



<b>POLICY NUMBER</b>	<b>IIE020</b>	
<b>POLICY NAME</b>	<b>Official Documentation, Marketing and Advertising Policy</b>	
<b>LEGEND</b>	<b>Formerly known as the Official Documentation Policy</b>	
<b>POLICY VERSION</b>	<b>14</b>	
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<b>DATE FOR NEXT REVIEW</b>	<b>2028</b>	
<b>RELATED POLICIES</b>	<b>IIE001: Quality Assurance and Enhancement Policy</b> <b>IIE002: Admissions Policy</b> <b>IIE009: Assessment Strategy and Policy</b> <b>IIE012: Graduation and Certification Policy</b> <b>IIE015: Student Conduct and Discipline Policy</b> <b>IIE029: Distance Education Policy</b> <b>IIE030: The IIE Internationalisation Policy</b> <b>IIE031: Governance Policy</b> <b>IIE032: Personal Information, Intellectual Property and Cyber Security Policy</b>	

<sup>1</sup> S11:2011-06-21 Item 6.3 (whole policy review)

<sup>2</sup> S16: 2008-07-23 Item 8.20 (whole policy review)

<sup>3</sup> S27: 2011-08-16 Item 8.7 (whole policy review)

(Note: The January 2011 policy was named version 4 in error; should have been version 3)

<sup>4</sup> S34: 2013-11-07 Item 8.1.5 (Note: Policy in principle approved by Senate members via e-mail and formally approved at S34 meeting)

<sup>5</sup> S36 2014-08-12 Item 8.1.4 (sections 2- 10 amended)

<sup>6</sup> Policy was edited, renumbered and Glossary and Roles added.

<sup>7</sup> S45: 2017-08-24 Item 7.2.7 (Rearranged some sections to have the grid as the Annexure to the Policy)

<sup>8</sup> S55:2020/12/03 Item 5.1 Amendments clarifying limits on brand marketing, marketing of qualifications of The IIE v an acquired entity run separately, advert of qualifications not associated with the brand, differentiation between formal and informal communication, logs, Annexure A redesigned.

<sup>9</sup> S60-2022-07-17 Item 8.2.4

<sup>10</sup> S64:2023-11-13: Policy reviewed to address the following matters (a) insertion of the direct marketing principles. (b) Marketing of Online/Distance Qualifications (c) strengthening the provision relating to marketing of Partnership Agreements by IIE/Brands that fall outside of the NQF and with international or local partner (d) Principles moved from Procedure Document to the Policy Document (e) Procedures moved from Policy to Procedure Document. (f) policy content reorganised.

11 Post S70: 2025-12-04 Editorial changes and alignment with the new tertiary Academic Operating Model (TOAM)

	<b>IIE033: Policy on the Integration of Artificial Intelligence (AI) in Teaching and Learning Practices</b>
<b>RELATED PROCEDURES</b>	<b>PDIIE020: Official Documentation, Marketing and Advertising Procedure</b>

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## GLOSSARY AND ROLES

<b>Academic Centre of Excellence (ACE)</b>	The IIE team responsible for: <ul style="list-style-type: none"> <li>• Quality review of the student learning journey (IQAF).</li> <li>• Design and periodic review of qualifications and associated curricula</li> <li>• Customisation and integration of technology and processes that enhance teaching and learning.</li> <li>• Ensuring regulatory compliance.</li> <li>• Industry-leading development programmes for academics (Sirius).</li> <li>• Publishing multiple accredited academic journals and hosting national and international conferences.</li> </ul>
<b>Council on Higher Education (CHE)</b>	The Quality Council for Higher Education responsible for quality assurance and promotion through the Higher Education Quality Committee (HEQC) and it is responsible for accreditation, audits, and reviews.
<b>Department of Higher Education and Training (DHET)</b>	The national department responsible for overseeing higher education and post-school education and training in South Africa. All accredited qualifications must be registered with the DHET and appear on the registration certification issued to providers. <sup>12</sup>
<b>Heads of Programme (HoP)</b>	An academic – normally, but not always, located within the CAT – responsible for academic leadership for one or more programmes within a faculty.
<b>Higher Education Quality Committee (HEQC)</b>	The sub-committee of the Council on Higher Education responsible for quality assurance and promotion of higher education. <sup>13</sup>
<b>HEQSF</b>	Higher Education Qualifications Sub-Framework.
<b>Marketing Material Tracking System (MMTS)</b>	The system used to review and approve all marketing material at The IIE
<b>National Qualifications Framework (NQF)</b>	A single integrated system for the classification, registration and publication of articulated and quality-assured national qualifications and part-qualifications. It comprises three coordinated qualifications Sub-Frameworks; namely the General and Further Education and Training Qualifications Sub-Framework (GFETQSF), the Higher Education Qualifications Sub-Framework (HEQSF) and the Occupational Qualifications Sub-Framework (OQSF).
<b>PHEI</b>	Private Higher Education Institution <sup>14</sup>
<b>Registrar</b>	Registrar of The IIE.

