

## DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 210

10 MARCH 2017

**HIGHER EDUCATION ACT, 1997 (Act No. 101 of 1997)****INSTITUTIONAL STATUTE: UNIVERSITY OF VENDA**

I, Dr Bonginkosi Emmanuel Nzimande, MP, Minister of Higher Education and Training, in accordance with section 33 (1) of the Higher Education Act, 1997 (Act No. 101 of 1997), hereby publish the Institutional Statute of the University of Venda set out in the Schedule hereto.



**Dr BE Nzimande, MP**

**Minister of Higher Education and Training**

**Date:** 03/02/2017

**GOVERNMENT NOTICE  
DEPARTMENT OF HIGHER EDUCATION  
AND TRAINING**

**HIGHER EDUCATION ACT, 1997**

**STATUTE OF UNIVERSITY OF VENDA**

The Council of the University of Venda 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 Higher Education and Training and which comes into operation on the date of this publication.

**SCHEDULE**

**To introduce a new Statute for the Comprehensive University of Venda to give effect to any matter not expressly prescribed by the Higher Education Act, 1997 (Act No. 101 of 1997); and to promote the effective management of the University in respect of matters not expressly prescribed by any law**

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## CHAPTER 1 DEFINITIONS

### 1. Definitions

In this Statute, unless the context otherwise requires, any word or expression to which a meaning has been assigned by section 1 of the Higher Education Act, 1997 (Act No 101 of 1997) as amended, 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 an employee of the university whose primary duties and responsibilities are teaching, research and community service, or any other person who occupies a post at the university declared by the council on the recommendation of the senate, to be equivalent in status to a teaching or research post;

**“administrative employee”** means an employee of the university whose primary duties and responsibilities are to provide administrative and professional support to the core business of the university

**“appoint”** means –

- a. to employ;
  - b. to assign to; or
  - c. to designate;
- an office or duties

**“core business of the university”** means teaching, research, vocation and community service;

**“chancellor”** means the chancellor of the university, referred to in paragraph 4;

**“convocation”** means the convocation of the university, referred to in chapter 7;

**“council”** means the council of the university, referred to in chapter 5

**“comprehensive university”** means a university which offers a combination of degrees and vocational programmes;

**“days”** means calendar days unless otherwise indicated;

**“donor”** means a person or body that gives, donates or contributes resources, either in the form of money, movable or immovable property to the University of Venda and whose name is registered in the records of donors in terms of section 84 of this Statute and entitled to elect members to Council”;

**“due notice”** means notice that has been given if a written notification has been dispatched by registered post to the last address registered with the registrar concerned at the commencement of the required period of notice;

**“deputy vice chancellor”** means a person appointed as deputy vice chancellor by the council with the duties and powers as assigned by the council.

**“employee”** means any person employed at the University;

**“executive management”** means the vice-chancellor, the deputy vice-chancellors and the registrar;

**“graduate”** means a person upon whom a degree; diploma or certificate has been conferred;

**“IF”** means the institutional forum contemplated in paragraph 79;

**“majority”** means a simple majority unless otherwise indicated;

**“management”** means, for the purpose of section 31(2)(a) of the Act, executive management, senior management as well as management as determined by the council;

- “middle and junior employee”** means an employee below and excluding post levels 3, 2 and 1;
- “minister”** means the Minister of Higher Education and Training;
- “months”** means calendar months;
- “nominate”** means the act of submitting names for election;
- “qualification”** means any formal qualification registered on the respective sub-framework of the National Qualification Framework, including a degree, diploma or certificate;
- “recognized staff body”** means a body organized by and among staff to represent the staff, or a section of the staff, including a trade union, recognized for this purpose by the council;
- “registrar”** means the university registrar as contemplated in section 26(4)b of the Act ;
- “rules”** mean academic and administrative institutional rules of the university as approved by council;
- “school”** means the group of academic disciplines that form the secondary academic structure within the university;
- “semester”** means one half of a calendar year identified by the council on the recommendation of the senate for the academic activities of the university;
- “senate”** means the highest academic body accountable to Council and responsible for teaching and learning, research, community engagement and other academic matters allocated to it by the Council of the University;
- “senior management”** means, for the purpose of section 31(1)(a)(iii) of the Act, the vice-chancellor, the deputy vice-chancellor(s), the registrar, the deans of schools, the directors of departments and the administrative positions equivalent to the positions of the deans of schools and directors of administrative departments.
- “service employee”** means employees providing university services between and including post levels fourteen to seventeen;
- “simple majority”** means more than half of the votes cast, excluding abstentions;
- “special category academics”** means academics that have made outstanding contributions and/or are experts in their respective fields may be considered for appointments or promotions to special category academics, researchers and administrators.
- “SRC”** means student representative council as contemplated in paragraph 85;
- “student”** means any person registered for any academic programme in a given academic year;
- “university”** in the application of this statute means the University of Venda;
- “university community”** means employees and students of the University of Venda;
- “vice chancellor”** means the chief executive, accounting and academic officer of the university;
- “working day”** means days of the week excluding Sundays and public holidays.

## CHAPTER 2 INSTITUTION

### 2. Name, seat and powers

- (1) The name of the university is University of Venda
- (2) The University of Venda is a comprehensive university established under the Act and policy thereto.
- (3) The seat of the University is at Thohoyandou in the Limpopo Province.
- (4) The University is a juristic person, as contemplated in section 20(4) of the Act.
- (5) Notwithstanding subparagraph (4) the University may not, without the concurrence of the Minister, dispose of or alienate in any manner, any immovable property, in whole or in part, acquired with the financial assistance of the State or grant to any person any real right therein or servitude thereto.

### 3. Composition of University

- (1) The University consists of:
  - (a) the chancellor;
  - (b) the vice-chancellor and principal;
  - (c) the deputy vice chancellors and vice principals;
  - (d) the registrar;
  - (e) the council;
  - (f) the senate;
  - (g) the IF;
  - (h) the convocation;
  - (i) the student representative council;
  - (j) the employees of the university;
  - (k) the students of the university;
  - (l) the *emeritus professors* of the university and special category academics in terms of paragraph 96;
  - (m) faculties, schools as council may establish, after consultation with Senate, and
  - (n) any other office or structures as determined 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, provided that no resolution of the council or senate is valid unless passed at a meeting at which a quorum was present and the provisions of the statute relating to any such meeting have in all other respects been complied with.



### CHAPTER 3 CHANCELLOR

#### 4. Functions of chancellor

The chancellor is the titular head of the university and confers all degrees on behalf of the University.

#### 5. Term of office of chancellor

- (1) The chancellor occupies his or her office for a period of five years unless he or she tenders his or her resignation in writing to council or vacates his or her office for any reason before the expiry of the term concerned.
- (2) The position of chancellor is renewable if council deems it fit provided that the chancellor shall not serve more than two consecutive terms.
- (3) The chancellor may be removed from office by a resolution of the majority of all members of council on account of:-
  - (a) resignation ;
  - (b) death or incapacity to carry out his or her official duties;
  - (c) imprisonment without an option of a fine; or
  - (d) any other reason that council deems adequate.

#### 6. Vacancy in office of chancellor

- (1) If the office of the chancellor becomes vacant or the chairperson of council receives the chancellor's written resignation, the secretary to council must, within fourteen days of the occurrence of the vacancy or of the receipt of the resignation, as the case may be, give due notice to each member of council of such vacancy or resignation and call for nominations.
- (2) The council must within 90 days of the occurrence of the vacancy elect a new chancellor in accordance with the provisions of paragraph 6.

