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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF BASIC EDUCATION

NO. 633 **30 APRIL 2019**

THE SOUTH AFRICAN SCHOOLS ACT, 1996
(ACT NO. 84 OF 1996)

AMENDMENTS TO THE REGULATIONS PERTAINING TO THE CONDUCT, ADMINISTRATION AND MANAGEMENT OF THE NATIONAL SENIOR CERTIFICATE EXAMINATION

1. I, Angelina Matsie Motshekga, Minister of Basic Education, acting under section 61(d) of the South African Schools Act, 1996 (Act. No. 84 of 1996) and after consultation with the Council of Education Ministers hereby amend the Regulations Pertaining to the Conduct, Administration and Management of the National Senior Certificate Examination, set out in the Schedule and first published under GN R872 in Government Gazette 31337 of 29 August 2008.

AVAILABILITY OF THE REGULATIONS DOCUMENT

2. The Schedule referred to in paragraph 1 is available on the Departmental website: www.education.gov.za.

MRS AM MOTSHEKGA, MP
MINISTER OF BASIC EDUCATION
DATE:

REGULATIONS PERTAINING TO THE CONDUCT, ADMINISTRATION AND MANAGEMENT OF THE NATIONAL SENIOR CERTIFICATE EXAMINATION

SCHEDULE

AMENDMENTS TO THE REGULATIONS PERTAINING TO THE CONDUCT, ADMINISTRATION AND MANAGEMENT OF THE NATIONAL SENIOR CERTIFICATE EXAMINATION

DEFINITIONS, OBJECTIVES, SCOPE AND APPLICATION

1. In this Schedule **"the Regulations"** means the Regulations Pertaining to the Conduct, Administration and Management of National Senior Certificate Examination published under Government Regulation Notice No. R872 in Government Regulation Gazette No. 31337 of 29 August 2008, as amended by Government Notices No. 1327 and 1328 in Government Gazette, Vol 522 No. 31680 dated 12 December 2008; Government Notices No. 1041 and 1042 in Government Gazette, Vol 533, No.32678 dated 03 November 2009; Regulation Notice No. 188 in Government Gazette No.35103 dated 02 March 2012; Regulation Notice No. 444 in Government Gazette No. 35429 dated 07 June 2012; and Regulation Notice No. 371 in Government Gazette No. 37651 dated 16 May 2014.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended–

(a) by the substitution for the definition of **"candidate"** of the following definition-

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" **"candidate"**- means a learner who has enrolled in his or her Grade 12-year for the National Senior Certificate programme and who has registered for the National Senior Certificate final examinations to be conducted in October/November of the year in which National Senior Certificate programme has been completed, or in May/June examination of the following year, or a learner who has enrolled for the Senior Certificate qualification and who has registered for the Senior Certificate examinations;";

(b) by the substitution for the definition of **"examination"** of the following definition -

" **"examination"**- means the October/November examination, written in the year in which National Senior Certificate programme has been completed, or the May/June examination which examines both the National Senior Certificate and the Senior Certificate";

(c) by the substitution for the definition of **"examination sitting"** of the following definition-

" **"examination sitting"–** means an examination sitting, which is conducted in October/November or in May/June of the following year;";

(d) by the substitution for the definition of **"National Senior Certificate examination"** of the following definition-

" **"National Senior Certificate examination"–** means the examination written in October/November of the Grade 12-year. conducted by the Department of Basic Education or an assessment body accredited by Umalusi;"

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(e) by the substitution for the definition of **"part-time candidate"** of the following definition-

" **"part-time candidate"**- means a Grade 12 learner who does not receive tuition on a full-time basis and who registers with an accredited assessment body for one or more subjects in either the October/November examination or the May/June examination;"

(f) by the substitution for the definition of **"repeat candidate"** of the following definition-

" **"repeat candidate"-** means a candidate who has written the October/November National Senior Certificate examination and/or the May/June examination and who re-registers for a subsequent examination, either to improve his/her current results or satisfy the outstanding requirements for the National Senior Certificate or Senior Certificate;"; and

(g) by the deletion of the definition of **"supplementary examination."**.

