Iphephabhuku likahulumeni

Igazethi yoMthethonkambiso engunombolo 6290

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ISAZIZO ESIKHISHWE NGUHULUMENI

SOUTH AFRICAN QUALIFICATION AUTHORITY

South African Qualification Authority

(Isigungu seziPhathimandla sokwengamela iziqu eNingizimu Afrika)

ONGUNOMBOLO R 1127 **8 September 1998**

IMITHETHONKAMBISO NGAPHANSI KOMTHETHO I SOUTH AFRICAN QUALIFICATION AUTHORITY KA 1995

(UMTHETHO ONGUNOMBOLO 58 KA 1995)

I South African Qualification Authority simise leMithethonkambiso ekulesheduli ngaphansi kwesigaba se-14 soMthetho iSouth African Qualification Authority ka 1995 ngokuvunyelwa nguNgqongqoshe wezeMfundo naye obonisane noNgqongqoshe wezeMisebenzi.

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IZIGXUMELO

Imiyalo ngenqubo yae Education and Training Quality Assurance Body Bodies

ISAHLUKO 1:

IMIBANDELA EJWAYELEKILE

Izincazelo

1. KuleMithethonkambiso amagama noma izisho ezinikwe incazelo kuloMthetho ayochaza lokho ngaphandle kokuba umyalezo/umngqondo womusho uqonde okunye -

"Ukunikwa igunya/ukugunyazwa" kusho ukunikeza umuntu, umkhandlu, noma isigungu, nokuvamisile okwesikhashana esithile, igunya lokwenza umsebenzi othile wendlela yokuqiniseka ngamazinga amiswe iSouth African Qualifications Authority;

"uMthetho" usho uMthetho we South African Qualification Authority ka 1995 (uMthetho ongunombolo 58 ka 1995);

"umsekeli" kusho umuntu obhaliswe yi Education and Training Assurance Body ngokulandela inqubo esungelwe lenhloso yi- Standards Generating Body ukuze kukalwe impumelelo emiswe yi- National Qualifications Framework standards or qualifications, kanti igama elithi "constituent assessor/umsekeli walabo akabamele" nalo lisho okufanayo;

"ukubhalisa okunombandela" lokhu kusho ukubhalisa kwesizinda semfundo ephakeme sangasese (ukungesiso esikaHulumeni) njengokusho komthetho weMfundo ephakeme ka 1997 (onunombolo 101 ka 1997);

"Abamelwe" kusho ukumbandakanya nesigejana esithile sabantu noma inhlangano noma isigungu okukhulunywa ngaso kuloMthethonkambiso;

"Education and Training Quality Assurance Body Body" kusho isiGungu esinikwe igunya ngaphansi kwesigaba 5(1)(a)(ii) soMthetho, esibhekene nokuqapha kanye nokucubungula impumelelo ngokwezinga likazwelonke, esiphinde futhi sanikwa umsebenzi othile mayelana nokuqapha kanye nokucubungula amazinga kazwelonke ngaphansi kwesigaba 5(1)(b)(i) soMthetho;

"indima" kusho uhlobo oluthile olusentshenziswa njengenqubo ehlelelwe yi National Qualifications Framework;

"ukuhlolisisa/moderation" kusho inqubo yokuqiniseka ukuthi ukubhekisiswa kwemiphumela yamazinga neziqu echazwe yi- National Qualifications Framework ilungile, iyiyo and ingethethenjwa;

"isigungu sokuhlolisisa" kusho isigungu esiqokwe ngokukhethekile yisSigungu esziPhathimandla ngenhloso yokuhlolisisa;

"National Standards Body" kusho isigungu esibhaliswe ngokwesigaba 5(1)(a)(ii) soMthetho, esinomthwalo wokusungula amazinga neziqu zemfundo noqeqesho kuzwelonke esinikezwe futhi umsebenzi othile ohambisana nokubhaliswa amazinga neziqu zemfundo noqeqesho kuzwelonke ngaphansi kwesigaba 5(1)(b)(i) somthetho;

"imiphumela/impumelelo" kusho inkombiso yemiphumela yenqubo yokufunda;

"okuzobhekwa zisuka nje" kusho imisebenzi nezimpokophelo emkhakheni ethile yalesisigungu lapho lesisigungu sizogxilisa wonke amandla nemizamo yaso;

"isigungu sosolwazi" kusho isigungu esibhaliswe ngokomthetho ohambisana nalesosigungu noma isigungu esizimele esenza imisebenzi emiselwe lesosigungu ngokoMthetho nakuba singabhalisile ngokwalowo Mthetho;

"Abafundisayo/provider" kusho isigungu esiletha/esimisa imigomo yenqubo yokufunda esuselwe noma ethathelwe eazingeni noma iziqu National Qualifications Framework bese futhi sisingatha ukuhlolisiswa kwayo;

"isiqiniseko ngamazinga" kusho inqubo yokuqiniseka ukuthi lokuphuma phambili okumisiwe kuyafezeka; "ukucutshungulwa kamazinga/quality audit" kusho inqubo yokuhlola izinkomba ezikhombisa ukuthi ukuphuma phambili kuyafezeka;

"indlela yokuphathwa kwamazinga" kusho ukudidiyelwa ndawonye kwezinqubo ezisentshenziswayo ukuze kube nesiqiniseko ukuthi ukuba ngongqaphambili kuyafezeka;

"amazinga abhalisiwe" kushiwo amazinga abhaliswe ne- National Qualifications Framework;

"umkhakha" kusho ingxenye ethile yomphakathi,ezohwebo noma inqubo yezemfundo esentshenziswa ukumisa imingcele ye Education and Training Quality Assurance Body Body;
kanye

"Standards Generating Body" kusho isigungu esibhaliswe ngokwesigaba 5(1)(a)(ii) soMthetho, esinomthwalo wokusungula amazinga neziqu kwemfundo noqeqesho, enikezwe futhi umsebenzi othile ohambisana nokusungula amazinga emfundo noqeqesho ngaphansi kwesigaba 5(1)(b)(i) soMthetho.

