

**CHAPTER 47:04 - VOCATIONAL TRAINING: SUBSIDIARY LEGISLATION**  
**(previously "APPRENTICESHIP AND INDUSTRIAL TRAINING")**  
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**APPRENTICESHIP AND INDUSTRIAL TRAINING (APPOINTMENT OF BOARD)**  
**REGULATIONS**

*(section 3(2))*  
*(6th October, 1989)*

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Appointments to Board

Schedule - Government Representatives on Board

S.I. 89, 1989.

**1. Citation**

These Regulations may be cited as the Apprenticeship and Industrial Training (Appointment of Board) Regulations.

**2. Appointments to Board**

(1) The National Advisory Board for Apprenticeship and Industrial Training, hereinafter referred to as the Board, shall be comprised of seven members representing the Government, four members representing the employers and four members representing the employees.

(2) The members representing the Government shall be the public officers specified in the Schedule to these Regulations or their representatives, and the Chairman of the Board, the Vice-Chairman and the Secretary shall be as therein indicated.

(3) The members representing the employers and the employees shall be appointed by the Minister, by notice in the *Gazette*, but before making any such appointment the Minister shall consult such registered organizations as appear to him to represent the employers and the employees in any trade, section of trade, industry or section of industry likely to be most concerned with the appointment, and have been invited by the Minister to make nominations for membership of the Board.

**SCHEDULE**

**GOVERNMENT REPRESENTATIVES ON BOARD**

1. Permanent Secretary, Ministry of Labour and Home Affairs who shall be Chairman of the Board.
2. Permanent Secretary, Ministry of Education, who shall be Vice-Chairman.
3. Chief Technical Education Officer, Ministry of Education.
4. Assistant Director of Personnel Training.
5. Commissioner of Labour and Social Security.
6. Director of Industrial Affairs, Ministry of Commerce and Industry.
7. Employment Coordinator, Ministry of Finance and Development Planning.

The Director of Apprenticeship and Industrial Training, Ministry of Labour and Home Affairs, is appointed to be Secretary of the Board.

## **APPRENTICESHIP AND INDUSTRIAL TRAINING REGULATIONS**

*(section 57)*

*(13th August, 1993)*

### ARRANGEMENT OF REGULATIONS

#### REGULATION

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Schedule 1 - Apprenticeable and Designated Trades

Schedule 2 - Contract of Apprenticeship

Schedule 3 - Forms

S.I. 84, 1993,

S.I. 123, 1993.

#### **1. Citation**

These Regulations may be cited as the Apprenticeship and Industrial Training Regulations.

#### **2. Trades for apprentices**

The trades listed in Schedule 1 shall be designated or apprenticeable trades within the terms of section 14 of the Act.

### **3. Duration of apprenticeship**

(1) An apprenticeship shall, unless the apprentice fails to meet the required standards, be for a period of four years.

(2) The duration of an apprenticeship in the trades of chef and waiter in the hotel and tourism industry shall be for 3 years, with the first year being a common year:

Provided that the Board may vary the period for both trades from time to time.

(3) Every candidate for an apprenticeship shall have passed Junior Certificate or Standard VII education standards with Trade Test "C" (T+P) certificates.

### **4. Training standards**

Training standards for apprentices shall be laid down by the Board, on the advice of the relevant Trade Advisory Committee, and may be varied from time to time.

### **5. Pass marks**

(1) In all theoretical and practical tests for apprentices, at all levels and in all subjects, minimum pass marks shall be 50%.

(2) In order for an apprentice to qualify it shall be necessary for him to pass the technology and the practical tests, and any two subjects out of the remaining three related theoretical subjects.

### **6. Margins for successful completion of apprenticeship**

(1) An apprentice may be permitted to immediately re-sit a maximum of two academic subjects, and a failure to pass those subjects a second time shall be sufficient reason for requiring him to repeat the whole of that academic year, and, if he should again be unsuccessful, his contract of apprenticeship may thereafter be terminated.

(2) An apprentice who is unsuccessful in the practical assessment or the final test shall be required to repeat the whole year of practical training, and if he is again unsuccessful in the test, his contract of apprenticeship may be terminated.

### **7. Salary increments, when due**

(1) An apprentice shall be entitled to receive an annual increment upon successful completion of the industrial and institutional annual assessment tests at the beginning of the apprenticeship year.

(2) Where an apprentice fails to complete his annual examination at the end of an academic year, due to his own negligence, but does so at a later date, he shall be entitled to receive his increment as from such later date.

(3) The employer of an apprentice shall inform the Director of his reasons for withholding an apprentice's increment.

(4) After examining the reasons for the withholding of an apprentice's increment, the Director may, if he is not satisfied that the reasons therefor are adequate, order the employer concerned to pay the increment from such date as he may specify in the order.

### **8. Absence from place or work**

(1) An apprentice shall not be entitled to be paid any salary for any period during which he is absent from his place of institutional or industrial training during working hours, unless he has been granted paid leave by his employer, or the institution, as the case may be, or he is incapacitated by illness or injury and subsequently produces a certificate from a qualified medical practitioner to prove that he was so incapacitated.

(2) An apprentice who is absent for 2 weeks from institutional training, or who fails to complete 30 weeks practical training at his employer's workplace, will be required to repeat the whole year's training.

### **9. Reduced contractual period**

(1) Apprentices who have successfully passed the first assessment test, or its equivalent trade test "C" (C+P), or the second assessment test or its equivalent trade test 'B', may be enrolled as an apprentice for a correspondingly reduced period of apprenticeship.

(2) Apprentices who have passed an assessment test will not, in addition, be entitled to

the issue of an equivalent trade test certificate, or vice-versa, without passing the appropriate test as provided in regulation 12.

#### **10. Forms**

(1) A contract of apprenticeship shall be in the form set out in Schedule 2 hereto.

(2) The forms set out in Schedule 3 hereto shall be the forms to be used for the purposes stated-

- (a) Form 1 - National Craft Certificate (NCC)
- (b) Form 2 - Trade Test Certificate "C" (T+P)
- (c) Form 3 - Trade Test Certificate - "B" grade
- (d) Form 4 - Practical Competency Certificate "C" (P)
- (e) Form 5 - Certificate of Appointment of an Industrial Training Officer.

#### **11. Trade test standards**

National trade test standards for the designated trades specified in Schedule 1 shall be established to ascertain whether the applicant, after a prescribed period of employment and/or training in the trade, has acquired the necessary range of skills and related knowledge to enable him to perform work of the quality and standard required by industry. The national trade test standards shall be in the form and subject to the conditions prescribed by the National Advisory Board for Apprenticeship and Industrial Training.

#### **12. Application for trade test**

(1) An application to take a trade test shall be made by the applicant on the prescribed form to the Director, and before writing the trade test the applicant shall be required to fulfil the appropriate requirements as detailed in subregulations (2) and (3).

(2) In case of an applicant for a grade 'C'(T+P) trade test he shall have completed at least 3 years employment and/or acceptable training in the trade, and have also satisfactorily completed any skills improvement courses at this level, or another approved 2 years course conducted in industry or in a training institution approved by the Director.

(3) In the case of an applicant for a grade "B" trade test, after passing grade "C"(T+P) he shall have completed 2 years employment and/or institutional training including approved institutional training and any necessary skills improvement courses, or one year full time institutional training approved by the Director.

#### **13. Employer's certificate**

An applicant wishing to take a trade test shall submit, in the application form, written evidence from his employer or employers showing the period during which he was employed in the trade and evidence of any periods of approved institutional training.

#### **14. Practical competency certificate "C" (P)**

(1) Applicants who have insufficient academic levels will be able to attend a practical skills improvement course based on 'C' grade practical testing standards in the respective trade. At the end of the course, the candidates will be required to obtain at least 50% marks in the practical examination to be entitled to a "Practical Competency Certificate" or 'C'(P).

(2) An applicant for a Practical Competency Certificate should have a minimum of 3 years practical experience in the trade.

#### **15. Exemption from parts of tests**

Applicants who have considerable experience in a trade and who have satisfactorily completed an approved course of industrial training may, with the permission of the Director take a trade test other than 'C' in that trade.

#### **16. Exemption from NCC examination**

The Director may, if satisfied of a candidate's qualifications and experience obtained within the country or from abroad, exempt a candidate from writing the national craft certificate examination and issue him with a national craft certificate in the respective designated trade.

#### **17. Tools of trade**

An applicant undergoing a trade test shall provide his own trade hand tools.

## **18. Trade tests**

(1) A trade test shall consist of a theoretical and a practical test at C(T+P) and B grade levels.

(2) The theoretical test shall be a written test in English and will comprise of trade theory, associated studies and other related subjects determined by the trade advisory committee concerned.

(3) In the practical test an applicant shall be expected to complete a test piece or job, or a series of test pieces or jobs within a given time.

(4) In all tests at all levels and in all subjects minimum pass marks will be 50%, and in all practical tests pass marks will also be 50%.

## **19. All parts to be passed**

(1) An applicant shall be required to pass both the theoretical and the practical tests. An applicant who fails to obtain a pass in the theoretical or the practical test may subsequently, within the next 18 months, re-sit the test in which he failed. If the candidate does not within that period successfully pass the failed test, he shall be required to re-sit the whole test both in the theoretical and practical subjects.

(2) It shall be compulsory to pass the technology and the practical test and any two subjects out of the remaining three related theoretical subjects to pass the test as a whole.

