

# Higher Education Regulations 2009

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# Higher Education Regulations 2009

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## TABLE OF AMENDMENTS

Higher Education Regulations 2009 (LN 90 of 2009) commenced on 1 January 2010, as amended by:

<b>Amending Legislation</b>	<b>Date of Commencement</b>
Revised Edition of the Laws (Consequential Amendments) Regulations 2016 (LN 99 of 2016)	1 December 2016

[The next page is 716,601]

PART 1 — PRELIMINARY

**[HIE 10,005] Short title and commencement**

- 1 (1) These Regulations may be cited as the Higher Education Regulations 2009.
- (2) These Regulations are deemed to come into force on 1 January 2010.

**[HIE 10,010] Application**

2 These Regulations shall apply to all higher education institutions, overseas institutions, the Higher Education Commission and its secretariat and any person wishing to establish a new institution.

**[HIE 10,015] Interpretation**

3 In these Regulations, unless the context otherwise requires—

**appeal fees** means the fees set out in Schedule 7;

**Appeals Tribunal** means the Higher Education Appeals Tribunal established by section 41 of the Act;

**appellant** means a party that is appealing a decision;

**applicant** means a person making an application in relation to any provisions in these Regulations;

**certificate of registration** means a certificate issued pursuant to sections 22 and 35 of the Act;

**Chairperson** means the chairperson of the Commission;

**Commission** means the Higher Education Commission;

**grievances** means any matter or decision that may be criminal or biased or inhumane, defamatory or discriminatory or inciteful;

**institution** means a higher education institution as defined in the Act or an overseas institution as defined in the Act;

**local agency** means an agency of an overseas institution located in Fiji and registered under the Companies Act 2015 or an equivalent instrument of recognition by the Government of the Republic of Fiji;

[def am LN 99 of 2016 reg 101, opn 1 Dec 2016]

**overseas applicant** means a person who makes an application to operate an agency, branch, centre or campus in Fiji on behalf of an overseas institution;

**provisional registration** means the registration of an institution with conditions as contemplated in sections 20(2) and section 34(2) of the Act;

**registered institution** means an institution which has been issued a certificate of registration in accordance with the Act and these Regulations;

**site** means any learning site, including a campus or learning centre, controlled and administered by a registered institution; and

secretariat means officers approved to assist the Commission as stipulated in regulation 9.

[The next page is 716,801]



## PART 2 — HIGHER EDUCATION COMMISSION

### **[HIE 10,020] Terms of appointment and allowances**

4 (1) A member of the Commission may be appointed for a term not exceeding 3 years and may be reappointed to serve a maximum of 2 consecutive terms.

(2) The members of the Commission are entitled to allowances fixed in accordance with the Higher Salaries Act 2011.

[subreg (2) am LN 99 of 2016 reg 101, opn 1 Dec 2016]

### **[HIE 10,025] Oath of office**

5 (1) Before taking office, the members and director of the Commission must make before the Minister the oath of office set out in Schedule 5A.

(2) The other officers of the Commission must, before taking office, make before the Director the oath office set out in Schedule 5B.

### **[HIE 10,030] Meetings of the Commission**

6 (1) The Commission must meet at least quarterly.

(2) Four (4) members of the Commission constitute a quorum of a meeting of the Commission.

(3) The Commission must keep its minutes in a proper form.

(4) The records of the minutes of the meetings must be kept for 5 years or more.

(5) Decisions at meetings of the Commission must be by a simple majority of the members present and voting, and if there is an equality of votes, the Chairperson has a casting vote as well as a deliberative vote.

(6) The Commission has the power to invite any person to attend a meeting of the Commission for the purpose of advising it on any matter under discussion, but the person has no right to vote on the matter.

(7) Subject to these Regulations and the Act, the Commission may regulate other procedures of its meetings.

### **[HIE 10,035] Vacation of office**

7 The office of a member of the Commission becomes vacant if the member—

(a) resigns by giving written notice to the Minister;

(b) has been absent, without leave of the Commission, from 3 consecutive meetings of the Commission;

(c) becomes or has been declared bankrupt, whether in Fiji or elsewhere;

(d) has been convicted of a criminal offence, in Fiji or elsewhere;

(e) becomes incapable of performing the duties of a member.

### **[HIE 10,040] Finances**

8 From the annual grant that it receives, the Commission must allocate funds to higher education institutions in accordance with Part 7 as well as for the performance of its own functions.

**[HIE 10,045] Personnel of the secretariat**

9 (1) Officers of the secretariat are subject to all the conditions prescribed in their letters of appointment.

(2) Before a letter of appointment is issued, a candidate selected for appointment must—

- (a) undergo medical examination and be passed as being in all respects physically and mentally fit by an authorised medical officer, and
- (b) not have a police conviction on record.

(3) Officers who have been confirmed in their appointment must, if they wish to resign, give not less than 30 consecutive days notice of their intention. Unless approved by the Commission, an officer who resigns without giving 30 consecutive days notice may be required to pay 30 days salary in lieu of notice.

(4) Officers serving on contract should, if they wish to resign before the normal term of their contract, give such notice as is required by the terms of their contract.

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## PART 3 — RECOGNITION

### **[HIE 10,050] Application for recognition**

- 10 (1) For the purposes of sections 16 and 30 of the Act—
- (a) the prescribed application form is set out in Schedule 1;
  - (b) the recognition fee is prescribed in Schedule 7.
- (2) Application forms and fees must be lodged with the Commission not less than 18 months before the date on which the institution is to start operating.

### **[HIE 10,055] Approval for recognition process**

- 11 (1) Applications for recognition must be considered by a committee appointed by the Commission and composed of suitably qualified persons.
- (2) The procedures and guidelines for assessing applications must be prescribed by the Commission.
- (3) At the completion of the assessment process, the committee appointed by the Commission in subregulation (1) must prepare a report outlining its findings and recommend to the Commission either an approval or disapproval of recognition.
- (4) For new institutions, assessment must be based on a plan for the institution, where necessary, and the potential in the plan to materialise within a period. The committee in subregulation (1) may recommend recognition if it is satisfied that the new institution will be able to meet the criteria for recognition.
- (5) The Commission must be satisfied that the applicant meets the requirements for recognition as prescribed in the Act.
- (6) The Commission must inform the applicant in writing of its decision.

### **[HIE 10,060] Reconsideration of decision**

- 12 (1) In cases where the Commission does not approve the recognition, the institution may request a copy of the assessment report and make a representation to the Commission for a reconsideration of its application.
- (2) The Commission must inform the applicant in writing of its decision.
- (3) An applicant that is not satisfied with the decision in subregulation (2) may appeal the decision to the Appeals Tribunal.

### **[HIE 10,065] Recognition certificate**

- 13 (1) If an application for recognition is approved by the Commission, the Commission must issue a certificate of recognition.
- (2) Recognition is not renewable and its certificate must be issued only once.
- (3) If a certificate of recognition is lost or destroyed, the Commission may, on payment of the fee prescribed in Schedule 10, issue a replacement certificate.

### **[HIE 10,070] Recognition for registration**

- 14 An institution must obtain a certificate of recognition for it to be considered for registration.

[The next page is 717,201]

## PART 4 — REGISTRATION

### **[HIE 10,075] Eligibility to apply for registration**

**15** (1) Any person proposing to operate a university, as contemplated in the Act, must be established under an Act or Charter to be eligible to apply for registration.

(2) A person proposing to operate a degree awarding institute, an other higher education institution or overseas institution, is eligible to apply for registration, if the institution exists as a legal entity such as a—

- (a) registered company;
- (b) trust;
- (c) registered association;
- (d) society; or
- (e) an institution established under its own Act.

(3) A person applying for registration must produce a certificate of recognition to the Commission.

(4) Any person that is guilty of an offence as mentioned in sections 13, 14 and 15 of the Act is not eligible to apply for registration.

### **[HIE 10,080] Application for registration**

**16** (1) A person who intends to operate an institution must apply for registration to the Commission.

(2) Subsection (1) shall apply to an institution established through a merger between registered institutions.

(3) An application for registration must—

- (a) be submitted in full in the form prescribed in Form 1 of Schedule 2 not less than 12 months before the date on which the institution is to start operating;
- (b) be accompanied by the registration fee prescribed in Schedule 7.

(4) If an application does not comply with subregulations (3)(a) and (b) the Commission must decline to process the application.

(5) In considering an application, the Commission may require the applicant to submit such additional information as is necessary to determine the application.

### **[HIE 10,085] Application for amendment**

**17** An applicant must notify the Commission by submitting an application for amendment if there is any change in the information submitted in the application within 30 days of the date of submission of the application.

### **[HIE 10,090] Withdrawal of application**

**18** (1) An applicant may withdraw its application for registration by notifying the Commission in writing.

(2) An application for a withdrawal of application is entitled to a refund of 75% of the registration fee if it is made within 30 days of the date of the application for registration.

(3) The Commission must cease to process an application for registration on receipt of a notice of withdrawal.

