

VOCATIONAL TRAINING ACT
(Cap. 47:04)

**REGISTRATION OF VOCATIONAL TRAINING INSTITUTIONS
AND ASSESSMENT CENTRES REGULATIONS, 2003**
(Published on 30th October, 2003)

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IN EXERCISE of the powers conferred on the Minister of Labour and Home Affairs by section 31 of the Vocational Training Act, and after consultation with the Board, the following Regulations are hereby made —

1. These Regulations may be cited as the Registration of Vocational Training Institutions and Assessment Centres Regulations, 2003. Citation
2. In these Regulations, unless the context otherwise requires — Interpretation
“Authority” means the Botswana Training Authority established under section 3 of the Act; and
“Botswana National Vocational Qualifications Framework” means the Framework established under section 20 of the Act; and
“training institution” means a private or public centre, organisation, employer or person, providing vocational training.
3. (1) A person who wishes to operate a training institution or assessment centre shall apply to the Authority for registration as a training institution or assessment centre, as the case may be. Application for registration
(2) An application for registration under these Regulations shall be in the form set out in the First Schedule, and shall be accompanied by such supporting documents as the Authority may require and a fee of P1 000.
(3) An applicant shall set out, in the application form, the planned activities of the training institution or assessment centre for the period of twelve months from the date of application, and shall also set out —

- (a) the programmes the training institution intends to offer, facilitate or support, which programmes shall —
 - (i) conform to the requirements of the Botswana National Vocational Qualifications Framework level,
 - (ii) relate to a qualification or approved field of learning, and
 - (iii) be justifiable in terms of national, regional or local economic and social needs;
 - (b) any community or industrial development activities which the training institution intends to undertake;
 - (c) the modes and sites where the activities referred to in paragraph (b) will take place; and
 - (d) the range of performance indicators that will be used to measure and monitor performance against the objectives of the institution.
- (4) The Authority may, in writing, require an applicant to provide it with such further information which the Authority considers relevant to the application.

(5) The Authority shall not register, as a training institution or an assessment centre, as the case may be, a body in relation to which an application has been made in terms of subregulation (1), unless the applicant provides proof that the body —

- (a) is a body corporate whose specific objectives are to provide vocational education and training or assessment services;
 - (b) has policies that will contribute to the Government's socio-economic and technological development goals, and the development of a viable vocational education and training system;
 - (c) has appropriate governance and management personnel structures and systems that will ensure sound financial management and ethics;
 - (d) will improve equity and access to vocational education and training;
 - (e) will support credit transfer and the recognition, through assessment, of learning which has occurred either in a formal or informal context;
 - (f) will meet the learning needs of its students through the provision of appropriate educational training and support services;
 - (g) applies equity and access principles in recruitment of staff and is committed to the professional development of its staff;
 - (h) has safe and healthy learning and assessment environments and that these are well maintained;
 - (i) has in place rigorous processes of self-evaluation and internal audit that are inclusive of key stakeholders;
 - (j) is financially sustainable and has systems and internal and external controls to maintain its financial sustainability over the long term; and
 - (k) has appropriate systems to safeguard any payments made to it prior to the commencement of an education or training service.
- (6) A training institution or assessment centre shall, within six months of its registration, apply for accreditation with the Authority.

4. (1) Where the Authority is satisfied that an applicant satisfies the provisions of regulation 3, it shall register the applicant as a training institution or assessment centre, as the case may be.

(2) Where the Authority registers a training institution or assessment centre, it shall, within 30 days –

- (a) issue, to the applicant, a certificate of registration; and
- (b) record such registration in the Register.

5. A training institution or assessment centre shall remain registered for such period as may be specified by the Authority which period shall not exceed five years.

Period of validity of registration

6. (1) The Authority may revoke registration granted to a training institution or assessment centre where –

Revocation of registration

- (a) any of the conditions under regulation 3 has ceased to exist; or
- (b) the training institution or assessment centre, has failed to submit its annual report.

(2) Where the Authority decides to revoke the registration of a training institution or assessment centre, it shall issue written notice to the governing body of the training institution or assessment centre –

- (a) stating that a registration requirement provided for under the regulations is no longer met;
- (b) giving the grounds for the finding under paragraph (a); and
- (c) allowing the training institution or assessment centre 14 days within which to comply with the registration requirement referred to under paragraph (a).

(3) Where the training institution or assessment centre does not, within 14 days of the written notice referred to in sub-regulation (2), comply with the requirement which led to the notice to revoke being issued, the Authority shall revoke the registration of that training institution or assessment centre, as the case may be.

(4) Where the Authority revokes registration in terms of sub-regulation (3), the training institution or assessment centre, as the case may be, shall cease all operations.

7. An officer of, or authorised representative of, the Authority may, at any time, enter the premises of a registered institution to seek information for the purpose of verifying any evidence furnished as part of –

Verification of information

- (a) an application for registration; or
- (b) an annual report.

8. (1) A training institution or assessment centre which wishes to remain registered shall, within six months before its period of registration expires, apply to have the registration renewed.