Amendment of regulation 3 of the Regulations

3. Regulation 3 of the Regulations is hereby amended –

(a) by the substitution for sub-regulation (5) of the following sub-regulation:

"(5) In Grade 12, School-Based Assessment must be moderated by the Department of Basic Education, the Provincial Education Department, or the independent

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assessment body (in the case of independent schools that write the examination of Independent Assessment Body) and Umalusi.";

(b) by the substitution for sub-regulation (6) for the words preceding paragraph (a) of the following words:

"(6) A Practical Assessment Task or Oral Assessment is a compulsory component of the final promotion mark for all candidates registered for the following National Senior Certificate subjects-";

(c) by the substitution for sub-regulation (6)(c) of the following sub-regulation:

"(c) Languages: Oral assessment;";

(d) by the substitution for sub-regulation (9) of the following sub-regulation:

"(9) The composition of the Practical Assessment Task and Oral Assessment of all subjects listed in sub-paragraph (6) is outlined in the policy document, *National Protocol for Assessment Grades R-12*."; and

(e) by the substitution for sub-regulation (10) of the following sub-regulation:

"(10) In Grade 12, Practical Assessment Tasks and the Oral Assessment must be moderated by the Department of Basic Education, the Provincial Education Department, or

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the independent assessment body (in the case of independent schools); and Umalusi.".

Amendment of regulation 4 of the Regulations

4. Regulation 4 of the Regulations is hereby amended by the substitution for sub-regulation (4) of the following sub-regulation:

"(4)The absence of a School-Based Assessment, Practical Assessment Task or Language Oral mark in any subject, without a valid reason, will result in the candidate, registered for that particular subject, receiving an incomplete result. Such a candidate will not be resulted and he or she must redo the School-Based Assessment and/or Practical Assessment Task/Language Oral component for that subject.".

Insertion of regulation 5A

5. The following regulation is hereby inserted in the Regulation after regulation 5-

"**5A External examinations conducted by the Department of Basic Education**

(1) The following two qualifications are registered at NQF Level 4 on the General and Further Education and Training Qualifications Sub-framework-

(a) Senior Certificate (SC); and

(b) National Senior Certificate (NSC).

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(2) The Department of Basic Education will conduct two external examination sittings per year, commencing in 2019, one in May/June and one in October/November.

(3) Learners writing the October/November examination may write the May/June examination as from 2019, and NSC learners writing the May/June examination may write the October/November examination.

(4) Learners who are registered for the NSC and meet the programme and promotion requirements for the NSC qualification, will be awarded a National Senior Certificate. Learners who are registered for the Senior Certificate and meet the programme and promotion requirements of the Senior Certificate qualification, will receive the Senior Certificate.

(5) The full set of approved subjects stipulated in *paragraph 27* and Annexure C of the *National Policy Pertaining to the Programme and Promotion Requirements of the National Curriculum Statement Grades R–12, Government Gazette No. 36042* of 28 December 2012 as amended, will be offered in both the October/November and May/June examination sittings. However, Senior Certificate candidates may only register for the subjects as listed in *A Resume of subjects for the Senior Certificate as amended, Report 550(2017/08).*

(6) All learners attending public schools must write the National Senior Certificate examination of the Department of Basic Education, scheduled in October/November except in cases where the subject offered by the candidate is not examined by the

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Department of Basic Education but by another assessment body.

(7) All learners attending independent schools which offer the *National Curriculum Statement, Grades R-12*, must write the National Senior Certificate examination written in October/November, examined either by the Department of Basic Education, or an Independent Assessment Body.".

Amendment of part preceding regulation 6 of the Regulations

6. The heading of Chapter 3 preceding regulation 6 of the Regulations, is hereby amended by the substitution for the heading of the following heading—

"CONDUCT OF EXTERNAL EXAMINATIONS AND CANDIDATES TO BE ASSESSED".

Amendment of regulation 6 of the Regulations

7. Regulation 6 of the Regulations is hereby amended by the insertion after sub-regulation 1, of the following sub-regulation-

"(1A) All learners registering for the National Senior Certificate examination or the Senior Certificate examination, must produce a valid South African Identity document or in the case of an immigrant candidate any other document approved by the Department of Home Affairs to confirm his/her foreign status.".

Insertion of regulation 6A of the Regulations

8. The following regulation is hereby inserted in the Regulations after regulation 6-

"**6A Conditions of the National Senior Certificate**

(1) A learner wishing to achieve the National Senior Certificate must comply with the School-Based Assessment, Practical Assessment Task and Language Oral Assessment requirements for Grades 10, 11 and 12.

(2) The School-Based Assessment, Practical Assessment Task and Oral marks obtained in a previous National Senior Certificate examination will be valid and will be utilised in the resulting of subsequent examination opportunities.