**[HIE 10,095] Reapplying for registration**

19 An applicant may submit a fresh application for registration in the form set out as Form 1 of Schedule 2 where the—

- (a) application was previously rejected under sections 20 and 34 of the Act; or
- (b) provisional registration of the university, degree awarding institute of technology and other higher education institution or overseas institution has lapsed; or
- (c) registration of the university, degree awarding institute of technology, an other higher education institution or overseas institution has been revoked, suspended or amended under sections 25 and 38 of the Act.

**[HIE 10,100] Requirements for registration**

20 (1) An application submitted under regulation 16 must be accompanied by—

- (a) a certificate of recognition stating that the institution is recognised under the Act;
- (b) documentary evidence certifying that the institution complies with the applicable laws of Fiji relating to the occupational health and safety of persons on the premises (OHS), including copies of licences issued by the relevant government and local government authorities;
- (c) a list of the names and academic qualifications of the head of the institution and the Board of Directors;
- (d) a list of all full-time staff, their academic qualifications and the programmes they would be teaching;
- (e) evidence that each member of the staff possesses academic qualifications higher than the level at which he or she is teaching;
- (f) a financial forecast indicating that the institution —
  - (i) is financially capable of satisfying its obligations to its prospective students;
  - (ii) has a level of income sufficient to sustain its programmes in an acceptable manner; and
  - (iii) has or will have a stable financial position that will enable it to maintain operational continuity; and
- (g) such financial surety or guarantees as may be acceptable to the Commission to ensure that the institution is able to meet its obligations to its enrolled students.

(2) With regard to all of its higher education programmes, an institution must—

- (a) demonstrate that it has the capacity to maintain acceptable standards; and
- (b) meet any other requirements determined by the Commission from time to time.

(3) In the case of an overseas applicant, the applicant must provide documentary evidence certifying that—

- (a) the institution is an agency, branch, centre or campus of an overseas university, degree awarding institute of technology or any other higher education institution;
- (b) the applicant has a certificate of recognition issued by the Commission;
- (c) the applicant operates lawfully in its country of origin as a university, degree awarding institute of technology or any other higher education institution, and is accredited by the appropriate accrediting body;
- (d) a qualification awarded through the institution will be fully recognised by its overseas institution.

**[HIE 10,105] Notifying the public**

21 The Commission must, as soon as practicable after receiving an application for registration, publish a notice about the application in a newspaper circulating throughout Fiji stating the following—

- (a) the applicant's name;
- (b) a summary of the application;
- (c) the nominated locations for inspecting the summary of the application;
- (d) the website where a copy of the summary of the application may be accessed;
- (e) that anyone may make an objection to the Commission about the application;
- (f) how to make an objection;
- (g) the objection period is 21 days from the date of publication of the notice of an application; and
- (h) any other related matter deemed to be necessary by the Commission.

### **[HIE 10,110] Process for objection**

22 (1) A person may, within the period of 21 days from the date of publication of the notice of an application, submit an objection on the application to the Commission.

- (2) The Commission must accept a submission if it—
  - (a) is in writing;
  - (b) is signed by the person or each person ("signatory") who makes the objection;
  - (c) states the name and address of each signatory; and
  - (d) is received on or before the last day of the objection period.
- (3) The Commission must acknowledge all objections in writing.

### **[HIE 10,115] Determination of application for registration**

23 (1) The Commission must—

- (a) consider an application for registration made under regulation 16, and any further information, submissions, particulars or documents as it considers relevant; and
  - (b) register the institution if the requirements for registration in regulation 20 are fulfilled.
- (2) Notwithstanding subregulation (1), if an applicant is found to have knowingly provided fraudulent, false or misleading information in the application, the Commission must reject the application.
- (3) If the Commission decides to grant the application, it must—
  - (a) enter the name of the institution in the Register of Higher Education Institutions;
  - (b) issue a certificate of registration to the institution, stating the terms of such registration; and
  - (c) as soon as practicable after the decision, publish the registration in the Gazette and in at least one of the national newspapers.
- (4) If the Commission decides to reject the application, it must advise the institution in writing and provide reasons for the decision.
- (5) Notwithstanding subregulation (1), the Commission may grant provisional registration to an institution and it must inform the institution in writing of the terms and conditions of the provisional registration.

### **[HIE 10,120] Certificate of registration**

24 (1) The Commission must, on granting an application for registration to an institution, issue a certificate of registration to the institution in accordance with sections 22 and 35 of the Act.

- (2) The certificate of registration must include the following—

- (a) the registered name of the institution and, where applicable, any approved translation, abbreviation, acronym or trade name;
  - (b) the institution's registration number;
  - (c) the Chairperson's signature and date of signature;
  - (d) the director's signature and date of signature;
  - (e) the seal of the Commission; and
  - (f) the certificate number.
- (3) A certificate of registration must—
- (a) not be transferable from one institution to another; and
  - (b) be renewed every 5 years.

#### **[HIE 10,125] Certificate of provisional registration**

- 25** (1) The Commission must, on granting an application for provisional registration to an institution, issue a certificate of provisional registration to the institution.
- (2) The certificate of provisional registration must include the following—
- (a) the registered name of the institution and, where applicable, any approved translation, abbreviation, acronym or trade name;
  - (b) the institution's registration number;
  - (c) the Chairperson's signature and date of signature;
  - (d) the director's signature and date of signature;
  - (e) the seal of the Commission; and
  - (f) the certificate number.
- (3) A certificate of provisional registration is not transferable from one institution to another.

#### **[HIE 10,130] Certificate of provisional registration to be displayed**

- 26** Where an institution has been provisionally registered under regulation 25, it must—
- (a) display its certificate of provisional registration in a prominent place in the main administration area in full view of the students and the public;
  - (b) include in full in its letterhead and official documents the words—  
“Provisionally registered with the Fiji Higher Education Commission until (expiry date) as a (type of institution) under the Higher Education Act 2008 Provisional Registration Certificate Number (state number on certificate)”.

#### **[HIE 10,135] Application for conversion of registration**

- 27** (1) An application for conversion of registration must be made in the form prescribed in Form 3 of Schedule 2, and accompanied by the fee prescribed in Schedule 8, by the date specified by the Commission.
- (2) The Commission may, after considering an application for conversion of registration—
- (a) register the institution with effect from the expiry date of the provisional registration; or
  - (b) where it finds that the institution has not complied with the conditions on which it was granted provisional registration, reject the application for registration or grant an extension of provisional registration.

#### **[HIE 10,140] Display of registration status**

- 28** (1) A registered institution must—



- (a) display its certificate of registration in a prominent place accessible to the public and to all students at each of its sites;
- (b) include the following statement in full on its letterhead and official documents if the institution is registered—

“Registered with the Fiji Higher Education Commission as a (type of institution) under the Higher Education Act 2008. Registration Certificate Number (state number on certificate)”.

(2) A registered institution that does not comply with subregulation (1) is guilty of an offence and is liable on conviction to a fine not exceeding \$12,000 or to imprisonment for a term not exceeding 2 years or both.

### **[HIE 10,145] Requirements for a registered institution**

**29** (1) A registered institution must—

- (a) notify the Commission of any major change in the information submitted to the Commission;
  - (b) notify the Commission of any change in any of its programmes;
  - (c) offer programmes of general public or professional development interest in an area of academic or professional competence of higher education; and
  - (d) only offer awards for programmes approved by the Commission.
- (2) For the purposes of subregulations (1)(a) and (b), an institution must—
- (a) apply, in writing, to the Commission, in the form set out as Form 4 in Schedule 2, giving information on the details that need to be amended; and
  - (b) pay the application fee prescribed in Schedule 9.

(3) A person who contravenes or fails to comply with this regulation is guilty of an offence and is liable on conviction to a fine not exceeding \$12,000 or to imprisonment for a term not exceeding 2 years or both.

### **[HIE 10,150] Provision of student services**

**30** A registered institution, in providing services for its students, must—

- (a) publish at least once each year a comprehensive calendar, prospectus or brochure for the information of students and the public;
- (b) keep a comprehensive record of the academic and other achievements of each student enrolled in a programme;
- (c) make available on request to an enrolled student or past student, a transcript of his or her academic record; and
- (d) make available on request to an enrolled student or past student, a copy of a certificate awarded to the student or, where the institution is a local agency of the awarding institution, ensure that the awarding institution provides a copy of the certificate to the student.

### **[HIE 10,155] Site visits**

**31** A registered institution must comply with periodic assessments made through site visits at such intervals as may be determined by the Commission.

### **[HIE 10,160] Academic audit**

**32** The Commission may call for a special academic audit of an institution if there exists reasonable grounds for it.

**[HIE 10,165] Information and reporting**

**33** A registered institution must—

- (1) with respect to all its official documents, advertising and marketing material—
  - (a) ensure that all information about its programmes and accreditation status is accurate;
  - (b) make no false, fraudulent or misleading statements; and
  - (c) not display the logo of the Commission on its letterhead, official documents, marketing or advertising materials;
- (2) submit such information as the Commission may require for the purpose of monitoring compliance with the Act and maintaining its information management system.

