



higher education  
& training  
Department:  
Higher Education and Training  
REPUBLIC OF SOUTH AFRICA

# Learnership Agreement

This Agreement is entered into between

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***(The Organisation/Employer)***

represented by

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***(The Training Manager/Owner/HR Manager/SDF)***

and

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***(The Learner)***

for

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***(Learnership Title)***  
***(Refer to pages 6&7)***

**Note:**

1. ***The original Agreement is required. Faxed or scanned copies will not be accepted.***
2. ***Each page of the Agreement must be initialed by all parties (Learner, Employer, witnesses and/or Provider,).***

## Process for Registering Learners on Learnership Agreements<sup>1</sup> for registered Learnerships

An **original** learnership agreement for each learner must be submitted – **signed** and **initialed** by the **employer**, **learner** and the **witnesses**. If the agreement is being signed for the practical component, then the employer and the training provider are the same organisation. **ALL parties to the agreement must initial each page, including witnesses**. The original agreement must either be posted or delivered to Fasset:

Post: P O Box 6801, Cresta, 2118

Delivery: Building 3, Ground Floor, 299 Pendoring Road, Blackheath.

**Please ensure and verify that the following supporting documents are attached to each individual learnership agreement:**

	Document	Confirmation (please initial next to each)
1.	A signed copy of employment contract for each learner.	
2.	Proof of learner registration with the relevant professional body e.g. CIMA, SAIPA etc. (if applicable)	
3.	Proof that the employer is accredited by the relevant professional body (copy of letter/certificate, if applicable).	
4.	Proof that the tuition / training provider is accredited by the relevant professional body or SETA, if applicable (copy of letter/certificate).	
5.	Proof that the workplace provider is accredited by the relevant professional body or SETA (copy of letter/certificate, if applicable).	
6.	A copy of the learners' identity document.	
7.	Commencement and end dates of the learnership.	
8.	<b><i>Proof of Recognition of Prior Learning (RPL) from the professional body is required should Fasset receive a learnership agreement 6 months after the learner has commenced the learnership.</i></b>	
9.	2 copies of the full set of documentation must be included.	

**The learnership agreement will be rejected if the documents stipulated above are not provided.**

Fasset will provide the employer with an official confirmation letter as proof that the learnership has been registered, which will include:

- Seta name and code
- Addressed to the employer organisation with the levy number
- DHET learnership Code and Title
- Full names of learner
- Learner ID number
- Learnership agreement classification i.e. Employed OR Unemployed
- Date of commencement and completion of the learnership

<sup>1</sup> Please Note: For SAICA Trainee Accountants, this process will be handled by SAICA directly

**Part A****Terms and Conditions of Agreement****1. Declaration of the parties**

We understand that this Agreement is legally binding. We understand that it is an offence in terms of the Skills Development Act 97 of 1998 ('the Act') to provide false or **misleading** information in this Agreement. We agree to the following rights and duties:

**2. Rights of learners, employers and registered training providers****2.1 Learner**

*The learner has the right to:*

- 2.1.1 be educated and trained in terms of this Agreement;
- 2.1.2 have access to the required resources to receive training in terms of the learnership;
- 2.1.3 have his or her performance in training assessed and have access to the assessment results;
- 2.1.4 receive a certificate upon successful completion of the learning;
- 2.1.5 raise grievances in writing with the SETA concerning any shortcomings in the training.

**2.2 Employer**

*The employer has the right to require the learner to:*

- 2.2.1 perform duties in terms of this Agreement; and
- 2.2.2 comply with the rules and regulations concerning the employer's business concern.

**2.3 Training Provider**

- 2.3.1 The registered training provider has the right of access to the learner's books, learning material and workplace, if required.

