

[LEGAL NOTICE NO. 28]

HIGHER EDUCATION (QUALIFICATIONS) REGULATION 2010

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HIGHER EDUCATION PROMULGATION 2008
(NO. 24 OF 2008)

Higher Education (Qualifications) Regulation 2010

IN exercise of the powers conferred upon me by section 52 of the Higher Education Promulgation 2008, I make the following regulations—

PART 1—PRELIMINARY

Citation and Commencement

1.—(1) These Regulation may be cited as the Higher Education (Qualifications) Regulations 2010.

(2) These Regulation are deemed to come into force on theday of.....2010.

Application

2. These Regulations shall apply to all higher education institutions, overseas institutions, the Higher Education Commission and its secretariat and any person intending to establish a new institution.

Interpretation

3. In these Regulation, unless the context otherwise requires—

“Council” means the Fiji Qualifications Council appointed under regulation 4;
“Commission” means the Higher Education Commission established under the Higher Education Promulgation 2008;

“Fiji National Qualifications Framework” means the framework approved by the Commission for the registration of national standards and qualifications;
“instructor” means a person responsible for the delivery of a training program leading to the award of a qualification;

“qualification” means the formal recognition of the achievement of the required number and range of credits and such other requirements at specific levels of the Fiji National Qualification Framework as may be determined by the relevant bodies registered for such purpose by the Fiji Qualifications Council;

“standards” means the registered statements of desired education and training outcomes and their associated assessment criteria.

PART 2—FIJI QUALIFICATIONS COUNCIL

Fiji Qualifications Council

4.—(1) The Commission shall appoint a Fiji Qualifications Council.

(2) The Council shall report to the Commission.

Objects of the Council

5. The objects of the Council shall be—

(a) to develop, implement and maintain a Fiji National Qualifications Framework;

(b) to develop, implement and maintain the criteria and processes for the accreditation and registration of qualifications; and

- (c) to ensure that national standards and registered qualifications are internationally compatible.

Functions of the Council

6.—(1) The Council shall be responsible for—

- (a) the provision of policy advice to the Commission on matters relating to national standards and qualifications;
- (b) the development, implementation and maintenance of a Fiji National Qualifications Framework that is appropriate for all non-degree qualifications in higher education institutions;
- (c) the development of criteria and processes for the registration of standards and qualifications on the Fiji National Qualification Framework and for the regular review of the standards and qualifications to ensure continued relevance;
- (d) the development and maintenance of a database of learning accounts or Record of Learning database for all who pass through the Fiji National Qualification Framework;
- (e) the maintenance of links with relevant international qualifications authorities to ensure the international compatibility of Fiji's qualifications in higher education institutions;
- (f) the facilitation of partnerships between business, industry, professional and community stakeholders, and training institutions to ensure relevant qualifications and training programmes that are focused on the needs of businesses, industries and communities; and
- (g) the recording of degree and post-graduate programmes of universities and degree-awarding institutes.
- (h) the approval of the quality regulation and assessment procedures and approval of the external reviewers of each programme.

(2) The Council shall also be specifically responsible for—

- (a) the development, implementation and maintenance of a Fiji National Qualifications Framework that is appropriate for vocational and trade skills;
- (b) the development of criteria and processes for the accreditation of all providers of vocational and trade training and for ensuring the ongoing maintenance of standards of accreditation, teaching and assessment;
- (c) the evaluation and monitoring of national examinations and tests for trades and other vocational skills pertaining to qualifications registered in the Fiji National Qualification Framework;
- (d) the accreditation of institutions approved to conduct the examinations and tests in paragraph (c) ;
- (e) the recognition and validation of vocational and trade skills competencies obtained outside the formal education and training systems for the purpose of certification;
- (f) the management of national apprenticeship and traineeship programs whereby these training formats still apply; and

- (g) the development of processes for the assessment of candidates for the award of certificates of competencies, the moderation of assessments, and the training of assessors and moderators.