#### 7. Election of chancellor

- (1) The chairperson of council or in his or her absence the vice-chancellor, determines the date on which a meeting of council must be held for the purpose of electing a chancellor.
- (2) The date contemplated in subparagraph (1) must be within 90 days after the office of the chancellor becomes vacant.
- (3) The secretary to council must, at least two months, but not more than four months prior to the expiry of the term of office of the chancellor, give due notice to every member of council of the date, place and time of the meeting contemplated in subparagraph (1) and invite members of council to submit nominations for the office of the chancellor on a form approved by the vice-chancellor.
- (4) A member may supplement the information of the prescribed form contemplated in subparagraph (3) by the submission of additional information.
- (5) The completed documents for the nomination of candidates must reach the

secretary to council at least 21 working days before the date of the meeting contemplated in subparagraph (1).

- (6) The secretary to council must, within three days of receiving a valid nomination, give due notice to every member of council of such nomination.
- (7) In order to be eligible for election, a candidate for the office of chancellor must have been nominated, with his or her written consent, by at least four members of the council.
- (8) The election of the chancellor is by secret ballot.
- (9) A candidate is elected to the office of chancellor by a majority.
- (10) Each member of council has only one vote during each ballot.
- (11) In each successive round of voting, the candidate with the least support in the previous ballot is eliminated as a candidate.
- (12) The name of the newly elected chancellor is announced to the university community after the council meeting.

#### **CHAPTER 4 EXECUTIVE MANAGEMENT**

##### **8. Powers and duties of vice-chancellor**

- (1) The vice-chancellor and principal is the chief executive, accounting and academic officer of the University.
- (2) The vice-chancellor exercises the functions of the chancellor in his or her absence.

##### **9. Appointment of vice-chancellor**

- (1) When the post of Vice-Chancellor becomes vacant, the advertising of the post, the invitation for nominations of and applications by candidates, the search for suitable candidates, the applicable criteria for the short-listing of candidates and the interviewing and appointment processes take place in the manner determined by the Council and the Rules of the University, subject to section 31(1) of the Act.
- (2) The Council, subject to the Rules and section 31(1) of the Act, appoints the Vice-Chancellor.
- (3) When the term of office of the Vice-Chancellor expires and he or she is available for appointment for a further term of office, the Council may on account of the proven sustainable good performance of the incumbent measured against agreed performance outcomes, decide to re-appoint the Vice-Chancellor for a further term of office only after consultation with the Senate and the Institutional Forum.
- (4) Nothing in subparagraphs (1) to (3) above prevents the Council from advertising or calling for nominations for the position of Vice-Chancellor. The incumbent may apply or be nominated, whichever is appropriate, for the position.

##### **10. Term of office of vice-chancellor**

- (1) The vice-chancellor is appointed by council on a five year performance based contract renewable subject to performance evaluation if council deems it fit after

such consultation as required by the Act, provided that the vice-chancellor shall not serve more than two consecutive terms.

- (2) The salary and conditions of service of the vice-chancellor are as determined by council from time to time.
- 3) The vice-chancellor vacates office if he or she -
  - (a) resigns by giving written notice to the chairperson of council.
  - (b) is declared insolvent,
  - (c) is convicted of an offence involving dishonesty or of an offence for which he or she is imprisoned without the option of a fine;
  - (d) is declared unfit by a court of law to attend to his or her personal affairs;
  - (e) is dismissed by the council of the university on account of misconduct; or
  - (f) is incompetent to perform duties required of the post.

#### **11. Acting vice-chancellor**

- (1) The vice-chancellor, after consultation with the chairperson of the council, appoints an acting vice-chancellor for any period of absence of the vice-chancellor not exceeding ten working days.
- (2) If the period of absence of the vice-chancellor exceeds ten working days, the executive committee of the council appoints an acting vice-chancellor for the period concerned.
- (3) If the vice-chancellor is unable to act and has not appointed an acting vice-chancellor in terms of subparagraph (1), the executive committee of the council appoints an acting vice-chancellor
- (4) for the period of absence of the vice-chancellor.
- (5) If the office of the vice-chancellor becomes vacant, council must appoint an acting vice-chancellor until a successor assumes office, provided that an acting vice-chancellor must preferably not serve for longer than twelve (12) months.
- (6) An acting vice-chancellor has the powers and functions of the vice-chancellor.

#### **12. Deputy vice chancellors**

- (1) The number of deputy vice chancellors determined by council is appointed by council for a five year performance based contract renewable subject to performance evaluation provided that the deputy vice-chancellor shall not serve more than two terms.
- (2) The appointment of deputy vice chancellors is in the manner of paragraphs 10.
- (3) The absence of the deputy vice-chancellor is in the manner of paragraph 11.
- (4) The vacancy in the office of the deputy vice chancellor is in the manner of paragraph 12.
- (5) Vacation of office by deputy vice-chancellor is in the manner of paragraph 13.
- (6) The salary and other conditions of service of the deputy vice chancellors are determined by council.
- (7) The powers and duties of a deputy vice chancellor are determined by the vice-chancellor in consultation with council.

#### **13. Registrar**

- (1) The registrar is the chief administrative officer of the University and is a secretary

- to council and senate, including their committees.
- (2) The appointment of registrar is in the manner of paragraphs 9 and 10 and the changes required by the context apply.
  - (3) The absence of the registrar is in the manner of paragraph 11.
  - (4) The vacancy in the office of the registrar is in the manner of paragraph 11.
  - (5) Vacation of office by registrar is in the manner of paragraph 12.
  - (6) The salary and other conditions of service of the registrar are determined by council.
  - (7) The powers and duties of a registrar are determined by the vice chancellor in consultation with council.

## **CHAPTER 5 COUNCIL**

### **14. Functions of council**

- (1) Subject to the law and this statute, the council governs the institution.
- (2) Without derogating from the generality of subparagraph (1), the council –
  - (a) Determines the vision and mission of the university;
  - (b) makes rules for the institution;
  - (c) establishes the council committees and determines the composition and functions of each committee;
  - (d) establishes, in consultation with the senate, joint committees of the council and the senate to perform functions which are common to the council and the senate;
  - (e) appoints all employees of the institution, but, in the case of academic employees of the institution, it may do so only after consultation with the senate;
  - (f) determines the students admission policy of the institution, after consultation with the senate;
  - (g) 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 institution;
  - (h) may, with the approval of the senate, refuse readmission to a student who fails to satisfy the minimum requirement for readmission; and
  - (i) determines and provides student support services after consultation with the SRC.
- (3) Without derogating from the generality of subparagraph (1), the council –
  - (a) makes the institutional statute and any amendments thereto with the concurrence of the Minister;
  - (b) appoints the senior management, of the institution;
  - (c) determines 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 institution;
  - (d) may order an employee whom it has suspended to refrain from being on any premises under the control of the institution and to refrain from participating

- in any of the institution's activities or issue such other conditions as it may deem necessary;
- (e) determines the language policy of the institution, in concurrence with the senate in accordance with Section 27 (2) of the Act as amended;
  - (f) determines, after consultation with the senate, which academic structures are required and the functions 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 institution;
  - (i) may conclude a loan or overdraft agreement, subject to the proviso that the approval of the Minister is required whenever the aggregate of existing borrowings plus the new contemplated borrowings exceed 5 per cent of the average income of the institution received during the two years immediately preceding such agreement;
  - (j) may enter into an agreement 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 institution 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 (2).
- (6) Council is composed of the following -
- (a) the vice-chancellor;
  - (b) two deputy vice-chancellors;
  - (c) three members with specific competencies in the fields designated by the council;
  - (d) the chairperson of the institutional forum;
  - (e) five persons appointed by the Minister;
  - (f) one person appointed by the Premier of the Limpopo Province;
  - (g) two persons elected by senate from among its members;
  - (h) two persons elected by convocation;
  - (i) two persons elected by the donors;
  - (j) one academic employee of the university other than members of the senate, elected by the academic employees;
  - (k) two student representative council members in accordance with the rules
  - (l) One member of the service employees of the university elected by the service employees;
  - (m) One member of the administrative employees of the university elected by the administrative employees;
  - (n) one person designated by the Thulamela Municipality;
  - (o) other persons, not exceeding five in number, designated by such bodies as determined by council;



