Education and Training (NPPSET) (2023) envisions a diverse and high-quality education and training system spanning both public and private sectors. This system comprises distinct institutional missions, specialised programmes, varied delivery methods, research priorities, and community engagements. The Department will oversee planning, funding, quality assurance and monitoring to ensure alignment with national objectives.
- 3.11. In the public sector, the expansion of multi-site campuses and the establishment of additional campus sites within capable universities and colleges will broaden access to higher education programmes. In the private sector, registered PHEIs will be encouraged to align with the broader PSET system, ensuring that their qualifications promote articulation within and between institutions.

- 3.12. Nonetheless, the *White Paper 3* warns against “homogenising pressures” and underscores the importance of recognising the distinct functions and missions of higher education institutions. While institutional types are no longer regarded as entirely separate sectors with exclusive missions, they must still support articulation, collaboration and multi-institutional engagements based on shared objectives and mutual interests. The unique roles of institutions, even within collaborative frameworks, remain central to fostering a diverse and responsive higher education system. This diversity is essential for balancing specialised missions and programme offerings to meet national and regional social, cultural and economic development priorities.
- 3.13. The implementation of this policy creates opportunities to expand access for first-time entrants into the higher education system. Public institutions currently offering higher education programmes but operating outside the legal framework of the Act may be classified as higher education colleges, ensuring compliance with regulatory requirements.
- 3.14. To effectively implement the Act and realise its policy objectives, it is essential to establish clear criteria for recognising the three institutional types (private universities, private university colleges and private higher education colleges); and develop precise guidelines defining their scope, range of operations and quality assurance requirements.

4. LEGISLATIVE AND POLICY PROVISIONS

- 4.1. This policy is developed in alignment with the Constitution (Section 29(2) and (3), and Schedule 4); the Act. The policy aims to fulfil the objectives and goals of the following key legislative and policy frameworks:
- 4.1.1. *White Paper 3 - A Programme for Higher Education Transformation* (1997);
 - 4.1.2. The National Development Plan (NDP) 2030 (2012);
 - 4.1.3. The White Paper for Post-School Education and Training (2013);
 - 4.1.4. The National Qualifications Framework Act (2019);
 - 4.1.5. NQF sub-Frameworks coordinated by SAQA, including: (i) General and Further Education and Training Qualifications Sub-Framework (GFETQSF, 2020), overseen by Umalusi, Council for Quality Assurance in GENFET; (ii) Occupational Qualifications Sub-Framework (OQSF, 2021), overseen by QCTO; (iii) Higher Education Qualifications Sub-Framework (HEQSF, 2014), overseen by CHE; Credit Accumulation and Transfer (2014); and (iv) the National Plan for Post School Education and Training (NPPSET, 2023).
- 4.2. In ensuring equitable access and quality education across the PSET system, the classification of institutional types is guided by the NQF and its sub-frameworks. The table below outlines qualification types as determined by the Ministerial Determination in Government Notice 1391, published in Gazette No. 44031 on 24 December 2020.

NQF Sub-Framework/ Quality Council	NQF Level	NQF Sub-Framework and Qualification Type		NQF Sub-Framework/ Quality Council
Higher Education Qualifications Sub-Framework (HEQSF)/Council on Higher Education (CHE)	10	Doctoral Degree (including Professional Doctorate)		
	9	Master's Degree (including Professional Master's Degree)		
	8	Bachelor Honours Degree Postgraduate Diploma Bachelor's Degree		
	7	Bachelor's Degree Advanced Diploma	Specialised Occupational Diploma	Occupational Qualifications Sub-Framework (OQSF) Quality Council for Trades and Occupations (QCTO)
	6	Diploma Advanced Certificate	Advanced Occupational Diploma	
	5	Higher Certificate	Occupational Diploma Advanced Occupational Certificate	
	4	National Certificate	Higher Occupational Certificate	
General and Further Education and Training Qualifications Sub-Framework (GFETQSF)/ Umalusi	3	Intermediate Certificate	National Occupational Certificate	
	2	Elementary Certificate	Intermediate Occupational Certificate	
	1	General Certificate	Elementary Occupational Certificate	
			General Occupational Certificate	