Membership of the Council

7.—(1) The Commission shall, with the approval of the Minister, appoint the Council, comprising a minimum of 8 members but not more than 12, including the Chairperson who shall be responsible for the policy and general governance of the Council.

- (2) The Council shall consist of—
- (a) one person appointed by the Commission to be the Chairperson;
 - (b) the Director of the Commission;
 - (c) at least 7 other members from industry groups nominated by the Commission.

(3) The Council with the written approval of the Commission may also nominate co-opted members from time to time.

(4) A member of the Council shall hold office for 3 years and shall be eligible for re-appointment for no more than two consecutive terms.

Deputies of members

8. If a member of the Council is temporarily incapacitated for any sufficient cause from attending a meeting of the Council, such member, other than the Chairperson, may authorise a senior officer from their Ministry, agency, firm or corporation, as the case may be to attend and vote at that meeting on such a member's behalf

Remuneration of members

9. Members of the Council shall be paid such remuneration, sitting allowance, travelling and other expenses as may from time to time be determined by the Higher Salaries Commission.

Meetings of the Council

10.—(1) The Chairperson may call meetings of the Council as often as may be required at such times and such place as the Chairperson shall from time to time determine provided that—

- (a) The Council shall meet at least once every two months;
- (b) Upon the written request of at least two other members of the Council, the Chairperson shall call a meeting of the Council at a date not more than 14 days after receipt of the request.

(2) The quorum at all meetings of the Council shall be fifty percent of the total number of members.

(3) All orders and directions of the Council shall be given under the hand of the Chairperson, or in the Chairperson's absence by a member specifically authorised and appointed by the Council.

(4) The Council shall cause proper minutes of its proceedings to be kept.

(5) Every meeting of the Council shall be presided over by the Chairperson, or in the Chairperson's absence, by a member selected by the members of the Council present at that meeting.

(6) Subject to Regulation 10, the Council may determine its own procedure for conducting their meetings.

Annual Report of the Council

11.—(1) After every meeting, the Council must submit a report of the matters discussed to the Commission.

(2) The Council shall submit an annual report of its activities to the Commission not more than 3 months after December 31st each year.

(3) The Commission may ask the Council to submit a report of its activities at any other time that the Commission deems necessary.

Establishment of committees

12.—(1) The Council may with the written approval of the Commission establish special committees and may refer to any such committee any matters for consideration and inquiry.

(2) The Council may by a seventy five percent vote adopt written rules of procedures for such committees.

Disclosure of Interest

13.—(1) A member of the Council who has any direct or indirect personal pecuniary or institutional interest in any matter coming before the Council, shall on each and every occasion on which the matter comes before the Council and as soon as possible after the relevant facts have come to the member's knowledge declare his or her interest in the matter.

(2) A disclosure under sub-regulation (1) shall be recorded in the minutes of the meeting of the Council and the member shall not in respect to that matter—

- (a) be present during any deliberation of the Council ; and
- (b) take part in any deliberations or vote of the Council.

(3) The Board shall include in its report to the Commission all such matters determined under sub-regulation (2).

PART 3—FIJI NATIONAL QUALIFICATIONS FRAMEWORK

Register of Fiji's National Qualifications

14. The Commission shall keep and maintain a Register of Fiji's National Qualifications.

Application for accreditation of qualification

15.—(1) An institution that is not constituted under its own Act must apply to the Commission for accreditation of its qualifications.

(2) An application for accreditation made in sub-regulation (1) must be submitted in the form prescribed in Schedule 1 and accompanied by the fees prescribed in Schedule 3.

(3) An institution that is established under its own Act or Charter shall submit its qualifications for recording by the Commission.

(4) A qualification that is accredited by the Commission under either sub-regulation (1) or sub-regulation (2) shall be registered on the Fiji National Qualifications Framework.

Determination of application for accreditation

16. The Commission shall cause to consider an application for accreditation of qualification made under regulation 15, and any other information, submissions, particulars or documents as it considers relevant and if approved, register the accredited qualification in the Register of Fiji's National Qualifications.

Certificate of accreditation

17.—(1) The Commission shall issue a certificate of accreditation on approving an application for the accreditation of a qualification.