(3) The validity period attached to School-Based Assessment, Practical Assessment Task and Language Oral Assessment requirements will be removed with the promulgation of this Regulation.

(4) A candidate who did not write one question paper in one examination sitting in a specific subject, must write all examination papers for that subject, in the subsequent examination.

(5) The National Senior Certificate candidates that write in one examination sitting, will be allowed to combine their subjects passed in that examination sitting with any other subject/s passed in another examination sitting, based on the requirements relating to the issuing of a National Senior Certificate.

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(6) The National Senior Certificate candidates who write subsequent examination sittings will retain their National Senior Certificate qualification status, except in the case of learners who are 21 years or older and opt to change to the Senior Certificate.

(7) The National Senior Certificate candidates are not limited in the number of examination sittings that they may register to write in order to fulfil the requirements of the qualification.".

Amendment of regulation 7 of the Regulations

9. Regulation 7 of the Regulations is hereby amended–

(a) by the insertion of the heading preceding paragraph (1) of the following words:

Admission of full-time candidates to write the National Senior Certificate examination

(1) Full-time candidates enrolling for the October/November National Senior Certificate examinations must comply with the following requirements-";

(b) by the substitution for sub-regulation (2A) of the following sub-regulation:

"(2A) Admission of Part-time Candidates to write the National Senior Certificate examination post 2018

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(a) A part-time candidate is a Grade 12 learner who registered for one or more subjects in an examination and does not receive full-time tuition.

(b) The school at which the candidate registers, must ensure and verify whether the part-time candidate has-

(i) completed the programme requirements for Grades 10, 11 and 12 separately; and

(ii) complied with the School-Based Assessment, Practical Assessment Task and Language Oral Assessment requirements for Grades 10, 11 and 12.

(c) A part-time candidate must register for the National Senior Certificate examination with an assessment body which must verify whether the part-time candidate has complied with sub-regulation (2A)(a).

(d) A part-time candidate must comply with the assessment requirements of Grade 12 as contemplated in the Curriculum and Assessment Policy Statements of the various subjects."; and

(c) by the substitution for sub-regulation (3) of the following sub-regulation:

"(3) Admission of Repeat Candidates to write the National Senior Certificate examination

(a) A repeat candidate may register to write the October/November examination or the May/June examination sitting, provided the School-Based

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Assessment, Practical Assessment Task and Language Oral Assessment requirements have been completed.

(b) A repeat candidate must register for the examination with the assessment body or a registered examination centre."

(d) by the substitution for sub-regulation (4A) of the sub-regulation:

"(4A) **Admission of Home Education learners to the National Senior Certificate Examination.**

(a) A learner receiving home education must register with an education provider registered with the assessment body responsible for the conduct of the National Senior Certificate examination to ensure that he or she complies with-

(i) the programme requirements for Grades 10, 11 and 12 separately; and

(ii) School-Based Assessment, Practical Assessment Task and Language Oral Assessment requirements for Grades 10, 11 and 12.

(b) A learner receiving home education must comply with the external assessment requirements of Grade 12 as contemplated in the Curriculum and Assessment Policy Statements of the various subjects.

(e) by the deletion of sub-regulation (5):

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Insertion of regulation 7A, 7B and 7C

10. The following regulation is hereby inserted in the Regulations after regulation 7-

"7A Characteristics of the Senior Certificate Examination

(1) The Senior Certificate examination is the examination conducted by the Department of Basic Education for the following learners-

(a) adult learners who are 21 years and older;

(b) out of school youth 18-21 years old who could not complete their school education; and

(c) National Senior Certificate repeat and part-time candidates, who opt to change to the Senior Certificate qualification.

(d) National Senior Certificate candidates who want to complete or improve their results from the preceding October/November National Senior Certificate examination.

(2) A Senior Certificate will be issued to all the learners contemplated in *sub-paragraph (1)(a), (1))(b) and (1)(c)* above, provided the learners and candidates have met all the programme and promotion requirements of the qualification as set out in the policy document, *A Résumé of subjects for the Senior Certificate, Report 550, Government Gazette, No.41024* of 4 August 2017.

(3) A National Senior Certificate will be issued to all the learners contemplated in *sub-paragraph (1)(d)* above,

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provided the candidates meet all the programme and promotion requirements of the qualification as set out in the policy document.

7B Writing of the May/June examination by National Senior Certificate Candidates.

(1) Candidates writing the October/November National Senior Certificate examination, that do not meet the requirements of the National Senior Certificate or meet the requirements of the National Senior Certificate but wish to improve their performance either in the terms of the subject, or the type of pass obtained, may register to write the May/June examination.

