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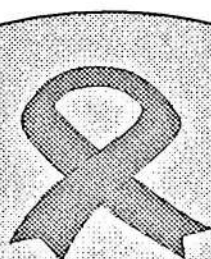
No. 905

Buitengewoon

Hu tshi katelwa na
Gazethe dza Nyingo

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

AIDS
HELPUNE

0800 012 322

DEPARTMENT OF HEALTH



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PROVINCIAL NOTICE

NOTICE 11 OF 2003

DEPARTMENT OF HEALTH AND WELFARE

NORTHERN PROVINCE COLLEGE OF NURSING ACT, 1996
(ACT NO. 3 OF 1996)

LIMPOPO COLLEGE OF NURSING REGULATIONS

The MEC for Health and Welfare has under section 11 of the Northern Province College of Nursing Act, 1996 (Act No.3 of 1996), made the regulations in the Schedule.

SCHEDULE

1. **Definitions.**—In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in section 1 of the Northern Province College of Nursing Act, 1996 (Act No.3 of 1996), retains that meaning and in addition—

“**academic year**” means that portion of a calendar year approved by Council on the recommendation of the Senate for the academic activities of the College;

“**chairperson**” means the chairperson of the College;

“**college personnel**” means the personnel of the College who are officers of the Department of Health and Welfare and are appointed on the establishment of the College;

“**curriculum**” means a curriculum approved by the SANC and the university of collaboration;

“**Department**” means the Department of Health and Welfare;

“Executive Council” means the Executive Council of the Northern Province;

“HOD” means the Head of the Department;

“MEC” means the Member of the Executive Council responsible for Health and Welfare in the Province;

“Principal” means the Principal of the College;

“SANC” means the South African Nursing Council;

“service representative” means a Nurse Manager from a clinical institution where students perform practical training;

“SRC” means the Student Representative Council of the College;

“Student” means a registered student of the College;

“the Act” means the Northern Province College of Nursing Act, 1996 (Act No. 3 of 1996);

“university of collaboration” means a university or universities with which the College will be associated for the purpose of nursing education; and

“Vice-principal” means the head of a campus.

2. Composition of College.—The College comprises the following campuses:

- (a) Giyani;
- (b) Thohoyandou; and
- (c) Sovenga.

3. Appointment of Principal.—(1) The Principal –

- (a) must be appointed by the MEC on the recommendation of the College Council and Senate,
- (b) is the Chief Executive Officer of the College and an *ex officio* member of each committee of the Council and Senate.

(2) The Principal shall be appointed in the following manner:

- (a) the post of Principal must be advertised in at least two newspapers;

- (b) applications must be submitted to a joint selection committee consisting of the following persons:
 - (i) HOD
 - (ii) two staff members of the Department nominated by the HOD;
 - (ii) one representative of the Council;
 - (iii) one representative of the university of collaboration; and
 - (iv) the Senior Manager responsible for Nursing Education in the Department;
- (d) the joint selection committee must short-list candidates, conduct interviews and make a recommendation of the preferred candidates to the MEC;
- (e) the MEC must consider the preferred candidates as recommended by the joint selection committee and grant his or her approval;
- (f) The MEC must make a submission to the Executive Council for ratification.

4. Appointment of Vice-principal.—The Vice-principal shall be appointed in the following manner:

- (a) the post of the Vice-principal must be advertised in at least two newspapers;
- (b) applications must be submitted to a joint selection committee consisting of the following persons:
 - (i) HOD
 - (ii) two staff members of the Department nominated by the HOD;
 - (iii) one representative of the Council;
 - (iv) one representative of the university of collaboration; and
 - (v) the Senior Manager responsible for Nursing Education in the Department.
- (d) the joint selection committee must short-list candidates, conduct interviews and make recommendations to the MEC; and
- (e) the MEC must consider the recommendations of the joint selection committee and may appoint a suitable candidate.

5. Registrar of College.—(1) The Registrar Academic is the Secretary of the Council and the Senate.

(2) The Secretary must attend all meetings of the Council and Senate as well as any committees of the Council and Senate. In the absence of the Secretary, the Principal may nominate any officer from the administrative staff to perform the task of secretary.

6. Council.—(1) The Council comprises the following persons appointed by the MEC:

- (a) the Principal;
- (b) the Vice-principals;
- (c) the Registrar Academic;
- (d) the Registrar Administration;
- (e) the Senior Manager responsible for Nursing Education in the Department;
- (f) the Senior Manager responsible for Nursing Service in the Department;
- (g) one Senate representative from each campus;
- (h) one representative from each university that comprises the university of collaboration;
- (i) one SRC member from each campus;
- (j) community representatives, one from each campus, nominated by a recognised community structure;
- (k) one representative (non-academic staff) from each campus; and
- (l) one Nursing Manager serving in the Senate and nominated by the Senate.

(2) A person is disqualified from being a member of the Council if that person-

- (a) is an un-rehabilitated insolvent; or
- (b) is or was at any time convicted of an offence and sentenced to imprisonment without the option of a fine. If a period of ten

years has lapsed after the date of conviction, such person may be eligible for membership; or

- (c) becomes incapable of performing the duties attached to the office due to mental illness or ill health.

