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## GOEWERMENTSKENNISGEWINGS

### DEPARTEMENT VAN ONDERWYS EN OPLEIDING

**No. R. 11** **1 Januarie 1994**

WET OP TECHNIKONS, 1993  
(WET No. 125 VAN 1993)

#### KENNISGEWING VAN INSTELLING VAN TECHNIKON NOORD-TRANSSVAAL

Ek, Samuel Johannes de Beer, Minister van Onderwys en Opleiding, gee hierby ingevolge artikel 10 (3) van die Wet op Technikons, 1993 (Wet No. 125 van 1993), kennis dat die Technikon Noord-Transvaal, ingestel kragtens artikel 3 (1), saamgelees met artikel 5 (1), van die Wet op Technikons (Onderwys en Opleiding), 1981 (Wet No. 27 van 1981), vanaf **1 Januarie 1994** geag word 'n technikon ingestel ingevolge die Wet op Technikons, 1993, te wees.

**S. J. DE BEER,**  
Minister van Onderwys en Opleiding.

**No. R. 12** **1 Januarie 1994**

WET OP TECHNIKONS, 1993  
(WET No. 125 VAN 1993)

#### KENNISGEWING VAN HERROEPING VAN DIE WET OP TECHNIKONS (ONDERWYS EN OPLEIDING), 1981

Ek, Samuel Johannes de Beer, Minister van Onderwys en Opleiding, bepaal hierby ingevolge artikel 40 (1) van die Wet op Technikons, 1993 (Wet No. 125 van 1993), **1 Januarie 1994** as die datum waarop die Wet op Technikons (Onderwys en Opleiding), 1981 (Wet No. 27 van 1981), herroep word.

**S. J. DE BEER,**  
Minister van Onderwys en Opleiding.

## GOVERNMENT NOTICES

### DEPARTMENT OF EDUCATION AND TRAINING

**No. R. 11** **1 January 1994**

TECHNIKONS ACT, 1993  
(ACT No. 125 OF 1993)

#### NOTICE OF ESTABLISHMENT OF TECHNIKON NORTHERN TRANSSVAAL

I, Samuel Johannes de Beer, Minister of Education and Training, hereby give notice in terms of section 10 (3) of the Technikons Act, 1993 (Act No. 125 of 1993), that the Technikon Northern Transvaal, established in terms of section 3 (1) read with section 5 (1), of the Technikons (Education and Training) Act, 1981 (Act No. 27 of 1981), shall from of **1 January 1994** be deemed to be established under the Technikons Act, 1993.

**S. J. DE BEER,**  
Minister of Education and Training.

**No. R. 12** **1 January 1994**

TECHNIKONS ACT, 1993  
(ACT No. 125 OF 1993)

#### NOTICE OF REPEAL OF THE TECHNIKONS (EDUCATION AND TRAINING) ACT, 1981

I, Samuel Johannes de Beer, Minister of Education and Training, hereby, under section 40 (1) of the Technikons Act, 1993 (Act No. 125 of 1993), determine **1 January 1994** as the date on which the Technikons (Education and Training) Act, 1981 (Act No. 27 of 1981), is repealed.

**S. J. DE BEER,**  
Minister of Education and Training.

**No. R. 13 1 Januarie 1994**

WET OP TECHNIKONS (ONDERWYS EN OPLEIDING), 1981 (WET No. 27 VAN 1981)

**TECHNIKON NOORD-TRANSVAAL:  
HERROEPING VAN REGULASIES**

Die Raad van die Technikon Noord-Transvaal het kragtens artikel 25 van die Wet op Technikons (Onderwys en Opleiding), 1981 (Wet No. 27 van 1981), met die goedkeuring van die Minister van Onderwys en Opleiding, die regulasies afgekondig by Goewermentskennisgewing No. R. 2475 van 26 Oktober 1990 met ingang van **1 Januarie 1994**, herroep.

**No. R. 14 1 Januarie 1994**

WET OP TECHNIKONS, 1993  
(WET No. 125 VAN 1993)

**TECHNIKON NOORD-TRANSVAAL:  
STATUUT**

Die Raad van die Technikon Noord-Transvaal het kragtens artikel 18 (1) van die Wet op Technikons, 1993 (Wet No. 125 van 1993), met die goedkeuring van die Minister van Onderwys en Opleiding, die Statuut in die Bylae opgestel.

**BYLAE****Definisies**

1. In hierdie Statuut het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, dieselfde betekenis, en tensy dit uit die samehang anders blyk, beteken—

“aanstel” en “aanstelling” beteken óf om in diens te neem óf om 'n taak of pligte aan iemand toe te wys;

“dae” beteken kalenderdae;

“diensbeëindiging” sluit bedanking in;

“die Wet” beteken die Wet op Technikons, 1993 (Wet No. 125 van 1993);

“doserende en navorsingspersoneel” beteken die Hoof, visehoof, dekaan, senior direkteur, departementshoof, senior lektor, lektor, junior lektor of enige ander persoon wat 'n pos beklee wat die Raad beskou as 'n akademiese pos by die Technikon;

“kalendermaand” beteken 'n periode wat strek vanaf die eerste tot die laaste dag, beide datums ingeslote, van enigteen van die 12 maande van die jaar;

“maande” beteken kalendermaande;

“nomineer” en “nominasie” beteken die handelinge om name voor te lê vir verkiesing;

**No. R. 13 1 January 1994**

TECHNIKONS (EDUCATION AND TRAINING) ACT, 1981 (ACT No. 27 OF 1981)

**TECHNIKON NORTHERN TRANSVAAL:  
REPEAL OF REGULATIONS**

The Council of the Technikon Northern Transvaal has under section 25 of the Technikons (Education and Training) Act, 1981 (Act No. 27 of 1981), with the approval of the Minister of Education and Training, repealed the regulations published in Government Notice No. R. 2475 of 26 October 1990 with effect of **1 January 1994**.

**No. R. 14 1 January 1994**

TECHNIKONS ACT, 1993  
(ACT No. 125 OF 1993)

**TECHNIKON NORTHERN TRANSVAAL:  
STATUTE**

The Council of the Technikon Northern Transvaal has, under section 18 (1) of the Technikons Act, 1993 (Act No. 125 of 1993), with the approval of the Minister of Education and Training, drafted the Statute in the Schedule.

**SCHEDULE****Definitions**

1. In this Statute any word or expression to which a meaning has been assigned in the Act, shall have that meaning, and unless the context otherwise indicates—

“appoint” and “appointment” means to employ or assign to, or designate an office;

“calendar month” means a period extending from the first to the last day, both days inclusive, of any one of the 12 months of the year;

“cycle” means a period of three calendar years reckoned from 1 January 1992 and each succeeding period of three years;

“day of rest” means—

(i) a Sunday or a public holiday in the case of an employee who usually does not work on such a day;

(ii) another day on which he is usually exempt from service in the case of an employee who usually works on a Sunday or a public holiday; and

(iii) a Saturday in the case of an employee working a five-day working week;

“days” means calendar days;

**"permanente werknemer"** beteken 'n persoon wat in 'n permanente hoedanigheid aangestel is by die Technikon deur die Raad, en 'n persoon wat geag word as sodanig aangestel, alhoewel hy aangestel is—

- (i) op proef;
- (ii) in 'n pos wat bedoel is vir 'n persoon van 'n rang wat laer of hoër is as sy eie rang; of
- (iii) in 'n pos addisioneel ten opsigte van die vaste poste van die Technikon;

**"pensioenleef tyd"** beteken die pensioenleef tyd waarna in die regulasies uitgevaardig kragtens die Wet op die Pensioenfonds vir Geassosieerde Inrigtings, 1963 (Wet No. 41 van 1963), verwys word;

**"personeellid"** sluit beide permanente en tydelike werknemers in wat voltyds in diens van die Technikon is;

**"rusdag"** beteken—

- (i) 'n Sondag of 'n publieke vakansiedag in die geval van 'n werknemer wat normaalweg nie op só 'n dag werk nie; of
- (ii) 'n dag waarop hy normaalweg vrygestel word van diens in die geval van 'n werknemer wat normaalweg werk op 'n Sondag of publieke vakansiedag;

**"salaris"** beteken die salaris of loon wat normaalweg betaalbaar is aan 'n werknemer wanneer hy in diens van die Technikon is en sluit die toelae wat nie deel uitmaak van sy basiese salaris of loon nie, in;

**"salarisverhoging"** beteken die goedgekeurde bedrag waarmee 'n salaris verhoog mag word ooreenkomstig die toepaslike rangorde;

**"siklus"** beteken 'n periode van drie kalenderjare bereken vanaf 1 Januarie 1992 en elke opeenvolgende periode van drie jaar;

**"skenker"** beteken enige liggaam of persoon wat 'n totale bedrag in kontant of andersins van nie minder nie as R5 000, of wat onderneem het om so 'n bedrag aan die Technikon te skenk en, in gereelde paaieimente oor 'n tydperk van nie langer as vier jaar nie en wat nie agterstallig is met sy paaieimente nie;

**"Technikon"** beteken die Technikon Noord-Transvaal;

**"technikonvakansie"** beteken die periode tussen twee opeenvolgende technikonkwartale;

**"uitdienstredingsleef tyd"** beteken die leef tyd van 65 jaar waarop 'n werknemer verplig is om uit diens te tree;

**"werknemer"** beteken 'n persoon wat voltyds of deelyds in 'n permanente of tydelike hoedanigheid deur die Technikon in diens geneem is, en dit sluit die Hoof in.

**"donor"** means any body or person who donates an aggregate amount in cash or kind of not less than R5 000 or who has undertaken to donate such an amount to the Technikon in regular instalments over a period of not more than four years and who is not in arrear with his instalments;

**"employee"** means a person employed full-time or part-time in a permanent or temporary capacity at the Technikon and includes the Principal;

**"months"** means calendar months;

**"nominate"** and **"nomination"** means the act of submitting names for election;

**"pensionable age"** means the pensionable age referred to in the regulations made under the Associated Institutions Pensions Fund Act, 1963 (Act No. 41 of 1963);

**"permanent employee"** means a person appointed permanently at the Technikon by the Council, and a person who is deemed to have been so appointed even though he may have been appointed—

- (i) on probation;
- (ii) in a post intended for a person of a rank higher or lower than his own rank; or
- (iii) to a post additional to the fixed posts of the Technikon;

**"retirement age"** means the age of 65 years at which an employee is obliged to retire from service;

**"salary"** means the salary or wage normally payable to an employee when he is in the service of the Technikon and includes allowances which do not form part of his basic salary or wage;

**"salary increment"** means the approved amount by which a salary may be increased in accordance with the appropriate scale;

**"staff member"** includes both a permanent and temporary employee in full-time employment of the Technikon;

**"teaching and research staff"** means the Principal, vice-principal, dean, senior director, director, head of department, senior lecturer, lecturer, junior lecturer or any other person who occupies a post which the Council regards as an academic post in the Technikon;

**"Technikon"** means the Technikon Northern Transvaal;

**"technikon holiday"** means the period between two consecutive Technikon terms;

**"termination of service"** includes resignation;

**"the Act"** means the Technikon Act, 1993 (Act No. 125 of 1993).



**KANSELIER****Magte, voorregte en funksies**

2. Die Kanselier is die titulêre hoof van die Technikon en sal alle teknikonsertifikate namens die Technikon toeken.

**Dienstermyn**

3. (1) Die Kanselier sal sy amp beklee vir 'n periode van vier (4) jaar, tensy hy sy geskrewe bedanking indien by die Raad of sy amp ontruim vir enige rede voor die verstryking van sy dienstermyn.

(2) Die Kanselier mag uit sy amp verwyder word met 'n besluit wat geneem word deur minstens vyf-en-sewentig persent (75%) van die lede van die Raad as gevolg van wangedrag, onbevoegdheid om sy amptelike pligte uit te voer of weens enige ander rede wat deur die Raad as voldoende beskou word.

(3) Die Kanselier is herkiesbaar.

**Verkiesing**

4. (1) Die Voorsitter van die Raad, of sy gevolmagtigde sal, onderworpe aan die vereistes van subparagrafe (6) en (7), die datum bepaal waarop 'n vergadering van die Raad plaasvind vir die verkiesing van 'n Kanselier: Met dien verstande dat so 'n vergadering binne negentig (90) dae nadat die Kanselierspos vakant geraak het, sal plaasvind.

(2) Die sekretaris van die Raad sal voldoende kennis vooraf gee aan elke lid van die Raad ten minste twee maande, maar nie langer as vier maande vooraf nie, na die verstryking van die dienstermyn van die Kanselier en op hierdie kennisgewing sal die datum, plek en tyd van die vergadering soos bepaal in subparagraaf (1) aangedui word en sal alle lede van die Raad uitgenooi word om nominasies vir die Kanselierspos op 'n vorm soos goedgekeur deur die Hoof, aan te bring.

(3) Enige lid is vry om addisionele inligting by 'n nominasie in te dien as hy so verkies.

(4) Die voltooië dokumente vir die nominasie van kandidate moet die sekretaris minstens een-en-twintig (21) dae voor die datum van die vergadering bereik.

(5) Die sekretaris van die Raad sal behoorlik, binne drie (3) dae na die sluitingsdatum vir nominasies, kennis gee aan elke lid van die Raad van die nominasies ontvang.

(6) Geen persoon sal verkies word in die Kanseliersamp nie tensy hy genomineer is, met sy geskrewe toestemming, deur minstens twee (2) lede van die Raad.

(7) Die Raad sal 'n Kanselier verkies deur middel van geslote stembriewe en elke Raadslid sal slegs een (1) stem hê gedurende elke verkiesing.

**CHANCELLOR****Powers, privileges and functions**

2. The Chancellor is the titular head of the Technikon and shall confer all technikon certificates on behalf of the Technikon.

**Period of office**

3. (1) The Chancellor shall occupy his office for a period of four (4) years unless he tenders his resignation in writing to the Council or vacates his office for any reason before the expiration of his term.

(2) The Chancellor may be removed from office by a resolution of at least seventy-five (75%) per cent of all members of the Council on account of misconduct, incapacity to carry out his official duties or any other reason that the Council deems adequate.

(3) The Chancellor shall be eligible for re-election.

**Election**

4. (1) The Chairman of the Council, or his plenipotentiary shall, subject to the provisions of subparagraphs (6) and (7), determine the date on which a meeting of the Council is to be held for the purpose of electing a Chancellor: Provided that such a meeting shall be held within ninety (90) days after the office of the Chancellor becomes vacant.

(2) The secretary of the Council shall, at least two (2) months but not more than four (4) months prior to the expiry of the term of office of the Chancellor, give due notice to every member of the Council of the date, place and time of the meeting determined in subparagraph (1) and shall invite members of Council to submit nominations for the office of Chancellor on a form approved by the Principal.

(3) Any member shall be at liberty to supplement a nomination by the submission of additional information.

(4) The completed documents for the nomination of candidates shall reach the secretary of the Council at least twenty-one (21) days before the date of the meeting.

(5) The secretary of the Council shall, within three (3) days after the closing date for nominations give due notice to every member of the Council of the nominations received.

(6) No person shall be elected to the office of the Chancellor unless he has been nominated, with his written consent, by at least two (2) members of Council.

(7) The Council shall elect the Chancellor by secret ballot and each member of the Council shall have only one (1) vote during each ballot.



(8) 'n Kandidaat sal verkies word tot die Kanseliers-amp slegs deur 'n vyf-en-sewentig persent (75%) of groter meerderheid van alle lede van die Raad teenwoordig, onderhewig aan die vereistes van subparagraaf (1).

(9) 'n Reeks van verkiesings sal gehou word as geen kandidaat 'n vyf-en-sewentig persent (75%) meerderheid van stemme op homself kan verenig tydens 'n verkiesing nie.

(10) In elke opeenvolgende stembondte sal die kandidaat met die minste steun in die vorige stembondte uitgeskakel word as kandidaat.

(11) Nadat die Raad 'n Kanselier verkies het, sal die naam van die nuwe Kanselier aangekondig word deur die Visekanselier.

#### **Vakante poste**

5. (1) As die pos van die Kanselier vakant raak of die Voorsitter van die Raad die Kanselier se geskrewe bedanking ontvang, sal die sekretaris van die Raad binne veertien (14) dae nadat die pos vakant geraak of die bedanking ontvang is, wat ookal die geval mag wees, behoorlik kennis gee aan elke Raadslid van sodanige vakante pos of bedanking en dienooreenkomstig nominasies versoek.

(2) Die Raad sal so gou as moontlik 'n nuwe Kanselier aanwys in ooreenstemming met die vereistes van subparagraaf (6) tot (11) van paragraaf 4.

#### **HOOF**

#### **Magte, voorregte en funksies**

6. (1) Die Hoof sal, as hoof- uitvoerende en akademiese beampte van die Technikon, algemene toesig en beheer uitoefen oor die Technikon.

(2) Die Hoof sal die Voorsitter van die Akademiese Raad wees en *ex officio* 'n lid van alle komitees van die Akademiese Raad en alle gesamentlike komitees van die Raad en die Akademiese Raad.