ISAHLUKO 2

EDUCATION AND TRAINING QUALITY ASSURANCE BODY

Ukugunyazwa

2. (1) I-Educationa and Training Quality Assurance iyonikezwa igunya kulowo nalowo mkhakha yiSigungu seziPhathimandla ngenhloso yokuqapha nokucubungula impumelelo ngokwamazinga namaqophelo kazwelonke, ziyonikezwa futhi umsebenzi othile ohambisana nokuqapha nokucubungula amaqophelo namazinga kazwelonke ngaphansi kwesigaba 5(1)(b)(i) soMthetho.

(2) Kulomkhakha lapho iEducation and Training Quality Assurance Body sigunyaziwe noma lapho Education and Training Quality Assurance Body ihluleka ukwenza umsebenzi wayo nalapho le Sigungu seziPhathimandla ibona kunesidingo , iSigungu seziPhathimandla siyozithathela sona umsebenzi kanye nomithwalo ngokujwayelekile okunikwe Education and Training Quality Assurance Body.

(3) Inhlangano noma iqembu lezinhlangano ezifisa ukunikwa igunya lokuba I Education and Training Quality Assurance Body.

I Education and Training Quality Assurance singasungula kulemikhakha elandelayo:

a. Umkhakha womphakathi
b. umkhakha wezomnotho or
c. Umkhakha wezemfundo noqeqesho.

Inqubo yokugunyazwa kwe Education and Training Quality Assurance Body Body

3. (1) Inhlangano noma amaqembu ezinhlangano emele umkhakha oqondwe umthethonkambiso 2(3), ehlangabezanayo nenqubo yokunikwa igunya lokuba yiEducation and Training Quality Assurance Body Body ekhonjiswe kumthethonkambiso 2, ingafaka isicelo sokunikwa igunya lokuba Yi Education and Training Quality Assurance Body Body kuleSigungu seziPhathimandla.

(2) Leyo nhlangano kuyofanele ikhombise ukuthi-

a. kunesidingo sokuba kusungulwe iEducation and Training Quality Assurance Body Body kulomkhakha efisa ukuwusebenzala;
b. lokho ezokubheka kuqala njengomsebenzi wayo wokuqiniseka ngamazinga kuncike ekuzimbakanyeni kwayo nalowo mkhakha kanye nemigomo eyaziwayo yalowo mkhakha;
c. ayiphindi umsebenzi noma ingxenye yomsebenzi wesinye isiGungu sEducation and Training Quality Assurance Body esikhona ngaphandle uma I-Sigungu seziPhathimandla sibona lokho kuphindwaphindwa komsebenzi kudingekile;
d. sinawo amandla okwenza lowo msebenzi ewunikwe yiSigungu seziPhathimandla;
e. sinazo izimfanelo ngokwanele ezizosigcina simile kuze kuphele isikhathi sokugunyazwa;
f. inayo indlela yokuphatha eseqophelweni embandakanya lokhu okulandelayo nakuba kungesikho kuphela -
   i. inemigomo yokuphatha esezingeni echaza ngamazinga I Education and Training Quality Assurance Body Body efisa ukuwathola;
   ii. Inqubo yokuphatha esezingeni evumela iEducation and Training Quality Assurance Body Body ukuba ikwazi ukusebenzisa imigomo yaso yokuphatha esezingeni; kanye
   iii. indlela yokubukeza enika isiqiniseko sokuthi imigomo nenqubo yokuphatha esezingeni emisiwe isasentshenziswa nokuthi isebenza ngokuncomekayo;
g. umsebenzi wesiqiniseko ngamazinga wangaphandle wehlukile futhi awucikile emsebenzini wabezemfundo noqeqesho;
h. ngokwemisebenzi yokuqiniseka ngamazinga , kunokumelwa ezingeni lokuthathwa kwezinqumo kwabathintekayo kuzwelonke , lokhu kumelwa kunika isiqiniseko sokubika emphakathini kanye nokungafihleki kolwazi; kanye
i. imisebenzi yaso izothuthikisela phambili izimpokophelo ze National Qualifications Framework.

(3) Inhlangano efisa ukubhaliswa njenge Education and Training Quality Assurance Body iyokwamukela lokhu okulandelayo ngokubhaliwe-

a. ilungelo leSigungu seziPhathimandla lokuhlola inoma ingasiphi isikhathi imisebenzi ye Education and Training Quality Assurance Body kanye nokubukeza/ukubhekisisa izinga lemigomo kanye nenqubo yokuphatha;
b. ilungelo leSigungu seziPhathimandla lokunika iziyalo ezindabeni eziphathelene nemisebenzi ye Education and Training Quality Assurance Body; kanye
c. nelungelo lamalunga e Education and Training Quality Assurance Body lokuziyela mathupha eSigungwini seziPhathimandla mayelana nezindaba ezithinta ukusebenza ngokuncomekayo kwe Education and Training Quality Assurance Body : iqobo nje uma nayo I-Education and Training Quality Assurance Body isike yathatha izinyathelo ezilindelekile ukuzama ukuxazulula lolo ndaba.

Isitifiketo sokunikwa Igunya/Sokugunyazwa

4. (1) Yileyo naleyo Education and Training Quality Assurance Body iyonikwa isitifiketi sokugunyazwa yi-Sigungu seziPhathimandla emva nje kokunikwa igunya.

(2) Isitifiketi sokugunyazwa lesi siyokhombisa amaqophelo kanye namazinga lawo ugunyazo olunikezelwe wona: iqobo nje ukuthi lawo maqophelo namazinga ayonikezelwa kuphela umsebenzi ophambili we Education and Training Quality Assurance Body ngaphandle uma isikhathi sokugnyazwa seluliwe ngokothethonkambiso 5.

(3) Yileyo naleyo Educationa and Training Quality Assurance iyothi ngenyanga yokuqala onyakeni wesithathu igunyaziwe nanjalo enyakeni wesithathu sinikeze I Sigungu seziPhathimandla umbiko ibeke izizathu zokuthi yingani kufanele ilugcine ugunyazo ikhombise futhi nempumelelo I Education and Training Quality Assurance Body Body ebe nayo eminyakeni emibili eyedlule.