5. PURPOSE

- 5.1. This policy determination is made in terms of sections 3(1(c) and 3(3) of the Act. By defining the scope and range of the operational framework of different institutional types, the policy aims to:
- 5.1.1. promote expanded access to a broad range of higher education institutions through strengthening learning pathways that are clear, and articulation barriers are removed.
 - 5.1.2. promote the development of a flexible learning system that progressively covers the entire higher education sector, featuring diverse institutional missions, varied programme mixes, and a combination of distance and face-to-face delivery methods. This system should blend appropriate, cost-effective resource-based learning and teaching technologies with robust support systems.
- 5.2. The ultimate purpose, therefore, is to develop a higher education system that has a common goal of meeting national and regional needs in social, cultural and economic development based on diversified institutional types with varied and appropriate programme choices and combinations, thus contributing to diminishing distinction between historically advantaged and historically disadvantaged institutions which are a legacy of South Africa's history, memory and consciousness.

6. HIGHER EDUCATION COLLEGES

- 6.1. The classification of Higher Education Colleges are based on their scope of operations, programme offerings, and governance structures, as prescribed by the Act, regarding council composition and functions. These institutions primarily focus on undergraduate education and skills development, specialising in fields that integrate theoretical knowledge with practical application.

Scope and Range

To qualify as a Higher Education College, an institution must meet the following criteria regarding its scope and range of operations:

- 6.2. Specialise in professional programmes in niche areas and continuous skills development. It must offer programmes within a specific field or discipline, or across a limited number of interconnected fields or domains.
- 6.3. Prioritise undergraduate teaching and learning, adopting a holistic approach that integrates both 'soft' and 'hard' skills across a limited number of cognate fields. Qualifications offerings must begin at the Higher Certificate level to ensure articulation and progression.
- 6.4. At least 80% of the programmes must be aligned with the HEQSF, primarily leading to:

- 6.4.1. Higher Certificates (occupational, vocational, foundational, academic);
 - 6.4.2. Advanced Certificates;
 - 6.4.3. Diplomas (occupational, vocational, academic);
 - 6.4.4. Advanced Diplomas;
 - 6.4.5. Bachelor's Degrees;
- 6.5. May offer short skills courses that, while not linked to formal qualifications, support continuous professional development or help individuals acquire specific industry-related skills.
- 6.6. May conduct applied research and engage in community development. Institutions should be well-resourced to pursue these objectives. They should locate themselves in the broader development agenda of where they are geographically located.
- 6.7. A limited number of programmes may lead to qualifications or part qualification under the QQSF in one or 2 specialised fields. It may allocate up to 20% of its formal qualifications to programmes at NQF Levels 3 to 8 under the QQSF, primarily leading to industry-relevant credentials, such as:
- 6.7.1. National Occupational Certificate;
 - 6.7.2. Higher Occupational Certificate;
 - 6.7.3. Advanced Occupational Certificate;
 - 6.7.4. Occupational Diploma;
 - 6.7.5. Advanced Occupational Diploma.
- 6.8. Once an institution has established a proven track record, it may be permitted to offer a Specialised Occupational Diploma (NQF Level 8).
- 6.9. Higher Education Colleges that specialise in fields such as nursing, emergency medical care and agriculture will initially offer Higher Certificates and Diplomas (NQF Levels 5 to 7). As a minimum requirement, newly established institutions must graduate at least three cohorts before applying to offer Advanced Diplomas and Bachelor's Degrees. However, institutions with a proven track record may apply to offer postgraduate qualifications.
- 6.10. Higher Education Colleges may apply to offer postgraduate qualifications (NQF Levels 8), provided they already offer Bachelor's degrees and have adequate resources to support postgraduate programs. However, such qualifications must be registered on the HEQSF in compliance with section 65D of the Act. Approval is subject to compliance with the HEQSF, demonstration of adequate institutional capacity and formal approval by the Minister for public institutions or the Registrar for private institutions.
- 6.11. Qualifications must articulate vertically, diagonally, and horizontally within and across institutions. Partnerships and collaborations with other higher education institutions are encouraged to facilitate seamless articulation into university colleges and Universities.

