

The Higher Education Act of Seychelles

The Objective of Higher Education

The objective of higher education is to develop in life-long learners the critical skills, knowledge, values and attitudes that will enable them to move confidently within academic or vocational traditions, engage in research, and serve the community as responsible citizens. Higher education shall be accessible to everyone and shall promote a culture of peace, cooperation, tolerance, and sustainable development.

Chapter I

PROVISIONS

Article 1. Scope of the Law

This Law shall define:

- 1.1 the governance structure of higher education in the Republic of Seychelles;
- 1.2 the system of studies after which a person is recognised as having acquired higher education in the Republic of Seychelles;
- 1.3 the processes for the acquisition of education and training in higher education establishments;
- 1.4 the extent of higher education establishment autonomy and of State regulation of their activities;
- 1.5 the rights and duties of higher education establishment academic staff and learners;
- 1.6 the legal grounds for the founding, reorganisation and liquidation of higher education establishments in the Republic of Seychelles;
- 1.7 the basic requirements for higher education establishments and programmes;
- 1.8 the evaluation and registration of programmes;
- 1.9 the conditions of financing of higher education establishments and studies.

Article 2. Definitions of this Law

“award” means a document issued attesting the successful completion of a qualification;

“credit” means ten (10) notional hours of learning, or any other recognised credit system;

“level descriptors” means a statement used to describe a hierarchy of learning outcomes in terms of reasoning and problem solving, autonomy and responsibility, knowledge, and degree of complexity of tasks;

“level” means the particular level at which a unit standard or qualification is registered on the Framework;

“non-contact time” means time spent on independent study, working on assignments and on other forms of assessment;

“notional hours of learning” includes direct contact time with teachers and trainers and non-contact time;

“professional body” means any statutory body registered as such in terms of the applicable legislation, or other non-registered bodies performing similar functions;

“qualification type” means the specified nomenclature for qualifications at a particular level;

“recognition of prior learning” means the recognition of learning howsoever obtained for purposes of certification;

“transcript of results or competencies” means the official summary of marks, grades and/or competencies attained for part or all of the units/modules of a learning programme;

“Higher education” means learning programmes leading to qualifications higher than level 3 of the National Qualifications Framework provided by universities or other higher education establishments that are approved as institutions of higher education by the recognised authority, and/or through recognised accreditation systems;

“Higher education establishment” means a University or Professional Centre, private or public, which engages in the delivery of learning programmes leading to qualifications higher than level 3 of the National Qualifications Framework and approved by the recognised authority, and/or through recognised accreditation systems;

“Certificate, Advanced Certificate, Diploma, Advanced Diploma, Degree, Postgraduate Certificate, Masters, Doctorate and Post-Doctorate” or any other qualification type accepted by the recognised authority means the qualification awarded to a person who has successfully completed the appropriate level on the National Qualifications Framework;

“Qualification” means the formal recognition of a learner’s achievement of the required number and range of credits or other requirements at a specified level of the National Qualifications Framework;

“Professional Centre” means an institute, college or academy, private or public, which engages in the delivery of learning programmes leading to qualifications from

level 3 to 6 of the National Qualifications Framework and approved by the recognised authority, and/or through recognised accreditation systems;

“Institute” means a Professional Centre, private or public, which engages in the delivery of learning programmes leading to qualifications in specific fields of study, from level 3 to 6 of the National Qualifications Framework and approved by the recognised authority, and/or through recognised accreditation systems. An institute uses and may conduct independent basic research in order to create new knowledge at the forefront of the field of expertise.

“College” means a Professional Centre, private or public, which engages in the delivery of learning programmes leading to qualifications in several fields of study from level 3 to 6 of the National Qualifications Framework and approved by the recognised authority, and/or through recognised accreditation systems. A college uses and may conduct independent basic research in order to create new knowledge at the forefront of the field of expertise.

“Academy” means a Professional Centre, private or public, which engages in the delivery of learning programmes leading to qualifications in a specific field of study, from level 3 to 5 of the National Qualifications Framework, and approved by the recognised authority, and/or through recognised accreditation systems.

“Independent basic research” means research conducted in a programme of education and training at level 4 to 6.

“Independent research” means research conducted in programme of education and training at level 7 to 10.

“University” means a private or public higher education establishment bearing the name “University” or a name that does not include the word, and engages in the delivery of learning programmes and the awarding of qualifications in several fields of study from level 6 to 10 of the National Qualifications Framework approved by the recognised authority, and/or through recognised accreditation systems. A University may also confer honours degrees and any other types of award where these are used. It conducts independent fundamental and applied research in order to create new knowledge at the forefront of the field of expertise.

“Scholarly activities” means activities undertaken at University level comprising of learning programmes, research and the supervision thereof

“Life-long learning” means activities undertaken by learners to continue their education, improve the acquired qualification or re-qualify

“Learner” means a person who is acquiring or has acquired knowledge, skills or competencies.

“Learning programme” means a process by which learners acquire knowledge, skill and competence and includes courses of study or instruction, apprenticeships, training and employment.

“Other entities offering learning programmes” means an entity or individual, private or public, which engages in the delivery of training or short courses leading to a part of qualifications in a specific field of study, from level 3 to 5 of the National Qualifications Framework approved by the recognised authority, and/or through recognised accreditation systems in a manner prescribed.

“Recognised Authority” means a legally constituted/statutory body whose legal mandate encompasses that which is being referred to in the clause in question.

“Competent Authority” means a body which has a functional responsibility for the sphere of activity which is being referred to in the clause in question.

Article 3. Access to Higher Education

1. Persons, who are acquiring or have acquired knowledge, skills or competencies approved by the recognised authority, shall be entitled under the procedure established by this Law to seek to acquire higher education in Seychelles’ higher education establishments and in relation with the different pathways identified by the recognised authority.
2. The procedures for the acquisition of education and training for citizens of foreign states shall be consistent with government policies/laws.
3. Higher education acquired in foreign higher education establishments shall be recognised in accordance with the procedure established by laws and other legal acts of the recognised authority as well as by international treaties of the Republic of Seychelles.