## **20. Training courses**

Persons who have not entered into a contract of apprenticeship may work towards, and be tested for, the first or the second assessment tests by following a full time approved course of training at an approved training institution.

## **21. Requirements for writing final NCC test**

An applicant for the NCC examination who holds a trade 'B' certificate and also has 2 years experience, will be required to pass an aptitude test equal to the 2nd assessment test and then attend two blocks of thirteen weeks institutional training leading to the 3rd assessment test and then the final NCC test respectively. A candidate who holds the trade test 'A' certificate will be required to pass an aptitude test equal to the 3rd assessment test and then to attend one block of thirteen weeks of institutional training leading to the final NCC examination.

## **22. Repeat of tests**

(1) If an applicant fails in the practical part of the trade test he shall not be eligible to repeat the test for a period of six months thereafter, but if he fails in the theoretical subjects he may re-sit them after a period of 2 months. If an applicant fails a second or further time he shall not be eligible to re-sit the test for a period of twelve months thereafter.

(2) A candidate who has failed in a test shall be obliged to reapply for permission to re-sit the examination.

## **23. Results of tests**

An applicant shall be informed in writing of his results as soon as possible, and in any case not later than 60 days after the date of trade test.

## **24. Award of certificate**

An applicant shall be awarded a trade test certificate in Form 2, Form 3 or Form 4 of Schedule 3 not later than 30 days after the declaration of the result.

## **25. Register of certificates**

The Director shall cause a register or registers to be kept in the appropriate form of trade test certificates and national craft certificates issued by him.

## **26. Replacement of certificates**

If a trade test certificate or national craft certificate is lost, damaged or destroyed, the Director may issue a duplicate certificate marked "duplicate" against a fee prescribed by the Board and upon production of evidence of such loss, damage or destruction.

## **27. Part-time testing officers**

The Director may designate qualified and experienced persons to act as part-time trade

testing officers to carry out trade tests and assessment tests in a particular specialised trade on the recommendations of the trade advisory committee concerned.

## **28. Offences**

Any person who-

- (a) makes use of a trade test certificate to which he is not entitled under these Regulations;
- (b) being entitled to a trade test certificate under these Regulations, parts with possession of it to a person not so entitled, for use by that person as his own trade test certificate;
- (c) alters or defaces a trade test certificate issued under these Regulations, or makes any model, likeness or facsimile of such certificate with intent to deceive or defraud,

shall be guilty of an offence and be liable to the penalties prescribed under section 56 of the Act.

## **29. Fees**

The Board may, at its discretion, determine fees for trade tests.

## **30. Director's discretion**

The Director of Apprenticeship and Industrial Training is authorized to use his discretion in matters of an urgent nature, or in respect of matters not fully covered under these Regulations:

Provided that the exercise of such discretion shall not in any way conflict with the provisions of the Act or these Regulations.

### **SCHEDULE 1**

#### **APPRENTICEABLE AND DESIGNATED TRADES**

Group	1 01	AUTOMOTIVE TRADES	
	01/10	Auto Mechanic	(Apprenticeable)
	01/20	Auto Electrician	(Apprenticeable)
	01/30	Panel Beater & Spray Painter	(Apprenticeable)
	01/40	Driver	(Designated)
Group	2 02	BUILDING AND CONSTRUCTION TRADES	
	02/10	Bricklayer and Plasterer	(Apprenticeable)
	02/20	Plumber	(Apprenticeable)
	02/30	Painter and Decorator	(Apprenticeable)
	02/40	Pipe Fitter	(Apprenticeable)
	02/50	Carpenter and Joiner	(Apprenticeable)
	02/60	Cabinet Maker	(Apprenticeable)
	02/70	Architectural Draughtsman	(Designated)
	02/80	Upholsterer	(Designated)
Group	3 03	ELECTRICAL TRADES	
	03/10	Installation and Appliance Electrician	(Apprenticeable)
	03/20	Maintenance Industrial Electrician	(Apprenticeable)
	03/30	Refrigeration and Air Conditioning Mechanic	(Apprenticeable)
Group	4 40	METAL TRADES	
	04/10	Fitter Machinist	(Apprenticeable)
	04/20	Welder and Fabricator	(Apprenticeable)
	04/30	Maintenance Fitter	(Apprenticeable)
Group	5 05	HEAVY PLANT TRADES	
	05/10	Borehole Mechanic	(Apprenticeable)
	05/20	Heavy Plant Mechanic	(Apprenticeable)
	05/30	Plant Operator	(Designated)
	05/40	Driller	(Designated)
Group	06 06	HOTEL & TOURISM TRADES	

	06/10	Chef	(Apprenticeable)
	06/20	Waiter	(Apprenticeable)
	06/30	Housekeeper	(Designated)
Group	7 07	TEXTILE TRADES	
	07/10	Dress Maker	(Designated)
	07/20	Knitter	(Designated)
	07/30	Sewing Machine Mechanic	(Designated)

**SCHEDULE 2**  
**CONTRACT OF APPRENTICESHIP<sup>1</sup>.      The Employer:**

- 1.1 NAME:.....
- 1.2 REGISTERED OFFICE ADDRESS:.....  
.....  
.....Tel No.....

**2. Contact Address:**

.....  
.....Tel No.....

**3. The Apprentice:**

- 3.1 NAME: .....
- 3.2 ADDRESS:.....  
.....

- 3.3 DATE OF BIRTH: .....or other certified approximate birth date  
.....or age in years

**4. The contracted Trade:**

.....

**5. Duration of Apprenticeship:**

.....

**6. The employer agrees:**

- 6.1 To employ the apprentice for the purpose of providing a course of approved instruction in order that he may achieve the necessary proficiency in his trade to become a skilled worker within the scheduled period as defined by the National Trade Standards of the Apprenticeship and Industrial Training Act Cap 47:04.
- 6.2 To remunerate the apprentice at a rate not less than that fixed by the National Advisory Board for Apprenticeship and Industrial Training.
- 6.3 To ensure that the apprentice is not employed on work unconnected with the trade for which he is being trained.
- 6.4 To set basic hours of work which are the same as those worked, by the company's employees who have qualified in the trade.
- 6.5 Not to require the apprentice to work overtime if the apprentice is under the age of 18 years. Overtime for apprentices over the age of 18 years is permissible subject to the provisions of Employment Act, provided this overtime does not interfere with the theoretical or practical training of the apprentices.
- 6.6 To pay the apprentice for the time off due to illness or injury certified by a medical practitioner in accordance with the rules relating to such absence within the company, provided that the apprentice shall be entitled to minimum of full pay for the first 30 days and half pay for the next 30 days of such absence in any one year of his apprenticeship period.
- 6.7 To respect the right of the apprentice to all the public holidays observed in the industry in which he is engaged.
- 6.8 To grant paid leave at the rate of not less than 15 days per annum.
- 6.9 To provide the apprentice sufficient tools, materials, and protective clothing necessary for the practical training in the trade.
- 6.10 To provide the Director with an annual progress report on the apprentice.



- 6.11 To release the apprentice without loss of pay to institutional training either by day or block release.
- 6.12 To release the apprentice without loss of pay to take any examinations in relation to his training.
- 6.13 To bear all necessary travelling costs incurred by the apprentice in connection with the apprentice going to attend institute training/examinations associated with this apprenticeship agreement.
- 6.14 To phase industrial training relative to the physical development of the apprentice and to report immediately any irregularities to the Director of Apprenticeship and Industrial Training.

**7. The Apprentice Agrees:**

- 7.1 To obey all reasonable instructions given to him by his employer or any other person designated as his supervisor or instructor.
- 7.2 To work conscientiously.
- 7.3 To take good care of all tools machinery and equipment entrusted to him and to take all necessary steps to avoid damage to machinery or waste of materials.
- 7.4 To keep confidential any professional information he may acquire concerning the affairs of the company.
- 7.5 To attend work at the times specified and not to absent himself without the permission of the employer and or the institute.
- 7.6 To refrain from engaging in any activity which shall or might interfere with his duties and/or his studies.
- 7.7 To attend all necessary classes or courses at any institution approved by the Board and to diligently pursue his course at such institutions and not to absent himself from his course studies without the permission of the institution.
- 7.8 To reach the required standard in practical and theoretical knowledge of the trade necessary to pass the relevant tests and examinations, failing which the contract may be terminated or extended and the salary affected in accordance with the rules determined by the Director.
- 7.9 That it shall be at the discretion of the employer whether to provide regular employment or not after completion of the apprenticeship.

**8. The Employer and the Apprentice jointly agree that**

- 8.1 The first six months of this contract may be regarded as a period of probation during which either party may terminate the contract communicating the cause to the Director and after giving the other party at least 21 days' notice.
- 8.2 A training log-book as prescribed by the Director shall be maintained.
- 8.3 The contract may be transferred to another employer in certain circumstances in accordance with the Act and with the permission of the Director.
- 8.4 The contract may be terminated in certain circumstances after the period of probation as provided in the Act and with the approval of the Director.
- 8.5 The contract may be extended or reduced in certain circumstances as provided in the Act and with the approval of the Director.
- 8.6 In case of pregnancy, maternity leave shall be granted in accordance with the existing rules of the company.
- 8.7 If a dispute should arise between the apprentice and the employer, every effort shall be made to settle the matter between the two parties. If a settlement cannot be reached, either party may refer the matter to the Director.
- 8.8 They shall comply with any testing and certification procedures prescribed by the Director of Apprenticeship and Industrial Training for the contracted trade.

