

ACADEMIC ZONE TRAINING REGULATIONS

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Note:

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Preamble

1. The Ras Al Khaimah Economic Zone - Academic Zone (RAKEZ AZ) has made these Training Institute Regulations pursuant to its powers in relation to the Academic Zone.
2. These Training Institute Regulations shall be referred to as the RAKEZ AZ Training Institute Regulations.
3. These Training Institute Regulations shall come into force on (current date) and shall replace any previous regulations or guidelines in relation to the Academic Zone relating to training institutes only.
4. These Training Institute Regulations may be amended or supplemented by the Ras Al Khaimah Economic Zone - Academic Zone from time to time.

Definitions

5. In these Regulations the following definitions shall apply:

Academic Zone means the Ras Al Khaimah Economic Zone - Academic Zone;

Academic Regulations means the Academic Regulations issued by RAKEZ AZ on January 16, 2019 as amended from time to time and any supporting regulations, resolutions, orders, decisions, policies and guidance documents issued by RAKEZ AZ from time to time;

Accredited Provider means a Training Institute providing accredited technical and vocational education and training courses which are credit-bearing technical and vocational education qualifications that are endorsed by the National Qualifications Authority (NQA);

Educational Licence means the licence issued by the Competent Authority;

Competent Authority means the licensing authority of a Free Zone, including, in relation to the Academic Zone, the Ras Al Khaimah Economic Zone Authority – Licensing Division;

Emirate means the Emirate of Ras Al Khaimah, unless specified otherwise;

Free Zone means any established free zone or any free zone to be established in the Emirate of Ras Al Khaimah, including the Academic Zone;

Free Zone Company means any company incorporated in a Free Zone, including a FZ LLC;

FZ LLC means a limited liability company incorporated in the Free Zone;

Government Entity means any of the Government departments, public agencies and corporations, councils and authorities, and any other Government entity;

Inspectors means persons appointed by RAKEZ AZ, who are under its control and supervision, to

monitor and inspect Education Institutions for compliance with the provisions of these

Regulations and the quality assurance standards adopted by RAKEZ AZ from time to time;

Manager means the person responsible for all technical, administrative and financial matters concerning the operations of the Education Institution, as set out in the Regulations;

Person means a natural or legal person;

Quality Assured Training (QAT) Provider means a Training Institute providing technical and vocational education and training courses which are not credit-bearing technical and vocational education qualifications and not endorsed by the National Qualifications Authority (NQA);

RAK means the Emirate of Ras Al Khaimah, UAE;

RAKEZ AZ means the Ras Al Khaimah Economic Zone - Academic Zone;

Training Certificate means the certificate(s) issued by the Training Institute to students who successfully complete a Training Institute Program;

Training Institute means private education institution or a branch of an education institution based in or outside the United Arab Emirates which RAKEZ AZ grants an Educational Licence and a Training Permit to carry out a Training Institute Activity, acting as a QAT Provider and/or an Accredited Provider;

Training Institute Activity means the delivery of any Training Institute Program in any of the fields which are authorized in the Free Zone and which are determined and categorized pursuant to these Training Institute Regulations in co-ordination with the Competent Authority;

Training Institute Program means a training course or a series of training courses offered by a Training Institute to enrolled students in order to increase their knowledge and develop their skills in any technical, vocational or professional field;

Training Institute Regulations means these regulations and any supporting regulations, resolutions, orders, decisions, policies and guidance documents issued by RAKEZ AZ from time to time;

Training Permit means the Education Permit issued by RAKEZ AZ which grants approval for the Training Institute to carry on its education or training activities within or from the Free Zone; and

UAE means the United Arab Emirates.