**3. Duties of learners, employers and registered training providers****3.1 Learner**

*The learner must:*

- 3.1.1 work for the employer as part of the learning process;
- 3.1.2 be available for and participate in all learning and work experience required by the learnership;
- 3.1.3 comply with workplace policies and procedures;
- 3.1.4 complete any timesheets or any written assessment tools supplied by the employer to record relevant workplace experience; and
- 3.1.5 attend all study periods and theoretical learning sessions with the training provider and undertake all learning conscientiously.

**3.2 Employer**

*The employer must:*

- 3.2.1 comply with its duties in terms of the Act and all applicable legislation including:
  - Basic Conditions of Employment Act 75 of 1997;
  - Labour Relations Act 66 of 1995;
  - Employment Equity Act 55 of 1998;

- Occupational Health and Safety Act 85 of 1993 (or Mine Health and Safety Act 27 of 1996);
  - Compensation for Occupational Injuries and Diseases Act 130 of 1993;
  - Unemployment Insurance Act 30 of 1996.
- 3.2.2 provide the learner with appropriate training in the work environment to achieve the relevant outcomes required by the learnership;
- 3.2.3 provide appropriate facilities to train the learner in accordance with the workplace component of learning;
- 3.2.4 provide the learner with adequate supervision at work;
- 3.2.4 release the learner during normal working hours to attend off-the-job education and training required by the learnership;
- 3.2.5 pay the learner the agreed learning allowance both while the learner is working for the employer and while the learner is attending approved off-the-job training;
- 3.2.7 conduct on-the-job assessment, or cause it to be conducted;
- 3.2.8 keep up to date records of learning and periodically discuss progress with the learner;
- 3.2.9 if the learner was not in the employment of the employer at the time of concluding this Agreement, advise the learner of:
- (a) the terms and conditions of his or her employment, including the learning allowance; and
  - (b) workplace policies and procedures.
- 3.2.9 apply the same disciplinary, grievance and dispute resolution procedures to the learner as to other employees.
- 3.2.10 submit a signed learnership agreement to the seta for registration
- 3.2.11 submit records as required by the EQTA body

### 3.3 Training provider

*The training provider must:*

- 3.3.1 provide education and training in terms of the learnership;
- 3.3.2 provide the learner support as required by the learnership;
- 3.3.3 record, monitor and retain details of training provided to the learner in terms of the learnership;
- 3.3.4 conduct off-the-job assessment in terms of the learnership, or cause it to be conducted; and
- 3.3.5 provide reports to the employer on the learner's performance.

## 4. Termination of this Agreement

*This Learnership agreement terminates:*

- 4.1 on the termination date stipulated in Part B of this Agreement; or
- 4.2 on an earlier date if:
- 4.2.1 the learner successfully completes the learnership;
  - 4.2.2 the learner is fairly dismissed by the employer for a reason related to the learner's conduct or capacity as an employee;
  - 4.2.3 the employer and learner agree to terminate the Agreement; or
  - 4.2.4 the Seta approves a written application to terminate the Agreement by the learner or, if good cause is shown, by the employer.

## 5. Suspension of this Agreement

- 5.1 A seta may approve the suspension of this agreement if-
- 5.1.1 the employer and the learner have agreed in writing to suspend the agreement or
  - 5.1.2 the employer or the learner has requested, on good course, to suspend the agreement and the other parties of the learnership agreement have had opportunity to make presentations as to why the learnership should not be suspended.
- 5.2 an application to suspend a learnership agreement must be submitted to the seta in writing together with-

- 5.2.1 a written agreement signed by the employer and the learner setting out the reason of suspension and;
- 5.2.2 where appropriate the reasons for the suspension and proof that the other parties to the learnership agreement have had the opportunity to make presentations as to why the agreement should be suspended.
- 5.3 All parties to a suspended learnership agreement must take appropriate steps to reactivate the learnership programme expiry of suspension period

## 5. Disputes

If there is a dispute concerning any of the following matters, it may be referred to the Commission for Conciliation, Mediation and Arbitration (CCMA):

- 5.1 the interpretation or application of any provision of this Agreement, the learner's contract of employment or a sectoral determination made in terms of section 18(3) of the Act;
- 5.2 Chapter 4 of the Act;
- 5.3 the termination of this Agreement or the learner's contract of employment.