<sup>12</sup> Definition amended by item 8.2.2 of S64:2023-11-13

<sup>13</sup> Definition amended by item 8.2.2 of S64:2023-11-13

<sup>14</sup> S64:2023-11/13 Item 8.2.7.1

<b>Regulations</b>	Regulations for the Registration of Private Higher Education Institutions, 2016 <sup>15</sup>
<b>Short Learning Programme (SLP)</b>	A short learning programme is any course of study less than 120 credits (normally a year) which is not accredited and cannot be registered. It is not a qualification; instead, it is targeted and focuses on learning interventions.
<b>South African Qualifications Authority (SAQA)</b>	A statutory body, regulated in terms of the National Qualifications Framework Act No. 67 of 2008. SAQA is responsible for: <ul style="list-style-type: none"> <li>• Registering qualifications and part qualifications, as recommended by the relevant Quality Council on the National Qualifications Framework.</li> <li>• The verification of SA qualifications.</li> <li>• Recognition of professional bodies.</li> <li>• Verification of foreign qualifications.</li> </ul> Issuing registered qualifications with a SAQA ID. <sup>16</sup>
<b>The Act</b>	Higher Education, 1997 (Act No. 101 of 1997)
<b>The IIE</b>	The Independent Institute of Education, referred to as “the provider” for the purpose of this document.

<sup>15</sup> S55:2020-12-03 item 5.1 newly inserted definition<sup>16</sup> Definition amended by item 8.2.2 of S64:2023-11-13

## 1 INTRODUCTION

- (1) The Independent Institute of Education (Pty) Ltd (The IIE) is required to comply with specific regulatory requirements when it communicates to the public through official documents, advertising, and marketing material.
- (2) The IIE020 Official Documentation, Marketing and Advertising Policy details the regulatory requirements and limitations in terms of how and what we should be communicating to our clients and the public at large. The Policy also:
  - a) Stipulates the procedures and provides guidelines for preparing and communicating advertising and marketing material.
  - b) Provides structure for decision-making while allowing Brand differentiation.

## 2 PERSONAL INFORMATION

- (1) Any personal information collected under this Policy should be handled in accordance with the Constitution of the Republic of South Africa and the Protection of Personal Information Act, 2013 (POPIA). In particular, the processing of personal information should be consistent with POPIA's conditions for lawful processing of personal information. These include purpose specification, processing limitation, ensuring quality of information, accountability, limitations on further processing, correction of information, and retention of records<sup>17</sup>.

## 3 PRINCIPLES THAT ARE FUNDAMENTAL TO COMMUNICATION AND MARKETING

- (1) We need to keep the following fundamental principles in mind when communicating and/or marketing:
  - a) All education must be offered in the name of The IIE.
  - b) IIE Brands are not standalone or providers in their own rights and they may not purport to offer higher education (that is, conduct itself in any way in which it can be misunderstood to be a stand-alone education provider).
  - c) Only registered and accredited qualifications can be:
    - i) Offered through accredited modes of delivery on registered and accredited sites.
    - ii) Advertised by sites as per the Department of Higher Education and Training's (DHET) register.
  - d) The Brands cannot separate themselves from "The Independent Institute of Education" as they are the registered sites of The Independent Institute of Education. This is critical, especially for all contact programmes as our registration is based on the sites as campuses of The Independent Institute of Education, where the actual teaching and curriculum are delivered. We cannot create the impression that our campuses are offering tuition only (which means something voluntary and

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<sup>17</sup> Inserted post S58 2021-11-23

supplementary) for qualifications provided by “another entity.” The Brands are The Independent Institute of Education – by that name – as far as the provision of education goes. The Brands, therefore, cannot purport to offer or provide qualifications as they are not the provider.

- e) Where The IIE (Pty) Ltd (the company registered with CIPC) has acquired a registered higher education provider operating independently from The IIE (the institution registered with the DHET) as a registered private higher education institution, the relevant qualifications shall be marketed under that provider name only.
- f) Where The IIE (the PHEI) offers qualifications that are not associated with a Brand, (i.e., Emeris, IIE Rosebank College, etc.), the communication must not create the impression of the Brand when it references the academic structure through which the programme is managed.

(2) All communication to students, their parents, guardians, fee payers/ account holders and the broader public is official communication and/ or marketing and/or advertising material.

(3) The Policy differentiates between formal communication, which must carry the full requirements and informal communication, which is subject to different rules.<sup>18</sup>

(4) No communication is exempt from the provisions of the Policy or viewed as unofficial and provision is made for the forms of communication that cannot carry the full requirements under this Policy.

(5) All marketing, advertising or communication on any of the four elements of provision of higher education is formal communication to which the full set of requirements applies:

- a) Application, Registration (and therefore recruitment)
- b) Accreditation and registration and status as a provider
- c) Curriculum and its delivery (teaching and learning)
- d) Assessment
- e) Certification.<sup>19</sup>

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<sup>18</sup> S55:2020-12-03 item 5.1

<sup>19</sup> S55:2020-12-03 item 5.1

(6) Exclusions or alternatives are permitted to short-form communication (such as SMS) or some forms of communication (such as gifts) only when these are backed up with full-form communication or there is no risk of being seen to purport to offer as a stand-alone institution<sup>20</sup>.