**9. Signatories**

- 9.1 Both parties consent to accept the conditions of this contract of apprenticeship.
- 9.2 this ..... day of ..... 20 .....
- 9.3 signed by the apprentice .....
- 9.4 signed by legal guardian or witness .....
- 9.5 Address .....
- .....
- .....
- 9.6 Signed by the employer .....
- 9.7 in the presence of .....



9.8 Address .....

**10. Registration**

10.1 This contract is hereby registered in terms of section 20 (2) of the Act.

10.2 Registration No: .....

Director of Apprenticeship and Industrial Training,  
Private Bag 00267,  
GABORONE

(N.B: To be submitted in triplicate to the Director)

**SCHEDULE 3  
FORMS  
Form 1  
NATIONAL CRAFT CERTIFICATE**

REGISTRATION NUMBER

CERTIFICATE NO.

.....

MINISTRY OF LABOUR & HOME AFFAIRS  
DEPARTMENT OF LABOUR & SOCIAL SECURITY  
NATIONAL CRAFT CERTIFICATE  
APPRENTICESHIP AND INDUSTRIAL TRAINING ACT, Cap 47:04  
(Section 37)

This is to certify that

.....  
has completed apprenticeship training as

.....  
in ..... and .....  
(Firm) (Institution)

From:.....20..... To:.....20.....

and has passed the  
FINAL EXAMINATION  
attaining the Standards prescribed by the National  
Advisory Board for Apprenticeship and Industrial Training  
in  
TRADE PRACTICE AND THEORY

Signed this ..... day of ..... 20.....

.....  
(Chairman)  
NABAIT

.....  
Director of Apprenticeship  
and Industrial Training

**Form 2  
TRADE TEST CERTIFICATE "C" (T+P)**

Registration Number      Certificate Number



**Ministry of Labour and Home Affairs  
Department of Labour and Social Security**

**This is to certify that**

**has passed the trade test 'C (T+P)' in the  
trade**

**on**

**according to the standards prescribed by  
the National Advisory Board for  
Apprenticeship and Industrial Training  
securing percentage marks shown against  
each of the following:**

Technology \_\_\_\_\_  
Technical Mathematics \_\_\_\_\_  
Associated Studies \_\_\_\_\_  
Practical \_\_\_\_\_

\_\_\_\_\_  
Principal Industrial  
Training Officer

\_\_\_\_\_  
Director of  
Apprenticeship and  
Industrial Training

Signature of certificate holder: \_\_\_\_\_

**Form 3**

**TRADE TEST CERTIFICATE - "B" GRADE**

Registration Number      Certificate Number



**Ministry of Labour and Home Affairs  
Department of Labour and Social Security**

**This is to certify that**

**has passed the trade test 'B' in the trade**

**on**

**according to the standards prescribed by  
the National Advisory Board for  
Apprenticeship and Industrial Training  
securing percentage marks shown against  
each of the following:**

Technology \_\_\_\_\_  
Technical Mathematics \_\_\_\_\_  
Associated Studies \_\_\_\_\_  
Practical \_\_\_\_\_

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Principal Industrial  
Training Officer

\_\_\_\_\_  
Director of  
Apprenticeship and  
Industrial Training

Signature of certificate holder: \_\_\_\_\_

**Form 4**

**PRACTICAL COMPETENCY CERTIFICATE "C" (P)**

Registration Number

Certificate Number



**Ministry of Labour and Home Affairs  
Department of Labour and Social Security**

**This is to certify that**

**has passed the trade test 'C (P)' in the trade**

**on**

**according to the standards prescribed by  
the National Advisory Board for  
Apprenticeship and Industrial Training  
securing percentage marks shown against  
each of the following:**

Practical \_\_\_\_\_

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Principal Industrial  
Training Officer

\_\_\_\_\_  
Director of  
Apprenticeship and  
Industrial Training

Signature of certificate holder: \_\_\_\_\_

**Form 5**

**CERTIFICATE OF APPOINTMENT OF AN INDUSTRIAL TRAINING OFFICER**

APPRENTICESHIP AND INDUSTRIAL TRAINING ACT

CAP. 47:04

This is to Certify that

.....  
whose photograph appears below holds the  
appointment of  
.....

**CERTIFICATE OF APPOINTMENT**  
The person named on this  
certificate is hereby  
authorized  
to exercise the powers of an  
**INDUSTRIAL TRAINING OFFICER** as

.....  
in the Directorate of Apprenticeship and  
Industrial Training Under the Department of  
Labour and Social Security, Ministry of Labour  
and Home Affairs

set out in sections 11(2) and  
(3) of the Apprenticeship and Industrial  
Training Act Cap 47:04 and this certificate shall  
serve as the authority required by the said Act

.....  
(Signature of Holder)

.....  
(Date stamp)

.....  
Minister  
Ministry of Labour and Home Affairs

### **APPRENTICESHIP WAGES ORDER**

*(under section 57)*  
*(1st January, 1999)*

S.I. 104, 1998.

#### **1. Citation and commencement**

This Order may be cited as the Apprenticeship Wages Order.

#### **2. Minimum wages**

The following scale of wages shall constitute the minimum wages payable to persons entering into apprenticeships in any of the designated and apprenticeable trades listed in the First Schedule of the Apprenticeship and Industrial Training Act:-

- (a) 1st year of apprenticeship 00 per month;
- (b) 2nd year of apprenticeship 500 per month;
- (c) 3rd year of apprenticeship .00 per month;
- and
- (d) 4th year of apprenticeship .00 per month.

### **ACCREDITATION OF VOCATIONAL TRAINING INSTITUTIONS AND ASSESSMENT CENTRES REGULATIONS**

*(under section 31)*  
*(13th February, 2004)*

#### **ARRANGEMENT OF REGULATIONS**

#### **REGULATION**

- 1. Citation
- 2. Interpretation
- 3. Application for accreditation
- 4. Training institution or assessment centre to be registered before accreditation
- 5. Conditions for accreditation
- 6. Accreditation of training institution or assessment centre
- 7. Register of accredited training institutions and assessment centres
- 8. Types of accreditation
- 9. Duration of accreditation
- 10. Renewal of accreditation
- 11. Monitoring and auditing of training institutions and assessment centres
- 12. Change in programmes, etc.
- 13. Annual report
- 14. Suspension of accreditation
- 15. Withdrawal of accreditation
- 16. Appeals

Schedule

S.I. 17, 2004.

## **1. Citation**

These Regulations may be cited as the Accreditation of Vocational Training Institutions and Assessment Centres Regulations.

## **2. Interpretation**

In these Regulations, unless the context otherwise requires-

**"accreditation"** means the recognition granted to a training institution or assessment centre under regulation 6; and

**"quality requirements"** means the criteria set by the Authority which a training institution or an assessment centre must meet in order for it to qualify for accreditation.

## **3. Application for accreditation**

(1) A training institution which wishes to be accredited shall apply to the Authority.

(2) An application under sub regulation (1) shall be made in Form BOT/RA IA/101 set out in the Schedule and shall be accompanied by a fee of P1000.

## **4. Training institution or assessment centre to be registered before accreditation**

(1) Subject to the provisions of sub regulation (2), the Authority shall not grant accreditation to a training institution or an assessment centre unless that training institution or assessment centre has been registered with it.

(2) Notwithstanding the provisions of sub regulation (1), a training institution or an assessment centre may lodge, with the Authority, an application for accreditation together with an application for registration.

## **5. Conditions for accreditation**

The Authority shall not grant accreditation to a training institution or an assessment centre unless it is satisfied that the training institution or assessment centre meets the following quality requirements on the training or assessment services it provides, namely, that the training institution or assessment centre-

- (a) has adequate staff to carry out its functions;
- (b) has training and assessment strategies which are appropriate to the needs of its trainees;
- (c) provides a learning or assessment environment which is appropriate to the needs of trainees or the demands of the assessment that it offers;
- (d) is likely to meet the assessment and moderation requirements set for national awards;
- (e) has effective administrative and records management procedures including records of the activities and attainments of trainees;
- (f) has adequate procedures for the regular and timely feedback to the trainees on their attainments and for reporting such attainments to the Authority;
- (g) has a transparent recruitment and enrolment policy;
- (h) has clear information on the services it offers, qualifications and the fees to be paid in respect of the programmes of study; and
- (i) has services which give guidance and support to assist trainees to identify and achieve their desired qualifications.

## **6. Accreditation of training institution or assessment centre**

The Authority shall, where it is satisfied that a training institution or assessment centre meets the quality requirements on the training or assessment services it provides, issue a certificate of accreditation to the training institution or assessment centre in the Form set out in the Schedule.

## **7. Register of accredited training institutions and assessment centres**

The Authority shall keep a register of accredited training institutions and assessment centres, which register shall be kept at the offices of the Authority and be open for inspection during office hours by members of the public.

## **8. Types of accreditation**

The Authority may grant accreditation to a training institution or an assessment centre

for the following-

- (a) a defined scope of education, training or assessment services; or
- (b) training or assessment services linked to the Framework.

#### **9. Duration of accreditation**

The accreditation of a training institution or an assessment centre shall be for such period, not exceeding 5 years, as shall be contained in the certificate of accreditation issued under regulation 6.

#### **10. Renewal of accreditation**

(1) An accredited training institution or assessment centre may apply for a renewal of accreditation where the accreditation has not been suspended or withdrawn.

(2) An accredited training institution or assessment centre shall include, in the application form for renewal of accreditation, any additional programmes or significant changes in the training or assessment services it offers.

(3) An application under sub regulation (1) shall be in Form BOT/RA IA/201 set out in the Schedule.