Article 4. The Higher Education Council

1. There shall be established a Council to be known as the “Higher Education Council”.
2. The Council shall be administered by a Board consisting of not less than seven and not more than thirteen members who because of their position, public standing, knowledge and experience would in the opinion of the Minister of Education be of assistance to the Council.
3. The appointment of a member of the Council shall be made by the Minister and shall be for a period prescribed by its regulation.
4. The Council shall determine its own procedure in its regulation.
5. Council decision and policies shall be implemented by the Council Secretariat, the composition and functions of which shall be determined by the Council.
6. Functions of the Council

The Higher Education Council shall give advice to the government on the preparation of and changes in higher education legislation, participate in the planning of the

development of higher education, encourage and develop cooperation among higher education institutions and perform the following functions:

- 6.1 to plan, formulate and determine national policies and strategies for the development of higher education;
- 6.2 to co-ordinate the development of higher education;
- 6.3 to adopt Charter of higher education establishments;
- 6.4 to promote and facilitate the orderly growth of higher education establishments;
- 6.5 to convey an opinion on proposals for institutional development plans;
- 6.6 to determine policies and organise admission of learners to higher education establishments;
- 6.7 to recommend guidelines and criteria for the allocation of funds to higher educational institutions;
- 6.8 to comment on the annual draft budget of the higher education system, and shall adopt a position on the annual budget report. It shall produce analyses and present proposals in connection with the budget allocated to higher education;
- 6.9 to recommend guidelines and criteria on learner's fee structure;
- 6.10 to recommend guidelines on the areas or learning programmes to be undertaken by higher education establishments;
- 6.11 to implement procedures and standards set by the recognised authority regulating qualifications and quality in Seychelles
- 6.12 to recommend policies and guidelines on the conduct of any learning programmes by higher education establishments jointly or in association, affiliation, collaboration or otherwise, with any higher education establishments or other entities offering learning programmes within or outside Seychelles;
- 6.13 to recommend policies and guidelines on the involvement in business activities by higher education establishments in accordance with the powers conferred under this law;
- 6.14 to take such actions or do such things as it deems fit or necessary to enable it to carry out its functions and powers effectively;
- 6.15 to comment and draft proposals on any issue pertaining to higher education; and
- 6.16 to establish committees as it thinks fit for the purpose of assisting the Council to perform its functions.

7. Upon the formulation or determination by the Council of the national policies, strategies and guidelines in relation to its functions, the Council Secretariat shall implement the policies, strategies and guidelines accordingly.

Article 5. Higher Education and Training System. Documents Certifying Qualification and Academic Degree

1. The higher education and training system shall be consistent with the pathways of the National Qualifications Framework or other pathways accepted by the recognised authority.
2. A person who completes an approved learning programme at any level of the National Qualifications Framework shall be issued by a higher education establishment an award in the prescribed form.

3. A transcript of results or competencies shall, in a manner prescribed by a higher education establishment, accompany an award and be issued to a person.
4. A transcript of results or competencies shall, in a manner prescribed by a higher education establishment, be issued to a person who has studied separate subjects or a cycle of subjects at a higher education establishment, but did not complete the approved programme.
5. The form of the documents certifying the award as well as the procedure for the production, accounting, registration and issue thereof shall be established or approved by the recognised authority.

Article 6. Types of Higher Education Establishments and Grounds of Their Activities

1. Higher education establishments shall be of two types – universities and Professional Centres.
2. Higher education establishments may be both State and private.
3. Higher education establishments not belonging to the State may change its type in the manner prescribed by this Law.
4. A higher education establishment shall organise learning programmes, provide qualifications, conduct research and/or apply research results.
5. The activity of a higher education establishment shall be based on its Charter as well as on academic freedom and autonomy which shall be established by this Law.
6. A higher education establishment shall meet the accreditation criteria as laid down by the recognised authority.
7. A higher education establishment may establish units necessary for the implementation of its purpose – faculties, institutions, departments, laboratories, production and other units.
8. A higher education establishment may establish standing and ad hoc committees necessary for the implementation of its purpose.
9. A State higher education establishment shall be a public legal person functioning as a budgetary or public establishment and have a special status established by the Constitution of the Republic of Seychelles and this Law. A higher education establishment not belonging to the State shall be a public or private legal person. Its legal form of activity shall be chosen by the founder.

Article 7. University

1. A University shall be a higher education establishment, where learning programmes at level 6 to 10 on the National Qualifications Framework and scholarly

activities takes place. The status of University may be granted to a higher education establishment performing the above-mentioned functions even if its name does not include the word “University”.

2. The main goals of a University shall be as follows:

2.1 to create conditions for learners to acquire qualifications at level 6 to 10 on the National Qualifications Framework;

2.2 to create conditions for life-long learning;

2.3 to prepare learners and academics, and to strengthen the effect of academic learning and scientific research so as to enhance the progress of Seychelles’ economy and culture as well as to foster the democratic values of civic society;

2.4 to promote the development of Seychelles, and Indian ocean region, by research, educational and cultural activities;

2.5 to develop research necessary for national and international needs

3. Universities shall be involved in preparing specialist, expert, research and managerial cadres to carry out intellectual and creative work independently and to meet national needs.

4. Universities may teach learners in accordance with non-University learning programmes.

Article 8. Professional Centre

1. A Professional Centre shall be a higher education establishment, where learning programmes at level 3 to 6 on the National Qualifications Framework and applied learning activities takes place. The Professional Centre may be of three types: College, Institute and Academy. The Professional Centre’s name shall not include words “University”.

2. The main objectives of the Professional Centre shall be as follows:

2.1 to create conditions for learners to acquire qualifications at level 3 to 6 on the National Qualifications Framework;

2.2 to create conditions for life-long learning;

2.3 to consult the representatives of local authorities and economic entities in the development of applied research for Seychelles, the region and on an international scale;

2.4 to foster a society which is open to education and culture and that is capable of operating under conditions of rapid technological changes.

3. Professional Centres shall be involved in preparing trades persons and technicians of practical orientation, capable of working in specific fields of work.
4. Professional Centre's learning programmes may include units or modules coordinated with universities and corresponding to level 7 on the National Qualifications Framework. A Professional Centre may be given the right to organise the learning programmes at level 7 on the National Qualifications Framework in some subject area in accordance with the procedure established by this Law. In this event, the accreditation criteria set by the recognised authority shall be fulfilled.
5. Learners who acquire non-University higher education qualifications at Professional Centres with the relevant credentials shall have access to learning programmes at universities provided that the mechanisms and procedures are consistent with the principles of the National Qualifications Framework and approved by the recognised authority.
6. A Professional Centre may conclude contracts with universities concerning general learning, research, exchange and other programmes.