Renewal of registration

(2) An application for renewal of registration under these Regulations shall be in the form set out in the Second Schedule, and shall be accompanied by such supporting documents as the Authority may require and a fee of PI 000.

9. (1) A training institution or assessment centre shall, within a period of six months, after the date of the anniversary of its registration or within such longer period as the Minister may approve, produce an annual report containing evidence that the institution –

Annual report

- (a) continues to meet all the requirements for registration;
- (b) is achieving its specific objectives in relation to learner performance and contributions to socio-economic and technological development goals of the society; and
- (c) remains financially secure and continues to use effective financial management procedures, and that this is independently verified by an auditor approved by the Authority.

(2) A training institution or assessment centre shall provide annually, in writing, updated information on the education and training services offered and shall outline any anticipated changes or additions to programmes, activities and enrolments.

(3) A training institution or assessment centre shall inform the Authority, in writing, of the occurrence of any of the following, within 14 days of such occurrence —

- (a) a change in the ownership or governance of the institution;
- (b) a change in the composition of the senior management of the institution;
- (c) a major change in the lead staff of the institution;
- (d) a change in its listed premises;
- (e) a change in its funding, fees, policies or funding source; or
- (f) a change in the education or training services offered.

Maintaining of register of institutions and assessment centres

10. (1) The Authority shall maintain a register of all registered training institutions and a register of all registered assessment centres.

(2) The register maintained in terms of subregulation (1) shall be kept at the offices of the Authority and shall be open for inspection to any member of the public, during office hours.

(3) The register shall clearly describe —

- (a) the form and structure of the institution or assessment centre;
- (b) the range of services that the institution or assessment centre offers;
- (c) the scope of the institution's accreditation; and
- (d) the date on which the institution or assessment centre was registered.

Appeals

11. A person aggrieved by a decision of the Authority under these Regulations may appeal to the Minister, against that decision within fourteen days of learning of the decision.

Offences

12. A person who —

- (a) operates a training institution or assessment centre without being registered in accordance with the provisions of these Regulations;
- (b) states or purports to be a registered training institution or assessment centre when the Authority has not granted that person registration status;
- (c) makes a statement that is false or misleading in a material particular to an authorised officer or representative of the Authority in relation to an application for registration; or
- (d) otherwise contravenes a provision of these Regulations for which a penalty is not provided,

commits an offence and is liable to the penalty prescribed under section 30 of the Act.

Transitional provision

13. Any institution which, at the coming into operation of these Regulations, has been carrying on the business or activity of vocational training shall, within six months of the coming into operation of these Regulations, comply with the provisions of these Regulations.

FIRST SCHEDULE

APPLICATION FOR REGISTRATION OF TRAINING INSTITUTION AND
ASSESSMENT CENTRE
(regulation (2))

Form: BOTA/RA IR/101.

	<p>BOTSWANA TRAINING AUTHORITY Private Bag BO 340 Gaborone Botswana Tel: (+267) 3159 481 Fax: (+267) 3952 301 E-mail: info@bota.org.bw</p> <p>Physical Address: Botswana Insurance House Main Mall, Gaborone</p>
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1. Institutional management and location.

- (a) Name of training institution/assessment centre.....
- (b) Postal Address:.....
- (c) Physical address of administration site:.....
- (d) Lease period of administration site (*Please indicate if administration site is owned*): Commencement date..... Expiry date.....
- (e) Location (*name of city/town/village and district/sub-district*):
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- (f) Telephone:.....
- (g) Fax:.....
- (h) E-mail:.....

(i) Physical address(es) of any other delivery site(s), period of plot lease, city/town/village and district/sub-district for each site (please write owned if plot(s) is owned):

Physical Address	City/town/ village	District/sub-district	Lease Period/Plot owned	
			Commencement date	Expiry date

(j) State category of institution (i.e. Community, Private, Public, NGO or Company owned):.....

(k) Name of current operational manager:.....

- Date of birth:.....
- Gender (tick appropriate box): male female
- Nationality.....
- Relevant experience.....
- Qualifications

(l) Governors/Directors particulars:

Names of Governors/ Directors	Nationality	Work experience	Highest level of education attained	Present occupation

2. This application has been checked and it contains the information which proves that the training institution or assessment, as the case may be (tick appropriate boxes):

(a) is a body corporate

(b) has a clear hierarchical structure of staff with clear allocation of functions and accountability

- (c) has clear financial systems and internal financial controls in place, that is, that the institution or assessment centre, inter alia –
 - (i) has a person responsible for financial management,
 - (ii) has its accounts certified at least annually by a qualified, registered and practicing accountant,
 - (iii) has in place, systems to protect fees paid in advance,
- (d) has measurable goals and objectives
- (e) has a clear rationale for each programme offered and provides career guidance
- (f) has a clear staff recruitment and staff development policy
- (g) is committed to quality —
 - (i) by having documented policies, procedures and review mechanisms that ensure that the training institution or assessment centre is effective in realizing its goals and objectives
 - (ii) by having a process of self evaluation and internal audit
 - (iii) by having measurable performance indicators for its mission, goals and objectives
 - (iv) by ensuring that its staff is qualified

NB: The bulk of the evidence should be in the form of supporting documents from other sources (e.g. using self-evaluation instrument), prepared by the applicant.

