



higher education
& training

Department:
Higher Education and Training
REPUBLIC OF SOUTH AFRICA

CHIEF DIRECTORATE: NATIONAL EXAMINATIONS AND ASSESSMENT
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TO : DIRECTORS/ CHIEF EXECUTIVE OFFICERS (PRIVATE COLLEGES)
: PRINCIPALS
: REGIONAL MANAGERS-DHET REGIONAL OFFICES
: REGIONAL DIRECTORS/ OFFICIALS
: QUALITY COUNCILS

MEMORANDUM TE13 OF 2023

SIGNING OF THE SERVICE CONTRACT AGREEMENT BETWEEN DHET AND PRIVATE COLLEGES

In accordance with Section 26 sub-sections (1) – (2) of the national policy pertaining to the *Conduct, Administration and Management of Colleges Established, Declared or Registered in terms of the Continuing Education and Training Act No. 16 of 2006* published in Government Gazette No. 45649, all private institutions that offer public examinations must enter into a contractual agreement with the Department of Higher Education and Training (DHET).

A Pro-Forma contract is attached as **Annexure U** for your convenience. All Directors/ Owners of Private Colleges are urged to attend the capacity-building workshops for signing this contract that will be implemented in all provinces from 20 February – 24 March 2023 (**this memo must be read in conjunction with Memo TE12 of 2023**).

Kindly bring college stamp as it is needed to complete the service contract.

Failure to submit a signed contract by any private college may lead the DHET to prohibit the particular college from conducting any subsequent national examinations.

Your cooperation in this regard is greatly appreciated.

Kind regards

L Tleru

Acting Director: Examinations Management and Monitoring

DATE: 06/02/2023



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ANNEXURE U

SERVICE CONTRACT ENTERED INTO BY

AND BETWEEN THE DEPARTMENT OF HIGHER EDUCATION AND TRAINING AND A
PRIVATE COLLEGE (RESIDENTIAL AND CORRESPONDENCE) IN RESPECT OF REGISTRATION AS
AN EXAMINATION CENTRE

FOR EXAMINATIONS CONDUCTED, ADMINISTERED AND MANAGED IN TERMS OF THE CET ACT,
2006 (ACT NO. 16 OF 2006)

FOR
YEAR

This will only be valid for the year of examination (inclusive of the supplementary examination).

(Name of college and centre
number)

1. The conclusion of this contract confirms that the private centre has met the following minimum preliminary requirements for registration as an examination centre:
 - (1) Sufficient space and appropriate furniture for the seating of the candidates;
 - (2) Adequate general security;
 - (3) A lock-up facility for the storage of examination material;
 - (4) Clearance certificate in terms of the applicable municipal by-laws from local fire and health services;
 - (5) Providing proper lighting and ventilation;
 - (6) Access to sufficient water and acceptable and adequate toilet/ablution facilities;
 - (7) Suitably qualified teaching staff in sufficient numbers to be trained and used as invigilators; and
 - (8) Clear evidence of the ability to meet any and all costs relating to electricity, water, taxes and/or rental for the premises for the duration of the examination.

2. The DG or his/her delegate retains the right to re-evaluate the private centre at any time in respect of any or all of the above-mentioned criteria.
3. The Department of Higher Education and Training (hereinafter referred to as the Department) retains the right to monitor the conduct of the national examination and related assessment processes at the private centre at any time without forewarning. This includes the right to appoint a monitoring invigilator or any other official duly appointed by the Department to perform any such examination and assessment related functions at the assessment centre for the duration of the examination.
4. In concluding this service contract, the private centre commits itself to abide unquestionably by all policies and regulations as well as cost involved in respect of the conduct, administration and management of the examination and related assessment processes, as well as the procedures contained in the applicable national policy and regulations.
5. Should developments at the private centre adversely affect the interests of candidates or the integrity of the examination or related assessment processes in the opinion of the DG and as a result of a preliminary investigation, the Department reserves and retains the right to take control of the conduct, administration and management of the examination centre with immediate effect, and will hold the managers or owners of the private centre accountable for all related costs the Department may incur in this respect.
6. The Department may deregister a private centre as an examination centre should the centre fail to abide by any of the policy and regulations or other reasonable requests in respect of the conduct, administration and management of the examination and related examination processes, as well as the procedures contained in the national policy and regulations.
7. All examination centres are required to operate on premises the DG or his/her delegate has approved for this purpose. Should an examination centre relocate, the relevant region will inspect the new premises again to evaluate it as an examination centre.
8. No examination centre may consider relocation within or less than sixty (60) days before the commencement of the examination.
9. Should the relocation of a private centre be unavoidable due to external factors (for example, a natural disaster), the relevant private centre must strictly abide by the following procedure:

