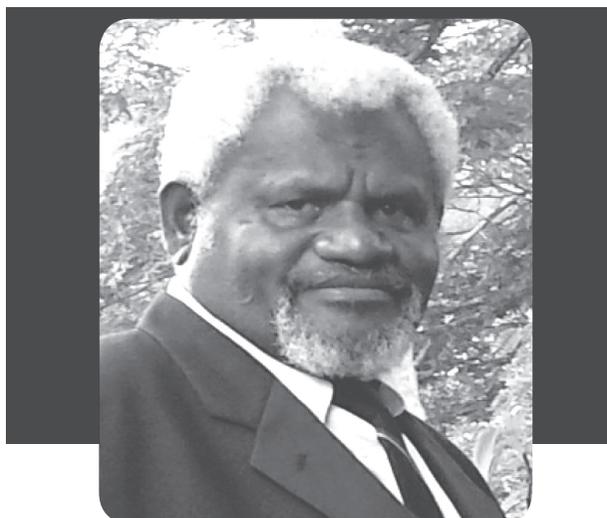




# MINISTRY FOR HIGHER EDUCATION, RESEARCH, SCIENCE AND TECHNOLOGY

## NEW LEGISLATION FOR HIGHER AND TECHNICAL EDUCATION



**Honourable Malakai Tabar, MP**

**Minister for Higher Education, Research, Science and Technology and Member for Gazelle**

As Minister for Higher Education, Research, Science and Technology, I am pleased to advise that Parliament has enacted the Higher Education (General Provisions) Act 2014. The Act is now in effect (National Gazette G595 of 10th December 2014).

It is my honour now to inform the public of key provisions of the new legislation. All higher and technical education institutions – including universities and colleges – should be aware of their obligations under the Act.

### WHY A NEW ACT?

Our Vision 2050 and other national plans challenge the Ministry to build the capacities of tertiary (post-secondary) institutions so that PNG has sufficient high-quality graduates to meet the future demands of our growing and dynamic economy.

The new Act positions the Ministry to provide the advanced skills, knowledge and innovation required for a social, economic and environmentally-sustainable future for our country. It reflects some of the contemporary approaches to the coordination, management and quality assurance of tertiary education in PNG.

### WHAT WILL THE NEW ACT ACHIEVE?

Implementation of the Higher Education (General Provisions) Act 2014 will enable students to be more confident about their tertiary education choices and will provide institutions with the opportunity to demonstrate their value to potential students, graduate employers and the wider community.

Key purposes of the Act are to:

- Create a better tertiary education sector to promote the integral human development of Papua New Guineans
- Improve coordination and integration of tertiary education, facilitating attainment of national strategic goals for the sector
- Establish, preserve, and improve national standards
- Maintain public confidence in tertiary education through strong quality assurance and regulation
- Improve the governance of universities.

A key aim is to ensure a sector-wide approach is taken to policy, planning and funding of PNG's tertiary education, which includes higher education and, also, technical and vocational education and training (TVET). The Ministry for Higher Education, Research, Science and Technology (MHERST) will ensure coordinated advice is available, working closely with the Ministries of Education and the Labour and Industrial Relations in regard to TVET policy.

### WHICH AGENCY WILL ADMINISTER THE ACT?

The Act will be administered by the new Department of Higher Education, Research, Science and Technology (DHERST).

DHERST replaces the former Commission for Higher Education (CHE) and the Office of Higher Education (OHE). The Higher Education Act 1983 is repealed.

In administering the Act, the Department will work in partnership with other national Government departments and authorities, with institutions, with provincial and local-level governments, and with a range of other organisations, including churches, donors and industry bodies.

The Department will work closely with the Science and Technology Council, to ensure coordinated and well-implemented policies for research, science and technology.

### WHAT IS THE SCOPE OF THE ACT?

The Act applies to any institution that offers tertiary education leading to a formal qualification that is described in the PNG National Qualifications Framework as a higher education or TVET qualification. It includes qualifications such as certificates, diplomas, bachelor degrees and postgraduate qualifications. It also includes similar qualifications and foundation programs.

