

REPUBLIC OF SOUTH AFRICA

**MEDICAL UNIVERSITY OF
SOUTHERN AFRICA (PRIVATE)
AMENDMENT BILL**

(As introduced)

(MRS G N M PANDOR)

[B 18—97]

REPUBLIEK VAN SUID-AFRIKA

**PRIVATE
WYSIGINGSWETSONTWERP OP
DIE MEDIESE UNIVERSITEIT VAN
SUIDER-AFRIKA**

(Soos ingedien)

(MEV G N M PANDOR)

[W 18—97]

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GENERAL EXPLANATORY NOTE:

Words underlined with a solid line indicate insertions in existing enactments.

BILL

To amend the Medical University of Southern Africa Act, 1976, so as to regulate the composition of the council of the University anew; and to provide for matters connected therewith.

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Amendment of section 10 of Act 78 of 1976, as amended by section 44 of Act 92 of 1984, section 13 of Act 3 of 1986 and section 6 of Act 41 of 1990

1. Section 10 of the Medical University of Southern Africa Act, 1976, is hereby amended—

(a) by the substitution for subsection (1) of the following subsection:

“(1) Subject to the provisions of this Act, the control, government and executive power of the University shall be vested in the council of the University, which shall consist of—

- (a) the principal; 10
- (b) no more than two vice-principals, designated by the council in the manner prescribed by the statutes;
- (c) one senate member from each faculty, elected by the senate in the manner prescribed by the statutes; 15
- (d) four persons appointed by the Minister;
- (e) three persons elected by the convocation in the manner prescribed by the statutes, of whom one person shall be a post-graduate student;
- (f) two persons who are donors in terms of the statutes, elected by the Medunsa Trust in the manner prescribed by the statutes; 20
- (g) one person for each of the provinces of Gauteng, North-West, the Northern Province and Mpumalanga, appointed by the Premier of the province in question;
- (h) two members of the students’ representative council of the University, designated by the students’ representative council in the manner prescribed by the statutes; 25
- (i) the president of the students’ representative council of the University;
- (j) two members from the University staff establishment, elected by the University staff in the manner prescribed by the statutes; 30

- (k) one person with a broad spectrum of competencies in the field of finance, elected by the council in the manner prescribed by the statutes;
- (l) one person with a broad spectrum of competencies in the field of marketing, elected by the council in the manner prescribed by the statutes; 5
- (m) one person with a broad spectrum of competencies in the field of law, elected by the council in the manner prescribed by the statutes;
- (n) one person with a broad spectrum of competencies in the field of human resources, elected by the council in the manner prescribed by the statutes: 10

Provided that the persons referred to in paragraphs (d), (e), (f), (g), (h), (i), (k), (l), (m) and (n) shall not be employees of the University.”; and

(b) by the deletion of subsection (9).

Transitional provision

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2. The members of the council who served on the council by virtue of section 10(1)(b), (c), (d), (e) and (f) of the Medical University of Southern Africa Act, 1976 (Act No. 78 of 1976), before the date of commencement of this Act, shall cease to be members of the council from the date of commencement of this Act.

Short title and commencement

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3. (1) This Act shall be called the Medical University of Southern Africa (Private) Amendment Act, 1997.

(2) This Act shall come into operation on a date determined by the President by proclamation in the *Gazette*.

**MEMORANDUM ON THE OBJECT OF THE MEDICAL
UNIVERSITY OF SOUTHERN AFRICA (PRIVATE) AMENDMENT
BILL, 1997**

The object for the new constitution of the council of the Medical University of Southern Africa is simply an establishment of governance, the composition of which has been agreed to by all the stakeholders of the University. The policy of inclusion has been followed to include those experts and constituencies that would be to the benefit of the University.

In the view of the University and the State Law Advisers the procedure set out in section 75 of the Constitution, 1996 should be followed with regard to this Bill.