**[HIE 10,170] Revocation of registration**

**34** (1) The Commission must consult with the Review Committee and may revoke registration or provisional registration and—

- (a) inform the institution of its intention and reasons, at least 3 months before the revocation is to take effect; and
  - (b) hear representations in relation to such action from the institution and other interested parties.
- (2) An institution that has been notified by the Commission that its provisional registration has lapsed or that its registration has been revoked under section 25 or section 38 of the Act must—
- (a) inform its students of the arrangements that will be made to safeguard their interests, within 14 days after the expiry date of the provisional registration or of the receipt of the notice of revocation of registration issued by the Commission;
  - (b) issue to each enrolled student a copy of his or her academic transcript;
  - (c) make such reimbursement as may be reasonable to any enrolled student;
  - (d) make adequate arrangements for enrolled students to complete their programmes at a comparable public or private institution; and
  - (e) cease operating at such date as may be specified by the Commission.
- (3) A person who contravenes or fails to comply with subregulation (2) is guilty of an offence and is liable on conviction to a fine not exceeding \$12,000 or to imprisonment for a term not exceeding 2 years or both.

**[HIE 10,175] Public notice about registered institutions**

**35** The Commission must, from time to time, publish a list of all registered institutions operating in Fiji by notice in the Gazette and in at least one national daily newspaper.

[The next page is 717,401]

## PART 5 — REVIEW

### **[HIE 10,180] Review of institutions**

**36** (1) An institution registered with the Commission shall be reviewed for quality assurance in accordance with this regulation.

- (2) (a) A higher education institution shall be reviewed every 7 years.  
(b) An other higher education institution shall be reviewed every 5 years.  
(c) A newly established other higher education institution shall be reviewed 3 years after its registration and every 5 years thereafter.

[subreg (2) am Act 19 of 2017 s 8, opn 3 May 2017]

### **[HIE 10,185] Qualifications of the Review Committee**

**37** (1) The Review Committee shall consist of four members appointed by the Commission.

(2) In considering the membership of the Review Committee, the Commission must be satisfied that each member has—

- (a) substantial knowledge and experience with a balanced combination of postgraduate qualification and work experience;  
(b) teaching, research and publication experience in any academic field;  
(c) knowledge and experience of higher education academic affairs;  
(d) knowledge and experience in higher education institution management;  
(e) knowledge and experience in the design, development and delivery of higher education courses;  
(f) knowledge and experience in the review of tertiary institutions; and  
(g) knowledge and experience in quality assurance processes.

(3) The Review Committee shall elect its chairperson from amongst the committee members.

### **[HIE 10,190] Meetings of the Review Committee**

**38** The Review Committee shall determine its own procedures.

### **[HIE 10,195] Functions of the Review Committee**

**39** The Review Committee shall—

(1) conduct the review of an institution according to the criteria and guidelines set out by the Commission; and

(2) upon the completion of the review, submit a report to the Commission within 90 days.

### **[HIE 10,200] Criteria for review**

**40** While reviewing a registered institution, the Review Committee may consider information on the following—

- (a) vision, mission, objectives, policies, regulations and procedures;  
(b) annual report(s);  
(c) structure and content of study programmes;  
(d) teaching and assessment strategies;

- (e) facilities for staff and students;
- (f) quality assurance and quality control procedures;
- (g) practical attachment(s) (if any);
- (h) staff qualifications and other staffing matters;
- (i) admission requirements;
- (j) audited financial statements;
- (k) status of research work (where applicable);
- (l) internal review and evaluation procedures;
- (m) administrative structure and arrangements;
- (n) fees and charges; and
- (o) any other matter.

**[HIE 10,205] Notice of review**

- 41 (1) (a) The Commission, when it considers appropriate, must give notice to an institution, in accordance with regulation 36(2), for it to undergo a review.
- (b) For the purpose of subregulation (1)(a), the notice form is set out as Form 1 of Schedule 3.
- (2) An institution must, upon receipt of the notice and in any case not exceeding 30 days from the date of receipt of the notice, make a payment of fees to the Commission as prescribed in Schedule 7.
- (3) A person who contravenes or fails to comply with subregulation (2) is guilty of an offence and liable on conviction to a fine not exceeding \$12,000 or to imprisonment for a term not exceeding 2 years, or both.

**[HIE 10,210] Power to acquire information**

- 42 (1) Pursuant to section 50 of the Act, the Commission may, by written notice, require a person or institution to provide information and documents as the Commission reasonably requires to perform its functions or exercise its powers as provided for in these Regulations.
- (2) For the purpose of subregulation (1), the notice form is set out as Form 2 of Schedule 3.

**[HIE 10,215] Outcome of review**

- 43 (1) The Review Committee must recommend to the Commission either the—
- (a) continuation of registration without conditions; or
  - (b) continuation of registration subject to conditions.
- (2) The Commission must, as soon as practicable, inform the institution of the outcome of the review and cause the outcome to be gazetted.

**[HIE 10,220] Continuation of registration subject to conditions**

- 44 (1) If the Commission grants a continuation of registration subject to conditions, the Commission must, as soon as possible, notify the institution about the conditions of the registration and the reasons for imposing such conditions.
- (2) Upon receipt of the notification, the institution may either—
- (a) comply with the condition(s) imposed by the Commission; or
  - (b) make representations, in writing, to the Commission about the conditions, within 3 months after the institution is given a copy of the Committee's report on the review.

(3) In the event the institution fails to comply with the conditions imposed by the Commission, the registration may be revoked.

**[HIE 10,225] Appeal against outcome**

45 (1) In the event where the institution is not satisfied with the outcome of the representation in regulation 44(2)(b), the institution may, within 21 days from the date the institution is informed of the outcome of the representation, appeal in writing, to the Appeals Tribunal.

(2) The appeal in subregulation (1) must be accompanied by the fee prescribed in Schedule 7.

[The next page is 717,601]

PART 6 — APPEALS

**[HIE 10,230] Membership of the Higher Education Appeals Tribunal**

46 (1) No person who has a direct association with any institution shall be appointed a member of the Appeals Tribunal.

(2) The chairperson and other members of the Appeals Tribunal must be appointed for a term of 3 years either on full-time or part-time basis.

(3) A member of the Appeals Tribunal is eligible for reappointment for another term and must not be appointed after serving 2 terms consecutively.

**[HIE 10,235] Oath of office**

47 Before taking office, the chairperson, members and secretary of the Appeals Tribunal must swear an oath of office before the Minister.

**[HIE 10,240] Vacancy**

48 (1) A member of the Appeals Tribunal may resign from office at any time by giving one month's notice in writing to the Minister.

(2) The office of a member becomes vacant upon the death of the member.

(3) The Minister in consultation with the Commission must remove the chairperson or any other member of the Appeals Tribunal from office for bankruptcy, or misconduct including criminal or civil or moral offences or conflict of interest or any other case that brings disrepute to the office.

(4) A member of the Appeals Tribunal shall be deemed to have resigned after being absent from 3 consecutive hearings without apology.

**[HIE 10,245] Administration of Appeals Tribunal**

49 (1) The administrative costs of the Appeals Tribunal must be borne by the Commission.

(2) The Commission must employ a secretary who shall be responsible for the administration of the Appeals Tribunal and must report directly to the chairperson of the Appeals Tribunal.

(3) The Appeals Tribunal must set the time and date for hearing of the appeal and must notify the Commission and the appellant.

(4) The Appeals Tribunal must send a notice of appeal to the Commission in the form prescribed in Schedule 4.

**[HIE 10,250] Application for appeal**

50 (1) An appeal made pursuant to section 42(1) of the Act must be filed by an institution within 21 days from the date of its receipt of the notification of a decision.

(2) The application must—

(a) be made in writing;

(b) set out the grounds for appeal;

(c) be filed with the secretary of the Appeals Tribunal; and

(d) be accompanied by the fee prescribed in Schedule 7.

**[HIE 10,255] Appeals process**

- 51** (1) When hearing and determining an appeal, the Appeals Tribunal must —
- (a) exercise all rules and powers of a court for the execution of its functions;
  - (b) keep a record of the proceedings;
  - (c) state in writing the reason for its decision on the appeal.
- (2) The Commission and the appellant—
- (a) must be given the opportunity to make representations either orally or in writing or both;
  - (b) are entitled to be represented by legal practitioners or by persons authorised by the Appeals Tribunal in writing.
- (3) The use of technology of any form to facilitate the hearing shall be at the discretion of the Appeals Tribunal.

**[HIE 10,260] Notification of decision**

- 52** A copy of the decision of the Appeals Tribunal must be sent to the Minister, Commission and the appellant within 7 days after the decision is made.