Governance

Public Higher Education colleges

- 6.12. The governance and management structures of public Higher Education Colleges shall adhere to the provisions outlined in Chapter 4 of Act. For the purposes of this policy, it is proposed that the governance and management of these institutions shall include the following:
- 6.13. The council of a Higher Education College, which shall consist of 10 members made up of;
- 6.13.1. A chairperson; and
 - 6.13.2. three persons appointed by the relevant minister
 - 6.13.3. a member of senate elected by the senate
 - 6.13.4. an academic employee of the public higher education college elected by such employees
 - 6.13.5. a student of the public higher education college, elected by the students' representative council
 - 6.13.6. an employee other than academic employees, elected by such employees of the public higher education college
 - 6.13.7. such additional persons as may be determined by the institutional statute.
- 6.14. The majority of the council members shall possess knowledge and expertise in: –
- 6.14.1. higher education in general; and
 - 6.14.2. the specific scope for which the institution has been established, particularly for specialised higher education colleges.
- 6.15. The council may co-opt persons to the board for a period not exceeding the term of office of the board. These co-opted persons shall have no voting rights.
- 6.16. The Chairperson of the Council shall be appointed following the procedure outlined in the Institutional Statute, as prescribed in section 32 of the Act. If the institution has not yet developed its own institutional statute, the standard institutional statute provided by the Minister shall apply.
- 6.17. For the purposes of this policy, it is proposed that the council must establish:
- 6.17.1. an executive committee;
 - 6.17.2. an audit and risk committee;
 - 6.17.3. a human resources and remuneration committee; and
 - 6.17.4. any other committee(s) as prescribed by the Minister.
- 6.18. The senate shall be responsible for the academic functions within the institution and, as stipulated in section 28 of the Act, it is "*accountable to the Council for the academic*

functions of the public higher education institution and must perform such other functions as may be delegated or assigned to it by the Council". The senate must consist of:

- 6.18.1. principal;
 - 6.18.2. vice-principals;
 - 6.18.3. academic employees of the public Higher Education College;
 - 6.18.4. employees of the public Higher Education College other than academic employees;
 - 6.18.5. members of the students' representative council; and
 - 6.18.6. such additional persons as may be determined by the institutional statute, which must be approved by the Minister as per section 33 of the Act, or if no institutional statute exists, as determined by the standard institutional statute prescribed by the Minister.
- 6.19. The number of persons contemplated in subsections 6.18.1 to 6.1.6, as well as the manner of their appointment or election, shall be defined in the institutional statute or, if no institutional statute exists, as defined in the standard institutional statute prescribed by the Minister.
- 6.20. The majority of the senate members must be academic employees of the of the public Higher Education College.
- 6.21. The management of a public Higher Education College shall be overseen by a principal, supported by an executive team, as outlined in the institutional statute and approved by the Minister.

Private Higher Education colleges

- 6.22. Registered PHEIs, regulated under Chapter 7 of the Act, are registered as companies in terms of the Companies Act 2008 (Act No. 17 of 2008) (the Companies Act). Their governance structure shall align with the Companies Act, as specified in the Regulations for Private Higher Education Institutions. The Registrar will align these governance structures with the Companies Act through the Regulations for Private Higher Education Institutions.

7. UNIVERSITY COLLEGE

- 7.1. A university college is a higher education institution that offers higher education with a limited scope and range focusing on undergraduate, continuing skills and professional programmes. It must establish niche areas of specialisation supported by both academia and industry. A public university college may be declared as an incorporated subdivision of a university, facilitating the developmental trajectory of new universities. The integration of a university college into an established university strengthens articulation pathways and expands market opportunities for graduates.