- (p) the persons referred to in paragraphs (c), (d), (e), (h), and (n) must not be employees of the University of Venda.
- (7) The registrar is the secretary to council and has no voting powers.
- (8) A member of council, other than the vice chancellor, vacates his or her office if he or she -
  - (a) is absent without council's leave from two consecutive ordinary meetings of council;
  - (b) is absent with leave from council from four consecutive meetings of council in a term;
  - (c) is declared insolvent by a court of law;
  - (d) is convicted of an offence and sentenced to imprisonment without the option of a fine;
  - (e) is recalled by his or her constituency;
  - (f) is found guilty of an offence that council considers to be of a serious nature.
- (9) Council may by a resolution of the two third majority of its members present at a meeting specifically called for that purpose decide that a member's presence at council is no longer in the best interest of the university and informs the affected member's constituency about the decision.
- (10) A vacancy in council must be filled in the same manner as that in which the member who previously held office was appointed, elected or designated and such a member appointed, elected or designated holds office for the unexpired portion of the term of office of his or her predecessor.
- (11) Council elects a chairperson, vice chairperson and other office bearers from among its members in the manner determined in paragraph 21 provided that the chairperson and vice-chairperson must not be employees of the University.
- (12) The chairperson shall not serve more than two terms.
- (13) The allowances payable to external members of council or a committee of council are determined by council subject to the regulations.

**15. Manner of election of council members**

- (1) Senate, from amongst its members, elects in the manner contemplated in paragraph 51, two members to serve as members of council.
- (2) Convocation elects two members to serve as members of council in the manner as determined by the Rules.
- (3) The two members to council designated by persons who are donors, are designated in the manner contemplated in paragraph 85.
- (4) The election of persons contemplated in subparagraphs 16(6)(j), (l) and (m) is by secret ballot in open general elections conducted by Independent Electoral Commission where all tiers of employees are allowed to vote across the board for colleagues within their constituencies.
- (5) Two members of student representative council in accordance with the Rules.
- (6) The designation of persons contemplated in subparagraph 16(6)(o) to council by a body or bodies determined by council is done in accordance with a resolution of such body or bodies.
- (7) The person designated by the Thulamela Municipality to serve as a member of council is designated in accordance with a resolution of such municipality council.

- (8) The three experts designated by council to serve as members of council are designated in accordance with a resolution of council.
  - (9) The name of a person appointed, elected, or designated as a member of council, must be furnished to the secretary to council by the relevant body or person as soon as reasonably practicable after such appointment, election or designation.
- 16. Term of office of council members**
- (1) The members appointed, nominated or designated in terms of the statute, excluding the members designated in terms of paragraph 16(4)(k) hold office for five years.
  - (2) Members of council may serve a maximum number of two terms
  - (3) The term of office of the members designated in terms of paragraph 16(4)(k) is one year.
  - (4) An officer of the university who becomes a member of council by virtue of his or her office, remains a member of council as long as he or she holds the office to which he or she was appointed and by virtue of which he or she is a member of council.
- 17. Vacancies in council**
- If the membership of a member of council terminates for any reason before the expiry of the period for which he or she was appointed, nominated or designated, the secretary to council must inform the body or person that appointed, nominated or designated the member of the vacancy, and that body or person must appoint, nominate or designate a successor as soon as reasonably practicable thereafter.
- 18. Notification of expiry of terms of office**
- The secretary to council must at least three months prior to the expiry of the term of office of a member, give written notice of such expiry to the body or person that appointed, nominated or designated the member, whereupon the body or person concerned must appoint, elect or designate a successor to the person whose term of office is expiring.
- 19. Chairperson, vice-chairperson and other office bearers of council**
- (1) Nominations for chairperson, vice chairperson and other office bearers of council must be submitted in writing to the secretary to council.
  - (2) If more than one candidate is nominated for each portfolio, voting must be by secret ballot.
  - (3) The chairperson, vice chairperson and other office bearers of the council must be elected by a majority of the members at a duly constituted meeting of council.
  - (4) The council decides, before the elections contemplated in subparagraph (3) on the electoral system to be employed.
  - (5) The chairperson, the vice chairperson and other office bearers occupy their respective offices for a term of five years from the date following the day on which the previous chairperson, vice chairperson or other office bearer's term expires, subject to removal from office before the expiry period when council deems fit.
  - (6) If the chairperson for any reason vacates his or her office prior to the expiry of his

or her term of office, the vice-chairperson presides over all council meetings pending the election of a new chairperson.

- (7) If the chairperson and the vice-chairperson are not available for any council meeting, members of council elect an acting chairperson to preside at a particular meeting.

**20. Secretary to council**

- (1) The vice-chancellor may assign any other administrative employee to assist the secretary or to act in his or her place.
- (2) The secretary is the electoral officer at all meetings.
- (3) The registrar shall attend all meetings of council.
- (4) A committee of council must have the registrar or his or her nominee as secretary,

**21. Attendance of council meetings**

Council may invite persons who are not members to attend meetings provided that such persons may take part in the discussions but are not entitled to vote.

**22. Notice of meeting**

The secretary to council must, at least seven days before the date set for any meeting, give due notice to each member of all matters to be dealt with at the meeting, stating the time and place of such meeting.

**23. Notice of matters to be dealt with at council meeting**

- (1) Notice of matters for consideration must be submitted in writing to the secretary to council at least five days prior to the date on which he or she is required to give notice of the meeting.
- (2) Notwithstanding subparagraph (1), matters of an urgent nature may, without prior notice, be placed on the agenda at an ordinary meeting if the majority of members present agree thereto.

**24. Quorum for council meetings**

A quorum consists of fifty per cent plus one of the total number of members.

**25. Minutes**

- (1) The secretary to council keeps record of the minutes of each meeting of council and must include such minutes in the notice of the next council meeting.
- (2) An ordinary meeting of council, after being constituted and opened, commences with the reading and confirmation, by signature of the chairperson, of the minutes of the preceding ordinary meeting and the minutes of all subsequent extraordinary meetings.
- (3) Any objection to the minutes must be raised and disposed of before the minutes are confirmed.
- (4) A meeting may consider the minutes as read, if a copy thereof has been sent to each member previously with the notice convening the meeting concerned.
- (5) The secretary to council shall keep a register of council decisions and its committees.



**26. Discussion of proposals**

- (1) A member may not, except by leave of the chairperson, speak more than once on any motion or amendment thereto, but the proposer of a motion or amendment has the right to reply.
- (2) Despite subparagraph 1, any member may move that the subject under discussion be dealt with in committee, and if seconded, such motion must be put to the vote without further discussion and, if the motion is adopted, council must go into committee forthwith, whereupon any member is entitled to speak more than once on the subject under discussion.
- (3) Confidential matters such as appointments of employees and discipline of students and employees may be discussed in camera.

**27. Voting procedure at council meeting**

- (1) Except where otherwise provided, all matters are decided by a majority of all members present.
- (2) The chairperson is a voting member of the meeting and, if he or she desires to cast his or her ordinary vote, he or she must do so simultaneously with the general voting and not thereafter.
- (3) In the event of a tie, the chairperson has, in addition to his or her ordinary vote, also a casting vote.
- (4) Notwithstanding subparagraph (3), the chairperson may have a casting vote even in the event of a tie during a vote by secret ballot.
- (5) A tie in votes means that a motion is rejected, unless the chairperson declares that he or she will use his or her casting vote in favour thereof, in which case the motion is adopted.
- (6) The chairperson may also use his or her casting vote against a motion or may decide not to use his or her casting vote.
- (7) If members present during any vote on a motion abstain from voting, this must be recorded in the minutes.