[The next page is 717,801]



PART 6 — APPEALS

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- (a) exercise all rules and powers of a court for the execution of its functions;
  - (b) keep a record of the proceedings;
  - (c) state in writing the reason for its decision on the appeal.
- (2) The Commission and the appellant—
- (a) must be given the opportunity to make representations either orally or in writing or both;
  - (b) are entitled to be represented by legal practitioners or by persons authorised by the Appeals Tribunal in writing.
- (3) The use of technology of any form to facilitate the hearing shall be at the discretion of the Appeals Tribunal.

**[HIE 10,260] Notification of decision**

- 52** A copy of the decision of the Appeals Tribunal must be sent to the Minister, Commission and the appellant within 7 days after the decision is made.

[The next page is 717,801]

## PART 7 — GRANTS

### **[HIE 10,265] Application for grants**

53 (1) An institution that has been registered in the Register of higher education institutions may apply for grants to the Commission.

(2) An application for a grant must be—

- (a) made in writing, according to the format and guidelines prescribed by the Commission; and
  - (b) accompanied by a declaration in the form prescribed in Schedule 6.
- (3) The process for assessing applications must be prescribed by the Commission.

### **[HIE 10,270] Criteria for allocation of grants**

54 When determining the allocation of grants to institutions, the Commission must consider the following—

- (a) training needs analysis report by the Ministry responsible for national planning;
- (b) courses and programmes offered by an institution and the number of study places available;
- (c) the level of government investment in an institution historically;
- (d) an institution's ability to meet the human resource needs of the country;
- (e) information on the major outputs of an institution;
- (f) vision, mission, goals and objectives of an institution;
- (g) organisational structure of an institution;
- (h) an institution's previous year's audited financial statement;
- (i) an institution's budget for the following year;
- (j) an institution's annual corporate plan, business plan and strategic plan;
- (k) enrolment data of an institution for the past 3 years;
- (l) the type(s), of self employment training programme(s) and the number of available places;
- (m) the type(s), of courses and programmes available through correspondence;
- (n) modes of delivery of courses;
- (o) nature of services available to staff and students;
- (p) fees and charges levied by an institution;
- (q) any submission(s), from the Public Service Commission;
- (r) any submission(s), from the Ministry of Education; and
- (s) any other information deemed necessary.

[The next page is 718,001]

PART 8 — FEES AND OFFENCE

**[HIE 10,275] Annual fees**

55 (1) An institution whose registration is approved must pay an annual fee during the period of its registration, excluding the first year.

(2) The annual fee is prescribed in Schedule 8 and must be paid in accordance with the procedures set out by the Commission.

**[HIE 10,280] Fees for replacement certificates**

56 If a certificate issued by the Commission is lost, destroyed or damaged, the Commission may, on payment of the fee prescribed in Schedule 10, issue a replacement certificate.

**[HIE 10,285] Fees for viewing the Register of higher education institutions**

57 The Register of higher education institutions may be inspected upon the payment of a fee of \$20 to the Commission.

**[HIE 10,290] Attempt to influence**

58 A person who attempts to influence a member of the Commission and its staff or a member of a committee appointed by the Commission or the Appeals Tribunal and its secretary commits an offence and is liable on conviction to a fine not exceeding \$12,000 or to imprisonment for a term not exceeding 2 years or both.

[The next page is 718,201]

[HIE 10,390]

SCHEDULE 1

APPLICATION FOR RECOGNITION

[Sch 1 am Act 19 of 2017 s 8, opn 3 May 2017]

[HIE 10,395]

FORM 1

APPLICATION FOR RECOGNITION



FIJI HIGHER EDUCATION COMMISSION  
APPLICATION FOR RECOGNITION  
(Sections 16 and 30 of the Act and regulation 10(1)(a))

Name of Institution	
Category of Institution (Please choose a number from the table at the back of this form)	

APPLICATION CHECKLIST

- Completed application form for recognition
- Certified true copy of the certificate of registration or other documentation related to legal entity status
- Documents on procedures and policies that relate to academic integrity and honesty
- Information relating to governing body including its relationship to the owners or financial sponsors and its terms of reference and membership
- Organisational chart and an explanation of the relationships and reporting lines among key positions and structure
- Documents on student grievance policy and procedure

FOR OFFICIAL USE

Fees Paid \_\_\_\_\_ Receipt Number \_\_\_\_\_ File Number \_\_\_\_\_

Receiving officer \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/20\_\_\_\_

Decision		
Approved	Recognition Number	
	Certificate Number	
Not Approved		

Name of Director: \_\_\_\_\_ Signature: \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ /20 \_\_\_\_

**A. DETAILS OF INSTITUTION**

**A.1 Institution**

Name of Institution	
Business Name(s)	
Postal Address	
Business Address	
Contact Numbers	Tel: Fax:
Web Address (if any)	
E-mail Address (general)	

**A.2 Type of Institution**

Indicate the type of institution by placing a tick beside the descriptor.

Type of Institution	✓ (Tick)
University	
Institute of Technology	
School of Medicine	
School of Nursing	
Teacher Training Institute or College	
School of Agriculture	
Computer Training School	
Police Academy	
Army Training School	
Vocational School	
School of Hospitality	
Catering School	
Language School	
Bible College	
Aviation School	

Type of Institution	✓ (Tick)
Hairdressing School	
Beauty Therapy School	
Caregiving School	
Performing Arts School	
Sports Academy	
Theological School	
Seminary	
Others (Please specify)	



**A.3 Details of Authorised Officer**

(The authorised officer is a senior manager of the institution)

Name	
Position	
Postal Address	
Contact Numbers	Tel: _____ Fax: _____ Mobile: _____
E-mail Address	

**A.4 Authorised Contact Person (if different from A3 above)**

(The authorised officer is a senior manager of the institution)

Name	
Position	
Postal Address	
Contact Numbers	Tel: _____ Fax: _____ Mobile: _____
E-mail Address	

**A.5 Education and /or Training Locations**

Indicate below the details of all locations in Fiji where the institution plans to deliver or is delivering courses. Details of agents are to be shown if the institution intends to deliver courses through an agency arrangement.

<b>Location No 1</b>	
Name	
Business Address (including Street Address)	
Contact Numbers	Tel: _____ Fax: _____
Agency Arrangement (Check box)	Yes <input type="checkbox"/> No <input type="checkbox"/>
Name of Agent	
Programme(s) to be offered at this site	

**B. CRITERIA FOR RECOGNITION**

**B.1 Criteria 1 — Legal Status**

- (a) How is the institution legally constituted? (Check box)
  - A company registered under the Companies Act 2015.
  - Other form of legal entity (eg statutory body, trust).  
Please indicate below (eg Act, Royal Charter).

Attach to this section a copy of the certificate of registration and/or other documentation related to legal entity status.

*Name this attachment as Certificate of Registration*

- (b) If registered under the Companies Act 2015, indicate the registration number.

- (c) Indicate below the owners of the institution (eg individual(s), shareholders, trustees, members). Indicate if foreign-owned and include foreign ownership details.

Name	Position	Country of Citizenship

- Ownership: (check box)
- Locally owned
  - Foreign owned
  - Locally and Foreign owned

- (d) Has the institution ever operated as a training institution or organisation?

Yes

No

If Yes, state briefly the institution's history as an educational institution.

**B.2 Criteria 2 — Goals and Culture**

- (a) State the vision, mission and goals of the institution in the space below.


Attach to the back of this section any documentation or material that articulates the vision, mission and goals of the institution.

*Name this attachment as Documentation on Vision, Mission and Goals*

- (b) Does the institution have policies and procedures which promote academic integrity and honesty and free intellectual inquiry in the teaching, research (if applicable) and scholarship activities of the institution?

Yes

No

If Yes, attach to the back of this section any documentation of policies and procedures that relate to academic integrity and honesty, and free intellectual inquiry.

*Name this attachment as Policies and Procedures on academic integrity and honesty*

**B.3 Criteria 3 — Corporate Governance and Organisational Arrangements**

- (a) Does the institution have a legally constituted governing body (eg a board) to govern the institution and confer awards? (check box)

Yes

No

If Yes, name the governing body.

--

Attach to the back of this section information relating to the governing body including its relationship to the owner(s) or financial sponsors and its terms of reference and membership.

*Name this attachment as Information on governing body, financial sponsors, terms of reference and membership*

- (b) Does the institution have an organisational structure that ensures that structures and arrangements are in place to ensure the management of all key aspects of a quality higher education institution?

Yes

No

If Yes, attach to the back of this section an organisational chart and an explanation of the relationships and reporting lines among key positions and structure.

*Name this attachment as Organisational chart and explanation of relationships*

**B.4 Academic Governance and Quality Assurance**

- (a) Does the institution have arrangements for its academic governance? If so, explain briefly in the space below.

- (b) How do the academic governance arrangements provide for the development, dissemination and monitoring of academic policies related to academic standards? Explain briefly in the space below.

**B.5 Finances and Management**

- (a) Does the institution have the financial capacity and viability to sustain quality higher education programmes and courses? If so, explain briefly in the space below.

- (b) Does the institution have a strategic plan? If so, list its major outputs in the space below.