(2) The certificate of accreditation must include the following—

- (a) the registered name of the institution and where applicable, any approved translation, abbreviation, acronym or trade name;
- (b) the institution's registration number;
- (c) the accredited qualification;
- (d) the Chairperson's signature and date of signature;
- (e) the Director's signature and date of signature;
- (f) the seal of the Commission; and
- (g) the certificate number.

(3) A certificate of accreditation must—

- (a) not be transferable from one institution to another; and
- (b) be reviewed after every five years.

Review of accreditation

18. The Commission shall review the accreditation of a qualification after every five years and the prescribed application form is set out in Schedule 2.

Standards and qualifications

19. The Commission shall from time to time prescribe the criteria and processes for the development of Fiji's national standards and qualifications.

Accreditation of qualifications

20. The Commission shall from time to time prescribe the criteria and processes for the accreditation of qualifications.

Teaching and assessment standards

21. The Commission shall from time to time review processes for maintaining teaching and assessment standards.

Teacher qualifications of instructors

22. The Commission shall from time to time prescribe teacher qualifications for instructors.

F. N. BOLE
Ministry of Education, Culture,
Arts, National Heritage, Youth and Sports



SCHEDULE 1
FIJI HIGHER EDUCATION COMMISSION
APPLICATION FOR ACCREDITATION OF QUALIFICATION FORM
 (Regulation 15 of the Higher Education (Qualifications) Regulations 2010)

Full Name of the Institution	
Abbreviated Name of the Institution	

Title of the Qualification submitted	
Name of the authorized signatory	
Date submitted	

APPLICATION CHECKLIST

- Completed Application form for Accreditation
- Letter(s) of support from the joint partner if the qualification is offered in partnership
- Copy of the partnership arrangement if the qualification is offered in partnership
- Documentary evidence on the details of the development of the qualification
- Letter(s) of support if your submission is supported by Standard Setting Body / Regulatory Body, Fiji Employers Federation and Delivery Centers
- Documentary evidence containing details of the assessment guide

FOR OFFICIAL USE

Application Reference Number _____ Date Received _____

Receiving Officer _____ Signature _____ Date ____ / ____ / 20__

Comments:

DECISION		Accreditation Number
Accreditation of Qualification	Approved	
	Not Approved	

Name of Director: _____ Signature: _____

Date: ____ / ____ / 20__

A. DETAILS OF INSTITUTION**A.1 Institution**

Name of Institution		
Business Name(s)		
Postal Address		
Business Address		
District		
Contact Numbers	Tel:	Fax:
Web Address (if any)		
Email Address (general)		

A.2 Registration Details

Legal Name of Institution	
Official Trading Name	
Company Registration Number	
If foreign, state country of origin	

A.3 Details of Authorized Officer:

(The authorized officer is a senior manager of the institution)

Name		
Position		
Postal Address		
Contact Numbers	Tel:	Fax:
	Mobile:	
Email Address		

B. DETAILS OF QUALIFICATION

B.1 Is the qualification offered in partnership with another organization(s)?

Yes No

If yes:

(a) What is the name(s) of the joint awarding partners?

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(b) Please indicate who will be responsible for each of the following functions.

Registration of Candidates	
Certification of Qualifications	
Approval of Center(s)	
Agency Conducting External Verification/External Quality Control	
Production of Assessment Guide	

Please attach a letter of support from the joint partner and a draft of the partnership arrangement

B.11 Does the above involve a change to the existing partnership arrangements?

Yes No

If yes, clearly detail the changes and provide a copy of the new joint agreement/partnership arrangement.

B.2 Has the qualification already been ENQF/HEC credit rated?

Yes *If yes, please provide details of the level and credit value and the name of the Credit Rating Body.*

No *If no, do you intend to submit this qualification for NQF credit rating?*

B.3 What is the qualification type?