(3) 'n Waarnemende Hoof sal aangewys word deur die Uitvoerende Komitee van die Raad vir periodes waartydens die Hoof vir meer as sewe (7) dae afwesig is, behalwe wanneer hierdie periodes vir normale verlofdoeleindes geld, met die uitsluiting van periodes vir siekte of spesiale verlof, en sodanige Waarnemende Hoof sal dieselfde magte, voorregte en funksies as die Hoof hê.

#### **Dienstermyn**

7. Die dienstermyn van die Hoof eindig op die normale uitdienstredingleeftyd van akademiese personeel aan die Technikon: Met dien verstande dat die Raad die periode met nie langer nie as vyf (5) jaar addisioneel mag verleng.

(8) A candidate shall be elected to the office of Chancellor only by seventy-five (75%) per cent or more majority of all the members of Council present, subject to the provisions of subparagraph (1).

(9) A series of ballots shall be held if no candidate gains a seventy-five per cent (75%) majority in a ballot.

(10) In each successive round of balloting the candidate with the least support in the previous ballot shall be eliminated as candidate.

(11) After Council has elected a Chancellor, the name of such Chancellor shall be announced by the Vice-Chancellor.

#### **Vacancy**

5. (1) If the office of Chancellor becomes vacant or the Chairman of the Council receives the Chancellor's written resignation, the secretary of the Council shall, within fourteen (14) 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 the Council of such vacancy or resignation and call for nominees.

(2) The Council shall as soon as possible elect a new Chancellor in accordance with the provisions of subparagraph (6) to (11) of paragraph 4.

#### **PRINCIPAL**

#### **Powers, privileges and functions**

6. (1) The Principal shall, as Chief Executive and Academic Officer of the Technikon, be responsible for the management and supervision of the Technikon.

(2) The Principal shall be the Chairman of the Academic Board, and *ex officio* a member of all committees of the Academic Board and of all joint committees of the Council and the Academic Board.

(3) An Acting Principal shall be appointed by the Executive Committee of the Council for periods of absence of the Principal exceeding seven (7) days other than periods of absence for normal leave purposes, but excluding periods of sick or special leave, and such an Acting Principal shall have the powers, privileges and functions of the Principal.

#### **Term of office**

7. The term of office of the Principal shall expire at the normal retirement age of the academic staff of the Technikon: Provided that the Council may extend the appointment beyond such age limit by not more than five (5) years.

**Verkiezing en aanstelling**

8. (1) Die sekretaris van die Raad moet minstens drie (3) maande voordat die Hoof aftree, onderworpe aan die vereistes soos uiteengesit in paragraaf 7, of, indien die pos vakant raak weens enige ander rede, binne veertien (14) dae nadat die pos vakant geraak het, behoorlik kennis gee daarvan aan elke lid van die Raad.

(2) Die Raad benoem 'n komitee bedoel in artikel 21 van die Wet vir die verkiezing en aanstelling van 'n nuwe Hoof.

(3) Die komitee sal uit nie meer as sewe (7) en nie minder as vyf (5) lede bestaan nie: Met dien verstande dat kandidate vir die pos nie lede van die komitee sal uitmaak nie.

(4) Die sekretaris van die Raad sal *ex officio* die sekretaris van die komitee bedoel in subparagraaf (2), wees.

(5) Die sekretaris van die Raad sal in opdrag van die komitee, 'n advertensie vir die pos van Hoof in 'n nasionale nuusblad plaas.

(6) Die sekretaris van die Raad sal binne vyf (5) dae na die sluitingsdatum vir aansoeke, 'n vergadering van die komitee byeenroep om 'n kortlys van kandidate vir die amp van Hoof op te stel en om reëlins te tref vir persoonlike onderhoude met die persone wie se name op die kortlys verskyn.

(7) Die komitee sal, nadat persoonlike onderhoude gevoer is met al die persone op die kortlys, een kandidaat voorstel vir aanstelling in die amp van Hoof op 'n gewone vergadering van die Raad: Met dien verstande dat die name van alle applikante, insluitend die name van die persone op die kortlys, voorgelê word aan die Raad.

(8) Die Raad sal per geslote stembrief stem oor die aanstelling van die voorgestelde kandidaat in die amp van Hoof en 'n gewone meerderheid van stemme sal die voorstel bekragtig.

(9) Indien 'n gewone meerderheid van stemme nie op die kandidaat verenig kan word nie, sal die Raad per geslote stembrief stem oor al die kandidate op die kortlys.

(10) Elke lid van die Raad sal slegs een stem gedurende elke stemrondte mag uitbring.

(11) 'n Reeks van stemmings sal plaasvind, indien geen kandidaat 'n gewone meerderheid van stemme op hom kan verenig na die eerste stemrondte nie.

(12) In elke opeenvolgende stemrondte sal die kandidaat wat die minste ondersteuning in die vorige rondte behaal het, uitgeskakel word as kandidaat.

(13) Die suksesvolle kandidaat sal skriftelik in kennis gestel word van sy aanstelling deur die Voorsitter van die Raad.

**Election and appointment**

8. (1) The secretary of the Council shall, at least three (3) months before the retirement of the Principal, subject to the provisions of paragraph 7, or, if the office becomes vacant for any reason, within fourteen (14) days of the occurrence of the vacancy, give due notice to every member of the Council of the vacancy.

(2) The Council shall establish a committee as contemplated in section 21 of the Act for selecting and appointing a new Principal.

(3) The committee referred to in subparagraph (2) shall have no more than seven (7) and no less than five (5) members: Provided that candidates for the vacancy shall not be members of the committee.

(4) The secretary of the Council shall *ex officio* be the secretary to the committee contemplated in subparagraph (2).

(5) The secretary of the Council shall, on instruction of the committee, place an advertisement inviting applications for the post of Principal in a national newspaper.

(6) The secretary of the Council shall, within five (5) days after the closing date for applications, call a meeting of the committee to finalise a shortlist of candidates for the office of the Principal and arrange for personal interviews with the shortlisted candidates.

(7) The committee shall, after it has held personal interviews with all shortlisted candidates, propose one candidate for appointment to the office of the Principal to the Council at an ordinary meeting of the Council: Provided that the names of all applicants, including the names of the shortlisted candidates, shall be submitted to the Council.

(8) The Council shall vote, by secret ballot, on the appointment of the proposed candidate to the office of the Principal and a simple majority shall carry the proposal.

(9) If a simple majority cannot be obtained, the Council shall vote, by secret ballot, on the shortlisted candidates.

(10) Each member of the Council shall have only one vote during each ballot.

(11) A series of ballots shall be held if no candidate gains a simple majority in the first ballot.

(12) In each successive round of balloting the candidate with the least support in the previous ballot shall be eliminated as candidate.

(13) The successful candidate shall be informed, in writing, by the Chairman of the Council of his appointment.

**Vakante pos**

9. Indien die Hoof se pos vakant raak of die Voorsitter van die Raad die Hoof se skriftelike bedanking ontvang, sal die sekretaris van die Raad binne veertien (14) dae nadat die pos vakant geraak het of vanaf ontvangs van die bedanking, wat ookal die geval mag wees, optree in ooreenstemming met wat in paragraaf 8 (1) beskryf word.

**Diensvoorwaardes van die Hoof**

10. Die diensvoorwaardes van die Hoof sal met die Hoof onderhandel word deur die komitee wat tot stand kom kragtens paragraaf 8 (2) en sal bekragtig word deur die Raad by aanstelling van die Hoof.

**RAAD****Voorsitter en Ondervoorsitter**

11. (1) Die lede van die Raad sal, onderworpe aan artikel 16 (3) van die Wet, 'n Voorsitter en Ondervoorsitter uit hul geledere verkies, wat die amp vir 'n tydperk van twee (2) jaar sal beklee, of vir 'n korter periode wat sal ooreenstem met die betrokke persoon se lidmaatskap van die Raad.

(2) Die verkiesingsprosedure sal as volg wees:

- (a) Skriftelike nominasies vir die amp van Voorsitter of Ondervoorsitter van die Raad sal by die sekretaris van die Raad ingedien word;
- (b) Indien meer as een kandidaat as Voorsitter of Ondervoorsitter genomineer word, sal stemming per geslote stembrief plaasvind en elke lid van die Raad sal slegs een (1) stem gedurende elke stemrondte hê;
- (c) 'n Kandidaat mag slegs deur 'n vyf-en-sewentig persent (75%) of groter meerderheid van die lede teenwoordig by die Raadsvergadering tot die amp van Voorsitter of Ondervoorsitter verkies word;
- (d) 'n Reeks stemmings sal gehou word as die kandidaat nie 'n vyf-en-sewentig persent (75%) meerderheid tydens die eerste stemrondte op hom kan verenig nie; en
- (e) In elke opeenvolgende stemrondte sal die kandidaat wat die minste ondersteuning in die vorige stemrondte behaal het, uitgeskakel word as kandidaat.

(3) Indien 'n vakature in die Voorsitters- of Ondervoorsittersamp beskikbaar raak met verloop van tyd, sal die sekretaris van die Raad die lede van die Raad minstens een-en-twintig (21) dae voor die laaste gewone vergadering van die Raad wat gehou word voor die verstryking van sodanige dienstrydperk, skriftelik daarvan in kennis stel en die Raad sal by 'n gewone vergadering 'n opvolger aanwys wat vir 'n termyn van twee (2) jaar vanaf die datum wat volg op die dag waarop die dienstermyn van die uittredende Voorsitter of Ondervoorsitter verstryk het, die amp sal beklee.

(4) Die uittredende Voorsitter of Ondervoorsitter sal herkiesbaar wees.

**Vacancy**

9. If the office of Principal becomes vacant or the Chairman of the Council receives the Principal's written resignation, the secretary of the Council shall, within fourteen (14) days of the occurrence of the vacancy or of the receipt of the resignation, as the case may be, act as in accordance with paragraph 8 (1).

**Conditions of service of the Principal**

10. The conditions of service of the Principal shall be negotiated with the Principal by the committee established in terms of paragraph 8 (2) and confirmed by the Council upon appointment of the Principal.

**COUNCIL****Chairman and Vice-Chairman**

11. (1) The members of the Council shall, subject to section 16 (3) of the Act, elect from amongst its members a Chairman and Vice-Chairman who shall each hold office for a period of two (2) years, or for such shorter period as he may be a member of Council.

(2) The election procedure shall be as follows:

- (a) Nominations for Chairman or Vice-Chairman shall be given in writing to the Secretary of the Council;
- (b) If more than one candidate is nominated as Chairman or Vice-Chairman, voting shall be by secret ballot and each member of the Council shall have only one (1) vote during a ballot;
- (c) A candidate may be elected Chairman or Vice-Chairman of the Council only by a seventy-five per cent (75%) majority or more of the members present at the meeting of Council;
- (d) A series of ballots shall be held if no candidate gains a seventy-five per cent (75%) majority in the first ballot; and
- (e) In each successive round of balloting the candidate with the least support in the previous ballot shall be eliminated as candidate.

(3) Whenever a vacancy in the office of Chairman or Vice-Chairman is about to occur by effluxion of time, the secretary of the Council shall give notice thereof in writing to all members of the Council at least twenty-one (21) days before the last ordinary meeting of the Council, before the expiration of such period of office, is to be held and the Council shall, at that ordinary meeting, appoint a successor for a term of two (2) years from the date following the day on which the retiring Chairman's or Vice-Chairman's term expires.

(4) The retiring Chairman or Vice-Chairman shall be eligible for re-election.



(5) Indien 'n vakature in die Voorsitters- of Ondervoorsittersamp beskikbaar raak weens enige ander rede behalwe met verloop van tyd, sal die sekretaris van die Raad die lede van die Raad skriftelik daarvan in kennis stel en die Raad sal by die eerste gewone vergadering wat gehou sal word minstens een-en-twintig (21) dae na die kennisgewing, 'n ander lid verkies as Voorsitter of Ondervoorsitter, wat ook al die geval mag wees, wat die pos sal beklee vir die res van die onverstreke ampstermyn van sy voorganger.

### **Sekretaris**

**12.** (1) Die sekretaris van die Raad sal aangestel word deur die Hoof: Met dien verstande dat die Hoof 'n ander administratiewe lid van die personeel mag aanstel om die sekretaris behulpsaam te wees of om in sy plek waar te neem.

(2) Die sekretaris sal optree as die verkiesingsbeampste by alle Raadsvergaderings.

(3) Die sekretaris sal alle Raadsvergaderings bywoon en mag aan besprekings deelneem, maar moet buite stemming bly.

### **Vergaderings**

**13.** (1) 'n Kworum sal bestaan uit minstens 50 (vyftig) persent van die totale aantal lede.

(2) Die sekretaris van die Raad sal minstens tien (10) dae voor die datum wat bepaal is vir elke vergadering, skriftelik kennis gee van sodanige vergadering aan elke Raadslid, sowel as 'n uiteensetting van die sake wat aangespreek sal word op die vergadering, en die tyd en plek van sodanige vergadering.

(3) Kennisgewing van sake vir oorweging sal ingedien word by die sekretaris van die Raad minstens vyf (5) dae voor die datum waarop hy sal moet kennis gee van sodanige vergadering: Met dien verstande dat 'n lid sake van 'n ernstige of dringende aard by 'n vergadering mag opper sonder vooraf kennisgewing, indien hy die toestemming van vyf-en-sewentig persent (75%) of meer van die lede teenwoordig verkry het.

(4) 'n Buitengewone vergadering van die Raad mag byeengeroep word deur die Voorsitter van die Raad indien hy dit as nodig beskou of indien hy daartoe skriftelik versoek is deur enige vyf lede, met die doel van die vergadering duidelik uiteengesit in die voorlegging.

(5) Geen sake verskillend van dié waarvoor die buitengewone vergadering byeengeroep is, sal gedurende die vergadering behandel word nie, behalwe indien die vergadering daartoe toestem deur middel van 'n onbestrede mosie.

(6) Die Raad mag persone wat nie lede is nie, uitnooi om vergaderings by te woon: Met dien verstande dat sulke persone mag deelneem aan besprekings, maar buite stemming moet bly.

### **Notule van Raadsvergaderings**

**14.** (1) Die sekretaris van die Raad sal notule hou van elke Raadsvergadering en sal die notule insluit by die agenda van die opeenvolgende Raadsvergadering.

(5) If a vacancy occurs in the office of the Chairman or Vice-Chairman for any reason other than effluxion of time, the secretary of the Council shall give notice thereof in writing to the members of the Council, and the Council shall, at its first ordinary meeting, which shall be held at least twenty-one (21) days after such notification, elect some other member as the Chairman or the Vice-Chairman, as the case may be, who shall hold office for the unexpired period of office of his predecessor.

### **Secretary**

**12.** (1) The secretary to the Council shall be appointed by the Principal: Provided that the Principal may assign any other administrative member of the staff to assist the secretary or to act in his place.

(2) The secretary shall act as electoral officer at all meetings of the Council.

(3) The secretary shall attend all meetings of the Council and may take part in discussions but shall not vote.

### **Meetings**

**13.** (1) A quorum shall consist of at least half the total number of members plus one.

(2) The secretary of the Council shall, at least ten (10) days before the date set for any meeting, give notice in writing to each member of the Council, setting forth the business to be dealt with as well as the time and place of such a meeting.

(3) Notice of matters for consideration shall be submitted to the secretary of the Council at least five (5) days prior to the date on which he is required to give notice of the meeting: Provided that a member may raise matters of an urgent nature at the meeting without previous notice if he procures the consent of at least seventy-five per cent (75%) of the members present.

(4) An extraordinary meeting of the Council may be called by the Chairman of the Council whenever he deems it necessary, and shall be called by him when requested to do so in writing by any five members, the object of the meeting being stated clearly in the requisition.

(5) No matters other than that for which an extraordinary meeting was called, shall be transacted at such meeting, except with the consent of the meeting granted on an unopposed motion.

(6) The Council may invite persons who are not members to attend meetings: Provided that such persons shall take part in the discussions but may not vote.

### **Minutes of Council meetings**

**14.** (1) The secretary of the Council shall keep minutes of each meeting of the Council and shall include such minutes in the agenda of the next Council meeting.

(2) Die eerste taak van 'n gewone Raadsvergadering nadat dit byeengeroep is, sal wees om die notule van die vorige vergadering en van enige buitengewone vergadering wat gevolglik byeengeroep is, te lees en te bevestig deur die aanbring van die handtekening van die Voorsitter: Met dien verstande dat enige beswaar teen die notule by dié geleentheid geopper en uitgespreek sal word, voordat dit bevestig word: Met dien verstande verder dat die vergadering die notule as gelese sal beskou as 'n afskrif daarvan aan elke lid vooraf gestuur is in ooreenstemming met subparagraaf (1).