(7) The following principles apply to **all** communication:

- No communication can create the impression that the Brands provide higher education (that would be misleading in terms of the provider status).<sup>21</sup>
- The fact that the Brand is a brand of The IIE needs to be clear. There are several ways to do this, depending on the media being used or the formality of the communication.
- Great precaution should be taken to ensure that communication is not misleading, in general, and particularly in terms of the status (accreditation, registration, length) of any programme or qualification.

(8) <sup>22</sup> Formal communication (anything that could have an impact on the decision-making or understanding of a student in relation to where and what they are studying) such as contracts or letters need to use the most comprehensive requirements of this Policy.

## 4 DIRECT MARKETING<sup>23</sup>

(1) Direct marketing means:

- The processing of personal information of a data subject by any means of electronic communication, including automatic calling machines, SMSs, emails, etc.

(2) Data subject means:

- The person to whom the personal information (that is collected through electronic means) relates, e.g., student, prospective student, parent, guardian, sponsor, etc.

(3) Direct marketing by any means of electronic communication:

- Is subject to the consent of the data subject; or
- May be done if the data subject is already a client of The IIE.

(4) The data subject's consent shall be requested in the manner and form designed for this purpose and as specified in the MMTS HTG.

(5) We may only directly market to a data subject who is already our client, provided we have obtained their contact details during the provision of educational services.

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<sup>20</sup> S43: 2016-11-03 Item 7.2.6 – insertion from (3)...., and has thus...- up to the end of (6).

<sup>21</sup> S43: 2016-11-03 Item 7.2.6

<sup>22</sup> S43: 2016-11-03 Item 7.2.6

<sup>23</sup> S64:2023-11-13:Item 8.2.7.1

(6) Care should be taken to ensure that the data subject, including a client of The IIE, is aware that they may object to the use of their electronic details at any time.

## 5 APPROVAL OF THE MARKETING MATERIAL

- (1) The Office of the Registrar has a role to play in supporting its brand marketing division(s) in the interpretation and implementation of the principles of this Policy and approval of the marketing material.
- (2) No marketing, advertising, promotional, public relations or official documentation/ material can be released without the approval of the Office of the Registrar unless otherwise specified in this Policy. This applies to all media (digital and print) and other platforms.
- (3) Compliance Specialists have the authority to approve marketing material, on behalf of the Registrar, subject to escalations to the Deputy Registrar and/or Registrar as may be necessary.
- (4) Site and Brand Management are accountable for ensuring that approval is obtained in accordance with the process outlined in the Marketing Material Tracking System (MMTS) prior to communication or marketing material being released.
- (5) It is the responsibility of the Brand concerned to ensure that other pieces of legislation, such as consumer protection or personal information protection legislation, are accommodated in the communication.
- (6) The Office of the Registrar will return the submission to the brand marketing division(s) having assessed the item in terms of the education legislation, regulation, and the policy and will explicitly indicate the following in the feedback:
  - a) Required changes (and reasons for these).
  - b) Recommended changes (and reasons for these) to enable legal compliance without undermining the purpose of the item.
  - c) Proposals on alternatives, where possible.
  - d) Whether or not a further draft needs to be seen before the Brand can proceed.
- (7) Legal advice from ADvTECH Legal or external should be sought when there are questions of law.
- (8) Ongoing communication between the OoR and the brand marketing division(s) is important to ensure successful implementation of the Policy and Procedure whilst complying with regulatory requirements. The marketing and advertising environment in the higher education space is dynamic and the legislative environment is ever-changing so it is of great importance for the OoR and the Brands and other relevant internal stakeholders that play a role in the process to keep abreast and adapt to the changes.

## 6 MARKETING AND OTHER MATERIAL SUBJECT TO APPROVAL IN TERMS OF THIS POLICY

(1) The following material (official documentation and marketing/advertising) is subject to approval in terms of this Policy. Hard copies of the material should be provided as they are required for annual statutory reporting:

- a) Application forms
- b) Registration Contracts
- c) Letterheads
- d) Brochures
- e) Catalogues
- f) Flyers/ leaflets
- g) Newspaper/magazine articles
- h) Videos / TV Adverts
- i) Radio adverts
- j) Audiocassettes
- k) Interests cards
- l) Information sheets
- m) Fact sheets
- n) Newsletters, etc.
- o) Material prepared for workshops and open days at schools, etc.
- p) Any other marketing material.<sup>24</sup>

## 7 INSTITUTIONAL IDENTITY

### 7.1 Logo

(1) The IIE makes use of the institutional logo and may also make use of brand logos and school or faculty logos.

- a) The IIE logo only includes The IIE icon and the words “The Independent Institute of Education”. This is the institutional/ provider logo.
- b) IIE Brand logos include The IIE icon (IIE “connector”) and the name of the particular Brand and related colours.
- c) Logos associated with Clubs, Societies or Associations can be used for internal purposes provided they are approved by the Office of the Registrar.