National Qualification - These are qualifications that have been developed under the auspices of FQC by industry, business or professional bodies of national standing with the intention of being a national benchmark qualification in those industries, businesses and professions

Provider Qualification - Provider Qualifications that have been developed by a particular educational organization. In these cases the title

- i. will include the name of the organization that developed and owns the qualification
- ii. the qualification may use other protected terms but only with the specific approval of FQC/HEC.

Education, training and assessment leading to qualifications in this category can be delivered by any provider of education, training and assessment services that has the permission of the organisation that developed the qualification and has been accredited by the FQC.

C. QUALIFICATION DEVELOPMENT AND DESIGN

Please provide further information on the qualification included in this submission and attach supporting documentation/evidence.

C.1 Details of the Development of the Qualification

State the name of the organization responsible for the development of the qualification	
When was the structure(s) of the qualification approved?	
Who approved the qualification?	
When were the qualification approved?	
When was the assessment strategy approved?	

Attach documentary evidence of the above

C.2 Provide a brief overview of the qualification (including the development process, aims and purpose of the qualification)

Aims	
Purpose	
Development Process	

C.2 Name the organization responsible for the development of the qualification.

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C.3 Provide details of the arrangement between the provider and the agency responsible for the development of the qualification.

C.4 Attach the following documents to your submission

- Structure of the Qualification
- Specifications of the Unit/Qualification
- Mapping to National Qualifications Framework

C.5 Indicate if your submission is supported by the following organizations

- Standard Setting Body / Regulatory Body Yes No
- Fiji Employers Federation Yes No
- Delivery Centers Yes No

Where appropriate, please provide letters of support

C.6 Provide a brief overview of any progression opportunities from the proposed qualification to other qualification(s)

C.7 How do you intend to market the qualification?

D. ASSESSMENT METHODOLOGY AND QUALITY ASSURANCE

D.1 Provide details on how your organization has designed an assessment methodology that is fit for purpose, meets the HEC/NQF assessment strategy requirements and ensures the quality and consistency of assessment provided at any location.

D.2 How will you meet the requirements of the assessment strategy in respect of external quality control?

D.3 How will you meet the requirements of the assessment strategy in respect of workplace evidence?

D.4 How will you meet the requirements of the assessment strategy in respect of simulated working conditions?

D.5 How will you meet the requirements of the assessment strategy in respect of occupational expertise of personnel involved in the delivery in the delivery and quality assurance of the qualification?

D.5.1 Assessors

D.5.2 Internal Supervisors

D.5.3 External Supervisors

D.6 Please indicate if your assessment guide contains the following:

- | | |
|--|-------------------------------------|
| External quality control requirements | <input type="checkbox"/> |
| Workplace attachment arrangements | <input type="checkbox"/> |
| Simulated working requirements | <input type="checkbox"/> |
| Occupational competence requirements for the personnel involved in the delivery and quality assurance of the qualification | <input type="checkbox"/> |
| Assessment methodology (type of evidence to be collected) | <input type="checkbox"/> |
| Quality assurance/external quality control system | <input checked="" type="checkbox"/> |
| Qualification and experience requirements of the personnel involved in the delivery of the qualification | <input type="checkbox"/> |

If the information is not contained in the Assessment Guide, provide details of where it can be found and also attach a copy.

D.7 Identify the personnel involved in the delivery and quality assurance of the qualification and provide a brief summary of their roles and responsibilities and any relevant qualifications and experience required

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D.8 Provide details of your systems and procedures for monitoring the quality and consistency of assessment provided at any location for the qualification. *(These systems may also be referred to as external quality control/quality assurance)*

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FIJI HIGHER EDUCATION COMMISSION

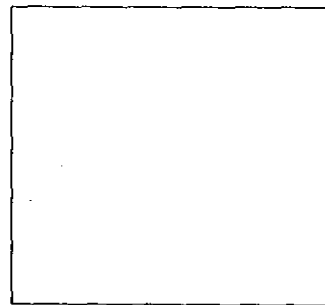
DECLARATION

I, _____
[full name of authorized officer]
the _____
[designation of the authorized officer]
of the _____
[name of the institution]

do solemnly and sincerely declare that the information contained on the preceding pages is true and correct, and I make it with the understanding and belief that a person who makes a false declaration is liable for prosecution.