(2) If a candidate is indisposed due to ill health or if there is a death in the immediate family, or if for other special reasons the candidate is unable to write one or more question papers in the October/November examination, he or she may register for the May/June examination.

(3) The May/June examination is an examination that is identical to the October/November National Senior Certificate examination, and all subjects offered in the National Senior Certificate examination will be offered in the May/June examination.

(4) Candidates must register to write the May/June examination and the criteria for registration are as follows:

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(a) The learner must have written the October/November National Senior Certificate examination of the preceding year, in the subject concerned.

(b) The learner must have completed his/her School-Based Assessment, Practical Assessment Task, and Language Oral marks in a previous National Senior Certificate examination.

(c) The learner may not register for a subject with a practical component, or for Languages, unless he has previously registered for such a subject, and has a mark for the Practical Assessment Task component in that subject or in the case of Languages, has an oral mark.

(5) The School Based Assessment, practical and oral marks obtained in a previous National Senior Certificate examination will be valid and will be utilised in the resulting of this examination opportunity.

(6) A candidate who did not write or complete the October/November National Senior Certificate examination in one more question papers in a specific subject, based on a valid reason, has the choice to write the examination in the entire subject or only in the outstanding question paper/s in the subsequent May/June examination,

(7) National Senior Certificate Candidates that write the May/June examination, will be allowed to combine their subjects passed in the May/June examination, based on

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the National Senior Certificate requirements to obtain a National Senior Certificate.

(8) The National Senior Certificate candidates will write the May/June examination, but will retain their National Senior Certificate qualification status.

(9) The National Senior candidates that write the May/June examination, may register to write the subsequent National Senior Certificate examination in October/November, if necessary.

7C Admission of Progressed Learners to write the National Senior Certificate and Senior Certificate examination

(1) In compliance with *paragraph 31* of the *Admission policy for ordinary public schools, Government Notice 2432, Government Gazette, Vol. 400, No. 19377* of 19 October 1998, a learner in the Further Education and Training Phase may only be retained once in order to prevent the learner being retained in this phase for longer than four years.

(2) Notwithstanding sub-paragraph (1), a learner will only be progressed to the next grade if he or she has met the following additional criteria-

(a) passed four of the required seven subjects;

(b) passed the Language of Learning and Teaching ;

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(c) attended school on a regular basis, absence of a maximum period of 20 days with a valid reason will be allowed; and

(d) complied with the School-Based Assessment requirement for all seven subjects.

(3) A learner who has met the requirements, as contemplated in sub-*regulations 7C(1) and 7C(2)*, will be categorised as a progressed learner.".

Amendment of regulation 11 of the Regulations

11. Regulation 11 of the Regulations is hereby amended by the deletion of sub-regulation (3)-

Amendment of regulation 17 of the Regulations

12. Regulation 17 of the Regulations is hereby amended-

(a) by the substitution for sub-regulation (2) of the following sub-regulation:

"(2) Candidates who absent themselves with a valid reason from the end-of-year external examination must be permitted to register for the examination to be written in May/June the following year."; and

(b) by the substitution for sub-regulation (3) of the following sub-regulation:

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(3) If a candidate is unable to write or complete one or more of the National Senior Certificate examination question papers for reasons other than illness or injury, the Principal of the school must submit a written report in which the circumstances are explained to the Head of the assessment body, who will then decide whether or not the candidate will be allowed to sit for the examination to be written in May/June of the following year.".

Repeal of regulation 18 of the Regulations

13. Regulation 18 is hereby repealed-

Insertion of regulation 18A

14. The following regulation is hereby inserted in the Regulations after regulation 18-

"**18A. Termination of the Supplementary examination**

(1) Supplementary examinations written in February/March is withdrawn.

(2) Candidates who wrote the October/November 2018 National Senior Certificate examination, will be allowed to write the May/June 2019 Senior Certificate examination, which replaces the Supplementary examination.".

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Amendment of regulation 21 of the Regulations

15. Regulation 21 of the Regulations is hereby amended by the insertion after sub-regulation (2) of the following sub-regulation-

"(3) The various processes as described in the examination cycle is applicable to both the Senior Certificate and the National Senior Certificate examinations.".