### **Die Raad se Besluiteregister**

15. Die sekretaris sal ter insae van alle Raadslede 'n volledige register van Raadsbesluite wat aanvaar is, byhou.

### **Bespreking van mosies**

16. (1) Geen Raadslid sal, sonder toestemming van die vergadering, meer as een spreekbeurt hê oor 'n spesifieke mosie of amendement nie, maar die voorsteller van 'n mosie of amendement sal die reg hê om te antwoord: Met dien verstande dat die lid mag versoek dat die saak onder bespreking *in komitee* hanteer moet word: Met dien verstande voorts dat, indien sodanige mosie gesekondeer is, dit aan stemming onderwerp sal word sonder verdere bespreking en dat, indien die mosie aanvaar word, die Raad onmiddellik *in komitee* sal vergader, waarna 'n lid meer as een spreekbeurt oor die onderwerp onder bespreking sal mag kry.

(2) 'n Mosie of amendement sal gesekondeer word en, indien die Voorsitter dit vereis, sal dit skriftelik wees en geen mosie of amendement sal teruggetrek word nie sonder die toestemming van die voorsteller, die sekondant en die vergadering.

### **Stemming**

17. (1) Tensy waar andersins daarvoor voorsiening gemaak word in hierdie Statuut, sal besluite oor alle sake geneem word deur 'n gewone meerderheid van lede teenwoordig.

(2) Die Voorsitter sal stemreg hê op 'n vergadering en as hy verkies om sy gewone stem uit te bring, moet hy dit tydens die algemene stemming doen, en nie daarna nie.

(3) Indien 'n stemming onbeslis is, anders as uitgespreek in subparagraaf (4), sal die Voorsitter by sy gewone stem ook 'n beslissende stem hê: Met dien verstande dat hy, in die geval van 'n stemming per geslote stembrief, nie 'n beslissende stem sal hê nie.

(4) In die geval van 'n stemming oor persone wat onbeslis eindig, sal die kwessie deur middel van loting beslis word.

(5) 'n Onbesliste stemming sal beteken dat 'n mosie verwerp word, tensy die Voorsitter verklaar dat hy sy beslissende stem wil gebruik.

(2) The first act of an ordinary meeting of the Council, after it has been constituted, shall be to read and confirm by the signature of the Chairman the minutes of the last preceding ordinary meeting and of any extraordinary meeting held subsequently: Provided that an objection to the minutes shall be raised and dealt with before confirmation thereof: Provided further that the meeting may take the minutes as read if a copy thereof was sent to each member in accordance with subparagraph (1).

### **Register of resolutions of Council**

15. The secretary of the Council shall keep available to all members of the Council a complete register of Council resolutions.

### **Discussion of motions**

16. (1) No member of the Council shall, without the leave of the meeting, speak more than once on a motion or amendment, but the proposer of a motion or amendment shall have the right to reply: Provided that a member may move that the matter under discussion be dealt with *in committee*: Provided further that, if the latter motion is seconded, it shall be put to vote without further discussion and, if such motion is adopted, the Council shall immediately go *in committee*, during which a member may speak more than once on the subject under discussion.

(2) A motion or amendment shall be seconded and, if it is so directed by the Chairman, shall be in writing and no motion or amendment shall be withdrawn without the consent of the proposer, the seconder and the meeting.

### **Voting**

17. (1) Except as otherwise provided in this Statute, all matters shall be decided upon by a simple majority of the members present.

(2) The Chairman shall be a voting member of the meeting and if he desires to cast his ordinary vote he shall do so simultaneously with the general voting and not thereafter.

(3) In the event of a tie, other than stipulated in subparagraph (4), the Chairman shall, in addition to his ordinary vote, also have a casting vote: Provided that in the case of a vote by secret ballot he shall not have a casting vote.

(4) In the event of a tie in a ballot concerning persons, the issue shall be decided by the lot.

(5) A tie in the votes shall mean that a motion is rejected unless the Chairman decides to use his casting vote.

(6) Die Voorsitter bring sy beslissende stem uit slegs nadat hy sy gewone stem vir sodanige mosie uitbring het.

(7) Indien enige lede teenwoordig gedurende die stemming oor 'n sekere mosie, hulle weerhou van stemming, sal hulle weerhouding genotuleer word as teenstemme.

(8) Indien die vergadering só besluit, sal die aantal lede wat vir of teen 'n mosie stem, genotuleer word, en op versoek van enige lid, sal die Voorsitter opdrag gee dat die stem van sodanige lid genotuleer word.

(9) Indien nie minder nie as vyf-en-sewentig persent (75%) van die Raadslede eenstemmigheid bereik het oor 'n saak wat deur die Voorsitter van die Raad na hulle verwys is per brief of per telegram, sonder om 'n vergadering te belê, en indien hulle hul besluit per brief of per telegram oorgedra het aan die Raad, sal sodanige besluit gelykstaande geag word aan enige ander besluit van die Raad en sal dit as sodanig aangeteken word in die notule van die volgende gewone vergadering.

(10) Indien 'n Raadslid nie in staat is om 'n vergadering by te woon nie, mag hy sy siening oor enige saak op die betrokke agenda aan die vergadering bekend maak in geskrewe vorm, maar dit sal nie as 'n stem deur die betrokke lid bygetel kan word nie.

(11) Geen Raadslid mag deelneem aan die bespreking van of stemming oor 'n saak waarby hy 'n direkte geldelike of finansiële of ander materiële belang het nie, tensy hy eers die omvang van sy belang bekend maak en die toestemming van die vergadering bekom het om deel te neem aan die bespreking of om te stem oor die saak of beide.

(12) Indien 'n Raadslid deelneem aan die verrigtinge in verband met 'n saak waarin die lid 'n geldelike of finansiële of ander materiële belang het, sonder die Raad se toestemming, sal stemming oor sodanige saak deur die Raad ongeldig wees.

#### ***Voorsitter se beslissing***

**18.** Die Voorsitter se beslissing oor enige punt van orde of prosedure sal bindend wees tensy dit onmiddellik bevestig word deur 'n Raadslid, wanneer sodanige beslissing sonder bespreking aan die vergadering voorgelê sal word en in só 'n geval sal die beslissing van die vergadering finaal wees.

#### ***Opstel, wysiging of herroeping van die Statuut en Reëls***

**19.** Geen mosie om 'n Statuut of Reël op te stel, te amendeer of te herroep, sal van krag wees nie, tensy dit aanvaar word deur minstens vyf-en-sewentig persent (75%) van die lede teenwoordig by die vergadering.

#### ***Noodvergaderings van die Raad***

**20.** (1) 'n Noodvergadering mag te eniger tyd deur die Voorsitter byeengeroep word: Met dien verstande dat lede nie minder as vier-en-twintig (24) uur kennis van sodanige vergadering gegee sal word nie.

(6) The Chairman shall only use his casting vote if he has already exercised his ordinary vote during a vote about the matter under consideration.

(7) If members present during any vote on a motion abstain from voting, their abstentions shall be noted as dissenting votes.

(8) If it is so decided by the meeting, the number of members voting for or against any motion shall be recorded and, at the request of any member, the Chairman shall direct that the vote of such member be recorded.

(9) Where not less than seventy-five per cent (75%) of all the members of the Council have reached agreement on a matter referred to them by letter or by telegram by the Chairman without convening a meeting, and have conveyed their resolution by letter or by telegram, such resolution shall be equivalent to a resolution of the Council and shall be recorded in the minutes of the next ordinary meeting.

(10) If a member of the Council is unable to attend a meeting, his views on any matter on the agenda concerned may be communicated to the meeting in writing but shall not count as a vote by such a member.

(11) No member of the Council may participate in the discussion of, or voting on, a matter in which he has a direct pecuniary or financial or other material interest, unless he first discloses the extent of his interest and obtains permission of the meeting to participate in the discussion or voting on the matter or both.

(12) If a member of the Council participates without the Council's permission in proceedings regarding a matter in which the member does have a pecuniary or financial or other material interest, voting by the Council on such a matter shall be invalid.

#### ***Ruling by the Chairman***

**18.** The ruling of the Chairman on any point of order or procedure shall be binding unless immediately challenged by a member of the Council, in which event such ruling shall be subjected to a vote and the decision shall be final.

#### ***Framing, amending or rescinding a Statute and Rules***

**19.** No motion to frame, amend or rescind a Statute or a Rule shall be of force and effect unless adopted by at least seventy-five per cent (75%) of the members present at the meeting of the Council.

#### ***Emergency meetings of Council***

**20.** (1) An emergency meeting may be called by the Chairman at any time: Provided that the members of the Council shall be given at least twenty-four (24) hours' notice of such a meeting.



(2) Kennis van 'n noodvergadering kan gegee word op enige manier wat verkies word in die omstandighede.

(3) Die Raadslede sal in kennis gestel word van die doel van 'n noodvergadering en geen ander sake anders as dié waarvan die lede in kennis gestel is, sal op sodanige vergadering behandel word nie.

#### **Aantal Raadsvergaderings**

21. Die Voorsitter sal 'n Raadsvergadering minstens drie keer per semester belê by die setel van die Technikon.

#### **Uitvoerende Komitee van die Raad**

22. (1) Die Raad sal 'n Uitvoerende Komitee van die Raad saamstel, bestaande uit minstens vyf (5) lede.

(2) Die sekretaris van die Raad sal *ex officio* ook sekretaris van die uitvoerende komitee van die Raad wees.

#### **Vakante poste wat in die Raad ontstaan met verloop van tyd**

23. Nie minder as negentig (90) dae voor die verstryking van die dienstermyn van 'n Raadslid, sal die sekretaris van die Raad skriftelik kennis gee van sodanige verstryking aan die liggaam of persoon wat sodanige lid verkies, aangewys of genomineer het, sodat sodanige liggaam of persoon die vakature kan vul in ooreenstemming met die bepaling van paragraaf 26.

#### **Toevallige vakature in die Raad**

24. Indien 'n Raadslid te sterwe kom of bedank of sy pos ontruim weens enige ander rede behalwe die verstryking van sy dienstermyn, sal die sekretaris van die Raad binne dertig (30) dae van die datum waarop só 'n vakante pos van krag word, die liggaam of persoon wat sodanige lid verkies of aangewys of genomineer het, skriftelik kennis gee, sodat sodanige liggaam of persoon die vakature kan vul in ooreenstemming met die bepaling van paragraaf 26.

#### **Lidmaatskap van die Raad**

25. Persone bo die ouderdom van vyf-en-sestig (65) jaar is nie herkiesbaar in die Raad nie.

#### **Verkiesing van Raadslede**

26. (1) Nie meer as drie (3) visehoofde van die Technikon kan op enige tyd in die Raad dien: Met dien verstande dat waar meer as drie (3) visehoofde aangestel is by die Technikon, en dit nodig is om 'n seleksie te maak wie van hulle op die Raad gaan dien, sal die dienstermyn van die gekose visehoofde vier (4) jaar wees: Met dien verstande verder dat wanneer dit nodig is om visehoofde te selekteer om as Raadslede te dien, sal drie (3) van hulle deur middel van loting aangewys word: Met dien verstande voorts dat tydens die eerste seleksie op 'n regverdige rotasiesistelsel vir toekomstige lidmaatskapsiklusse besluit sal word.

(2) Notice of an emergency meeting may be given in any manner deemed expedient in the circumstances.

(3) The members of the Council shall be notified of the object of an emergency meeting and no business other than that of which the members have been notified shall be transacted at such meeting.

#### **Number of meetings of Council**

21. The Chairman shall convene a meeting of the Council at least three times in each semester at the seat of the Technikon.

#### **Executive Committee of Council**

22. (1) The Council shall appoint an Executive Committee of the Council consisting of at least five (5) members.

(2) The Secretary of the Council shall *ex officio* be the secretary of the Executive Committee of the Council.

#### **Vacancies of Council by effluxion of time**

23. Not less than ninety (90) days before the expiry of the period of office of a member of the Council, the secretary of the Council shall in writing give notice of such expiry to the body or person that elected or designated or nominated such member, in order that such body or person may fill such vacancy in accordance with the provisions of paragraph 26.

#### **Casual vacancies of Council**

24. If a member of the Council passes away or resigns, or vacates his office for any reason other than the effluxion of time, the secretary of the Council shall, within thirty (30) days from the date on which such vacancy arose, in writing give notice of such vacancy to the body or person that elected or designated or nominated such member, in order that such body or person may fill such vacancy in accordance with the provisions of paragraph 26.

#### **Membership of Council**

25. Persons above the age of sixty-five (65) years are not eligible for election as members of the Council.

#### **Election of members of Council**

26. (1) Not more than three (3) of the Vice-Principals of the Technikon shall at any one time serve on the Council: Provided that where more than three (3) Vice-Principals have been appointed to the staff of the Technikon, and a selection amongst them to serve on the Council becomes necessary, the term of office of those selected shall be four (4) years: Provided further that whenever it is necessary for Vice-Principals to be selected to serve as members of the Council, three (3) of their number shall be determined by lot: Provided further that at the first selection a system of fair rotation for subsequent cycles of membership shall be decided on by the Council.

(2) Die Akademiese Raad sal twee Akademiese Raadslede verkies om op die Raad te dien, op die wyse soos voorgeskryf in die Reëls van die Technikon: Met dien verstande dat die Reëls wat die verkiesing voorskryf, in ooreenstemming met paragraaf 30 sal wees.

(3) Die Konvokasie van die Technikon sal een (1) lid uit die Konvokasie verkies om as Raadslid te dien op die wyse soos voorgeskryf deur die Reëls van die Technikon: Met dien verstande dat die Reëls, in ooreenstemming sal wees met die Statuut.

(4) Die volgende persone sal Raadslede wees:

- (i) Een persoon aangewys deur die National African Federated Chamber of Commerce;
- (ii) een persoon aangewys deur die Afrikaanse Handelsinstituut;
- (iii) een persoon aangewys deur die Bounywerhede Federasie van Suid-Afrika;
- (iv) een persoon aangewys deur die Staal en Ingenieursnywerhede Federasie van Suid-Afrika;
- (v) een lid van die Uitvoerende Komitee van die Congress of South Africa Trade Unions deur die Congress aangewys;
- (vi) een lid van die Uitvoerende Komitee van die National African Congress of Trade Unions deur die Congress aangewys;
- (vii) een lid van die Uitvoerende Komitee van die Ouerkomitee van die Technikon deur die Komitee aangewys;
- (viii) een lid van die Uitvoerende Komitee van die Verteenwoordigende Studenteraad deur die Raad aangewys;
- (ix) een persoon wat 'n studente-organisasie verteenwoordig wat die Raad erken deur die studente van die Technikon verkies op 'n wyse wat die Raad bepaal; en
- (x) een persoon van die gemeenskap van Soshanguve verkies op 'n wyse deur die Raad bepaal.

#### **Magte en pligte van die Raad**

**27.** Die Raad sal, die eiendom van die Technikon bestuur, en sal, onderworpe aan die bepalings van hierdie Statuut, kontrole uitoefen oor die Technikon en al sy sake en aktiwiteite.

#### **Lidmaatskap van die Akademiese Raad**

**28.** (1) Twee (2) Raadslede, nie in diens van die Technikon, sal as verteenwoordigers van die Raad dien in die Akademiese Raad.

(2) Die Raadslede bedoel in subparagraaf (1) sal, deur 'n gewone meerderheid van stemme deur die Raad verkies word.

(2) The Academic Board shall elect two members of the Board as members of the Council in the manner prescribed by the Rules of the Technikon: Provided that that Rules shall be concordant to paragraph 30.

(3) The Convocation of the Technikon shall elect one (1) member of the Convocation as a member of the Council in the manner prescribed by the Rules of the Technikon: Provided that that Rules shall be concordant to the Statute.

(4) The following persons shall be members of the Council:

- (i) One person designated by the National African Federated Chambers of Commerce;
- (ii) one person designated by the Afrikaanse Handelsinstituut;
- (iii) one person designated by the Building Industries Federation of South Africa;
- (iv) one person designated by the Steel and Engineering Industries Federation of South Africa;
- (v) one member of the executive committee of the Congress of South African Trade Unions designated by that Congress;
- (vi) one member of the executive committee of the National African Congress of Trade Unions designated by that Congress;
- (vii) one member of the executive committee of the Parents Committee of the Technikon designated by that Committee;
- (viii) one member of the Students' Representative Council designated by that Council;
- (ix) one person representing a students organisation recognised by the Council elected by the students of the Technikon in a manner determined by the Council; and
- (x) one person of the community of Soshanguve elected in a manner determined by the Council.

#### **Powers and duties of Council**

**27.** The Council shall administer the property of the Technikon and shall, subject to the provisions of this Statute, have control of the Technikon and of all its affairs and activities.

#### **Membership on the Academic Board**

**28.** (1) Two (2) members of the Council, not employed by the Technikon shall serve as representatives of the Council on the Academic Board.

(2) The members of the Council contemplated in subparagraph (1) shall be elected by an ordinary majority of the Council.

**Dienstermyn van Raadslede**

**29.** Die dienstermyn van die Raadslede sal, met die uitsondering van die Hoof, vier (4) jaar wees, tensy anders gespesifiseer in die Statuut: Met dien verstande dat 'n jaar op die eerste dag van Januarie 'n aanvang sal neem: Met dien verstande voorts dat met die instelling van die eerste Raad minstens vyftig (50%) persent van die lede aangestel sal word vir 'n periode van slegs twee (2) jaar.

