

*Government Notice No. 260 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 (Training Institutions) (Amendment) Regulations 2021.

2. In these regulations –

“principal regulations” means the Mauritius Qualifications Authority (Training Institutions) Regulations 2009.

3. Regulation 2 of the principal regulations is amended by inserting, in the appropriate alphabetical order, the following new definitions, the full stop at the end of the definition of “Registrar” being deleted and replaced by a semicolon –

“accreditation” means a process of quality assurance through which a status is granted to a training programme where it meets predetermined standards;

“certificate of attendance” means a certificate issued by a training institution testifying completion of training in a non-award course;

“non-award course” means a training which leads to a certificate of attendance;

“statement of accreditation of training programme” means a statement issued under regulation 8;

“statement of approval of non-award course” means a statement issued under regulation 9;

“training programme” means an award course which leads to a formal qualification issued by a recognised awarding body.

4. Regulation 3 of the principal regulations is amended by adding the following new paragraphs, the full stop at the end of paragraph (d) being deleted and replaced by a semicolon and the word “and” at the end of paragraph (c) being deleted –

- (e) a register of accredited training programmes and the name and address of the training institution dispensing such programmes; and
- (f) a register of approved non-award courses and the name and address of the training institution dispensing those courses.

5. The principal regulations are amended by inserting, after regulation 7, the following new regulations –

8. (1) An application for the accreditation of a training programme or re-accreditation of a training programme shall be made by a training institution 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 training programme;
- (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 training programme.

(3) The Authority may, not later than 2 months of the completion of all formalities in respect of an application of accreditation of a training programme made by a training institution, 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 accredit the training programme where –

- (a) the training institution –
  - (i) does not meet the guidelines issued by the Authority;
  - (ii) has no suitable premises and equipment to dispense efficient and effective training;
  - (iii) in the application for accreditation of a training programme made a statement or furnished information which knowingly or recklessly is false in any material particular;
  - (iv) is under legal administration;
  - (v) is subject to enquiry by the Police or other investigatory authorities;
  - (vi) is not in conformity with the Act or any regulations made thereunder;
  - (vii) is in breach of any term or condition attached to its certificate of registration;
  - (viii) is no longer in operation and has ceased to exist;
  - (ix) is not being properly administered; or

- 
- (x) has no trainer who is fit and proper to act as such;
  - (b) the awarding body issuing the qualification, or the qualification, is not recognised in the country of origin.
  - (c) in the opinion of the Authority, the accreditation of the training programme would be detrimental to the interests of Mauritius and the public.

(5) Where the Authority grants an application made under paragraph (1), it shall issue a statement of accreditation of training programme to the applicant and may impose such terms and conditions as it may determine.

(6) The accreditation of training programme shall be valid for such period as the Authority may determine.

(7) (a) The Authority may withdraw the accreditation of a training programme for a training institution where –

- (i) it has contravened the Act or any regulations made thereunder;
- (ii) the Authority would have been entitled to refuse accreditation under paragraph (4);
- (iii) it has breached any term or condition attached to its statement of accreditation of training programme;
- (iv) it is not being properly administered; or
- (v) it has not complied with a direction under regulation 11.

(b) Before withdrawing the accreditation of training programme, the Authority shall, by notice in writing, require the

training institution, within 15 days from service of the notice, to show cause why the accreditation shall not be withdrawn.

(8) Where the Authority –

- (a) refuses to accredit a training programme; or
- (b) withdraws the accreditation of a training programme,

the training institution may appeal to the Minister within 21 days of the decision of the Authority.

**9.** (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 a training institution, 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 training institution –
  - (i) does not meet the guidelines for approval of non-award courses issued by the Authority;
  - (ii) has no suitable premises and equipment to dispense efficient and effective training;
  - (iii) is targeting a population to whom the training will not be relevant;
  - (iv) in the application for approval of a non-award course made a statement or furnished information which is knowingly or recklessly false in any material particular;
  - (v) is under legal administration;
  - (vi) is subject to enquiry by the Police or other investigatory authorities;
  - (vii) is not in conformity with the Act or regulations made thereunder;
  - (viii) is in breach of any term or condition attached to its certificate of registration;
  - (ix) is no longer in operation and has ceased to exist;
  - (x) is not being properly administered; or
  - (xi) has no trainer who is fit and proper to act as such;

- (b) in the opinion of the Authority, the approval of the non-award course would be detrimental to the interests of Mauritius and the public.

(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 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 a training institution 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) The training institution shall issue a certificate of attendance to all trainees having attended the non-award course.

(9) (a) Where the course fee for a non-award course to be dispensed by a training institution has been approved by HRDC and the training institution has, prior to 15 October 2021, started to dispense the course, the training institution 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 a training institution has been approved by HRDC and the training institution 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.

6. The principal regulations are amended by inserting, after regulation 10, the following new regulation –

**10A.** Every training institution shall submit to the Authority an evaluation of training for all training programmes and all non-award courses dispensed.

7. Regulation 12 of the principal regulations is amended by revoking paragraph (b) and replacing it by the following paragraph –

(b) the application for authorisation of change; or

8. Regulation 13 of the principal regulations is amended –

(a) in paragraph (c)(i), by deleting the words “for registration”;

(b) by adding the following new paragraphs, the comma at the end of paragraph (e) being deleted and replaced by a semicolon –

(f) falsely represents an entity as a registered training institution;

(g) falsely represents an entity which provides training for training programmes or non-award courses;

(h) issues certificates for training programmes which are not accredited by the Authority;

(i) issues certificates of attendance for non-award course which is not approved by the Authority,



- 9.** The principal regulations are amended by revoking the Schedule and replacing it by the Schedule set out in the Schedule to these regulations.
- 10.** 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**

[Regulation 9]

**SCHEDULE**

[Regulations 4, 8, 9 and 12]

**FEES**

	<b>(Rs)</b>
1. Application for registration of institution	10,000
2. Registration for institution	15,000
3. Application for renewal of registration of institution	5,000
4. Renewal for registration of institution	15,000
5. Application for accreditation of programme	5,000
6. Accreditation of programme	7,000
7. Application for re-accreditation of programme	5,000
8. Re-accreditation of programme	7,000
9. Appeal for accreditation of programme	5,000
10. Application for authorisation of change	1,000
11. Application for recognition/equivalence of qualification	1,500
12. Appeal for recognition/equivalence of qualification	5,000
13. Application for approval of non-award course	3,000