- 7.2. A university college is designed to develop into a university over time. It may operate as a standalone institution or as an incorporated subdivision of an established university, with funding allocated for this purpose.
- 7.3. Higher education institutions may progress towards declaration as a university, there is also a possibility for them to remain as a higher education college or University College. This approach strengthens the diversity of higher education institutions, guaranteeing that students have access to a variety or multitude of educational opportunities aligned with their interests and career aspirations.
- 7.4. To be recognised as a public university college, an institution must be established as a new institution, converted from an existing higher education institution, or declared as a university college by the Minister in accordance with section 21 of the Act, read with any other relevant provisions governing the classification and conversion of higher education institutions (i.e. Sections 3(1), 20(4), 23 and 65AB of the Act, where applicable).
- 7.5. Any contemplated public university college must demonstrate their evolution/developmental trajectory from a Higher Education College. This phased approach advances the development of essential administrative, management, academic, and quality assurance systems, which are crucial for the successful establishment of an autonomous or independent university. The process is supported and guided by the institution to which the university college is governed by.
- 7.6. A university college may co-operate with another higher education institution, that is aligned with their planned growth trajectory (i.e. traditional, comprehensive or university of technology), while maintaining a level of autonomy. The nature of the co-operation can vary and could involve aspects such as academic oversight, governance structures, research collaboration and degree conferment. The Minister may determine the conditions in accordance with the provisions of the Act and relevant policies.
- 7.7. For a public institution, the decision to declared a university college shall be based on a national plan for the expansion and diversification of university education, with funding allocated for this purpose in the relevant government budget vote.
- 7.8. For an existing private higher education institution, an application for classification as a private university college must be made in accordance with the applicable regulations governing registration.
- 7.9. A solid foundation in administration, management, academics and governance must be established before a fully autonomous university can be created.
The Minister may, after consulting the CHE and by notice in the Gazette, establish a public University College, provided that funding for its infrastructure and operations has been appropriated by Parliament for this purpose (section 20(1) of the Act).
- 7.10. Private University Colleges may be established by independent entities, subject to registration with the Registrar in terms of section 54(1) and compliance with the Act.
- 7.11. Private higher education institutions seeking classification as a private university college must apply through the registrar.

Scope and Range

- 7.12. Initially, a university college will offer a selected range of undergraduate qualifications aligned with its future mandate, as determined by a feasibility study. For newly established public university college, this phase may take up to nine (9) years. However, if it is converted or declared from an existing college or campus of a university, it should immediately offer a full range of undergraduate programmes, and possibly some postgraduate programmes, with a much faster developmental trajectory. This rapid expansion is supported by the existing infrastructure, resources, and institutional framework inherited from the affiliated higher education institution.
- 7.13. Focused on undergraduate teaching and learning, a university college shall offer a broader range of cognate fields than Higher Education Colleges, ensuring alignment with its developmental trajectory. The programme qualification mix of the university college will be in line with its planned trajectory. Should it envisage to be a University of Technology, it must offer certificates and diplomas as well as bachelor's degrees in technology related fields. Should it be intended to be research led, research intensive university, it would not be expected to offer certificates and diplomas, but would be expected to offer 360C and 480C Bachelor Degrees.
- 7.14. At least 85% of a university college's qualifications must be on the HEQSF. Depending on its development trajectory as a traditional, comprehensive or university of technology, it will offer a selection of undergraduate qualifications primarily leading to:
- 7.14.1. Higher Certificates (occupational, vocational, foundational, academic);
 - 7.14.2. Advanced Certificates;
 - 7.14.3. Diplomas (occupational, vocational, academic);
 - 7.14.4. Advanced Diplomas;
 - 7.14.5. Bachelor's Degrees;
 - 7.14.6. Bachelor's Honours Degrees;
 - 7.14.7. Postgraduate Diplomas.
- 7.15. Additionally, a university college may offer short skills courses that, while not linked to formal qualifications, support continuous professional development or industry-specific skills.
- 7.16. Once undergraduate programmes are established, a university college will expand its offerings, introduce postgraduate qualifications and engage in community development. Within ten (10) years, it should provide a full range of undergraduate and substantive postgraduate programmes in line with its future university mandate.
- 7.17. A university college must develop a research niche aligned with its teaching and learning focus, ensuring consistency with its intended trajectory, whether as a traditional university, comprehensive university or university of technology. Sufficient resources must be allocated to support this objective.
- 7.18. Qualifications must articulate vertically and horizontally within and across institutions, facilitating seamless progression and collaboration.