- (1) The DG or his/her delegate must be informed of the enforced relocation in writing immediately.
 - (2) Candidates and their parents or guardians must be informed.
 - (3) The private centre must be obliged to ensure that proper notices are affixed at the old centre, clearly indicating, inter alia, the location of the new venue, the name of a contact person and a telephone number for the contact person.
 - (4) The relevant region must ensure that such information is published in the printed/electronic media by the manager/owner of such centre.
10. The following procedure must be followed when a centre relocates to a new premises:
- (1) Should any centre relocate to a new premises, the centre's registration as an examination centre must lapse immediately and the centre must be forced to seek registration at the new premises from the Department.
 - (2) In exceptional circumstances, and provided the centre has an unblemished record with regard to irregularities and administration, the DG or his/her delegate may allow the centre to continue operating for the current final exit examination year only, during which time the centre must apply for, and be granted examination centre status in respect of the new premises. Should the Department refuse such permission or not grant permission for any other reason, the registration of the particular centre shall lapse forthwith.
 - (3) Should this process run over the year-end, no new candidates may be registered until a decision has been taken on the registration of the centre.
 - (4) The onus must be on the Head of the institution (centre manager/principal) to inform the DG timeously of the institution's intention to relocate.
 - (5) The DG or his/her delegate shall inform the chief invigilator in writing of the course that must be followed.
 - (6) If the application for registration of the centre is unsuccessful, the DG or his/her delegate must inform the Head of the institution (centre manager/principal) that the registration of the centre has elapsed.

- (7) The Head of the institution shall have the right to respond to the decision and furnish reasons why the centre should not be deregistered.
 - (8) The DG or his/her delegate must consider such representation before making a final decision. This decision must be conveyed in writing to the Head of the institution and the decision will be final.
11. Reasons for the deregistration of an examination centre:
- (1) An examination centre must be deregistered in the event of –
 - (a) any misrepresentation of information in the application for examination status discovered after approval of the application.
 - (b) undermining the integrity of the examinations or related assessment processes.
 - (c) intentionally or unintentionally permitting any act(s) which undermine the credibility of examinations to occur. Examples of such acts are permitting 'ghost writers' or of collusion between invigilators and candidates or violating any other requirement stipulated in policy.
12. The procedure to be followed in respect of irregular practices at the examination centres:
- (1) The NEAIC must investigate all suspected irregularities.
 - (2) If clear evidence emerges from investigations by the NEAIC, disciplinary actions must be instituted and steps taken to deregister the examination centre.
 - (3) The Head of the institution/centre managers will be informed, in writing, of the intention of the DG or his/her delegate to deregister the examination centre due to incidents of irregularities.
 - (4) The institution/centre managers must be asked to furnish a motivation why the centre should not be deregistered.
13. Conclusion
- In the event of the private examination centre being deregistered as an examination centre for whatever reason, the Department must follow the processes specified in the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000).

DEPARTMENT OF HIGHER EDUCATION AND TRAINING:

INITIALS AND SURNAME	CAPACITY	DATE
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WITNESS I _____

WITNESS II _____

OWNER(S) OF PRIVATE COLLEGE:

INITIALS AND SURNAME	CAPACITY	DATE
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WITNESS I _____

WITNESS II _____

MANAGEMENT OF PRIVATE COLLEGE (IF DIFFERENT FROM OWNER(S)):

INITIALS AND SURNAME	CAPACITY	DATE
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WITNESS I _____

WITNESS II _____

STAMP