Declared at _____ }
this _____ day of }
_____, 20____. }

.....
[Signature]
(To be signed in front of the witness)



Official Stamp of the Institution

Before me:

[Full name of witness**]

.....
[Signature of witness]

Occupation _____

Address: _____

Date: _____

Phone No. _____

** This declaration can only be witnessed by a legal practitioner



SCHEDULE 2
FIJI HIGHER EDUCATION COMMISSION
APPLICATION FOR RE-ACCREDITATION OF QUALIFICATION
 (Regulation 18 of the Higher Education (Qualifications) Regulations 2010)

Full Name of the Institution	
Abbreviated Name of the Institution	

Title of the Qualification submitted	
Name of the authorized signatory	
Date submitted	

APPLICATION CHECKLIST

- Completed Application form for Re-Accreditation
- Letter(s) of support from the joint partner if the qualification is offered in partnership
- Copy of the partnership arrangement if the qualification is offered in partnership
- Documentary evidence on the details of the development of the qualification
- Letter(s) of support if your submission is supported by Standard Setting Body / Regulatory Body, Fiji Employers Federation and Delivery Centers
- Documentary evidence containing details of the assessment guide

FOR OFFICIAL USE

Application Reference Number _____ Date Received _____

Receiving Officer _____ Signature _____ Date ____/____/20____

Comments:

DECISION		RE-Accreditation Number
RE-Accreditation of Qualification	Approved	
	Not Approved	

Name of Director: _____ Signature: _____

Date: ____/____/20____

A. DETAILS OF INSTITUTION**A.1 Institution**

Name of Institution		
Business Name(s)		
Postal Address		
Business Address		
District		
Contact Numbers	Tel:	Fax:
Web Address (if any)		
Email Address (general)		

A.2 Registration Details

Legal Name of Institution	
Official Trading Name	
Company Registration Number	
If foreign, state country of origin	

A.3 Details of Authorized Officer:

(The authorized officer is a senior manager of the institution)

Name		
Position		
Postal Address		
Contact Numbers	Tel:	Fax:
Email Address	Mobile:	

B. RE-ACCREDITATION INFORMATION

Provide the following details about the existing qualification

Title of qualification	
Accreditation dates for qualification	
Registration and Certification figures for the lifespan of the qualification	
Rationale for re-accreditation of the qualification	

C. DETAILS OF QUALIFICATION

C.1 Is the qualification offered in partnership with another organization(s)?

Yes No

If yes:

(a) What is the name(s) of the joint awarding partners?

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(b) Please indicate who will be responsible for each of the following functions.

Registration of Candidates :	
Certification of Qualifications	
Approval of Center(s)	
Agency Conducting External Verification/External Quality Control	
Production of Assessment Guide	

Please attach a letter of support from the joint partner and a draft of the partnership arrangement

C.11 Does the above involve a change to the existing partnership arrangements?

Yes No *If yes, clearly detail the changes and provide a copy of the new joint agreement/partnership arrangement.*

C.2 Has the qualification already been NQF/HEC credit rated?

Yes If yes, please provide details of the level and credit value and the name of the Credit Rating Body.

No If no, do you intend to submit this qualification for NQF credit rating?

C.3 What is the qualification type?

National Qualification - These are qualifications that have been developed under the auspices of FQC by industry, business or professional bodies of national standing with the intention of being a national benchmark qualification in those industries, businesses and professions

Provider Qualification - Provider Qualifications that have been developed by a particular educational organization. In these cases the title

- iii. will include the name of the organization that developed and owns the qualification
- iv. the qualification may use other protected terms but only with the specific approval of FQC/HEC

Education, training and assessment leading to qualifications in this category can be delivered by any provider of education, training and assessment services that has the permission of the organisation that developed the qualification and has been accredited by the FQC

D. QUALIFICATION DEVELOPMENT AND DESIGN

Please provide further information on the qualification included in this submission and attach supporting documentation/evidence.