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Governance

- 7.19. The governance and management structures of public university colleges shall align with Chapter 4 of the Act. For registered Private Higher Education Institutions, regulated under Chapter 7 of the Act, governance structures shall comply with their registration as companies under the Companies Act.
- 7.20. The council of a public university college shall govern the institution in accordance with its statute and applicable Ministerial determinations. Where a university college is established as part of an existing public university structure, its governance may include collaboration with the university's council, subject to approval by the Department.
- 7.21. The council of a university college consists of 15 ordinary members made up of -
- 7.21.1. A chairperson; and
 - 7.21.2. four persons appointed by the relevant minister
 - 7.21.3. a member of senate elected by the senate
 - 7.21.4. an academic employee of the public higher education institution elected by such employees
 - 7.21.5. a student of the public higher education institution, elected by the students' representative council
 - 7.21.6. an employee other than academic employees, elected by such employees of the public higher education institution
 - 7.21.7. such additional persons as may be determined by the institutional statute.
- 7.22. The majority of members of the council must possess specific knowledge and experience in: -
- 7.22.1. higher education in general; and
 - 7.22.2. the scope of application for which a specialised institution has been established, in the case of a university college that was initially established as a specialised Higher Education College.
 - 7.22.3. The council may co-opt persons to the board for a period not exceeding the term of office of the board. These co-opted persons shall have no voting rights.
- 7.23. The Chairperson of the Council shall be appointed in accordance with the procedure outlined in the Institutional Statute, as contemplated in section 32 of the Act.
- 7.24. The council must establish:
- 7.24.1. an executive committee;
 - 7.24.2. an audit and risk committee;
 - 7.24.3. a human resources and remuneration committee; and
 - 7.24.4. any other committee(s) as prescribed by the Minister.

7.25. The Senate of a university college is responsible for the academic functions of the institution and, as stipulated in section 28 of the Act, is *“accountable to the Council for the academic functions of the public higher education institution and must perform such other functions as may be delegated or assigned to it by the Council”*. The senate must consist of: -

- 7.25.1. principal;
- 7.25.2. vice-principals;
- 7.25.3. academic employees of the university college;
- 7.25.4. employees of the university college other than academic employees;
- 7.25.5. members of the council;
- 7.25.6. members of the students' representative council; and
- 7.25.7. such additional persons as may be determined by the institutional statute.

7.26. The number of persons contemplated in each of the subsections from **7.25.1** to **7.25.7**, as well as the manner of their appointment or election, shall be defined in the institutional statute or, if no institutional statute exists, as defined in the standard institutional statute prescribed by the Minister.

7.27. The majority of members of the Senate must be academic employees of the university college.

7.28. University college shall be managed by a principal and supported by an executive team as stipulated in the Institutional Statute and approved by the Minister.

8. UNIVERSITY

8.1. In general, universities are large-scale institutions with a significant student population, faculty, staff and infrastructure. Depending on the typology classification (comprehensive, traditional or university of technology), they have the capacity to accommodate a diverse range of academic programs, research activities, community development and support services. Universities focus on both undergraduate and postgraduate higher education qualifications across a wide range of disciplines, fields or domains of study. They are active in research, knowledge production, and innovation and are engaged within local, national and international communities.

8.2. There are three typologies recognised for universities in South Africa, namely: -

8.2.1. *Comprehensive Universities:* These institutions offer a combination of general formative/academic degrees, professional degrees and career-oriented vocational undergraduate programs. They also provide a blend of research-focused and professionally oriented diplomas and degrees at the postgraduate level.

8.2.2. *Traditional Universities:* These institutions offer a range of general formative, academic degrees and professional degrees at the undergraduate level, as well as a variety of research-oriented degrees at the postgraduate level.

8.2.3. *Universities of Technology:* These institutions focus on career-oriented vocational, technology-based degrees, professional degrees, diplomas and certificates at the

undergraduate level. They also offer applied technical and professionally oriented degrees at the postgraduate levels.