Application of these Training Institute Regulations

6. These Training Institute Regulations apply to:
 - a) all Training Institutes;
 - b) any Person who conducts a Training Institute Activity in the Free Zone; and
 - c) any Person who owns a training venue in the Free Zone or has the right to manage a training venue in the Free Zone at which a Training Institute Activity is being conducted,all of whom shall comply with the provisions of these Training Institute Regulations and the Academic Regulations.
7. These Training Institute Regulations provide further clarity on the Academic Regulations which are relevant to Training Institutes. If there is any conflict between the provisions of these Training Institute Regulations and the Academic Regulations, these Training Institute Regulations will take precedence.
8. These Training Institute Regulations shall not apply to:
 - a) Government Entities, including any Government Training Institutes and Competent Supervising Authorities;

- b) entities authorized by a Government Entity, pursuant to the legislation in force in the Emirate, to conduct the Training Institute Activity;
- c) private entities using their own resources to offer Training Institute Programs to their employees in order to increase their knowledge and develop their skills; and
- d) any other entities or Training Institute Activities exempted from compliance with the provisions of these Training Institute Regulations by RAKEZ AZ pursuant to the Academic Regulations.

Training Permit (Educational Licence)

9. RAKEZ AZ shall set out the process, procedures and documents required for the establishment of a Training Institute in a Free Zone.
10. An Educational Licence and /or Training Permit for a Training Institute shall only be granted to a:
 - a) Free Zone Company;
 - b) branch of a foreign private education institution or a branch of a foreign education institution which carries out Training Institute Activities; or
 - c) branch of a UAE private education institution or a branch of a UAE education institution which carries out Training Institute Activities.
11. A Training Permit will grant a Training Institute permission to:
 - a) operate as a QAT Provider and/or Accredited Provider; and
 - b) conduct one or a combination of the Training Institute Activities.

The training institute shall apply for a training permit after successfully obtaining the educational licence. The training permit will describe the training activity, training programs to be offered and any remarks in relation to the training activity. The permit should be renewed annually.

Application for Training Permit (Educational Licence)

12. RAKEZ AZ may issue Training Permit (Educational Licence) to a Training Institute, provided that the following conditions have been complied with:
 - a) submit a business plan study to RAKEZ AZ, including:
 - i. the proposed name of the Training Institute;
 - ii. confirmation as to whether the Training Institute seeks designation as a QAT Provider and/or Accredited Provider;
 - iii. relevant documentary evidence of the applicants or documents evidencing ownership of any parent Training Institute, if applicable, and the Persons representing it before RAKEZ AZ;
 - iv. the business strategy, values and goals of the Training Institute;
 - v. an undertaking by the parent Training Institute if the proposed entity to establish the Training Institute is a branch;
 - vi. the job attributes and specifications of the training and administrative staff and their respective hiring criteria;
 - vii. the job attributes and specifications of the proposed Manager to be assigned based on experience and relevant qualifications;
 - viii. accurate description and information related to the Training Institute accredited programs, their duration, the prescribed method of teaching and their commencement and ending dates;