D.1 Details of the Development of the Qualification

State the name of the organization responsible for the development of the qualification	
When was the structure(s) of the qualification approved?	
Who approved the qualification?	
When were the qualification approved?	
When was the assessment strategy approved?	

Attach documentary evidence of the above

D.2 Provide a brief overview of the qualification (including the development process, aims and purpose of the qualification)

Aims	

Purpose	
Development Process	

D.2 Name the organization responsible for the development of the qualification.

--

D.3 Provide details of the arrangement between the provider and the agency responsible for the development of the qualification.

D.4 Attach the following documents to your submission

Structure of the Qualification

Specifications of the Unit/Qualification

Mapping to National Qualifications Framework

D.5 Indicate if your submission is supported by the following organizations

Standard Setting Body / Regulatory Body Yes No

Fiji Employers Federation Yes No

Delivery Centers Yes No

Where appropriate, please provide letters of support

D.6 Provide a brief overview of any progression opportunities from the proposed qualification to other qualification(s)

D.7 How do you intend to market the qualification?

E. ASSESSMENT METHODOLOGY AND QUALITY ASSURANCE

E.1 Provide details on how your organization has designed an assessment methodology that is fit for purpose, meets the HEC/NQF assessment strategy requirements and ensures the quality and consistency of assessment provided at any location.

E.2 How will you meet the requirements of the assessment strategy in respect of external quality control?

E.3 How will you meet the requirements of the assessment strategy in respect of workplace evidence?

E.4 How will you meet the requirements of the assessment strategy in respect of simulated working conditions?

E.5 How will you meet the requirements of the assessment strategy in respect of occupational expertise of personnel involved in the delivery in the delivery and quality assurance of the qualification?

E.5.1 Assessors

E.5.2 Internal Supervisors

E.5.3 External Supervisors

E.6 Please indicate if your assessment guide contains the following:

- External quality control requirements
- Workplace attachment arrangements
- Simulated working requirements

Occupational competence requirements for the personnel involved in the delivery and quality assurance of the qualification

Assessment methodology (type of evidence to be collected)

Quality assurance/external quality control system

Qualification and experience requirements of the personnel involved in the delivery of the qualification

If the information is not contained in the Assessment Guide, provide details of where it can be found and also attach a copy.

E.7 Identify the personnel involved in the delivery and quality assurance of the qualification and provide a brief summary of their roles and responsibilities and any relevant qualifications and experience required

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E.8 Provide details of your systems and procedures for monitoring the quality and consistency of assessment provided at any location for the qualification. *(These systems may also be referred to as external quality control/quality assurance)*

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FIJI HIGHER EDUCATION COMMISSION

DECLARATION

I, _____
 [full name of authorized officer]

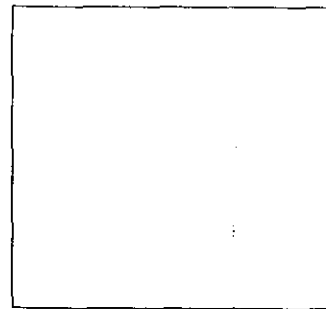
the _____
 [designation of the authorized officer]

of the _____
 [name of the institution]

do solemnly and sincerely declare that the information contained on the preceding pages is true and correct, and I make it with the understanding and belief that a person who makes a false declaration is liable for prosecution.

Declared at _____ }
 this _____ day of }
 _____, 20____ }.

.....
 [Signature]
 (To be signed in front of the witness)



Official Stamp of the Institution

Before me:

 [Full name of witness**]

.....
 [Signature of witness]

Occupation _____

Address: _____

Date: _____
 Phone No. _____

** This declaration can only be witnessed by a legal practitioner

SCHEDULE 3

APPLICATION FEES FOR ACCREDITATION OF QUALIFICATION

No.	Programme	Fee (\$)
1	Certificate	50
2	Diploma	75
3	Advanced Diploma	100
4	Undergraduate Degree	100
5	Post-Graduate Certificate	150
6	Post-Graduate Diploma	150
7	Masters Degree	200
8	Doctorate Degree	300