**28. Recording of votes at council meeting**

- (1) The number of votes for or against a proposal must be noted in the minutes if a meeting so decides.
- (2) At the request of a member, the chairperson must direct that the vote of such member be recorded.

**28. Proposal to be seconded at council meetings**

- (1) A proposal or an amendment must be seconded and if the chairperson so directs, must be submitted in writing.
- (2) A proposal may not be withdrawn without the consent of the meeting.

**30. Ruling of chairperson**

The ruling of the chairperson of the meeting on a point of order or procedure is binding unless a member immediately objects, in which case such ruling must be put to the vote without discussions and the decision of the meeting is final.

**31. Extraordinary meetings**

- (1) An extraordinary meeting of council may be convened by the chairperson at any time if he or she deems it necessary, and must convene such meeting at the written request of at least nine members if -
  - (a) the purpose of the meeting is stated in such a request;
  - (b) no business other than that stated in the request is dealt with at the meeting;
  - (c) at least ten days' notice of such meeting must be given.

**32. Motions in connection with drafting or amending of Statute**

- (1) A motion to initiate a draft, amend, supplement, or repeal the Statute may only be adopted if at least two-thirds of the members of council vote in favour of it.
- (2) If less than two-thirds of the members of council vote for such a motion, the motion may be resubmitted at the next ordinary meeting, where it may only be adopted if at least three-quarters of the members present vote in favour thereof.
- (3) If the motion has not been adopted by at least two-thirds of the members present at the meeting referred to in subparagraph (2), the motion lapses.

**33. Financial and other interests of council members**

- (1) Any member of council or a committee who has a direct or indirect financial interest in any matter to be discussed at the meeting must declare such an interest before the commencement of such meeting.
- (2) Any member of the University community has the right to inform the chairperson in writing, before any meeting, of any possible conflict of interest in respect of any member of the council or a committee as contemplated in paragraph 3.
- (3) The chairperson is then obliged to place the matter as a first item on the agenda for the council or a committee to discuss.
- (4) The member so affected must be given an opportunity to respond, where after a ruling is made in his or her absence.
- (5) The affected member is thereafter called into the meeting where the decision of the council or a committee must be communicated to him or her.
- (6) After such declaration or in the event of the committee finding that such an interest exists, such member of council or a committee must recuse himself or herself from the meeting before such issue is discussed.
- (7) If the person recusing himself or herself is an officer of the University, the chairperson or the council or a committee may nominate a suitable substitute from the relevant structure or department to attend in the place of the person who has recused himself or herself.
- (8) In the event of the person recusing himself or herself being the chairperson of the meeting, the vice chairperson assumes the duty as chairperson of such meeting.
- (9) In the event of there being no vice chairperson, the council or a committee elects by a majority vote any member of the council or a committee to act as the chairperson.

**34. Executive committee and other committees of council**

- (1) The council may appoint the following committees of the council:-
  - (a) an executive committee of council;

- (b) a human resources committee;
  - (c) an audit and risk committee;
  - (d) a finance committee;
  - (e) a bid adjudication committee;
  - (f) a student affairs committee; and
  - (g) an appeals committee.
- (2) If the council appoints a committee, the provisions of such an appointment should be in accordance with the Rules. All council members shall be eligible to be considered as members of committees of council.
  - (3) The members of committees other than the executive of council hold office for a maximum period of five years and the powers and duties of such committees are as determined by the council.
  - (4) Chairpersons of committees of council shall be external members of council who are not employees of the university.
  - (5) Council shall establish a code of ethics within which the conduct of its members is monitored.

## CHAPTER 6

### SENATE

#### 35. Composition of senate

- (1) The senate of the university consist of:-
  - (a) the vice-chancellor, who is the chairperson;
  - (b) the deputy vice chancellors, one of whom must be designated by the vice-chancellor to be the chairperson in the absence of the vice-chancellor;
  - (c) two members of council, elected by council;
  - (d) all deans of schools;
  - (e) all deputy deans
  - (f) all heads of academic departments;
  - (g) professors of the university who are not deans or deputy deans or heads of academic departments;
  - (h) twenty five percent senior lecturers of the university who are not deans or deputy deans or heads of academic departments, elected by the senior lecturers;
  - (i) fifteen percent of lecturers of the University per school, elected by the lecturers in the school;
  - (j) the director library services of the university;
  - (k) the director or head of a bureau, section or department of the University designated by the senate;
  - (l) one student, other than a first year student, for each school, elected by the students of the school concerned; and
  - (m) the directors of academic centres and institutes.
  - (n) At least two members of the students' representative council elected by students' representative council.
- (2) The control and regulation of the teaching, learning, research and community engagement at the University is vested in the senate in accordance with rules framed by the senate for that purpose and approved by the council.

- (3) A vacancy in the senate must be filled in the same manner as that in which the member who previously held the office was appointed, elected or designated.
- (4) A person appointed, elected or designated in terms of subparagraph (3) holds office for the remainder of the term of office of his or her predecessor.
- (6) The senate submits to council -
  - (a) reports of its activities;
  - (b) such recommendations as it may deem expedient regarding any matter or interest to the university; and
  - (c) recommendations regarding any matter referred to it by council.
- (7) The registrar is the secretary to the senate and has no voting powers.

**36. Committees and joint committees of council and senate**

- (1) The council and the senate may appoint one or more committees which, subject to the directions of council or senate, as the case may be, perform the functions of council or senate that council or senate, as the case may be, determines.
- (2) Such a committee consists of as many members of council or senate, as the case may be, or of such members and other persons as council or senate, as the case may be, may deem necessary and such committee may at any time be dissolved and reconstituted.
- (3) The council or the senate, as the case may be, is not divested of the responsibility for the performance of a function assigned to a committee in terms of this paragraph.
- (4) Any decision taken by such a committee in the performance of any function so assigned must be presented for ratification to council or senate, as the case may be, at its first meeting after the decision was taken.
- (5) The council and the senate may, by agreement, establish from among their members one or more joint committees.
- (6) The council or the senate may assign any of the powers or functions that they have in common to any joint committee, but is not thereby divested of any power or function so assigned and may amend or set aside any decision of such committee.

**37. The manner of election or designation of members of senate**

- (1) The manner of election or designation of the members is determined by the respective bodies themselves.
- (2) The election of the members is by secret ballot in primary and open general elections conducted by Independent Electoral body.

**38. Primary elections**

- (1) Primary elections are held for the three tiers of academic employees which are professors, senior lecturers and lecturers to elect one representative per school.
- (2) Schools with only one qualifying member do not participate in the primary elections, since their members are duly elected by virtue of being the sole and automatic candidates within their schools.

**39. Open general elections**

- (1) Open general elections allow all three tiers of academic employees to vote across

the board for colleagues within their respective constituencies, precluding those members already elected in the primary elections.

- (2) Paragraph 38(2), with the changes required by the context, applies to schools with only one qualifying candidate per tier of academic employees.

**40. Term of office of members of senate**

- (1) The members of the senate elected by the council and referred to in paragraph 37(1)(c) hold office for as long as they are members of council.
- (2) Elected members of the senate in terms of paragraph 37(g), (h), and (i) hold office for a period of five years as long as they are employed by the university.
- (3) In the event of a vacancy, the constituency that elected or designated such a member must fill such vacancy.
- (4) Elected members of student representative council will serve a period of one year as long as they remain registered students.