Ukwelulwa kwesikhathi sogunyazo

5. (1) Education and Training Quality Assurance efisa ukwalulelwa isikhathi sogunyazo ukuze simbandakanye amaqophelo kanye namazinga iSigungu seziPhathimandla esikubona kungaphandle komsebenzi waso ophambili, ingafaka isicelo salokhu kule Sigungu seziPhathimandla, ikhombise ikhono layo lokuhlangabezana nenqubo yogunyazo ngokomthethonkambiso 3(1) kanye (2).

(2) Emva kokwalulelwa isikhathi lokhu kuyobe sekufakwa esitifiketini sogunyazo ngokufanele.

Ukuhoxiswa kogunyazo

6. Ukugunyazwa kwe Educationa and Training Quality Assurance kungahoxiswa uma iSigungu seziPhathimandla sibona ukuthi ayiwenzi umsebanzi wayo ngendlela egculisayo.

Ubulungu kulesisiGungu sokuqiniseka ngazing eMfundo noqeqsho

7. Amalunga e Education and Training Quality Assurance Body kuyakuba yilawo malunga enhlangano noma amaviyo ezinhlangano ezigunyazwe njenge Education and Training Quality Assurance Body aqokelwe kulesisigungu yileyonhlangano noma yilawo maviyo ezinhlangano ahlangabezana nemibandela yomthethonkambiso 3(2).

Ukukhishwa esikhundleni kwelunga le Education and Training Quality Assurance Body

8. uSihlalo noma iliphi ilunga le Education and Quality Assurance Grant okukhulunywa ngalo kumthethonkambiso 7 uyosishiya isikhundla aqokelwe sona uma -

a. uma kudliwa ifa lakhe noma ephucwa amandla okuphatha ifa lakhe ngokwenkantolo noma enza izivumelwano nalabo akabakweletayo ezimbeka ebucayini;
b. ebanjwa wagcinwa njengomuntu ogula ngengqondo ngokwanoma imuphi umthetho;
c. engabibikho emhlanganweni emithathu elandelanayo ye Educationa and Traininga Quality Assurance ngaphandle kokunikwa imvume yi Educationa and Training Quality Assurance;
d. uma eshiya isikhundla ngokunikeza I Education and Training Quality Assurance isaziso esibhaliwe;
e. uma ngesikhathi esesesikhundleni sakhe etholakala enecala futhi embandlwa ejele ngaphandle kokunikezwa imvume yokuthi akhokhe inhlawulo; noma
f. uma ngabe ngokubona kwe Education and Training Qualit Assurance ehluleka ukufeza izibopho zakhe

Imisebeni ye Education and Training Quality Assurance Body

9. (1) iEducation and Training Quality Assurance Body iyo-

a. inikeze amaphuzu kulabo abamele abanye ngamazinga neziqu ezikhethekile eziphaliswe ku-National Qualifications Framework;
b. bathuthukise amazinga kulabo abakhethe abazobamela kabafundisayo;
c. baxwaye lokho okulethwa yilabo abamelwe ngabafundisayo;
d. ukuhlolisisa ukusekela kanye nokwenza lula ukuhlilisisa kulabo abamelwe;
e. ibhalise abasekeli abazobhekela amazinga athile abhalisiwe noma iziqu ngokwenkambiso emiselwe leyo nhlososter;
f. izithathele umthalo wokunikeza izitifiketi labobafundi ababamele;
g. ibambisane neminye imigwamanda efanele eqokelwe ukuba ihlolisise yonke inigwamanda ethembisa ngamazinga kweze Education and Training Quality Assurance Body kumbandakanya lokhu okulandelayo noma kungesikho lokhu kuphela, ukuhlolisisa amazinga athenjisiwe ngamaqophelo abekiwe noma ulwazi leyo mgwamanda ye Education and Training Quality Assurance Body agunyazelwe khona;
h. iphakamise amazinga amasha noma amazinga olwazi ukuze iNational Standards Body ucubungule noma wenze ngcono amazinga akhona njengamanje kanye namazinga olwazi ukuze nakho kucutshungule iNational Standards Body;
i. igcine imininingwane yolwazi eyamukekile eSigungwini seziPhathimandla;
j. inikeze iziPhathimandla imibiko ehambisana nemibandela yaso isiGungu seziPhathimandla, kanye
k. nokwenza eminye imisebeni abayinikwe yiSigungu seziPhathimandla ngaleso naleso sikhathi.

(2) Ekwenzeni umsebenzi wayo I- Education and Training Quality Assurance Body uyo –

a. gcina imiyalo yomthethonkambiso 2 kuya kowe 12 we National Standards Bodies Regulations (engunombolo R452 yomhlaka 28 March 1998, ekhishwe ePhephabhukwini lukaHulumeni elingunombolo 18787);
b. eminye imisebenzi emiswe esigabeni (1) somthethonkambiso ingawunika labo ababamele noma ngeminye imigwamanda emva kokuthola imvume yokwenza lokhu kuziPhathimandla, kodwa ingeze inike omunye isibopho sayo sokubika esiGungwini seziPhathimandla; kanye
c. uma ngabe isungulwe ngaphansi komunye uMthetho wePhalamende ukuze wengamele abafundisayo abahlukene kodwa abalawulwa phansi kohlelo olulodwa, inganika umsebenzi wokubhalisa abalekeleli okukhulunywa ngabo esigabeni (1) (e) somthethonkambiso kwabafundisayo uma ngabe indlela yabo yokuphatha amazinga imbandakanya ukuqaphela lomsebenzi uma futhi sazisiwe iSigungu seziPhathimandla.

