

## BQA NCQF QUALIFICATION TEMPLATE

SECTION A: QUALIFICATION DETAILS																
<b>QUALIFICATION DEVELOPER (S)</b>			BA ISAGO University													
<b>TITLE</b>		Bachelor of Commerce in Law and Compliance								<b>NCQF LEVEL</b>		7				
<b>STRANDS (where applicable)</b>		N/A														
<b>FIELD</b>		Law and Security								<b>CREDIT VALUE</b>		480				
<b>SUB FIELD</b>		Law														
New Qualification		✓		Legacy Qualification						Renewal Qualification						
										Registration Code						
<b>SUB-FRAMEWORK</b>		General Education						TVET					Higher Education		✓	
<b>QUALIFICATION TYPE</b>		Certificate	I		II		III		IV		V		Diploma		Bachelor	✓
		Bachelor Honours						Post Graduate Certificate						Post Graduate Diploma		
		Masters										Doctorate/ PhD				
<b>RATIONALE AND PURPOSE OF THE QUALIFICATION</b>																
<p><b>RATIONALE:</b></p> <p>As trade evolves, the area of compliance and regulation continues to undergo significant developments and changes in response to the growing body of legal and regulatory requirements, as well societal expectations that affect how businesses in regulated industries operate. This is reinforced by the consequences for non-compliance, including legal and reputational liabilities that are of increasing concern to all stakeholders. Therefore, governments are obliged to provide effective national legislative frameworks that address the relevant laws, regulatory codes and industry practices to govern business operations.</p>																

At national level, the government of Botswana has developed several legislative provisions and policies that regulate various public and private businesses such as banking and financial services, entrepreneurial operations, health, education, manufacturing etc. With reference to the National Development Plan (NPD 11), Botswana desires to have a legal system that is conducive to economic development in terms of being transparent, guaranteeing legal security and based on the principles of good regulatory practice. Moreover, the Human Resources Development Council (HRDC) Priority Skills 2023-2024, has outlined the need for Commercial Advisors who have technical skills in Law/legislation, Commerce and Risk Management.

At regional and international level, Botswana has an obligation to comply with legislative frameworks of conducting business under various industries. For example, through Vision 2023, Botswana aims to diversify the financial and business service products and develop them to international standards to promote exports.

Based on the above assertions, the country needs to have people with comprehensive understanding of the legal and regulatory frameworks that govern local and international business operations, as well as the knowledge to navigate complex international laws, ethics and legal issues. Therefore, the proposed Bachelor of Commerce in Law and Compliance is intended to train and produce graduates with a thorough understanding of the business environment, various laws/regulations, as well as compliance and ethical considerations affecting national and international commercial operations. The unique combination of business knowledge, law, legislative process and the regulatory environment provides a unique educational opportunity that will afford graduates opportunities for employment in areas such as banking, finance, accounting, compliance departments of corporations, human resources, government agencies and other corporate careers.

**PURPOSE: (itemise exit level outcomes)**

The purpose of this qualification is to produce graduates with specialised knowledge, skills and competence to:

1. Develop, implement and manage an organisation's compliance program to ensure that business activities meet legal requirements and sector regulations.
2. Determine business processes or practices which do not comply with legal requirements and develop solutions and procedures to amend them.

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3. Assist in conducting applied research and generate innovative ideas to solve complex contemporary issues affecting business compliance and legislation.
4. Draft, interpret and review all business documentation that has legal implications for the business prior to signing and implementing.

### MINIMUM ENTRY REQUIREMENTS (including access and inclusion)

- i. Applicants must have a minimum of Certificate IV, NCQF Level 4 (TVET/GE) or equivalent  
  
OR
- ii. Candidates who do not meet the minimum academic qualifications stated above will be considered through Recognition of Prior Learning (RPL) process which shall be administered according to the National RPL Policy. There will also be provision for Credit Accumulation Transfer to the learner in a case they are transfer in from another institution as per National Policy on CAT.