**B.6 Staffing**

- (a) Is the Institution appropriately staffed to ensure that it achieves its mission and goals?

Yes

No

Complete the table below to show the number employed in the 3 categories of staff.

Staff Category	No. of Permanent Staff	No. of Contract or Casual Staff
Management/Administration Staff		
Academic/Teaching Staff		
Support Staff		
Total		

**B.7 Students Tuition and Grievances Arrangements**

- (a) Indicate below what tuition arrangement is there to safeguard the interests of students should there be a winding up of a course(s) or the institution?

- (b) Attach to the back of this section the student grievance policy and procedures including any costs to students.

Name this attachment as Document on student grievance policy and procedures

FIJI HIGHER EDUCATION COMMISSION  
DECLARATION

I, \_\_\_\_\_,  
[full name of authorised officer]

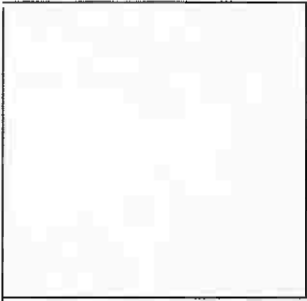
the \_\_\_\_\_,  
[designation of the authorised officer]

of the \_\_\_\_\_,  
[name of the institution]

do solemnly and sincerely declare that the information contained on the preceding pages is true and correct, and I make it with the understanding and belief that a person who makes a false declaration is liable for prosecution.

Declared at \_\_\_\_\_ }  
this \_\_\_\_\_ day of }  
\_\_\_\_\_ 20 \_\_\_\_ }

\_\_\_\_\_  
[Signature]  
(To be signed in front of the witness)



Official Stamp of the Institution

Before me:

\_\_\_\_\_  
[Full name of witness\*\*]

Occupation: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
[Signature of witness]

Date: \_\_\_\_\_

Phone No: \_\_\_\_\_

\*\* This declaration can only be witnessed by a legal practitioner

TABLE ON CATEGORY OF HIGHER EDUCATION INSTITUTIONS

Category Number	Description
1	Vocational Institution
2	Local Higher Education Institution conferring single awards up to diploma level
3	Local Higher Education Institution conferring multiple awards up to diploma level
4	Overseas Higher Education Institution conferring multiple awards up to diploma level
5	Local Higher Education Non University Institution or Non Degree awarding Institute of Technology conferring awards up to degree level
6	Overseas Higher Education Non University Institution or Non Degree awarding Institute of Technology conferring awards up to degree level
7	Overseas Higher Education Institution
8	Local Higher Education Institution

[The next page is 718,401]



[HIE 10,400]

SCHEDULE 2

APPLICATION FORMS

[Sch 2 am LN 99 of 2016 reg 101, opn 1 Dec 2016; Act 19 of 2017 s 8, opn 3 May 2017]

[HIE 10,405]

FORM 1

APPLICATION FOR/RENEWAL OF REGISTRATION



FIJI HIGHER EDUCATION COMMISSION  
APPLICATION FOR/RENEWAL OF REGISTRATION  
(Sections 18 and 32 of the Act and regulation 16)

Name of Institution	
Type of Institution	
Recognition Number of Institution	

Category of Institution (Please choose a number from the table at the back of this form)	
---	--

APPLICATION CHECKLIST

- Completed Application form for Registration
- Documents mentioned in Annex 1 to Annex 12

FOR OFFICIAL USE

Fees Paid \_\_\_\_\_ Receipt Number \_\_\_\_\_ File Number \_\_\_\_\_

Receiving officer \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/20\_\_\_\_

Comments:

Decision		
Approved	Registration Number	
	Certificate Number	
Provisional Approval	Registration Number	
	Certificate Number	
Not Approved		

Name of Director: \_\_\_\_\_ Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/20\_\_\_\_

**A. ADMINISTRATIVE INFORMATION**

1. (a) Name of the institution

--

(b) Type of institution, as shown in the certificate of recognition

--

2. Particulars of authorised contact person

(a) Name

--

(b) Designation [CEO/Managing Director / Chairperson/ Vice Chancellor etc]

--

(c) Postal address

--

(d) Contact details

Telephone	Office	Mobile
Fax		
E-mail		

3. Address of the institution

Postal Address	Physical Address

4. Contact details of institution

Telephone	
Fax	
E-mail	
Website (if any)	

5. Address of head office

Postal Address	Physical Address

6. Contact details of head office

Telephone	
Fax	
E-mail	
Website (if any)	

**B. COMPANY INFORMATION**

7. Registration details

(a) Legal name of the institution

--

(b) Official trading name (acronym if applicable)

--

(c) Company registration number

--

(d) If foreign, state country of origin

--

8. Details of the parent institution [if applicable]

(a) Name of the parent institution	
(b) Title and name of the head of the parent institution	
(c) Academic qualifications of the head of the institution [name university]	
(d) Postal address	

(e) Physical address	
(f) Telephone	
(g) Fax	
(h) E-mail	
(i) Website (if any)	

**C. MANAGEMENT INFORMATION**

**9. Particulars of Management**

(a) Chief Executive Officer or head of the institution

(i) Name and Title

--

(ii) Academic qualifications [name university]

--

(iii) Designation [CEO / Director / Chairperson / Manager etc]

--

(iv) Contact details

Telephone:	
Fax:	
E-mail:	

(b) Names and designations of the current directors of the institution

Title	Name in Full	Designation	Highest Academic Qualification

**10. Holding Company or any other organisation to which the institution is subordinate.**

--

11. Relationship between the institution and the holding company or other organisation.

--

12. List of owners in accordance with the Articles of Association.

Name / Surname and Initials	Designation
1.	
2.	

13. Details of the auditors of the institution

(a) Name of the auditor of the institution	
(b) Registration number issued by Chartered Accountants of Fiji	

14. Tax and business registration details

(a) VAT registration number	
(b) Tax account number	
(c) Business registration number	
(d) Name of bank and account number	

#### D. INFORMATION ON LEARNING PROGRAMMES

15. Table 1 Programmes of study

Provide detailed information on the programmes of study offered by the institution.

The name of the programme should be stated in full, for example; Certificate in Computing,

Bachelor of Science [Biology/Chemistry],

Diploma in Education [Mathematics/Science] etc

Name of Programme	Level (eg Undergraduate)	Entrance Requirements	Delivery modes		
			(a) On campus	(b) DFL	(c) Other (name)
					Minimum Duration (in months)

## 16. Table 2 Current/Proposed site(s) for programme delivery

Name of centre(s)	Contact details	Programmes to be delivered
	Physical address:	1.
		2.
		3.
		4.
	Postal address:	5.
		6.
		7.
		8.
	Telephone:	9.
	Fax:	10.

## E. STAFF AND STUDENT INFORMATION

## 17.

## Table 3a:

- (i) In the case of an institution that is already operating, include the total number of students registered, on full-time and part-time basis, for the institution's educational programmes.
- (ii) In the case of a new institution, include total number of students expected to be registered, on full-time and part-time basis, during the first 3 years of operation.

## NB

- (1) State the name of the programme in full, as mentioned in Table 1 of item 15.
- (2) The data should be expressed as headcount only.

Programme of Study	Enrolment/Projected Numbers						Total
	Year 1		Year 2		Year 3		
	F/T	P/T	F/T	P/T	F/T	P/T	

## Table 3b:

- (i) In the case of an institution that is already operating, include the number of Academic staff employed in each of the departments. Examples of departments could be; Department of Computing, Department of Tourism, Department of Electrical Engineering, Department of Social Science etc
- (ii) In the case of a new institution, include the number of academic staff expected to be employed in each of the departments.

Department	No. of Current/Projected Staff		Total
	Full-Time	Part-Time	

Table 3c:

- (i) In the case of an institution that is already operating, include the number of Administrative and Support staff employed.
- (ii) In the case of a new institution, include the number of Administrative and Support staff expected to be employed.