#### **11. Monitoring and auditing of training institutions and assessment centres**

(1) The Authority shall monitor and audit accredited training institutions and assessment centres, reported attainments, systems and documentation, and shall inspect their premises to ensure that the training institutions and assessment centres continue to meet-

- (a) the quality requirements; and
- (b) the training and assessment standards set by the Authority.

(2) A training institution or an assessment centre shall pay-

- (a) a fee of P1 000 for any scheduled audit; and
- (b) a fee of P150 for any unscheduled audit, per hour.

#### **12. Change in programmes, etc.**

(1) An accredited training institution or assessment centre which introduces new programmes or any other significant change in the scope of its education, training or assessment services, shall apply for accreditation following a change in the scope of the services it provides.

(2) An application under sub regulation (1) shall be in Form BOT/RA IA/301 set out in the Schedule and shall be accompanied by a fee of P100 and information which indicates whether the quality requirements referred to in regulation 5 will continue to be met and are appropriate to the new service offered by the training institution or assessment centre.

(3) An application under sub regulation (1) shall be deemed to be a new application for accreditation and the provisions of regulations, 3, 4, 5 and 6 shall apply to such application.

#### **13. Annual report**

(1) An accredited training institution and an accredited assessment centre shall lodge, with the Authority, an annual report, on its activities.

(2) The annual report referred to in sub regulation (1) shall be lodged, each year, on the anniversary of the training institution's or assessment centre's initial registration date.

#### **14. Suspension of accreditation**

(1) The Authority may suspend the accreditation of a training institution or an assessment centre, in whole or in part, where an audit under regulation 11 has revealed that the training institution or assessment centre has ceased to meet the quality requirements.

(2) Where the Authority finds that the training institution or assessment centre has ceased to meet the quality requirements, or has failed to develop training or assessment services linked to the Framework, it shall, in writing, bring that finding to the attention of the training institution and shall request the training institution to meet the quality requirements or to develop training or assessment services linked to the Framework, respectively, within such period as the Authority may determine.

(3) Where the Authority has, in terms of sub regulation (2), brought to the attention of the



training institution the finding that it has not met the quality requirements, or that it has not developed the training or assessment services linked to the Framework, the training institution or assessment centre shall not enroll trainees or commence a programme in the discipline in which a concern has been raised by the Authority under that sub regulation.

(4) If, within the period determined under sub regulation (2), the training institution fails to meet the quality requirements, or the assessment centre fails to develop training or assessment services linked to the Framework, the Authority shall suspend the accreditation thereof.

**15. Withdrawal of accreditation**

The Authority shall withdraw the accreditation of a training institution or an assessment centre, in whole or in part, where the training institution or assessment centre-

- (a) disregards a request made under regulation 14(2) or fails to rebut any finding brought to its attention under that regulation;
- (b) does not meet the quality requirements at the end of the suspension of the accreditation;
- (c) fails to lodge an annual report in accordance with regulation 13; or
- (d) fails to lodge an application for renewal of accreditation in accordance with regulation 10.

**16. Appeals**

(1) A person aggrieved by a decision of the Authority under these Regulations may, within 30 days of the notification of that decision, appeal to the Minister in writing.

(2) A person aggrieved by a decision of the Minister under these Regulations may, within 30 days of the notification of that decision, appeal to the High Court.

**SCHEDULE**

**APPLICATION FOR ACCREDITATION OF TRAINING INSTITUTION AND ASSESSMENT CENTRE**

(regulation 3(2))

**Form**

**BOTA/RA IA/101**

	<b>BOTSWANA TRAINING AUTHORITY</b>
Private Bag BO 340    Tel: (+267) 3159 481 Physical Address: Gaborone                      Fax: (+267) 3952 301 Botswana Insurance House Botswana E-mail: info@bota.org.bw	

**1. Institutional management and location**

- (a) Name of training institution/assessment centre <sup>i\*</sup>: .....
- (b) Training institution/assessment centre <sup>ii\*</sup> number: .....
- (c) Postal address: .....
- (d) Physical address of administration site: .....
- (e) Lease period of administration site (*Please write "owned" in each case if plot is "owned"*): Commencement date of lease ..... Expiry date .....
- (f) Location of administration site (name of city/town/village and district/sub-district):  
 .....
- (g) Telephone No. of administration site: .....
- (h) Fax: .....
- (i) E-mail: .....

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

Physical Address	Name of 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) Governors'/Directors' <sup>iii\*</sup> particulars:

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

**2. State below what you would like to be accredited for. Please draw the table below on another sheet of paper and use it if space provided is not enough.**

Sub-field	BNVQ - Level	Non-BNVQ Level	Code

**3. This application has been checked and it contains information on all of the following (tick appropriate boxes):**

- (a) Competent staff
- (b) Learning strategies
- (c) Assessment strategies
- (d) Learning or assessment environment and appropriate resources
- (e) Assessment method
- (f) Administrative and records procedures
- (g) Information sharing
- (h) Recruitment and enrolment

(i) Guidance and support

**(NB. The bulk of the evidence should be in the form of supporting documents such as certificates, accounts statements and references, and any other documents that may provide useful information for the processing of this application.)**

**4. Declaration**

We, the undersigned, state that:

- (a) the information contained in the application is, to the best of our knowledge, true and accurate; and
- (b) 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: .....

**5. For official use by BOTA**

(a) Date application received and checked: .....

Signature of Registration and Accreditation Specialist: .....

(b) Assigned provider number: .....

(c) Name of BOTA officer processing application: .....

(d) Date provider data captured on database: .....

Signature of Registration and Accreditation Specialist: .....

(e) Date of vetting of application: .....

Signature of Registration and Accreditation Specialist: .....

(f) Date applicant informed of outcome: .....

Signature of Registration and Accreditation Coordinator .....

(g) Date registration certificate issued: .....

Signature of Certification Registrar: .....

**BOTSWANA TRAINING AUTHORITY  
CERTIFICATE OF ACCREDITATION**  
This is to certify that

.....  
of

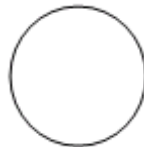
.....  
is accredited as a

**TRAINING INSTITUTION/ASSESSMENT CENTRE**  
under the Vocational Training Act (Cap. 47:04)

Accreditation Date: ..... Expiry Date: .....

Date of First Accreditation: .....

.....  
*Director Quality Assurance*



.....  
Board Chairperson

Serial No: 0000

**APPLICATION FOR RENEWAL OF ACCREDITATION OF TRAINING INSTITUTION AND  
ASSESSMENT CENTRE**  
*(regulation 10(4))*  
**Form**  
**BOTA/RA IA/201**



**BOTSWANA TRAINING AUTHORITY**

Private Bag BO 340 Tel:  
 (+267) 3159 481 Physical  
 Address:  
 Gaborone Fax:  
 (+267) 3952 301 Botswana  
 Insurance House  
 Botswana E-mail:  
 info@bota.org.bw Main Mall,  
 Gaborone

1. Institutional management and location (*Apart from (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 <sup>v\*</sup>: .....
- .....
- (b) Training institution / assessment centre <sup>vi\*</sup> number: .....
- (c) Postal address: .....
- (d) Physical address of administration site: .....
- (e) Lease period of administration site (Please write "owned" in each case if plot is "owned"):  
 Commencement date of lease ..... Expiry date .....
- (f) Location (name of city/town/village and district / sub-district) .....
- .....
- (g) Telephone no. of administration site: .....
- (h) Fax: .....
- (i) E-mail: .....
- (j) 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" under lease period/plot "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, NGO, public 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' <sup>vii\*</sup> particulars:

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


**2. Complete the table below for the re-accreditation sought (if space provided is not enough, use a separate piece of paper)**

Sub-field	BNVQ - Level	Non-BNVQ Level	Code

**3. The following quality standards are adhered to by the training institution / assessment centre <sup>ix\*</sup> (tick appropriate boxes):**

- (a) Competent staff
- (b) Learning strategies
- (c) Assessment strategies
- (d) Learning or assessment environment and appropriate resources
- (e) Assessment method
- (f) Administrative and records procedures
- (g) Information sharing
- (h) Recruitment and enrolment


(N.B. The bulk of the evidence should be in a comprehensive self-evaluation report that should accompany this application.)

**4. Declaration**

We, the undersigned, state that:

- (a) the information contained in the application is, to the best of our knowledge, true and accurate; and
- (b) 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: .....

**5. For official use by BOTA**

- (a) Date application received and checked: .....
- Signature of Registration and Accreditation Specialist .....

- (b) Assigned provider number: .....

- (c) Name of BOTA officer processing application:

- (d) Date provider data captured on database: .....

Signature of Registration and Accreditation Specialist : .....

- (e) Date of vetting of application .....

Signature of Registration and Accreditation Specialist: .....

- (f) Date applicant informed of outcome: .....

Signature of Registration and Accreditation Coordinator: .....

- (g) Date registration certificate issued: .....  
 Signature of Certification Registrar: .....

**APPLICATION FOR ADDITIONAL AND CANCELLATION OF SUB-FIELDS/DOMAIN**

(regulation 12(2))

**Form**

**BOTA/RA IA/301**

**1. Institutional management and location (Apart from (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 .....
- (b) Training institution number: .....
- (c) Location (Name of city/town/village and district/sub-district) .....
- (d) Name of current operational manager: .....
- Date of birth: .....
  - Gender (tick appropriate box): male  female
  - Nationality .....
  - Relevant experience .....
  - Qualifications .....