Article 9. Higher Education Establishment Charter

1. The Charter of a higher education establishment (hereinafter referred to as Charter) shall be a legal act regulating the activities of a higher education establishment.
2. The higher education establishment Charter shall include the following:
 - 2.1 higher education establishment name, founders and location;
 - 2.2 goals, tasks and areas of activities;
 - 2.3 scope, area of study and modalities of learning programmes, including language of instruction, to be offered and awarded by the higher education establishment;
 - 2.4 procedures for adopting, offering and discontinuing learning programmes;
 - 2.5 structure and procedure of its changing;
 - 2.6 procedure of the formation of governance bodies and organisation of the activities thereof as well as their rights, duties and functions;
 - 2.7 purpose of the units and their competence;
 - 2.8 the procedure for election or appointment of the heads of a higher education establishment and its units, their duties and rights;
 - 2.9 rights, positions, duties and responsibility of the academic staff;
 - 2.10 rights and protection of learners and measures for the implementation thereof;
 - 2.11 duties of learners, the procedure of disciplinary penalties imposed on them;

2.12 the procedure for the formation of commissions intended for the settlement of disputes arising between the administration and other employees as well as learners, the procedure for the settlement of disputes and the implementation of decisions;

2.13 sources of assets, procedure for use of property and assets, and the financial reporting of activities;

2.14 the procedure for adopting and amending of the Charter;

2.15 the competent authority may include any other matters which it considers appropriate for the purposes of a Charter.

3. The Charter may also regulate other issues of higher education establishment activities.

4. The State Higher Education Establishment Charter and its amendments or supplements shall be approved by the Minister responsible for Higher Education.

5. The Charter of a private higher education establishment shall be adopted in a manner prescribed by its founder, and amended in a manner prescribed by the Charter.

Article 10. Higher Education Establishment Autonomy

1. Higher education establishments of the Republic of Seychelles shall have autonomy encompassing academic, administrative, economic and finance management activities, based on the principle of self-governance, academic freedom, and defined in the Constitution of the Republic of Seychelles, this Law, other laws and regulations and higher education establishment Charters.

2. Higher education establishments shall have the following responsibilities and accountabilities:

2.1 to establish their own procedure of learning programmes;

2.2 to formulate programmes conforming to the guidelines for a subject area;

2.3 to publish academic and other literature;

2.4 to define their own organisational structure, internal work regulations, the concrete number of academic staff and research workers, administrative and other employees, their rights and duties and pay conditions which are in compliance with effective legal acts;

2.5 to elect governance bodies in a manner established by the Charter;

2.6 to enrol and dismiss learners;

2.7 to establish forms of co-operation with Seychellois and foreign enterprises, institutions and organisations;

2.8 to manage property, to use and dispose of it in a manner prescribed by law;

2.9 to submit data on enrolment, records of achievements and award of learners to the recognised authority.

3. Beside the rights specified in paragraph 2 of this Article, universities shall be responsible and accountable for the following:

3.1 to select programmes and subject areas, as well as research, and professional activities;

3.2 to approve programmes conforming to the guidelines for a subject area;

3.3 to award qualifications and academic titles.

4. Higher education establishment academic staff and learners shall be entitled to freedom of expression, studies, research and artistic creation and shall enjoy them without infringing the rights of other persons or violating laws, other legal acts and the higher education establishment Charter.

Article 11. Language of Instruction

1. The language of instruction, as specified in the Charter, at higher education establishments of the Republic of Seychelles shall be in any of the national official languages, English, Kreol and French or any other languages as specified in the Charter. Other languages shall be allowed to be used for instruction if:

1.1 a programme or a unit or a module is related to another language;

1.2 lectures are delivered and other learning programmes are run by foreign higher education establishment teachers and specialists of other foreign organisations;

1.3 it is required by an international study exchange.

Article 12. Higher Education Establishment Property

1. The property of a higher education establishment shall consist of buildings and other tangible assets owned by the right of ownership, extra-budgetary funds, securities, and intellectual work products (inasmuch as they do not infringe the copyright) and other legally acquired property.

2. State higher education establishments shall administer, use and dispose of the transferred State property on the basis of the right of trust. Their rights and duties for administering and using State property and disposing of it shall be established by this Law and other laws. Property which is acquired with non-budgetary funds, received as a gift, bequeathed or acquired in any other legal way shall be administered, used and disposed of by a higher education establishment on the basis of the right of

ownership, in accordance with the norms of the Civil Code and other laws, without violating legal interests and rights of other persons, and in the manner prescribed by the Charter of that higher education establishment.

3. State property may be transferred to higher education establishments which do not belong to the State under a lease contract in accordance with the procedure established by the laws of Seychelles.

Chapter II

FOUNDING, DISSOLUTION AND RECONSTITUTION OF HIGHER EDUCATION ESTABLISHMENTS

Article 13. Conditions of the Founding of Higher Education Establishments

1. A higher education establishment may be founded only in the presence of material facilities and other conditions laid down in this Law necessary to ensure the quality of planned learning and research programmes, as well as to meet the requirements of providing qualifications.

2. A higher education establishment shall meet the national standards for such an institution accredited by the recognised authority.

3. A private higher education establishment or a branch of a foreign higher education establishment may be established only by a legal person (except State higher education establishments of the Republic of Seychelles) who has a resource base necessary to ensure functioning of a higher education establishment and an authorisation to offer learning programmes, obtained in the manner prescribed by the laws of Seychelles.

4. Activities related to learning programmes which persons carry out without an authorisation of the Government shall be illegal. Such activities shall be terminated in the manner prescribed by laws, and administrative proceedings shall be taken against the persons.

Article 14. Founding of State Higher Education Establishments

1. A State Higher Education Establishment shall be established by the Government of Seychelles.

2. When establishing a State higher education establishment, the Ministry shall evaluate the conclusions made by the Higher Education Council and, if there is consent with the founding of a higher education establishment, shall draw up its foundation project. The Government shall lay down the requirements for this project and the procedure of its preparation.

3. Upon the adoption of a decision to found a higher education establishment, the responsible Minister for this Act (hereinafter referred to as the Minister) shall approve a constituent council, appoint an acting Vice-Chancellor (Director), approve the provisional Charter of the higher education establishment, identify

conditions that should be fulfilled before the beginning of the higher education establishment activity, and shall also predict the amount of funds required from the State budget for the activities of the higher education establishment.

Article 15. Offering of Learning Programmes of Higher Education Establishments of other Countries

1. Programmes of education and training of the higher education establishment of other countries may be offered in Seychelles, provided that such countries have a national accreditation system pursuant to which those higher education establishments or their programmes have been accredited or validated by the recognised authorities, and that such national accreditation system or authority is approved by the recognised authority in Seychelles.
2. Local and foreign higher education establishments which offer education and training programmes of foreign higher education establishments and engage in other learning-related activities, shall obtain an accreditation by the nationally recognised authority.
3. Other entities offering learning programmes that have an authorisation of a foreign higher education establishment to offer learning programmes in Seychelles may also deliver learning programmes of this higher education establishment provided they have obtained an accreditation by the nationally recognised authority.
4. The Ministry shall, in the manner prescribed by the recognised authority, supervise compliance with the terms and conditions of an authorisation. The recognised authority may lay down conditions under which an authorisation may be revoked.