## Part B

### Details of the Learnership and the Parties to this Agreement

Please note the following:

- If the learner is not already in the employ of the employer, the learner and employer must conclude a contract of employment.
- If the learner is less than 18 years then the learner's parent or guardian must be a party to this Agreement and must complete section 3. The parent or guardian ceases to be a party to this Agreement once the learner turns 18.
- If a group of employers are party to this Agreement, one of the employers must perform the function of a lead employer. The lead employer must complete section 4 and details of the other employers must be attached on a separate sheet.
- If the employer and the accredited training provider are the same entity, the employer must complete sections 4 and 5.
- If a group of accredited training providers are party to this Agreement, one of the providers must perform the function of lead training provider. The lead training provider must complete section 5 and details of the other accredited training providers must be attached on a separate sheet.

## 1. Learnership details

Please indicate relevant Learnership (X):

### Fasset Learnerships

X	No	Title	NQF Level	Learnership Code	NLRD No	Professional Body
	1	Chartered Certified Accountant	7	01/Q010005/00/780/7	63550	Association of Chartered Certified Accountants (ACCA) Ms Christina Rasentoere 011 459 1900 <a href="mailto:Christina.rasentoere@accaglobal.co.za">Christina.rasentoere@accaglobal.co.za</a>
	2	Certificate: Certified Accounting Technician	5	01/Q010013/00/390/5	20397	
	3	Post-graduate professional qualification: Professional Accountant in Business	7	01/Q010007/00/480/7	20392	South African Institute of Professional Accountants (SAIPA) Ms Angela Forrest 011 207 7840 <a href="mailto:aforrest@saipa.co.za">aforrest@saipa.co.za</a>
	4	Post-graduate Diploma: Professional Accountant in Practice	7	01/Q010008/00/480/7	20391	
	5	Professional Qualification: Chartered Management Accountant	7	01/Q010012/00/930/7	20400	Chartered Institute of Management Accountants (CIMA) 011 788 8723 <a href="mailto:Johannesburg@cimaglobal.com">Johannesburg@cimaglobal.com</a> <a href="http://www.cimaglobal.com">www.cimaglobal.com</a>
	6	National Diploma : Management Accounting	6	01/Q010017/00/240/6	24406 LP67694	
	7	National Certificate: Business Accounting	5	01/Q010016/00/120/5	24418	
	8	National Certificate: Small Business Financial Management	4	01/Q010023/24/120/4	48736	Institute of Certified Bookkeepers (ICB) Wedaad Shira 021 685 2746 <a href="mailto:wedaad@icb.org.za">wedaad@icb.org.za</a>
	9	Certificate: Office Administration	5	01/Q010021/00/120/5	23618	
	10	Senior Office Administrator	5	01/Q010040/00/240/5	23619	
	11	National Diploma: Technical Financial Accounting	5	01/Q010022/28/251/5	36213	
	12	Certificate: Junior Bookkeeper	3	01/Q010027/26/120/3	58375	
	13	Senior Bookkeeper	4	01/Q010028/28/130/4	58376	
	14	National Certificate: Public Sector Accounting	4	01/Q010019/00/120/4	20352	
	15	Diploma : Public Sector Accounting	5	01/Q010020/00/240/5	20353	Association of Accounting Technicians AAT(SA) 011 621 6888 <a href="mailto:info@aatsa.org.za">info@aatsa.org.za</a>
	16	Certificate: Local Government Accounting	3	01/Q010026/00/120/3	59751	
	17	Further Education and Training Certificate: Accounting Technician	4	01/Q010038/00/120/4	77143	
	18	Advanced Certificate: Local Government Accounting	4	01/Q010037/00/120/4	73712	
	19	Certificate: Accounting Technician	3	01/Q010036/00/120/3	73710	
	20	Certificate: Accounting	5	01/Q010039/00/120/5	80189	Fasset Ms Nomadlozi Buthelezi 011 476 8570 <a href="mailto:nomadlozi.buthelezi@fasset.org.za">nomadlozi.buthelezi@fasset.org.za</a>
	21	FET Certificate Debt Recovery	4	01/Q010024/26/149/4	49021	
	22	Certificate: General Internal Auditing	7	01/Q010025/00/120/7	20359	Institute of Internal Auditors (IIA) Lawrence Chetty 011 450 1040 <a href="mailto:lawrence@iiasa.org.za">lawrence@iiasa.org.za</a>
	23	Chartered Accountant: Auditing	7	01/Q010001/00/480/7	48913	South African Institute of Chartered Accountants (SAICA) Local: 08610 SAICA (72422) International: 27 11 621 6600 <a href="mailto:saica@saica.co.za">saica@saica.co.za</a>
	24	Diploma: IAC Accounting Officer	6	01/Q010029/00/420/6	35957	The Institute of Administration and Commerce (IAC) Mr Ehsaan Nagia 021 761 6211 <a href="mailto:Tcb1@telkom.net">Tcb1@telkom.net</a>
	25	CIS Professional Post – Graduate Qualification: Company Secretarial and Governance Practice	7	01/Q010030/00/120/7	60654	Jacqui Baumgardt Chartered Secretaries - Southern Africa Cell: 084 815 2018 <a href="mailto:jacqui@icsa.co.za">jacqui@icsa.co.za</a>
	26	CIS Professional Qual. Management and Administration	5	01Q/010032/00/130/5	60653	
	27	CIS Professional Advanced Qualification: Governance and Admin	6	01/Q010033/00/120/6	60655	
	28	CIS Professional Qual. Governance and Admin	5	01/Q010034/00/120/5	60651	