ISAHLUKO 3

IMIYALO YENQUBO KANYE NOKULEKELELA NEZIMALI IMISEBENZI YE EDUCATION AND TRAINING QUALITY ASSURANCE BODY

Ukulekelela ngezimali I Education and Training Quality Assurance Body

10. (1) iEducation and Training Quality Assurance Body efisa ukwenza isivumelwano neSigungu seziPhathimandla mayelana nezimali ezingabizwa noma ezingekhokhwe ngaphansi kwamandla anikwe I Education and Training Quality Assurance Body yiSigungu seziPhathimandla, iyoveza uhlaka lwebhizimisi yabo (business plan) ekhombisa izimpokophelo ezizofezwa kuleso sokhathi esihlolwayo esiyoba yiminyaka emithathu ngokukujwayelekile, ikhombisa futhi nohlelo lwayo lokusetshenzisa kwezimali (financial budget)

(2) Uhlaka lwebhizimisi okukhulunywa ngalo esigabeni (1) esingenhla kufanele lukhombise izimali abahlongoza ukuzibiza nalezo ezingazukubizwa kanye nokuthi lokho kuhlongozwa kuzoyithinta kanjani imiphumela yalokho okuphokophelwe yi-National Qualification Framework kuthintwa ikakhulu ukutholakala kanye namandla okuhamba kanye neqhubekela phambili kwezemfundo, uqeqesho kanye nomgudu womsebenzi okhethiwe.

Umthetho wenqubo

11. Leyo naleyo Education and Training Quality Assurance Body, uma ngabe isebenza kanje, iyobuswa imithetho yenqubo yayo okuyomele ihambisane nemihlahlandela equkethwe kulesisixhumelo esikuleMthethonkambiso.

ISAHLUKO 4

ABAFUNDISAYO NABEZOQEQESHO

Ukugunyazwa

12. I-Education and Training Quality Assurance Body Body ingathi uma ithola isicelo igunyaze umgwamanda ukuba ube ngofundisayo uma nje uhlangabezana nenqubo emiswe kumthethonkambiso 13

Inqubo yokugunyaza kwabafundisayo

13. Noma imuphi umgwamanda unganikwa igunya lokuba ngofundisayo yile-Education and Quality Assurance uma ngabe umsebenzi wawo ohamba phmabili uhambisana nalowo wabafundisayo: Kuphela nje ukuthi lowo Mgwamanda ofisa ukunikwa igunya-

a. ngesikhathi ufaka isicelo sokunikwa igunya ube ubhalisile njengofundisayo ngaphansi komthetho osetshenziswayo;
b. ube nendlela yokuphatha amazinga embandakanya lokhu okulandelayo nakuba kungesikho lokhu kuphela:-
   i. Imigomo yokuphatha amazinga echaza lokho labo abafundisayo abafisa ukukufeza;
   ii. inqubo yokuphatha amazinga evumela abafundisayo ukuba basebenzise imigomo yabo yokuphatha amazinga; noma
   iii. inqubo yokubukeza ezonikeza isiqiniseko sokuthi imigomo kanye nenqubo emisiwe iyasentshenziswa futhi isebenza ngokunempumelelo
c. uyakwazi ukuthuthukisa, ulethe futhi ubuye ubukeze izinqubo zokufunda ezihambisana namaqophelo kanye namazinga athile abhalisiweyo.
d. futhi ube na-
   i. nazo zonke ezidingo ezidingekayo izimali, ezokuphatha kanye nezakhiwo;
   ii. Imigomo kanye nemikhuba yokukhethwa, ukuhlomuliswa kanye nokuthuthukiswa kabasebenzi;
   iii. imigomo kanye nemikhuba yokwamukela abafundi, ukwalulekwa kanye nezindlela zokwelekelelwa;
   iv. imigomo kanye nemikhuba yokuphathwa kokufunda ngokwenza ngaphandle kwesikhungo noma ezindaweni zokusebenza (ezimbonini)
   v. imigomo kanye nemikhuba yokuphatha ukuhluza amakhono;
   vi. inqubo yokubika edingekayo; kanye
   vii. nekhono lokufeza impumelelo ehlosiwe, ngokusebenzisa lokho onakho kanye nenqubo ekhankanywe iEducation and Training Quality Assurance Body njengedingekayo ukuze ithuthukise, ilethe futhi ihlolisise imigomo yokufundisa ehambisana namaqophelo namazinga athile okukhulunywa ngawo esigabeni (c) ngenhla; kanye
e. ibingakaze igunyazwe noma ifake isicelo sokugunyazwa kwenye I Education and Training Quality Assurance Body kukhulunywa ngakho kumthethonkambisa 2.

Isitifiketi sokugunyazwa njengofundisayo

14. (1) Yilowo nayilowo (mgwamanda) ofundisayo osunikwe igunya uyonikwa isitifiketi sokugunyazwa yileyo Educationa and Traininga Assurance obukufakwe kuyo isicelo, leso sitifiketi siyoshichilelwa futhi (ngokusayidwa) yiSigungu seziPhathimandla, futhi siyobhalwa lokhu-

a. ukuthi uyilunga labafundisayo laleyo Education and Training Quality Assuarnce (owawunikeza igunya);nokuthi
b. iziqu kanye namazinga ogunyazelwe wona.

(2) Yilabo nalabo abafundisayo abagunyaziweyo, kuyothi njalo ngenyanga yokuqala onyakeni wesihlanu kusukela osukwini abagunyazwa ngalo nanjalo onyakeni wesihlanu, banike I Education and Training Quality Assurance Body ethintekayo lapho uyosho khona ukuthi yingani lolo gunyazo kufanele balugcine, bese futhi bekhombisa impumelelo ababenayo eminyakeni emine eyedlule.

Ukwelulwa kwesikhathi sokugunyazwa kwabafundisayo

15. (1) Abafundisayo abagunyaziwe abafisa ukwelulelwa isikhathi sogunyanzo ukuze simbandakanye amaqophelo namazinga I Education and Training Quality Assurance Body eyabagunyazayo engazange iwuthathe njengomsebenzi wabo ophambili, ungafaka isicelo ucele lokhu kuleyo Education and Quality Assurance eyawugunyazayo, bakhombise ikhono labo lokuhlangabezana nenqubo yalokho kwelulwa kwesikhathi sokugunyazwa.