Article 16. Beginning of the Activities of a Higher Education Establishment

1. A new higher education establishment shall be recorded by the Registrar of Companies only after the commission established by the Government or its authorised institution acknowledges that the conditions indicated when taking a decision to establish a higher education establishment or to issue an authorisation to conduct studies have been fulfilled.
2. An accredited higher education establishment shall have the responsibility to commence its activities by the date prescribed by the recognised authority.
3. Within a period established by the recognised authority after the beginning of the higher education establishment activity, the recognised authority shall carry out an assessment of the higher education establishment's activities.

Article 17. Change of scope and Dissolving of Higher Education Establishments

1. Higher education establishments shall be reorganised and liquidated in accordance with the procedures laid down by the laws of Seychelles.
2. The government shall decide the scope of a Higher Education Establishment.

Chapter III

GOVERNANCE AND STATE REGULATION OF HIGHER EDUCATION ESTABLISHMENTS

Article 18. Planning of Seychelles's Higher Education System Development

1. Higher education establishments shall prepare their long-term development plan for a period specified by the recognised authority taking into consideration the recommendations of the Higher Education Council and submit these to the Ministry.
2. The Ministry, taking into account the priorities of the State, human and financial resources, long-term development plans submitted by higher education establishments, shall prepare a long-term Seychelles higher education system development plan and shall submit it to the Government for approval, and announce it to the public. The plan shall include:
 - 2.1 the objectives and tasks of the State in the sphere of higher education;
 - 2.2 a survey of the condition of higher education in Seychelles and its evaluation;
 - 2.3 the trends of development of higher education and higher education establishments;
 - 2.4 prospects for updating and improving learning programmes;
 - 2.5 the planned number of learners to be admitted to higher education establishments;
 - 2.6 the planned funding of higher education and higher education establishments.
3. When necessary, the Ministry shall update the higher education development plan, taking into consideration the contributions of the recognised and competent authorities and shall submit an updated plan to the Government for approval.

Article 19. Higher Education Establishment Governance Bodies and Higher Education Establishment Public Regulation Bodies

1. The supreme body of academic governance of a State University shall be the Senate, and the supreme body of the academic governance of a State Professional Centre shall be the Academic Board.
2. Structure handling public concerns of a State University shall be the University Council, and the structure handling public concerns of a State Professional Centre shall be the Professional Centre Council;
3. The governance and management structure of a higher education establishment not belonging to the State shall be established by its Charter.

Article 20. The Senate

1. The Senate shall be appointed in accordance with the procedure established by the University Charter.
2. The Senate of the University shall consist of the following:
 - 2.1 the Chancellor;
 - 2.2 the Vice-Chancellor;
 - 2.3 representatives of Deans of the Faculties nominated by the Chancellor;
 - 2.4 representatives of learners from recognised student bodies who must comprise not less than 10 percent of the Senate members;
 - 2.5 such other ex officio members nominated by the relevant competent authorities
 - 2.6 professors who must comprise not less than half of the Senate members.
3. The Senate's responsibilities and activities shall be regulated by the University Charter.
4. The Senate shall exercise the following functions:
 - 4.1 adopt and submit the Charter and amendments thereof to the recognised authority for approval;
 - 4.2 appoint representatives to the University Council;
 - 4.3 elect and discontinue the appointment of the Vice-Chancellor and the Registrar according to the provisions of the Charter;
 - 4.4 on the advice of the Vice-Chancellor, approve the deans of faculties and other officers of the University provided for in the Charter;
 - 4.5 establish the procedure for performance appraisal of academic staff and for the recruitment to academic posts;
 - 4.6 award the titles of professor and lecturers as well as University's honorary titles in a manner prescribed by the recognised authority;
 - 4.7 control the quality of learning programmes and training of scholars;
 - 4.8 consider and approve learning and research programmes, as well as structural changes necessary for the implementation of such programmes, taking into consideration proposals of the University Council;
 - 4.9 submit proposals to the competent authority concerning allocation of funds for consultancy and dissemination of information of research/scientific fields developed by the University;

4.10 consider the University's strategic plan and, upon receipt of the endorsement of the University Council, approve it and present it to the recognised authority together with the said endorsement of the University Council;

4.11 consider annual Vice-Chancellor's reports, annual income and expenditure estimates and, upon receipt of the endorsement of the University Council, approve them;

4.12 approve rules and internal procedures of the University and documents regulating the administration of academic affairs;

4.13 in accordance with the procedure established by the Charter, convene meetings of the University academic community to discuss important University activity issues;

4.14 exercise other functions provided for by the Charter.

5. The Senate shall inform the academic community about its decisions as prescribed by the Charter and shall report to it on the Senate's activities.

Article 21. The Academic Board of the Professional Centres

1. The academic board shall be appointed in accordance with the procedure prescribed by the Professional Centre's Charter.

2. In appointing members to the Academic Board, consideration shall be given to Academic staff, representatives of learners and representatives of the service area or industry affected by the operations of the Professional Centre, and shall consist of the following:

2.1 the Director;

2.2 the Assistant-Director;

2.3 representatives of the course leaders nominated by the Director;

2.4 representatives of learners from recognised student bodies who must comprise not less than 10 percent of the Academic Board;

2.5 such other ex officio members nominated by the relevant competent authorities

3. Academic staff (including course leaders and Lecturers/Teachers/Instructors) who must comprise not less than thirty percent of the Academic Board members.

4. Representatives of service area/industry who must comprise not less than forty percent of the Academic Board members.

6. The Academic Board's responsibilities and activities shall be regulated by the Professional Centre's Charter.

7. The Academic Board shall exercise the following functions:

7.1 adopt and submit the Charter and amendments thereof to the recognised authority for approval;

- 7.2 appoint representatives to the Professional Centre's Council;
 - 7.3 approve or elect the course leaders in a manner prescribed by the Charter;
 - 7.4 establish a procedure for the performance appraisal of the academic staff and for the recruitment for academic post;
 - 7.5 prepare, review and present learning programmes to the recognised authority;
 - 7.6 establish the criteria and procedure for internal quality assurance;
 - 7.7 consider the programmes of the development of applied research;
 - 7.8 prepare and consider the Professional Centres' strategic plan;
 - 7.9 consider annual Professional Centre Director's reports, annual income and expenditure estimates as well as reports on their achievement and, upon the receipt approve them;
 - 7.10 approve rules and internal procedures of the Professional Centre and documents regulating the administration of academic affairs
 - 7.11 in accordance with the procedure established by the Charter, convene meetings of the academic community of the Professional Centre to discuss important Professional Centre activity issues;
 - 7.12 exercise other functions provided for in the Charter.
8. The Academic Board shall inform the academic community about its decisions as prescribed by the Charter and shall report to it on the Academic Board's activities.
 9. make arrangements for the provision of support to the Professional Centre;
 10. evaluate how the Professional centre in carrying out its tasks contributes to the economic, social and cultural development of the State;
 11. evaluate how Professional centre property and the funds allocated by the State or received otherwise are used and may propose to the recognised authority the initiation of auditing of the economic and financial activities;
 12. inform the public of the results of the evaluation of the activities of the Professional Centre;
 13. The Professional Centre's Director shall be appointed by the recognised authority.