7. Term of Office.—(1) A member of the Council, other than *ex officio* members must hold office for a period of three years. Such a member may be appointed for one additional term.

(2) The Registrar Academic must, in writing, notify the MEC through the HOD, of the expiry period of office of a member of Council not less than three months before such expiry period.

(3) A person appointed to fill a vacancy must hold office for the unexpired term of office of such person's predecessor.

(4) The HOD must inform the MEC of the new nominations and the MEC must appoint members to the Council in terms of these Regulations.

8. Powers and duties of Council.—The Council has the following powers and duties:

- (a) to manage the College and through the Principal, is accountable to the HOD for the administrative matters of the College;
- (b) to appoint committees to act in advisory and executive capacities;
- (c) to determine the rules of the College;
- (d) to supervise the Senate and the committees in the performance of the Senate and committees' functions;
- (e) to exercise disciplinary powers in accordance with Council's rules;
- (f) to advise the HOD and the MEC on a university with which the College should collaborate;
- (g) to control the academic standards of the College through the Senate;
- (h) to advise the HOD and MEC on the need to establish additional campuses in the Province; and
- (i) to establish the SRC in accordance with the SRC's rules.

9. Meetings of Council.—(1) The Council must meet at least three times a year, at a time and place determined by the Principal.

(2) The Registrar Academic must at least fourteen days before the date of an ordinary meeting, in writing inform each member of the agenda, date, time and venue of the meeting.

(3) The Council must at its first meeting, elect from amongst its members, a Chairperson and Vice-chairperson. The Chairperson and Vice-chairperson must hold office for the duration of the Council's existence. In the absence of the Chairperson and Vice-chairperson, the Council must appoint an acting Chairperson for the meeting, from the members present.

(4) The Chairperson must convene a special meeting on the written request of at least one fifth of the members of the Council or on the request of the HOD. The purpose of the meeting must be stated in the request.

(5) At least 24 hours' notice must be given of a special meeting. No business other than that for which notice was given shall be discussed at the special meeting.

(6) The quorum of the Council meeting shall be constituted by a majority of its members present.

(7) A member of the Council who has been absent for two consecutive meetings of the Council, without leave of the Council, must vacate office unless the Council, in consultation with the person or body by whom such member was nominated condones such absence on good cause shown by such member.

10. Voting.—The Chairperson has a casting vote in the event of an equality of votes.

11. Ruling by Chairperson.—The ruling of the Chairperson on any motion, point of order or procedure is final.

12. Procedure at Committee meetings.—(1) The procedure of a Council meeting applies to a meeting of any committee appointed by the Council.

(2) The procedure of a Senate meeting applies to a meeting of any committee appointed by the Senate.

13. Financial or other interests of Council members.—A member of the Council must not vote on or take part in the discussion of matters in which such member has financial or other interests, unless such member first discloses to the Council the nature and extent of such member's interest and obtains the consent of the meeting to participate in the discussion or vote.

14. College Senate.—The Senate comprises the following persons appointed by the MEC:

(a) the Principal as Chairperson;

- (b) the Vice -principal of each campus;
- (c) three Service Representatives, from a clinical facility around each campus;
- (d) two representatives from each university that comprises the university of collaboration;
- (e) two SRC members from each campus;
- (f) the department heads from each campus;
- (g) one academic staff member from each campus who is not a subject head;
- (h) one representative from the Department of Education;
- (i) the Registrar Academic of the College;
- (j) one community representative who is also a member of the Curriculum Committee; and
- (k) one Council representative.

15. Term of Office of Senate members.—(1) A member of the Senate other than *ex officio* members must hold office for a period of three years. Such a member may be appointed for one additional term.

(2) A member of the Senate representing the Council must hold office for the duration of the Council's existence.

16. Meetings of Senate.—(1) The Senate must meet at least three times a year at a time and venue determined by the Chairperson of the Senate.

(2) The HOD or the Chairperson may convene a special meeting at the written request of at least one fifth of the members of the Senate. The purpose of the meeting must be stated in the request.

(3) At least twenty-four hours' notice must be given of a special meeting. No business other than that for which notice was given shall be discussed at the special meeting.

(4) The quorum must be constituted by a majority of the members of the Senate present.

(5) A member of the Senate who has been absent for two consecutive meetings of the Senate, without the leave of the Senate must vacate such member's office unless the Senate, in consultation with the person or body by whom the member was nominated, condones such absence on good cause shown by such member.

