

Government Notice No. 259 of 2021

THE MAURITIUS QUALIFICATIONS AUTHORITY ACT

Regulations made by the Board, with the approval of the Minister, under section 18 of the Mauritius Qualifications Authority Act

1. These regulations may be cited as the Mauritius Qualifications Authority (Approval of Non-Award Courses for Employers) Regulations 2021.
2. In these regulations –
 - “Act” means the Mauritius Qualifications Authority Act;
 - “certificate of attendance” means a certificate issued by the employer testifying completion of training in a non-award course;
 - “non-award course” means a training which leads to a certificate of attendance;
 - “statement of approval of non-award course” means a statement issued under regulation 4(5).
3. (1) The Registrar shall keep and maintain a register of approved non-award courses in which shall be recorded the name and address of the employer dispensing such courses.

(2) There shall be recorded in the register referred to in paragraph (1) such other particulars as the Authority may determine.
4. (1) An application for approval of a non-award course shall be made through such electronic platform as the Authority may approve or in such other manner as the Director may determine, and shall be accompanied by –

- (a) the particulars of any trainer appointed to deliver the non-award course;
- (b) the appropriate non-refundable application fee as specified in the third column of the Schedule; and
- (c) such other document as the Authority may require.

(2) On receipt of an application made under paragraph (1), the Authority may make such inquiry and consult such persons or authorities as it may determine to ascertain whether the applicant is fit and proper to dispense the non-award course.

(3) The Authority may, not later than 2 weeks of the completion of all formalities in respect of an application of approval of a non-award course made by an employer, grant or refuse the application and shall communicate its decision to the applicant within 7 days of its decision.

(4) The Authority may refuse to approve the non-award course where –

- (a) the employer –
 - (i) does not meet the guidelines for approval of non-award courses issued by the Authority;
 - (ii) has ceased to exist;
 - (iii) has no suitable premises and equipment to dispense efficient and effective training;
 - (iv) has no trainer who is fit and proper to act as such;
 - (v) is targeting a class of employees to whom the training will not be relevant;

- (vi) in the application for approval of non-award course made a statement or furnished information which knowingly or recklessly is false in any material particular; or
- (vii) obstructs, resists or impedes the Authority or any of its officers authorised by it under regulation 7 when carrying out an inspection.

(5) Where the Authority grants an application made under paragraph (1), it shall issue a statement of approval of non-award course to the applicant and may impose such terms and conditions as it may determine.

(6) The approval of a non-award course shall be valid for such period as the Authority may determine.

(7) The Authority may withdraw the approval of the non-award course of an employer where –

- (a) the Authority would have been entitled to refuse approval under paragraph (4); or
- (b) it has breached any term or condition attached to its statement of approval of non-award course.

(8) (a) Where the course fee for a non-award course to be dispensed by an employer has been approved by HRDC and the employer has, prior to 15 October 2021, started to dispense the course, the employer may, after 15 October 2021, continue to dispense the course without the course to be approved by the Authority.

(b) Where the course fee for a non-award course to be dispensed by an employer has been approved by HRDC and the employer has, on 15 October 2021, not started the course, the course shall not be dispensed unless the course is approved by the Authority.

(c) In this paragraph –

“HRDC” means the Human Resource Development Council established under the Human Resource Development Act.

5. An employer shall issue a certificate of attendance to all trainees having attended the non-award course.

6. Every employer shall –

- (a) ensure the quality and relevance of training;
- (b) submit to the Authority an evaluation of training for all non-award courses dispensed.

7. The Authority or any of its officers authorised by it in writing may, with or without notice, and at any reasonable time, visit the premises of an employer.

8. The Authority may for –

- (a) an application for approval of non-award course; or
- (b) application for authorisation of change,

charge the appropriate non-refundable fee specified in the third column of the Schedule.

9. These regulations shall come into operation on 15 October 2021.

Made by the Board, with the approval of the Minister, on 11 October 2021.

SCHEDULE
[Regulations 4 and 8]

FEES

	(Rs)
1. Application for approval of non-award course	3,000
2. Application for authorisation of change	1,000