(2) The IIE logo should appear wherever possible on all communication – either on its own or in the footer. Not including the logo needs to be a motivated exception.

(3) The weighting of The IIE logo relative to the Brand logo, whenever both are used, needs to be at least equal. On formal communication platforms, The IIE logo will normally be placed top left.

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<sup>24</sup> S55:2020-12-03 item 5.1 Amended list.

- (4) Where the DHET has granted permission for two legally registered and accredited providers to operate independently and to share resources, each provider must use its own logo and not the logo of any other provider.
- (5) For standard signatures at the end of e-mails, it is sufficient to use the Brand logo only.
- (6) The IIE logo is not a requirement on any giveaway promotional items such as shirts or lanyards and bags.
- (7) The IIE logo is not needed when using micro-communication such as X (formerly Twitter), Instagram or SMS, etc.

## 7.2 Footer

- (1) The registration statement as required **by the Regulations** is normally used as a footer so is generally referred to as The IIE Footer. The IIE Footer can be used in other positions other than the footer, where required. The company registration number is not normally required anywhere other than letterheads and websites.

The Independent Institute of Education (Pty) Ltd is registered with the Department of Higher Education and Training as a private higher education institution under the Higher Education Act, 1997 (reg. no. 2007/HE07/002). Company registration number: 1987/004754/07.

- (2) The following format may be used in instances in which the company registration number is not necessary to include:

The Independent Institute of Education (Pty) Ltd is registered with the Department of Higher Education and Training as a private higher education institution under the Higher Education Act, 1997 (reg. no. 2007/HE07/002).

- (3) Brands may opt to use a version of the registration statement/ footer where the Brand is explicitly included. The format is as follows:

IIE Rosebank College/Emeris is a brand of The Independent Institute of Education (Pty) Ltd which is registered with the Department of Higher Education and Training as a private higher education institution under the Higher Education Act, 1997 (reg. no. 2007/HE07/002).

- (4) The full IIE footer needs to be included on most formal communication material, including, but not limited to, brochures, adverts, letterheads, reports, official notices on boards to students, fact sheets, student learning material (and covers or files used) and websites.
- (5) If The IIE logo is not being used separately on the document concerned on the same page as the footer, then The IIE logo needs to be included as part of the footer. In very small space applications, Brands can request not to have The IIE logo on the footer or separately but then need to demonstrate why this is essential from a design point of view.
- (6) For items such as banners and billboards, which are designed to be read from a distance, and to direct the public to other more formal communication platforms such as websites

for detail, the footer is still required but it can be small<sup>25</sup>. The IIE logo is then the imperative link to the Brand.

- (7) The only other times where the footer can be excluded are when it is simply impossible or impractical to use it, such as on many forms of social media, on sports kits, or other giveaway items like t-shirts. The default should be to plan to use both the logo and the footer and then to explain why one or the other or both cannot be used.
- (8) For non-academic notices on campuses (such as for sports and social events), the footer may be omitted only if The IIE logo is used with equal weighting to the Brand logo.
- (9) In instances where reference has to be made to The IIE, a linking statement can be used.

### 7.3 Linking Statement <sup>26</sup>

- (1) In addition to the presence of the logo or the footer, all material must make the connection between the Brands and The IIE clear and this is achieved through the use of the linking statement.
- (2) Making a connection between The IIE and IIE Brands, through the use of a linking statement, is particularly important in adverts that are not in print (such as radio and television) or on press releases (particularly as the institutional information is usually left out by the media if placed below the release) or in longer or short pieces of text where the reader may not understand the link from the context.
- (3) The linking statement formats could include:
  - a) “Brand X is a division of The Independent Institute of Education ...”
  - b) “Brand X, a brand of The Independent Institute of Education, ...”
  - c) “The Independent Institute of Education’s Brand X ...”
  - d) A range of IIE degrees offered at....<sup>27</sup> or A range of IIE degrees available at....
- (4) Wherever possible, the full name of the institution, “The Independent Institute of Education”, should be used when communicating with audiences internally and externally. Sometimes space does not make this possible but when it does the full name is always the first preference. In the text, it needs to be in full the first time it is used, the abbreviation “The IIE”, can be used. In radio and television adverts the full name of the institution must always be used at least once. The abbreviation “The IIE” can be used the second time or in restricted contexts.
- (5) Further guidelines regarding the use of the Logos, Footers and Linking Statements are provided in the PDIIIE020 Official Documentation, Marketing and Advertising Procedure and How to Guide.

<sup>25</sup> This is an amendment to the policy for 2017 onwards based on the best practise of the most reputable higher education providers. Existing banners and billboards do not need to be changed.

<sup>26</sup> S43: 2016-11-03 Item 7.2.6 – Insertion of a new section 7 (1) to (4)

<sup>27</sup> S55:2020-12-03 item 5.1

## 7.4 Campus Identifying Notices <sup>28</sup>

(1) The below official statement should be at all entrances to IIE campuses and at the reception areas and in lift lobbies on at least the bottom floor of a multi-floor building.