(2) I-Education and Training Quality Assurance Body ukuyiyona eyagunyaza labo bafundisayo kuyothi emva kokukhulumisana nokuvumelana neSigungu seziPhathimandla, yenze amalungeselelo okwandisa lolo gunyazo njengoba kudingekile emva kokwedlula ku Education and Training Quality Assurance Body Mgwamanda omsebenzi wawo ophambili wukubheka iziqu namazinga: kuphela nje uma -

a. inqubo yokugunyazwa okukhulunywa ngayo kumthethonkambiso 13(1) kuhlangatshezwene nayo;
b. umlekeleli obhalise ne Education and Training Quality Assurance Body okuyowona ogunyaze labo abafundisayo nguyena ozohluza amaqophelo kanye namazinga aleso sikhathi esifunekayo; noma
c. umlekeleli obhalise ne Education and Training Quality Assurance Body omsebenzi wawo ophambili amaqophelo namazinga okuyikhona isicelo esifakela khona, yiwona ezohluza.

(3) iSigungu seziPhathimandla sona siyothi emva kokubonisana ne Education and Training Quality Assurance Body omsebenzi wawo ophambili yolowo okukhulunywa ngawo esigabeni somthethonkambiso

(2) siyoqiniseka ukuthi inqubo yokugunywazwa okukhulunywa ngayo kumthethonkambiso 13 wamaqophelo namazinga athile kuhlangatshezwene nawo.

(4) iEducation and Training Quality Assurance Body okufakwe kuyo isicelo sokwalulelwa isikhathi sokugunyazwa okuyiyona inikeze igunya kulabo abafundisayi iyona eyohlala iyi Education and Training Quality Assurance Body omsebenzi wawo ophambili kulabo abafundisayo emva kukwelulwa kwesikhathi sogunyazo.

(5) Emva kokwelula kwesikhathi sokugunyazwa, isitifiketi naso siyoshichilela njengokusho komthethonkambiso 14(1)(b).

Ukunikeza Igunya lesikhashana kwabafundisayo

16. (1) Uma ngabe I Educatioon and Training Quality Assurance okufakwe kuyona isicelo sokunikwa igunya, ubona ukuthi labo abafundisayo ababhalisiweyo noma abafundisayo abafisa ukubhaliswa okunemibandela abahlangabezani nazo zonke izidingo zokunikwa igunya , leyo Educatioon and Training Quality Assurance inganikeza labo abafundisayo igunya okwesikhashana esithile okuyovunyelwana ngaso, esingeke saba ngaphezu kweminyaka emibili, okuyothi ngaleso sikhathi benze inqubo yentuthuko okuyobe kuvunyelwene ngayo ne Educatioon and Training Quality Assurance eyobe ihlelwe ngendela yokuthi ibalolongele ukuthi bahlangabezane nezidingo zokunikwa igunya: Kuphela nje uma izidingo namalungelo omfundi evikelekile ngesikhathi senqubo yokuthuthukisayo abafundisayo.

(2) Lowo nalowo ofundisayo kuyothi emva kokunikwa ugunyazo lwesikhashana anikwe isitifiketi sokugunyazwa okwesikhashana yileyo Education and Training Quality Assurance Body ethintekayo, leso sitifiketi siyoshicilela (ukufazelwa) iSigungu seziPhathimandla , futhi siyobhalwa lokhu:

a. ukuthi abafundisayo abamele banikwe igunya I-Education and Training Quality Assurance Body ethile;
b. amaqophelo kanye namazinga anikezelwe igunya okwesikhashana; nokuthi
c. usuku lokuqala kwalolu gunyazo lwesikhashana kanye nosuku oluyophela ngalo

Ukuhoxiswa kwegunya elinikezwe abafundisayo

17. (1) Ukunikezwa igunya kulabo abafundisayo kungahoxiswa, uma ngokubona kwe-Education and Training Quality Assurance Body okuyiyona abanika igunya , elashicilelwa futhi yiSigungu seziPhathimandla, behluleka ukwenza umsebenzi wabo ngendlela encomekayo.

(2) labo Abafundisayo bangacela ukuthi ukugunyazwa kwabo kwamaqophelo noma amazinga athile akuhoxiswe.

ISAHLUKO 5

IMIGWAMANDA EZOHLUNGA (moderating body)

Ukuqokwa kwemigwamanda ezohlunga

18. Uma iSigungu seziPhathimandla sibona kunesidingo , siyoqoka umgwamanda wokuhlunga: kuphela nje uma-

a. uhlangabezana nenqubo ye Standards Generating Body enconywe I- National Standards Body ngaphansi komthethonkambiso 24(1) wemithethonkambiso ye National Standards Body ka 1998 (ongunombolo R. 452 wangomhlaka 28 March 1998, okhishwe kuPhephabhuku likaHulmeni elingunombolo 18787), futhi ovunyelwe iSigungu seziPhathimandla;
b. engenza umsebenzi wokuhlunga ngendlela ezonika isiqiniseko sokuthi ukuhluzwa kwemiphumela echazwe ngamaqophelo namazinga kulungile, yiqiniso futhi ingethenjwa; nokuthi
c. ibe nokumelwa kwalabo abathintekayo ezingeni lokuthatha izinqumo, okukhombisa izimfuno nezidingo zalabo abazuzayo nalabo abathola usizo ngqo kulomgwamanda wokuhlunga.

Izincwadi zokuqokwa womgwamanda wokuhlunga

19. (1) Isigungu seziPhathimandla zingaqoka umgwamanda noma imigwamanda ezohlunga okwesikhathi esithile namaqophelo kanye namazinga ezibona kudingekile ukuze kube nesiqiniseko sokuthi umsebenzi wokuhlunga uyenziwa.

(2) Isigungu seziPhathimandla siyonika lowo nalowo mgwamanda wokuhlunga incwadi yokuqokwa eyokhombisa usuku kanye nesikhathi oqokelwe sona kanye namaqophelo kanye namazinga okudingeke siwahlunge.