**41. Functions of senate**

- (1) The senate -
- (a) makes recommendations to council concerning the creation of new programmes and structures as well as the dissolution of such structures and programmes;
  - (b) makes recommendations to council regarding the creation of new faculties, schools, departments, centres or institutes and any other academic unit;
  - (c) appoints the dean of each school and the deputy dean of each school;
  - (d) recommends to council the functions of deans and deputy deans;
  - (e) appoints heads of departments and directors of centres or institutes in the case of new schools or as approved by school boards of studies;
  - (f) monitors and advises on tuition in the various schools, departments, centres, institutes, lectures and classes subject to the rules approved by council on the recommendation of the senate;
  - (g) appoints all internal and external examiners and moderators ;
  - (h) makes recommendations to council concerning degrees, diplomas, and certificates offered by the various schools, after consultation with the school boards of studies.
  - (i) makes recommendations to council on the conditions for the awarding of degrees, diplomas or certificates by the university and monitors the requirements for admission to study for such degrees, diplomas and certificates and the conditions for the granting of equal status to persons who have studied at other institutions or universities;
  - (j) approves the procedure for the awarding of degrees, diplomas and certificates as well as the nature of academic dress;
  - (k) regulates all matters relating to academic meetings for which no provision has been made in the statute;
  - (l) makes recommendations to council concerning the appointment of emeritus professors, special category appointments and persons to whom honorary degrees may be awarded;
  - (m) makes recommendations to council concerning the amendment, supplementation or repeal of disciplinary rules in the academic sphere;



- (n) determines the quorum and procedures of committees of the senate; and
  - (o) ensures that the academic programme of various schools adhere to the mission of the University.
- (2) The senate may delegate any of its powers to a member or a committee of the senate.
- (3) The senate is not divested of any power, nor relieved of any functions or duty delegated in terms of subparagraph (2), and may amend or set aside any decision of any such persons or committee at the meeting of the senate following such a decision.
- 42. Chairperson of senate**
  - (1) The vice-chancellor is the chairperson of senate
  - (2) In the absence of the chairperson, the deputy vice chancellor designated by the chairperson acts as chairperson and in the absence of the deputy vice chancellor, the members of the senate must elect a chairperson from amongst the members present by a simple majority.
- 43. Secretary to senate**
  - (1) The registrar is the secretary to senate and he or she may designate any other official to assist him or her to act on his or her behalf as secretary to senate.
  - (2) The secretary to senate attends all meetings of the senate and of committees of the senate and may take part in the discussions but may not vote.
- 44. Meetings of senate**
  - (1) At least two ordinary meetings of senate must be held during each semester of the academic year.
  - (2) Ordinary meetings of senate are held on the dates, and at the times and places, as determined by the senate.
- 45. Attendance of meeting by non-members**
  - (1) The senate may invite persons who are not members to attend a meeting.
  - (2) The persons contemplated in subparagraph (1) may take part in the discussions but are not allowed to vote.
- 46. Quorum of senate meetings**

A quorum consists of half plus one of the total number of members.
- 47. Agenda for senate meetings**

At least seven days before an ordinary meeting and at least two days before an extraordinary meeting of the senate, the secretary to senate must provide to every member an agenda reflecting, among others, the date, time and venue of the meeting and the matters to be considered.

**48. Compilation of agenda**

- (1) Submissions must be in writing and must be lodged with the secretary to senate at least fourteen days before the appointed date of an ordinary meeting.
- (2) Notwithstanding subparagraph (1), matters of an urgent nature may, without prior notice, be placed on the agenda at an ordinary meeting if the majority of the members present agree thereto.

**49. Representatives of senate on council**

- (1) The senate decides before the election on the electoral system to be employed.
- (2) The members are elected by a majority at an ordinary senate meeting.
- (3) Nominations of candidates must be in writing, and must be signed by at least two members of senate and the nominee, and must reach the secretary at least three days before the senate meeting concerned.
- (4) Notice of the expiry of a term of office of a senate member on council must be given by the secretary to senate by including an item on the agenda of the ordinary meeting of the senate preceding the last meeting of council which takes place during the term of office of such a member.
- (5) A member whose term of office expires may be re-elected.
- (6) If a representative of senate on the council vacates his or her office prematurely, the senate elects a successor for the remaining part of his or her term of office at its next meeting.

**50. Standing orders of senate**

- (1) No proposal to make, amend, or repeal a standing order of senate may be considered unless it is included and set out in detail in the agenda of an ordinary meeting of senate.
- (2) A resolution to make, amend or repeal a rule of senate must be accepted by at least two-thirds of the total number of members of senate.

**51. Minutes of senate meetings**

- (1) The secretary to senate keeps the minutes of the proceedings at all meetings and forwards a report of all resolutions, as well as the necessary documentation concerning matters for decision by council, to the secretary to council after each meeting.
- (2) The minutes of an ordinary meeting of senate must be provided to all members within three weeks after such meeting.
- (3) At the commencement of an ordinary meeting, after it has been constituted, the minutes of the previous ordinary meeting and of any extraordinary meeting held subsequently must be read and, if adopted, must be confirmed by the signature of the chairperson of senate.
- (4) Any objection to the minutes must be raised and dealt with before the confirmation contemplated in subparagraph 3.
- (5) The meeting may take the minutes as read if a copy thereof has been delivered to every member at least three days before the meeting.

**52. Register of resolutions**

A complete and accessible register of senate resolutions must be kept available by the secretary to senate.

**53. Discussion of proposals**

- (1) A member may not, without the permission of the chairperson, speak more than once on a motion or an amendment, but the proposer of a motion or amendment has the right of reply.
- (2) A member may move that the matter under discussion be dealt with in committee and, if his or her motion is seconded, it must be put to the vote without further discussion, and if his or her motion is carried, senate must go immediately into committee, where after a member may speak more than once on the subject under discussion.
- (3) The opinion of a member who cannot attend a meeting personally may be submitted to the meeting if it is in writing, but it is not deemed as a vote by such a member.

**54. Voting procedures and minuting of resolutions**

- (1) Except as otherwise provided in this statute, all matters are decided by a majority vote of all members present.
- (2) The chairperson is a voting member of the meeting and if he or she desires to cast his or her ordinary vote he or she does so simultaneously with the general voting and not thereafter.
- (3) In the event of a tie, the chairperson has, in addition to his or her ordinary vote, a casting vote.
- (4) Despite subparagraph (3), the chairperson may have a casting vote in the case of a vote by secret ballot.
- (5) A tie in a vote means that a motion is rejected unless the chairperson declares that he or she will use his or her casting vote in favour thereof, in which case the motion is adopted.
- (6) The chairperson may also use his or her casting vote against a motion or may decide not to use his or her casting vote.
- (7) The number of votes for a proposal together with all abstentions must be recorded in the minutes.
- (8) At the request of a member, the chairperson may direct that -
  - (a) voting be by secret ballot; or
  - (b) the vote of the member in question be recorded in the minutes.

**55. Ruling of chairperson of senate**

The ruling of the chairperson of the meeting on a point of order or procedure raised by the chairperson or a member of the meeting is binding, unless a member immediately objects, in which event such ruling is subjected to the final decision of the meeting without discussion.

**56. Extraordinary meetings**

- (1) The chairperson or in his or her absence his or her representative may convene an



extraordinary meeting at any time if he or she deems it necessary, and must convene such a meeting if he or she is requested to do so in writing by at least ten members of the senate on condition the purpose of such meeting is stated in such request.

- (2) No matter not stated in such request may be considered at such meeting contemplated in subparagraph (1), except with the consent of the meeting following an uncontested motion.

**57. Committees of senate**

- (1) Committees of senate including the executive committee of senate may be established, as determined by the senate itself.
- (2) The members of standing committees of senate are elected by electoral system determined by senate..
- (3) Members of committees established for particular purposes hold office for as long as it is deemed necessary by senate.
- (4) The first meeting of every committee is called by the person elected by senate as the convener of that committee, or failing the election of a convener, by the secretary to senate.
- (5) Every committee elects a chairperson at its first meeting before transacting any other business, unless the senate at the time of electing the committee appointed a chairperson.
- (6) The chairperson of a committee must, at every ordinary meeting of the senate, submit a report of the activities of the committee concerned.