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### SECTION B

### QUALIFICATION SPECIFICATION

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GRADUATE PROFILE (LEARNING OUTCOMES)	ASSESSMENT CRITERIA
1. Provide guidance and support to various businesses in relation to the legal, regulatory and compliance requirements.	<p>1.1 Determine ways in which governmental, institutional policies directly and indirectly influence various business sectors.</p> <p>1.2 Assess various laws and regulations that impact the regulated business world across a variety of industries.</p> <p>1.3 Assess adequacy of corporate governance measures in place, and advice on improvements required.</p> <p>1.4 Integrate laws and regulations to inform the development of operational policies and procedures to yield best practices and affirm ethical business conduct.</p> <p>1.5 Monitor all operational processes and procedures to ensure that the businesses comply with all legal regulations and ethical standards.</p> <p>1.6 Review compliance of businesses with statutory and regulatory frameworks by using different tools and methodologies.</p> <p>1.7 Manage effective communication and professional relationships by interacting with regulators on compliance issues.</p>
2. Develop operational policies, processes, procedures and frameworks to ensure that business activities are conducted in conformity with all applicable laws, ethics, and regulations.	<p>2.1 Assess the organisation's internal operations and policies and their alignment to statutory or legal requirements.</p> <p>2.2 Establish written guidelines on the implementation of all applicable legislation/s.</p> <p>2.3 Develop business processes and procedures to enhance compliance with applicable legislation.</p>

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	<p>2.4 Implement effective systems and controls to ensure adherence with the firm's compliance policies and programs.</p> <p>2.5 Investigate and facilitate reporting channels for non-compliance</p> <p>2.6 Collaborate with other functional areas to create an ethical corporate culture of compliance.</p> <p>2.7 Oversee organization's policies to ensure they are effective and adhere to the required regulations as well as implement new policies required.</p>
3. Develop simple to complex business contracts, standard terms and conditions, service level agreements, licenses, and other legal documents.	<p>3.1 Draft documents that objectively break down and analyse a legal problem.</p> <p>3.2 Negotiate the terms of agreements in all business contracts and agreements.</p> <p>3.3 Prepare business contracts and memorandum of understanding entered into with other parties.</p> <p>3.4 Interpret legal information and conduct training to simplify all legal requirements to employees.</p> <p>3.5 Review and edit all business documentation that has legal implications for the business prior to signing and implementing.</p> <p>3.6 Apply legal regulations to resolve commercial disputes with different stakeholders.</p>
4. Demonstrate specialized knowledge of laws that govern consumer and employee protection, product disclosure, business reporting and statutory compliance in a variety of business activities.	<p>4.1 Analyse relevant legal issues affecting businesses and those raised by potential clients and partners.</p> <p>4.2 Apply the relevant legal rules and significant facts to respond to counterarguments.</p> <p>4.3 Draw appropriate conclusions based on the outcome-determinative facts, taking into</p>

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	<p>account the business interests, goals, and objectives.</p> <p>4.4 Advise on general business law issues including corporate matters, procurement, human resources, governance and intellectual property.</p>
5. Manage business risks in relation corporate governance, information security, regulatory compliance and operational risks.	<p>5.1 Assess financial and legal risks by determining potential non-compliance to external and internal requirements.</p> <p>5.2 Conduct audits and risk assessments to identify and alleviate compliance-associated risks.</p> <p>5.3 Develop mitigation strategies to manage the identified risks of compliance.</p> <p>5.4 Implement an Enterprise Risk Management Framework and Compliance Management Framework.</p> <p>5.5 Investigate and report any violations of laws or regulations to management and regulatory bodies.</p>
6. Assist in conducting applied research and generate innovative ideas to solve complex contemporary issues affecting business compliance and legislation.	<p>6.1 Critically assess the local, regional and global legal and compliance challenges business.</p> <p>6.2 Assess the latest regulatory technologies to find practical solutions to real-world issues.</p> <p>6.3 Use the relevant primary and secondary sources to conduct legal research in commerce industry.</p> <p>6.4 Apply advanced data collection methods to gather information on key trends and developments relating to business law and compliance.</p> <p>6.5 Critically analyse quantitative and qualitative data to understand complex legislative and</p>