Umsebenzi wemigwamanda yokuhlunga

20. Imigwamanda yokuhlunga iyo-

a. ukhalime ukuthi izinqumo zokuhluza amaqophelo kanye namazinga athile ezenziwe ngowodwa noma eminingi imigwamanda ye Education and Training Quality Assurance Body ngabe ilungile, iyiqiniso futhi ingathenjwa ngokwempumelelo echazwe kulelo qophelo nakulewo mazinga,
b. benzele iSigungu seziPhathimandla iziphakamiso/izincomo mayelana -
   i. nokwenza ngcono okudingekayo emsebenzini we Education and Training Quality Assurance Body Body;
   ii. ukunikwa igunya kwe Education and Training Quality Assurance Body Body;
   iii. uguquko emaqophelweni nasemazingeni okumele libhekisiswe I- National Standards Bodies; kanye
   iv. nezinye izihloko enganikwa zona Isigungu seziPhathimandla esikhathini esithile; nokuthi
c. wenze eminye imisebenzi yokuhlunga engavezwa iSigungu seziPhathimandla ngezikhathi ezithile.

Ukupheliswa kokuqokwa njengomgwamanda ohlungayo

21. (1) Ukuqokwa komgwamanda wokuhlunga kuyofinyelela ekupheleni ngesikhathi nangosuku olumiswe encwadini yokuqokwa ngaphandle uma kubhalwe ngokunye yiSigungu seziPhathimandla.

(2) Ukuqokwa komgwamanda wokuhlunga kungapheliswa uma, ngokubona kwe Standards Generating Body noma National Standards Body, ngokuvunyelwa nayiSigungu seziPhathimandla uhluleka ukwenza umsebenzi wawo ngendlela egculisayo.

ISAHLUKO 6

IMIGWAMANDA YOSOLWAZI KANYE NEMIGWAMANDA YOKUHLOLA

Ukumbandakanywa kwemigwamanda yosolwazi kanye nemigwamanda yokuhlola ekumisweni kwamaqophelo, ukuqiniseka ngamazinga kanye nokuhlunga

22. Imigwamanda Yosolwazi kanye nemigwamanda yokuhlola ingafaka isiceli-

a. yamukelwe njengelunga le Standards Generating Body njengoba kubekiwe kumthethonkambiso 20 noma 22(1) wemithethonkambiso National Standards Bodies ka 1998 (ongumombolo R. 452 wangomhlaka 28 Mashi 1998, oshicilelwe ephephabhukwini likaHulumeni elingu nombolo 18787);
b. ukunikwa igunya njengomgwamanda we Education and Training Quality Assurance Body njengoba kukhulunywa ngakho esigabeni 2 somthethonkambiso; nokuthi
c. nokuqokwa njengomgwamanda wokuhlunga ngaphansi komthethonkambiso 18.

ISAHLUKO 7

IMIBANDELA EYINGXUBEVANGE

Inqubo yokudlulisa Izikhalo

23. (1) Inhlangano efisa ukudlulisa isikhalo mayelana nesinqumo esithathwe umgwamanda okukhulunywa ngawo kumthethonkambiso 2 kanye 12 uyokwenza njalo ngokubhala phansi isikhalo sawo bese uhambisa lokho okubhaliwe eSigungwini seziPhathimandla unikeze nezizathu zokudluliswa kwaleso sikhalo zingakapheli isinyanga ezintathu kusukela ngosuku esithathwa ngalo isinqumo. (2) Uma ngabe iSigungu seziPhathimandla zikusekela ukwedluliswa kwesikhalo isinqumo soMgwamanda okukhulunywa ngawo kumthethonkambiso 2 no 12, lowo mgwamanda kufanele –

a. uchibiyele leso sinqumo ngokufanele;
b. ubhale phansi lezo zichibiyelo kuwo wonke amabhuku lapho isinqumo sokuqala besibhalwe khona ;
c. wubhale uchibiyelo oludingekayo kuwo wonke amabhuku afanele; bese ukhipha isinqumo esesilungisiwe kuwo wonke amabhuku afanele.

Igama ngokufingqiwe

24. Lemithethonkambiso iyokubizwa ngemithethonkambiso ye Education and Training Quality Assurance Body ka 1998.

IZIXHUMELO

UMHLAHLANDLELA WEMIYALO YENQUBO YEMIGWAMANDA YE EDUCATION AND TRAINING QUALITY ASSURANCE BODY

IZINCAZELO

1. Kulomhlahlandlela ngaphandle uma umnqondo/umyalezo womusho usho -

"usihlalo" usho usihlalo woMgwamanda We Education and Training Quality Assurance Body;

"Ikomiti" lisho ikomiti loMgwamanda we Education and Training Quality Assurance Body;

"Ikomiti Eliphethe" kusho ikomiti elikhethelwe ukuba lenze imisebenzi ethile ekhethiweyo ukuba iyenzele uMgwamanda we Education and Training Quality Assurance Body;

"ilunga" lisho ilunga le Education and Training Quality Assurance Body;

"Isinqumo soMhlangano" lokhu kusho isinqumo esithathwe uMgwamanda we Education and Training Quality Assurance Body;

"Unobhala" usho ilunga le Education and Training Quality Assurance Body elikhethelwe lomsebenzi/lenhloso.

AMALUNGA OMGWAMANDA WE-EDUCATION AND TRAINING QUALITY ASSURANCE BODY

2. uMgwamanda we Education and Training Quality Assurance Body ngenhloso yokuqiniseka ngamazinga uyokwakhiwa uSihlalo, Iphini likaSihlalo, uNobhala kanye namanye amalunga ayokhethwa iSigungu seziPhathimandla , ngaphandle kombandela wokuthi uSihlalo nguyena oyoqala akhethwe ngamalunga e-Education and Training Quality Assurance Body phakathi kwamalunga awo noma nje kwenye indawo.

ILUNGA ELIZOKWENGAMELA

3. uSihlalo we Education and Training Quality Assurance Body nguyena oyokwengamela imihlangano ye Education and Training Quality Assurance Body. Uma ngabe uSihlalo engekho emhlanganweni iPhini likasihlalo yilona eliyokwengamela imihlangano. Uma ngabe bobalili bengekho amalunga akhona angakhetha oyedwa phakathi kwawo ukuba abe ngusihlalo ozokwengamela lowo mhlangano.