29	Advanced Certificate: Forensic Practitioner	6	01Q010035001206	67269	Jaco de Jager Association of Certified Fraud Examiners - SA Chapter <a href="mailto:jaco@acfesa.co.za">jaco@acfesa.co.za</a> 082 927 2246
30	Higher Education: Office Administration	5	01/Q010043/00/120/5	90510	Ismail Sadek Tel: +27 (0)11 718 4000 Fax: +27 (0)11 482 1814/1821 Mobile: +27 82 853 8223 Email: <a href="mailto:Ismail@Milpark.ac.za">Ismail@Milpark.ac.za</a>

### Non-Fasset Learnership

X	No	Title	NQF Level	Learnership Code	NLRD No
	1				
SETA			Quality Assurance Body		

### Complete for ALL learnerships

<b>Learnership start date:</b>	
<b>Learnership completion date:</b>	

**2. Learner details**

2.1a	Surname:												
2.1b	First names:												
2.2	Identity number:												
2.3	Date of birth:	D	D	M	M	Y	Y	Y	Y				
2.4a	Are you a South African citizen?	Yes		No									
2.4b	If No, specify citizenship and attach documents indicating your status, i.e.: permanent residence, study permit, etc):												
2.5	Gender:	Male	Female										
2.6	Race:	Black: African	Black: Indian	Black: Coloured	White	Other (specify):							
2.7a	Do you have a disability, as contemplated by the Employment Equity Act 55 of 1998? <sup>2</sup>					Yes	No						
2.7b	If Yes, please specify:												
2.8	Home address:												
	Postal code:												
2.9	Postal address (if different to above):												
	Postal code:												
2.10	E-mail address:												
2.11	Home telephone number:		(       )										
2.12	Cellphone number:												
2.13	Preferred method of communication:			E-mail			Telephone			Post			
2.14	Home language:												
2.15	Highest qualification (E.g. Grade 12, BComm) or NQF Level:												
2.16a	Have you previously undertaken a learnership?					Yes		No					
2.16b	If Yes, specify Learnership title and code:					Learner no:							

<sup>2</sup> The Employment Equity Act defines a disability as a long-term or recurring physical or mental impairment which substantially limits prospects of entry into, or advancement in, employment.