Category	Status	Number	Total
Administrative Staff	Full-Time		
	Part-Time		
Support Staff	Full-Time		
	Part-Time		

18. Table 4: Academic/Research staff and their highest qualifications

Full Name of Staff Member	Academic qualifications	Level(s) staff teaches eg Certificate level, Diploma level

**F INFORMATION ON INFRASTRUCTURE**

Name of Location: \_\_\_\_\_

19. Table 5a: General information: site, lease, rentals etc

Type of Property	Ownership	Monthly Rental	Lease Tenure [in years]	Evidence
1. Site				
2. Buildings				
3. Other assets: [please state]				

Table 5b Buildings: Classrooms, Libraries, Theatres, Laboratories etc

Type of Facility	Number	Maximum Seating Capacity
1. Lecture rooms		
2. Staff Offices		
3. Lecture theatres		
4. Library		
5. Laboratories: [name types below]		
[a]		
6. Workshops: [name types below]		
7. Conference rooms		
8. Ablution provision		

9. Others (please specify)		
----------------------------	--	--

*NB: Please state the full name of the Laboratories and the Workshops, for example; Biology Laboratory, Computer Laboratory, Food Technology Laboratory, Metal Workshop, Automotive Workshop etc*

Table 5c: Other Staff and Student facilities

Type of Facility	Tick if available for student use
1. Internet	
2. Photocopy	
3. Printing	
4. Telephone	
5. Others: [list below]	

*NB: If there is more than one location, please make additional copies of the two pages.*



FIJI HIGHER EDUCATION COMMISSION  
DECLARATION

I, \_\_\_\_\_,  
[full name of authorised officer]

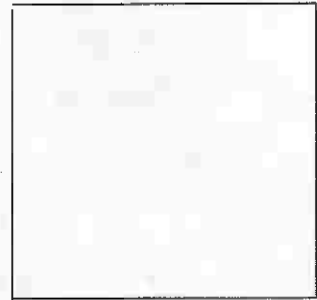
the \_\_\_\_\_,  
[designation of the authorised officer]

of the \_\_\_\_\_,  
[name of the institution]

do solemnly and sincerely declare that the information contained on the preceding pages is true and correct, and I make it with the understanding and belief that a person who makes a false declaration is liable for prosecution.

Declared at \_\_\_\_\_ }  
this \_\_\_\_\_ day of }  
\_\_\_\_\_ 20 \_\_\_\_ }

\_\_\_\_\_  
[Signature]  
(To be signed in front of the witness)



Official Stamp of the Institution

Before me:

\_\_\_\_\_  
[Full name of witness\*\*]

Occupation: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
[Signature of witness]

Date: \_\_\_\_\_

Phone No: \_\_\_\_\_

\*\* This declaration can only be witnessed by a legal practitioner

**DOCUMENTS TO ACCOMPANY SCHEDULE 2 FORM 1**

**A. RECOGNITION**

ANNEX 1: Certificate of Recognition issued by the Commission.

Name this Annex as Certificate of Recognition

**B. FINANCIAL VIABILITY REPORTS AND LEGAL STATUS**

ANNEX 2: Business Plan including financial forecasts OR audited annual financial statements where applicable.

Name this Annex as Business Plan, Financial forecasts OR audited annual financial statements

ANNEX 3: Surety and Guarantees agreement.

Name this Annex as Surety and Guarantees agreement

ANNEX 4: Company registration documents.

Name this Annex as Company registration documents

ANNEX 5: Business registration certificates or other proof of legal status.

Name this Annex as Business registration certificates

**C. SAFETY AND SECURITY**

ANNEX 6: Occupational Health and Safety [OHS] compliance certificates and license.

Name this Annex as Occupational Health and Safety [QMS] certificate

**D. STUDENT SERVICES**

ANNEX 7: Student prospectus, calendar or brochure.

Name this Annex as Student prospectus, calendar or brochure

**E. ADMISSION INFORMATION AND STUDENT RULES**

ANNEX 8: Enrolment forms, student contracts, fees, rules and regulations.

Name this Annex as Enrolment forms, student contracts, fees, rules and regulations

**F. OVERSEAS APPLICANTS MUST ALSO PROVIDE THE FOLLOWING DOCUMENTS**

ANNEX 9: Documentary evidence to certify that the institution is an agency, branch, centre or campus of an overseas higher education institution.

**Name this Annex as Proof of agency, branch, centre or campus of an overseas higher education institution.**

- ANNEX 10: Documentary evidence to certify that the parent institution operates lawfully in its country of origin as a university, degree awarding institute or any other higher education institution, and is accredited by the appropriate accrediting body.

**Name this Annex as Proof of lawful operation as a higher education institution in the country of origin**

- ANNEX 11: Documentary evidence to certify that a qualification awarded in its name will be fully recognised by its parent institution and by the appropriate authorities in its country of origin subject to applicable regulations.

**Name this Annex as Proof of recognition of qualifications by the parent institution and other authorities**

- ANNEX 12: Documentary evidence to certify that a student who is awarded the qualifications of the higher education institution will be eligible for a seat in the parent institution if he or she applies to enrol for an appropriate advanced qualification in the parent institution.

**Name this Annex as Proof of eligibility as a student in the parent institution**

Table on Category of Higher Education Institutions

Category Number	Description
1	Vocational Institution
2	Local Higher Education Institution conferring single awards up to diploma level
3	Local Higher Education Institution conferring multiple awards up to diploma level
4	Overseas Higher Education Institution conferring multiple awards up to diploma level
5	Local Higher Education Non University Institution or non degree awarding institute of technology conferring awards up to degree level
6	Overseas Higher Education Non University Institution or non degree awarding institute of technology conferring awards up to degree level
7	Overseas Higher Education Institution
8	Local Higher Education Institution

[The next page is 718,441]

[HIE 10,410]

FORM 2

APPLICATION FOR AMENDMENT



FJI HIGHER EDUCATION COMMISSION  
APPLICATION FOR AMENDMENT  
(Regulation 17 of the Higher Education Regulations 2009)

Name of Institution	
Type of Institution	
Recognition Number of Institution	

FOR OFFICIAL USE

File Number: \_\_\_\_\_ Receiving Officer: \_\_\_\_\_

Signature: \_\_\_\_\_ Date \_\_\_\_ / \_\_\_\_ /20 \_\_\_\_

Summary of Amendment		
Detail to be amended	Original detail	Amendment

Amended by \_\_\_\_\_ Designation \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_ / \_\_\_\_ /20 \_\_\_\_

Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name of Director: \_\_\_\_\_ Signature \_\_\_\_\_

Date ..... / ..... / 20 .....

Instructions for completing this form

Section A

1-5 provide administrative information on the institution, as contained in the application form for registration — Schedule 2 Form 1.

Section B

- Data to be amended
- Current Data — write the data which is to be amended, as it appears in Schedule 2 Form 1.

- New Data — write the proposed amended data, as it should appear after the amendment.
- Comments — if any, that you wish to include.

Declaration — to be completed by the authorised person and attached to this form.

Section A

Table 1 Administrative Information  
[as contained in the application form for Registration]

1. Name of institution	
2. Certificate of Recognition Number	
3. Location	
4. Postal Address	
5. Particulars of authorised contact person	Name: _____
	Designation: _____
	[CEO / Managing Director / Chairperson / Vice Chancellor etc]

Section B

Table 2 Data to be amended on the Institution's Application for Registration  
Please indicate the information that is to be amended by completing the table given below.

Detail to be Amended	Current Details	New Details	Comments (if any)
1. Name of the institution			
2. Type of institution			
3. Proposed sites of delivery			
4. Student enrolment			
5. Other(s) (specify)			

[Use extra sheets if necessary and attach]

FIJI HIGHER EDUCATION COMMISSION  
DECLARATION

I, \_\_\_\_\_,  
[full name of authorised officer]

the \_\_\_\_\_,  
[designation of the authorised officer]

of the \_\_\_\_\_,  
[name of the institution]

do solemnly and sincerely declare that the information contained on the preceding pages is true and correct, and I make it with the understanding and belief that a person who makes a false declaration is liable for prosecution.

Declared at \_\_\_\_\_ }  
this \_\_\_\_\_ day of }  
\_\_\_\_\_ 20 \_\_\_\_ }

\_\_\_\_\_  
[Signature]  
(To be signed in front of the  
witness)



Official Stamp of the  
Institution

Before me:

\_\_\_\_\_  
[Full name of witness\*\*]

\_\_\_\_\_  
[Signature of witness]

Occupation: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Phone No: \_\_\_\_\_

\*\* This declaration can only be witnessed by a legal practitioner

[HIE 10,415]

FORM 3

APPLICATION FOR CONVERSION OF REGISTRATION



FIJI HIGHER EDUCATION COMMISSION  
APPLICATION FOR CONVERSION OF REGISTRATION  
(Regulation 27(1))

Name of Institution	
Type of Institution	
Recognition Number	
Provisional Registration Number	

Category of Institution (Please choose a number from the table at the back of this form) <sup>3</sup>	
--	--

APPLICATION CHECKLIST

- Completed Application form for Conversion of Registration
- Certificate of Provisional Registration
- Any other documents to support the application

FOR OFFICIAL USE

Fees Paid \_\_\_\_\_ Receipt Number \_\_\_\_\_ File Number \_\_\_\_\_

Receiving Officer \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_ / \_\_\_\_ / 20 \_\_\_\_

Decision	
Approved	Registration Number
	Certificate Number
Not Approved	

Comments:

Name of Director \_\_\_\_\_ Signature \_\_\_\_\_

Date \_\_\_\_ / \_\_\_\_ / 20 \_\_\_\_

Instructions for completing this form  
This form has two sections that must be completed in full:



Section A [to be completed on this form]

- 1-5 Provide administrative, company and management information of the institution, as contained in the application form for registration — Schedule 2 Form 1.

Section B [to be completed on this form and may have supporting appendices]

- Conditions for Registration — as shown on the Certificate of Provisional Registration.
- Details of Remedial Action — a full written submission may also be made to the Commission to provide more Information.
- New Details — supporting documents are necessary to demonstrate that the requirements have been met.
- Comments — If any, that you wish to include.

