

Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Vol. 477

Pretoria, 15 March 2005
Maart

No. 27390

CONTENTS • INHOUD*No.**Page
No. Gazette
 No.***GOVERNMENT NOTICE****Education, Department of***Government Notice*

234	Higher Education Act (101/1997): Rhodes University Statute	3	27390
-----	--	---	-------

GOVERNMENT NOTICE

DEPARTMENT OF EDUCATION

No. 234

15 March 2005

HIGHER EDUCATION ACT, 1997 (ACT No. 101 OF 1997)

RHODES UNIVERSITY STATUTE

The Council of Rhodes University, in accordance with section 32 of the Higher Education Act, 1997 (Act No. 101 of 1997), has made the Statute of the University as set out in the Schedule to this Notice, which is, in terms of section 33 of the Act, hereby published with the approval of the Minister of Education, and which comes into operation on the date of this publication.

SCHEDULE

To introduce a Statute for Rhodes University to give effect to the Higher Education Act, 1997 (Act No. 101 of 1997), as amended, and to promote the effective management and governance of the University in respect of matters not expressly prescribed by the Act.

CONTENT

DEFINITIONS.....	3
Definitions.....	3
UNIVERSITY.....	4
Name, seat and powers of University.....	4
Constitution of University.....	4
Election of chancellor.....	5
Term of office of chancellor.....	5
PRINCIPAL.....	5
Functions of principal.....	5
Appointment of principal.....	6
Term of office of principal.....	6
VICE-PRINCIPAL.....	6
Functions of vice-principal.....	6
Appointment of vice-principal.....	6
Term of office of vice-principal.....	6
COUNCIL.....	6
Functions of council.....	6
Composition of council.....	7
Election of council members.....	8
Term of office of members of council.....	8
Termination of membership and filling of vacancies.....	8
Election of chairperson and vice-chairperson of council and term of office.....	9
Secretary to council.....	9
Conflict of interest of council members.....	10
Committees of council.....	10
Drafting, amending or rescinding of Statute.....	10
SENATE.....	10
Composition of senate.....	11
Term of office of senate members.....	12
Chairperson, vice-chairperson and secretary to senate.....	12
Senate meeting procedure.....	12
Committees of senate.....	13
BOARDS OF FACULTIES.....	13
Boards of faculties.....	13
Composition of boards of faculties.....	13
Meeting procedure of boards of faculties.....	13
INSTITUTIONAL FORUM.....	13
Functions of institutional forum.....	13
Composition of institutional forum.....	13
Office-bearers of institutional forum.....	14
Quorum and procedure at meetings of institutional forum.....	14
CONVOCATION.....	14
Functions of convocation.....	14
Composition of convocation.....	14
President of convocation.....	14
Meetings of convocation.....	15
Meeting procedures of convocation.....	15
STUDENT REPRESENTATIVE COUNCIL (SRC).....	15
Functions of SRC.....	15
Composition of SRC.....	15
Office-bearers of SRC.....	15
Term of office of SRC members.....	16
Privileges of SRC members.....	16
Meetings of SRC.....	16
SRC committees.....	16

REGISTRAR.....	16
Functions of registrar.....	16
Appointment of registrar	16
STUDENTS	16
Admission and registration of students.....	16
Student discipline	17
DEGREES, DIPLOMAS AND CERTIFICATES	17
Degrees, diplomas and certificates by examination.....	17
Award of honorary degrees	17
Conferring of degrees and award of certificates and diplomas.....	17
REPEAL OF STATUTE.....	17
Repeal of Statute	17
TRANSITIONAL PROVISIONS	17
Transitional provisions.....	17

DEFINITIONS

Definitions

1. In this Statute any word or expression to which a meaning has been assigned by the Higher Education Act, 1997 (Act No. 101 of 1997), as amended, has the meaning assigned to it, and unless the context otherwise indicates:

“**academic staff**” means the full-time professors, associate professors, senior lecturers, lecturers, junior lecturers, senior instructors, instructors and researchers employed by the University except in paragraphs 15(1)(e) and 25(1)(g) in which instances professors, heads and acting heads of departments or associated institutes are excluded;

“**Act**” means the Higher Education Act, 1997 (Act No. 101 of 1997), as amended;