**AKADEMIESE RAAD****Lidmaatskap**

**30.** (1) Die volgende persone sal Akademiese Raadslede wees:

- (a) Die visehoofde;
- (b) die Direkteur: Akademiese Administrasie;
- (c) dekanes;
- (d) departementshoofde van die akademiese departemente;
- (e) direkteure van akademiese ondersteuningsdepartemente;
- (f) 'n verteenwoordiger van die doserende personeel;
- (g) die Hoof van Studenteontwikkeling;
- (h) die Voorsitter van die Navorsingskomitee;
- (i) een lid wat die Dosentevereniging van die Technikon verteenwoordig;
- (j) twee Raadslede;
- (k) die Voorsitter van die Verteenwoordigende Studenteraad;
- (l) een lid wat die Verteenwoordigende Studenteraad verteenwoordig; en
- (m) een lid van elke tersiêre inrigting deur die Akademiese Raad goedgekeur.

**KONVOKASIE****Naam**

**31.** Die Konvokasie van die Technikon sal bekend staan as die Konvokasie van die Technikon Noord-Transvaal.

**ONDERRIGPROGRAMME**

**32.** 'n Onderrigprogram of onderafdeling van 'n onderrigprogram waarvoor geen subsidie ooreenkomstig artikel 36 van die Wet ontvang word nie, moet deur die Raad goedgekeur word nadat dit deur die Akademiese Raad aanbeveel is.

**TOEKENNING VAN TECHNIKONSERTIFIKATE****Kongregasie**

**33.** (1) 'n Byeenkoms van lede van die Technikon sal gehou word om technikonsertifikate toe te ken en dit sal bekend staan as die kongregasie.

**Term of office of members of Council**

**29.** The term of office of the members of the Council shall, with the exception of the Principal, be for a period of four (4) years, unless otherwise specified in this Statute: Provided that a year shall commence on the first day of January: Provided further that with the inception of the first Council, at least fifty per cent (50%) of the members shall be appointed for a period of two (2) years only.

**ACADEMIC BOARD****Membership**

**30.** (1) The following persons shall be members of the Academic Board:

- (a) The Vice-Principals;
- (b) the Director: Academic Administration;
- (c) the Deans;
- (d) the Heads of Academic Departments;
- (e) the Directors: Academic Support Departments;
- (f) a representative of the lecturing staff;
- (g) the Head of Student Development;
- (h) the Chairperson of the Research Committee;
- (i) one member representing the Lecturer's Association of the Technikon;
- (j) two members of the Council;
- (k) the Chairperson of the Students' Representative Council;
- (l) one member representing the Students' Representative Council; and
- (m) one member of each tertiary institution as approved by the Academic Board.

**CONVOCATION****Name**

**31.** The Convocation of the Technikon shall be known as the Convocation of the Technikon Northern Transvaal.

**INSTRUCTIONAL PROGRAMMES**

**32.** An instructional programme or subdivision of an instructional program for which subsidies contemplated in section 36 of the Act is not received shall be approved by the Council after recommendation of the Academic Board.

**AWARDING OF TECHNIKON CERTIFICATES****Congregation**

**33.** (1) A meeting of the members of the Technikon, to be known as a congregation, shall be held for the purpose of awarding technikon certificates.



(2) 'n Kongregasie van die Technikon sal minstens een maal per jaar gehou word op sodanige plek en tyd soos bepaal deur die Raad op aanbeveling van die Akademiese Raad, en verskillende kongregasies mag op verskillende tye en plekke gehou word.

(3) Die Raadslede, lede van die akademiese personeel, die persone aan wie technikonsertifikate toegeken word en sodanige ander persone soos bepaal deur die Visekanselier, mag op aanbeveling van die Akademiese Raad, uitgenooi word om die kongregasie by te woon.

(4) 'n Kongregasie sal gelei word deur die Kanselier, of in sy afwesigheid, die Visekanselier, of, indien beide afwesig is, deur 'n persoon aangewys deur die Visekanselier.

(5) Die Visekanselier sal bepaal by watter kongregasie 'n technikonsertifikaat aan 'n persoon toegeken sal word.

(6) Die prosedure van en vereistes vir die toekenning van technikonsertifikate, sowel as die akademiese drag ter sprake en alle ander sake in verband met kongregasies wat nie in hierdie Statuut uitgespel is nie, sal bepaal word deur die Visekanselier op aanbeveling van die Akademiese Raad en goedgekeur deur die Raad.

(7) Geen persoon sal 'n technikonsertifikaat ontvang, behalwe 'n technikonsertifikaat *honoris causa*, tensy die Hoof gesertifiseer het dat sodanige persoon aan alle vereistes soos voorgeskryf vir die betrokke technikonsertifikaat voldoen het nie.

(8) Geen persoon sal geregtig wees op enige van die voordele verbonde aan 'n technikonsertifikaat, voordat sodanige technikonsertifikaat aan die betrokke persoon toegeken is nie by geleentheid van 'n kongregasie.

#### **Technikonsertifikaat honoris causa**

**34.** (1) 'n Voorstel om 'n technikonsertifikaat *honoris causa* aan 'n kandidaat toe te ken, moet skriftelik voorgelê word aan die sekretaris van die Akademiese Raad deur 'n lid van die Akademiese Raad of 'n lid van die Raad.

(2) Elke sodanige voorstel bedoel in subparagraaf (1) moet gesekondeer word deur minstens vyf (5) van die gemelde lede, en sal 'n gedetailleerde verklaring van die redes vir so 'n voorstel insluit.

(3) Die sekretaris sal alle sodanige voorstelle na 'n ere technikonsertifikaatkomitee verwys, wat uit minstens vyf (5) persone sal bestaan, verkies deur die Akademiese Raad.

(4) Die name van die persone wat aanbeveel word deur die komitee bedoel in subparagraaf (3), sal voorgelê word aan die Akademiese Raad saam met 'n gedetailleerde verklaring van die redes vir die aanbevelings.

(2) A congregation of the Technikon shall be held at least once a year, at such time and place as may be determined by the Council on the recommendation of the Academic Board, and different congregations may be held at different times and places.

(3) The members of the Council, the members of the academic staff, the persons to whom technikon certificates are to be awarded, and such other persons as the Vice-Chancellor may determine on recommendation from the Academic Board, may be invited to a congregation.

(4) A congregation shall be presided over by the Chancellor or, in his absence, the Vice-Chancellor or, when both are absent, by a person designated by the Vice-Chancellor.

(5) The Vice-Chancellor shall determine the congregation at which a person is to be admitted to a technikon certificate.

(6) The procedure and requirements for the awarding of certificates, for academic dress and for all other matters relating to congregations not provided for in this Statute shall be as determined by the Council on recommendation from the Academic Board.

(7) No person shall receive any technikon certificate other than a technikon certificate *honoris causa*, unless the Principal certifies that such person has satisfied all the requirements prescribed for such certificate.

(8) No person shall be entitled to any of the privileges attached to a technikon certificate until such time as such technikon certificate has been conferred upon or awarded to him at a congregation.

#### **Technikon certificate honoris causa**

**34.** (1) A written proposal to award a technikon certificate *honoris causa* shall be submitted to the Secretary of the Academic Board by a member of the Academic Board or a member of the Council.

(2) Each written proposal, contemplated in subparagraph (1) shall be seconded by at least five (5) such members, and shall contain a detailed statement of the reasons for such a proposal.

(3) The secretary shall refer all such proposals to an honorary technikon certificate committee, which shall consist of at least five (5) members, elected by the Academic Board.

(4) The names of the persons recommended by the committee referred to in subparagraph (3) shall be submitted to the Academic Board together with a detailed statement of the reasons for such recommendations.

(5) Tydens sy eerste vergadering wat gehou word na ontvangs van die aanbevelings van die komitee bedoel in subparagraaf (3), sal die Akademiese Raad, sonder bespreking, per geslote stembrief stem oor die persone wat aanbeveel is.

(6) 'n Aanbeveling van die Akademiese Raad ten gunste van die toekenning van 'n technikonsertifikaat *honoris causa*, sal aan die Raad voorgelê word by die volgende vergadering van die Raad: Met dien verstande dat sodanige aanbeveling nie gemaak sal word tensy minstens vyf-en-sewentig persent (75%) lede ten gunste van sodanige toekenning gestem het nie.

(7) Stemming in die Raad oor die toekenning van 'n technikonsertifikaat *honoris causa* sal deur middel van geslote stembrief geskied, en sodanige sertifikaat sal nie toegeken word nie, tensy minstens vyf-en-sewentig persent (75%) of meer van die lede teenwoordig ten gunste daarvan stem nie.

#### **DIENSVOORWAARDES, SALARISSE, VERLOF-VOORDELE EN PENSIOENREGTE VAN AKADEMIESE PERSONEEL EN ANDER WERKNEMERS**

##### **Bevordering**

35. 'n Werknemer sal slegs oorweeg word vir bevordering na 'n pos van 'n hoër rang deur die Raad op aanbeveling van die Hoof.

##### **Oorplasing**

36. 'n Werknemer mag oorgeplaas word van die pos waarin hy in diens is na 'n ander pos aan die Technikon slegs met sy vrywillige toestemming.

##### **Tydlike sekondering**

37. Die Raad mag op aanbeveling van die Hoof vereis dat 'n werknemer tydelik ander pligte vervul as dié wat gewoonlik aan sodanige werknemer toevertrou word.

##### **Diensbeëindiging as gevolg van vroeë aftrede**

38. Vroeë uitdienstrede mag deur die Raad goedgekeur word—

- (a) op grond van voortdurende swak gesondheid soos beskryf in die Reëls;
- (b) as gevolg van die afskaffing van 'n pos, of die vermindering of reorganisasie of aanpassing van personeel aan die Technikon soos beskryf in die Reëls;
- (c) indien, vir ander redes as die persoon se onvermoë of onbevoegdheid, sy vroeë uitdienstrede na die mening van die Raad, verbetering in die organisasie van die Technikon sal teweeg bring, wat tot groter doeltreffendheid of besparing sal lei;
- (d) onderworpe aan die bepalings van paragraaf 41, as gevolg van onbevoegdheid om sy pligte te vervul of sy onvermoë om take doeltreffend uit te voer;

(5) At its first meeting after receipt of the recommendations of the committee referred to in subparagraph (3), the Academic Board shall, without discussion, vote by secret ballot for the persons recommended.

(6) A recommendation by the Academic Board for the conferment of a technikon certificate *honoris causa* shall be submitted to the Council at its next meeting: Provided that such recommendation shall not be made unless at least seventy-five per cent (75%) of the members present voted in favour thereof.

(7) Voting within the Council on the conferment of a technikon certificate *honoris causa* shall be by secret ballot, and such certificate shall not be conferred unless at least seventy-five per cent (75%) of the members present voted in favour thereof.

#### **CONDITIONS OF SERVICE, SALARIS, LEAVE PRIVILEGES AND PENSION RIGHTS OF ACADEMIC STAFF AND OTHER EMPLOYEES**

##### **Promotion**

35. An employee shall only be considered for promotion to a post of a higher rank by the Council on the recommendation of the Principal.

##### **Transfer**

36. An employee may only be transferred from the post in which he is employed to another post in the Technikon with his voluntary consent.

##### **Temporary seconding**

37. The Council may on recommendation of the Principal require an employee temporarily to, with his voluntary consent, perform duties other than those ordinarily entrusted to him at other places than the seat of the Technikon.

##### **Termination of service due to early retirement**

38. Early retirement of an employee may be approved by Council—

- (a) on the grounds of continuing poor health as contemplated in the Rules;
- (b) owing to the abolition of his post or the reduction or reorganisation or readjustment of the staff of the Technikon as contemplated in the Rules;
- (c) if, for reasons other than his own disability or incapacity, his early retirement shall, in the opinion of the Council, facilitate improvements in the organisation of the Technikon by which greater efficiency or savings will be brought about;
- (d) subject to the provisions of paragraph 41 owing to incapacity or inability to perform his duties in a competent way;

- (e) onderworpe aan die bepalings van paragraaf 42, op grond van wangedrag soos beskryf in die Disziplinêre Prosedure en Kode; of
- (f) indien, in die geval van 'n werknemer wat op proef aan gestel is, sy aanstelling nie bekragtig word nie, soos beskryf in die Reëls:

Met dien verstande dat in die geval van vroeë uitdiens-trede kragtens subparagraaf (b) of (c), die betrokke werknemer minstens drie (3) maande vooraf kennis gegee sal word en die Raad, indien 'n ander pos vir die betrokke werknemer beskikbaar is by die Technikon, sodanige pos aan die werknemer sal aanbied of, indien daar nie 'n soortgelyke pos beskikbaar is nie, pogings sal aanwend om so 'n pos vir die werknemer by 'n ander instansie te bekom.

#### ***Diensbeëindiging as gevolg van die bereiking van die pensioen- of uitdiensredingsleeftyd***

**39.** (a) Onderhewig aan die bepalings van subparagraaf (b) en (c), sal 'n werknemer met pensioen aftree wanneer hy die aftreeouderdom bereik.

(b) 'n Werknemer wat die pensioenleeftyd bereik het, kan te eniger tyd voordat hy die uitdiensredingsleeftyd bereik het, skriftelik kennis gee van sy wens om met pensioen af te tree en kan, met die Raad se toestemming aftree.

(c) 'n Werknemer wat die pensioenleeftyd maar nog nie die uitdiensredingsleeftyd bereik het nie, kan deur die Raad aangesê word om met pensioen af te tree.

(d) 'n Werknemer kan, indien die Raad daarop besluit en dié sy instemming verleen, van tyd tot tyd na sy uitdiensreding in sy amp of pos heraan gestel word, vir verdere tydperke soos deur die Raad bepaal.

(e) Werknemers wat aan die Regeringsdiens-pensioenfonds behoort, is onderworpe aan die regulasies van die Pensioenfonds vir Geassosieerde Inrigtings.

(f) Indien die dienste van 'n werknemer om enige van die redes waarna in subparagrafe (c) en (d) verwys word, beëindig word, sal dit soos volg plaasvind:

- (i) Indien hy 'n lid van die akademiese personeel is, slegs met skriftelike kennisgewing van een technikonkwartaal: Met dien verstande dat die kennisgewing hom nie later as die sewende dag van die betrokke technikonkwartaal bereik nie; of
- (ii) indien hy nie 'n lid van die akademiese personeel is nie, met skriftelike kennisgewing van minstens een kalendermaand.

#### ***Diensbeëindiging weens bedanking***

**40.** (a) Enige werknemer wat begerig is om sy diens te beëindig by die Technikon, mag dit doen deur 'n bedankingsbrief te rig aan die Hoof.

(b) Die werknemer se finale diensdatum by die Technikon bedoel in subparagraaf (a) sal bepaal word in ooreenstemming met die algemene diensvoorwaardes soos beskryf in die Reëls of kragtens enige indiensnemingskontrak tussen die werknemer en die Technikon.

(e) subject to the provisions of paragraph 42, on the grounds of misconduct as defined in the Disciplinary Procedure and Code; or

(f) if, in the case of an employee appointed on probation, his appointment is not confirmed as contemplated in the Rules:

Provided that in the case of early retirement in terms of subparagraphs (b) or (c), the employee concerned shall be given at least three months notice in advance and the Council shall, if another post for such employee is available at the Technikon, offer such post to him or, if there is not another such post, efforts shall be made by the Council to obtain a post for him at another institution.

#### ***Retirement due to reaching the pensionable or retirement age***

**39.** (a) Subject to the provisions of subparagraphs (b) and (c), an employee shall be retired on pension on attaining the retirement age.

(b) An employee who has reached the pensionable age may at any time before he has attained the retirement age, give written notification of his wish to be retired on pension and may, if the Council consents to such retirement, be so retired.

(c) An employee who has reached the pensionable age but has not attained the retirement age may be retired on pension if the Council so directs.

(d) An employee may, if the Council so decides and if he agrees thereto, be retained from time to time in his office or post beyond the retirement age for such further periods as the Council may determine.

(e) Employees who belong to the Government Service Pension Fund are subject to regulations of the Associated Institutions Pension Fund.

(f) If the services of an employee are terminated for any of the reasons referred to in subparagraphs (c) and (d) it shall take place—

- (i) if he is a member of the academic staff, upon on one Technikon quarter's written notice: Provided that the notice shall reach him no later than the 7th day of the Technikon quarter concerned; or
- (ii) if he is not a member of the academic staff, upon at least one calendar month's written notice.

#### ***Termination of service due to resignation***

**40.** (a) Any employee who is desirous to terminate his employment with the Technikon may do so by submitting a letter of resignation addressed to the Principal.

(b) The final date of service rendered by an employee contemplated in subparagraph (a) shall be in accordance with the general conditions as contemplated in the Rules or in terms of any contract of appointment between the employee and the Technikon.



**Diensbeëindiging weens onbekwaamheid om pligte uit te voer**

41. (a) Indien dit aangevoer word dat 'n werknemer onbekwaam is of nie in staat om die pligte verbonde aan sy pos op 'n doeltreffende manier uit te voer nie, mag die Raad 'n persoon aanstel om 'n ondersoek na die aantyging te loods.