## **CHAPTER 7 CONVOCATION OF UNIVERSITY**

**58. Composition of convocation -**

The convocation consists of -

- (a) all the persons, other than the persons referred to in subparagraph (b), who were immediately before the commencement of this statute members of the convocation of the university;
- (b) the vice-chancellor, the deputy vice-chancellors, the registrar and the director library services of the university;
- (c) such academic employees and such other employees as may be designated by council on the recommendation of senate to be members of the convocation; and
- (d) all graduates of the University, provided that if any person who is a member of convocation by virtue of paragraphs (a), (c) or (d) gives written notice to council that he or she does not wish to become or remain a member of convocation, he or she does not become such a member, or ceases to be such a member, as the case may be, upon receipt of such notice by council.

**59. Constitution of convocation**

- (1) Convocation will adopt its own constitution at the annual general meeting which

provides for all matters relating to the establishment of its own alumni structures and their functions, meetings and meeting procedures, elections and term of office, its representatives on the Institutional Forum (IF) and Council together with such other provisions as the Council may consider appropriate within the context of the statute and Act.

**60. Convocation roll**

- (1) The secretary to convocation keeps a convocation roll showing the full names and the addresses of the members of convocation.
- (2) It is the duty of every member to notify the secretary in writing of any change of address and such address is regarded as the member's registered address.
- (3) The fact that the name of a person appears on the convocation roll is sufficient proof of his or her membership of convocation and of the fact that he or she is entitled to vote.

**61. Office bearers of convocation**

- (1) Subject to paragraph 63(1) the president and vice president of the convocation are elected by convocation in the manner determined by the convocation.
- (2) The registrar or his or her representative is the secretary to convocation.
- (3) At an election the secretary to convocation acts as electoral officer and he or she must be assisted by two scrutineers appointed by the vice-chancellor, provided that if a scrutineer is nominated, he or she must be replaced by another person appointed by the vice-chancellor.

**62. President of convocation**

- (1) No employee of the University shall be elected president of convocation.
- (2) The president of convocation holds office for a period of five years.
- (3) If the president for any reason vacates his or her office prior to the expiry of his or her term of office, the vice president must act as president until the convocation has elected a new president for the unexpired part of such term of office.
- (4) The president is the chairperson of all meetings of convocation and in his or her absence the vice president must act as chairperson.
- (5) In the absence of both the president and vice president, the members present must, under the guidance of the secretary to convocation, elect a chairperson for that meeting from amongst themselves.

**63. Notice of meetings of convocation**

Notice of a meeting of the convocation with a statement of the business to be brought before the meeting must be sent to every person who is a member, or who at the time of the meeting, will be eligible to be a member at least fourteen days before such meeting.

**64. Meetings of convocation**

- (1) All meetings of convocation take place at the venue determined by the convocation.
- (2) The election of office bearers shall only take place at an annual general meeting.
- (3) A meeting of convocation may be convened by the president at any time if he or

she deems it necessary, and must be convened by the secretary when a written request signed by at least twenty members is lodged with him or her, provided that the matters for consideration at such meeting are stated in the form of specific motions and that no matters other than those stated in such request may be discussed at such meeting.

- (4) The meeting contemplated in subparagraph (3) must be convened by the secretary as soon as possible but not later than two months of receipt of such request.

**65. Office bearers of convocation**

- (1) The executive committee of convocation consists of -
- (a) the president and the vice president of convocation;
  - (b) one member of council elected by council;
  - (c) five persons elected by the convocation from amongst convocation members;
  - (d) one member of senate appointed by senate; and
  - (e) the vice-chancellor;
  - (f) the director of communications and marketing.
- (3) the executive committee of convocation shall hold office for a period of five years.

**66. Duties of the office bearers**

- (1) The office bearers of the convocation must -
- (a) administer the affairs of the convocation; and
  - (b) discuss and on behalf of the convocation state its opinion upon any matters relating to the University or to the convocation, including matters that may be referred to it by council;
- (3) Executive committee members are elected in accordance with the procedure determined by the electoral officer, who for this purpose is the secretary to the convocation.

**67. Funds of convocation**

All monies pertaining to the business of the convocation are administered by the finance department of the University according to the university's financial policies.

**68. Quorum and procedure at meetings of convocation**

- (1) Twenty five members constitute a quorum for the purposes of convocation meetings and five members constitute a quorum for purposes of executive committee meetings.
- (3) The procedure at a meeting of the council, with the changes required by the context, applies to meetings of the convocation.
- (4) A copy of all resolutions of the convocation and declarations concerning all other matters on which the convocation may decide, duly certified by the president and the secretary, must be sent to the secretary to the council and the secretary to the senate for the information of the council and the senate respectively.

**69. Representatives of convocation on council**

The election of members of the convocation on the council is in a manner as determined by the rules.

**CHAPTER 8  
SCHOOLS****70. Schools**

- (1) The council may, after consultation with the senate and in line with higher education policies, establish schools, departments, programmes and courses at the university.
- (2) The university may, upon the recommendation of the senate, provide tuition for a degree, a diploma or certificate or a module or a course in a subject.

**71. School board**

- (1) A school board is established for each school.
- (2) A school board consists of -
  - (a) the vice-chancellor by virtue of his or her office;
  - (b) the deputy vice-chancellor academic by virtue of his or her office;
  - (c) the registrar or his or her representative;
  - (d) the dean of the school who serves as chairperson;
  - (e) the deputy dean of the school;
  - (f) the professors;
  - (g) all lecturers of that school;
  - (h) such other persons as the school board itself may from time to time determine; and
  - (i) the chairperson of the students school council and one (1) student who is a member of the council.
- (3) Persons invited to a meeting of the school board who are not members of the school may take part in the discussions but shall not vote.
- (4) A school board meets once a term at such time and place as may be determined by the school board itself.
- (5) The dates of such meetings contemplated in subparagraph (4) must be reflected in the university calendar.
- (6) A special meeting of a school board, of which not less than 24 hours' notice must be given to all members, may be convened by the dean at any time, if the reason for convening such a meeting is clearly stated.
- (7) Subject to the provisions of subparagraph (6), a special meeting of the school board may also be convened by the dean or deputy dean at the written request of at least one third of the members of the school board if the purpose of such meeting is clearly stated in such a request and no other matter is dealt with at such a meeting, except the one stated in the request.
- (8) The date, time and venue of all special meetings are determined by the dean and no elections or nominations of persons into offices within the school may be conducted at such special meetings.
- (9) A quorum comprises one half plus one member of the total voting membership of the board.

**72. Functions of school board**

A school board must present to the senate, for the senate's consideration and recommendation to the council, all matters relating to the curricula, syllabi, courses, research and examinations to the extent that the departments, on such matters as may be referred to it by the senate and on other matters affecting the interest of the schools.

**73. Deans**

- (1) The dean is appointed by the university on a performance-based five year contract subject to renewal if the council deems it fit, provided that the dean shall not serve for more than two terms.
- (2) The deans are the chief accounting officer of the school and chairs all meetings of the school and administers the budget and all resources of the school and report the proceedings of the meetings to senate.
- (3) The dean reports to the deputy vice-chancellor: academic.
- (4) The dean is the chairperson of the school board and a member of the committees of the school board by virtue of his or her office.
- (5) The dean must ensure that the registration of students in the school is carried out according to regulations.
- (6) The dean must ensure that the work of the departments, centres, institutes and the programmes in the school is effective and well organised.
- (7) The dean presents reports to the senate in respect of the activities of the school.
- (8) The dean vacates office if he or she -
  - (a) resigns by giving written notice to the vice-chancellor and principal;
  - (b) is declared insolvent, or is convicted of an offence involving dishonesty or of an offence for which he or she is imprisoned without the option of a fine;
  - (c) is declared unfit to attend to his or her personal affairs by a court of law;
  - (d) is found guilty of misconduct and demoted or dismissed; or
  - (e) is incompetent

**74. Deputy deans**

- (1) The deputy dean elected by the school for a period of five years subject to renewal if the school deems it fit
- (2) The deputy dean is the deputy chief administrative officer of the school and performs any duty given to him or her by the dean.
- (3) The deputy dean reports to the dean of the school
- (4) The deputy dean vacates office if he or she
  - (a) resigns by giving notice to the deputy vice-chancellor academic and copies to the dean
  - (b) is declared insolvent, or is convicted of an offence involving dishonesty or of an offence for which he or she is imprisoned without the option of a fine;
  - (c) is declared unfit to attend to his or her personal affairs by a court of law;
  - (d) is found guilty of misconduct and demoted or dismissed; or
  - (e) is incompetent.