17. Powers of Senate.—The Senate shall-

- (a) control the academic matters of the College under the supervision of the Council;
- (b) control the curricula, programmes, modules, examination, credits for modules or courses passed and the promotion of students in accordance with the criteria laid down by the SANC;
- (c) establish or abolish with the approval of the Council any diploma, course or subject of the College;
- (d) advise the Council on the creation of academic posts, academic planning and the development of the College;
- (e) establish committees and may appoint committee members;
- (f) delegate any authority or function to a committee. Any report on any action by the committee in the execution of the delegated authority or function must be submitted to the Registrar Academic for circulation to members of the Senate and tabling before the next meeting of the Senate;
- (g) recommend to the Council the conditions for obtaining diplomas and certificates;
- (h) supervise and control all examinations conducted by the College in accordance with such rules as may be determined from time to time by the Senate;
- (i) appoint internal examiners;
- (j) establish a relevant sub-committee to make recommendations to the Senate on the curricula, courses of study and examinations, as the Senate may refer to such a sub-committee;
- (k) adopt, such rules as may be necessary for the proper execution of its powers;
- (l) recommend to the Council the establishment of any Department of the College; and
- (m) recommend to the Council the revocation of a diploma or certificate obtained in an improper manner.

18. Senate representative in Council.—(1) The Registrar Academic must in writing notify the Chairperson of the Senate of the expiry date of the period of office of the Senate representative in the Council, three months prior to such date. The Senate must, at its last meeting preceding the end of the term of office of such a member, nominate a successor.

(2) If any member of the Council elected by the Senate vacates his or her office before the expiry date, the Registrar Academic must inform the Senate of the

vacancy and the Senate must elect another member to hold office for the remaining term of office.

19. Expiry of term of office of Senate Members.—(1) The Registrar Academic must, three months before the expiry of the term of office of a member of the Senate notify such member in writing of the expiration.

(2) The Registrar Academic must for the purposes of receiving nominations for members of the Senate notify-

- (a) the university of collaboration;
- (b) the Council;
- (c) the SRC;
- (d) clinical institution from each campus;
- (e) a recognised community structure within the Province; and
- (f) the Vice-principal of each campus.

20. Procedure at meetings of Senate.—(1) The Principal presides at meetings of the Senate and in the Principal's absence, the members present at the meeting must elect a Vice-principal to preside.

(2) The Registrar Academic must in writing notify each member of the Senate at least fourteen days before any ordinary meeting, of the date, time and venue of the meeting and the matters to be discussed.

(3) All matters must be decided by a two third majority of votes of the members present.

(4) The Chairperson has a casting vote in the case of an equality of votes.

21. Recognition, registration and awarding of certificates and diplomas.—(1) The Chairperson of the Council shall award all diplomas and certificates in the name of the College and, in the absence of the Chairperson, the Vice-chairperson shall do so.

(2) The College may not issue a certificate or diploma, as a recognised certificate or diploma, unless the certificate or diploma has been endorsed by the Registrar Academic of the College, the Principal and the Chairperson of the Council.

(3) Diplomas and certificates are issued by the College with an endorsement from the university of collaboration.

(4) A meeting of the members of the College to be known as a congregation must be held for the purpose of awarding diplomas.

(5) A congregation shall be held at such time and venue as the Council may determine on the recommendation of the Senate.

(6) The procedure for the presentation and awarding of diplomas, academic dress, and all other matters regarding congregations not provided for in these regulations must be determined by the Senate with the approval of the Council.

22. Discipline of Students.—A student of the College must be disciplined in accordance with the disciplinary rules of the Council.

23. Misconduct.—(1) A student may be charged with misconduct if such student contravenes any of the provisions contained in the disciplinary code for students.

(2) Any charge of misconduct must be investigated and reported to the Registrar Academic who must submit full details to the Principal.

(3) The Principal must submit the investigation report to the disciplinary committee.

24. Disciplinary Committee for students.—(1) The College disciplinary committee comprises -

- (a) the Vice-principal of the campus where the allegation occurred;
- (b) any departmental official designated by the Principal;
- (c) one representative from the Council;
- (d) one representative from the Directorate responsible for Nursing Education in the Department;
- (e) one representative from the Directorate responsible for Nursing Services in the Department; and
- (f) one representative from the Directorate responsible for Labour Relations in the Department.

(2) The Registrar Academic is the convenor of the disciplinary committee meeting.

(3) The disciplinary committee must act on behalf of the Council in accordance with the rules approved by the Council.

25. Financing of College.—The normal budgetary procedure is applicable to the College through the Health vote of Limpopo.

26. Accounts and Audit.—Accounting for expenditure and revenue and auditing thereof are as prescribed by Treasury Regulations issued in terms of the Public Finance Management Act, 1999 (Act No. 1 of 1999).

27. Fee payable by student.—The fee payable by a student or a prospective student of the College, is determined by the Council.

28. Inspection of College.—The HOD may at any time conduct an inspection of the College regarding any matter concerning-

- (a) the administration;
- (b) the registration of the students and the education provided;
- (c) personnel requirements;
- (d) the store, equipment and finances; and
- (e) any other general matter considered necessary by the HOD.

29. Study programme and modules.—The Senate may not establish any study course without the prior approval of the MEC.

30. Composition and content of study programme and curricula.—Study courses and curricula must be compiled by the Senate after consultation with the university of collaboration, and in accordance with the requirements of SANC and must be submitted to SANC for ratification and recognition.

31. Short title.—These Regulations are called the Limpopo College of Nursing Regulations, 2003.

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