“**administrative and support staff**” means all staff employed by the University other than the academic staff;

“**associated institute**” means an institute recognised by the council as such;

“**board of governors of the Rhodes University Foundation**” means persons holding office as governors of the Rhodes University Foundation;

“**certificate**” means a certificate of the University awarded to a student on completion of the work prescribed for the certificate by the senate;

“**chancellor**” means the person contemplated in paragraph 4;

“**convocation**” means the convocation of the University contemplated in paragraph 39;

“**council**” means the council of the University contemplated in paragraph 13;

“**days**” includes Saturdays, Sundays and public holidays;

“**degree**” means a degree of the University conferred upon a student on completion of the work prescribed for the degree by the senate;

“**diploma**” means a diploma of the University awarded to a student on completion of the work prescribed for the diploma by the senate;

“**employee**” means any person appointed at the University to a position by the council, whether part-time or full-time, permanent, temporary or fixed-term contract;

“**entity**” means any organisation, forum or body and includes an organisational structure provided for in the Act or determined by the council;

“**examination**” means any test or assessment, including any written, oral, practical or clinical test or assessment where the result obtained contributes to, or constitutes, the result for a course;

“**executive management**” means the principal, vice-principal or vice-principals of the University and such other persons as determined by the council;

- “**faculty**” means a faculty established in terms of paragraph 32;
“**functions**” includes powers and duties and vice versa;
“**governance sector**” means the executive management, the council and the senate;
“**graduate**” means a person who has obtained a degree of an institution;
“**institution**” means a public higher education institution contemplated in section 20 of the Act;
“**institutional forum**” means the institutional forum contemplated in paragraph 34;
“**Minister**” means the Minister of Education;
“**month**” means calendar month;
“**principal**” means the person contemplated in paragraph 7.
“**professor**” means an academic employee who has been given the title of professor by the University but does not include an emeritus or associate professor or a person holding the title in an honorary capacity;
“**qualification**” means a certificate, a diploma or a degree;
“**registrar**” means the person contemplated in paragraph 51;
“**Rhodes University Foundation**” means the trust registered under this name to raise and hold funds for the University;
“**Rules**” means the institutional rules of the University made in terms of paragraph 32 of the Act;
“**seat of the University**” means the seat contemplated in paragraph 2 of this Statute and in section 65A of the Act;
“**senate**” means the senate of the University contemplated in paragraph 24;
“**senior management**” means the principal, the vice-principal or vice-principals, the registrar, the deans of faculties and the administrative positions equivalent to the positions of the deans of faculties;
“**SRC**” means the students’ representative council of the University contemplated in paragraph 44;
“**Statute**” means the institutional statute of the University approved in terms of section 33 of the Act;
“**student**” means a person registered as a student of the University;
“**the University**” means Rhodes University;

UNIVERSITY

Name, seat and powers of University

2. (1) The name of the University is Rhodes University.
- (2) The seat of the University is Grahamstown.
- (3) The University is a juristic person, as contemplated in section 20(4) of the Act.
- (4) Notwithstanding subparagraph (3), the University may not, without the concurrence of the Minister, dispose of or alienate in any manner, any immovable property acquired with the financial assistance of the State or grant to any person any real right therein or servitude thereto.
- (5) The University may confer degrees and honorary degrees and award diplomas and certificates in its own name as contemplated in section 65B and 65C of the Act.

Constitution of University

3. (1) The University consists of –
 - (a) the chancellor;
 - (b) the council;
 - (c) the senate;

- (d) the principal, within the meaning of section 30 of the Act;
 - (e) the vice-principal or the vice-principals;
 - (f) the registrar;
 - (g) the SRC;
 - (h) the institutional forum;
 - (i) the convocation;
 - (j) the faculties, the departments and such other academic structures of the University as may be determined by the council;
 - (k) the academic staff of the University;
 - (l) the administrative and support staff of the University;
 - (m) the students of the University;
 - (n) such other offices, bodies or structures as may be established by the council.
- (2) No vacancy in any of the offices contemplated in subparagraph (1) nor any deficiency in the numbers or defect in the composition of the bodies or structures contemplated in subparagraph (1) impairs or affects the existence of the University as a juristic person or any function conferred by the Act or this Statute upon the University.

CHANCELLOR

Functions of chancellor

4. (1) The chancellor is the titular head of the University.
- (2) The chancellor confers all degrees and awards all diplomas and certificates in the name of the University.
- (3) The chancellor performs such other functions as assigned to him or her by the council.

Election of chancellor

5. Any advertising of the post, invitation for nomination of candidates, search for suitable candidates, criteria for the short-listing of candidates and interviewing, if any, and the appointment processes are conducted in the manner determined by the council.

Term of office of chancellor

6. (1) The chancellor holds office for a period of seven years, provided that the council may extend the term of office of the chancellor for a further term of no more than seven years after consultation with the senate and with the institutional forum.
- (2) The chancellor may resign at any time.

PRINCIPAL

Functions of principal

7. (1) The principal is the chief executive officer of the University.
- (2) The principal is responsible for the day-to-day management and administration of the University and has all the powers necessary to perform these functions.
- (3) The principal is the vice-chancellor and performs the functions of the chancellor in the absence of the chancellor.
- (4) The principal reports to the council.
- (5) By way of his or her office the principal is a member of all the committees of the

council and the senate.

(6) The council may assign additional functions, and grant additional powers and privileges to the principal.

Appointment of principal

8. Subject to section 31(1) of the Act, the advertising of the post, the invitation for nomination of candidates, the search for suitable candidates, the criteria for the short-listing of candidates and the interviewing and appointment processes are conducted in the manner determined by the council.

Term of office of principal

9. The principal is appointed by the council for such period as agreed upon in his or her contract.

VICE-PRINCIPAL

Functions of vice-principal

10. (1) The vice-principal, or vice-principals, perform the duties delegated to them by the principal.

(2) The vice-principal appointed by the council as the pro-vice-chancellor performs the functions of the vice-chancellor in the absence of the vice-chancellor.

Appointment of vice-principal

11. Subject to section 31(1) of the Act, the advertising of the post of vice-principal, or vice-principals, the invitation for nomination of candidates, the search for suitable candidates, the criteria for the short-listing of candidates and the interviewing and appointment processes are conducted in the manner determined by the council.

Term of office of vice-principal

12. The vice-principal, or vice-principals, are appointed by the council for such period as agreed upon in their contracts.

COUNCIL

Functions of council

13. (1) Subject to the Act and this Statute the council governs the University.
- (2) Without derogating from the generality of subparagraph (1), the council –
- (a) makes Rules for the University;
 - (b) appoints all employees of the University, but, in the case of academic staff of the University, it may do so only after consultation with the senate;
 - (c) determines the student admission policy of the University, after consultation with the senate;
 - (d) determines, after consultation with the senate, the entrance requirements in respect of particular higher education programmes, the number of students who may be admitted for a particular higher education programme and the manner of their selection, and the minimum requirements for readmission to study at the University;

- (e) may, after consultation with the senate, refuse admission to a student who fails to satisfy the minimum requirements for readmission; and
 - (f) after consultation with the SRC, establishes a structure to advise on the policy for student support services within the University and provides student support services.
- (3) Without derogating from the generality of subparagraph (1), the council –
- (a) makes the institutional Statute and any amendments thereto;
 - (b) appoints the senior management of the University, subject to section 31(1)(a)(iii) of the Act;
 - (c) determines the conditions of service, the disciplinary provisions and the privileges and functions of its employees, and may, in the manner set out in the disciplinary Rules, suspend or dismiss any employee of the University;
 - (d) may order an employee whom it has suspended to refrain from being on the premises under the control of the University and to refrain from participating in any of the University's activities or issue such other conditions as it may deem necessary;
 - (e) determines the language policy of the University, after consultation with the senate;
 - (f) determines, after consultation with the senate, which academic structures are required and the function of each structure, in order to ensure efficient governance;
 - (g) determines tuition fees, accommodation fees and any other fees payable by students as well as accommodation fees payable by employees;
 - (h) approves the annual budget of the University;
 - (i) may conclude loans or overdraft agreements, subject to the proviso that the approval of the Minister is required whenever the aggregate of existing borrowings plus the new contemplated borrowing exceeds five per cent of the average income of the University received during the two years immediately preceding such agreement;
 - (j) may enter into agreements for the construction of a permanent building or other immovable infra-structural development, the purchasing of immovable property, or the long term lease of immovable property, subject to the proviso that the approval of the Minister is required if the value of such development or property exceeds five per cent of the average income of the University received during the two years immediately preceding the agreement.
- (4) Subject to section 68 of the Act, the council may delegate any of the functions referred to in subparagraph (2), but the council may not delegate any of the functions referred to in subparagraph (3).
- (5) The council is not divested of responsibility for the performance of any function delegated or assigned under subparagraph (4).

Composition of council

14. (1) The council, as contemplated in section 27 of the Act, consists of –
- (a) the principal;
 - (b) not more than two vice-principals;
 - (c) five persons appointed by the Minister;

- (d) four members of the senate elected by the senate;
 - (e) one member of the academic staff elected by the academic staff;
 - (f) two members of the administrative and support staff elected by the administrative and support staff;
 - (g) two persons appointed by the Makana Municipality;
 - (h) one person elected by the board of governors of the Rhodes University Foundation;
 - (i) the president of the SRC and another student elected annually by the SRC;
 - (j) six persons appointed by the council with a broad spectrum of competencies in the fields of education, business, finance, law, marketing, information technology and human resource management;
 - (k) not more than four persons co-opted by the council.
- (2) At least sixty per cent of the members of the council must be persons who are not employed by, or students of, the University and regard must be paid to the racial and gender representation of the council.
- (3) The council members must have knowledge and experience relevant to the objects and governance of the University.
- (4) Except as provided in subparagraphs (1)(a), (b), (d), (e), (f) and (i) –
- (a) no student or employee of the University and no other person in receipt of regular remuneration from the University is eligible for appointment or nomination for election as a member of the council;
 - (b) a member of council who becomes a student or an employee of the University or who enters into a contract with the University in terms of which he or she is to receive regular remuneration from the University must forthwith vacate his or her seat on the council.

Election of council members

15. The manner in which members of the council are appointed or elected is as determined by the Rules.

Term of office of members of council

- 16.** (1) The principal and the vice-principal, or vice-principals, remain members of the council for as long as they occupy their posts.
- (2) The term of office of the student members of the council elected by the SRC is one year, provided that membership ceases when a student ceases to be a registered student.
- (3) The term of office of the remaining members is as determined by the Rules.
- (4) A member may serve more than one term of office as a council member.

Termination of membership and filling of vacancies

- 17.** (1) A member of the council vacates his or her position on the council if he or she –
- (a) tenders a written resignation;
 - (b) is absent from three consecutive ordinary meetings of the council without leave;
 - (c) is absent from the ordinary meetings of the council for a whole calendar year;
 - (d) is, or becomes, an insolvent;
 - (e) is declared to be of unsound mind by a court of the Republic; or

- (f) is convicted of an offence and sentenced by a court of the Republic to a term of imprisonment without the option of a fine;
 - (g) in respect of paragraphs 15(1)(a), (b), (d), (e) and (f), ceases to be employed by the University;
 - (h) in respect of paragraph 15(1)(i), ceases to be president of the SRC or a student, as the case may be.
- (2) In the event of a vacancy through death or otherwise, the registrar must forthwith notify the Minister or entity that appointed or elected the member, requesting the Minister or entity to appoint or elect a successor.

Election of chairperson and vice-chairperson of council and term of office

18. (1) The registrar must invite the council to elect a chairperson and a vice-chairperson when the need arises.
- (2) A majority of all members present elects the chairperson and the vice-chairperson.
- (3) The chairperson and vice-chairperson of the council must not be elected from members contemplated in paragraph 15(1)(a), (b), (d), (e), (f) or (i).
- (4) The chairperson and the vice-chairperson of council hold office for two years but are eligible for re-election.
- (5) If a vacancy in the office of the chairperson and the vice-chairperson occurs during the term of office, the registrar must invite the council at its next ordinary meeting to fill the vacancy for the unexpired period of the term of office.
- (6) The chairperson presides at all meetings of the council at which he or she is present.
- (7) The vice-chairperson presides at any meeting at which the chairperson is absent.
- (8) If neither the chairperson nor the vice-chairperson is present at a meeting, the registrar must invite members present to elect a member to preside at that meeting.

Secretary to council

19. (1) The registrar is the secretary to the council as contemplated in section 26(4)(b) of the Act.
- (2) The secretary acts as an electoral officer.
- (3) The secretary attends all meetings and keeps all relevant documents of the council.

Meetings of council

20. (1) The quorum at an ordinary meeting of the council is eight.
- (2) The quorum at a special meeting of the council is half of the total membership of the council excluding vacancies that may exist at the time.
- (3) Ordinary meetings are held when and where the council decides, but there must be at least five ordinary meetings of the council each year.
- (4) Any member may place a motion on the agenda of a meeting of the council by giving written notice to the secretary of the council at least seven days before the date of the meeting, and the secretary must include such motion in the agenda.
- (5) The secretary must issue a written notice to each member of the council at least two days before each ordinary meeting of the council setting out the place, date and time of the meeting, and the agenda for the meeting.
- (6) Notwithstanding subparagraph (5) the council may, by a majority of the total membership of the council, agree to consider any urgent matter of which notice has not been given.

- (7) Special meetings must be held –
 - (a) when called by the chairperson; and
 - (b) when a written request for a special meeting is received by the secretary from at least three members of the council, the object of the meeting being stated in the request.
- (8) The secretary must give at least seven days notice in writing to each member of each special meeting of the council, setting out the place, date and time of the meeting and the agenda for the meeting and no other business may be dealt with at the meeting except that the council may by a majority of the total membership of the council excluding vacancies agree to consider any urgent matter of which notice has not been given; and
- (9) An emergency meeting may be called by the chairperson at any time after giving not less than 24 hours notice.
- (10) Notice of an emergency meeting may be given in any manner convenient under the circumstances.
- (11) The object of an emergency meeting must be stated to members and no business other than that stated may be transacted at such meeting.
- (12) The council decides its own meeting Rules.

Conflict of interest of council members

- 21.
 - (1) A member of council may not have a conflict of interest with the University.
 - (2) A member of council who has a direct or indirect financial, personal or other interest in any matter to be discussed at a meeting and which entails or may entail a conflict or possible conflict of interest must, before or during such meeting, declare the interest.
 - (3) Any person may, in writing, inform the chairperson of a meeting, before a meeting, of a conflict or possible conflict of interest of a council member of which such person may be aware.
 - (4) The member is obliged to excuse him or herself from the meeting during the discussion of and voting on any matter involving or likely to involve a conflict of interest.

Committees of council

- 22.
 - (1) The council appoints such committees as may be required.
 - (2) The composition, functions of the committees and meeting procedures are as determined by the council.

Drafting, amending or rescinding of Statute

- 23.
 - (1) No motion to draft, amend or rescind a statute or a rule is of force and effect unless adopted by at least 75 per cent of all members present at a meeting of the council, provided that such meeting is constituted by at least one-half plus one of the total number of members, excluding vacancies.
 - (2) Any motion to draft, amend or rescind a statute or a rule must be in accordance with the provisions of section 32(2) of the Act.

SENATE

Functions of senate

- 24.
 - (1) Subject to the Act, the senate is accountable to the council for the teaching, learning, research and academic functions of the University and all other functions

delegated or assigned to it by the council.

(2) Without derogating from the generality of subparagraph (1) the organisation and superintendence of instruction and examinations, and of lectures and classes, vest in the senate and the senate –

- (a) if delegated to do so by resolution of council, may make or amend any Rule relating to the curriculum for, or the obtaining of, any degree, diploma, certificate or other qualification, but may do so only after consulting the relevant faculty board;
 - (b) if delegated to do so by resolution of the council, may make or amend any Rule relating to the manner in which students are to be examined;
 - (c) determines what standard of proficiency is required to be attained in any mode of assessment that may be used in order to satisfy the requirements for the obtaining of each degree, diploma, certificate or other qualification;
 - (d) advise the council on disciplinary measures and Rules concerning students;
 - (e) may make recommendations to the council regarding the faculty to which each academic department, school or other academic structure belongs;
 - (f) may make recommendations to the council regarding the establishment and disestablishment of faculties, academic departments, schools and other academic structures;
 - (g) determines, in accordance with any relevant deed or gift, and after consultation with the principal, the conditions applicable to any scholarships and other academic prizes;
 - (h) may establish committees to perform any of its functions, may appoint persons who are not members of the senate as members of such committees and may for this purpose deem a single person to be a committee;
 - (i) determines the functions of its committees as well as the procedure of meetings of these committees;
 - (j) may make standing orders on procedures and delegation of powers for the better carrying out of its functions;
 - (k) may delegate its functions; and
 - (l) must take note of any action taken by a committee in exercising its delegated powers or functions when such committee reports its actions to the next meeting of the senate.
- (3) The senate submits to the council –
- (a) such reports upon its work as may be required by the council;
 - (b) recommendations on matters referred to it by the council, and
 - (c) recommendations on any other matter affecting the University as the senate considers useful.
- (4) The senate may, in terms of the Rules, cancel the registration of a student in all or one or more of the courses for which the student is registered in that year if in the opinion of the senate the academic achievement of the student is such that the student may not at the end of the year obtain credit in such course or courses, as the case may be.

Composition of senate

25. (1) The senate, subject to the provisions of the Act, consists of –
- (a) the principal;
 - (b) the vice-principal or vice-principals;

- (c) the professors;
 - (d) the registrar;
 - (e) the University librarian;
 - (f) two members of the council elected by the council;
 - (g) six members of the academic staff elected by the academic staff;
 - (h) the heads and acting heads of department;
 - (i) five students elected by the SRC;
 - (j) the heads of associated institutes who are not professors of the University, and
 - (k) two members of the administrative and support staff elected by the administrative and support staff.
- (2) The majority of senate members must be academic staff.
- (3) The manner of election of members is as determined by the Rules.

Term of office of senate members

26. (1) Members appointed in terms of paragraph 25(1)(a), (b), (c), (d) and (e) hold office for as long as they are employed by the University in that capacity.
- (2) The term of office of members elected by the council is two years provided that the council has the power to terminate such membership prior to this period.
- (3) The term of office of members of the academic staff elected by the academic staff is one calendar year from the first day of January.
- (4) Students elected by the SRC hold office until a new SRC takes office.
- (5) Where a member who has been elected dies, resigns or vacates office for any reason including the expiry of his or her term of office, the secretary to the senate must request the entity who elected the member to appoint a successor in the manner determined by the Rules.
- (6) The successor holds office for the unexpired term of office of the predecessor unless the successor is elected because his or her predecessor's term of office has expired.

Chairperson, vice-chairperson and secretary to senate

27. (1) The principal is the chairperson of the senate as contemplated by section 26(4)(a) of the Act.
- (2) The vice-chairperson of the senate is the vice-principal designated the pro-vice-chancellor by the council.
- (3) The secretary of the senate is the registrar.
- (4) The chairperson, and in his or her absence the vice-chairperson, presides at meetings of the senate and the meetings of the subcommittees of the senate.
- (5) The senate may appoint a person other than the chairperson or the vice-chairperson to chair a subcommittee of the senate where appropriate.
- (6) The chairperson and vice-chairperson perform such other functions as the senate may determine.
- (7) The secretary performs those functions assigned to him or her by the senate.
- (8) If both the chairperson and the vice-chairperson are absent, the senate elects from among its members a chairperson for the meeting concerned.

Senate meeting procedure

28. The quorum and procedure for meetings of the senate are determined by the senate.

Committees of senate

29. (1) The senate appoints –
 (a) an executive committee; and
 (b) such other committees as may be required.
(2) The composition and functions of the committees are determined by the senate.

Joint committees of council and senate

30. The council, in consultation with the senate, appoints such joint committees of the council and senate as may be necessary for the performance of particular tasks.

BOARDS OF FACULTIES**Boards of faculties**

31. For each faculty there is a committee of the senate known as a faculty board to regulate the activities of the faculty.

Composition of boards of faculties

32. (1) The composition of a faculty board is as determined by the Rules.
(2) The dean of the faculty is the chairperson of a faculty board and is appointed by the senate on the recommendation of the faculty board.
(3) The dean of a faculty holds office for three years and his or her duties are as determined by the senate.

Meeting procedure of boards of faculties

33. The meeting procedure of boards of faculties is as determined by the Rules.

INSTITUTIONAL FORUM**Functions of institutional forum**

34. (1) The institutional forum advises the council on issues affecting the University, including –
 (a) the implementation of the Act and the national policy on higher education;
 (b) race and gender equity policies;
 (c) the selection of candidates for senior management positions;
 (d) codes of conduct, mediation and dispute resolution procedures;
 (e) fostering of an institutional culture which promotes tolerance and respect for fundamental human rights and creates an appropriate environment for teaching, research and learning; and
 (f) the language policy of the University.
(2) The institutional forum performs such other functions as determined by the council.

Composition of institutional forum

35. (1) The institutional forum consists of twenty-four members –
 (a) six members from the governance sector elected or appointed in the manner determined by the Rules;
 (b) eight members from the student sector appointed by the SRC in the

- manner determined by the Rules;
- (c) eight members from the staff sector elected in the manner determined by the Rules; and
- (d) two members from the community sector appointed in the manner determined by the Rules.
- (2) The term of office of members is as determined by the Rules.
- (3) Membership of the institutional forum terminates if the member concerned –
 - (a) resigns in writing to the secretary to the institutional forum
 - (b) is absent from three consecutive ordinary meetings of the institutional forum without leave;
 - (c) ceases to be a member of the body which designated or elected the person.

Office-bearers of institutional forum

36. (1) The institutional forum elects from among its members a chairperson and designates a secretary.
- (2) If the chairperson is absent the first item of business at that meeting is the election of a chairperson for that meeting.

Quorum and procedure at meetings of institutional forum

37. (1) The quorum at meetings of the institutional forum is one-third of the total membership of the institutional forum.
- (2) The institutional forum determines its own meeting procedures.

CONVOCATION

Functions of convocation

38. The convocation may provide the council with its opinion on any matter relating to the University, including matters which may be referred to it by the council.

Composition of convocation

39. (1) The convocation consists of –
 - (a) the graduates of the University;
 - (b) the principal;
 - (c) the vice-principal or vice-principals;
 - (d) academic staff;
 - (e) the University librarian;
 - (f) the registrar;
 - (g) the dean of students; and
 - (i) those former professors and associate professors elected by the senate and council to be emeritus professors or emeritus associate professors.
- (2) The fact that the name of a person appears on the convocation roll is on face value proof of him or her being a member of the convocation, and of him or her being entitled to vote.

President of convocation

40. (1) The president of the convocation is elected by the convocation from its members at

an annual meeting and holds office until the close of the second annual meeting thereafter.

(2) The president of the convocation presides at all meetings of the convocation at which he or she is present, and in the absence of the president the meeting elects one of its number to preside at that meeting.

(3) If a vacancy occurs in the office of the president of the convocation, the principal acts as president until the next annual general meeting which must elect a president to hold office until the close of the second annual general meeting thereafter.

Meetings of convocation

41. (1) The convocation must hold an annual general meeting which is convened by the secretary.

(2) Notice of any motion or matter for discussion at an annual general meeting must be given to the secretary in writing at least two months before the meeting.

(3) Special meetings of the convocation may be called by the president at any time and must be called by the secretary within two months of the receipt of a written request by at least 100 members for a special meeting, stating the object of the meeting.

(4) At least four weeks before an annual general meeting, or seven days before a special meeting, the secretary must give notice of the date, time and place of the meeting, with a statement of the business to be considered, by –

- (a) publishing a notice in newspapers in Grahamstown, East London and Port Elizabeth; and
- (b) by placing a notice on the University's home page on the world wide web.

Meeting procedures of convocation

42. (1) Thirty members form a quorum at an annual general meeting, but if a meeting is adjourned owing to the lack of a quorum, a special meeting must be convened, at which the members present constitute a quorum.

(2) The meeting procedures of the convocation are in the manner determined by the convocation.

STUDENT REPRESENTATIVE COUNCIL (SRC)

Functions of SRC

43. (1) The students of the University are represented in matters that may affect such students by the SRC.

(2) The functions of the SRC are as determined by the SRC constitution.

Composition of SRC

44. (1) Only registered students are eligible to serve on the SRC.

(2) The manner of election of SRC members and the number of members to be elected are determined by the SRC constitution.

Office-bearers of SRC

45. (1) The election and duties of a president and a deputy president are as determined by the SRC constitution.

(2) The functions and manner of election of other office bearers are as determined by

the SRC constitution.

Term of office of SRC members

46. The term of office of the members of the SRC is one year, but members may be re-elected.

Privileges of SRC members

47. The privileges of members of the SRC are as determined by the council, after consultation with the SRC.

Meetings of SRC

48. The number of meetings, the quorum at a meeting and the meeting procedures are determined by the SRC constitution as approved by the council.

SRC committees

49. The SRC may establish such committees as are required.

REGISTRAR**Functions of registrar**

50. (1) The registrar is the secretary of the council, the senate and the convocation.
(2) The registrar is responsible for assisting the principal in the management and administration of the University and performs such other functions as the principal may from time to time decide.

Appointment of registrar

51. The council appoints the registrar for such period as agreed upon in the contract of employment.

STUDENTS**Admission and registration of students**

52. (1) The council may permit a person to register as a student only if he or she satisfies the legal requirements, if any, for admission to study at the University and, further, satisfies any other requirements for admission that may be determined by the council and laid down in the Rules.
(2) The requirements for admission of students to the University are set out in the Rules.
(3) A student is registered for one year or for such shorter period as the council may determine.
(4) In order for a student to renew his or her registration after the expiry of the period contemplated in subparagraph (3), the student is required to comply with any conditions set by the council.
(5) The council may refuse to allow the renewal of registration if a student fails to meet the conditions contemplated in subparagraph (4).
(6) The conditions contemplated in subparagraph (4) may include the payment of outstanding fees.

Student discipline

53. The disciplinary measures and discipline provisions applicable to the students are set out in the Rules, and may be changed by the council after consultation with the senate and the SRC.

DEGREES, DIPLOMAS AND CERTIFICATES**Degrees, diplomas and certificates by examination**

54. (1) The University may, subject to the Act, award diplomas and certificates and confer degrees of bachelor, honours bachelor, master and doctor in any faculty.
- (2) Except as provided in paragraph 55, no degree may be conferred and no diploma or certificate may be awarded to any person who has not –
- (a) been registered as a student of the University for the period and under the conditions which the senate prescribes; and
 - (b) completed the courses and passed in the examinations prescribed by the senate.
- (3) The provisions and procedures for the award of credits and exemptions in respect of courses required for the award of diplomas and certificates or the conferment of degrees are determined by the senate and set out in the Rules.

Award of honorary degrees

55. The University may confer an honorary degree of master or doctor upon any person by resolution of the senate and the council.

Conferring of degrees and award of certificates and diplomas

56. (1) A meeting of the members of the University, called a congregation, is held for the purpose of conferring degrees and awarding certificates and diplomas.
- (2) Congregations are held at times and places decided by the council in consultation with the senate.
- (3) The principal determines at which congregation any graduand may be admitted to a degree.
- (4) A person is not entitled to any of the privileges conferred by any degree until he or she has been admitted to such degree at a congregation.
- (5) The procedure for the presentation of graduands, the conferring of degrees in absentia, academic dress, and all other matters regarding congregations are determined by the council in consultation with the senate.

REPEAL OF STATUTE**Repeal of Statute**

57. The Statute of Rhodes University promulgated in *Government Gazette* No. 20168, Government Notice No. 749 of 8 June 1999 is hereby repealed with effect from the date on which this Statute comes into operation.

TRANSITIONAL PROVISIONS**Transitional provisions**

58. (1) Anything done under any provision of the Statute which existed prior to the

commencement of this Statute is deemed to have been done under the corresponding provision of this Statute.

(2) The existing rules which are in force prior to the commencement of this Statute continue to apply until replaced.

(3) Persons holding office in terms of the Statute which existed prior to the commencement of this Statute are deemed to hold office under the corresponding provisions of this Statute, unless this is inconsistent with the Act or this Statute.

(4) Notwithstanding subparagraph (3), the term of office of the members contemplated in paragraph 15(1)(c) expires at the commencement of this Statute and the registrar must request the Minister to appoint or reappoint five persons.

(5) A special meeting of the council comprising members holding office in terms of subparagraph (3) must meet within thirty days of the commencement of this Statute to vote upon the nominations of persons contemplated in paragraph 15(1)(j).