“This is a campus of The Independent Institute of Education”

## 7.5 Company Information

(1) The company registration number 1987/004754/07 is included in annual reports, on all letterheads and contracts. The company directors' details are to be included on all letterheads, including in letters generated on the Student Information System.

(2) “(Pty) Ltd”, which indicates the legal status of the institution, is only used in formal letters and contracts and on letterheads and in footers. (Pty) Ltd is not normally used and does not have to be used in communication with students or the general public unless it is a formal letter that has contractual implications.

# 8 PROGRAMME AND QUALIFICATION INFORMATION

## 8.1 Qualification Names<sup>29</sup>

### 8.1.1 Degree Naming Conventions

(1) The HEQSF structure and convention must always be used.

(2) The following principles relating to degree naming conventions are important.

- a) The word **specialising or specialisation** can only be used for qualifications that are formally registered with a qualifier (have more than 50% of their content and 50% of the exit level outcomes in the designated area) and are registered and accredited with formal qualifiers.<sup>2</sup>
- b) The format for the qualification name must always be the one from the HEQSF.
- c) To aid focused marketing, the core disciplines of a qualification can be referenced in marketing and advertising as long as no impression is created that they are part of the formal name of the qualification.
- d) Core disciplines will be recorded only on:
  - i) Transcript supplements.
  - ii) Letters for third year and completed students who have not yet graduated – the letter that accompanies the Academic Transcript and Transcript Supplement.
  - iii) Endorsement reports (not recording individuals).
  - iv) Degree parchment.

<sup>28</sup> S43: 2016-11-03 Item 7.2.6 - Insertion of a new section 8 (1).

<sup>29</sup> S64:2023-11-13:Item 8.2.7.1

### 8.1.2 Core disciplines – detail

- (1) A core discipline is a focus area of a degree – it is not a registered and accredited specialisation in a degree, so it **cannot** ever be communicated in a way that looks like it is part of a name of a degree.
- (2) The best way to do that is to **use terms not used in the HEQSF such as “with” or “including” and avoid using terms such as “in” which have specific meanings in the HEQSF.**
- (3) A qualifier (according to the HEQSF) is part of a qualification name if 50% of the credits/content are in a particular area – it references a specialisation in the true sense of the work – so BA in Corporate Communication is a specialist degree and Corporate Communication is the qualifier. (The Arts part is the designator and the Bachelor is the qualification type). For interest only: if half of the 50% is in a specific subfield (perhaps environmental communication if there was such a thing) one could also have a second qualifier which would then be BA in Corporate Communication in Environmental Communication.
- (4) A degree is considered to have a core discipline if there is a focus area in the degree that represents enough of the content to be considered to be “worth mentioning”. We have adopted the weighting found in conventional degree structures to indicate whether or not a discipline can be viewed as a core discipline.
  - a) That is, a core discipline covers 25% of the credits/outcomes/content in levels 5 and 6 (years one and two) of a degree and 50% in level 7 (year three).
  - b) If we add a core discipline to an existing degree, we will only add a core discipline if it does not change the exit level outcomes **and** meets the expected criteria for a core discipline and does not exceed a 20% credit difference from the existing structure.
  - c) A core discipline is not part of the name and should therefore never be written in such a way that it looks like it is part of the name, and the core discipline should never be represented on any document without the words “core discipline” alongside it.
  - d) A core discipline should therefore never be advertised in a separate brochure and should only have a separate factsheet where it is absolutely clear in the first paragraph of the factsheet that it is not a separate degree – put differently, the core discipline name should not be in the heading of any document.
- (5) There can never be any doubt or impression created that the core discipline is a specialist degree or even a separate one and we cannot, therefore, use any of the HEQSF style abbreviation forms (brackets or the use of the word “in”) to represent a core discipline as if it was a qualifier (specialisation that has been recognised as being 50% or more of the credits in the total qualification). The use of the word “core discipline” is insufficient protection against the impression created by the use of HEQSF-compliant conventions.

## 8.2 Application of *Contact and Distance* in a Marketing Context<sup>30</sup>

- (1) Marketers may apply terminology easily understood by our target market whilst simultaneously ensuring adherence to how a programme is accredited and registered on The IIE's DHET Certificate of Registration
- (2) The guideline for the application of contact and distance in a marketing context is provided in the PDIIIE020 Official Documentation, Marketing and Advertising Procedure.

## 8.3 Institutional Prospectus/ Official Calendar

- (1) It is a legal requirement to produce an institutional prospectus annually in a particular format and to make this available to students.<sup>31</sup> The Prospectus is a requirement for the DHET Annual Reporting and it is not a practical document to use for marketing purposes. The IIE's Institutional Prospectus is published on The IIE website and on the library webpage.
- (2) Brand brochures and Brand websites need to at least include this wording, which, besides being a regulatory protection, also enables less formality in brand-specific documents:

*"The Independent Institute of Education's official prospectus is available on [www.iie.ac.za](http://www.iie.ac.za) and on the <sup>32</sup>library webpage. Information in this prospectus takes precedence over other programme and qualification information provided".*

- (3) <sup>33</sup>There should preferably be a link to the actual document on all Brand web pages.

