
GENERAL NOTICES ALGEMENE KENNISGEWINGS

NOTICE 685 OF 2012

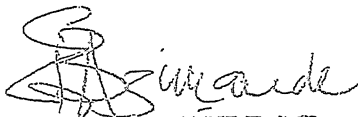
DEPARTMENT OF HIGHER EDUCATION AND TRAINING

TRADE TEST REGULATIONS, 2012

SKILLS DEVELOPMENT ACT, 1998

I, Bonginkosi Emmanuel Nzimande, MP, Minister of Higher Education and Training, in terms of Section 26D (5) read with Section 36 of the Skills Development Act 1998, after consultation with the National Skills Authority and the Quality Council for Trades and Occupations, intend to make the Regulations in the Schedule hereto and publish these regulations for public comment period of 30 days from the date of this notice. All comments and inputs should be forwarded to the contact details as below.

Post comments to:	The Chief Director INDLELA Private Bag X 5 Olifantsfontein 1665
Fax comments to:	NAMB 011 316 3284
Hand deliver comments to:	Reception INDLELA Old Pretoria Road Olifantsfontein
E-mail comments to;	Prinsloo.F@dhet.gov.za Louw.N@dhet.gov.za



Dr BE NZIMANDE, MP
MINISTER OF HIGHER EDUCATION AND TRAINING

Schedule

Definitions

1. In these Regulations, any word or expression to which a meaning has been assigned in the Act has that meaning unless the context indicates otherwise-

"credit accumulation" means retaining recognition for a competence in a task successfully completed during a trade test under specified conditions;

"curriculum" means any listed trade learning programme approved by the QCTO that leads to an artisan qualification contemplated in Section 26D of the Act.

"Department" means the Department of Higher Education and Training;

"exemption" means a credit that is given for a component or all components of an occupational curriculum that has been achieved through a recognition of prior learning process as determined by NAMB in consultation with QCTO;

"GENFETQA Act" means the General and Further Education and Training Quality Assurance Act, 2001 (Act 58 of 2001);

"listed trade" means an occupation that is listed as a trade in the Gazette as is required in terms of Section 26B of the Act;

"Minister" means the Minister of Higher Education and Training;

"NAMB" means the National Artisan Moderation Body established in terms of section 26A of the Act;

"Pre-trade test evaluation" means a predetermined verbal or written evaluation and an integrated practical assessment to determine whether the learner should be allowed to proceed to take a trade test for a listed trade;

"QCTO" means the Quality Council for Trades and Occupations established in terms of Section 26G of the Act;

"the Act" means the Skills Development Act, 1998 (Act 97 of 1998);

"SETA" means a Sector Education Training Authority established in terms of Section 9 of the Act;

“Trade Test” means a final external summative assessment included in the occupational qualification for a listed trade that is conducted by an assessor registered with NAMB at a trade test centre accredited by QCTO; and

“UMALUSI” means the Council established by Section 4 of the GENFETQA Act.

Application for access to a trade test

- 2.1 Subject to Regulation 3, any person may apply to a trade test centre accredited by QCTO to undergo a trade test in any listed trade subject to the person submitting an application form in the format determined by NAMB obtainable from an accredited trade test centre together with evidence of :
 - (a) the successful achievement by the person of the minimum level of education as specified by QCTO in the occupational curriculum for the relevant learning programme for a listed trade qualification;
 - (b) the successful completion by the person of all the curriculum components of a learning programme for a listed trade artisan qualification registered by the QCTO; and
 - (c) compliance to any medical or legal requirement applicable to the relevant trade as may be required by any other legislation.
- 2.2 Notwithstanding sub-regulation 1, any person may apply to a trade test centre accredited by QCTO to undergo a trade test in any listed trade subject to the person submitting an application form in the format determined by NAMB together with a portfolio of evidence approved by NAMB for a listed trade in the case of a person that underwent a recognition of prior learning process.
- 2.3 Upon the receipt and verification of an application, the trade test centre accredited by QCTO must issue a trade test date at an accredited trade test centre as requested by the applicant or as determined by the trade test centre accredited by QCTO within 5 working days.

Pre-Trade Test Evaluations

3. A pre-trade test evaluation must be conducted by an accredited trade test centre on a person who is applying for a trade test and their curriculum or portfolio of evidence was completed three years or more prior to applying for a trade test.

Trade Testing Fees and Rules

4. Trade testing fees and rules for all listed trades will be determined by the Director-General through a circular that is in line with the QCTO Fee Structure Policy and is issued annually to all accredited trade test centres and SETAs before 31 March of each year.

Review of Pre-Trade Test Evaluation and Trade Test

5.1 Pre-trade test evaluation and trade test instruments for all listed trades will be reviewed by NAMB every three years in consultation with QCTO and relevant industries if a need for such a review is considered necessary but the review of the instruments will not necessarily affect the underpinning occupational qualification's assessment frame-work.