(b) Die bepalings van die Disziplinêre Prosedure en Kode sal *mutatis mutandis* geld na aanleiding van enige ondersoek waarna verwys word in subparagraaf (a).

(c) Die Raad slegs mag bepaal dat die werknemer wie se gedrag bevraagteken word, ontslaan word uit die diens van die Technikon of dat sy rang verminder mag word en, indien sy diensvoordele meer is as die maksimum van toepassing op die laer rang, mag sulke voordele ook tot die maksimum van sodanige rang verminder word.

**Diensbeëindiging op grond van drostery**

42. (a) 'n Werknemer wat sonder goedgekeurde verlof hom verskoon van sy amptelike pligte vir 'n periode wat een (1) maand oorskry, sal *in absentia* ontslaan word met effek vanaf die datum wat volg onmiddellik na die laaste dag waarop hy hom vir sy amptelike pligte aangemeld het: Met dien verstande dat indien sodanige werknemer 'n ander werk aanvaar, sal dit beskou word asof hy ontslaan is soos voorafgaande, nieteenstaande die feit dat die voorafgenoemde periode nog nie verstryk het nie: Met dien verstande verder dat indien sodanige werknemer *in persona* te eniger tyd na die verstryking van die genoemde periode by die Technikon aanmeld na sy ontslag, sal hy die geleentheid gegun word om te appelleer na die Raad om redes te verskaf waarom sy ontslag herroep moet word.

(b) Indien die Raad sy ontslag bedoel in subparagraaf (a) herroep die tydperk van sy afwesigheid van amptelike diens beskou word as spesiale verlof sonder betaling, of verlof op sodanige ander voorwaardes as wat die Raad mag bepaal.

**Ontslag op grond van wangedrag**

43. Die dienste van 'n werknemer mag beëindig word weens aanklagtes van wangedrag soos beskryf in die Disziplinêre Prosedure en Kode.

**No. R. 15****1 Januarie 1994**

WET OP TECHNIKONS, 1993  
(WET No. 125 VAN 1993)

**TECHNIKON NOORD-TRANSSVAAL:  
REËLS**

Die Raad van die Technikon Noord-Transvaal het kragtens artikel 19 (1) van die Wet op Technikons, 1993 (Wet No. 125 van 1993), met die goedkeuring van die Minister van Onderwys en Opleiding, die Reëls in die Bylae opgestel.

**Termination of service due to inefficiency to perform duty**

41. (a) If it is alleged that an employee is incompetent, or is unable to perform the duties attached to his post in an efficient manner, the Council may appoint a person to enquire into that allegation.

(b) The provisions of the Disciplinary Procedure and Code shall *mutatis mutandis* apply in respect of any enquiry referred to in subparagraph (a).

(c) The Council may only order that the employee in question be discharged from the service of the Technikon or that his rank be reduced and, if his emoluments are more than the maximum for the reduced rank, such emoluments be reduced to that maximum.

**Termination of service on the ground of abscondment**

42. (a) An employee who without approved leave absents himself from his official duties for a period exceeding one (1) month, shall be discharged *in absentia* with effect from the date immediately succeeding the last day on which he was in attendance at his place of duty: Provided that if such employee assumes other employment he shall be deemed be discharged notwithstanding that the said period has not yet expired: Provided further that if such employee reports to the Technikon *in persona* at any time after his discharge, he shall be granted the opportunity to appeal to the Council, furnishing reasons why his discharge should be rescinded.

(b) If the Council rescinds a discharge contemplated in subparagraph (a), the period of in that event the period of his absence of the employee concerned shall be deemed to be absence on special leave without pay or leave on such other conditions as Council may determine.

**Discharge on the grounds of misconduct**

43. The services of an employee may be terminated on charges of misconduct as contemplated in the Disciplinary Procedure and Code.

**No. R. 15****1 January 1994**

TECHNIKONS ACT, 1993  
(ACT No. 125 OF 1993)

**TECHNIKON NORTHERN TRANSSVAAL:  
RULES**

The Council of the Technikon Northern Transvaal has, under section 19 (1) of the Technikons Act, 1993 (Act No. 125 of 1993), with the approval of the Minister of Education and Training, drafted the Rules in the Schedule.

**BYLAE****Definisies**

1. In hierdie Reëls, het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, dieselfde betekenis en tensy uit die samehang anders blyk, beteken—

“aanstel” en “aanstelling” om iemand in diens te stel in of toe te wys aan 'n amp of pligte;

“afdeling” enigeen van die groepe waarby poste op die Technikon se vaste diensstaat ingevolge paragraaf 74 (1) ingedeel is;

“akademiese kalender” 'n tydperk in 'n kalenderjaar waarin akademiese klasse aangebied word;

“algemene personeel” alle personeel wat nie onder die groep “doserende en navorsingspersoneel” of “geklassifiseerde personeel” val nie.

“benoem” en “benoeming” die daad om name vir verkiesing in te dien;

“besoldiging” die salaris of loon wat gewoonlik aan 'n werknemer betaalbaar is wanneer hy in diens van die Technikon is en sluit dit toelaes wat nie by sy salaris of loon inbegrepe is nie in;

“betaling” dieselfde as “besoldiging”;

“die Technikon” beteken die Technikon Noord-Transvaal;

“die Wet” die Wet op Teknikons, 1993 (Wet No. 125 van 1993);

“doserende en navorsingspersoneel” die Rektor, viserektor, direkteur, mededirekteur, departementshoof, senior lektor, lektor, junior lektor of enige ander persoon wat deur die Raad geag word iemand te wees wat onderwyspligte vervul;

“diens” beteken onafgebroke voltydse diens by die Technikon in enige hoedanigheid;

“diensbeëindiging” ook bedanking;

“geklassifiseerde personeel” nie-doserende personeel wat aangestel is in poste waarvan die pligte oorwegend administratief, klerklik, vakkundig of tegnies van aard is;

“hoofkwartier” die stad, dorp of plek waar die ver naamste werk van 'n werknemer verrig word of verrig moet word;

“hoof van die kantoor” ook die hoof van 'n tak, departement of satellietkampus van die Technikon en sluit dit die Rektor in;

“huishouding”—

(i) die eggenote van 'n werknemer;

(ii) die eggenoot van 'n vroulike werknemer wat noodsaaklikerwys die enigste broodwinner van haar gesin is omrede—

(a) haar eggenoot permanent medies ongeskik is om 'n besoldigde betrekking te bekom; of

**SCHEDULE****Definitions**

1. In these Rules any word or expression to which a meaning has been assigned in the Act, shall have that meaning and, unless the context otherwise indicates—

“academic calendar” means a period in a calendar year during which academic classes are offered;

“appoint” and “appointment” means either to employ or to assign to, or designate an office or duties;

“a technikon” means any technikon established in terms of the Act;

“calendar month” means a period extending from the first to the last day, both days inclusive, of any one of the 12 months of the year;

“calendar year” means a period extending from 1 January up to and including 31 December of the same year, both dates inclusive;

“classified staff” means non-academic staff appointed to posts the nature of which are predominantly administrative, clerical, professional or technical;

“cycle” means a period of three calendar years calculated from 1 January 1992 and each succeeding period of three years;

“day of rest” means—

(i) a Sunday or a public holiday in the case of an employee who usually does not on such day;

(ii) another day on which he is usually exempt from service in the case of an employee who usually works on a Sunday or a public holiday; and

(iii) a Saturday in the case of an employee working a five-day working week;

“division” means any of the groups into which posts on the fixed establishment of the Technikon are divided according to paragraph 74 (1);

“donor” means any body or person that donates an aggregate amount in cash or kind of not less than R5 000 or who has undertaken to donate such an amount to the Technikon in regular instalments over a period of not more than four years and who is not in arrear with his instalments;

“employee” means a person employed full-time or part-time in a permanent or temporary capacity at the Technikon and includes the Principal;

“fixed establishment” means the posts created for the normal and regular requirements of the Technikon;

- (b) haar eggenoot se inkomste, uit enige bron, nie die bedrag in subparagraaf (iv) bedoel, oorskry nie;

(iii) sy of sy vrou se noodsaaklikerwys nie-selfonderhoudende kind wat *bona fide* by die werknemer inwoon: Met dien verstande dat indien sodanige kind aan 'n naskoolse opvoedkundige inrigting studeer, hetsy binnemuurs of buitemuurs, hy geag word lid van die huishouding te wees, dog slegs—

- (a) indien hy na skoolverlating geen permanente voltydse betrekking (met inbegrip van enige vorm van beroepsopleiding waaraan besoldiging verbonde is) aanvaar het nie, uitgesonderd verpligte militêre diens wat hy na skoolverlating moes verrig en vakansiewerk of 'n tydelike voltydse betrekking wat hy aanvaar het tussen—

- (aa) skoolverlating en die aanvang van die akademiese jaar;

- (bb) skoolverlating en die aanvang van sodanige militêre diens; of

- (cc) die voltooiing van sodanige militêre diens en die aanvang van die akademiese jaar,

en hy by die aanvang van die akademiese jaar wat volg op die voltooiing van sy skoolopleiding of militêre diensplig, met sy studies aan sodanige inrigting begin het; en

(b) totdat—

- (aa) hy die minimum naskoolse kwalifikasie (of minimum kombinasie van naskoolse kwalifikasies) verwerf wat hom in staat sal stel om 'n betrekking te aanvaar in dié studierigting waarin hy hom aanvanklik wou bekwaam;

- (bb) die normale voorgeskrewe studietydperk soos vir bedoelde studierigting deur die betrokke inrigting voorgeskryf plus een akademiese jaar verstryk; indien hy as gevolg van swak akademiese prestasies langer as bedoelde studietydperk neem om die betrokke kwalifikasie te verwerf;

- (cc) hy die betrokke studiekursus staak; of

- (dd) hy van studierigting verander, watter een van genoemde vier gebeure ook al eerste plaasvind;

**“general staff”** means all other staff not falling under the “teaching and research staff” or “classified staff” groups;

**“head of the office”** includes the heads of a school, department or satellite campus of the Technikon and includes the Principal;

**“headquarters”** means the city, town or place where the principal work of an employee is done or is to be done;

**“household”** means—

- (i) the spouse of an employee;

- (ii) the husband of a female employee who is necessarily the sole breadwinner of her family because—

- (a) her husband is permanently medically unfit to obtain remunerated employment; or

- (b) her husband's income, from any source, does not exceed the amount contemplated in subparagraph (iv);

- (iii) his or his wife's necessarily non-selfsufficient child who is *bona fide* resident with the employee: Provided that if such child is studying at a post-school educational institution, whether intramurally or extramurally, he shall be deemed a member of the household, but only—

- (a) if he has not accepted permanent full-time employment (including any form of occupational training with remuneration) after leaving school, excluding compulsory military service performed after leaving school and holiday work or a temporary full-time position accepted between—

- (aa) leaving school and the start of an academic year;

- (bb) leaving school and the start of such military service; or

- (cc) the completion of such military service and the start of the academic year,

and began his studies at such institution at the start of the academic year after the completion of his school education or military service; and

(b) until—

- (aa) he has obtained the minimum post-school qualification (or minimum combination of post-school qualifications) that will enable him to accept employment in the field for which he initially wished to qualify;



(iv) 'n familielid van 'n werknemer wat permanent by hom inwoon en noodsaaklikerwys van hom afhanklik is en wie se inkomste, uit enige bron, nie meer is nie as die totaal van—

(a) die toepaslike maksimum basiese maatskaplike pensioen voorgeskryf by regulasies uitgevaardig kragtens die Wet op Maatskaplike Pensioene, 1973 (Wet No. 37 van 1973), of enige ander wet wat maatskaplike pensioene reël, plus

(b) die maksimum toelae vir 'n oudstryder aan wie 'n maatskaplike pensioen toegeken is; plus

(c) die maksimum toelae wat as gevolg van 'n laat aansoek om 'n maatskaplike pensioen aan 'n persoon betaal word,

en as die betrokke familielid 'n maatskaplike pensioentrekker is, moet enige ander toelaes as dié in subparagrafe (iv) (a) en (b) hierbo genoem wat hy kragtens die toepaslike regulasies hierbo bedoel, mag ontvang, byvoorbeeld 'n oppasserstoelae, vir die doeleindes van hierdie paragraaf geïgnoreer word: Met dien verstande dat waar twee familieleden aldus by hom inwoon en van hom afhanklik is en die een familielid normaalweg 'n afhanklike van die ander familielid sou wees, byvoorbeeld 'n vader en 'n moeder, albei sodanige familieleden geag kan word lede van die huishouding te wees slegs as die helfte van hulle gesamentlike inkomste, uit enige bron, nie meer is nie as die totaal van die toepaslike maksimum basiese maatskaplike pensioen en die toelaes in subparagrafe (iv) (a) tot (b) hierbo bedoel; asook

(v) hoogstens twee huishoudelike werkers (met inbegrip van kinderoppassers) wat in 'n voltydse hoedanigheid by 'n werknemer in diens is;

**“jaar”** 'n tydperk wat strek vanaf 'n datum in 'n bepaalde kalenderjaar tot die dag voor die ooreenstemmende datum in die volgende kalenderjaar, albei datums inbegrepe;

**“kalenderjaar”** 'n tydperk wat strek van 1 Januarie tot en met 31 Desember van dieselfde jaar, albei datums inbegrepe;

**“kalendermaand”** 'n tydperk wat strek van die eerste tot en met die laaste dag, albei datums inbegrepe, van enigeen van die 12 maande van die jaar;

**“maand”** 'n tydperk wat strek van 'n datum in een kalendermaand tot die dag voor die ooreenstemmende datum in die volgende kalendermaand, albei datums inbegrepe;

**“nag”** die ure tussen 20:00 en 06:00;

**“'n teknikon”** beteken enige teknikon kragtens die Wet ingestel;

(bb) the normal period of study prescribed for the field of study in question by the institution concerned plus one academic year has elapsed should he exceed the said period of study to obtain the intended qualification as a result of poor academic performance;

(cc) he abandons the course of study; or

(dd) he changes his field of study,

whichever of the above four events takes place first;

(iv) a relative of an employee permanently residing with him and necessarily dependent upon him and whose income from any source does not exceed the total of—

(a) the appropriate maximum basic social pension prescribed by the regulations promulgated under the Social Pensions Act, 1973 (Act No. 37 of 1973), or any other act administering social pensions; plus

(b) the maximum allowance for a war veteran to whom a social pension has been awarded; plus

(c) the maximum allowance paid to a person as result of a late application for a social pension,

and, if the relative concerned is a social pensioner, any allowances other than those referred to in subparagraphs (iv) (a) and (b) above received by him under the appropriate regulations referred to above, for example an attendant's allowance, shall be ignored for purposes of this paragraph: Provided that where two relatives reside with and are dependent upon him and one of them would normally have been a dependant of the other relative, for example a father and a mother, both such relatives may be deemed to be members of the household only if half of their joint income, from any source, does not exceed the total of the appropriate maximum basic social pension and the allowances referred to in subparagraphs (iv) (a) to (b) above; and

(v) no more than two domestic workers (including child minders) employed by an employee in a full-time capacity;

**“incremental month”** means the month in which the salary of an employee may be increased in accordance with the scale applicable to him;

**"onderrigprogram"** enige onderrig- of opleidingsprogram wat deur die Technikon aangebied word en na suksesvolle voltooiing waarvan 'n teknikonsertifikaat uitgereik word;

**"ongunstige opmerking"** enige skriftelike opmerking deur 'n verslaggewende werknemer of hoof van die kantoor wat, in sy volle verband gelees, ongunstig mag aandui;

**"oortyddiens"** amptelike diens wat 'n werknemer—

(i) (a) op 'n Sondag of op 'n openbare vakansiedag verrig, in die geval van 'n werknemer wat gewoonlik nie op sodanige dag werk nie; of

(b) wat gewoonlik op 'n Sondag of op 'n openbare vakansiedag werk en in plaas daarvan op 'n ander dag van diens vrygestel word, op sodanige ander dag verrig; en

(ii) bo en behalwe die voorgeskrewe werkure, verrig op die dae waarop hy gewoonlik werk;

**"pensioenleeftyd"** beteken die leeftyd waarna in die regulasies kragtens die Wet op die Pensioenfonds vir Geassosieerde Inrigtings, 1963 (Wet No. 41 van 1963), uitgevaardig verwys word;

**"permanente werknemer"** 'n persoon wat ingevolge die Wet op 'n vaste grondslag vir diens by die Technikon deur die Raad aangestel is, en ook 'n persoon wat geag word aldus aangestel te wees al is hy aangestel—

(i) op proef;

(ii) in 'n pos bedoel vir iemand met 'n hoër of laer rang as sy eie; of

(iii) in 'n pos wat bykomend tot die vaste diensstaat van die Technikon is;

**"personeellid"** sluit 'n permanente sowel as 'n tydelike werknemer wat voltyds deur 'n Technikon aangestel word, in;

**"rusdag"**—

(i) 'n Sondag of 'n openbare vakansiedag in die geval van 'n werknemer wat gewoonlik nie op sodanige dag werk nie;

(ii) 'n ander dag waarop hy gewoonlik in plaas daarvan van diens vrygestel is, in die geval van 'n werknemer wat gewoonlik op 'n Sondag of 'n openbare vakansiedag werk; en