## 8.4 Brand Brochure and Fact Sheets

- (1) The content of Brands' brochure and fact sheets (including all digital formats) needs to be approved by the Office of the Registrar.
- (2) Programme Leads may be consulted on content, if required; however, an additional 48 hours may be required to approve the item.
- (3) Brands are reminded of the following requirements, noting that brochures are the way that students are recruited and are thus particularly sensitive to compliance:
  - a) The full and correct name of the qualification and its abbreviation as per the HEQSF and on the certificate is the only name and abbreviation to be used.
  - b) No qualification that is not fully registered after accreditation can be advertised – the Office of the Registrar will give permission when advertising can begin.
  - c) The status of the provider needs to be explicit to avoid the risk of the Brand being seen to be purporting to offer education.

<sup>30</sup> S64:2023-11-13: Item 8.2.7.1

<sup>31</sup> S43: 2016-11-03 Item 7.2.6

<sup>32</sup> S43: 2016-11-03 Item 7.2.6

<sup>33</sup> S43: 2016-11-03 Item 7.2.6

- d) Admission criteria may be included but must be made available to students before they apply.
- e) Maximum completion times may be included.
- f) The National Qualifications Framework (NQF) level, SAQA number, and number of credits may be included.
- g) If the course of study is not a qualification that must be made clear.
- h) Practical/WIL/technology requirements of the programme must be included in formal communication before a student registers and therefore should be included in long-form brochures.<sup>34</sup>

## 8.5 Assignment Covers and Assessment Answer Books<sup>35</sup>

- (1) The content and management of the assignment cover sheets and assessment answer books rest with the Office of the Registrar in consultation with the Brands.

## 8.6 Student Codes/Handbooks

- (1) Module and programme (year of study) information are provided to students in a student handbook or equivalent. It is strongly recommended that the Module Information Sheets and Programme Guides from the Academic Master are used.
- (2) The code or handbook must reference the Institutional Prospectus and make clear that the rules in the Institutional Prospectus take precedence if there is a dispute or difference.<sup>36</sup>
- (3) These codes/handbooks do not have to be signed off by the Office of the Registrar, although an occasional audit will be done to support Brand compliance with Regulations.
- (4) It is a requirement that the following information is included:
  - a) The status of the provider needs to be explicit.
  - b) Maximum completion times must be included.
  - c) NQF level, SAQA (South African Qualifications Authority) number, and number of credits must be included.
  - d) Qualification type (full or SLP) must be included.
  - e) Mode of delivery must be included where it is relevant to other information or requirements in the handbook.
  - f) Assessment details – weighting and number and type of assessments if not dates.
  - g) Reference to the Assessment Strategy and Policy (IIE009)<sup>37</sup>
  - h) Reference to the Student Conduct and Discipline Policy (IIE015).
  - i) Reference to the Institutional Prospectus.<sup>38</sup>

<sup>34</sup> S55:2020-12-03 item 5.1 amendment of section 10.2 (3)

<sup>35</sup> S55:2020-12-03 item 5.1

<sup>36</sup> S55:2020-12-03 item 5.1

<sup>37</sup> S43: 2016-11-03 Item 7.2.6 – insertion of new paragraph (3) (a) to (g).

<sup>38</sup> S55:2020-12-03 item 5.1 list amended

## 9 CERTIFICATES

- (1) Only the approved formats of certificates can be used.
- (2) Where informal certificates are developed (such as for student sport and social awards or staff functions), The IIE logo may only be used with the permission of the Office of the Registrar upon approval of the design.
- (3) No informal certificates should create the impression that there is any connection to any course of study or qualification.

## 10 INTERNATIONAL ACCREDITATION<sup>39</sup>

### 10.1 British Accreditation Council (BAC)<sup>40</sup>

- (1) The Independent Institute of Education (Pty) Ltd is accredited by the British Accreditation Council for Independent Further and Higher Education as an Independent Higher Education institution.
- (2) The BAC logo and BAC accreditation statement may not be used in excess of the conditions outlined in PDIIE020 Official Documentation, Marketing and Advertising Procedure.

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<sup>39</sup> S60-2022-07-17 Item 8.2.4

<sup>40</sup> S60-2022-07-17 Item 8.2.4

## 11 RELATIONSHIP WITH OTHER PROVIDERS<sup>41</sup>

### 11.1 Marketing by The IIE/IIE Brands of Partnership Agreements that fall outside of the NQF, entered into with International or Local Partners

- (1) We may advertise any programme of recreational or general public interest which are subject of partnership agreements entered into by The IIE or any of its Brands provided that an evaluation of the partnership agreement is made by the Registrar and/or ADvTECH Legal that concludes that the partnership agreement does not amount to outsourcing or franchising in violation of the regulations and does not amount to provision of higher education as defined in the Act or other types of education in South Africa for which registration or accreditation of such a programme applies and is required.
- (2) The marketing of the programme(s) or partnership shall be in line with the regulation which requires that such marketing or advertising may not purport to lead to a qualification registered on the NQF and that the advertising may not give the impression that such programmes are accredited by the CHE or any other Quality Council or that they are approved by the DHET.
- (3) For international partnerships, it is necessary to ascertain that such a party is operating legally in their country before the partnership is entered into and subsequently advertised or marketed on one or more platforms. This is important to protect the integrity of The IIE.