**2. State below the sub-field which you would like added to / removed from your scope of training or assessment services.**

Sub-field	BNVQ - Level	Non-BNVQ Level	Code

**3. Declaration**

We, the undersigned, state that:

- (a) the information contained in the application is, to the best of our knowledge, true and accurate; and
- (b) 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**

- (a) Date application received and checked: .....  
 Signature of Registration and Accreditation Specialist: .....
- (b) Name of officer allocated application: .....
- (c) Date provider data captured on database: .....  
 Signature of Registration and Accreditation Specialist: .....
- (d) Date of vetting of application .....  
 Signature of Registration and Accreditation Specialist: .....
- (e) Date applicant informed of outcome: .....  
 Signature of Registration and Accreditation Specialist: .....

**VOCATIONAL TRAINING (REGISTRATION AND ACCREDITATION OF TRAINERS AND**



**ASSESSORS) REGULATIONS**  
(Under section 31)  
(2nd April, 2004)  
ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation
2. Interpretation
3. Application for registration
4. Registration
5. Period of validity of registration
6. Categories of registration
7. Renewal of registration
8. Revocation of registration
9. Exemptions
10. Accreditation
11. Issue of practice certificate
12. Renewal of practice certificate
13. Maintaining of register
14. Expiry of registration
15. Appeals
16. Offences
17. Transitional provision

First Schedule  
Second Schedule  
Third Schedule

S.I. 32, 2004.

**1. Citation**

These Regulations may be cited as the Vocational Training (Registration and Accreditation of Trainers and Assessors) Regulations.

**2. Interpretation**

In these Regulations, unless the context otherwise requires-

**"accreditation"** means recognition granted to a trainer or assessor, following a formal evaluation, that the trainer or assessor has the competency to train or assess, as the case may be, in a specific subject to a specific level;

**"assessor"** means a person who collects and interprets evidence of ability or competence in vocational training; and

**"training institution"** means a private or public centre, organisation, employer or person, providing vocational training.

**3. Application for registration**

(1) A person who wishes to be registered as a trainer or assessor shall apply to the Authority for registration.

(2) An application made under subregulation (1) shall be in the form set out in the First Schedule and shall be accompanied by the fees specified in the Second Schedule.

(3) The Authority may, in writing, require an applicant to provide it with such further information as the Authority may consider relevant to the application.

**4. Registration**

(1) Where the Authority is satisfied that a person meets the requirements of these regulations for registration as a trainer or assessor, it shall register that person.

(2) Where the Authority registers a person as a trainer or assessor, it shall, within 30

days of such registration-

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

#### **5. Period of validity of registration**

A trainer or assessor shall remain registered for such period as may be specified by the Authority, which period shall not exceed 5 years.

#### **6. Categories of registration**

(1) The types of registration which may be granted to an applicant in terms of regulation 4(1) shall be-

- (a) provisional registration; and
- (b) full registration.

(2) Provisional registration shall be granted to a person who meets the requirements for eligibility to be a trainer or assessor, prescribed by the Authority, but-

- (a) has been engaged as a trainer or assessor for a period of less than two years within the period of five years immediately before the date of application to practise as a trainer or assessor; or
- (b) has not been practising as a trainer or assessor within the period of five years immediately before the date of application to practise as a trainer or assessor.

(3) Full registration shall be granted to a person who meets the requirements for eligibility to be a trainer or assessor, and has been a trainer or assessor in Botswana for a period of at least two years within the period of five years immediately preceding the date of his or her application for registration and has demonstrated the required standards of a practising trainer or assessor.

#### **7. Renewal of registration**

(1) A person who wishes to remain registered as a trainer or assessor shall, within 6 months before his or her period of registration expires, apply to have the registration renewed.

(2) An application for renewal of registration 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 the fee set out in the Second Schedule.

#### **8. Revocation of registration**

(1) The Authority may revoke registration granted to a trainer or assessor where-

- (a) the trainer or assessor made a statement which was false or misleading in any material particular, to the Authority, in relation to an application for registration;
- (b) the trainer or assessor has failed to demonstrate the required standards of a practising trainer or assessor within such period as the Authority may consider reasonable; or
- (c) the trainer or assessor is convicted of a criminal offence, the penalty for which is imprisonment for a term not less than 6 months without the option of a fine.

(2) Where the Authority intends to revoke the registration of a trainer or assessor, it shall issue written notice to the trainer or assessor-

- (a) informing that trainer or assessor of the reason for intending to revoke the registration; and
- (b) allowing the trainer or assessor 14 days within which to make representation to the Authority.

(3) Where the Authority decides to revoke the registration of a trainer or assessor, the Authority shall inform the principal, the director, or the manager, of a training institution at which the person is a trainer or assessor, of such revocation.

(4) A trainer or assessor whose registration has been revoked, shall not continue to practise as a trainer or assessor, as the case may be.

#### **9. Exemptions**

The Authority may, where a person does not meet the requirements for eligibility as a trainer or assessor, but has been practising as a trainer or assessor before the coming into

operation of these Regulations, exempt that person from the requirements of the Regulations on condition that the person complies with those requirements within such period as the Authority may consider appropriate.

#### **10. Accreditation**

The Authority shall, where it has granted a person full registration in terms of regulation 4, endorse that person's registration with accreditation to operate in respect of defined education and training services for programs approved by the Authority.

#### **11. Issue of practice certificate**

(1) The Authority shall issue a person granted accreditation under regulation 10 with a practice certificate endorsed with accreditation to train or assess in respect of defined education and training services for programs approved by the Authority.

(2) A practice certificate issued in terms of this regulation shall be valid for a period of 5 years.

#### **12. Renewal of practice certificate**

(1) A trainer or assessor who has been issued with a practice certificate shall, within 6 months before the certificate expires, apply to have the certificate renewed, in the form set out in the Third Schedule.

(2) Where the applicant continues to meet the eligibility requirements and demonstrates the required standards of a practising trainer or assessor, the Authority shall renew the practice certificate and endorse the accreditation granted to the trainer or assessor.

(3) An application made under subregulation (1) shall be accompanied by the fee set out in the Second Schedule.

#### **13. Maintaining of register**

The Authority shall maintain and make accessible to the public, a list of all registered trainers and assessors, and accredited trainers and assessors.

#### **14. Expiry of registration**

(1) Registration under these Regulations shall expire where-

- (a) provisional registration is not confirmed within a period of 3 years from the date of such registration; or
- (b) in the case of full registration, a practice certificate is not renewed within a period of 5 years from the date of issue.

(2) Where registration has expired a trainer or assessor shall cease to practice as a trainer or assessor, as the case may be.

#### **15. Appeals**

A person aggrieved by a decision of the Authority under these Regulations may appeal to the Minister, against that decision, within 14 days of learning of the decision.

#### **16. Offences**

A person who-

- (a) practices as a trainer or assessor without being registered in accordance with the provisions of these Regulations;
- (b) states or purports to be a registered trainer or assessor 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, commits an offence and is liable to the penalty prescribed under section 30 of the Act.

#### **17. Transitional provision**

Any trainer or assessor who, at the coming into operation of these Regulations, has been practising as a trainer or assessor, shall, within six months of the coming into operation of these Regulations, comply with the provisions of these Regulations.

### **FIRST SCHEDULE**

**Form TR1**  
**APPLICATION FOR REGISTRATION AND ACCREDITATION OF A TRAINER OR ASSESSOR**

VOCATIONAL TRAINING ACT

(Cap. 47:04)

(regulations 3(2), 7(2), 8(1) and 12(1))

This application is for the registration and accreditation of-

Trainer	
Trainer of trainers	
Assessor	

1.0 PERSONAL INFORMATION

- 1.1 Surname .....
- 1.2 First name(s) .....
- 1.3 Date of birth .....
- 1.4 Nationality .....Passport number/ID number .....
- 1.5 Postal address .....
- 1.6 Physical address .....
- 1.7 Gender .....
- 1.8 Telephone number (Work).....Telephone Number (Home) .....  
 Fax number.....
- 1.9 Cellphone number.....
- 1.10 Email address .....

2.0 List the areas in which you wish to offer training service(s):  
 (Refer to BNVQF classifications, fields and levels if known)

.....  
 .....  
 .....  
 .....  
 .....

- ...3.0 Please find enclosed in this application pack, the following documents to support my application (tick all that are applicable):
- ...3.1 A recent medical examination report from a registered medical practitioner. (The medical examination must have taken place within the last 18 months).
- ...3.2 Certified copies of certificates/transcripts, showing that I have undertaken an approved course of training. (This course must include assessment principles and standards-based assessment).
- ...3.3 Verified competence in a specified vocation. (Work must be for a consecutive period of at least two years, in the past five years).
- ...3.4 Evidence of membership to a professional association.
- ...3.5 Evidence of attainment following assessment against published benchmark standards. (These could be standards on other national qualifications frameworks).
- ...3.6 Past experience in assessment, including experiences outside Botswana. (Dates must be shown).
- ...3.7 Qualifications that I possess in a vocational area.
- ...3.8 Statement on the level/qualification/unit standard/field/sub-field/domain that I wish to assess.
- ...3.9 A minimum of three references. Names, addresses, telephone and fax numbers of referees must be supplied below:

1 ..... 2 ..... 3 .....