Article 22. The University Council.

1. The State University Council (hereinafter referred to as the council) shall:

- 1.1 prepare the long-term strategic plan of the University;
- 1.2 present recommendations on learning programmes, programmes related to research and the development thereof, as well as on structural changes necessary for the implementation of such programmes;
- 1.3 make arrangements for the provision of support to the University;
- 1.4 At the date prescribed by the Charter, announce elections of a Senate and a Vice-Chancellor;
- 1.5 pronounce on the annual reports of the Vice-Chancellor, annual income and expenditure forecasts;
- 1.6 evaluate how the University in carrying out its tasks contributes to the economic, social and cultural development of the State;
- 1.7 evaluate how University property and the funds allocated by the State or received otherwise are used; may propose to the recognised authority the initiation of auditing of the economic and financial activities of the University;
- 1.8 inform the public the results of the evaluation of the activities of the University;
2. The council shall have the right to obtain from the University and the recognised authority the information necessary to exercise the above functions. The University shall provide the council the appropriate facilities and technical support deemed necessary to undertake its tasks.
3. In appointing members to the University Council, the recognised authority shall give due consideration to representativity of the Senate, the leading members of the economic, industrial and social fields to represent the general interest of the country, academic staff not part of the Senate, non academic staff, learners, and the Vice-Chancellor.
4. The number of the leading members of the economic, industrial and social fields shall not exceed all of the other members in the University Council members.
5. The council shall be appointed for a period prescribed by the Charter.
6. The recognised authority shall appoint the University Council, considering the recommendation of the Vice-Chancellor for its chairman. A person working in the University may not be the Council chairman.
7. The National Assembly and members of the Government holding political office may not be Council members.
8. Council working regulations, procedures, and procedures of arriving at decisions shall be defined in the Charter.

9. In a manner prescribed by the Charter, the council shall inform the Senate, the academic community and the public each year about its activities and present reports to the recognised authority.

Article 23. Board of Faculty of the University or Professional Centre if relevant

1. The Board of each faculty shall be composed as follows:

- 1.1 the Vice-Chancellor or Director shall be ex officio chairman;
- 1.2 the Dean of the Faculty who shall be ex officio vice-chairman;
- 1.3 the heads of all departments in the Faculty;
- 1.4 representatives of departments of the Faculty elected by and from among the academic staff;
- 1.5 representatives of departments of the Faculty elected by and from among the learners;
- 1.6 any other additional members appointed by the recognised authority to represent the interests outside the Faculty and who, in the opinion of the recognised authority, can give an effective contribution towards the good administration of the Faculty.

2. The Faculty Board shall have the following functions:

- 2.1 to direct the academic tasks of the Faculty in consultation with the relevant authorities;
 - 2.2 to determine the learning programmes, teaching and research within the Faculty and to provide for the administration, publication and diffusion of the academic work of the Faculty and to distribute tasks within the said activities;
 - 2.3 to prepare plans for the development of the Faculty and to present those plans for approval by the Senate and the Council.
3. Bye-laws made or recommended by the Faculty Board shall be referred to the Senate for its approval and shall not be submitted to the Chancellor for promulgation unless they have been so approved by the Senate.

Article 24. University Vice-Chancellor

1. The University Vice-Chancellor shall head the University, represent it and act on its behalf.

2. The University Vice-Chancellor shall:

- 2.1 be responsible for the compliance of the University activities with the laws of the Republic of Seychelles, the University Charter and other legal acts;
- 2.2 employ and discontinue the appointment of employees, advertise positions, appoint persons to these positions and terminate appointments;

- 2.3 approve the internal procedures and regulations of the University related to administration and academic matters;
 - 2.4 approve University documents;
 - 2.5 enrol and discontinue learners;
 - 2.6 give incentives to employees and learners and impose disciplinary measures and make such decision known publicly;
 - 2.7 be responsible for the financial activities of the University, and the proper management, use and disposal of the property;
 - 2.8 be accountable/responsible for the quality of activities of academic nature, research, social or otherwise provided or delegated by the University in accordance with its Charter;
 - 2.9 provide information as appropriate to stakeholders and submit to the Senate and the recognised authority an annual report on the University activity, an annual income and expenditure estimate and its implementation account;
 - 2.10 award University qualifications and other distinctions
 - 2.11 summon the Council, Senate and Faculty Boards
 - 2.12 ensure that any elections required by the provisions of the Charter are in fact held without undue delay and shall be responsible to provide for the procedures of those elections
 - 2.13 exercise other responsibilities and functions assigned to him by the laws, the Charter and other legal acts.
3. The Vice-Chancellor may delegate part of his functions to the Deputy Vice-Chancellor or any other office bearer, in a manner prescribed by the Charter.
 4. The University Vice-Chancellor shall be appointed by the Senate for a prescribed period in accordance with the procedure prescribed by the Charter. An individual possessing the title of professor or distinguished scholar may be considered for the position of Vice Chancellor.