- ix. language of curricula and details on the training materials to be provided to students;
 - x. the selection criteria for the admission of students to the Training Institute programs;
 - xi. a list of the proposed tuition fees and other relevant fees to be incurred by prospective students;
 - xii. the total number of students that the Training Institute expects to enroll in its first three years of operation after it is granted a Training Permit;
 - xiii. the revenue that the Training Institute expects to generate in its first three years of operation after it is granted a Training Permit;
 - xiv. the proposed policies and internal regulations that deal with processes in relation to student complaints and grievances;
 - xv. demonstrate that it can provide alternative means and solutions to students in event that the Training Institute Activity or the Training Institute Program are wholly or partially suspended or cancelled by RAKEZ AZ;
 - xvi. an evaluation of the quality and assessment system to be adopted by the Training /TVET Institute;
 - xvii. a plan for the proposed premises of the Training Institute / TVET explaining the dimensions of the buildings (if required and applicable); and
 - xviii. any documents and/or information as specified in any RAKEZ AZ guidance regarding QAT Providers and/or Accredited Providers, as applicable; and
 - xix. any other documents determined by RAKEZ AZ; and
 - xx. meet any other conditions set out by RAKEZ AZ from time to time with regards to the business plan,
- b) initial approval has been issued by the Competent Authority in favor of the Training Institute;
 - c) all necessary documents required by RAKEZ AZ from the Training Institute to be authenticated by the competent official entities outside the UAE have been provided (if applicable);
 - d) the adequate financial resources of the Training Institute in accordance with its proposed business plan submitted are in accordance with the standards and requirements set out in these Training Institute Regulations and the Academic Regulations and provide evidence of its sources of finance; and
 - e) meeting any other condition prescribed by RAKEZ AZ from time to time.
13. RAKEZ AZ may issue the Training Permit provided that the following conditions have been complied with:
- a) an application for the Training Permit to be submitted in the form prescribed by RAKEZ AZ for this purpose supported by the required documents;
 - b) RAKEZ AZ will register the application and provide an acknowledgment receipt to the applicant;
 - c) RAKEZ AZ will verify the application on its merits and verify that it meets all of the necessary conditions;
 - d) RAKEZ AZ must notify the applicant of its decision within (60) days from the date of the meeting where all of the required conditions are satisfied. RAKEZ AZ may grant the applicant an extension to complete any shortcomings as determined by it prior to issuing its decision in this respect;

- e) RAKEZ AZ must provide reasons to the applicant if it rejects an applicant a Training Permit application. The applicant may apply to RAKEZ AZ again after lapse of at least one year to complete the procedures for obtaining the Training Permit; and
 - f) where an application for the Training Permit is approved, the applicant must pay all the relevant fees to RAKEZ AZ within five working days.
14. RAKEZ AZ may, in accordance with the procedures determined by these Training Institute Regulations and the Academic Regulations, issue a Training Permit to a party other than a Training Institute to deliver a training course to third parties.

Information to be included in the Training Permit

15. RAKEZ AZ shall include the following information on the Training Permit:
- a) the name of the Training Institute;
 - b) the name of the Manager;
 - c) whether the Training Institute is registered as a QAT Provider and/or Accredited Provider;
 - d) the accredited Training Institute Programs of the Training Institute; and
 - e) details of the premises of the Training Institute (if any).

Validity of Educational Licence / Training Permit

16. A Training Permit will be valid for a period of one year, renewable for the same period. A Training Permit will be renewed upon a request submitted by a Training Institute to RAKEZ AZ thirty days prior to expiry of the Training Permit in accordance with the conditions and procedures determined by RAKEZ AZ.

Assignment of Educational Licence / Training Permit

17. No Training Permit may be assigned to any other entity without first obtaining approval of RAKEZ AZ. Such approval will be issued in accordance the Academic Regulations and these Training Institute Regulations. Any assignment to the contrary will be void.

Cancellation of a Educational Licence / Training Permit

18. Subject to the conditions in the Academic Regulations, if RAKEZ AZ cancels or suspends a Training Permit for any reason, the Training Institute must:
- a) ensure that students enrolled in its Training Institute Programs are not prejudiced by such a cancellation. The Training Institute shall provide to students reasonable alternative solutions approved by RAKEZ AZ;
 - b) secure its employees' rights; and
 - c) pay any penalties imposed by RAKEZ AZ, if any.

General Obligations of Training Institutes

19. In addition to the provisions of the legislation in force in the Emirate, a Training Institute must:
- a) comply with the terms of its Educational Licence and Training Permit;
 - b) not conduct any Training Institute Activity other than the Training Institute Activity stated in its Training Permit;
 - c) not conduct any Higher Education Activity;
 - d) not offer a Training Institute Program which is not stated in its Training Permit, or introduce any change to a Training Institute Program stated in its Training Permit without first obtaining the relevant written approval of RAKEZ AZ;