### 11.2 Tuition Support

- (1) Tuition support for other providers whose qualifications are on the Higher Education Qualifications Sub-Framework (HEQSF) was phased out and The IIE can no longer offer this service and thus cannot advertise or formally communicate this service to students.
- (2) For the full qualifications of other providers that are registered on the Occupational Qualifications Sub-Framework (OQSF) or the FETQSF, tuition support is still available (as long as the qualifications are registered on these two sub-frameworks) but the wording can be complicated depending on the nature of our agreement with the qualification conferrer.
- (3) For full qualifications of providers not registered in South Africa and offering qualifications below the SA NQF Level 5 (British Level 3 is an example), the rules are even vaguer. From Level 5 (UK Level 4) we may not offer tuition support for providers not registered in SA.
- (4) The qualification name matters: irrespective of where the qualification is registered and at what level, we may not advertise qualifications that have the names that are used in the HEQSF such as diploma or advanced diploma.

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<sup>41</sup> S64:2023-11-13:Item 8.2.7.1

### **11.3 Non-SA Qualifications at Level 4 and Below**

- (1) It is imperative that the fact that this is not a qualification on the National Qualifications Framework (NQF) and that it is at a FET level and where it is registered and by whom is made very clear on all material. Anything above Level 4 (SA Level 4) cannot be supported.

### **11.4 Wording on Listings – Clarity about Status and Provider and Separation from Own Programmes**

- (1) All qualifications not conferred by The IIE need to be listed separately from The IIE programmes on all marketing material, websites, adverts, registration forms, fact sheets, events (such as graduation programmes), etc., and must be clearly marked as external programmes or programmes for which additional support is available or equivalent.
- (2) We need to clearly state who confers the qualifications, i.e., the registered provider of the qualification. There can be no doubt at any stage and in any collateral about whose qualification is being referred to. The status of the provider must always be clear.
- (3) There can also be no doubt about whether this is a qualification (in which case it must be registered on the NQF as such) or a course and if a course and not an SA qualification, there can be no doubt about the registration and accreditation status (or lack thereof) of the course.

## ANNEXURE A: REGULATIONS AND PROVISIONS IN EDUCATION LAW (ADDITIONAL DETAIL)

### 1 SPECIFIC REGULATORY REQUIREMENTS

(1) In terms of the Regulations for the Registration of Private Higher Education Institutions, Regulations 22, 24 and 26 (Government Gazette No. 39880, 31 March 2016) (Regulations), providers are specifically required to<sup>42</sup>:

- a) display the following statement *in full* on all official documents:
  - i. "Registered with the Department of Higher Education and Training as a private higher education institution under the Higher Education Act, 1997. Act No. 101 of 1997. Registration Certificate no. 2007/HE07/002" (Section 22 (i));
- b) publish once a year a calendar<sup>43</sup>, prospectus, or brochure for the information of students and the public (Section 24);
- c) ensure that all information about its approved programmes and accreditation status is accurate (Section 26 (1) (b));
- d) ensure that the institution makes no false, fraudulent, or misleading statements in any of its official documents (Section 26 (1) (c));
- e) display its registration certificate or certified copy<sup>44</sup> in the reception area of each campus (Section 22 (a));
- f) ensure that all short learning programmes are referred to as short learning programmes or short courses and that the term "diploma" or any other distinctive name relating to qualifications on the Higher Education Qualifications Sub-framework (HEQSF) is not used. <sup>45</sup>(Section 13 (h) (bb), National Qualifications Framework (NQF) Act, 2008).

(2) The Higher Education Act furthermore makes it clear that a provider may not offer or purport to offer higher education using anything other than its registered name and that the following are all considered to be elements of the provision of that education<sup>46</sup>(Section 1, Higher Education Act 101 of 1997):

- a) Registration (and therefore recruitment);
- b) Curriculum and its delivery;
- c) Assessment; and
- d) Certification.

<sup>42</sup> S43: 2016-11-03 Item 7.2.6 – sentence amended, and the relevant Sections of the Regulations sited in a (i) and (b) to (e).

<sup>43</sup> The term 'calendar' is used for the document contemplated in Regulations 25 and 26.