5.2 A review may also occur if:

- (a) a SETA and relevant industry stakeholders request a review; or
- (b) indicated through an analysis of moderation results.

Exemptions

6. The QCTO must ensure that the criteria for exemption relating to the completion of any curriculum prior to the undertaking trade test for a listed trade is included in that curriculum.

Credit Accumulation

7. Subject to Regulation 2 and 3, all learners will be allowed three attempts at a trade test irrespective of the learning programme agreement period.
8. A learner who is found not yet competent after three attempts at a trade test may apply for further attempts after consecutive periods of six months from the date of the previous attempt subject to submitting evidence of having had training to address competency gaps as described in the detailed assessment feedback report contemplated in sub-regulation 9.4.
9. A learner who attempted a trade test and was found not yet competent in some of the tasks after the assessment, will nonetheless be given exemption from those tasks in which he/she has been found competent for further trade tests provided that:
 - 9.1 The trade test tasks passed have not significantly been amended;
 - 9.2 the learner was found competent in at least more than 50% of the tasks given during the

trade test on the first attempt;

- 9.3 the learner found competent in at least more than 50% of the tasks given during the trade tests on the first attempt will not be given the same tasks that have been passed during future attempts; and
- 9.4 the learner receives a detailed assessment feedback report from the accredited trade test centre that includes recommendations on further training required in order to address competency gaps, that is also submitted to NAMB and relevant SETAs within 5 working days.

Trade Testing Scheduling, Monitoring, Reporting and Certification of Learners

10. The accredited trade test centre must issue a trade test date to the applicant within 5 working days from receipt of application.
11. The QCTO accredited trade test centres must submit all planned trade test schedules once a month on the first day of the month to the NAMB and relevant SETAs in a format to be determined by NAMB to enable NAMB to moderate artisan trade tests as contemplated in 26A of the Act.
12. The QCTO accredited trade test centres must submit all learner trade test results once a week by close of business every Friday to the NAMB and relevant SETAs in a format to be determined by NAMB in consultation with the QCTO.
13. The NAMB must report monthly on the first day of the month on all learner trade tests scheduled and trade test results to the Department, SETAs, QCTO and Artisan Stakeholders Forums administered by the NAMB.
14. The NAMB must recommend certification of qualifying learners to the QCTO within ten working days after verification of results from the accredited trade test centres.
15. The NAMB must not recommend certification of a learner if the learner does not appear on a monthly trade test schedule contemplated in regulation 11.
16. The QCTO must issue and distribute national trade certificates as per the QCTO Certification Policy.

Appeals

- 17.1 A learner may appeal a trade test result within 21 days of receipt of the results.

17.2 The appeal must be lodged with NAMB in the format determined by NAMB.

17.3 All appeals received by NAMB related to trade test results will be processed in terms of the NAMB and QCTO Assessment Appeals Policy.

Irregularities and Offences

18 The NAMB will establish a Disciplinary Code and Procedures for Trade Testing approved by the Minister.

Transitional Arrangements

19.1 All trade test centres currently accredited by SETAs will be deemed to be accredited by QCTO for a maximum period of three years from the date of this notice or until the trade test centre has been audited by QCTO through its delegation to NAMB and given a revised status;

19.2 Until such time the minimum level of education as specified by the QCTO in the occupational curriculum for the relevant listed trade is implemented as contemplated in Regulation 2.1, the minimum level of education for all listed trades will be the successful achievement by a learner obtaining a minimum of 50% in Mathematics excluding Mathematics Literacy at a Grade 9 level or higher which has been obtained before commencing or which is achieved during or after an artisan learning programme;

19.3 All listed trade learning programmes currently approved by DHET or SETAs that are submitted by 31 August 2012 for provisional registration with NAMB will be deemed to be approved by QCTO until the learning programme has been replaced by the relevant occupational qualification and related curriculum registered with QCTO or the learning programme is de-registered by NAMB;

19.4 All apprentices under a contract of apprenticeship, registered by a SETA in terms of Section 13 of the Manpower Training Act, 1981 (Act no. 56 of 1981) before the commencement of these regulations are deemed to be apprenticeships in terms of Chapter 4 of Act;

19.5 Any person that has been issued with a trade test date for a trade test in terms of Section 28 of the Manpower Training Act prior to the publication of this notice will continue to be managed as a candidate as contemplated in Regulation 2.2;

19.6 No person may apply for or be trade tested under Section 28 of the Manpower Training

Act but any person may apply to the Department for recognition of prior learning;

- 19.7 NAMB, in consultation with SETAs, will determine exemptions for trade testing until the QCTO determines these exemptions in the relevant curriculum; and
- 19.8 Listed trade learner achievements will continue to be processed as per current arrangements until such time that such achievements are uploaded onto the NLRD by QCTO.