3. Declaration.

We the undersigned state that:

- (i) The information contained in the application is, to the best of our knowledge, true and accurate.
- ii) Our institution has sufficient financial provision to cover its operations.

Name of Operational Manager.

Signature: Date:.....

Name of chairperson of Governing body:.....

Signature: Date:.....

Name of one member of Board of Governors:.....

Signature: Date:.....

4. For official use by BOTA.

- (i) Date application received and checked:..... Signature:.....
- (ii) Assigned provider number:..... Signature:.....
- (iii) Name of BOTA officer processing application:.....
- iv) Date provider details captured on database:..... Signature:.....
- (v) Date of application vetting and results:..... Signature:.....
- (vi) Date applicant informed of outcome:..... Signature:.....
- (vii) Date registration certificate issued:..... Signature:.....

SECOND SCHEDULE

**APPLICATION FOR RENEWAL OF REGISTRATION OF TRAINING INSTITUTION
OR ASSESSMENT CENTRE**
(*regulation 8(2)*)

Form: BOTA/RA IR/201.

	<p>BOTSWANA TRAINING AUTHORITY Private Bag BO 340 Gaborone Botswana Tel: (+267) 3159 481 Fax: (+267) 3952 301 E-mail: info@bota.org.bw</p> <p>Physical Address: Botswana Insurance House Main Mall, Gaborone</p>
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1. Institutional management and location (*Apart from paragraphs (a) and (b) below, please write "same" if information is the same as in the previous application, otherwise enter the required details*).

- (a) Name of training institution/assessment centre:
- (b) Training institution/assessment center number:.....
- (c) Postal Address:.....
- (d) Physical address of administration site:.....
- (e) Lease period of administration site (*Please indicate if administration site is owned*):
 Commencement date..... Expiry date.....
- (f) Location (*name of city/town/village and district/sub-district*):.....

- (g) Telephone:.....
- (h) Fax:.....
- (i) E-mail:.....
- (j) Physical address(es) of any other delivery site(s), city/town/village, district/sub-district and period of plot lease for each site (*Please write owned if plot(s) is/are owned*):

Physical Address	City/town/ village	District/sub-district	Lease Period/Plot owned	
			Commencement date	Expiry date

(k) State category of institution (i.e. Community, Private, Public, NGO or Company owned):.....

(l) Name of current operational manager:.....

• Date of birth:.....

• Gender (tick appropriate box): male female

• Nationality.....

• Relevant experience.....

• Qualifications

(m) Record of any change(s) in Governors/Directors particulars:

<i>Names of Governors/ Directors</i>	<i>Nationality</i>	<i>Work experience</i>	<i>Highest level of education attained</i>	<i>Present occupation</i>

2. This application has been checked and it contains the information which proves that the training institution or assessment centre, as the case may be (tick appropriate boxes):

(a) is a body corporate

(b) has a clear hierarchical structure of staff with clear allocation of functions and accountability

(c) has clear financial systems and internal financial controls in place, that is, that the institution or assessment centre, inter alia —

(i) has a person responsible for financial management,

(ii) has its accounts certified at least annually by a qualified, registered and practicing accountant,

(iii) has in place, systems to protect fees paid in advance,

(d) has measurable goals and objectives

(e) has a clear rationale for each programme offered and provides career guidance

(f) has a clear staff recruitment and staff development policy

(g) is committed to quality —

(i) by having documented policies, procedures and review mechanisms that ensure that the training institution or assessment center is effective in realizing its goals and objectives

(ii) by having a rigorous processes of self evaluation and internal audit

(iii) by having measurable performance indicators for mission, goals and objectives

(iv) by ensuring that staff is qualified

NB: The bulk of the evidence should be in the form of supporting documents from other sources (e.g. using self-evaluation instrument), prepared by the applicant.

3. Declaration.

We the undersigned state that —

(i) The information contained in the application is, to the best of our knowledge, true and accurate.

(ii) Our institution has sufficient financial provision to cover its operations.

Name of Operational Manager

Signature: Date:.....

Name of Chairperson of Governing body:.....

Signature: Date:.....

Name of one member of Board of Governors:.....

Signature: Date:.....

4. For official use by BOTA.

- (i) Date application received and checked:..... Signature:.....
- (ii) Assigned provider number:..... Signature:.....
- (iii) Name of BOTA officer processing application:.....
- (iv) Date provider details captured on database:..... Signature:.....
- (v) Date of application vetting and results:..... Signature:.....
- (vi) Date applicant informed of outcome:..... Signature:.....
- (vii) Date registration certificate issued:..... Signature:.....

MADE this 24th day of October, 2003.

T. D. MOGAMI,
Minister for Labour and Home Affairs.