<sup>44</sup> S55:2020-12-03 item 5.1

<sup>45</sup> S43: 2016-11-03 Item 7.2.6

<sup>46</sup> S43: 2016-11-03 Item 7.2.6

## 2 PROVISIONS IN THE REGULATIONS

### 2.1 Display of Registration Status

(1) Regulation 22 of the Regulations for the Registration of Private Higher Education Institutions, 2016 provides<sup>47</sup>:

*“Subject to section 55(1) of the Act, an institution must display –*

- (a) *its registration certificate or a certified copy in a prominent place accessible to the public and to all students on each of its sites;*
- (b) *the following statement in full on its letterhead and official documents:*
  - (i) *if the institution is registered, ‘Registered with the Department of Higher Education [and Training] as a private higher education institution under the Higher Education Act, 1997. Registration certificate no. [state number on certificate]’; or*
  - (ii) *if the institution is provisionally registered, ‘Provisionally registered with the Department of Higher Education [and Training] until [expiry date] as a private higher education institution under the Higher Education Act, 1997. Provisional registration certificate no. [state number on certificate]’.”*

(2) Section 55 of the Higher Education Act, 1997 provides:

*“55 Certificate of registration*  
*A private higher education institution must conspicuously display:*

- (a) *its certificate of registration or provisional registration or a certified copy thereof on its premises; and*
- (b) *its registration number and an indication that it is registered or provisionally registered on all its official documents.”*

### 2.2 Higher Education Information for Students and the Public

(1) Regulation 24 of the Regulations for the Registration of Private Higher Education Institutions, 2016 provides:

*“An institution must publish at least once a year a calendar, prospectus or brochure for the information of students and the public containing:*

- a) *registered name of the institution;*
- b) *contact details for head office and each site;*
- c) *the statement contemplated in regulation 22(b);*
- d) *mission statement;*
- e) *legal status;*
- f) *name(s) of director(s), chief executive and senior management;*
- g) *names and qualifications of full-time and part-time academic staff employed by the institution;*
- h) *admission requirements and procedures including recognition of prior learning;*
- i) *language policy;*
- j) *mode of instruction;*
- k) *details of each registered programme by site;*

<sup>47</sup> S43: 2016-11-03 Item 7.2.6 – amended in terms of 2016 Regulations.

- l) accreditation status of each registered programme;
- m) rules relating to assessment, academic credit accumulation, progression and qualification;
- n) fees and charges including refund(s) in the case of cancellation or withdrawal;
- o) student financial aid;
- p) student support services;
- q) rules or code of conduct;
- r) list of all partnership agreements;
- s) student enrolment contract;
- t) policy and procedure for handling of student complaints;
- u) health and wellness policy; and
- v) policy on disability<sup>48</sup>.

## 2.3 Higher Education Official Documents, Marketing and Advertising

- (1) Regulation 26 of the Regulations for the Registration of Private Higher Education Institutions, 2016 provides:
  - “(1) *With respect to all its official documents, advertising and marketing material, an institution must:*
    - a) *comply with regulation 2(a);*
    - b) *ensure that all information about its approved programmes and accreditation status is accurate; and*
    - c) *make no false, fraudulent or misleading statements.*
  - (2) *An institution may not display on its letterhead, official documents, marketing or advertising material:*
    - (a) *the national coat of arms of the Republic of South Africa;*
    - (b) *the logo of the Department of [Higher] Education [and Training];*
    - (c) *the logo of the HEQC or the CHE.*
  - (3) *An institution may advertise any programme of recreational or general public interest in the areas of its academic and professional competence provided that it does not purport to lead to a qualification registered on the NQF.*
  - (4) *An institution may not market programmes contemplated in sub-regulation (3) as being accredited or approved by the CHE or registered by the Department of Higher Education and Training.”*

## 2.4 Qualification/ SLP Naming Convention

- (1) Section 13(1) (h) (i) (bb) of the National Qualifications Framework Act, No. 67 of 2008 provides:
 

*“each sub-framework must have a distinctive nomenclature for its qualification types which is appropriate to the relevant sub-framework and consistent with international practice;”*

<sup>48</sup> S43: 2016-11-03 Item 7.2.6 (r) to (v) added as per 2016 Regulations.

## 3 HIGHER EDUCATION ACT PROVISIONS

### 3.1 Offences

- (1) In terms of Chapter 8 (General) clause 66 of the Higher Education Act, 1997, the following are offences and can be prosecuted criminally or result in registration being reconsidered.
- (2) Any person other than a higher education institution, who, without the authority of a higher education institution:
  - a) offers or pretends to offer any higher education programme or part thereof;
  - b) purports to confer a qualification granted by a higher education institution, or in collaboration with a higher education institution; or
  - c) purports to perform an act on behalf of a higher education institution, is guilty of an offence and is liable on conviction to a sentence which may be imposed for fraud.

### 3.2 Provision of Higher Education

- (1) In terms of the Higher Education Act, 1997, Chapter 1: Definitions, Application and Determination of Policy, clause 1, ***“to provide higher education” means the performing of any or all of the following functions:***
  - a) registering of students for higher education;
  - b) taking responsibility for the provision and delivery of the higher education curricula;
  - c) assessing a student’s performance regarding their learning programmes; and
  - d) conferring of qualifications, in the name of the higher education institution concerned.