**75. Academic department**

- (1) There is for every school an academic department.
- (2) An academic department consists of all lecturing members of the department.
- (3) Persons invited to meetings of an academic department who are not members of the academic board may take part in discussions but are not entitled to vote.
- (4) An academic department meets regularly to discuss departmental matters.
- (5) A quorum at a meeting of an academic department comprises one half plus one of the total numbers of voting members.

**76. Functions of academic department**

- (1) An academic department recommends to the school board for recommendation to senate, all matters relating to curricula, syllabi, courses, research, and examinations.
- (2) All rules concerning curricula, syllabi, courses, modules, research or examinations of a particular department must be adopted by the school board after they have been formally approved by the academic department.
- (3) An academic department elects every five (5) years at an ordinary meeting, from amongst its professors, associate professors and senior lecturers, a head of department.

**77. Functions of head of department**

A head of department must -

- (a) serve the interest of such department at school boards and senate meetings;
- (b) administer the work of such department;
- (c) execute all decisions of the school board and the senate; and
- (d) evaluate the academic programme in respect of such department's responsibility in relation to its discipline and the mission of the university.

## **CHAPTER 9 INSTITUTIONAL FORUM**

**78. Institutional forum (IF)**

- (1) The IF is an advisory body to council and is accountable to council.
- (2) In the event of the IF holding a view that is at variance with council's opinion on a particular matter, the opinion of council prevails.

**79. Composition of IF**

- (1) The IF consists of two representatives from each of -
  - (a) the management;
  - (b) the council;
  - (c) the senate;
  - (d) the academic employees;
  - (e) the administrative employees;
  - (f) the service employees
  - (g) the students;



- (h) the convocation; and
  - (i) any other bodies at the university that are recognised by council.
- (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 secretary to the IF.
  - (3) The term of office of members of IF is five years co-incident with the five-year term of office of the council.
  - (4) The term of office of the members designated in terms of 80(1)(g) is one year equivalent to the term of office of the students representative council.
  - (5) A member vacates his or her seat on the IF if he or she ceases to be a member of the constituency which nominated or elected him or her, provided that the membership of a student contemplated in paragraph 80(1) ceases automatically when he or she ceases to be a registered student.

**80. Executive committee of IF**

The executive committee of the IF consists of -

- (a) the chairperson;
- (b) the deputy chairperson;
- (c) the secretary to the IF; and
- (d) three additional members.

**81. Functions of IF**

The functions of the IF are to -

- (1) advise council on issues affecting the institution, 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) code of conduct, mediation and dispute resolution procedures; and
  - (e) the fostering of an institutional culture which promotes tolerance and respect for fundamental human rights and the creation of an appropriate environment for teaching, research and learning; and
- (2) perform such functions as determined by council.

**82. Secretary of IF**

The office of the registrar shall provide secretariat service.

**83. Meetings of IF**

The meetings of the IF must be convened and held in the manner, at the time and places and for the purposes prescribed by its standing orders which must be submitted to council for approval.

## CHAPTER 10 DONORS

### 84. Donors

- (1) Any person or organisation who has donated to the university an amount which is deemed as substantial by the council during the two years preceding his or her designation to the council, is deemed a donor. With the exception of persons who were members of the electoral college of donors at the commencement of this statute, a person or institution becomes a members of the electoral college of donors for a period determined by council when he or she or it contributes to the funds of the university a donation or donations of an amount periodically determined by council. The donation may be in the form of money, land, books, etc. provided the value must be measurable. To this end the secretary to council keeps a record of donors and donations as well as of the name of the natural person that will vote on behalf of an institution that made a donation or donations.
- (2) The secretary to council keeps a list of names of donors and each donor may register his or her address with the secretary and inform him or her of any change of address or name.
- (3) The list of names of donors is conclusive proof that a person or body, whose name appears therein at the time of the election by the donors, is entitled to vote and that a person or body whose name does not appear on the list is not entitled to vote.
- (4) Whenever it is necessary for donors to elect a member of the council, the secretary to the council must direct that an election be held, the procedure of which is as decided by the council from time to time.

## CHAPTER 11 STUDENTS

### 85. Student's representative council

- (1) A student's representative council for the university is elected by the registered students of the university.
- (2) The constitution, manner of election, term of office, functions and privileges of the student's representative council are determined by the rules.

### 86. Registration of students

- (1) Every person registered as a student at the university must sign the official registration form, thereby binding himself or herself to such conditions and rules as the council may determine.
- (2) A person registered as a student of the university is registered for the ensuing academic year or semester or for such shorter period as may be determined by the council after consultation with senate generally or in any particular case.
- (3) No person is enrolled for a course for any degree or diploma or certificate unless he or she has satisfied all the pre-requisites laid down in the rules concerned.



**87. Student discipline**

- (1) A student of the university is subject to the disciplinary provisions contained in the rules in respect of disciplinary action as determined by the council. The vice chancellor may cancel or for a specified period suspend registration of a student or admission to an academic programme and accommodation in any student hostel or residence of the university or his or her right or entitlement to utilise any other University facilities if, at any time after due inquiry, the vice chancellor is satisfied that such disciplinary measures are in the best interest of the university.
- (2) Any disciplinary action taken by the vice chancellor in terms of (1) above may be confirmed or reversed by the council upon appeal.
- (3) Should a student for any reason institute legal proceedings against the University and have costs awarded against him/her. Such costs will be debited into the student's fee account.

**88. Registration of and fees payable by students**

- (1) The council may, with the approval of the senate, prescribe the minimum requirements of study with which any person must comply before he or she may be permitted -
  - (a) to register as a student of the university
  - (b) to renew his or her registration as a student ; or
  - (c) if he or she is registered as a student of the university, to attend or to continue to attend the university as a student.
- (2) The fees payable by a student to the university are determined by the council.
- (3) Every person registered as a student of the university must from time to time cause his or her registration as a student to be renewed.
- (4) The council may refuse to renew the registration of a student applying therefore if such student fails to comply with the minimum study requirements contemplated in subparagraph (1).
- (5) Notwithstanding anything to the contrary contained in this statute, the council may cancel the registration of a student if it considers such cancellation to be in the best interest of the university, provided that such cancellation is final and the council is obliged to furnish reasons therefore.
- (6) The council may, after consultation with the senate, limit the number of persons who may be permitted to register for any specific course of study and, where the number of applicants for the admission to such a course of study exceed the number so limited, the senate may select from the number of applicants those who are to be admitted to register for such course.
- (7) The rules relating to study programmes and syllabuses in regard to full-time and part-time studies are determined by the council on the recommendation of the senate.
- (8) The council may refuse to admit or re-admit as a student of the university any person who applies for any such admission or re-admission if the council considers it in the best interest of the university to do so and the council must furnish reasons for any such refusal.

**CHAPTER 12**  
**PENSION FUND/PROVIDENT FUND/PENSION AND PROVIDENT FUND**

**89. Provident fund/Pension and Provident Fund**

Membership of the University of Venda Provident Fund (Pension and Provident Fund) and Group Life is compulsory for all permanent and contract employees subject to the rules and regulations of the fund.

**CHAPTER 13**  
**AUDITORS**

**90. Appointment of external auditors**

The council is responsible for the appointment of external auditors.