.....  
 .....  
 .....  
 Telephone number: Telephone number: Telephone number:  
 Fax number: Fax number: Fax number:

4.0 Applicants for Full Registration only

The following additional information is required:

- ...4.1 Evidence of professional development by the applicant.
- ...4.2 Evidence of mentoring colleagues and learners.
- ...4.3 Evidence of leading and supporting other training and non-training colleagues.
- ...4.4 Evidence of managing resources.
- ...4.5 A form from your institution affirming that you have been practising (for Re-registration only)

5.0 Declaration by Applicant:

I declare that the above details are correct, and I hereby apply to be registered and accredited as a trainer/ assessor (delete as appropriate).

I declare that I have not in the past ten years been convicted, either within or outside Botswana, of an offence that carries a penalty of six (6) months imprisonment or more without the option of a fine.

Name ..... Signature .....  
 Date .....  
 Witnessed by:  
 Name: ..... Signature .....  
 Date .....

6.0 For Official use by BOTA

Date application received.....  
 Date application checked.....  
 Date Processed: .....  
 Action taken:  
 .....Approved  
 .....Rejected  
 .....Further information required  
 ..... Other .....

Registration and Accreditation number assigned .....  
 By: (Name of Officer) .....

**SECOND SCHEDULE  
 FEES**

*(regulations 3(2), 7(2) and 8(2))*

Application by a trainer or assessor for-

<i>(a) Type of registration</i>	<i>Fee</i>
Interim registration	P 50.00
Provisional registration	P 75.00
Registration subject to confirmation	P100.00
Full registration	P150.00
Application for accreditation per subject	P 50.00
Renewal of registration	P 50.00
Renewal of accreditation	P 50.00
<i>(b) Evaluation of overseas qualifications</i>	P300.00

**THIRD SCHEDULE**

**AFFIRMATION FORM**  
(regulation 12(1))  
(For renewal of Practice Certificate)

**PART A**  
**BACKGROUND INFORMATION**

- 1. Name of trainer or assessor.....
- 2. Postal address.....
- 3. Phone numbers.....
- 3.1 Telephone.....
- 3.2 Cellphone.....
- 4. Fax number.....
- 5. Registration No:.....
- 6. Date of last registration.....
- 7. Expiry date.....
- 8. Expiry date of Practice Certificate.....
- 9. Present Institution.....
  
- 9.1 Area of training/ assessing      List domains/ modules/ subjects here:
  
- 9.2 Dates of Practice      From:      To:
- 10. Previous institution (If past practice not in present institution)      .....      .....
- 10.1 Area of training/ assessing      List domains/ modules/ subjects here:  
From:      To:

**PART B**  
**PROFESSIONAL COMPETENCE**

For each of the following, kindly write your observation of the applicant's performance.

- 11. Professional knowledge and practice  
*(Give examples of how the applicant has clearly demonstrated practice skills and knowledge to an acceptable standard. Comment on this level of performance)*  
.....  
.....  
.....  
.....
- 12. Relationships  
*(Give examples of how the applicant effectively relates to learners, colleagues and stakeholders. Comment on the consistency and effectiveness of these interactions)*  
.....  
.....  
.....
- 13. Educational Leadership  
*(Comment on how the applicant has demonstrated educational leadership. Comment on the consistency and effectiveness of these actions)*  
.....  
.....  
.....
- 14. Personal Skills  
*(Give examples of how the applicant uses their personal skills to promote learning. Comment on the consistency and effectiveness of these tactics)*  
.....  
.....  
.....



.....  
15. Professional Development

*(Give examples of courses, workshops, seminars the applicant has attended/undergone as a means of developing himself/herself professionally. Comment on the extent to which these have helped improve the applicant's professional performance)*

.....  
.....  
.....  
.....

16. General Comments

.....  
.....  
.....  
.....

RECOMMENDATION

I recommend /do not recommend a renewal of the applicant's Practice Certificate (Delete as Appropriate)

Name: .....

Institution: .....

Signed: ..... Date: .....

PRINCIPAL/DIRECTOR

For official use

Date affirmation received:            /    /

Date affirmation checked:            /    /

Date details captured on database:    /    /

Date of affirmation vetting:           /    /

Action taken:

... Approved

... Rejected

... Further information required

... Other .....

Additional information/reason for non-approval:

.....  
.....  
.....

Date applicant informed of outcome:    /    /

Date Practice Certificate issued:        /    /

**VOCATIONAL TRAINING (LEVY) ORDER**

*(section 24)*

*(5th December, 2008)*

ARRANGEMENT OF PARAGRAPHS

PARAGRAPH

1. Citation
2. Interpretation
3. Imposition of levy
4. Rate of levy
5. Exemption from levy
6. Collection of levy
7. Returns
8. Due date for payment
9. Interest on late payment

**1. Citation**

This Order may be cited as the Vocational Training (Levy) Order.

**2. Interpretation**

In this Order unless the context otherwise provides—

"**employer**" means any person registered or liable for registration under the Value Added Tax Act,

"**tax period**" has the same meaning as in section 25 of the Value Added Tax Act.

**3. Imposition of levy**

An employer shall be liable to pay a levy to be determined under regulation 4.

**4. Rate of levy**

A levy payable under regulation 3 shall be at the rate of—

- (a) 0.2 per cent of the turnover in respect of an employer with a turnover of P250,000 and not more than P2 billion; and
- (b) 0.05 per cent in respect of a turnover in excess of P2 billion.

**5. Exemption from levy**

(1) An employer—

- (a) with a turnover of less than P250 000 per annum;
- (b) registered with Botswana Innovation Hub;
- (c) within the Diamond Hub, who is engaged in diamond cutting and polishing,

shall be exempted from payment of the levy under this Order.

(2) Employers under subparagraphs (1)(b) and (c) shall be exempted from payment of the levy for a period not exceeding five years from the date of registration with the Hub.

**6. Collection of levy**

The levy shall be collected by the Commissioner General of Botswana Unified Revenue Service and deposited into the Fund Account.

**7. Returns**

(1) Every employer shall furnish the Commissioner General with a return for each tax period, within 25 days after the end of the period whether or not levy is payable in respect of that period.

(2) A return shall be in the prescribed form and shall—

- (a) state the information necessary to calculate the levy payable; and
- (b) be furnished in the manner prescribed.

**8. Due date for payment**

The levy payable under this Order is due from an employer for a tax period, by the due date for the return of the tax period.

**9. Interest on late payment**

(1) An employer who fails to pay a levy by the due date shall be liable to pay interest on the unpaid amount at the rate of two per cent per month or part thereof, compounded monthly.

(2) Any unpaid levy shall be recoverable from an employer as a fine imposed by a court under section 303 (1) of the Criminal Procedure and Evidence Act.

(3) An affidavit sworn by an officer of the Authority shall be sufficient proof of the lawful imposition of the levy.

**VOCATIONAL TRAINING (STRUCTURED TRAINING) REGULATIONS**

*(under section 31)*

*(11th January, 2008)*

ARRANGEMENT OF REGULATIONS

## REGULATION

1. Citation
2. Interpretation
3. Application for approval of agreement
4. Duties of employer
5. Duties of trainee
6. Variation of agreement
7. Alteration by Authority
8. Transfer of rights, etc.
9. Suspension of agreement
10. Termination of agreement
11. Award on completion
12. Appeals
13. Offence and penalty

First Schedule  
Second Schedule  
Third Schedule

S.I. 74, 2006,  
S.I. 1, 2008.

### **1. Citation**

These regulations may be cited as the Vocational Training (Structured Training) Regulations.

### **2. Interpretation**

In these Regulations, unless the context otherwise requires—

**"agreement"** means a training agreement approved under regulation 3; and

**"employer"** means, for purposes of these Regulations, any person registered under the Value Added Tax Act.

### **3. Application for approval of agreement**

(1) An employer desirous of undertaking the training of a trainee shall enter into an agreement with the trainee in the form set out in the First Schedule which shall be approved by the Authority.

(2) For the purposes of obtaining approval of an agreement entered into in accordance with subregulation (1), an employer shall make an application, in writing, to the Authority for the approval of the agreement.

(3) An application made under subregulation (2) shall be accompanied by a duly completed agreement in the form set out in the First Schedule.

(4) Upon receipt of an application under subregulation (2), the Authority shall—

- (a) inspect or cause to be inspected by a designated officer the facilities and other opportunities the employer proposes to provide as part of the training; or
- (b) call for additional information it considers necessary, in relation to the training programme.

(5) Where the Authority is satisfied that the training programme including facilities and other opportunities are satisfactory, it shall approve the agreement and notify the applicant, in writing, of the approval.

(6) Where the Authority is of the opinion that the agreement including facilities and other opportunities to be provided as part of the training programme are unsatisfactory, it shall reject the application and notify the applicant, in writing, of the rejection and the grounds thereof.

### **4. Duties of employer**

An employer shall–

- (a) provide the trainee with appropriate training in an environment conducive to achieve the outcome required by the agreement;
- (b) provide appropriate tools and facilities for the trainee, in accordance with the agreement;
- (c) provide the trainee with adequate supervision;
- (d) release the trainee to attend approved training as per the agreement;
- (e) pay the trainee the agreed training allowance (if any) during the duration of the training;
- (f) assess the trainee;
- (g) maintain records of training and discuss same with the trainee;
- (h) advise the trainee on policies and procedures of the employer; and
- (i) apply the same disciplinary, grievance and dispute resolution procedures to the trainee as to other employees.

#### **5. Duties of trainee**

The trainee shall–

- (a) comply with the policies and procedures of the employer; and
- (b) complete any time sheets or written assessment tools supplied by the employer to record training experience.