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	<p>compliance requirements affecting businesses.</p> <p>6.6 Generate solutions that promote ethical and sustainable business practices inline to the legislative and compliance standards.</p>
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SECTION C	QUALIFICATION STRUCTURE					
COMPONENT	TITLE	Credits Per Relevant NCQF Level				Total Credits
		Level [5]	Level [6]	Level [7]	Level [8]	

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<b>FUNDAMENTAL COMPONENT</b> Subjects/ Courses/ Modules/Units	Computing and Information Skills	10				10
	Principles of Business Management	10				10
	Business Communication	12				12
	Microeconomics		12			12
	Macroeconomics		12			12
	Social Research Methods			12		12
	Entrepreneurship		12			12
<b>CORE COMPONENT</b> Subjects/Courses/ Modules/Units	Introduction to Law		12			12
	Principles of Statutory Interpretation			12		12
	Principles of Marketing		12			12
	Principles of Regulatory Law and Compliance		12			12
	General Principles of the Law of Contract			12		12
	Principles of Financial Accounting		12			12
	Civil Practice and Procedure			12		12
	Human Resource Management		12			12
	Legal Drafting			15		15



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	Business and Trade Regulations			12		12
	Enterprise Risk Management			12		12
	Corporate Governance and Business Ethics			12		12
	Insurance Law		12			12
	Employment Law			12		12
	Company Law		12			12
	Insolvency Law			12		12
	Dispute Resolution			10		10
	International Trade Law				12	12
	Tax Law			12		12
	Managing Legal and Regulatory Risk			12		12
	Compliance Management			15		15
	Audit and Assurance			12		12
	Law Relating to Banking			12		12
	Intellectual Property Law I & II				24	24
	Strategic Management			12		12
	Industrial Attachment			60		60
	Research Project			24		24

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STRANDS/ SPECIALIZATION	Subjects/ Courses/ Modules/Units		Credits Per Relevant NCQF Level				Total Credits
		Level [ ]	Level [ ]	Level [ ]	Level [ ]		
1.							
2.							
Electives	None						

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### SUMMARY OF CREDIT DISTRIBUTION FOR EACH COMPONENT PER NCQF LEVEL

#### TOTAL CREDITS PER NCQF LEVEL

NCQF Level	Credit Value
Level 5	32
Level 6	120
Level 7	292
Level 8	36
<b>TOTAL CREDITS</b>	<b>480</b>

#### Rules of Combination:

(Please Indicate combinations for the different constituent components of the qualification)

The credit distribution is made up of 80 credits from the fundamental component and 400 credits from the core component. The qualification does not have elective modules.

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### ASSESSMENT ARRANGEMENTS

All assessments which are leading to the award of the qualification should be based on learning outcomes and associated assessment criteria. Assessment will be conducted by Assessors who have been registered with Botswana Qualifications Authority (BQA). The assessments will be as follows:

**i. Formative Assessment**

The weighting of formative assessment is 60 % of the final assessment mark.

**ii. Summative Assessment**

The weighting of summative assessment is 40 % of the final assessment mark.

### MODERATION ARRANGEMENTS

There will be provision for internal and external moderation, conducted by Moderators registered with Botswana Qualifications Authority (BQA).

### RECOGNITION OF PRIOR LEARNING

Recognition of Prior Learning (RPL) will be applicable for consideration for award in this qualification.

### CREDIT ACCUMULATION AND TRANSFER

Credit Accumulation Transfer (CAT) will be applicable for consideration for award in this qualification.

### PROGRESSION PATHWAYS (LEARNING AND EMPLOYMENT)

#### Learning Pathways

##### **Horizontal Articulation:**

- Bachelor of Laws
- Bachelor of Arts in Law and Public Administration
- Bachelor of Commerce in Human Resources Management
- Bachelor of Commerce in Accounting
- Bachelor of Commerce in Economics

##### **Vertical Articulation**

- Post Graduate Diploma in Business Law and Compliance
- Post Graduate Diploma in Business Management
- Post Graduate Diploma in Labour Law

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- Master of Commerce in Law
- Master of Business Administration

### Employment Pathways

- Legal and Compliance Officer
- Regulatory Affairs Officer
- Compliance Monitoring Officer
- Contract Administrator
- Commercial/ Legal Advisor
- Regulatory Analyst
- Corporate Secretary

### QUALIFICATION AWARD AND CERTIFICATION

Candidates meeting the prescribed requirements will be awarded the qualification in accordance with the qualification composition rules and applicable policies. To be eligible for the award of the Bachelor of Commerce in Law and Compliance, candidates should have obtained a minimum of 480 credits. A certificate will be issued to learners who are awarded the qualification.