(iii) 'n Saterdag in die geval van 'n werknemer wat 'n vyfdagwerkweek werk;

**"salaris"** die salaris of loon wat normaalweg aan 'n werknemer betaalbaar is wanneer hy in die diens van die Technikon is, en sluit toelaes in wat nie deel van sy basiese salaris of loon uitmaak nie;

**"salarisverhoging"** die goedgekeurde bedrag waarmee 'n salaris volgens die toepaslike skaal verhoog kan word;

**"leave"** means leave for an employee to be absent from duty, for which he applies on the approved form;

**"month"** means a period extending from a date in one calendar month to one day prior to the corresponding date in the following calendar month, both dates inclusive;

**"night"** means the hours between 20:00 and 06:00;

**"nominate"** and **"nomination"** means the act of submitting names for election;

**"overtime service"** means official service by an employee—

(i) (a) performed on a Sunday or on a public holiday in the case of an employee who usually does not work on such day; or

(b) performed by an employee who normally works on a Sunday or a public holiday, and is in lieu thereof exempt from duty on another day, on such other day; and

(ii) performed on days on which he usually works above and beyond the prescribed working hours;

**"payment"** means remuneration;

**"pensionable age"** means the pensionable age referred to in the regulations made under the Associated Institutions Pension Fund Act, 1963 (Act No. 41 of 1963);

**"permanent employee"** means a person appointed permanently at the Technikon by the Council, and a person who is deemed to have been so appointed even though he may have been appointed—

(i) on probation;

(ii) in a post intended for a person of a rank higher or lower than his own rank; or

(iii) to a post additional to the fixed establishment of the Technikon;

**"remuneration"** means salary;

**"retirement age"** means the age of 65 years at which an employee is obliged to retire from service;

**"salary"** means the salary or wage normally payable to an employee when he is in the service of the Technikon and includes allowances which do not form part of his basic salary or wage;

**"salary increment"** means the approved amount by which a salary may be increased in accordance with the appropriate scale;

**"salarisverhogingstydperk"** 'n tydperk van 12 maande of 'n ander deur die Raad goedgekeurde tydperk moet verstryk voordat 'n werknemer die salaris volgens die skaal wat op hom van toepassing is, verhoog kan word;

**"semester"** 'n tydperk wat as sodanig vasgestel is in 'n akademiese kalender wat die Raad ten opsigte van 'n spesifieke akademiese jaar goedkeur;

**"siklus"** 'n tydperk van drie kalenderjare gereken van 1 Januarie 1992 en elke daaropvolgende tydperk van drie jaar;

**"skaal"**, met betrekking tot salaris, ook salaris teen 'n vaste bedrag;

**"skenker"** enige liggaam of persoon wat 'n totale kontantbedrag of natura met 'n waarde van nie minder as R5 000 aan 'n Technikon skenk, of wat onderneem het om so 'n bedrag aan die Technikon te skenk, in gereelde paaielemente oor 'n tydperk van nie meer as vier jaar, en wat nie met sy paaielemente agter is nie;

**"skool"** 'n deel van die Technikon, saamgestel uit poste uit een of meer as een van die afdelings in paragraaf 74 (1) genoem, wat met bepaalde werksaamhede belas is;

**"Sondag"**—

(i) ook 'n openbare vakansiedag genoem in die Tweede Bylae van die Wet op Openbare Feesdae, 1952 (Wet No. 5 van 1952), in die geval van 'n werknemer wat nie gewoonlik op sodanige dag werk nie; of

(ii) 'n ander dag waarop hy gewoonlik in plaas daarvan van diens vrygestel is, in die geval van 'n werknemer wat gewoonlik op 'n Sondag of op 'n openbare vakansiedag in subparagraaf (i) bedoel, werk;

**"technikonkwartaal"** 'n tydperk wat as sodanig vasgestel is in 'n akademiese kalender wat die Raad ten opsigte van 'n spesifieke akademiese jaar goedkeur;

**"technikonvakansie"** 'n tydperk tussen twee opeenvolgende Technikonkwartale of semesters waartydens onderrig opgeskort is;

**"tydelike werknemer"** 'n persoon wat in 'n tydelike hoedanigheid aangestel word, óf voltyds óf deelyds, vir 'n gespesifiseerde of ongespesifiseerde tydperk of met 'n kontrak vir 'n gespesifiseerde tydperk;

**"tydsiklus"** 'n tydperk van drie kalenderjare gereken van 1 Januarie 1992 en elke daaropvolgende tydperk van drie kalenderjare;

**"uitdienstredingsleeftyd"** die leeftyd van 65 jaar waarop 'n werknemer verplig is om uit diens te tree;

**"vaste diensstaat"** die poste wat vir die normale en gereelde vereistes van die Technikon geskep is;

**"salary incremental period"** means a period of 12 months or some other period approved by the Council that has to elapse before the salary of an employee can be increased in accordance with the scale applicable to him;

**"scale"** in relation to salary includes a salary at a fixed amount;

**"school"** means a part of the Technikon composed of posts from one or more of the divisions referred to in paragraph 74 (1) which is entrusted with particular activities;

**"semester"** means a period determined as such in an academic calendar approved by the Council with respect to a specific academic year;

**"service"** means uninterrupted full-time service at the Technikon in any capacity;

**"staff member"** includes both a permanent and temporary employee in full-time employment of the Technikon;

**"subsistence allowance"** means a payment intended to compensate an employee for reasonable expenditure necessarily incurred by him for accommodation when he is away from his headquarters on official duty;

**"Sunday"**—

(i) includes a public holiday referred to in the Second Schedule to the Public Holidays Act, 1952 (Act No. 4 of 1952), in the case of an employee who does not usually work on such day; or

(ii) means another day on which he is usually exempt from service in the case of an employee who usually works on a Sunday or a public holiday contemplated in subparagraph (i);

**"teaching and research staff"** means the Principal, vice-principal, dean, senior director, director, head of department, senior lecturer, lecturer, junior lecturer or any other person who occupies a post which the Council regard as an academic post in the Technikon;

**"technikon holiday"** means the period between two consecutive Technikon quarters;

**"technikon quarter"** means a period determined as such in a academic calendar approved by the Council in respect of a specific academic year;

**"temporary employee"** means a person appointed in a temporary capacity, whether full-time or part-time, for a specified or unspecified period or on contract for a specified period;

**"termination of service"** includes resignation;

**"the Act"** means the Technikons Act, 1993 (Act No. 125 of 1993);



**"verblyftoelae"** betaling wat bedoel is om 'n werknemer te vergoed vir redelike uitgawes wat hy, benewens sy normale bestaansuitgawes by sy tuiste, noodwendig aan herberg moet aangaan wanneer hy in amptelike diens van sy hoofkwartier afwesig is;

**"verhogingsmaand"** die maand waarin die salaris van 'n werknemer verhoog kan word volgens die skaal wat op hom van toepassing is;

**"verlof"** verlof aan 'n werknemer om van diens afwesig te wees en waarom hy op die goedgekeurde vorm aansoek doen;

**"werkdag"** 'n dag waarop 'n werknemer verplig is om by sy werkplek aan diens te wees;

**"werknemer"** 'n persoon wat voltyds of deelyds in 'n permanente of tydelike hoedanigheid by die Technikon werksaam is, die Rektor ingesluit;

**"werkweek"** die amptelike dienstyd wat 'n werknemer moet voltooi ten opsigte van 'n tydperk wat strek vanaf middernag tussen 'n Saterdag en Sondag tot middernag tussen die volgende Saterdag en Sondag.

### DIE AKADEMIESE RAAD

#### Ondervoorsitter

2. Die viserektor: Akademies sal die ondervoorsitter van die Akademiese Raad wees.

3. Elke volle lid moet skriftelik 'n gevolgmagtigde benoem, wie se aanstelling deur die Akademiese Raad goedgekeur moet word en wanneer hy 'n lid moet verteenwoordig volle stemreg sal hê.

4. Sekretariële dienste vir die Akademiese Raad en al sy komitees word deur die Sekretariaat van die Technikon voorsien.

5. Die Sekretaris is nie 'n lid van die Akademiese Raad of enige komitees daarvan nie.

#### Kworum

6. 'n Kworum sal uit die kleinste heelgetal lede bestaan wat groter is as die helfte van die totale aantal lede.

#### Bywoning

7. (1) Bywoning van vergaderings is verpligtend vir alle lede.

(2) Skriftelike verskonings vir afwesigheid moet voor die vergadering by die sekretaris ingehandig word.

(3) Technikon personeel wat amptelik met verlof is, hoef geen skriftelike verskonings in te dien nie.

#### Reëls vir vergaderings

8. Tydens 'n vergadering sal sake waarvan voorheen kennis gegee is, bespreek word, asook dringende sake wat 'n lid aan die begin van die vergadering ingedien het, met die goedkeuring van die vergadering.

**"the Technikon"** means the Technikon Northern Transvaal;

**"time cycle"** means a period of three calendar years calculated from 1 January 1992 and each successive period of three calendar years;

**"unfavourable remark"** means any written remark by a head of an office which, read in its full context, is unfavourable and includes anything else in a report which the Council may deem unfavourable;

**"working day"** means a day on which an employee is obliged to be on duty at his place of work;

**"working week"** means the official period of service that an employee has to complete in respect of a period extending from midnight between a Saturday and a Sunday to midnight between the next Saturday and Sunday;

**"year"** means a period extending from a date in a particular calendar year to one day prior to the corresponding date in the following calendar year, both dates inclusive.

### THE ACADEMIC BOARD

#### Deputy Chairperson

2. The Vice-Principal: Academic shall be the Deputy Chairperson of the Academic Board.

3. Each full member shall in writing nominate a proxy, the appointment of whom must be endorsed by the Academic Board and whom shall, when representing a member, have full voting rights.

4. Secretarial services for the Academic Board and all its committee shall be provided by the Secretariat of the Technikon.

5. The Secretary of the Academic Board is not a member of the Academic Board or any of its committees.

#### Quorum

6. A quorum for the Academic Board shall consist of that number of members which is the smallest whole number greater than half of the total number of members.

#### Attendance

7. (1) Attendance of meetings is compulsory for all members.

(2) Written apologies for absence shall be tendered in advance to the Secretary.

(3) Technikon staff who are officially on leave do not need to submit written apologies.

#### Procedure at meetings

8. At a meeting matters of which previous notice has been given, shall be dealt with, as well as urgent matters which a member may submit at the beginning of the meeting with the approval of the meeting.

**Besluit**

9. 'n Besluit word met 'n meerderheid van stemme aangeneem.

**Stemregte**

10. (1) Elke teenwoordige lid het slegs een stem per mosie.

(2) Wanneer daar 'n staking van stemme is, het die voorsitter 'n beslissende stem benewens sy normale stem.

**Orde- en prosedurepunte**

11. (1) Die voorsitter besluit oor 'n ordepunt wat deur 'n lid geopper word: Met dien verstande dat 'n lid kan beswaar teen so 'n besluit aanteken, waarna daar sonder verdere bespreking oor die item gestem word en sal die besluit van die vergadering finaal wees.

(2) Ordepunte kan geopper word wanneer 'n lid van mening is dat—

- (a) daar 'n afwyking van die saak onder bespreking is;
- (b) 'n lid beledigende of afstootlike taal gebruik; en
- (c) besprekings teen die prosedurereëls of die landswet is.

**Mosies en wysigings**

12. (1) Alle mosies en wysigings moet gesekondeer word.

(2) Geen mosie of wysiging mag sonder die toestemming van die vergadering teruggetrek word nie.

**Stem**

13. (1) Op versoek van 'n lid moet die aantal lede wat vir en teen 'n mosie gestem het, bekendgemaak en genotuleer word.

(2) Stemming vind deur middel van die opsteek van hande plaas, maar enige lid het die reg om 'n geheime stemming aan te vra, waaraan die voorsitter moet voldoen.

(3) Op versoek van 'n lid moet daar in die notule aangeteken word dat so 'n lid teen 'n mosie of wysiging gestem het.

**Kennisgewing**

14. (1) Die Sekretaris van die Akademiese Raad moet minstens 10 (tien) dae voor die datum wat vir enige vergadering bepaal is, skriftelike kennisgewing aan elke lid van die Akademiese Raad gee, wat die tersaaklike besigheid en die tyd en plek van so 'n vergadering bevat.

(2) Kennisgewing van sake vir oorweging moet minstens vyf dae voor die datum waarom hy kennisgewing van 'n vergadering moet gee aan die Sekretaris van die Akademiese Raad voorgelê word: Met dien verstande dat 'n lid sake van 'n dringende aard sonder voorafgaande kennisgewing tydens 'n vergadering mag opeer, as hy die toestemming van minstens 75 persent van die aanwesige lede kry.

**Resolutions**

9. A resolution is passed at a meeting by majority vote.

**Voting rights**

10. (1) Every member present has only one vote per motion.

(2) When there is an equality of votes, the chairperson has a casting vote in addition to his normal vote.

**Point of order and procedure**

11. (1) The chairperson decides on a point of order raised by a member: Provided that a member may object to such a decision, in which case the point shall be voted on without further discussion and the decision of the meeting shall be final.

(2) Points of order may be raised when a member is of the opinion that—

- (a) there is a deviation from the matter under discussion;
- (b) a member uses insulting or repulsive language; and
- (c) discussions are contrary to the procedural rules or the law of the country.

**Motions and amendments**

12. (1) All motions and amendments shall be seconded.

(2) No motion or amendment shall be withdrawn without the permission of the meeting.

**Voting**

13. (1) At the request of a member the number of members who have voted for and against a motion or amendment shall be declared and minuted.

(2) Voting takes place through the raising of hands, but any member has the right to request a secret ballot, which shall be acceded to by the chairperson.

(3) At the request of a member it shall be recorded in the minutes that such a member has voted against a motion or amendment.

**Notice**

14. (1) The Secretary of the Academic Board shall, at least 10 (ten) days before the date set for any meeting, give notice in writing to each member of the Academic Board, setting forth the business to be dealt with as well as the time and place of such a meeting.

(2) Notice of matters for consideration shall be submitted to the Secretary of the Academic Board at least five days prior to the date on which he is required to give notice of the meeting: Provided that a member may raise matters of an urgent nature at the meeting without previous notice if he procures the consent of at least 75 per cent or more of the members present.

**Mosies vir die agenda**

15. Lede van die Akademiese Raad moet die Sekretaris skriftelik in kennis stel van enige mosies wat hulle op die agenda wil plaas minstens 14 dae voor die datum van die gewone vergadering.

**Lees van notule**

16. Tydens elke gewone vergadering word die notule van die mees onlangse gewone en enige spesiale vergadering wat sedert die vorige gewone vergadering gehou is, vir goedkeuring aan die vergadering voorgelê en as gelees beskou.

**Verslag aan die Raad**

17. (1) Die Akademiese Raad lewer verslag op elke vergadering van die Raad deur middel van sy notule en ander ondersteunende dokumentasie.

(2) Die twee verteenwoordigers van die Akademiese Raad is verantwoordelik vir die lewer van die verslag soos in subparagraaf (1) bedoel.

(3) Wanneer die notule van die Akademiese Raad nie goedgekeur is nie, moet die voorsitter van die Akademiese Raad en twee Raadsverteenwoordigers hierdie notule onderteken voordat dit aan die Raad voorgelê word.

**Terugvoering van Raad**

18. Om te verseker dat daar vinnige terugvoering oor Raadsbesluite oor akademiese sake aan die Akademiese Raad sal wees, moet die twee Raadslede wat deur die Akademiese Raad genomineer is, binne twee weke van die Raadsvergadering via die vise-rektor: Akademies skriftelike terugvoering aan lede van die Akademiese Raad en sy komitees te lewer.

**Spesiale vergadering**

19. (1) 'n Spesiale vergadering kan te eniger tyd deur die voorsitter byeengeroep word.

(2) Op skriftelike versoek van minstens 10 lede, wat in hul voorlegging die doel van die verlangde vergadering aangedui het, moet die voorsitter of ondervoorsitter 'n vergadering byeenoep, nadat hy die Uitvoerende Komitee van die Akademiese Raad geraadpleeg het.

(3) Geen sake benewens dié waarvoor die vergadering byeengeroep is, sal tydens so 'n vergadering ter tafel gelê word nie, behalwe met die toestemming van die vergadering wat deur 'n onbestrede mosie gegee is.

**Aantal vergaderings**

20. Minstens dieselfde aantal vergaderings soos dié van die Raad moet gehou word.

**Lede se spreekbeurte**

21. (1) Geen lid mag meer as een keer aan die bespreking van 'n mosie of wysiging deelneem nie, maar die voorsitter het die reg om 'n lid 'n tweede spreekbeurt te gee, as hy oortuig is dat die bydrae van so 'n lid 'n effek op die beslissing ophande kan hê, asook op die moontlike resultate van so 'n beslissing.

**Motions for the agenda**

15. Members of the Academic Board shall inform the Secretary in writing of motions which they wish to put on the agenda at least 14 days before the date of an ordinary meeting.