The Act also contains some provisions relevant to national research institutes.

The new Act does not cover school education, which remains the responsibility of the Department of Education. It does not apply to short courses leading to an informal qualification, for example, short courses where a certificate of attendance is issued.

### NATIONAL HIGHER AND TECHNICAL EDUCATION PLAN

The new Act requires a National Higher and Technical Education Plan, endorsed by the Head of State and to provide long-term direction for the sector.

The ten-year National Higher and Technical Education Plan for 2015-2024 has been developed in consultation with stakeholders and will be formally launched in April 2015.

### INSTITUTIONAL REGISTRATION AND PROGRAM ACCREDITATION

#### Institutional Registration

A key requirement under the Act is for all tertiary education institutions to be on a national register that DHERST must make publicly available.

It is an offence under the Act to offer tertiary education if the institution is not registered. DHERST can prosecute for offences under the Act. In order to be registered, the institution must meet a set of national standards.

Registered public institutions and all universities must undergo regular external quality assurance reviews against the national standards. Registered private institutions will be registered for a defined period, after which they must seek re-registration.

#### Program accreditation

In general, all programs of study must be accredited externally, for a defined period. Accreditation is undertaken against national standards. Where a program is part of an approved national curriculum, the program does not need separate external accreditation.

The exceptions include universities, which under the Act are able to self-accredit (or internally accredit) their programs. Other institutions of higher education that have a good track record may become eligible to apply for limited authority to self-accredit their programs.

The Act contains specific transitional provisions for existing tertiary institutions that have been registered, approved or accredited under earlier or other legislation. Such institutions will be registered automatically, some for a maximum of 3 years.

### NATIONAL HIGHER AND TECHNICAL EDUCATION BOARD

The Act establishes a National Higher and Technical Education Board (NHTEB) as the peak body responsible for integrated quality assurance for all tertiary education.

Key powers and functions of NHTEB cover:

- Quality assurance and regulation of tertiary institutions
- Setting national standards
- Registration of tertiary institutions and accreditation of their programs
- Maintaining and updating the PNG National Qualifications Framework.

The Board has powers to recognise the registration or program accreditation decisions of other bodies, such as the National Training Council and Nursing Council, as meeting national standards. This will assist to avoid duplication and ensure there is robust external quality assurance of all tertiary institutions.

A public advertisement for the necessary 5 to 7 members of NHTEB will be made shortly.

### IMPROVED UNIVERSITY GOVERNANCE

The Act includes some specific requirements for universities, especially public universities.

The governing body of each university established in Papua New Guinea must comply with a Governance Manual approved by the Minister. The Governance Manual contains good governance practices that must be implemented.

The Act contains specific requirements for the governing bodies of public universities, including the appointment of the Chancellor and Pro Chancellor by the National Executive Council (NEC). The NEC must also approve the appointment of some other governing body members and the Vice-Chancellor.

The Act provides a defined process for the Minister to direct provision of a report in the event of mismanagement or a crisis at a public university or institution. It contains further powers for intervention by the State, through the Minister, if the matter is not resolved. These processes aim to ensure that crises are addressed rapidly and effectively through the governing body.

### OTHER REQUIREMENTS FOR HIGHER AND TECHNICAL EDUCATION INSTITUTIONS

Registered institutions must comply with the national standards at all times. They must provide regular data to DHERST, including an annual report, and additional information that may be requested by DHERST.

### ENSURING PROCEDURAL FAIRNESS

The new Act establishes a Higher Education Appeals Tribunal (HEAT) to hear appeals against decisions by the NHTEB and the Department. The Tribunal's powers are limited to approvals or cancellations and administration matters.

Advertisements seeking applications for positions on the Tribunal will be made shortly.

### FURTHER INFORMATION

**All institutions are advised to check with DHERST on their registration status and the requirements they must meet.**

Fact sheets for different types of institutions are available from DHERST. For further information: Mrs Sharon Napoleon, Office of the Secretary, t:301 2052, f: 325 8386, e: NSharon@ohe.gov.pg

**This advertisement is authorised by:**

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Minister for Higher Education, Research, Science and Technology