Article 25. The Professional Centre's Director

1. The Professional Centre's Director shall head the Professional Centre, represent it and act on it's behalf.
2. The Professional Centre's Director shall:
 - 2.1 be responsible for the compliance of the Professional Centre activities with the laws of Seychelles, the Professional Centre's Charter and other legal acts;

- 2.2 employ and discontinue the appointment of employees, advertise positions, appoint persons to these positions and terminate appointments;
- 2.3 approve the internal procedures and regulations of a Professional Centre related to administration and academic matters;
- 2.4 approve Professional Centre documents;
- 2.5 enrol and discontinue learners;
- 2.6 give incentives to employees and learners and impose disciplinary measures and make such decisions known publicly;
- 2.7 be responsible for the financial activities of the Professional Centre, and the proper management, use and disposal of the property;
- 2.8 be accountable/responsible for the quality of activities of academic nature, research, social or otherwise provided or delegated by the Professional Centre in accordance with its Charter;
- 2.9 provide information as appropriate to stakeholders and submit to the academic board and the recognised authority an annual report on the Professional Centre's activity, as well as an annual income and expenditure estimate and its implementation account;
- 2.10 award Professional Centre qualifications and other distinctions
- 2.11 summon the Academic Board and Faculty Boards as necessary
- 2.12 ensure that any elections required by the provisions of the Charter are in fact held without undue delay and be responsible to provide for the procedures of those elections
- 2.13 exercise other responsibilities and functions assigned to him by the laws, the Charter and other legal acts.
3. The Professional Centre Director may delegate part of his functions to the Deputy Director or any other office bearer, in a manner prescribed by the Charter.
4. The Professional Centre Director shall be appointed by the recognised authority for a prescribed period in accordance with the procedure prescribed by the Charter. An individual possessing the title of Lecturer/teacher or a recognised professional in the relevant field of study may be considered for the position of Director.

Article 26. Dean

1. The functions of the Dean shall be laid down in the University Charter.
2. In defining the functions of the Dean due consideration shall be given to the management of learning programmes and curriculum of the Faculty.

3. The Dean of a Faculty shall be elected from among the heads of departments of that Faculty by the academic staff of that Faculty for a term prescribed by the Charter. He shall be the president *ex officio* of the Faculty Board in the absence of the Vice-Chancellor.

Article 27. Registrar

1. The Registrar shall be the second highest administrative officer of the University appointed by the Senate for a term prescribed by the Charter.

2. The functions of the Registrar shall include:

2.1 to be custodian of the records and such other property of the University as the Senate may commit to his charge;

2.2 to conduct official correspondence on behalf of the authorities of the University;

2.3 to issue notices for convening meetings of the authorities of the University and all Committees and Sub-committees appointed by any of these authorities;

2.4 to keep minutes of the meetings of all the authorities of the University and all the Committees and Sub-committees appointed by any of these authorities;

2.5 to make arrangements for and supervise the examinations conducted by the University;

2.6 to represent the University in suits or proceedings by or against the University, sign powers of attorney and perform pleadings or depute a representative for this purpose;

2.7 to enter into agreement, sign documents and authenticate records on behalf of the University;

2.8 to hold in special custody records books and documents and common seal of the University;

2.9 to safeguard and maintain campuses, buildings, gardens, office, canteen, cars and other rooms, equipment and other properties of the University;

Article 28. Head of programme

1. The functions of the Head of programme shall be laid down in the Professional Centre Charter.

2. In defining the functions of the Head of programme due consideration shall be given to the management of learning programmes and curriculum of the programme area or the Faculty.

3. The Head of programme shall be appointed for a term prescribed by the Charter by the recognized authority and shall be the president *ex officio* of the Faculty Board in the absence of the Director.

Article 29. Administrative Manager

1. The Administrative Manager shall be the second highest administrative officer of the Professional Centre appointed by the recognised authority for a term prescribed by the Charter.

2. The functions of the Administrative Manager shall include:

2.1 to be custodian of the records and such other property of the Professional Centre as the Academic Board may commit to his charge;

2.2 to conduct official correspondence on behalf of the authorities of the Professional Centre;

2.3 to issue notices for convening meetings of the Authorities of the Professional Centre and all Committees and Sub-committees appointed by any of these authorities;

2.4 to keep minutes of the meetings of all the authorities of the Professional Centre and all the Committees and Sub-committees appointed by any of these authorities;

2.5 to make arrangements for and supervise the examinations conducted by the Professional Centre;

2.6 to represent the Professional Centre in suits or proceedings by or against the Professional Centre, sign powers of attorney and perform pleadings or depute a representative for this purpose;

2.7 to enter into agreement, sign documents and authenticate records on behalf of the Professional Centre;

2.8 to hold in special custody records books and documents and common seal of the Professional Centre;

2.9 to safeguard and maintain campuses, buildings, gardens, office, canteen, cars and other rooms, equipment and other properties of the Professional Centre;

Chapter IV

Academic staff

HIGHER EDUCATION ESTABLISHMENT STAFF

Article 30. Higher Education Establishment Staff

1. Higher education establishment staff shall consist of academic staff, administration and other employees. Their working conditions and social guarantees shall be

established by this Law, other legal acts and the Higher Education Establishment Charter.

2. A person who wishes to work in a higher education establishment as an additional workplace, shall, together with an application for employment as a teacher or a research worker, specify his position and activities in the main workplace and all additional workplaces.

3. The recognised authority shall establish the minimum requirements for the job qualifications of the academic staff, the recruitment procedures for such offices, and for appraisal of the academic staff.

Article 31. Academic Staff

1. The academic ranks of the academic staff of a higher education establishment shall include Professors, Lecturers, Instructors and other academic staff as specified in the Charter.

2. The academic staff of a University shall include Professors, Lecturers and other academic staff whether paid or honorary as deemed necessary on the recommendations of the Senate.

3. The academic staff of a Professional Centre shall include Lecturers, Instructors and other academic staff as deemed necessary on the recommendations of the Academic Board.

4. Academic staff of a University must undertake research activities alongside pedagogical work.

5. A distinguished scholar or citizen may hold the office of professor according to the Charter adopted by the University.

6. The duties and responsibilities of a professor shall include teaching learners, preparing, supervising and directing scholars in research activities, and presenting the results of research in peer reviewed publications.

7. The duties and responsibilities of a lecturer shall include teaching and the supervision of learners engaged in academic and research activities.

8. The duties and responsibilities of an instructor shall include teaching and the supervision of learners engaged in education and training activities.

9. The academic staff shall follow the code of ethics of academic staff, which is drawn up and approved by the higher education establishment in accordance with the recommendations of the recognised authority.

Article 32. Administration and other Employees

1. A higher education establishment shall have the institutional structure and staff necessary for the execution of its administrative functions as well as of that of its units.
2. A higher education establishment shall establish the number of employees, other than academic staff of that institution, and their duties and functions.

Article 33. Procedure for Appointment to Office

1. The main offices of higher education establishment academic staff shall be occupied by way of open, fair, transparent and equitable competition for a term prescribed by the Charter.
2. Security of employment in the profession, including tenure or its functional equivalent, where applicable, shall be safeguarded as it is essential to the interests of higher education.
3. Discontinuation of employment as a disciplinary measure shall be only for just and sufficient cause related to professional conduct demonstrable before an independent third-party as prescribed by the Charter.
4. For a period prescribed by the Charter, the Vice-Chancellor or Director may, without competition, employ academic staff for a part-time position to carry out pedagogical activities in accordance with a fixed-term employment contract. These higher education establishment teachers shall be subject to the qualification requirements for appropriate positions as specified in Article 30 of this Law.

