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Hon C September MP  
Chairperson  
Portfolio Committee on Higher Education and Training  
National Assembly

ATTENTION: Mr Anele Kabingesi  
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Dear Ms. September

### **COMMENTS REGARDING THE DRAFT NQF AMENDED BILL B 20 - 2018**

The National Qualifications Framework (NQF) Amendment Bill, B 20 - 2018 as published on 17 August 2018 has reference. The QCTO wishes to thank the Portfolio committee for the opportunity to provide comments.

Specific comments with regards to the amendments are as follows:

1. The definition “misrepresented qualification and part-qualification” does not recognise the Quality Councils (in particular Umalusi and the QCTO) as bodies also responsible for issuing certificates for qualifications on their respective qualification sub-frameworks. The definition as indicated in sub sections (a) and (b) does not make provision for instances where an individual may amend information on a certificate to be presented for a qualification that is or is not awarded. The misrepresentation is not only related to the level of the qualification, but also to the information associated with the award of the qualification on the certificate that is issued. (e.g. subjects on a grade 12 certificate and its associated levels or change in subject information, or on a trade certificate, changing the trade information and relevant sections to an Act under which it was issued etc.)
2. The amendment makes provision for SAQA to conduct verification. The role of the Quality Councils is not made explicit.
3. Section 13 (l) (v) also does not recognise the QCs as awarding bodies. This omission seems to be consistent in the amendments. The view in the document that qualifications/certificates are issued by the educational institutions is consistent with the higher education sector. In the trades and occupational sector, the QCTO is mandated to issue certificates.

4. Section 13 (1) (l) (1B) requires that SAQA refer findings or information to the relevant professional body. This will clearly be the case for professional designations. It is not clear why fraudulent qualifications will be referred to professional bodies. Ideally, fraudulent qualifications must be reported to the body responsible for awarding the qualification so that the awarding body may then institute appropriate actions.

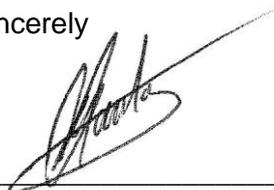
This section does not indicate the timeframe for the name of the qualification or certificate holder to be active in the register and how the name will be removed from the register should this be necessary. Also it should state if the register is a closed register or available to the public to confirm such decisions.

5. Section 32A of the draft NQF Bill, 2016  
SAQA in the proposed amendment will be the only body to verify qualifications and part qualifications. This assumes that SAQA will have all records on the NLRD. Due consideration must be given to the fact that not all qualifications and part qualification of historical nature is on the NLRD as it is not in digital format. In such instances there should be an arrangement between the awarding body and SAQA. It is further noted that 32A (2) (b) refers to a professional body as if this is the only awarding entity.
6. The QCTO supports the government's objective to combat, detect and prevent educational qualification fraud in the Republic of South Africa, which is apparent from the proposed amendments to the NQF Act. It is proposed that the following be considered also for inclusion in Section 32B following a possible misrepresentation or fraudulent confirmation.  
"The qualification holder should be informed and the qualification awarded should be returned to the issuing body and should not be available for circulation by the person it was awarded to. This is not an act of misrepresentation or a fraudulent action on the side of the qualification holder".

## Conclusion

With regard to managing misrepresented and fraudulent qualifications and part qualifications, it is not certain if the change will strengthen the approach to the verification of qualifications and part qualification considering that there are current working systems across a range of providers and organisations which have been established over the last number of years. The question that must be answered is "What problems are we attempting to fix and whether the system will be improved through the centralisation of verification services?"

Yours sincerely



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**Vijayen D Naidoo**  
**CHIEF EXECUTIVE OFFICER**  
**Date: 28 August 2018**