**Reading of minutes**

16. At every ordinary meeting the minutes of the most recent ordinary and any special meeting held since the previous ordinary meeting are presented to the meeting for approval and taken as read.

**Reporting to Council**

17. (1) The Academic Board shall report to the Council at every Council meeting by means of its minutes and other supporting documentation.

(2) The two representatives of the Academic Board on the Council are responsible to report to the Council as contemplated in subparagraph (1).

(3) When the minutes of the Academic Board meetings serving before the Council are not approved by the Academic Board, the chairperson of the Academic Board and two Council representatives shall sign that minutes before submission thereof to the Council.

**Feedback from Council**

18. To ensure that there will be rapid feedback to the Academic Board on Council resolutions about academic matters, two Council members nominated by the Academic Board shall provide feedback in writing, within two weeks of the Council meeting, to members of the Academic Board and its committees via the Vice-principal: Academic.

**Special meeting**

19. (1) A special meeting may be convened by the chairperson at any time.

(2) On the written request of at least 10 members, who have in their submission indicated the purpose of the meeting requested, the chairperson or deputy-chairperson shall convene a meeting, after consultation with the Executive Committee of the Academic Board.

(3) No matters other than that for which the meeting was called, shall be transacted at such meeting, except with the consent of the meeting granted on an unopposed motion.

**Number of meetings**

20. At least the same number of meetings as those of the Council shall be held.

**Members' speaking turns**

21. (1) No member may participate more than once in the discussion of a motion or amendment: Provided that the chairperson has the right to give a member a second turn to speak if he is convinced that the contribution of such a member may have an effect on the resolution that is on the point of being passed and the possible results of such a resolution.



(2) Die tyd wat aan spreekbeurte toegeken word kan deur 'n formele mosie van die Akademiese Raad beperk word.

(3) Die indiener van 'n mosie het die reg om ten opsigte van sy mosie en enige wysigings daarvan te antwoord.

### **Formele mosie**

**22.** Enige lid wat nog nie aan die bespreking van die tersaaklike mosie deelgeneem het nie, het die reg om voor te stel dat die mosie aan 'n komitee verwys word, en as so 'n mosie gesecondeer word, sal daar sonder verdere bespreking daarvoor gestem word.

## **KOMITEES VAN DIE AKADEMIESE RAAD**

### **Hoofkomitees**

**23.** (1) Die volgende persone sal lede van die Instruksiekomitee wees:

- (a) Die Viserektor: Akademies, wie die voorsitter sal wees;
- (b) die dekanes;
- (c) die Direkteur: Akademiese Administrasie; en
- (d) die Direkteure: Akademiese Ondersteuningsdepartemente.

(2) Die volgende persone sal lede van die Akademiese Ondersteuningskomitee wees:

- (a) Die Direkteure: Akademiese Ondersteuningsdepartemente, wat afwisselend as voorsitter sal optree;
- (b) die dekanes
- (c) die departementshoofde: Akademiese Ondersteuning; en
- (d) die Viserektor: Akademies, *ex officio*.

(3) Die volgende persone sal lede van die Navorsingskomitee wees:

- (a) Die Departementshoof: Onderwys en Navorsing, wie die voorsitter sal wees;
- (b) die dekanes;
- (c) die departementshoofde: Akademiese Ondersteuning;
- (d) twee gekose kundige persone; en
- (e) die Viserektor: Akademies, *ex officio*.

(4) Die volgende persone sal lede van die Disiplinêre Komitee vir Studente wees:

- (a) Die betrokke dekaan, wie die voorsitter sal wees;
- (b) die betrokke departementshoof;
- (c) 'n klerk deur die Rektor aangestel;
- (d) 'n lid van die Verteenwoordigende Studenteraad; en
- (e) die Hoof van Studente-ontwikkeling.

(2) The time allocated to speaking turns may be limited by a formal motion of the Academic Board.

(3) The proposer of a motion, however, has the right to reply in respect of his motion and any amendments to it.

### **Formal motion**

**22.** Any member who has not yet taken part in the discussion of the motion that has been tabled has the right to move that the motion be referred to a committee, and if such a motion is seconded, it is voted on without further discussion.

## **COMMITTEES OF THE ACADEMIC BOARD**

### **Main Committees**

**23.** (1) The following persons shall be members of the Instructional Committee:

- (a) The Vice-principal: Academic, who shall be the chairperson;
- (b) the Deans;
- (c) the Director: Academic Administration; and
- (d) the Directors: Academic Support Departments.

(2) The following persons shall be members of the Academic Support Committee:

- (a) The Directors: Academic Support Departments, who shall alternate as chairperson;
- (b) the Deans;
- (c) the Heads of Department: Academic Support; and
- (d) the Vice-principal: Academic, *ex officio*.

(3) The following persons shall be members of the Research Committee:

- (a) The Head of Department: Teaching and Research, who shall be the chairperson;
- (b) the Deans;
- (c) the Heads of Department: Academic Support;
- (d) two elected knowledgeable persons; and
- (e) Vice-principal: Academic, *ex officio*.

(4) The following persons shall be members of the Student Disciplinary Committee:

- (a) The relevant Dean, who shall be the chairperson;
- (b) the relevant Head of Department;
- (c) a clerk appointed by the Principal;
- (d) a member of the Students' Representative Council; and
- (e) the Head of Student Development.

**Werkkomitee**

24. (1) Werkkomitees kan óf vaste óf *ad hoc*-komitees wees.

(2) Die Akademiese Raad kan werkkomitees benoem of aanstel, wat nie noodwendig uit lede van die Akademiese Raad hoef te bestaan nie.

(3) Die voorsitter van so 'n werkkomitee bedoel in subparagraaf (2) word deur die Akademiese Raad aangewys en moet 'n lid van die Akademiese Raad wees.

(4) 'n Hoofkomitee kan werkkomitees aanstel, wat nie noodwendig uit Akademiese Raadslede bestaan nie. Die voorsitter van so 'n werkkomitee word deur die hoofkomitee aangewys en moet 'n lid van die Akademiese Raad wees. Hierdie werkkomitees ontvang slegs instruksie van en lewer slegs verslag aan die betrokke hoofkomitee.

**Aanbevelings**

25. Enige aanbevelings van 'n hoofkomitee wat volgens paragraaf 23 aangestel is, word tydens sy eerste vergadering nadat die betrokke aanbeveling gemaak is, deur die Akademiese Raad oorweeg, gewysig, aanvaar of verwerp.

**Ander aanstellings**

26. Die Akademiese Raad kan enige persoon as 'n assessorlid van 'n komitee aanstel, en so 'n assessorlid kan aan alle verrigtinge van vergadering van so 'n komitee deelneem, maar sal nie 'n stem hê nie.

**Natuurlike lidmaatskap**

27. Die voorsitter en ondervoorsitter van die Akademiese Raad, of 'n persoon wat deur die voorsitter aangestel is, het die reg om op enige van die hoofkomitees te dien, uit hoofde van natuurlike lidmaatskap.

**DIE UITVOERENDE KOMITEE VAN DIE AKADEMIESE RAAD****Samestelling**

28. Die Uitvoerende Komitee bestaan uit die voorsitter, die ondervoorsitter en die dekane wat deur die Akademiese Raad aangestel is.

**Voorsitter**

29. (1) Die voorsitter of, in sy afwesigheid, die ondervoorsitter van die Akademiese Raad, tree as voorsitter van die uitvoerende komitee op.

(2) Indien nóg die voorsitter nóg die ondervoorsitter 'n vergadering bywoon, kan die aanwesige lede met stemreg (as daar 'n kworum is) iemand uit eie geledere kies om as voorsitter op te tree, en die lid sal tydens dié vergadering as voorsitter optree.

**Kworum**

30. (1) Die kworum sal uit drie lede van die Uitvoerende Komitee bestaan.

(2) 'n Besluit met 'n meerderheid van stemme van die lede wat so 'n vergadering van die Uitvoerende Komitee bywoon, geneem is, word as die besluit van alle lede beskou.

**Working committees**

24. (1) Working committees may be either standing committees or *ad hoc* committees.

(2) The Academic Board may nominate or appoint working committees which do not necessarily consist of members of the Academic Board.

(3) The chairperson of such a working committee contemplated in subparagraph (2) is assigned by the Academic Board and shall be a member of the Academic Board.

(4) A main committee may appoint working committees, which do not necessarily consist of Academic Board members: Provided that the chairperson of such a working committee is assigned by the main committee and shall be a member of the Academic Board.

(5) Working committees contemplated in subparagraph (4) receive instructions from, and report to, only the main committee concerned.

**Recommendations**

25. Any recommendations of a main committee appointed in terms of paragraph 23 are considered, amended, accepted or rejected by the Academic Board at its first meeting after the recommendation in question has been made.

**Other appointments**

26. The Academic Board may appoint any person as an associate member of a committee, and such an associate member may participate in all the proceedings at a meeting of the committee referred to, but shall have no vote.

**Natural membership**

27. The chairperson and deputy chairperson of the Academic Board, or a person appointed by the chairperson, shall have the right to serve on any of the main committees by virtue of natural membership.

**THE EXECUTIVE COMMITTEE OF THE ACADEMIC BOARD****Composition**

28. The Executive Committee consists of the chairperson, the deputy chairperson and the deans appointed by the Academic Board.

**Chairperson**

29. (1) The chairperson or, in his absence, the deputy chairperson of the Academic Board officiates as chairperson of the Executive Committee.

(2) If neither the chairperson nor the deputy chairperson attends a meeting, the members present entitled to vote may, provided that there is a quorum, choose somebody from their own ranks to act as chairperson, and that member shall for that meeting be the chairperson.

**Quorum**

30. (1) The quorum shall consist of three members of the Executive Committee.

(2) A resolution by majority vote of the members at a meeting of the Executive Committee shall be deemed to be the resolution of all members.

(3) As daar 'n staking van stemme is, het die voorsitter 'n beslissende stem, benewens sy gewone stem.

(4) Die voorsitter gebruik slegs sy beslissende stem as hy reeds tydens die stemming oor 'n saak onder bespreking sy gewone stem uitgebring het.

#### **Vakatures**

**31.** (1) Indien daar so veel vakatures in die Uitvoerende Komitee ontstaan het, dat geen kworum verkry kan word nie, word die aktiwiteite van die Uitvoerende Komitee deur die oorblywende lede voortgesit: Met dien verstande dat dit egter slegs plaasvind op voorwaarde dat die voorsitter of (indien die voorsitter afwesig is) die ondervoorsitter of die Akademiese Raad binne 20 dae na so 'n vergadering van die Uitvoerende Komitee 'n gewone of spesiale vergadering van die Akademiese Raad byeenroep om nuwe lede te verkies om die vakatures op die Uitvoerende Komitee te vul.

(2) Enige vakature op die Uitvoerende Komitee word op dieselfde wyse gevul wat gebruik is toe die uitdienstredende lid aangestel is.

#### **Magte en aktiwiteite**

**32.** Die Uitvoerende Komitee van die Akademiese Raad het die volmag om in die plek van die Akademiese Raad op te tree: Met dien verstande dat enige besluite wat deur die Uitvoerende Komitee van die Akademiese Raad gemaak word, tydens die volgende vergadering van die Akademiese Raad bekragtig en of gewysig word.

#### **Nagaan van verslae**

**33.** Die Uitvoerende Komitee van die Akademiese Raad moet al die dokumente wat deur die hoofkomitees voorberei is noukeurig ondersoek, voordat hulle by die agenda van die Akademiese Raad ingesluit word.

#### **Stemming**

**34.** Stemming sal by wyse van die opsteek van hande plaasvind, maar enige lid mag 'n geheime stemming aanvra, waaraan deur die voorsitter voldoen moet word.

#### **Ampstermyn**

**35.** Indien 'n lid aangewys word om 'n vakature op die Uitvoerende Komitee te vul, sal hy daardie pos slegs vir die oorblywende gedeelte van sy voorganger se ampstermyn vul.

#### **Byeenroeping**

**36.** (1) Die voorsitter of sy gevolmagtigde kan te eniger tyd 'n vergadering byeenroep.

(2) Indien die vergadering tydens normale technikonwerksure plaasvind, is een uur se kennis voldoende, andersins word 24-uur-kennisgewing vereis.

#### **Lidmaatskap van Raad**

**37.** Die twee lede wat die Akademiese Raad verteenwoordig word op so 'n manier verkies dat albei hoofstudiesgebiede by die Technikon, naamlik Tegnologie en die Geesteswetenskappe, verteenwoordig word.

(3) If there is an equality of votes, the chairperson has a casting vote apart from his ordinary vote.

(4) The chairperson shall only use his casting vote if he has already exercised his ordinary vote during a vote about the matter under consideration.

#### **Vacancies**

**31.** (1) If so many vacancies have occurred in the Executive Committee that a quorum cannot be obtained, its activities are carried on by the remaining members: Provided that the chairperson or, if the chairperson is absent, the deputy chairperson of the Academic Board will within 20 days after such a meeting of the Executive Committee convene an ordinary or special meeting of the Academic Board to elect new members to fill the vacancies on the Executive Committee.

(2) Any vacancy on the Executive Committee is filled in a manner similar to that in which the retiring member was appointed.

#### **Powers and activities**

**32.** The Executive Committee of the Academic Board has plenary powers to act *in lieu* of the Academic Board: Provided that any decision made by the Executive Committee shall be ratified and can be amended by the Academic Board at its next meeting.

#### **Checking reports**

**33.** The Executive Committee of the Academic Board shall scrutinise the documents prepared by the main committees prior to its inclusion in the agenda of the Academic Board.

#### **Voting**

**34.** Voting shall take place by a show of hands, but any member is free to request a secret ballot which shall be acceded to by the chairperson.

#### **Term of office**

**35.** If a member is designated to fill a vacancy on the Executive Committee, he shall hold that post for only the unexpired portion of his predecessor's term of office.

#### **Convening**

**36.** (1) The chairperson or his proxy with plenary powers may convene a meeting at any time.

(2) If the meeting takes place in normal technikon working hours, one hour's notice is sufficient, otherwise 24 hours' notice is required.

#### **Membership of Council**

**37.** The two members representing the Academic Board on the Council shall be elected in such a manner that both main areas of study at the Technikon, namely Technology and Humanities, are represented.



**Wysiging van reëls**

**38.** Geen mosie om 'n reël op te stel, te wysig of in te trek sal van krag wees tensy dit deur minstens 75 persent van die lede wat tydens 'n vergadering aanwesig is, gesteun word nie.

**Dissipline van toepassing op personeellede**

**39.** Sake rakende dissiplinêre aksie moet volgens die Technikon se Disiplinêre Prosedure en Kode hanteer word.

**Foioe deur studente betaalbaar**

**40.** Die foioe deur studente betaalbaar is, soos voorgeskryf in die Jaarlikse Foiebrochure van die Technikon: Met dien verstande dat so 'n brochure deur die Raad goedgekeur is: Met dien verstande voorts dat foioe op enige stadium verander kan word indien die omstandighede dit noodsaak.

**Betaling van foioe**

**41.** (1) Foioe kan soos volg in paaiemente afbetaal word:

**(a) Jaarkursusse—**

- (i) 33,3% tydens registrasie;
- (ii) 66,6% teen 30 Mei;
- (iii) 100% teen 30 September.

**(b) Semesterkursusse—**

- (i) 50% tydens registrasie (Januarie of Julie);
- (ii) 100% teen 30 Mei of 30 September.

(2) Eksamenuitslae van studente wie se rekeninge nog nie volledig betaal is nie, sal teruggehou word.

(3) Rente sal op uitstaande bedrae gehef word.

(4) Studente wat nie alle verskuldigde bedrae vir die vorige jaar (uitsluitende studieleningrekeninge) betaal het nie, mag nie vir 'n nuwe jaar of semester inskryf voordat daardie bedrag volledig betaal is nie.

**KONVOKASIE****Sekretaris**

**42.** Die Hoof van die Sekretariaat sal *ex officio* die sekretaris van die Konvokasie wees.

**Konvokasielys**

**43.** (1) Die sekretaris van die Konvokasie sal die Konvokasielys hou, waarop die name en adresse van alle persone wat lede van die Konvokasie is, aangeteken word.

(2) 'n Adres wat op die Konvokasielys aangeteken is, sal as die geregistreerde adres van die betrokke persoon beskou word.

(3) Dit sal die plig van elke Konvokasielid wees om die sekretaris van enige adresverandering in kennis te stel.

**Amendment of the Rules**

**38.** No motion to frame, amend or rescind the Rules shall be of force and effect unless adopted by at least 75 per cent of the members present at the meeting of the Council.

**Discipline applicable to members of staff**

**39.** Matters concerning disciplinary action against academic staff shall be handled in accordance with the Technikon Disciplinary Procedure and Code.

**Fees payable by students**

**40.** The fees payable by students shall be as prescribed in the Annual Fees Brochure of the Technikon: Provided that such brochure be approved by the Council: Provided further that such fees may be changed at any stage if necessitated by circumstances.

**Payment of fees**

**41.** (1) Fees may be paid in instalments as follows:

**(a) Year courses—**

- (i) 33,3% on registration;
- (ii) 66,6% by 30 May;
- (iii) 100% by 30 September.