IMIHLANGANO YE EDUCATION AND TRAINING QUALITY ASSURANCE BODY BODIES

4. I Education and Training Quality Assurance Body iyobamba imihlangano yayo ngesikhathi kanye nasezindaweni okuyovunyelwana ngazo emihlanganweni engaphambili.

5. Imihlangano ephuthumalo ingabizwa ngokusemandleni kaSihlalo noma uma kunesicelo esenziwe ngamalunga angangephansi kokuyingxenye yokuthathu okuyothi-ke lowo mhlangano ubanjwelwe endaweni nagesikhathi esiyonqunywa nguNobhala, ngokushesha emva kokuthola isicelo.

6. Usihlalo emva kokubonisana neKomiti elikhulu uyoba nelungelo lokuhlehlisa imihlangano ye Education and Training Quality Assurance Body uma izihloko ezisohleni lokuzokhulunywa ngakho kulowo mhlangano zingafanele ukubizelwa umhlangano: ngaphandle nje kokuthi amalunga kuyofanele aziswe ngalokho kuhlehliswa komhlangano kusasele okungenani isonto elilodwa ngaphambi kosuku I-Education and Training Quality Assurance Body ebizobamba ngalo umhlangano, nangaphandle kokuthi imihlangano ngeke ihlehliwe noma ikhanselelwe izinto ezingaphandle kwamandla e-Education and Training Quality Assurance Body ngaphandle uma ingxenye yokubili kokuthathu yamalunga evuma.

7. Noma imuphi umuntu okudingeka abekhona emhlanganweni uyomenywa yi-Education and Training Quality Assurance Body ukuba athamele lowo mhlangano.

8. Zonke izincwadi eziyothunyelelwa amalunga ziyobhalwa uphawu olukhombisa isimo sokuphakathi, kuyoba semalungeni -ke ukuqiniseka ukuthi incwadi iphathwa njengokusho kophawu.

ISAZISO NGEMIHLANGANO

9. Izaziso ngemihlangano ye Education and Training Quality Assurance Body eziyombakanya uhlelo lokuzokhuluywa ngakho, ziyothunyelwa ngunobhala kulelo nalelo lunga kusasele okungenani izinsuku eziyi -14 ngaphambi kosuku lomhlangano ekhelini eliyobe libhaliswe kuNobhala: Ngaphandle kokuthi uma kunomhlangano ophuthumayo kunganikezwa isaziso esifushane kunalokhu esiyonqunywa uSihlalo kodwa-ke naso ngeke sibe ngaphansi kwezinsuku ezintathu.

10. Ukungatholakali kwesaziso ngomhlangano esithunyelwe ekhelini elibhaliswe kuNobhala ngeke kukhinyabeze umhlangano noma inqubo yomhlangano.

ILEGISTA YOBAKHONA

11. Lonke ilunga elikhona emhlanganweni We Educationa and Traininga Quality Assurance Body liyosayinda iregista yokwethamela umhlangano eyokwenzela nje lenhloso.

IKHORUM (ISIBALO SABANTU ABAFANELE UKWETHAMELA UMHLANGANO BATHATHE IZINQUMO)

12. Ingxenye yamalunga , ngaphandle kukaSihlalo iyokwakha ikhoramu emhlanganweni ejwayelekile ye Educationa and Training Quality Assurance Body. Emhlanganwneni ophuthumayo ingxenye eyodwa yokuthathu yamalunga e Educationa and Training Quality Assurance Body, ngaphandle kukaSihlalo, iyokwakha ikhoramu.

13. Uma ngabe amalunga akhona emhlangaweni ngesikhathi nasendaweni ebinqunyiwe kahle enganele ukwenza ikhoramu, umhlangnao uyoqhubeka kodwa izinqumo ezithathwe kulomhlangano ziyothathwa njengezisewuhlaka, ziyobe sezithunyelwa kuwo wonke amalunga oMgwamanda Educationa and Training Quality Assurance ukuze kuxoxiswane ngazo futhi kuphawulwe ngaphambi kokuba zamukelwe.

IZITATIMENE ZABEZINDABA

14. Uma ngabe kunesidingo sokuba kukhishwe isitatimende mayelana nezindaba ezithinta umsebenzi kanye nemihlangano yoMgwamnda we Educationa and Training Quality Assurance, ziyokwenziwa/ziyokhishwa uSihlalo womgwamanda we Educationa and Training Quality Assurance emva kokuvumelana nosihlalo weSigungu seziPhathimandla.

AMAMINITHI

15. Amaminithi omhlangano ayonhlnganiswa bese ethunyelwa ukuba azovunywa umhlangano olandelayo Unobhala uyothumela amaminithi kuwo wonke amalunga ndawonye nesaziso ngomhlangano ozayo.

16. Amaminithi awayikuveza inkulumo njengoba injalo yomhlangano kodwa ayoqoqa ahlanganise yonke ingxoxo kafushane, izinqumo ezithathiwe kanye nokufanele kwenziwe, ngaphandle kokuthi inoma iliphi ilunga lingacela ukuthi lokho elikushilo kuvezwe/kubhalwe njengoba kunjalo emaminithini.

IMPIKISWANO KANYE NOKUVOTA KOMGWAMANDA WOKUQINISEKA NGANAZINGA EMFUNDO NOQEQESHO

17. Uma kwenziwa imihlangano ye Education and Training Quality Assurance Bodies imibandela/izimiso ezijwayelekile zokuphikisana ziyolandelwa.

18. Ukuthathwa kwezinqumo kuyokwenziwa ngokuvumelana , ngaphandle kokuthi uma kungavunyelwana isinqumo siyothathwa ngokuvota. Uma kubonkala ukuthi kudingeka kuvotwe lokhu kuyokwenziwa ngokuphakamisa izandla ngaphandle uma ilunga licela ukuba kuvotwe ngebhalothi, kuyobe sekuvotwa ngokuyimfihlo.