#### **6. Variation of agreement**

(1) The employer and the trainee shall not vary an agreement without the approval of the Authority.

(2) Where the employer and the trainee agree to vary the agreement, they shall make a joint application to the Authority, for the approval of the variation.

(3) Where the Authority is satisfied that the proposed variation is justified, it shall approve the variation and notify the applicants, in writing, of the approval.

(4) Where the Authority is of the opinion that the proposed variation is not justified, it shall reject the variation and notify the applicants, in writing, of the rejection and the grounds thereof.

#### **7. Alteration by Authority**

(1) The Authority may alter the period of the agreement where–

- (a) a trainee is absent from training other than for the purpose of training recess, for a period of or for periods amounting in the aggregate of not less than 30 days;
- (b) a trainee has previously undergone other training that justifies an alteration of the period; or
- (c) a trainee has acquired a degree of proficiency in the vocation that justifies an alteration of the period of agreement.

(2) Where the Authority is satisfied of the conditions set out in subregulation (1), it shall alter the period of the agreement and the agreement shall thereafter be read and construed accordingly.

#### **8. Transfer of rights, etc.**

(1) The rights and obligations of the employer may, at the request of either the employer or the trainee and with the consent of the other, be transferred to some other employer (hereinafter referred to as the "new employer").

(2) A request made under subregulation (1) shall be made to the Authority in writing and accompanied by the consent of the employer or trainee and the consent of the new employer whom it is intended that the rights and obligations be transferred to.

(3) The Authority shall not approve a transfer where–

- (a) the request does not comply with subregulation (2);
- (b) the trainee has not fully and freely consented to the proposed transfer; and
- (c) the proposed transfer is not in the interests of the trainee.

(4) Where the Authority is satisfied that the proposed transfer is justified, it shall approve

the transfer and notify the applicants, in writing, of the approval.

(5) The Authority shall, where it rejects a transfer under this section, notify the applicants, in writing, of the rejection and the grounds thereof.

#### **9. Suspension of agreement**

(1) Where the employer is of the opinion that a trainee has committed a serious breach of the agreement, the employer shall lodge a written request with the Authority, for a suspension of the agreement.

(2) Where the Authority is satisfied that the breach referred to in subregulation (1) justifies a suspension of the agreement, it shall approve the suspension and notify the employer and the trainee in writing, of the suspension.

(3) Where the Authority is of the opinion that there is no breach or the breach does not justify a suspension, it shall reject the request for suspension and notify the employer and the trainee in writing, of the rejection and the grounds thereof.

#### **10. Termination of agreement**

(1) An agreement shall not be terminated by the employer or trainee without approval by the Authority.

(2) Where the employer and the trainee agree to terminate the agreement, they shall jointly apply to the Authority for approval of the termination.

(3) Where the Authority is satisfied that the proposed termination is justified, it shall approve the termination and notify the applicants, in writing, of the approval.

(4) Where the Authority is of the opinion that the proposed termination is not justified, it shall reject the termination and notify the applicants, in writing, of the rejection and the grounds thereof.

#### **11. Award on completion**

(1) The employer shall on the satisfactory completion of the training programme, lodge with the Authority a written notification to the effect that the trainee has satisfactorily completed the training programme.

(2) Where the Authority is satisfied that a trainee has satisfactorily completed a training programme, it shall award a trainee a certificate in the Forms A, B or C set out in the Second Schedule, where the programme leads to a qualification.

(3) Where the Authority is satisfied that a trainee has satisfactorily completed a training programme, it shall award a record of learning in the form set out in the Third Schedule, where the programme does not lead to a qualification.

#### **12. Appeals**

(1) A person aggrieved by a decision of the Authority made under these Regulations, may, within 14 days of notification of the decision, appeal in writing, to the Minister.

(2) A person aggrieved by a decision of the Minister may appeal to a court.

#### **13. Offence and penalty**

A person who contravenes a provision of these Regulations commits an offence and shall be liable upon conviction to a fine, not exceeding P500, or to imprisonment for a term not exceeding six months, or to both.

### **FIRST SCHEDULE** **VOCATIONAL TRAINING (STRUCTURED TRAINING) AGREEMENT** *(regs 3 (1) and (3))*

**1. Learner details**

(1) Surname:  First name:

(2) Nationality: \_\_\_\_\_

(3) Identity number:

Passport No.: \_\_\_\_\_

(4) Date of birth:

(5) Sex: Male  Female

(6) Do you have a disability? Yes  No

Yes (specify): \_\_\_\_\_

(7) Home address:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(8) Postal address:  
\_\_\_\_\_  
\_\_\_\_\_

E-mail address:  
\_\_\_\_\_

(9) Highest level school qualification:  
(for example: Standard 7, J C, BGSCE)  
\_\_\_\_\_

(10) Other qualifications:  
\_\_\_\_\_

(11) Have you previously undertaken vocational training?  
 Yes (specify title or code)  No

(12) Were you employed by your current employer before entering this agreement?  
 Yes  No

(13) If yes when did you start work with your employer?

---

(14) If not how long have you been unemployed?

---

**2. Parent or Guardian details**

(To be completed if learner has not reached the age of majority)

(1) Surname:

(2) First name:

(3) Nationality:

(4) Identity number:

(5) Passport No.:

(6) Home address:

(7) Postal address (if different from above):

(8) Telephone number:

Home:

Work:

(9) E-mail address:





(2) The above mentioned awards are to be completed in \_\_\_\_\_ months.

**4. Institution details**

(1) Name of Institution:

BOTA registration number:

(2) Telephone number:

(3) Name of contact person:

(4) Telephone No.:

(5) Fax No.:

(6) E-mail address:

**5. Terms and conditions of learning:**

(1) Are the learner's terms determined by a document of general application?

Yes  No

(specify): \_\_\_\_\_

(2) Attach a copy of the document reflecting the learner's conditions of engagement for learning when the agreement was concluded.

Learner's signature:	Parent or Guardian's signature (Only if the learner has not reached the age of majority)
_____	_____

Date: \_\_\_\_\_ Date: \_\_\_\_\_

Witness signature:	_____
	Date: _____

Institution representative's signature \_\_\_\_\_

Witness signature: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

**For official use only**

**6. Approval**

6.1 This agreement is hereby approved in terms of the Vocational Training (Structured Training) Regulations.

6.2 Approval number:

6.3 Company registration number:

6.4 Learner identification number:

6.5 Signature of approval officer:



**SECOND SCHEDULE  
FORM A  
NATIONAL FOUNDATION CERTIFICATE  
(reg 11 (2))**



**Botswana Training Authority**

**Botswana Training Authority**

This is to certify that

has been awarded the above national qualification in



.....  
Director: (Quality Assurance)

.....  
Chief Executive Officer

Date Issued:

**FORM B**  
**NATIONAL INTERMEDIATE CERTIFICATE**  
*(reg 11 (2))*



**Botswana Training Authority**

**Botswana Training Authority**

This is to certify that

has been awarded the above national qualification in



.....  
Director: (Quality Assurance)

.....  
Chief Executive Officer

Date Issued:

**FORM C**  
**NATIONAL CERTIFICATE**  
*(reg 11 (2))*



**Botswana Training Authority**

**Botswana Training Authority**

This is to certify that

has been awarded the above national qualification in



.....  
Director: (Quality Assurance)

.....  
Chief Executive Officer

Date Issued:

**THIRD SCHEDULE  
RECORD OF LEARNING**  
*(reg 11 (3))*

Botswana Training Authority

Name:  
Learner ID:  
Date Issued:

Code	Unit Standard Title	Level Value	Credit Attained	Date
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.....  
Coordinator (Assessment and Moderation)

.....  
Director: (Quality Assurance)

Date Issued:

## **VOCATIONAL TRAINING (REIMBURSEMENT) REGULATIONS**

*(section 31)*

*(15th February, 2008)*

### ARRANGEMENT OF REGULATIONS

#### REGULATION

1. Citation
2. Interpretation
3. Entitlement to reimbursement
4. Reimbursement Formula
5. Allocation of amounts to special groups and emergent industries
6. Application for reimbursement
7. Eligible training
8. Maximum claim
9. Training sourced in Botswana
10. Training costs
11. Monitoring of reimbursements
12. Offences

Schedule

S.I. 8, 2008.

#### **1. Citation**

These Regulations may be cited as the Vocational Training (Reimbursement)

Regulations.

## **2. Interpretation**

In these Regulations unless the context otherwise requires–

**"emergent industry"** means an infant industry identified by the Authority as requiring special training;

**"levy"** means an amount paid under the Vocational Training (Levy) Order;

**"reimbursement"** means an amount payable from the Fund under these Regulations;

**"small micro and medium enterprise"** means an enterprise with a turnover of less than P250,000 per annum;

**"special groups"** refers to employees who have particular training needs.

## **3. Entitlement to reimbursement**

An employer who has incurred training costs shall be entitled to reimbursement in accordance with section 21 of the Act.

## **4. Reimbursement Formula**

(1) Every Pula up to a maximum of P1,000 per annum paid into the Fund as levy shall generate reimbursement of P5.

(2) Notwithstanding the provisions of subregulation (1)–

- (a) every Pula above P1,000 but below P5,000 per annum paid into the Fund as levy shall generate an additional reimbursement of P2.50; and
- (b) every Pula paid as levy into the Fund in excess of P5,000 per annum shall generate an additional reimbursement of P1.25.