Declaration — to be completed by the authorised person and attached to this form.

**A. ADMINISTRATIVE, COMPANY AND MANAGEMENT INFORMATION**  
[as shown in the Application Form: Schedule 2 Form 1]

1. Particulars of the institution

Name of Institution	
Type of Institution ( <i>as shown in the certificate of Provisional Registration</i> )	
Physical Address	
Postal Address	
Contact Details	Telephone:
	Fax:
	E-mail:
	Website:

2. Particulars of authorised contact person

Name	
Designation [ <i>CEO / Managing Director / Chairperson / Vice Chancellor etc</i> ]	
Postal Address	
Contact Details	Telephone:
	Fax:
	E-mail:

3. Particulars of the Head Office

Physical Address	
Postal Address	

Contact Details	Telephone:
	Fax:
	E-mail:
	Website:

4. Particulars of the Company

(a) Registration details

Legal name of the institution	
Business Registration Number	
VAT Registration Number	
Tax Identification Number	
Name of Bank	
Bank Account Number	

(b) Details of the parent institution [if applicable]:

Name of the parent Institution: \_\_\_\_\_

Name of the head: \_\_\_\_\_ Title: \_\_\_\_\_

(c) Academic qualifications of head:

\_\_\_\_\_  
 \_\_\_\_\_  
 [name university]

(d) Contact details of the head of the institution

Postal address	
Residential Address	
Contact Details	Telephone:
	Fax:
	E-mail:

5. Particulars of the Management

(a) Chief Executive Officer or Head of Institution

Name and title	
Designation [CEO / Managing Director / Chairperson / Vice chancellor etc]	
Academic Qualifications [List all]	
Contact Details	Telephone:
	Fax:
	E-mail:

(b) Board of Directors

Name in Full	Designation	Highest Academic Qualification

(c) Holding Company or any other organisation to which the institution is subordinate

(i) Relationship between the institution and the holding company or other organisation

(ii) List of owners in accordance with the Memorandum and Articles of Association.

Name in Full	Designation	Highest Academic Qualification

(d) Financial details of the institution

Name of the Auditor	
Registration Number <i>[issued by Fiji Institute of Accountants]</i>	
Postal Address	
Contact Details	Telephone:
	Fax:
	E-mail:

**Section B**

- Conditions for Registration — as shown on the Certificate of Provisional Registration.
- Details of Remedial Action — a full written submission may also be made to the Commission to provide more information.
- New Details — supporting documents, including photographs, are necessary to demonstrate that the requirements have been met.
- Comments — if any, that you wish to include.

<p>Conditions for Registration [as shown on the Certificate of Provisional Registration]</p>	<p>Details of Remedial Action [a full written submission may also be made to the Commission to provide more information]</p>
--	--


New Details	Supporting documents

Comments — if any, that you wish to include.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_ Designation: \_\_\_\_\_

Date: \_\_\_\_\_

FIJI HIGHER EDUCATION COMMISSION  
DECLARATION

I, \_\_\_\_\_,  
[full name of authorised officer]

the \_\_\_\_\_,  
[designation of the authorised officer]

of the \_\_\_\_\_,  
[name of the institution]

do solemnly and sincerely declare that the information contained on the preceding pages is true and correct, and I make it with the understanding and belief that a person who makes a false declaration is liable for prosecution.

Declared at \_\_\_\_\_ }  
this \_\_\_\_\_ day of }  
\_\_\_\_\_ 20 \_\_\_\_ }

\_\_\_\_\_  
[Signature]  
(To be signed in front of the witness)



Official Stamp of the  
Institution

Before me:

\_\_\_\_\_  
[Full name of witness\*\*]

\_\_\_\_\_  
[Signature of witness]

Occupation: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Phone No: \_\_\_\_\_

\*\* This declaration can only be witnessed by a legal practitioner

Table on Category of Higher Education Institutions

Category Number	Description
1	Vocational Institution
2	Local Higher Education Institution conferring single awards up to diploma level
3	Local Higher Education Institution conferring multiple awards up to diploma level
4	Overseas Higher Education Institution conferring multiple awards up to diploma level
5	Local Higher Education Non University Institution or non degree awarding institute of technology conferring awards up to degree level
6	Overseas Higher Education Non University Institution or non degree awarding institute of technology conferring awards up to degree level
7	Overseas Higher Education Institution
8	Local Higher Education Institution

[HIE 10,420]

FORM 4

## APPLICATION TO AMEND DETAILS IN THE REGISTER OF HIGHER EDUCATION INSTITUTIONS



FIJI HIGHER EDUCATION COMMISSION  
APPLICATION TO AMEND DETAILS IN THE REGISTER OF  
HIGHER EDUCATION INSTITUTIONS  
(Regulation 29(2))

Name of Institution	
Recognition Number of Institution	
Registration Number of Institution	

Category of Institution (Please choose a number from the table on page 2 of this form)	
---	--

## FOR OFFICIAL USE

Fees Paid \_\_\_\_\_ Receipt Number \_\_\_\_\_ File Number \_\_\_\_\_

Receiving Officer \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_ / \_\_\_\_ /20 \_\_\_\_

Database amended by \_\_\_\_\_ Date \_\_\_\_ / \_\_\_\_ /20 \_\_\_\_

H E Register amended by \_\_\_\_\_ Date \_\_\_\_ / \_\_\_\_ /20 \_\_\_\_

Comments

## Instructions for completing this form

## Section A

- 1-4 Provide administrative information on the institution, as contained in the registration certificate.

## Section B

- Type of Information — write Registration if the change requested deals with the registration of the institution and Recognition if it deals with recognition.
- Question No. — write the number of the question for which the data is to be amended. The question number could be obtained from the relevant form.
- Current Details — write the data which is to be amended, as it appears in the database before the amendment.
- New Details — write the proposed amended data, as it should appear after the amendment.
- Comments

Table on Category of Higher Education Institutions

Category Number	Description
1	Vocational Institution
2	Local Higher Education Institution conferring single awards up to diploma level
3	Local Higher Education Institution conferring multiple awards up to diploma level
4	Overseas Higher Education Institution conferring multiple awards up to diploma level
5	Local Higher Education Non University Institution or non degree awarding institute of technology conferring awards up to degree level
6	Overseas Higher Education Non University Institution or non degree awarding institute of technology conferring awards up to degree level
7	Overseas Higher Education Institution
8	Local Higher Education Institution

*Section A*

Table 1 Administrative Information

1. Name of institution	
2. Registration Number	
3. Location	
4. Postal Address	

*Section B*

Table 2 Information to be amended

Please indicate the information that is to be amended by completing the table given below.

Type of Information	Question No.	Current Details	New Details	Comments (if any)

[Use extra sheets if necessary and attach]



FIJI HIGHER EDUCATION COMMISSION  
DECLARATION

I, \_\_\_\_\_,  
[full name of authorised officer]

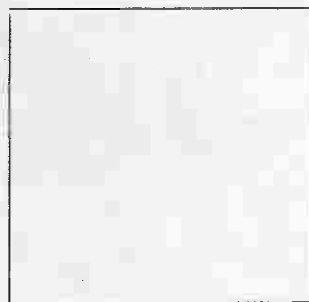
the \_\_\_\_\_,  
[designation of the authorised officer]

of the \_\_\_\_\_,  
[name of the institution]

do solemnly and sincerely declare that the information contained on the preceding pages is true and correct, and I make it with the understanding and belief that a person who makes a false declaration is liable for prosecution.

Declared at \_\_\_\_\_ }  
this \_\_\_\_\_ day of }  
\_\_\_\_\_ 20 \_\_\_\_ }

\_\_\_\_\_  
[Signature]  
(To be signed in front of the  
witness)



Official Stamp of the  
Institution

Before me:

\_\_\_\_\_  
[Full name of witness\*\*]

\_\_\_\_\_  
[Signature of witness]

Occupation: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Phone No: \_\_\_\_\_

\*\* This declaration can only be witnessed by a legal practitioner

[The next page is 718,661]

[HIE 10,425]

SCHEDULE 3  
(Regulation 41(1)(b))

REVIEW AND REQUEST FOR INFORMATION

[HIE 10,430]

FORM 1

NOTICE OF REVIEW



FIJI HIGHER EDUCATION COMMISSION  
NOTICE OF REVIEW

(To be completed in duplicate)

To

\_\_\_\_\_

(Name and address of institution)

Pursuant to section 9 of the Higher Education Act 2008 and the Higher Education Regulations 2009 the \_\_\_\_\_ (name of the institution) located at \_\_\_\_\_ is hereby given notice to undergo a review.

You are required to pay to the Commission a fee of \_\_\_\_\_ not later than \_\_\_\_\_.

