

Comments on the National Qualifications Framework Amendment Bill of 2018

February 2019

National Qualifications Amendment Bill

1. Introduction

Umalusi appreciates the opportunity to comment on the draft National Qualifications Amendment Bill. Umalusi also commented on an earlier *Draft Amendments to the National Qualifications Framework (NQF) Act No. 67 of 2008* in 2016. Umalusi as the Quality Council for General and Further Education and Training, would like to provide advice on the National Qualifications Amendment Bill 2018.

Umalusi agrees with most of the proposed amendments. However, the silence on the role of the Minister of Basic Education, the role of Umalusi in the verification function, and other matters listed below, are some of the main concerns for Umalusi.

2. Inclusion of the role of the Minister of Basic Education

The NQF Act is silent on the functions of the Minister of Basic Education. According to the NQF Act 67 of 2008, as amended:

- (1) The Minister has the overall executive responsibility for the-
- (c) QC for General and Further Education and Training

In terms of the 2009 Presidential Proclamation, Umalusi reports to the Minister of Basic Education and receives funding from the Minister of Basic Education. The NQF Act is silent on the role of the Minister of Basic Education.

3. The verification function of Umalusi

The Quality Councils (QCs) as the custodians of qualifications on their respective sub-frameworks must verify attained qualifications. While QCs certify attained qualifications and part-qualifications and issue the certificates to qualifying candidates, detailed verification functions can only be performed by the QCs.

In terms of the law, SAQA cannot attest to the authenticity of a certificate in court if they are not the certification body. Umalusi cannot issue certificates and have another body exclusively verify them. It must also be noted that the verification function provides an income stream for Umalusi (as provided in the GENFETQA Act 58 of 2001, as amended,

Section 13 (1) (c)). Consequently a recommendation is made for the inclusion of Umalusi's verification function to be inserted in the NQF Act as follows:

Section 27 of the principal Act is hereby amended—

(b) by the addition in subsection (1)(h) of the following subparagraph:

"(v) verify all attained qualifications or part-qualifications registered on the sub-framework referred to it in terms of section 32A and make a decision on the status thereof;"

4. Definitions in the NQF Act

The comments were mainly around the definition of a "qualification", "education institution" and the "offering" of qualifications. The education landscape is changing and the definitions must be clear to include other forms of offerings such as distance and online learning well as all qualifications (both local and foreign) offered in South Africa to be registered on the NQF. Furthermore, it is not clear what "offering of a qualification" entails. Does it include all aspects such as administration of learners, facilitation of learning, assessment and certification or only one or more of them? These are some of the issues that need clarity in the changing education landscape.

5. Conclusion

Umalusi values the collaboration amongst the South African Qualifications Authority (SAQA) and the Quality Councils (QCs). It would be greatly appreciated if the proposed changes can be taken into account with the finalisation of the NQF Amendment Bill and Umalusi avail itself for further deliberations on this very important matter.

Yours sincerely



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