## **5. Allocation of amounts to special groups and emergent industries**

(1) At the beginning of each financial year, the Authority shall allocate moneys in the Fund as follows–

- (a) two and a half per cent for special groups;
- (b) one per cent for skills in emergent industries;
- (c) five per cent for small micro and medium enterprises.

(2) The Authority shall by notice published in the *Gazette*, specify in accordance with subregulation (1) the total amount in the Fund available for claim as reimbursement.

## **6. Application for reimbursement**

An employer who has incurred training costs may make an application to the Authority for reimbursement in Form 1 set out in the Schedule.

## **7. Eligible training**

(1) An employer under regulation 6 shall be entitled to reimbursement for–

- (a) training provided to citizens of Botswana whether or not training is conducted in Botswana or outside:

Provided that an employer may claim reimbursement for training of non-citizens where the Authority is satisfied that the training is necessary for security reasons and will not delay the localisation plans of the claimant;

- (b) training that falls within the definitions of any one or more of the three levels of the Botswana National Vocational Qualifications Framework as defined in section 20 (2) of the Act;
- (c) training that includes a minimum of a total of 10 learning hours.
- (d) training sourced from a training institution accredited under the Accreditation of Vocational Training Institutions and Assessment Centres Regulations, except that, with the prior approval of the Authority, training courses–
  - (i) approved by the Tertiary Education Council under the Tertiary Education Act;
  - (ii) approved by a national quality assurance body of the same standing as the Authority operating in another country; or
  - (iii) where quality assurance criteria and processes comparable to those applied by the Authority have been applied;

shall be eligible for the claim of reimbursement.

(2) For the purposes of subregulation (1)(c), 10 learning hours is the equivalent of one credit on the Botswana National Vocational Qualifications Framework, the smallest industry-recognised award able to be placed on the Botswana National Vocational Qualifications Framework.

#### **8. Maximum claim**

The Authority shall not reimburse an employer an amount in excess of the training costs approved by the Authority under regulation 10.

#### **9. Training sourced in Botswana**

(1) An employer shall not be entitled to reimbursement for training sourced outside Botswana.

(2) Notwithstanding the provisions of subregulation (1), an employer may claim reimbursement for training undertaken outside Botswana where prior to such training being undertaken—

- (a) the employer, in writing, notified the Authority that an equivalent training is not available in Botswana; and
- (b) the Authority authorised, in writing, that the training be undertaken outside Botswana.

(3) The Authority shall consider the Southern African region before authorising training in accordance with subregulation (2).

#### **10. Training costs**

(1) Where an employer sources training from a training institution accredited under the Accreditation of Vocational Training Institution and Assessment Centres Regulations, the course fees charged by the training institution and duly receipted by that institution shall be the basis for the calculation of training costs of the employer.

(2) Notwithstanding the provisions of subregulation (1) where training is delivered on-the-job but assessment is carried out by a training institution accredited under the Accreditation of Vocational Training Institution and Assessment Centres Regulations, an employer shall be entitled to training costs calculated as follows—

- (a) the actual salary of the trainer incurred in the duration of specific training;
- (b) material, stationery, and equipment used for the specific training, with the capital cost of any equipment used being appropriately discounted to account for use in other, prior or future training activities;
- (c) costs of facility hire or operational costs such as electricity, telephone, maintenance, or insurance cover of in-house training facilities appropriately discounted to recognise the duration of the particular training and the use of facilities for other training activities and or other uses;
- (d) any reasonable travel or accommodation costs incurred in undertaking the specific training; and
- (e) the actual basic salary costs of the trainees for the period they were under training.

(3) An employer shall produce receipts and other evidence to substantiate the cost of vocational training.

#### **11. Monitoring of reimbursements**

The Authority shall monitor the reimbursement claims made from the Fund and where it has concerns regarding the validity or integrity of any claim made, shall undertake such investigations as are considered necessary.

#### **12. Offences**

(1) An employer who—

- (a) makes a false statement to the Chief Executive Officer;
- (b) fails or omits to give information required under these Regulations, or
- (c) gives any information which is false in any material particular commits an offence and is liable to a fine not exceeding P5,000 and to a term of imprisonment not exceeding

six months, or to both.

(2) Where an offence is committed under these Regulations by a company or registered person, any person who at the time of the commission of the offence was a director, general manager, secretary, or similar officer of the company, or was acting or purporting to act in such capacity, also commits the offence unless he or she proves that—

- (a) the offence was committed without his or her knowledge, or
- (b) he or she took all reasonable steps to prevent the commission of the offence.

**SCHEDULE**  
**VOCATIONAL TRAINING FUND**  
(reg 6)  
**Form: 1**  
**APPLICATION FOR REIMBURSEMENT**



**Botswana Training Authority**

**Botswana Training Authority**

Private Bag BO 340 Gaborone Botswana  
Tel: (+ 267) 3657200 Fax: (+ 267) 3952301 Email: info@bota.org.bw  
Physical Address: 2nd Floor BIFM House Main Mall, Gaborone

**1 Employer**

Name: .....

Address..... Tel No: .....

..... Fax No: .....

..... Cellular: .....

E-mail: .....

**2 Particulars of the training**

a. Title: .....

b. Name of Training Institution: .....

c. BOTA Accreditation Certificate Number for Institution:.....

d. Duration of Course: From: ..... To: .....

(dd/mm/yyyy) (dd/mm/yyyy)

e. Please give the breakdown of Course duration as per the table below

Session No.	Topics/Modules	Trainer

**3 Particulars of Trainees**

Please give details of employees trained as per the table below:

No.	Surname	First Name(s)	Omang No.	Sex	Telephone (s)



**4 Costs**

Tuition Costs per participant: P \_\_\_\_\_

Total Tuition Costs: P \_\_\_\_\_

OR

If the courses were run in-house or on-the-job please give the cost breakdown as per the table below

Trainer's Fees	
Training/Learning materials	
Advertisement	
Stationery	
Meals and Refreshments	
Administration Expenses	
Others	
Cost per Participant	
Total Cost	

**5 Declaration:**

We, the undersigned state that

- (i) The information contained in the application is, to the best of our knowledge, true and accurate.
- (ii) We have not withheld/distorted any material facts.

Name of Operational Manager: .....  
(Surname) (First Name(s))

Signature: ..... Date:.....  
(dd/mm/yyyy)

Name of Chairperson of Governing Body: .....  
(Surname) (First Name(s))

Signature: ..... Date:.....  
(dd/mm/yyyy)

**Documents Annexed:**

Receipts: ..... Certificates of attendance: .....

Signed affidavit by trainers and training institution: .....Others: .....

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**6 For Official Use**

a. Date application received and checked.....Signature: .....  
(dd/mm/yyyy)

b. Assigned provider number: .....

c. Name of BOTA Officer processing application: .....  
(Surname) (First name)

d. Date provider data captured on database: .....Signature: .....  
(dd/mm/yyyy)

**REGISTRATION OF VOCATIONAL TRAINING INSTITUTIONS AND ASSESSMENT CENTRES REGULATIONS**

*(under section 31)  
(30th October, 2003)*

**ARRANGEMENT OF REGULATIONS**

**REGULATION**

1. Citation
2. Interpretation
3. Application for registration
4. Registration as training institution or assessment centre
5. Period of validity of registration
6. Revocation of registration
7. Verification of information
8. Renewal of registration
9. Annual report
10. Maintaining of register of institutions and assessment centres
11. Appeals
12. Offences
13. Transitional provision

S.I. 56, 2003.

**1. Citation**

These Regulations may be cited as the Registration of Vocational Training Institutions and Assessment Centres Regulations, 2003.

**2. Interpretation**

In these Regulations, unless the context otherwise requires-

**"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. Application for registration**

(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.

(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. Registration as training institution or assessment centre**

(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. Period of validity of registration**

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.

#### **6. Revocation of registration**

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

- (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. Verification of information**

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-

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

#### **8. Renewal of registration**

(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.

(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 P1 000.

#### **9. Annual report**

(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-

- (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.

#### **10. Maintaining of register of institutions and assessment centres**

(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.

#### **11. Appeals**

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.

#### **12. Offences**

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.

#### **13. Transitional provision**

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 3(2))*

**Form**

**BOTA/RA IR/101**



**BOTSWANA TRAINING AUTHORITY**

Private Bag BO 340 Tel:  
(+267) 3159 481 Physical

Address: Gaborone (+267) 3952 301 Insurance House Botswana info@bota.org.bw Gaborone	Fax: Botswana E-mail: Main Mall, Gaborone
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**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*): .....
- (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	
<i>Commencement date</i>	<i>Expiry date</i>			

(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:.....

Delete whichever is not applicable

**SECOND SCHEDULE  
APPLICATION FOR RENEWAL OF REGISTRATION OF TRAINING INSTITUTION OR  
ASSESSMENT CENTRE**

*(regulation 8(2))*

**Form**

**BOTA/RA IR/201**



**BOTSWANA TRAINING AUTHORITY**

Private Bag BO 340 Tel:  
(+267) 3159 481 Physical  
Address:  
Gaborone Fax:

**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:

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 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, 
  - (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:.....

Delete whichever is not applicable

<sup>i</sup>Delete whichever is not applicable

<sup>ii</sup>Delete whichever is not applicable

<sup>iii</sup>Delete whichever is not applicable

<sup>iv</sup>Delete whichever is not applicable

<sup>v</sup>Delete whichever is not applicable

<sup>vi</sup>Delete whichever is not applicable

<sup>vii</sup>Delete whichever is not applicable

<sup>viii</sup>Delete whichever is not applicable

<sup>ix</sup>Delete whichever is not applicable