2.17a	Were you employed by your employer before concluding this learnership agreement?	Yes	No	
2.17b	If you were unemployed before concluding this Agreement, state for how long:			
2.17c	If you are employed, when did you start work with your employer?			

**Please note: The information required below is compulsory. A learnership agreement will be rejected if this is not completed by the learner.**

#### 2.18 School-leaving Information

- a) Where did you complete your Grade 12 / Matric / Matric equivalent (name of school, street address, suburb, town/city, province and country)?

Name of school/college	
Street address	
Suburb	
Postal code	
Town/City	
Province	
Country	
Year of completion	

#### 2.19 Qualifications history

- a) Please detail the qualifications you have attained, and qualifications you are currently studying. Space for a maximum of four qualifications has been provided.

	Qualification 1	Qualification 2	Qualification 3	Qualification 4
Name of qualification				
Name of institution				
Suburb				
Postal code				
Town/City				
Province				
Country				
Expected date of completion (if applicable)				
Date of completion				

2.20 Current place where you work

a) If employed, where do you currently work (town / city, province and country)?

Name of employer	
Street address	
Suburb	
Postal code	
Town/City	
Province	
Country	

**3. Parent or Guardian details***(To be completed if learner is a minor – i.e. an unmarried person under 18 years)*

3.1a	Surname:													
3.1b	First names:													
3.2	Identity number:													
3.3	Date of birth:	D	D	M	M	Y	Y	Y	Y					
3.4	Home address:													
	Postal code:													
3.5	Postal address (if different to above):													
	Postal code:													
3.6	Home telephone number:	(		)										
3.7	Work telephone number:	(		)										
3.8	Mobile number													
3.9	E-mail address:													

#### 4. Employer details

4.1	Legal name of employer:			
4.2	Trading name (if different to above):			
4.3a	Company/Entity registration number:			
4.3b	Company/Entity registration date:			
4.4	Are you acting as Lead Employer?	Yes	No	
4.5	Business address:			
	Postal code:			
4.6	Postal address (if different to above):			
	Postal code:			
4.7a	Contact person name:			
4.7b	Contact person surname:			
4.8	Telephone number:	( )		
4.9	Fax number:	( )		
4.10	E-mail address:			
4.11	Registration numbers and codes:			
	SIC	Skills Development Levy (SDL)	Seta	SAQA
			01	Not applicable
4.12	Workplace accreditation details (if applicable):			
	Quality assurance body / professional body:			
	Accreditation number:			
	Accreditation start date:			
	Accreditation end date:			

## 5. Training Provider details

5.1	Legal name of training provider:			
5.2	Trading name (if different to above):			
5.4	Are you acting as Lead Training Provider?	Yes	No	
5.5	Business address:			
	Postal code:			
5.6	Postal address (if different to above):			
	Postal code:			
5.7a	Contact person name:			
5.7b	Contact person surname:			
5.8	Telephone number:	( )		
5.9	Fax number:	( )		
5.10	E-mail address:			
5.11	Registration numbers and codes:			
	SIC	Skills Development Levy (SDL)	Seta	SAQA
			01	Not applicable
5.12	Accreditation details related to this learnership			
	Quality assurance body / professional body:			
	Accreditation number:			
	Accreditation start date:			
	Accreditation end date:			

### 6. Terms and conditions of employment

6.1 Are the learner’s terms of employment determined by a document of general application (for example, sectoral determination, bargaining council agreement, collective agreement.)

Yes
No

If yes, please specify:

\_\_\_\_\_

6.2 Attach a copy of a document reflecting the learner’s conditions of employment (e.g. contract of employment, written particulars of employment.)

**Learner’s signature:**.....

Date: .....

Witness signature:.....

Date: .....