- e) not deliver a Training Institute Program outside of its premises (if any) unless its Training Permit allows, or unless it first obtains the relevant written approval of RAKEZ AZ;
- f) in the case of a Person who owns a training venue or has the right to manage a training venue, not allow any Person other than Training Institutes holding valid Training Permits to deliver Training Programs without obtaining written approval from RAKEZ AZ;
- g) not offer Training Institute Activity to students primarily by means of distance or on-line education programs; subjected to prior approval from RAKEZ AZ.
- h) preserve public order and morality, and UAE values and traditions, and not express contempt for religion or interfere with politics or stir sectarian, racial, or ethnic conflict;
- i) not introduce any change to the details of its Educational Licence or Training Permit unless it first obtains the relevant written approval of RAKEZ AZ;
- j) prior to conducting its Training Institute Activity, inform RAKEZ AZ of the fees it charges for the registration of students in the Training Institute Programs it offers;
- k) not accept gifts or donations from any entity within or outside of the Emirate with an aggregate value greater than AED 2,000 unless it first obtains the relevant written approval from RAKEZ AZ and any Competent Authority;
- l) use the premises (if any) of the Training Institute only for authorized purposes;
- m) if applicable, not construct or add any new buildings or facilities to the Training Institute or phase out any existing facility, or rent any premises unless it first obtains the relevant written approval of RAKEZ AZ;
- n) manage the Training Institute and its facilities in accordance with the provisions of these Training Institute Regulations; and
- o) create records and files of the students and all staff, and maintain the same for the period determined pursuant to the Academic Regulations.

Premises

- 20. The premises (if any) to be used by a Training Institute must be appropriate for the Training Institute Activity and must meet the minimum standards and requirements of RAKEZ AZ, as prescribed from time to time.
- 21. The premises shall comply with all conditions and requirements stipulated in the planning, construction, health, safety, and environment regulations adopted by any relevant Government Entities, including any Competent Authority, within the Free Zone.
- 22. The premises must provide all training resources and teaching aids including training and teaching material, laboratories, and information technology as set out in the education and business plan, unless a written exemption is provided by RAKEZ AZ.

Curricula and Courses

- 23. A Training Institute shall ensure that its curriculum and courses are accredited by a competent authority approved by RAKEZ AZ from time to time (if applicable)
- 24. A Training Institute shall not amend or change its curriculum or courses without the prior approval of RAKEZ AZ.

Approving Training Institute Programs

- 25. To approve a Training Institute Program, the following conditions must be met:

- a) include a description of its objectives, the number of its hours, its duration, the method of study, the adopted quality system (if any), the requirements for graduation, the name of the Training Certificate awarded upon successful completion of the program, and the name of the entity issuing this Training Certificate; and
- b) the content of the program shall comply with the UAE and RAK's religious and national values and traditions when teaching its curriculum and courses, and all books, course materials, programs and other publications (whether in hard copy, digital, written, audio or visual) shall comply with such values and the laws and public policies in force in the UAE and RAK.

Suspension of Training Institute Programs

26. Training Institutes are not permitted to wholly or partially suspend, close or discontinue any of its approved Training Institute Programs without first obtaining the written consent of RAKEZ AZ.
27. RAKEZ AZ will consent to such suspensions only if reasonable alternative solutions are provided for students enrolled in the relevant Training Institute Program.
28. RAKEZ AZ may, in its sole discretion, temporarily suspend wholly or partially, close or discontinue any of the Training Institute approved Training Institute Programs, if the Training Institute fails to abide to any of the conditions for the approval of such programs or if the Training Institute fails to comply with the criteria, conditions, and standards adopted by RAKEZ AZ in respect of the Training Institute Programs.

Employees

Training and administrative staff

29. The Training Institute must employ qualified training and administrative staff. All training staff must hold academic / professional certificates from recognized organizations, approved by RAKEZ AZ. All qualifications and academic certificates are subject to the inspection of RAKEZ AZ.
30. Training staff must have appropriate experience for their roles in the Training Institute.
31. The Training Institute must ensure adequate and appropriate staff training and comply with applicable continued professional development requirements prescribed by its accreditation body.(if any)
32. All training staff, including the Academic President, shall be employed by the Training Institute and have suitable employment contracts in place.