- 8.3. Depending on the range of operations across undergraduate and postgraduate teaching and research, the emphasis on these activities will determine whether a university is teaching-led, comprehensive or research-led. In the case of a public university, the Minister shall determine the mandate of a university as traditional, comprehensive or university of technology. This mandate will be maintained through the Programme and Qualification Mix (PQM) and enrolment plan.
- 8.4. Private university colleges seeking classification as a private university must apply through the Registrar.

Scope and Range

- 8.5. To be recognized as a university, an institution must offer a range of HEQSF qualifications from levels 5 to 10.
- 8.6. Traditional universities are mandated to offer HEQSF qualifications from NQF levels 7 to 10.
- 8.7. Universities of Technology are mandated to offer HEQSF qualifications from NQF level 5-10 alongside the OQSF in the areas of technology, vocational and career-related programs.
- 8.8. Comprehensive universities can offer a broad range of HEQSF qualifications from NQF level 5-10 alongside OQSF qualifications.
- 8.9. At least 95% of formal qualifications must be on the HEQSF. The remaining 5% may comprise some program offerings that may lead to qualifications or part qualifications on the OQSF and may also include short skills programs designed for continuous professional development of graduates or general continuing education for adults.
- 8.10. A university: -
- 8.10.1. must undertake research and produce knowledge that contributes to national development needs and international scholarship. They must also demonstrate a culture of sustained scholarship, evidenced by peer-reviewed academic publications that inform teaching and learning across all academic fields.
 - 8.10.2. must be involved in activities within its locality contributing to the wider development of its community.
 - 8.10.3. must demonstrate tangible outcomes in academic internationalization activities.
 - 8.10.4. must ensure that its research activities are aligned with its vision, mission and mandate, thereby supporting the institution's broader goals and strategic objectives.
- 8.11. A fair number of HEQSF programmes must be at doctoral level.
- 8.12. At least 5% of the enrolments in HEQSF qualifications must be at the postgraduate level.

Governance

- 8.13. The governance and management structures of universities shall adhere to the provisions set out in Chapter 4 of the Act.
- 8.14. Registered Private Higher Education Institutions, governed under Chapter 7 of the Act, are incorporated as companies under the Companies Act, which establishes their governance structure. The Registrar has the authority to further define the governance structure of private higher education institutions, beyond what is stipulated in the Companies Act. Additionally, the Minister may issue regulations that align with the Act regarding the classification (comprehensive, traditional or university of technology) of private higher education institutions.

9. PROGRESSION

- 9.1. The Minister may establish public higher education institutions based on societal needs and available funding. The establishment of higher education institutions will be influenced by economic demands and aligned with the District Development Model to ensure responsiveness to regional and national priorities.
- 9.2. Over time, the Minister may establish or declare additional public higher education institutions, allowing identified higher education colleges the opportunity to progress to university college status should they choose to pursue this trajectory. Such progression will be contingent upon meeting the requirements set out in this policy, with a strong emphasis on enhancing educational quality and strengthening niche areas of expertise.
- 9.3. A public Higher Education College or a campus of an existing university may be identified for conversion or declaration as a university college, in accordance with section 21 of the Act, if it demonstrates the potential to evolve into a university over time. The institution must show stability, offer a diverse range of undergraduate qualifications (NQF Levels 5 to 7) and possess the capability to conduct research and offer postgraduate qualifications (NQF Levels 8 to 10) in specific fields or domains subject to ministers approval.
- 9.4. Once the university college demonstrates sustained and sufficient student enrolments across undergraduate and postgraduate programmes, along with active research, community engagement and stable management capability, the Minister may, subject to section 21 of the Act, declare it an independent university following due diligence.
- 9.5. The progression of an institution within the higher education framework is not mandatory but based on institutional readiness, capacity and compliance with the stipulated criteria. Some higher education colleges may opt to remain as such, reinforcing the Department's commitment to fostering a diverse and sustainable post-school education and training landscape.