**Parent or Guardian’s signature:** .....  
(Only if the learner is a minor)

Date: .....

Witness signature:.....

Date: .....

**Employer or Lead Employer’s signature** .....

Date: .....

Witness signature:.....

Date: .....

**Training Provider or Lead Training Provider's signature** .....

Date: .....

Witness signature:.....

Date: .....

**Fasset**  
**Notification of Terms and Conditions**  
**of Learnership Agreement**

This Learnership agreement will be registered based on the following terms and conditions:

- Alteration to the terms and conditions of the agreement are to be registered with Fasset;
- Termination of the agreement must be approved by Fasset; and
- Substitution must be approved by Fasset.

I (learner)

\_\_\_\_\_

and

I (employer)

\_\_\_\_\_

acknowledge that I have read/understand and accept that the Learnership agreement  
will be registered based on the above terms and conditions.

\_\_\_\_\_  
Signature  
(Learner)

\_\_\_\_\_  
Signature  
(Employer)

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

\_\_\_\_\_  
Date

**FOR SETA USE ONLY**  
**LEARNERSHIP REGISTRATION CHECKLIST**

Employer Name						
SDL Number						
Provider Name						
Learnership						
Learner Name						
Learner ID Number						
Employment status	18.1	Yes	No	18.2	Yes	No
Date received			Received by			
Date acknowledged			Acknowledged by			

**If NO is ticked for any of the criteria, the agreement MUST be rejected**

	Yes	No	Comment
<b>General Conditions</b>			
Is this learnership agreement an original?			
Clear copy of SA ID attached?			
Names on ID correspond with names on the learnership agreement?			
Proof of name change attached (if applicable)?			
Is the learner registered with the professional body (if applicable)?			
Start date and estimated completion date included?			
Are the learner details fully completed (including Matric and post Matric qualifications)?			
Are the parent/guardian details fully completed (if the learner is a minor)?			
Are the employer details fully completed?			
Are the terms and conditions of employment fully completed?			
Is the agreement signed in full by learner?			
Is the agreement signed in fully by employer?			
Is the agreement signed in full by provider (if applicable)?			
Is the agreement signed in full by parent/guardian (if applicable)?			
Is the agreement witnessed?			
Is each page of agreement initialled by the learner?			
Is each page of agreement initialled by employer?			
Is each page of agreement initialled by provider (if applicable)?			
Is each page of agreement initialled by parent/guardian (if applicable)?			
Is each page of agreement initialled by witnesses?			

<b>Employment Contract</b>		
Copy of employment contract/letter of appointment attached?		
Copy of employment contract/letter of appointment signed by all parties?		
Employer in contract same as employer in agreement?		
Is an amount per week/month specified?		
If yes, indicate the amount in the comments column.		
<b>Workplace Accreditation</b>		
Is the employer an accredited workplace?		
Copy of workplace accreditation certificate/ letter attached?		
Employer in agreement same as employer listed on workplace accreditation certificate?		
Was the employer an accredited workplace before the learnership commenced?		
Learnership in agreement same as learnership listed on workplace accreditation certificate?		
<b>Provider Accreditation</b>		
Proof of provider accreditation status attached (applicable only to the learnerships listed below):		
ICB		
AAT		
Debt Recovery		
IIA		
Other SETA Learnership		
Provider in agreement same as provider on accreditation certificate?		
Was the provider accredited before the learnership commenced?		
Is the provider accredited for the learnership in the agreement?		
<b>Recognition of Prior Learning (RPL)</b>		
Is proof of Recognition of Prior Learning required?		
Was proof of RPL submitted?		
RPL Registration Date:		
RPL Completion Date:		
Professional Body RPL Approval Date:		

Checklist completed by:	Name:	Signature:
Date:		
Registered / Rejected:		
Registration date:		
Rejection date:		
Registration captured by:	Name:	Signature:
Date registration/rejection letter sent:		
Registration/rejection letter sent by:	Name:	Signature: