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**GOVERNMENT NOTICE**

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**GOVERNMENT NOTICE**

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**DEPARTMENT OF EDUCATION**

No. 690

**1 August 2007****TSHWANE UNIVERSITY OF TECHNOLOGY****STATUTE**

The Council of the Tshwane University of Technology has made the Statute, set out in the Schedule hereto, in accordance with section 32 of the Higher Education Act, 1997 (Act NO.101 of 1997), which is, in terms of the provisions of section 33 of the said 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 new Statute for the Tshwane University of Technology, to give effect to any law relating to the University, and to promote the effective and responsible management and governance of the University in respect of matters not expressly prescribed by any law.

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## 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), has the meaning so assigned to it, and, unless the context otherwise indicates -

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

"**academic employee**" means any person appointed by the council to a teaching or research post at the University and any other employee designated as such by the council, and includes a person in this category who is serving a probationary period in terms of his or her contract of employment prior to permanent appointment;

"**chancellor**" means the chancellor as contemplated in paragraph 4

"**convocation**" means the convocation contemplated in paragraph 64;

"**council**" means the council contemplated in paragraph 22;

"**days**" include Saturdays, Sundays and public holidays;

"**deputy vice-chancellor**" means the deputy vice-chancellor as contemplated in section 26(2) (d) of the Act;

"**diplomat**" means a person upon whom a diploma has been conferred by a university;

"**donor**" means a person who has made a donation, which, in the opinion of the council, warrants that person being recognised as a donor;

"**functions**" include powers and duties and vice versa;

"**graduate**" means a person upon whom a degree has been conferred by a university;

**"learning site"** means the seat of the University in Pretoria and the learning sites in Ga-Rankuwa, Nelspruit, Soshanguve, Polokwane, and Witbank;

**"legal entity"** for the purposes of paragraph 22(2)(k), means an entity established as a juristic person in terms of the Companies Act, 1973 (Act 61 of 1973)

**"month"** means a calendar month;

**"professor"** means an academic employee on the permanent or temporary, full-time or part-time, salaried or honorary staff of the University who has been given the title of professor by the University, and includes a person in any of these categories who is serving a probationary period in terms of his or her contract of service prior to permanent appointment, but does not include an emeritus, adjunct, associate or assistant professor, or a reader;

**"Rules"** means any rules of the University made under section 32 of the Higher Education Act;

**"senate"** means the senate contemplated in paragraph 35;

**"SRC"** means the students' representative council of the University;

**"student"** means any person registered at the University full-time or part-time for a degree, diploma, or certificate of the University or registered or enrolled for any course or programme of instruction of the University, provided that a person so registered or enrolled who is also a full-time or part-time employee of the University is not a student for the purpose of membership of the council or the senate;

**"non-academic employee"** means a person on the permanent or temporary, full-time or part-time staff of the University, other than an academic employee, and includes a person in this category who is serving a probationary period in terms of his or her contract of service prior to permanent appointment;

**"the management of the University"** for the purposes of section 31 (2) (a) of the Act, means the vice-chancellor, the deputy vice-chancellors, the registrar(s), the deans, directors and any other position equivalent to or above that of a director

**"the seat of the University"**, for the purposes of paragraph 2 of this Statute and section 65A of the Higher Education Act, means the physical location of the University, which is in Pretoria;



**"the senior management of the University"** for the purposes of section 31 (1) (a)(iii) of the Act, and paragraphs 22 (3) (b), 45 (1) (a) and 68 (3) of the Statute, means the vice-chancellor, the deputy vice-chancellors, the registrar(s) and any other employee in a position equivalent to that of a deputy vice-chancellor;

**"the University"** means the Tshwane University of Technology;

**"institutional forum"** means the institutional forum contemplated in paragraph 45;

**"vice-chancellor"** means the vice-chancellor of the University as contemplated in section 26(2)(c) of the Act, and includes a principal or a rector.

## UNIVERSITY

### **Name, status, physical location and powers of University**

2. (1) The name of the University is the Tshwane University of Technology.
- (2) The institution is a juristic person, as contemplated in section 20(4) of the Act
- (3) The seat of the Tshwane University of Technology is at Pretoria where the activities of the institution are principally administered.
- (4) Notwithstanding subparagraph (2), the institution 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.
- (5) The University may confer degrees and honorary degrees and award diplomas and certificates in its own name as contemplated in section 658 and 65C of the Act.

### **Constitution of the University**

3. (1) The University consists of -
  - (a) the chancellor;
  - (b) the vice-chancellor, within the meaning of section 30 of the Higher Education Act,
  - (c) the deputy vice-chancellors;
  - (d) one or more registrars as determined by the council;

- (e) the council;
- (t) the senate;
- (g) the institutional forum;
- (h) the student services council;
- (i) the convocation;
- (j) the faculties, departments and such other academic structures of the University as may be determined by the council in accordance with these Statute;
- (k) the academic employees of the University;
- (l) the non-academic employees of the University;
- (m) the students of the University; and
- (n) the students' representative council.

(2) No vacancy in any of the offices contemplated in subparagraph (1) or any deficiency in the numbers or defect in the composition of the bodies contemplated in subparagraph (1) impairs or affects the existence of the University as a juristic person or any function conferred by these Statute or the Higher Education Act upon the University.

## **CHANCELLOR**

### **Functions of chancellor**

4. (1) The chancellor is the titular head of the University and confers all degrees and awards all diplomas and certificates in the name of the University.

(2) The chancellor performs such other functions as assigned to him or her by the council.

### **Election and appointment of chancellor**

5. (1) The chancellor is elected by the council in the following manner:

- (a) The chairperson of the council determines the date on which a meeting of the council is to be held for the purpose of electing a chancellor;

- (b) the secretary to council gives due notice to the members of the council of the date, time of and venue for the meeting contemplated in subparagraph (1)(a);
- (c) the secretary to the council invites the members of the council and other University structures to submit nominations for the office of the chancellor;
- (d) the nominations contemplated in Subparagraph (1)(c) must reach the secretary to the council at least 20 working days before the meeting contemplated in subparagraph (1)(a);
- (e) the nominations contemplated in subparagraph (1)(c) must be in writing and must include the nominee's written consent and complete curriculum vitae;
- (f) the secretary to the council must, within five working days after the closing date for nominations, inform members of the council in writing of the nominations received;
- (g) the chancellor is elected by secret ballot by the majority of the members present at the meeting contemplated in subparagraph (1)(a);
- (h) if no candidate receives a majority of votes, successive rounds of voting are held;
- (i) in each successive round of voting, the candidate receiving the fewest votes is eliminated as a candidate.

(2) After the council has elected a chancellor, the name of the chancellor is announced by the chairperson of the council.

#### **Term of office of chancellor**

6. (1) The chancellor holds office for a period of four years, unless he or she resigns or is removed from office in accordance with subparagraph (5).

(2) A person may not be elected for more than two consecutive terms of office.

(3) If the chancellor is unable, for any reason, to perform the functions of his or her office, or if the office of chancellor becomes vacant, the vice- chancellor or the acting

vice-chancellor performs the functions of the chancellor, in the event of the office having become vacant until the vacancy is filled.

(4) The term of office of the chancellor terminates in the event of -

- (a) death or incapacity;
- (b) resignation; or
- (c) removal from office by the council.

(5) The chancellor may only be removed from office by the council by means of a resolution passed by at least two-thirds of the members of the council and then only after the chancellor has been given the opportunity to answer to the reasons provided by the council for the removal there from.

## **VICE-CHANCELLOR**

### **Chief executive officer**

7. (1) The vice-chancellor is the chief executive officer of the University.

### **Functions of vice-chancellor**

8. (1) The vice-chancellor is responsible for the day-to-day management and administration of the University and has all the powers necessary to perform these functions subject to the provisions of paragraph 22.

(2) The vice-chancellor is the academic head of the University;

(3) The vice-chancellor reports to the council.

(4) By way of his or her office, the vice-chancellor is a member of all the committees of the council and the senate.

(5) The council may delegate its powers, assign additional functions, and grant additional powers and privileges to the vice-chancellor.

(6) When the vice-chancellor is absent or unable to carry out his or her duties, the deputy vice-chancellor designated by the council takes over or the council may appoint an acting vice-chancellor.

(7) The vice-chancellor may delegate his or her powers without abdicating his or her responsibilities to any employee.

(8) Subject to the applicable University Rules and policies, an acting vice-chancellor has the same powers, privileges and functions as the vice-chancellor

#### **Appointment of the vice-chancellor**

9. 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 in the manner determined in the Rules.

#### **Term of office of the vice-chancellor**

10. The council after consultation with the senate and institutional forum appoints the Vice-Chancellor for such period as agreed upon in his or her contract

#### **Vacation of office**

11. (1) The term of office of the vice-chancellor terminates before its expiry if the incumbent dies, resigns from office or is discharged from office in a manner prescribed in the Rules.

(2) A vice-chancellor whose term of office expires by efflux ion of time may be appointed for one further term.

(3) If the office of the vice-chancellor becomes vacant, the registrar notifies the members of the council of the fact in writing.

(4) A successor is appointed in terms of paragraph 9.

#### **Discipline of vice-chancellor**

12. The vice-chancellor is subject to the Rules for staff discipline.

### **EXECUTIVE MANAGEMENT COMMITTEE (EMC)**

#### **Functions of the executive management committee**

13. (1) The vice-chancellor may establish an executive management committee to assist him or her in the day-to-day management and administration of the University.

(2) The executive management committee takes decisions in accordance with the applicable legislation as well as the Statute and the Rules of the University.

### **Composition of the executive management committee**

**14.** (1) The executive management committee consists of-

- (a) the vice-chancellor;
- (b) the deputy vice-chancellors;
- (c) the registrar(s), and
- (d) any other employee designated by the vice-chancellor.

(2) The executive management committee may, from time to time, co-opt any employee for a particular purpose.

### **Chairperson and meetings of the executive management committee**

**15.** (1) The vice-chancellor is the chairperson of the executive management committee.

(2) The vice-chancellor convenes meetings of the executive management committee and determines the business on the agenda.

(3) The executive management committee determines its own meeting procedures.

## **DEPUTY VICE-CHANCELLORS**

### **Functions**

**16.** (1) The council may appoint one or more deputy vice-chancellors as contemplated in section 26(2) of the Act.

(2) The deputy vice-chancellors support the vice-chancellor in the management and administration of the University.

(3) The deputy vice-chancellors are responsible for the execution of the functions designated to them by the vice-chancellor.

**Discipline of deputy vice-chancellors**

17. The deputy vice-chancellors are subject to the Rules for staff discipline.

**Appointment, term of office, vacation of office and filling of vacancy**

18. The appointment, term of office, vacation of office and filling of vacancies of deputy vice-chancellors are in a manner as determined in the Rules.

**REGISTRAR**

19. (1) The council appoints a registrar who will act as an electoral officer and secretary to the council, senate, student services council and the convocation.

(2) The registrar supports the vice-chancellor in the management and administration of the University.

(3) The registrar ensures that the University complies with the applicable legislation and the national higher education policies.

(4) The registrar is an electoral officer to the institutional forum.

(5) The appointment, term of office, vacation of office and filling of vacancies of the registrar is in a manner as determined in the Rules.

(6) The registrar is subject to the Rules for staff discipline.

**EXECUTIVE DIRECTORS**

20. (1) The council may appoint one or more executive directors to whom the council or the vice-chancellor may assign specific managerial and administrative functions.

(2) An executive director is accountable to the vice-chancellor or to the relevant deputy vice-chancellor.

(3) In the temporary absence of an executive director, the vice-chancellor or the relevant deputy vice-chancellor designates another person to perform the functions of the office.

(4) An executive director is subject to the Rules for staff discipline.

(5) The appointment, term of office, vacation of office and filling of vacancies of an executive director is in a manner as determined in the Rules.

## DEANS

21. (1) In every faculty there is a dean who is responsible, among others, for the management and administration of the faculty.

(2) A dean is accountable to the deputy vice-chancellor and the senate.

(3) In the temporary absence of the dean, the vice-chancellor designates another person to perform the functions of the office.

(4) A dean is subject to the Rules for staff discipline.

(5) The appointment, term of office, vacation of office and filling of vacancies of a dean are in a manner as determined in the Rules.

## COUNCIL

### Functions of council

22. (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) establishes the council committees and determines the composition and functions of each committee;

(c) establishes, in consultation with the senate, joint committees of the council and the senate to perform functions that are common to the council and the senate;

(d) subject to paragraph 68, appoints employees of the University, but, in the case of academic employees of the University, it may do so only after consultation with the senate;

(e) determines the student admission policy of the University, after consultation with the senate;

(f) determines, with the approval of 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;
- (g) may, with the approval of the senate, refuse readmission to a student who fails to satisfy the minimum requirements for readmission;
  - (h) determines and provides student support services after consultation with the SRC.
  - (i) may, in the manner set out in the disciplinary Rules, suspend or dismiss any employee of the University, and
  - (j) may order an employee whom it has suspended to refrain from being on any 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;
  - (k) may establish legal entities in terms of the applicable legislations for the benefit of the University.
- (3) Without derogating from the generality of SUBparagraph (1), the council -
- (a) makes the institutional Statute and any amendments thereto;
  - (b) SUBJECT to paragraph 44(1) (c), appoints the senior management, as defined, of the University
  - (c) determines the language policy of the University, after consultation with the senate;
  - (d) determines conditions of service, the disciplinary provisions and the privileges and functions of the University's employees,
  - (e) determines, after consultation with the senate, which academic structures are required and the functions of each structure, in order to ensure efficient governance;
  - (f) determines tuition fees, accommodation fees or any other fees payable by students after consultation with the SRC, and accommodation fees payable by employees;
  - (g) approves the annual budget of the University;

- (h) may conclude a loan or an overdraft agreement, 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; and
- (i) may enter into an agreement for the construction of a permanent building or other immovable infrastructural 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 function 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**

**23.** (1) The council, as contemplated in section 27 of the Act, consists of not more than 30 members, made up of -

- (a) the vice-chancellor;
- (b) not more than two deputy vice-chancellors, appointed by the vice-chancellor;
- (c) five persons appointed by the minister;
- (d) two members of the senate, elected by the senate;
- (e) two representatives of the academic employees, elected by the academic employees;
- (f) two representatives of the non-academic employees, elected by the non-academic employees;
- (g) two students elected by the students' representative council;

- (h) two members of the convocation elected by the convocation;
- (l) one member representing the institutional forum, elected by the institutional forum;
- (j) one person with expertise in law, elected by the council;
- (k) one person with expertise in financial matters, elected by the council;
- (l) two technical experts, elected by the council;
- (m) two members of organised commerce and industry, elected by the council;
- (n) one member representing the Tshwane Metropolitan Council, elected by the Tshwane Metropolitan Council;
- (o) two prominent members of the external community, elected by the council;
- (p) one representative of the donors, who may not be an employee or student of the University, elected by the board of directors of the University Advancement Office. and
- (q) one member representing the board of directors of the University Advancement Office, who may not be an employee or student, elected by the board of directors of the University Advancement Office.

(2) At least 60 per cent of the members of the council must be persons who are not employees or students of the University, and the racial and gender representation on the council must be taken into consideration.

(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), (g) 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 or election as a member of the council; and
- (b) a member of the 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.

(5) A member may serve more than one term of office as a council member.

(6) The manner of appointment or election of candidates for the offices mentioned in subparagraphs (1) (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p) and (q) is provided for in the Rules.

(7) An appointment in terms of paragraph (1)(n) is subject to the approval of the council.

### **Term of office of members of the council**

**24.** (1) The term of office of members of the council is four years, except in the case of-

- (a) members referred to in paragraphs 23(1)(a) and (b), who serve by virtue of their offices and remain members of the council for as long as they occupy their offices;
- (b) members referred to in paragraphs 23(1) (d) ,(e), and (f) whose term of office is two years;
- (c) members referred to in paragraphs 23(1) (h), (i), (n) and (o), whose term of office is three years;
- (d) members referred to in paragraph 23(1)(g), elected by the students' representative council, whose term of office is one year, with the proviso that membership ceases automatically when a student member ceases to be a student.

(2) The membership of a member who is elected from among the ranks of a specific interest group or organisation lapses upon termination of his or her association with that interest group or organisation.

(3) Any member may serve as a member of the council for more than one term, provided that no student may serve as a member of the council for a term exceeding two years.

(4) If a vacancy arises in the council, it is filled in the same manner as the manner in which it was filled originally.

(5) A new member of the council, appointed or elected in terms of subparagraph (4) in a vacancy occurring before the expiry of the term of office concerned, is appointed or elected for the full term of office.

### **Termination of membership and filling of vacancies**

25. (1) A member of the council's term of office terminates if -

- (a) he or she tenders a written resignation;
- (b) the minister, or entity who appointed or elected the member to the council, terminates the membership in writing, at any time before the expiry of the member's term of office;
- (c) he or she is absent from three consecutive meetings without leave of the council;
- (d) he or she is declared insolvent and the majority of council members disapproves the member's continuation;
- (e) he or she is removed from an office of trust by a court of law or is convicted of an offence for which the sentence is imprisonment without the option of a fine;
- (f) he or she, in the majority opinion of the council, is seen to be incapacitated; and
- (g) the member of the council who was not an employee or a student of the University is appointed an employee or becomes a student of the University.

(2) In the event of a vacancy through death or otherwise, the secretary to the council notifies the vacancy to the entity that has appointed or elected such member, requesting such entity to appoint or elect a successor.

(3) The council has the power to suspend, take disciplinary action or terminate a member's membership.

(4) If 75 per cent or more of the members of the council resign, the council is deemed to have resigned, as contemplated in section 27(8) of the Act.

(5) If the council resigns, as contemplated in subparagraph (4), a new council must be constituted in terms of this Statute.

**Chairperson and vice-chairperson of the council and their term of office**

26. (1) The chairperson and the vice-chairperson of the council must not be elected from the members contemplated in paragraph 23 (1)(a), (b), (d), (e), (t), (g) and 0).

(2) (a) The chairperson presides at meetings of the council and the executive committee of the council.

(b) The council determines any further functions of the chairperson.

(3) (a) The vice-chairperson presides at meetings of the council and the executive committee of the council in the absence of the chairperson.

(b) The vice-chairperson performs such other functions as the council may determine.

(4) The chairperson and the vice-chairperson of the council are elected to their respective offices for a period of two years

(5) The chairperson and the vice-chairperson are eligible for re-election.

(6) Nominations for the office of the chairperson and the vice-chairperson of the council must be in writing and be directed to the secretary to the council.

(7) If more than one candidate is nominated, voting is by secret ballot.

(8) Each member of the council has only one vote during a ballot and no proxy is allowed.

(9) A majority of all members present elects the chairperson and the vice-chairperson.

(10) Whenever a vacancy occurs in the office of the chairperson or the vice-chairperson, the provisions of subparagraph (6) to (9) apply, with the necessary changes, to the filling of such vacancy.

(11) A person who fills a vacancy in terms of subparagraph (10) holds office until the end of the predecessors' term.

**Secretary to the council**

27. (1) The secretary to the council is the registrar, as contemplated in section 26(4)(b) of the Act.

- (2) The registrar may participate in the discussions of the council but may not vote.
- (3) The secretary acts as an electoral officer in all matters pertaining to council.
- (4) The secretary attends all meetings and keeps all relevant documents of the council.
- (5) The registrar may appoint an employee of the University to assist him or her.

### **Meetings of the council**

- 28.** (1) The council has at least four ordinary meetings during each academic year.
- (2) Notice of any motion for consideration at the next ordinary meeting must be in writing and must be lodged with the secretary at least 21 days before the date determined by the council for such meeting, provided that any matter of an urgent nature may, without prior notice, by consent of the chairperson and a majority of the members present, be considered at such meeting.
- (3) At least 14 days prior to the date of an ordinary meeting, the secretary gives due notice to each member of all the matters to be dealt with at such meeting and states the time and place of such meeting.
- (4) A special meeting may be called at any time by the chairperson.
- (5) A special meeting must be called by the chairperson at the request, in writing, of at least five members, the objective of such meeting clearly stated in the request, provided that at least seven days' notice of a special meeting is given.
- (6) No business other than that which the special meeting was called for may be transacted at such meeting.
- (7) An emergency meeting may be called by the chairperson, or in his or her absence, by the vice-chairperson, at any time, provided that the members are given at least 24 hours' notice of such meeting.
- (8) Notice of an emergency meeting may be given in any manner convenient under the circumstances.
- (9) The object of an emergency meeting must be stated to members and no business other than that stated may be transacted at such meeting.

**Council membership and meeting procedures**

**29.** (1) The council members must participate in the deliberations of the council in the best interest of the University.

(2) Failure to act in the best interest of the University or behavior that brings the University into disrepute may result in the removal of such a member from the council following due process.

(3) If it is alleged that a member is not acting in the best interest of the University or has engaged in conduct that brings or tends to bring the University into disrepute and at least one-third of the members of the council at any meeting resolve that steps should be taken against that person, the council must instruct that a hearing by an ad hoc committee of council take place.

(4) If the committee finds that the member has failed to act in the best interest of the University or has behaved in a manner that brings the University into disrepute then the committee may recommend that the member be removed from the council.

(5) The member may be removed from the council if at least two-thirds of the members of the council present at any meeting vote for his or her removal.

(6) Except where otherwise provided in this Statute, all acts or matters authorised or required to be done or decided by the council or its committees and all questions that may come before it are done or decided by the majority of the members present at any meeting, provided that the number present at any meeting is at least one half plus one of the total number of members of the council or its committees holding office on the date of such meeting; and provided further that at least fifty per cent of the members present are persons who are not employees or students of the University.

(7) In the absence of the chairperson and the Vice-chairperson of the council, the members present elect one of their members to preside at such meeting.

(8) The first act of an ordinary meeting, after being constituted, is to read and confirm by the signature of the chairperson the minutes of the last preceding ordinary meeting and of any special meeting subsequently held, provided that the meeting may consider the minutes as read if a copy thereof was previously sent to every member of the council, provided further that objections to the minutes of a meeting are raised and decided before confirmation of the minutes.



(9) A member of the council may not, without the consent of the chairperson, speak more than once to a motion or to any amendment and the mover of any motion or any amendment has the right to reply.

(10) Every motion or amendment must be seconded and, if so directed by the chairperson, must be in writing.

(11) A motion or an amendment seconded as contemplated in subparagraph (6), may not be withdrawn except with the consent of the meeting.

(12) The chairperson has, on any matter, a deliberative vote and, in the event of an equality of votes, also a casting vote.

(13) If so decided by the meeting, the number of members voting for or against any motion must be recorded in the minutes, and at the request of any member the chairperson must direct that the vote of such member be likewise recorded.

(14) When a majority of the members of the council reaches agreement on a matter referred to them by letter or electronic means by the chairperson, without convening a meeting, and conveys such resolution by letter or electronic means, such resolution is equivalent to a resolution of the council and must be recorded in the minutes of the next succeeding ordinary meeting.

(15) The views of a member of the council who is unable to attend a meeting may be submitted to the meeting in writing but may not count as a vote of such member.

(16) The ruling of the chairperson on a point of order or procedure is binding unless immediately challenged by a member, in which event such ruling must be submitted without discussion to the meeting, whose decision is final.

### **Conflict of interest of council members**

**30.** (1) A member of the council may not have a conflict of interest with the University.

(2) A member of the 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 the matter and the voting.

### **Committees of the council**

**31.** (1) The council appoints-

- (a) an executive committee;
- (b) an audit committee;
- (c) a finance committee;
- (d) an employment conditions committee;
- (e) a planning and resource committee;
- (f) a council membership committee; and
- (g) such other committees as may be required.

(2) The council may if it deems fit, combine any two or more of the committees contemplated in sub-paragraph (1) above.

(3) The composition and functions of the committees are determined by the council in the Rules.

(4) At least 50 per cent of the members of a committee must be persons who are not employees or students of the University.

(5) The chairperson of a committee may not be an employee or a student of the University.

### **Minutes of council and committee meetings**

**32.** (1) The secretary to the council keeps the minutes of each meeting of the council and includes such minutes in the agenda of the next council meeting when the agenda is sent out in terms of paragraph 28(3).

(2) The minutes of all committee meetings must be included in the agenda of the next ordinary meeting of the council following the respective committee meetings.

## SENATE

### Functions of the senate

33. (1) Subject to the Act, the senate is accountable to the council for all the teaching, learning, research, community service 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 instructions and examinations, and of lectures and classes, vest in the senate and the senate -

- (a) may make or amend any Rule relating to the curriculum for any degree, diploma, certificate or other qualification, or to the obtaining of any degree, diploma, certificate or other qualification, but may do so only after consulting the relevant faculty board;
- (b) 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) advises 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 vice-chancellor, the conditions applicable to any scholarships and other academic prizes;
- (h) determines the persons to whom scholarships and academic prizes are awarded;

- (i) 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;
  - (j) determines the functions of its committees as well as the procedure of meetings of these committees;
  - (k) may make standing orders on procedures and delegation of powers to improve the carrying out of its functions;
  - (l) may delegate its functions; and
  - (m) 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 on 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 that the senate may consider 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.

### **Senate membership**

**34.** (1) Members of the senate must participate in the deliberations of the senate in the best interest of the University.

(2) Failure to act in the best interest of the University or behaviour that brings the University into disrepute may result in the removal of such a member from the senate following due process.

(3) If it is alleged that a member is not acting in the best interest of the University or has engaged in conduct that brings or tends to bring the University into disrepute and

at least one-third of the members of the senate at any meeting resolve that steps should be taken against that person, the senate must instruct that a hearing by an ad hoc committee of senate take place.

(4) If the committee finds that the member has failed to act in the best interest of the University or has behaved in a manner that brings the University into disrepute then the committee may recommend that the member be removed from the senate.

(5) The member may be removed from the senate if at least two-thirds of the members of the senate present at any meeting vote for his or her removal.

### **Composition of the senate**

35. (1) The senate, subject to the provisions of the Act, consists of-
- (a) the vice-chancellor;
  - (b) the deputy vice-chancellor(s);
  - (c) the registrar;
  - (d) deans;
  - (e) at least one professor from each faculty elected by the relevant faculty, as determined in the Rules;
  - (f) the head of the library
  - (g) the head of research;
  - (h) the head of quality promotion;
  - (i) the head of higher education development and support
  - (j) the head of teaching and learning with technology;
  - (k) the head of the center for continuing professional development;
  - (l) the head of curriculum development;
  - (m) the head of student development support;
  - (n) the head of cooperative education;
  - (o) the head of strategic management support;
  - (p) campus directors;
  - (q) the deputy registrar designated by the registrar;
  - (r) the chief financial officer;
  - (s) two members of the SRC, elected by the central SRC;

- (t) two non-academic employees, elected by the non-academic employees;
  - (u) one head of an academic department from each faculty, elected by the executive committee of the relevant faculty;
  - (v) one academic employee from each faculty, elected by the academic employees of the faculty concerned;
  - (w) two members of the council who are not employees or students of the University; designated by the council
  - (x) one member of a recognised labour union representing the majority of academic employees elected by the labour union concerned; and
  - (y) such additional members as are approved by the senate.
- (2) The majority of senate members must be academic employees.
- (3) The persons contemplated in paragraph (35)(1)(a), (b), (c), (d), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q) and (r) are appointed in their official capacity as members of the senate.

#### **Term of office of senate members**

- 36.** (1) Members appointed in terms of paragraph 35(1)(a), (b), (c), (d), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q) and (r) hold office for as long as they are employed by the University in that capacity.
- (2) Members appointed in terms of paragraph 35(1) (e), (l), (u), (v), (w), (x) and (y) hold office for a period of two years.
- (3) Members appointed in terms of paragraph in 35(1) (s) hold office for a period of one year.
- (4) The membership of a member who is elected from among the ranks of a specific interest group or organisation lapses upon termination of his or her association with that interest group or organisation.
- (5) If a vacancy arises in the senate, it is filled in the same manner as the manner in which it was filled originally.
- (6) The successor holds office for the unexpired term of office of the predecessor unless the successor is appointed or elected because his or her predecessor's term of office has expired.

(7) Any member may serve as a member of the senate for more than one term, provided that a student may not serve as a member of the senate for more than two terms.

### **Chairperson, vice-chairperson and secretary to the senate**

37. (1) The vice-chancellor is the chairperson of the senate, as contemplated in section 26(4)(a) of the Act.

(2) The vice-chairperson of the senate is the deputy vice-chancellor designated by the senate as such.

(3) The secretary to the senate is the registrar.

(4) The chairperson presides at the meetings of the senate and the meetings of the subcommittees of the senate if the senate considers it appropriate for him or her to do so.

(5) The chairperson performs such other functions as the senate may determine.

(6) In the absence of the chairperson, the provisions of subparagraph (4) apply to the vice-chairperson.

(7) The vice-chairperson performs such other functions as the senate may determine.

(8) The secretary performs those functions assigned to him or her by the senate.

(9) 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**

38. The procedure applicable to the council meetings is applicable, with the necessary changes, to the meetings of the senate.

### **Committees of the senate**

39. (1) The senate may establish an academic committee and any other committees as required and determine the functions of such committees.

(2) The composition, election, term of office, functions, meeting procedures, quorum, discussion of motions, voting procedures, rulings by the chairperson, recording of votes and minutes of committee meetings are determined by the Rules.

(3) The vice-chancellor, in his or her official capacity, is a member of all committees of the senate.

#### **Joint committees of the council and senate**

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

### **FACULTY BOARD**

#### **Functions of faculty board**

41. (1) Each faculty must establish a faculty board.

(2) The function of the faculty board is to regulate the activities of the faculty in line with the policies and Rules of the University.

#### **Composition of the faculty board**

42 The composition of a faculty board is as determined in the Rules.

#### **Meeting procedure of the faculty board**

43. The council's meeting procedures are applicable, with the necessary changes, to meetings of the faculty board.

### **INSTITUTIONAL FORUM**

#### **Function of institutional forum**

44. (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) the fostering of an institutional culture that 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 institution.
- (2) The institutional forum performs such other functions as determined by the council.

### **Composition of institutional forum**

- 45.** (1) The institutional forum consists of-
- (a) two members of the management, elected by the senior management of the University;
  - (b) the employment and equity officer;
  - (c) two members of the council who are not employees or students of the University, elected by the council;
  - (d) two representatives of the senate, elected by senate;
  - (e) representatives of the non-academic employees, one from each of the learning sites of the University, elected by the non-academic employees of that relevant learning site;
  - (f) representatives of the academic employees, one from each of the learning sites of the University, elected by the academic employees of that relevant learning site;
  - (g) two members of each sufficiently representative labour union at the University, elected by such labour union;
  - (h) two members of the student services council, elected by the student services council;
  - (i) two members of the convocation who are not employees or students of the University, elected by the convocation;

- (j) two representatives of the students' representative council, elected by the central SRC; and
- (k) one or more members co-opted by the institutional forum for the specific purpose of assisting the institutional forum in respect of any specific project.

(2) Nomination of representatives must be transparent and democratic and each constituency must follow the procedure within its own constituency and submit the names of its representatives to the registrar.

#### **Term of office of the members of the institutional forum**

**46.** (1) The term of office of members of the institutional forum contemplated in paragraph 45(1)(c) to (i) is three years.

(2) The term of office of members contemplated in paragraph 45(1)(j) is one year.

(3) The members contemplated in paragraph 45(1)(a) and (b) who are members of the institutional forum by virtue of their office, remain members of the institutional forum for as long as they hold their office.

(4) Members are eligible for re-election, *provided* that the members contemplated in paragraph 45(1)(j) may not be re-elected for more than two terms.

(5) Paragraph 25(1) applies, with the necessary changes, to the termination of membership of the members of the institutional forum.

#### **Office-bearers of the institutional forum**

**47.** (1) The institutional forum elects from among its members a chairperson, a deputy chairperson and a secretary.

(2) The office bearers hold their respective offices for a period of two years.

#### **Meetings and meeting procedures of the institutional forum**

**48.** (1) The institutional forum must *have* at least two meetings during each academic year.

(2) Fifty per cent plus one of the members form a quorum.

(3) The procedure applicable to the council meetings is applicable, with the necessary changes, to the meetings of the institutional forum.

### **Committees of the institutional forum**

**49.** The institutional forum may appoint committees as required and determine the functions of such committees.

## **STUDENT SERVICES COUNCIL**

### **Functions**

**50.** (1) Subject to the provisions of section 27(3) of the Act, the student services council advises the council on the policy for student support services.

(2) The student services council discusses any other matters referred to it by the council and advises the council on such matters.

### **Composition**

**51.** (1) The student services council consists of –

- (a) the vice-chancellor;
- (b) the deputy vice-chancellors;
- (c) two members of the council who are not employees or students of the University, elected by the council;
- (d) two members of the senate, elected by the senate;
- (e) the chief financial officer;
- (f) the registrar(s);
- (g) the person in charge of the University student affairs and support services;
- (h) the dean of student affairs;
- (i) the heads of the various divisions dealing with student affairs and support services matters;
- (j) the campus directors;

- (k) one representative of each of the recognised labour unions, as designated by the labour union concerned; and
- (l) two students from each of the learning sites of the University, elected by the relevant campus SRC.

(2) The manner of election or designation of members contemplated in subparagraph (1)(c), (d), (k), and (l) is provided for in the Rules.

### **Term of office**

**52.** (1) The members contemplated in paragraph 51(1)(a), (b), (e), (f), (g), (h), (i) and (j), who serve by virtue of their offices, remain members of the student services council for as long as they hold their offices.

(2) The representatives of the council, senate and labour unions are elected for period of two years, or for such shorter period, as they are members of the council, senate or the labour unions.

(3) The representatives of the students' representative councils are elected for a period of one year, provided that membership lapses automatically if a student member ceases to be a student.

**53.** The provisions of paragraph 36(4), (5), (6), and (7) apply, with the necessary changes.

### **Chairperson, vice-chairperson and secretary**

**54.** The provisions of paragraph 37 apply, with the necessary changes.

### **Meetings**

**55.** The procedure applicable to the council meetings is applicable, with the necessary changes, to the meetings of the student services council.

### **Committees of the student services council**

**56.** The provisions of paragraph 39 apply, with the necessary changes.

## STUDENTS' REPRESENTATIVE COUNCIL (SRC)

### Functions of the SRC

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

(2) The matters contemplated in subparagraph (1) include-

- (a) liaison with the council, the senate, the management, the general public, other institutions, students' representative councils of other institutions, national or international student organisations, and unions.
- (b) being the umbrella organisation for all student committees, clubs, councils and societies, granting or withdrawing recognition of such student committees, clubs, councils and societies, as it deems appropriate;
- (c) the coordination and supervision of the use of students' facilities and all matters pertaining thereto, in conjunction with the University management;
- (d) the convening and conducting of all authorised meetings of the student body and being the managing body in all general referenda and petitions organised by the students within the Rules;
- (e) the appointment of such office-bearers and establishing of such committees as it deems necessary;
- (f) the organisation and promotion of extramural activities among students;
- (g) keeping account of all moneys paid over to it by the council and any other moneys which may accrue to it in its capacity as representative of the students; also allocating or disbursing such funds for use by students, and making grants to approved
- (h) the responsibility for the preservation of order at student functions, and the ensuring of good conduct at other approved meetings of students;
- (o) the coordination of student involvement in all community projects initiated by it;
- (j) the responsibility for student publications;

- (k) the recommendation to the council of Rules to determine the conduct of its affairs;
- (l) the final decision-making in all matters falling within its jurisdiction; and
- (m) such additional functions and privileges as may be specifically conferred upon it by the council.

(3) The SRC, as contemplated in section 35 of the Act, must be representative of the student body.

(4) The SRC is not a juristic person and it is not a bearer of its own rights, except that it exists as a structure according to the provisions of the Act, with powers delegated to it by council.

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

(6) The election of SRC members must be democratic and transparent.

### **Composition of the SRC**

**58.** The composition of the SRC, as contemplated in section 35 of the Act, is determined by the Rules after consultation with the SRC.

### **Term of office of the SRC**

**59.** (1) The term of office of members of the SRC is one year.

(2) a student may not serve as a member of the SRC for more than two terms.

### **Privileges**

**60.** The privileges of members of the SRC are determined by the Rules, after consultation with the SRC.

### **Constitution and meetings of the SRC**

**61.** (1) The number of meetings, the quorum at a meeting and the meeting procedures are determined by the constitution of the SRC, as approved by the council, on the recommendation of the student services council.

(2) The constitution of the SRC will have no legal force and effect unless such constitution, or amendments thereto, is approved by council.

**SRC committees**

62. (1) The SRC must, subject to the student disciplinary Rules, establish a disciplinary committee responsible for the discipline of any members of the SRC and members of the student structures affiliated to the SRC.

(2) The SRC may establish such other committees as determined by the SRC constitution.

**General meeting**

63. (1) The SRC must convene at least one general meeting of students per semester.

(2) A general meeting may also be requested by at least twenty per cent of signatories petitioning the SRC.

(3) Meetings may not disrupt academic activities unless the vice-chancellor has granted prior permission.

**CONVOCATION****Membership of convocation**

64. (1) The convocation consists of the vice-chancellor, the deputy vice-chancellors, the registrar, academic employees, as set out in subparagraph (2), and all persons who are or become graduates or diplomates of the University or the University's predecessors and such other persons as the council may determine.

(2) Academic employees on the permanent staff of the University, Professor's emeriti and other retired academic employees are members of the convocation.

(3) 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.

(4) The names of new graduates and diplomates of the University are deemed to have been inscribed in the convocation roll after degrees have been conferred or

diplomas have been awarded, but members so registered are required to furnish their addresses to the secretary and to notify him or her of any change of address.

(5) For the purpose of the election of council members, the convocation is deemed closed from the last date on which ballot papers are issued until the date of the election, both days inclusive.

### **Office-bearers of the convocation**

65. (1) The convocation, at its first meeting, elects from among its members a president to act as chairperson at all its meetings, who holds office for a period of three years from the date of the meeting at which he or she is elected.

(2) Whenever the office of president becomes vacant, the vice-chancellor acts as president until a successor is elected for a period of three years, at the next meeting of the convocation.

### **Meetings of the convocation**

66. (1) The president, or if the office of the president is vacant, the vice-chancellor, convenes a meeting of the convocation annually and notice of such meeting must be given at least four weeks prior to the date of the meeting.

(2) A member who wishes to raise any matter at such meeting must submit a written motion with regard to the said matter to the registrar or the president at least two weeks before the date of the meeting.

(3) An extraordinary meeting of the convocation may be convened by the president or the vice-chancellor if and when required.

(4) An extraordinary meeting of the convocation must be convened by the president or, if the office of president is vacant, by the vice-chancellor, upon a written request signed by at least 25 members, containing the matters for consideration in the form of separate motions.

(5) An extraordinary meeting, as contemplated in subparagraph (4), must be held within two months after receipt of the request.



**Meeting procedures of the convocation**

67. (1) Fifty members constitute a quorum at a meeting of the convocation, provided that, if no quorum is present, the meeting may adjourn and an extraordinary meeting may be convened with at least seven days' notice, at which the members present constitute a quorum.

(2) Notwithstanding the absence of a quorum at an annual meeting, such meeting may proceed to elect office bearers and to dispose of other formal matters, but no motions may be submitted at such meeting.

(3) After its constitution, by reading the notice in terms of which it was convened, a meeting commences with the reading and confirmation, by the signature of the chairperson, of the minutes of the previous ordinary meeting and of all subsequent extraordinary meetings.

(4) Any objection to such minutes must be raised and determined prior to their confirmation.

(5) A member may not, without the permission of the meeting, speak more than once on a motion or amendment thereof, but the mover of the motion or amendment may reply.

(6) All matters are decided by a majority of the members present.

(7) In addition to his or her ordinary vote, the chairperson has a casting vote in the event of an equality of votes.

(8) If a meeting so resolves, the number of votes in favour of or against a motion must be recorded in the minutes, and, at the request of a member, the chairperson must further direct that the vote of such member be likewise recorded.

(9) A motion or amendment thereof must be seconded, and if the chairperson directs, such motion or amendment must be in writing.

(10) A motion or amendment may not be withdrawn without the permission of the meeting.

(11) The chairperson may permit the discussion of a matter of which notice was not duly given, provided such discussion is unopposed.

(12) The ruling of the chairperson on a point of order of procedure is binding, unless immediately challenged by a member, in which event such ruling must be submitted without discussion to the meeting, whose decision is final.

(13) A copy of the resolutions of the convocation, and a statement on such other matters as the convocation may determine, duly certified by the chairperson and secretary, are submitted to the chairperson of the council for the information of the council and to the vice-chancellor for the information of the senate.

(14) The election of members of the convocation to the council is in the manner as determined in the Rules.

## **EMPLOYEES**

### **Appointment**

**68.** (1) The council appoints employees according to the staffing policies of the University, as determined in the Rules.

(2) Notwithstanding subparagraph (1), academic employees are appointed after consultation with the senate.

(3) With the exception of the appointment of the senior management, the council delegates its powers, as stipulated in paragraph (1), to the vice-chancellor.

### **Conditions of employment**

**69.** The conditions of employment, including the determination and review of salaries of employees and all other forms of remuneration, is approved by the council after consultation with the employees in accordance with the University's policy as determined in the Rules and in terms of the applicable labour legislation.

### **Evaluation**

**70.** All employees of the University are subject to continuous evaluation in the performance of their duties in terms of the policies of the University.

### Employees' discipline

71. Every employee is subject to a disciplinary code, a disciplinary procedure and a grievance procedure for employees, as approved by the council and determined in the Rules, which serve as an integral part of every employee's conditions of service.

### Labour unions

72. Agreements with recognised labour unions may, with reference to salary and related negotiations and according to the relevant labour legislation, be entered into by the management and recommended to the council for approval.

## STUDENTS

### Admission and registration of students

73. (1) A person may be permitted by the council 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 a student to faculties are set out in the Rules and may be changed by the council after consultation with the senate.

(3) A student is registered for one year or for such shorter period as the council may determine in general or in a particular case.

(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) include the payment of outstanding fees.

(7) A student subjects himself or herself to the Rules when he or she signs the official application and registration forms.

**Discipline**

74. (1) The disciplinary measures and disciplinary provisions applicable to the students are set out in the Rules, and may be changed by the council after consultation with the senate, the student services council and the SRC.

(2) (a) The vice-chancellor may, from time to time, amend monetary penalties.

(b) Such amended penalties must be placed before the council at the next ordinary meeting of the council

(3) If the council should alter or set aside any such amendment, its validity up to the time of alteration or setting aside by the council is not affected.

**DEGREES, DIPLOMAS AND CERTIFICATES****Authority**

75. The University has power to confer degrees and award diplomas and certificates, subject to the relevant legislation, the Statute and the Rules.

**Conferment and award**

76. (1) A meeting of the University, known as a congregation, is convened for the purpose of conferring degrees and awarding diplomas and certificates.

(2) (a) A congregation is convened in the manner prescribed by the council in the Rules.

(b) The council delegates its authority, as contemplated in subparagraph (a), to the vice-chancellor.

(3) A congregation is chaired by the chancellor or his or her delegate.

(4) A degree may be conferred and a diploma or certificate awarded in the absence of a graduate or diplomate or posthumously.

(5) A person is not entitled to the privileges of a degree, diploma or certificate until such degree, diploma or certificate has been conferred or awarded by the University at a congregation.

(6) An official certificate confirming the conferment of a degree or the awarding of a diploma or certificate is issued once only, and this occurs at an official congregation of the University.

(7) If a student has satisfied the requirements for a degree, diploma or certificate and such degree, diploma or certificate has not yet been conferred or awarded, or if an official certificate has been lost, a document may be issued at the written request of the student, stating that the student has satisfied all the requirements for the degree, diploma or certificate and that it will be conferred or awarded on a certain date, or that it has already been conferred or awarded on a previous date.

(8) The senate may withdraw the conferment of any degree, diploma, certificate or other qualification if any such degree, diploma, certificate or other qualification was conferred in error or if the recipient of such degree, diploma, certificate or other qualification had committed a dishonest act in connection, directly or indirectly, with the obtaining of such degree, diploma, certificate or other qualification.

(9) **In** order to satisfy the requirements for the conferment of a degree, diploma, certificate or other qualification, a student must satisfy the requirements of the academic programme for that degree, diploma, certificate or other qualification, as prescribed in the Rules.

### **Honorary degrees**

77. (1) The University may, without attendance and examination, confer an honorary degree of master or doctor in any faculty on any person who has rendered a distinguished service in the advancement of any branch of learning or technology, or upon any person the University deems worthy of obtaining such a degree.

(2) The conferment of an honorary degree on a person does not entitle that person to practice any profession on the grounds of that honorary degree.

(3) The criteria and procedures for conferring an honorary degree are determined in the Rules.

## DONORS

**78.** (1) The University may receive moneys and equipment of any kind from donors to assist the University in providing quality education.

(2) The University may recognise and register certain donors, as determined in the Rules.

## GENERAL PROVISIONS

### Rules

**79.** The Rules made by the council have legal force.

### Drafting, amending or rescinding the Statute

**80.** (1) No motion to approve, amend or rescind any provisions of this Statute is of force and effect unless adopted by at least 75 per cent of all members present at the meeting of the council.

(2) No motion to approve, amend or rescind any provisions of this Statute is of force and effect without a written notice of at least fourteen days, unless 75 per cent of all the members of council present vote in favor of dispensing with such a notice.

(3) Any motion to approve, amend or rescind a statute or a rule must be in accordance with the provisions of section 32(2) of the Act.

### Standard Institutional Statute

**81.** (1) The Standard Institutional Statute published in Government Gazette No. 23065 of 27 March 2002 is hereby replaced by this Statute with effect from the date on which this Statute come into operation.

(2) Notwithstanding subparagraph (1), any structure of the University within the meaning of the Higher Education Act, which existed prior to the publication of this Statute, continues to exist and function in terms of this Statute until the day when each new structure reconstituted in terms of this Statute becomes functional.

**Transitional provisions**

**82.** (1) Anything done under any provision of the Standard Institutional Statute before this Statute came into operation is deemed to have been done under the corresponding provision of this Statute.

(2) Any existing Rules which were in force at the commencement of this Statute continue to apply until replaced by any provision of the Statute or any Rule that may be made in terms of the Statute.

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