10. TRANSITIONAL ARRANGEMENTS

- 10.1. The existing institutional statutes and rules of public higher education institutions shall remain in force upon the commencement of this policy and shall continue to apply until amended in accordance with the provisions of the Act.
- 10.1. Registered private higher education institutions shall remain subject to the regulations published in terms of the Act.
- 10.2. In cases where a public higher education institution has not yet developed an institutional statute, the standard institutional statute, as contemplated in section 33(3) of the Act, shall apply.
- 10.3. The Act shall continue to govern the registration of private higher education institutions. By default, registered private higher education institutions shall be classified as higher education colleges.
- 10.4. Institutions seeking reclassification as private university colleges or private universities must submit an application in accordance with the prescribed regulations. Such applications must include evidence of institutional progression from a higher education college to a university college and ultimately to university status, along with supporting documentation. Additional requirements applicable to private university colleges and private universities shall also apply.

11. CHANGE OF TYPE AND SCOPE OF HIGHER EDUCATION INSTITUTION

- 11.1. In terms of section 65AB of the Act, the Minister may, at the request of the council of the institution concerned, and after consultation with the CHE, by notice in the Gazette, change the type of a higher education institution or amend or remove any restrictions on its scope and operations, as contemplated in sections 3(1) and 20(4) of the Act.
- 11.2. Any such decision must be taken in accordance with procedurally fair administrative action, which may vary depending on the circumstance of each case. The Department will ensure compliance with the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) (PAJA).
- 11.3. Higher education institutions will be given adequate notice and a reasonable opportunity to make representation or appeal, in line with the applicable regulations. If it is determined that an institution is unable to fulfil its objectives within its current classification as defined in the Act and policy, a recommendation for conversion may be made.
- 11.4. Before exercising the powers outlined in paragraph 11.1, the Minister must comply with the provisions of section 23(2) of the Act, with the necessary contextual adaptations.

- 11.5. The provisions of sections 65AB (1), (2) and (3) of the Act apply to registered private higher education institutions, subject to necessary modifications. These provisions enable the Minister to alter the type or scope of private institutions under similar conditions, ensuring alignment with legislative and regulatory frameworks.
- 11.6. Before the establishment, conversion or declaration of an institution as a higher education college, university college or university, feasibility studies must be undertaken. A funded development plan must be produced, and funding (whether through the public higher education institution's budget or private funds for private institutions) must be identified and secured for the Minister to consider its establishment, conversion or declaration in the case of a public institution, or registration in the case of a private institution. Private institutions must demonstrate sufficient funding. Each institution may have the potential to expand, develop and transition into a different institutional type over time.

12. APPLICATION, REPORTING AND IMPLEMENTATION

- 12.1. This policy applies to all Higher Education Institutions as defined in section 1 of the Act.
- 12.2. Compliance with the criteria set out in this policy will be monitored through existing reporting regulations applicable to both public and private higher education institutions. Where necessary, these reporting tools may be revised to enhance oversight and ensure alignment with the policy objectives.
- 12.3. Public higher education institutions that fail to meet the criteria for their officially recognised institutional type will be subject to a formal review to assess their suitability. Based on the review, the Minister may take appropriate action, including reclassification as a different institutional type or incorporation as a subdivision of an existing higher education institution in terms of section 21 of the Act. Institutions deemed unsustainable may be subject to closure in accordance with section 25 of the Act.
- 12.4. Private higher education institutions that fail to meet the criteria for their designated institutional type will be subject to deregistration and/or modification of their registration status, in accordance with the regulations governing the registration PHEIs as published under section 60 of the Act.

13. REVIEW OF THE CRITERIA

- 13.1. The criteria for the recognition of institutional types shall be reviewed and updated every five (5) years or as necessary, in response to developments within the higher education landscape.

14.EFFECTIVE DATE OF IMPLEMENTATION

14.1. This policy shall come into effect on the date of its publication in the Gazette.

15.APPROVAL

JOB DESIGNATION	NAME	SIGNATURE	DATE
Director General	Dr. Nkosinathi Sishi	Recommended: 	18/09/2025
Minister: Higher Education and Training	Mr. Buti Kgwaridi Manamela, MP	Approved: 	19/9/2025