**CHAPTER 14**  
**DEGREES, DIPLOMAS AND CERTIFICATES**

**91. Degrees, diplomas and certificates**

- (1) Subject to this Statute, the university may confer such degrees in a school as it may, upon the recommendation of the senate, deem fit.
- (2) Subject to the NQF Act and paragraph 95, the university may confer a degree and award a certificate upon any person who has attained the standard of proficiency determined by the university in assessment and evaluation.
- (3) Subject to the Act and this statute, the university may grant a degree, diploma or certificate to any person who has pursued a course of study provided by the university and who has attained the level of proficiency determined by the senate.
- (4) Subject to this statute and disciplinary measures, the university may withdraw any degree, diploma or certificate awarded if any irregularity is proven.

**92. Honorary degrees**

- (1) The university may, by resolution of council, passed on the recommendation of the senate and without examination, confer a honorary degree of master or doctor in any school upon any person whom the university may deem worthy of such honour.
- (2) The holder of a honorary degree is not, by reason of such conferral, entitled to practise that profession.
- (3) A proposal for an honorary degree, doctor or magister, to be conferred must be submitted to the vice-chancellor in writing by a member of the senate or the council.
- (4) The proposal contemplated in subparagraph (3) must be seconded by three other members of the body concerned, and must set out clearly why the degree should be conferred, taking into account the guidelines set out in the policy documents in this respect.
- (5) The vice-chancellor must refer any such proposals to the university's honorary degrees committee which must consist of the -
  - (a) the vice-chancellor as chairperson;
  - (b) the chairperson of council;

- (c) two members of council;
  - (d) two members of senate;
  - (e) two members of the relevant school board of studies;
  - (f) the chairperson of convocation; and
  - (g) the president of the students representative council.
- (6) The honorary degrees committee must make a recommendation concerning the candidate or candidates and the degree or degrees which are to be conferred, and must submit it, with detailed reasons, to a special senate meeting called for this purpose.
- (7) In the event of the honorary degrees committee deciding not to make such recommendations, this decision must be conveyed to the proposer by the vice-chancellor.
- (8) Any proposal must be treated as confidential, and all documentation in respect of any proposals for conferring honorary degrees must be retrieved by the secretary after every meeting.
- (9) The senate, at the meeting called for this purpose as contemplated in subparagraph (6), must be provided with documentation in respect of the proposal or proposals.
- (10) There must be discussions at the special senate meeting and members of the senate must vote by secret ballot on the recommendation submitted to it.
- (11) If a two-thirds majority of the members present at the special senate meeting vote in favour thereof, the recommendation must be submitted to the council.
- (12) The council must at its meeting after the special senate meeting, be provided with documentation in respect of the proposal(s) and be addressed by the proposer or proposers.
- (13) There must be no discussion at the council meeting and the council must vote by secret ballot on the recommendation submitted to it.
- (14) The honorary degree may only be conferred if a two-thirds majority of the members present vote in favour of the recommendation.
- (15) Honorary degrees may be conferred on persons who:-
- (a) have made an outstanding contribution to scholarship and research;
  - (b) have made an outstanding contribution to economic and industrial development in South Africa or the region;
  - (c) have an outstanding record in leadership in their professions; or
  - (d) have made an outstanding contribution to community health, welfare or the cultural well-being of the community which the university serves.
- (15) Honorary degrees may not be conferred on any current employee of the university, or anybody serving on a statutory body of the university.
- (16) On council recommending that a degree be conferred, the vice-chancellor must approach the candidate or candidates to ascertain whether they are willing to accept such a degree.

### **93. Examinations and tests**

- (1) The assessment and evaluation of students are conducted under the control of the senate.
- (2) The university may, for the purpose of any examination or test determined by the council on the recommendation of the senate, make use of external examiners or moderators appointed by the council on the recommendation of the senate.

**94. Congregation and conferring of degrees and awarding of diplomas or certificates**

- (1) No degree, diploma or certificate, other than an honorary degree, may be conferred upon any person unless the registrar certifies that such person has satisfied all the requirements prescribed for such degree, diploma or certificate.
- (2) For the purpose of conferring degrees or awarding of diplomas or certificates, a meeting to be called "Congregation of the University" is held, to which are invited members of the council, academic employees, persons upon whom degrees, diplomas or certificates are to be conferred and such other persons as the vice-chancellor may determine.
- (3) No person is entitled to any privileges attached to a degree, diploma or certificate until such time as such degree, diploma or certificate has been conferred upon or awarded to him or her at a congregation.
- (4) The congregation of the university is held at least once a year at such time as determined by the council, and is presided over by the chancellor or the vice-chancellor in the absence of the chancellor.
- (5) The procedure relating to the conferment of degrees and the academic dress to be worn are as determined by the council, and all other matters concerning the congregation are as determined by senate.

**CHAPTER 15**

**EMERITUS PROFESSORS AND SPECIAL CATEGORY ACADEMICS**

**95. *Emeritus professors***

- (1) The council may, on the recommendation of the senate and subject to the statute, bestow the status of emeritus professor on retired professors of the university with such rights and privileges as may be determined by the senate.
- (2) The council may, on the recommendation of the senate, engage the services and expertise of individuals as .within a specific area of teaching and research for a specified period, which academics may not enjoy voting rights in anybody or committee of the university.
- (3) The council may on the recommendation of the senate engage the services and expertise of individuals with special skills within a specific area of teaching and research for a specified period, which individuals may not enjoy voting rights in anybody or committee of the university.
- (4) Persons who retire from the university having served as vice-chancellor or as deputy vice-chancellor or persons who retire after five (5) years of service as full professors, may be appointed as *emeritus professors* of the university.
- (5) Such appointment does not take place automatically but follows a recommendation to senate from the school board concerned, and is based on a significant contribution made in respect of academic and administration leadership.
- (6) Persons who retire from the university, but who have not served as full professors for five (5) years with proven record of sound graduates supervision, publications plus community service in the institution and outside may be appointed *professors*

*emeriti* of the university on a written and substantiated recommendation made to the senate by the school after being requested to do so by the vice chancellor and principal.

- (7) The privileges and the duties of an emeritus professor may include the following:
- (a) referring to himself or herself as an emeritus professor of the university;
  - (b) being invited to all graduation ceremonies and related functions of the university, and to take part in any academic ceremony of the university, being placed immediately behind members of the council of the university.
  - (c) having free membership of the University Library;
  - (d) supervising post-graduate research if requested to do so by the senate;
  - (e) undertaking and publishing research approved by senate, and having access to funding to make this possible;
  - (f) having office or laboratory space allocated when available and if approved by senate; and
  - (g) qualifying for fee remission benefits as approved by council on a recommendation by senate.
- (8) Besides administrative functions contemplated in subparagraph 7(d), an emeritus professor may exercise no management or executive duties at the university, and may not be a member of the senate of the University.

**96. Special category academics**

Academics that have made outstanding contributions and/or are experts in their respective fields may be considered for appointments or promotions to special category academics, researchers and administrators.

## **CHAPTER 16 REPEAL OF PREVIOUS STATUTE**

**97. Repeal of previous Statute**

- (1) The Statute of the University of Venda promulgated in *Government Gazette* No. 34575 Government Notice No. 554 of 31 August 2011 as read with *Government Gazette* No. 18659, Government Notice No. 193 of 6 February 1998, as amended by *Government Gazette* No. 2202, Government Notice No. 73 of 22 January 2001, as amended by *Government Gazette* No. 27558 Government Notice No 428 of 4 May 2005 is hereby repealed with effect from the date on which this Statute comes into operation.
- (2) Anything done, anybody established and person appointed to an office under a provision of the Statute repealed by subparagraph (1) is deemed to have been done, established or appointed under the corresponding provision of this Statute, provided that such provisions are not inconsistent with any provision of this Statute.