19. Usihlalo uma ongamele umhlangano ivoti lakhe ngeke libe elokwelekelela kodwa ivoti lakhe kuyoba ngujuqu/elinqumayo.

20. Uma ngabe usihlalo engekho ibambela noma iPhini likasihlalo(kungaba isekela likaSihlalo noma ngomunye) yena ngeke abe nevoti elingujuqu kodwa ivoti lakhe liyoba ngelokwelela.

21. Kungumthwalo welunga loMgwamanda we Education and Training Quality Assurance ukuba likuveze uma lizoba nezunzo ondabeni othile okuphikiswana ngalo yilomgwamanda nokuthi licele ukuba lishiye leyo mpikiswano: Ngaphandle kokuthi lelo lunga liyokhishwa kuphela kuleyompikiswano uma sekuthathwa isinqumo wuMgwamanda Education and Training Quality Assurance.

22. Ngaphandle uma kushiwo okunye ngokwezimiso isinqumo seningi lamalunga akhona emhlanganweni woMgwamanda weEducation and Training Quality Assurance kuyoba isinqumo somgwamanda weEducation and Training Quality Assurance. Imibono yalabo abayingcosana ingabhalwa phansi kuphela uma ilunga likucela ukuba ubhalwe.

23. Nakuba lezimiso zithini, uma kwenzeka phakathi kwemihlangano ejwayelekile kuba khona undaba oludinga kuthathwe isinqumo ngumgwamanda weEducation and Training Quality Assurance uSihlalo abona ukuthi akumele lubanjezelwe kuze kube umhlangano ozayo, uSihlalo anganika uNobhala igunya lokubhaal izaziso azithumele kumalunga ngeposi elibhalisiwe noma ngekhoriya abeke lolundaba futhi anxuse amalunga ukuba avote ngeposi ukuze kuthathwe izinqumo. Isaziso lesi siyokhombisa isikhathi okufanele ivoti kube seliposiwe ngaso, esingeke sibe ngaphansi kwezinsuku eziyishumu kusukela osukwini isaziso esiposwe ngalo. Isinqumo esithathate iningi lamalunga oMgwamanda we Education and Training Quality Assurance kuyoba isinqumo Somgwamandwa we Education and Training Quality Assurance. Imiphumela yalokho kuvota ngaphansi iyomenyezelwa emhlanganweni ozayo we Education and Training Quality Assurance Body.

UKUSUNGULWA KWEKOMOTI ELIKHULU

24. Ikomiti Eliphethe liyokwakhiwa kuphela ngamalunga futhi ayoqokwa yiyona. Iyokwakhiwa ngu Sihlalo namanye amalunga ayokhonjwa noma aphakanyiswe nguMgwamandawe Education and Trining Quality Assurance: Ngaphandle kokuthi -

a. lelo Komiti elikhulu liyo, ngokweziyalelo ze Education and Training Quality Assurance liyokwenza umsebenzi womgwamanda weEducation and Training Quality Assurance ngemihlangano: nangaphandle kokuthi izindaba eziphathelene nemigomo zona ziyoba ligunya le Education and Training Quality Assurance kuphela;
b. Usihlalo, uma engekho iphini likaSihlalo eliyokhethwa amalunga yilona eliyokwengamela imihlangana yeKomiti elikhulu;
c. Usihlalo uyobika ngomsebenzi wekomiti elikhulu kulowo nalowo mhlangnao we Education and Training Quality Assurance Body; futhi
d. ikhoramu yekomiti elikhulu iyokwakhiwa usihlalo kanye nengxenye eyodwa yamalunga ekomiti.

INDIMA KANOBHALA

25. Imisebenzi kanobhala ehambisana nemisebenzi yoMgwamanda we Education and Training Quality Assurance, iyokwenziwa ngunobhala ngokulandela iziyalozikaSihlalo woMgwamanda we Education and Training Quality Assurance.
26. Indima kaNobhala kungukusiza Umgwamanda we Education and Training Quality Assurance ngoku -

1. banika usizo ngomsebenzi wobunobhala;
2. anikeze izeluleko ngokuphathelene ngokuphatha;
3. Ukuphatha okungcomekayo;
4. usizo ekwengameleni imisebenzana ethile (projects); kanye
5. ukwenza eminye imisebenzi ayoyinikewa uMgwamanda we Education and Training Quality Assurance izikhathi ngezikhathi.

UKUCHIBIYELA KWALEZIZIMISO

27. Lezi zimiso/imiyalo ingathayiselwa noma ichibiyelwe kunoma imuphi umhlanganoweMgwamanda we Education and Training Quality Assurance ngokuvumelana neSigungu seziPhathimandla, ngovota kwalunga amaningi akhona amhlanganweni, uma nje kuphela lokho kuchibiyela bekukhonjisiwe ohleni lokuzoxoxwa ngakho kulowomhlangano, inqgikithi yakho ibithunyeliwe kuwo wonke amalunga kanye nohlelo kokuzoxoxwa ngakho, nokuthi amalunga akhona akhona emhlanganweni awangaphansi kwengxenye yawo wonke amalunga Omgwamanda.

UKUBUKEZA IZINQUMO ZOMGWAMANDA WE EDUCATION AND TRAINING QUALITY ASSURANCE

28. Yileso naleso sinqumo esithathwe ngumgwamanda We Education and Training Quality Assurance siyonikezwa inombolo ethile ehlukile okuyinombolo yezinqumo zoMgwamanda we Education and Training Quality Assurance futhi ziyothathwa njengezinqumo zoMgwamanda we Education and Training Quality Assurance. Ilunga elifisa ukuba kubukezwe isinqumo esithile kudingeke lilethe isaziso esibhaliwe esikhombisa isizathu sokuthi yingani lifisa lokhu kubukezwa, lesisaziso kufanele sinikwe unobhala kusasele okungenani izinsuku eziyi-14 ngaphambi komhlangano woMgwamanda we Education and Training Quality Assurance. Uma Umgwamanda Education and Training Quality Assurance ufisa ukusibukeza leso sinqumo, lokhu kubukezwa kuyobhalwa emaninithini alowo mhlangnao, lolo bukezo luyokwenziwa futhi kuwo wonke amabhuku athintekayo, bese kukhishwa isinqumo esisha esibukeziwe.