Responsibilities of the Manager

33. The Manager is responsible for the management and supervision of the Training Institute, and in particular:
 - a) the overall operation of the Training Institute and its training supervision;
 - b) ensuring the health and safety of students and staff while on Training Institute premises (if any);
 - c) the recruitment or selection of qualified training staff in the Training Institute;
 - d) management of student affairs, especially those related to the admission process;
 - e) the supervision of any complaints or grievances procedures addressed by students; and
 - f) ensure compliance by the Training Institute with the provisions of the Academic Regulations and these Training Institute Regulations.

34. If for whatever reason, the office of the Manager is vacant, the Training Institute must notify in writing RAKEZ AZ within 24 hours from the date of its occurrence.
35. Subject to an order by RAKEZ AZ, the Training Institute must, within 30 working days from the date of vacancy, appoint a new Manager.

Fees

36. The tuition fees to be charged by the Training Institute shall be approved by RAKEZ AZ.
37. A Training Institute shall ensure that its tuition fees (and any subsequent increases) are carefully set to reflect the community within it which it operates, its target students within RAK, the curriculum offered and the facilities provided.
38. Tuition fees, once set, shall not be increased without the approval of RAKEZ AZ.

Information

39. Trainings Institute shall:
 - a) ensure that all information required to be held by the Training Institute pursuant to these Training Institute Regulations and the Academic Regulations is kept complete, accurate and up to date;
 - b) on request by RAKEZ AZ, provide to RAKEZ AZ all information required to audit the Training Institute and verify compliance with these Training Institute Regulations and the Academic Regulations, including information relating (and not limited to) to its students, staff (academic and non-academic), premises, facilities, curriculum, courses, and teaching materials; and
 - c) provide its financial accounts annually to RAKEZ AZ. RAKEZ AZ reserves the right to audit the financial accounts of a Training Institute with prior notice.
 - d) allow RAKEZ AZ or appointed inspectors to conduct inspections, and to provide the required assistance, information, access to documents, registers, files required by the Inspector to undertake the inspection, access the premises of the Education Institution;
40. RAKEZ AZ shall:
 - e) Adopt a procedure for performance appraisal and quality assurance at Training Institutes ; and
 - f) issue a periodic report on the performance appraisal of Training Institutes, and may publish its findings in the manner it deems appropriate in coordination with the accredited provider / agency

Third Party Assistance for RAKEZ AZ

41. RAKEZ AZ may seek the assistance of specialized third parties to review and assess Initial Approval and Training Permit applications of a Training Institute, and verify that these meet all the specified requirements in these Training Institute Regulations and the Academic Regulations.
42. The applicants referred to in Regulation (41) must co-ordinate with such third party on such applications and pay all fees incurred by RAKEZ AZ in having such assistance.

Advertising and Marketing

43. All advertising and marketing carried out by an Education Institution (whether such advertising and marketing is carried out in RAK, the UAE or elsewhere) shall be subject to the prior approval of RAKEZ AZ. All advertisements and other forms of marketing collateral shall be submitted to RAKEZ AZ prior to being published and distributed to the public.
44. RAKEZ AZ shall endeavor to notify the applicant of its decision to approve or reject an advertisement or other form of marketing collateral by way of a registered letter within (14) days from the date of submission. If the applicant does not receive notice by this date the relevant advertisement or marketing collateral shall be deemed to have been acceptable and may be published by the Education Institution.
45. Approval or deemed approval by RAKEZ AZ shall not impose any liability on RAKEZ AZ for such advertising or marketing carried out by an Education Institution, nor shall it be deemed to admonish the responsibility of the Education Institution in any way to ensure compliance with the law, these Academic Regulations, or the rights of third parties.