### SUMMARY OF REGIONAL AND INTERNATIONAL COMPARABILITY

The proposed Bachelor of Commerce in Law and Compliance has been benchmarked with the following regional and international qualifications:

1. Bachelor of Commerce in Law - University of South Africa (UNISA) (South Africa)
2. Bachelor of Business Administration (Law and Compliance) - University of St. Thomas, United States of America (USA)
3. Bachelor of Commerce / Law - University of Sydney (Australia)

The benchmarking exercise revealed that the proposed (Bachelor of Commerce in Law and Compliance) compares favourably against other regional and international qualifications benchmarked with. The titles vary to denote the qualification streams, which are Law and a combination of Law and Compliance. The title of the proposed qualification closely compares with the qualification offered by St. Thomas University, since they both provide a major in Law and Compliance. However, there is a slight difference on their designators, the proposed qualification is a Bachelor of Commerce, as opposed to a Bachelor of Business Administration offered by the qualification of University of St. Thomas. On the other hand, UNISA and University of Sydney offers

the Bachelor of Commerce in Law, with a similar designator to the proposed qualification (Bachelor of Commerce). Although there are slight differences in titles and designators, the qualifications have a common goal in terms of capacitating learners with a firm grounding in business concepts and the legal and regulatory frameworks governing businesses operations, as well as ethical and compliance practices. Similarly, all the qualifications are bachelor's degree pitched at level 7 following the qualification frameworks adopted by each country (NCQF, NQF and AQF).

There are also similarities in terms of the domains in the proposed qualification and the ones benchmarked with. These include Human Resources, Contract Law, Accounting, International Business, Employment Law, Commercial Law and Research. The proposed and University of Sydney qualifications have provision for industrial attachment to enable learners to gain practical experience unlike the UNISA and University of St. Thomas qualifications which does not provide for. The assessment strategies for all qualifications include both formative and summative to assess the achievement of the stated learning outcomes. The rule for award of qualification in all the qualifications is for learners to complete all compulsory modules and attain the minimum required credits.

There are noticeable differences in terms of credits and duration because of difference in frameworks adopted by each country. The proposed and University of St. Thomas qualifications are offered for a period of 4 years, UNISA qualification runs for 3 years, and University of Sydney qualification runs for 5 years. The proposed qualification carries 480 credits, whilst UNISA qualification carries 360 credits, University of St. Thomas qualification has 82 credits, and the qualification offered by University of Sydney carries 240 credits. Based on the different frameworks the notional learning hours for Botswana and South Africa dictates that 1 credit is equals to 10 notional learning hours. Therefore, hours of study required for attaining 480 credits for the proposed qualification are 4800 and for UNISA's qualification are 3600 notional learning hours. In Australia, 1 credit equals to 2 notional learning hours therefore 512 hours are required to attain the qualification. In USA 1 credit is equals to 12.5 notional learning hours, consequently 82 credits translate to 1025 hours of study needed to attain the qualification.

In terms of articulation, all the qualifications have similar routes for educational progression and employment pathways. The common education progression pathway for all the qualifications together with the proposed is Master of Commerce in Law (LLM). The qualifications have similar

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employment pathways and the ones that cut across in all qualifications are Compliance Manager and Human Resource Manager.

### REVIEW PERIOD

This qualification will be reviewed after 5 years upon registration.

### For Official Use Only:

CODE (ID)			
REGISTRATION STATUS	BQA DECISION NO.	REGISTRATION START DATE	REGISTRATION END DATE
LAST DATE FOR ENROLMENT		LAST DATE FOR ACHIEVEMENT	

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