Article 34. Invited Academic staff

A higher education establishment may, for a period prescribed by the Charter, invite academic staff from other countries to undertake educational and (or) research activities under a fixed-term contract. The procedure for the appointment to positions provided for in this Law shall not apply to invited academic staff and be prescribed by the Charter.

Article 35. Study and research leave of the Academic Staff

Higher education establishment academic staff shall be granted study and research leave, such as sabbatical leave, on full or partial pay, where applicable, at regular intervals as prescribed by the Charter.

Chapter V

RESEARCH ACTIVITIES

Article 36. Higher Education Establishment Research Activities

1. Research activities at higher education establishments shall aim to provide students with methodological skills of research, improve qualifications of higher education establishment academic staff, provide possibilities to constantly enrich the field of

study with the most advanced and practical knowledge, and be of benefit to the community.

2. Higher education establishments shall be entitled to undertake research activities in accordance with agreements with Seychellois and foreign natural and legal persons, and also to participate in international and foreign research programmes.

Article 37. University Research Activities

1. The State and (or) the competent authority or any funding source may allocate funds from the budget to finance research carried out at universities, the acquisition of research apparatus, equipment and the equipping of research laboratories.

2. The nature and scope of research carried out at universities shall be established by universities themselves taking into consideration the needs of the State, the needs of the community, the importance of research for education, culture and economy, scientific cooperation programmes, as well as financial resources possessed by the University.

Article 38. Intellectual property

1. Without prejudice to any other enactment, all intellectual property arising out of any academic materials, products and any other outcomes produced by or on behalf of the higher education establishment and leading to patents and copyrights shall vest, partially or totally, in the higher education establishment as established in its Charter. Furthermore, any intellectual property vested in the higher education establishment may be made available for use on such terms as the higher education establishment may agree.

Chapter VI

LEARNING PROGRAMMES

Article 39. Types and Modalities

1. Higher education establishments shall provide the following three types of learning programmes:

- 1.1) as per the National Qualifications Framework leading to a full qualification;
- 1.2) as per the National Qualifications Framework leading to a part of qualification;
- 1.3) outside the National Qualifications Framework, or non-credit bearing.

2. The modalities of learning programmes to be offered shall be defined by its Charter and may be on full-time or part-time basis.

Article 40. Scope and conditions to offer or discontinue learning programmes

1. The Charter of the Higher education establishment shall establish the scope of learning programmes to be offered.

2. Procedures for adopting or discontinuing learning programmes in higher education establishments shall be established in its Charter with respect to this Law.

Article 41. Volume and Duration of Learning Programmes

1. The volume and duration of learning programmes offered by higher education establishments shall be established as per the National Qualifications Framework and based on the level of the qualifications to be offered.

Article 42. Assessment of learner's performance

1. A higher education establishment shall develop, in accordance with its Charter, a clear, fair and consistent assessment policy and regulations, known to all academic staff and learners.

2. A higher education establishment shall have assessment procedures and practices in line with the requirements of the recognised authority.

3. A higher education establishment shall have policies and regulations for issuing records of learner's performance in line with the requirements of the recognised authority.

Article 43. General Requirements for Learning Programmes

1. The outcomes of a learning programme shall be established in relation with the level descriptors of the National Qualifications Framework or its equivalent.

2. A graduate of a learning programme shall be awarded a qualification in relation with the National Qualification Framework level.

3. A higher education establishment may implement joint learning programmes together with another higher education establishment and grant a joint qualification according to procedures established in its Charter.

4. A higher education establishment may award a qualification in which the delivery of part or a complete learning programme has been delegated to other higher education establishment according to procedures established in its Charter.

5. Higher education establishments shall be required to submit records of achievements and award to the recognised authority on a periodic basis.

Article 44. Continuing learning programmes

1. A higher education establishment may organise studies intended for the re-qualification of a person, improvement of his qualification as well as professional skills. Such learning programmes shall be offered in accordance with the National Qualifications Framework.

Article 45. Individual Learning Programme

1. A higher education establishment may create conditions for a learner to study according to the individual learning programme drawn up in a manner prescribed by a higher education establishment.

Article 46. Recognition of the Results of Learning Programmes at other Higher Education Establishments

1. The results of achievement from a learning programme offered by a higher education establishment or recognition of learning process shall be recognised by other higher education establishments provided that the recognition is accorded by the recognised authority.

Article 47. Admission to Higher Education Establishments

1. A learner who has completed an approved programme may be admitted to a learning programme provided that this is consistent with the pathways of the National Qualifications Framework or other pathways recognised by the recognised authority.

2. The conditions of admissions to a higher education establishment shall be established by its Charter in accordance with this Law and any other laws.

3. Learners shall have the right to submit an application, or applications, to enrol in several higher education establishments.

4. A higher education establishment may conclude a learning agreement with the learners in accordance with its Charter and with respect to this Law and any other laws.

5. The recognised authority may establish higher education establishment enrolment quotas and procedures for national and foreign citizens.

Chapter VII

LEARNERS

Article 48. Higher Education Establishment Learners

1. Higher education establishment learners shall be persons studying in accordance with learning programmes as defined in Article 38.

2. Learners shall receive records of achievements of an established form upon completion of part or complete qualification, the procedure of issuance whereof shall be set by the recognised authority.

Article 49. Learners' Rights and Duties

1. Learners shall be entitled:

1.1 to have access and to use appropriate equipment and facilities during and for the purpose of their learning programme, as well as for social activities as established in the higher education establishment's Charter;

1.2 to apply for a different learning programme;

1.3 to be taught by competent teaching staff according to set procedures and capacity;

1.4 to evaluate the quality of a learning programme and its implementation as per established procedures

1.5 to discontinue and renew studies in accordance with the procedure established by the Charter;

1.6 to receive all information relevant to learning programmes;

1.7 to express their views freely;

1.8 to participate in the management of the higher education establishment;

1.9 to participate in the development of the learner code of ethics;

1.10 to elect the students' representatives and be elected a member thereof;

1.11 to join freely clubs, associations and student public organisations;

1.12 to appeal decisions taken against them and to receive a written response within a period of time established in the Charter;

1.13 to use the provisions established by laws, Charters of higher education establishments and other rights of other legal acts;

2. A student who fails to pass an examination, a unit/module or otherwise account for the subjects provided for in the learning programme, shall have the right to retake (account for) them pursuant to the procedure prescribed by the Charter.