Amendment of regulation 23 of the Regulations

16. Regulation 23 of the Regulations is hereby amended by the substitution for sub-regulation (5) of the following sub-regulation–

"(5) A person who is appointed as an examiner or internal moderator must declare whether his or her son, daughter, brother or sister is sitting for the October/November National Senior Certificate or the May/June examination during the period of appointment. Such an examiner or moderator must be relieved from the responsibility of setting or moderating examination question papers for that particular period.".

Amendment of regulation 24 of the Regulations

17. Regulation 24 of the Regulations is hereby amended by the substitution for sub-regulation (1)(a) and (b), of the following sub-regulation-

"(1) The assessment body must ensure that-

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(a) chief examiners and examiners set the examination question papers and prepare the marking guidelines for the examination question papers required, both for the October/November and May/June examination, as well as an additional examination question paper that will serve as a backup examination question paper;

(b) the examination question papers for both the October/November and ensuing May/June examinations, and the back-up examination question papers are set at the same time to ensure comparability of standards across all three examination question papers;".

Amendment of regulation 30 of the Regulations

18. Regulation 30 of the Regulations is hereby amended by the substitution for sub-regulation (1C) of the following sub-regulation-

"(1C) All full-time, part-time, and repeat candidates must show proof of identity as contemplated in *paragraphs 6(1), 6(2)* and *6(3)* of Annexure I.".

Amendment of regulation 42 of the Regulations

19. Regulation 42 of the Regulations is hereby amended by the substitution for sub-regulation (1) and (2) of the following sub-regulation-

"(1) The release date of the results of the October/November National Senior Certificate and the May/June examination of the State, must be decided

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upon by the Council of Education Ministers on the recommendation of the Heads of the Education Departments Committee and this must be done on an annual basis.

(2)The date contemplated in *sub-regulation (1)* is subject to approval of the National Senior Certificate and Senior Certificate results by Umalusi.".

Amendment of regulation 43 of the Regulations

20. Regulation 43 of the Regulations is hereby amended by the substitution for sub-regulation (1)(b) of the following sub-regulation-

"(b) This applies to both the October/November and May/June examinations.".

Amendment of regulation 48 of the Regulations

21. Regulation 48 of the Regulations is hereby amended by the substitution for sub-regulation (4) of the following sub-regulation-

"(1) Employees who are involved in the National Senior Certificate and Senior Certificate examinations, and who have immediate relatives in Grade 12, must disclose such information within a period of 18 months before the commencement of the October/November and May/June examinations to the relevant assessment body.".

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Amendment of the words preceding regulation 58

22. The words preceding Regulation 58 are hereby deleted-

Repeal of regulation 58 of the Regulations

23. Regulation 58 of the Regulations is hereby repealed-

Amendment of regulation 59 of the Regulations

24. Regulation 59 of the Regulations is hereby amended by the substitution for regulation 59 of the following regulation-

"59. Transitional arrangements

(1) The last supplementary examination for the National Senior Certificate examination was written in February/March 2018 and candidates that wrote the October/November 2018 National Senior Certificate examination, will be allowed to write the May/June 2019 examination, which replaces the supplementary examination.

(2) The Minister of Basic Education will determine the date on which the Senior Certificate examination will terminate. Based on this date the Senior Certificate examination written in May/June will be replaced by the National Senior Certificate examination.".

25. Short title and commencement

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These Regulations are called the Amendment of the Regulations Pertaining to the Conduct, Administration and Management of the National Senior Certificate Examination, 2019 and will come into effect on the date of publication in the Government Gazette.

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DEPARTMENT OF BASIC EDUCATION

NO. 634 **30 APRIL 2019**

NATIONAL EDUCATION POLICY ACT, 1996 (ACT NO. 27 OF 1996)

A SUMMARY OF AMENDMENTS TO THE NATIONAL POLICY PERTAINING TO THE CONDUCT, ADMINISTRATION AND MANAGEMENT OF THE NATIONAL SENIOR CERTIFICATE EXAMINATION

1. I, Matsie Angelina Motshekga, Minister of Basic Education, acting under section 3(4)(l) of the National Education Policy Act, 1996 (Act No. 27 of 1996) and after consultation with the Council of Education Ministers, promulgate a summary of amendments to the National Policy Pertaining to the Conduct, Administration and Management of the National Senior Certificate Examination, as set out in the Schedule.

AVAILABILITY OF A SUMMARY OF THE AMENDMENTS TO THE NATIONAL POLICY DOCUMENT

2. The Schedule referred to in paragraph 1 is available on the Departmental website: www.education.gov.za.

MRS AM MOTSHEKGA, MP

MINISTER OF BASIC EDUCATION

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