Dated at Suva this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

Official Stamp

\_\_\_\_\_  
Chairperson, Fiji Higher Education Commission

To be completed by the institution

Received by \_\_\_\_\_ (designation of officer)

Name of Officer \_\_\_\_\_

Signature of Officer \_\_\_\_\_

Date \_\_\_\_\_

Official Stamp

[HIE 10,435]

## FORM 2

(Regulation 42(2))

## REQUEST FOR INFORMATION

FIJI HIGHER EDUCATION COMMISSION  
REQUEST FOR INFORMATION

To

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Name and address of the authorised officer)

For the purpose of reviewing the progress of your institution, in accordance with section 9 of the Act, you are hereby requested to furnish the Commission with the following;

- (1) written submission(s) containing information on:
  - (a) strategic and corporate plan;
  - (b) academic governance structure and arrangements;
  - (c) infrastructural details, such as buildings and classrooms;
  - (d) policies, regulations and procedures;
  - (e) structure and content of all study programmes;
  - (f) teaching and assessment strategies;
  - (g) facilities for staff and students and the conditions governing their use;
  - (h) quality assurance and quality control procedures;
  - (i) nature of practical attachment(s) [if any];
  - (j) staff qualifications and other staffing matters;
  - (k) admission requirements for all programmes on offer;
  - (l) status of research work (where applicable);
  - (m) internal review and evaluation procedures;
  - (n) administrative structure and arrangements;
  - (o) fees and charges; and

\_\_\_\_\_  
\_\_\_\_\_

(2) the annual reports and the audited financial reports of the institution for the past 3 years;  
no later than \_\_\_\_\_.

Dated at Suva this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
Chairperson, Fiji Higher Education Commission

Official Stamp

[The next page is 718,861]

[HIE 10,440]

SCHEDULE 4  
(Regulation 49(4))

NOTICE

[HIE 10,445]

FORM 1

NOTICE OF APPEAL



FIJI HIGHER EDUCATION COMMISSION  
NOTICE OF APPEAL

To: The Chairperson, Fiji Higher Education Commission

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

You are hereby given notice that \_\_\_\_\_ (name of appellant) of  
\_\_\_\_\_ (address) is appealing against the decision of the  
Commission to

\_\_\_\_\_  
\_\_\_\_\_

The Grounds for Appeal are;

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

SIGNED \_\_\_\_\_  
Chief Tribunal

Official stamp of the Tribunal

**To be completed by the Commission**

Received by \_\_\_\_\_ (designation of officer)

Name of Officer \_\_\_\_\_

Signature of Officer \_\_\_\_\_

Date \_\_\_\_\_

Official Stamp of the Commission

[The next page is 719,061]



[HIE 10,450]

SCHEDULE 5A

(Regulation 5(1))

MEMBERS AND DIRECTORS

[HIE 10,455]

FORM 1

OATH OF OFFICE



FIJI HIGHER EDUCATION COMMISSION  
OATH OF OFFICE

I \_\_\_\_\_ being appointed \_\_\_\_\_ of the Fiji Higher Education Commission do swear that I will, to the best of my judgement, at all times when so required, freely give my objective and sincere counsel, advice and opinion to the Minister and all persons acting under him or her for the good management of the affairs of the Fiji Higher Education Commission, and I do further swear that I will not disclose such counsel, advice or opinion to any person except with the express authority of my superior, directly or indirectly reveal the business or proceedings of the Fiji Higher Education Commission or the nature or contents of any documents communicated to me or any matter coming to my knowledge in my capacity as Commissioner and that in all things I will be a true and faithful officer of the Commission.

So help me God.

.....  
Signature of Officer

Taken before me this ..... day of ..... 20 .....

.....  
Signature of the Minister responsible for higher education

.....  
Name of the Minister responsible for higher education

[The next page is 719,261]

[HIE 10,460]

SCHEDULE 5B  
(Regulation 5(2))

OTHER OFFICERS

[HIE 10,465]

**FORM 2**

OATH OF OFFICE



FIJI HIGHER EDUCATION COMMISSION  
OATH OF OFFICE

I \_\_\_\_\_ being appointed \_\_\_\_\_ of the Fiji Higher Education Commission do swear that I will, to the best of my judgement, at all times when so required, freely give my objective and sincere counsel, advice and opinion to the Minister and all persons acting under him or her for the good management of the affairs of the Fiji Higher Education Commission, and I do further swear that I will not disclose such counsel, advice or opinion to any person except with the express authority of my superior, directly or indirectly reveal the business or proceedings of the Fiji Higher Education Commission or the nature or contents of any documents communicated to me or any matter coming to my knowledge in my capacity as a staff of the Commission and that in all things I will be a true and faithful officer of the Commission.

So help me God.

.....  
Signature of Officer

Taken before me this ..... day of ..... 20 .....

.....  
Signature of the Director, Fiji Higher Education Commission

[The next page is 720,461]

[HIE 10,470]

SCHEDULE 6  
(Regulation 53(2))

DECLARATION FORM

[HIE 10,475]

FORM 1

DECLARATION



FIJI HIGHER EDUCATION COMMISSION  
DECLARATION

I, \_\_\_\_\_,  
[full name of authorised officer]  
the \_\_\_\_\_,  
[designation of the authorised officer]  
of the \_\_\_\_\_,  
[name of the institution]

do solemnly and sincerely declare that the information contained on the preceding pages is true and correct, and I make it with the understanding and belief that a person who makes a false declaration is liable for prosecution.

Declared at \_\_\_\_\_ }  
this \_\_\_\_\_ day of }  
\_\_\_\_\_ 20 \_\_\_\_ }

\_\_\_\_\_  
[Signature]  
(To be signed in front of the  
witness)



Official Stamp of the  
Institution

Before me:

\_\_\_\_\_  
[Full name of witness\*\*]

\_\_\_\_\_  
[Signature of witness]

Occupation: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Phone No: \_\_\_\_\_

\*\* This declaration can only be witnessed by a legal practitioner

[The next page is 720,661]

[HIE 10,480]

SCHEDULE 7

(Regulations 10(1), 16(3), 41(2) and 50(3))

APPLICATION FEES FOR RECOGNITION, REGISTRATION, REVIEW & APPEAL

[Sch 7 am Act 19 of 2017 s 8, opn 3 May 2017]

No.	Type of institution	Fee (\$) (VEP)			
		Recognition	Registration	Review	Appeal
1	Vocational institution	1,000	400	1,000	1,000
2	Local higher education institution, any other higher education institution conferring single awards up to diploma level	2,000	500	2,000	2,000
3	Local higher education institution conferring multiple awards up to diploma level	4,000	1,000	4,000	4,000
4	Overseas higher education or overseas institution conferring multiple awards up to diploma level	12,000	3,000	12,000	12,000
5	Local higher education institution or non degree awarding institute of technology conferring awards up to degree level	5,000	1,500	5,000	5,000
6	Overseas higher education non university or non degree awarding institute of technology conferring awards up to degree level	15,000	4,500	15,000	15,000
7	Overseas higher education institution	30,000	6,000	30,000	30,000
8	Local higher education institution	10,000	2,000	10,000	10,000

[The next page is 720,861]



[HIE 10,485]

SCHEDULE 8

(Regulations 27(1) and 55(1))

CONVERSION OF REGISTRATION AND ANNUAL FEES

[Sch 8 am Act 19 of 2017 s 8, opn 3 May 2017]

No.	Type of institution	Fee (\$) (VEP)	
		Conversion of Registration	Annual
1	Vocational institution	100	200
2	Local higher education institution conferring single awards up to diploma level	125	250
3	Local higher education institution conferring multiple awards up to diploma level	250	500
4	Overseas higher education institution conferring multiple awards up to diploma level	750	1,500
5	Local higher education non-university or non degree awarding institute of technology conferring awards up to degree level	375	1,000
6	Overseas higher education non university or non degree awarding institute of technology conferring awards up to degree level	1125	3,000
7	Overseas higher education institution	1500	4,500
8	Local higher education institution	500	1,500

[The next page is 721,061]

[HIE 10,490]

SCHEDULE 9  
(Regulation 29(2))

FEES FOR APPLICATION TO AMEND DETAILS IN THE REGISTER

[Sch 9 am Act 19 of 2017 s 8, opn 3 May 2017]

No.	Type of institution	Fee (\$) (VEP)
1	Vocational	20
2	Local higher education institution conferring single awards up to diploma level	30
3	Local higher education institution conferring multiple awards up to diploma level	50
4	Overseas higher education institution conferring multiple awards up to diploma level	150
5	Local higher education non university or non degree awarding institute of technology conferring awards up to degree level	100
6	Overseas higher education non university or non degree awarding institute of technology conferring awards up to degree level	300
7	Overseas higher education institution	450
8	Local higher education institution	150

[The next page is 721,261]

[HIE 10,495]

SCHEDULE 10

(Regulation 56)

APPLICATION FEES FOR REPLACEMENT CERTIFICATES

No.	Type of institution	Fee (\$)
1	Certificate of Recognition	200
2	Certificate of Registration	200

[The next page is 723,261]