Article 50. Learners responsibilities

1. Learners shall be responsible for:

1.1 fulfilling tasks prescribed in the programme of learning;

1.2 observing obligations and regulations set forth by this Law, the Charter of the higher education establishment and other legal acts;

1.3 implementing decisions of the higher education establishment authorities;

1.4 acting in compliance with the code of learner ethics as established by the Charter

Article 51. Arbitration

1. Standing commissions for consideration of disputes shall be established in accordance with the Charter and due consideration shall be given to learners' representation.

Article 52. Discipline and discontinuation of learning programme

1. Procedures for disciplinary measures against learners shall be established in the Charter in accordance with this Law and other laws.
2. Discontinuation of a learner from a learning programme as a disciplinary measure shall be only be for just and sufficient cause related to conduct demonstrable before an independent third-party as prescribed by the Charter.
3. Discontinuation of a learner from learning programme for poor achievement shall be established in the Charter and shall be only after the learner has been given sufficient opportunities to improve his performance as supported by evidence.

Article 53. Learner Representation in governance structures of the Higher Education Establishment

1. Representation of recognised learners' bodies shall form part of the self government of higher education establishment. Learners' representation shall comprise learners nominated as established by the constitution of the recognised body in compliance with the Charter.
2. Principles and criteria on which learners' representation is based shall be established in the Charter of the higher education establishment in compliance with the Republic of Seychelles Law on Associations and other legal acts.
3. Procedures for the operations of recognised learner's bodies shall be established in its constitution in compliance with the Charter of the higher education establishment.

Article 54. Protection of Learners

1. The higher education establishment shall have arrangements in place to make provisions for learners in the event that it ceases to provide the programme concerned for whatever reason and this shall include insurance, refunding, compensations, or transfer into an alternative learning programme.
2. The recognised authority regulating qualifications in Seychelles shall make known through print and electronic media on a periodic basis the courses validated by the different higher education establishments accredited.
3. Learners shall be informed of the criteria for access, transfer and progression into the learning programme as well as the awarding and the title of the award at the successfully completion of the learning programme in writing, before the commencement of the learning programme or before accepting any monies from or on behalf of a learner in respect of the learning programme.

4. The higher education establishments who falsely claims that the institution has been accredited or fails to furnish information as required in clause 3 of the Article or fails to make arrangements as required in clause 1 of this Article, shall be guilty of an offence and shall be liable to prosecution and to a fine not exceeding SR 50 000.

Article 55. Recognised Learners' Bodies, Rights and Activities

1. Learners' representatives or persons deputizing for learners shall have the right to seek information and clarification from the relevant authorities of the higher education establishments on all issues pertaining to learners.

2. The higher education establishment or the government may support recognised learner bodies and finance their activities as established by the Charter.

3. A recognised learner body shall have the right to voice their opinion on all issues of concern to learners and, according to the Charter of the higher education establishment, to request to re-examine and to appeal, decisions taken by a relevant authority of a higher education establishment.

4. A recognised learner body may join associations or other confederations according to procedure established by law.

5. A recognised learner body may participate in the activities of international learners' organisations.

6. A recognised learner body may organise joint learner events of the entire country and co-ordinate the activities of recognised learners' bodies of the higher education establishment.

Chapter VIII

HIGHER EDUCATION ESTABLISHMENT FINANCING

Article 56. Allocation of the State Funds to State Higher Education Establishments

1. State funds shall be allocated by the recognised authority to state higher education establishment.

2. State funds appropriated for a higher education establishment shall, as far as possible, be linked with the appropriate learning programmes and the results of needs assessment of higher education establishment activities. When necessary, the recognised authority shall initiate an audit of economic and financial activities of a higher education establishment.

Article 57. State Funds for Private Higher Education Establishments

1. The recognised authority in charge of the financing of state higher education establishments may enter into agreements with private higher education establishments to fund activities of an academic nature or of general education and training interest.

2. State funds appropriated for a private higher education establishment shall be audited by the recognised authority.

Article 58. Higher Education Establishment Funds

1. The funds of a higher education establishment may include:

- 1.1 State funds as per established criteria
- 1.2 other State funds;
- 1.3 income from research activities and patents;
- 1.4 income from patents or intellectual properties;
- 1.5 income from economic activities and services rendered;
- 1.6 funds received from international and other foundations and organisations;
- 1.7 tuition fees;
- 1.8 funds received from paid studies;
- 1.9 other lawfully acquired funds.

2. The administration, use and disposal of funds of higher education establishments shall be established in its Charter.

Article 59. Cost of Learning Programme

1. The cost of a learning programme in a State higher education establishment, according to a subject area, level and modalities, shall be determined as established in the Charter and the criteria covered in Article 56 of this Law.

2. The cost of a learning programme at a State higher education establishment shall be indicated in the admission rules which are harmonised in the manner defined in paragraph 2 of Article 45 of this Law.

3. The cost for a learner indicated in paragraph 2 of this Article for citizens of the Republic of Seychelles may not be higher than the cost of a learning programme determined in the manner prescribed in paragraph 1 of this Article.

4. The cost for a learner referred to in paragraph 2 of this Article for foreign nationals may not be less than the learning cost determined in the manner prescribed in paragraphs 1 of this Article, except where the treaties of the Republic of Seychelles or other legal acts provide otherwise.

5. The cost of learning at a private higher education establishment shall be determined as per established mechanisms and criteria in accordance with the regulations of the recognised authority.

Article 60. Scholarship

1. Recognised authority or higher education establishment may administer scholarship as per established mechanisms and criteria.

Article 61. Paid Studies at State Higher Education Establishments

1. State higher education establishments shall establish categories and conditions for which paid studies should apply respecting international treaties and this Law.

Article 62. Support Provided to Learners

1. Learners of higher education establishments may receive financial assistance which may include loans, grants and scholarships to finance the learning programme as established and managed by the recognised authority.

Article 63. Financial Accountability of Higher Education Establishments

1. State higher education establishments shall administer expenditures and income according to the estimate approved by the Senate or Academic board.

2. Higher education establishments shall annually publish a record of income and expenditures for the preceding year as established by the Charter.

Chapter IX

FINAL PROVISIONS

Article 64. Implementation of Law

1. The Government shall adopt or amend the legal acts required for implementation of the Law on Higher Education by....

2. By higher education establishments shall co-ordinate their Charters with the provisions of this Law and submit amendments of the Charters to the recognised authority for approval.

3. Procedures for founding higher education establishments, commenced in the manner prescribed by the Government prior to the entry into force of this Law, shall be completed in compliance with the provisions of this Law.

4. The Minister responsible for this Act may make regulations for the purpose of carrying into effect principles and provisions of this Act.