**(b) Semester courses—**

- (i) 50% on registration (January or July);
- (ii) 100% by 30 May or 30 September.

(2) Examination results of students whose accounts are not fully paid, shall be withheld.

(3) Interest shall be charged on outstanding amounts.

(4) Students who have not paid all amounts owing for the previous year (excluding study loan accounts) shall not be registered for a new year or semester before that amount has been settled in full.

**CONVOCATION****Secretary**

**42.** The Head of the Secretariat of the Technikon shall, *ex officio* be the secretary of the Convocation.

**Roll of the Convocation**

**43.** (1) The secretary of the Convocation shall keep the roll of the Convocation in which shall be recorded the names and addresses of all persons who are members of the Convocation.

(2) An address recorded in the roll shall be deemed to be the registered address of the person concerned.

(3) It shall be the duty of every member of the Convocation to notify the secretary of any change of address.

(4) Die Konvokasielys sal as *prima facie*-bewys dien dat enige persoon wie se naam ten tye van 'n verkiesing deur die Konvokasie daarop verskyn, geregtig is om tydens so 'n verkiesing te stem, en dat enige persoon wie se naam nie daarop verskyn nie, nie daarop geregtig is nie: Met dien verstande dat die name van nuwe diplomandi of gegradueerdes van die Technikon outomaties as deel van die konvokasielys beskou sal word: Met dien verstande voorts dat sulke outomatiese inlysting nie die nuwe diplomandi of gegradueerdes van hul plig vrystel om hul adresse in ooreenstemming met subparagraaf (3) by die sekretaris te registreer nie.

#### **Lidmaatskap van die Konvokasie**

44. Die personeellid wat vir die Technikon se oud-studente verantwoordelik is, sal ook 'n lid van die Konvokasie wees.

#### **Voorsitter van die Konvokasie**

45. (1) Die Voorsitter van die Konvokasie sal deur die Konvokasie verkies word, en sal vir 'n tydperk van twee jaar na sy verkiesing dié amp vul, onderhewig aan die bepaling van subparagraaf (3).

(2) Die prosedures vir die verkiesing van die voorsitter van die konvokasie sal soos volg wees:

- (a) Nominasies vir die Voorsitter van die Konvokasie sal skriftelik aan die sekretaris gegee word;
- (b) indien meer as een persoon genomineer word, word per geheime stembrief gestem;
- (c) 'n kandidaat word slegs met 'n meerderheid van minstens 75 persent van al die aanwesige lede van die Konvokasie verkies word;
- (d) elke lid van die Konvokasie sal slegs een stem tydens elke stemming hê: Met dien verstande dat daar 'n reeks stemmings sal wees indien geen kandidaat tydens die eerste stemming 'n meerderheid van minstens 75 persent bereik nie;
- (e) in elke verdere stemrondte sal die kandidaat met die minste ondersteuning in die vorige stemrondte as kandidaat uitgeskakel word.

(3) Indien die Voorsitter om enige rede sy amp voor die verstryking van sy ampstermyn sou ontruim, sal die Konvokasie 'n nuwe Voorsitter vir die oorblywende gedeelte van so 'n ampstermyn in ooreenkomstig die prosedures in subparagraaf (3) verkies.

(4) Die Voorsitter van die Konvokasie sal die voorsitter van alle vergaderings van die Konvokasie wees: Met dien verstande dat in sy afwesigheid die aanwesige lede, onder leiding van die sekretaris, uit hul eie geledere 'n voorsitter vir dié vergadering sal verkies.

#### **Vergaderings van die konvokasie**

46. (1) Alle vergaderings van die Konvokasie sal by die Technikon plaasvind: Met dien verstande dat indien dit nie moontlik is nie, die sekretaris en die Voorsitter op 'n ander plek vir die vergadering mag besluit.

(4) The roll shall be *prima facie* proof that any person whose name appears thereon at the time of an election of the Convocation is entitled to vote at such election and that any person whose name does not appear thereon is not so entitled: Provided that the names of new diplomandi or graduates of the Technikon shall be deemed to be automatically included in the roll: Provided further that such automatic enrolment shall not relieve the new diplomandi or graduates of the duty of registering their addresses with the secretary in accordance with subparagraph (3).

#### **Membership of the Convocation**

44. The staff member responsible for the *alumni* of the Technikon shall also be a member of the Convocation.

#### **Chairperson of the Convocation**

45. (1) The Chairperson of the Convocation shall be elected by the Convocation and shall hold office for a period of two years from his election, subject to the provisions of subparagraph (3).

(2) The procedures for the election of the Chairperson of the Convocation shall be as follows:

- (a) Nominations for the Chairperson of the Convocation shall be given in writing to the secretary;
- (b) if more than one person is nominated, voting shall be by secret ballot;
- (c) a candidate shall be elected by at least a 75 per cent majority of all the members of the Convocation present;
- (d) each member of the Convocation shall have only one vote during each ballot: Provided that there shall be a series of ballots if no candidate gains a 75 per cent majority in the first ballot; and
- (e) in each successive round of balloting the candidate with the least support in the previous ballot shall be eliminated as candidate;

(3) Should the Chairperson for any reason vacate his office prior to the expiry of his term of office, the Convocation shall elect a new Chairperson in accordance with the procedure referred to in subparagraph (2) for the unexpired portion of such term of office.

(4) The Chairperson of the Convocation shall be the chairperson of all meetings of the Convocation: Provided that, in his absence, the members present shall, under the guidance of the secretary, elect a chairperson for that meeting from amongst their number.

#### **Meetings of the Convocation**

46. (1) All meetings of the Convocation shall take place at the Technikon: Provided that if it is not possible, the Chairperson and secretary may decide on another venue for the meeting.

(2) Die Konvokasie sal minstens een keer per jaar vergader.

(3) 'n Vergadering van die Konvokasie kan te eniger tyd soos hy dit nodig ag deur die Voorsitter byeenge-roep word, en deur die sekretaris binne 60 dae nadat 'n skriftelike versoek, wat deur minstens 50 lede geteken is, by hom ingedien is: Met dien verstande dat die sake vir oorweging tydens so 'n vergadering die vorm van spesiale mosies sal aanneem en dat geen ander sake tydens so 'n vergadering bespreek word nie.

(4) Kennisgewing van 'n vergadering van die Konvokasie en 'n agenda moet minstens 14 dae voor die vergadering aan elke lid van die Konvokasie gestuur word.

(5) Vyftig lede van die Konvokasie sal tydens vergaderings 'n kworum daarstel: Met dien verstande dat, onderhewig aan subparagraaf (4), die aanwesige lede na verstryking van 'n tydperk van 10 minute 'n kworum sal daarstel.

(6) Die prosedures tydens vergaderings van die Konvokasie sal *mutatis mutandis* dieselfde wees as dié vir Raadsvergaderings voorgeskryf in paragrawe 13 tot 18 van die Statuut.

(7) Die notule van alle vergaderings van die Konvokasie sal aan die Raad en die Akademiese Raad gestuur word, vir inligting.

### SKENKERS

#### Wyse van aanstelling van lede in die Raad

47. (1) Waar dit nodig is dat skenkers 'n persoon as 'n raadslid soos in artikel 16 (2) (f) van die Wet bepaal verkies, sal die sekretaris van die Raad, deur middel van 'n skriftelike kennisgewing wat minstens 90 dae voor die datum wat hy vir die verkiesing voorstel gepos word, sulke skenkers en die Raad van Trusteas van die Technikon Noord-Transvaal Stigting versoek om kandidate, te nomineer.

(2) Die Raad van Trusteas van die Technikon Noord-Transvaal sal 'n vergadering byeenroep om die moontlike nominasie van kandidate uit hoofde van die mate en gereeldheid van hul maatskappy se finansiële bydrae tot die Technikon te oorweeg, en dié Raad se kandidate nomineer, welke nominasies minstens 60 dae voor die datum vir verkiesing by die sekretaris van die Raad ingedien moet word.

(3) Die nominasie van skenkers moet minstens 60 dae voor die datum vir verkiesing by die sekretaris van die Raad ingedien word.

### VERTEENWOORDIGENDE STUDENTERAAD

#### Samestelling

48. Die Verteenwoordigende Studenteraad sal uit nie meer as 23 en nie minder as sewe lede bestaan.

#### Wyse van verkiesing

49. (1) Nominasies vir kandidate vir die Verteenwoordigende Studenteraad sal deur 20 studente met stemreg gesekondeer word, en sal ook deur die genomineerde persoon onderteken word.

(2) The Convocation shall meet at least once a year.

(3) A meeting of the Convocation may be convened by the Chairperson at any time he deems it necessary, and shall be convened by the secretary within 60 days after a written request, signed by at least 50 members, has been lodged with him: Provided that the matters for consideration at such meeting shall be stated in the form of special motions and that no matters, other than those stated in such a request, shall be discussed at such a meeting.

(4) Notice of a meeting of the Convocation and an agenda shall be sent to each member of the Convocation at least 14 days before the meeting.

(5) Fifty members of the Convocation shall constitute a quorum at meetings: Provided that, subject to subparagraph (4), the members present after the elapse of a period of 10 minutes shall constitute a quorum.

(6) The procedures at meetings of the Convocation shall be *mutatis mutandis* the same as the meetings of Council, as prescribed in paragraphs 13 to 18 of the Statute.

(7) The minutes of all meetings of the Convocation shall be sent to the Council and the Academic Board for their information.

### DONORS

#### Manner of appointment of membership by donors

47. (1) Whenever it is necessary for donors to elect a person as a member of the Council as contemplated in section 16 (2) (f) of the Act, the Secretary of the Council shall, by written notice mailed at least 90 days before the date determined by him for the election, invite the donors and the Board of Trustees of the Technikon Northern Transvaal to nominate candidates in writing.

(2) The Board of Trustees of the Technikon Northern Transvaal shall convene a meeting to consider possible nominations of candidates by virtue of the extent and frequency of their company's financial contribution to the Technikon and nominate the Board's candidates which nominations shall be lodged with the secretary of the Council at least 60 days before the date referred to in subparagraph (1).

(3) The nominations of the donors shall be lodged with the secretary of the Council at least 60 days before the date determined for the election.

### STUDENTS' REPRESENTATIVE COUNCIL

#### Composition

48. The Students' Representative Council of the Technikon shall consist of not more than 23 and not less than seven members.

#### Manner of election

49. (1) Nominations for candidates for the Students' Representative Council shall be seconded by 20 students with a right to vote, and shall be signed by the nominee as well.



(2) 'n Persoon sal stemreg hê so lank hy as jaar- of semesterstudent vir 'n kursus by die Technikon ingeskryf is, en die vereiste fooie betaal het.

(3) Die verkiesing sal deur middel van geheime stembrief tydens die maand van Oktober elke jaar plaasvind.

(4) 'n Verkiesingskomitee sal uit 'n voorsitter, 'n stembeampte, 'n telbeampte en 'n verkiesingsbeampte bestaan, is verantwoordelik vir die verkiesing van die Verteenwoordigende Studenteraad.

(5) Die voorsitter en ondervoorsitter van die Verteenwoordigende Studenteraad word deur die hoogste en tweede hoogste aantal stemme bepaal.

#### **Ampstermyn**

**50.** Die ampstermyn van die Verteenwoordigende Studenteraad sal een jaar wees: Met dien verstande dat lede van die Verteenwoordigende Studenteraad herkiesbaar is.

#### **Funksies en voorregte**

**51.** (1) Die Verteenwoordigende Studenteraad moet in diens staan van die Technikon se studente en die gemeenskap: Met dien verstande dat fokusseer word op die bevordering van studentebelange en die ontwikkeling van studente se potensiaal.

(2) Die Verteenwoordigende Studenteraad sal die hoogste owerheidsliggaam onder studente wees.

(3) Die Voorsitter van die Verteenwoordigende Studenteraad sal *ex officio* as die verteenwoordiger van Verteenwoordigende Studenteraad in die Raad dien.

(4) Die Voorsitter van die Verteenwoordigende Studenteraad sal *ex officio* as verteenwoordiger van die Verteenwoordigende Studenteraad in die Akademiese Raad dien.

### **ALGEMENE DIENSVORWAARDES**

#### **Beheer van die Technikon**

**52.** (1) Die Rektor is direk aan die Raad verantwoordelik vir doeltreffende onderrig en administrasie, die handhawing van dissipline en die behoorlike gebruik en versorging van die eiendom van die Technikon en hou algemene toesig oor en gee leiding in verband met die werk van die akademiese, administratiewe en ander personeel wat aangestel is om hom by te staan in die uitvoering van die bepalings en nakoming van die vereistes van enige wet, regulasie, reël en voorskrif wat op die Technikon van toepassing is.

(2) Elke ander werknemer van die Technikon is onderworpe aan hierdie reëls en sal die pligte gewoonlik verbonde aan sy pos, die pligte uit in verband met sport, organisasie en opvoeding en enige ander werksaamhede wat verband hou met die beheer en opleiding van studente wat die Rektor van tyd tot tyd aan hom opdra.

(2) A person shall have the right to vote as long as he is registered as year or semester student for a course at the Technikon and has paid the required fees.

(3) Election shall take place by secret ballot during the month of October each year.

(4) An electoral committee consisting of a presiding officer, polling officer, counting officer and returning officer shall be responsible for the Students' Representative Council elections.

(5) The Chairman and Vice-Chairman of the Students' Representative Council are determined by the highest and second highest number of votes.

#### **Term of office**

**50.** The term of office of the Students' Representative Council shall be one year: Provided that Students' Representative Council members are eligible for re-election.

#### **Functions and privileges**

**51.** (1) The Students' Representative Council shall serve the students of the Technikon and the community: Provided that they shall focus on the promotion of student interests and the development of students' potential.

(2) The Students' Representative Council shall be the highest body of authority among the students of the Technikon.

(3) The Chairman of the Students' Representative Council shall serve *ex officio* as the representative of the Students' Representative Council on the Council.

(4) The Chairman of the Students' Representative Council shall serve *ex officio* as representative of the Students' Representative Council on the Academic Board.

### **GENERAL CONDITIONS OF SERVICE**

#### **Control of the Technikon**

**52.** (1) The Principal shall be directly responsible to the Council for efficient tuition and administration, the maintenance of discipline and the proper use and care of the property of the Technikon and shall exercise general supervision, over and give guidance in connection with, the work of the academic, administrative and other staff appointed to assist him in carrying out the provisions and complying with the requirements of any act, regulation, rule and instruction applicable to the Technikon.

(2) Every other employee of the Technikon shall be subject to these Rules and shall carry out the duties normally attached to his post, as well as duties in connection with sports, organisation and education and any other activities relating to the control and training of students assigned to him by the Principal from time to time.

**Delegasie van Rektor se bevoegdhede**

53. (1) Indien die Rektor dit dienstig ag vir die doeltreffende administrasie van die Technikon, kan hy enige bevoegdheid met betrekking tot hierdie diensvoorwaardes wat kragtens hierdie reëls aan hom verleen is, aan 'n ander werknemer delegeer op dié voorwaardes wat hy bepaal.

(2) Die Rektor kan 'n delegasie bedoel in subparagraaf (1) verleen te eniger tyd intrek.

**Werknemers moet al hul tyd ter beskikking van die Technikon stel**

54. (1) 'n Werknemer—

- (a) moet al sy tyd ter beskikking van die Technikon stel waar hy in diens is;
- (b) mag, behoudens die bepalings van subparagraaf (2), nie 'n besigheid bedryf of enige werk waarvoor 'n vergoeding van welke aard deur hom ontvang sal word buite sy werk by die Technikon verrig of hom verbind om dit te verrig nie; en
- (c) mag regtens aanspraak maak op addisionele besoldiging soos uiteengesit in paragrawe 90 (1) en (2) ten opsigte van amptelike diens of werk wat hy deur bevoegde gesag aangesê word om te verrig.

(2) Ondanks die bepalings van subparagraaf 1 (b), kan die Raad toestemming aan 'n werknemer verleen om 'n besigheid te bedryf of enige werk waarvoor 'n vergoeding van welke aard deur hom ontvang sal word buite sy werk by die Technikon te verrig of om hom te verbind om dit te verrig op sodanige voorwaardes as wat die Raad goedkeur.

(3) Die Raad of die Rektor of die hoof van 'n kantoor is bevoeg om 'n werknemer onder sy beheer aan te sê om tydelik ander pligte wat verband hou met sy pos te verrig as dié wat gewoonlik aan hom opgedra word, of wat by die graad, benaming of indeling van sy pos pas.

(4) Indien 'n werknemer besoldiging, 'n toelae of ander beloning van watter aard ook al in verband met die verrigting van sy werk by die Technikon ontvang anders as ooreenkomstig die bepalings van die reël, moet hy 'n bedrag in die Raadsinkomstefonds stort gelykstaande met die bedrag van daardie besoldiging, toelae of beloning of, indien dit nie uit geld bestaan nie, die waarde daarvan soos deur die Raad bepaal en indien hy dit nie doen nie, moet die Rektor dit op sodanige wyse as wat die Raad goedkeur, van hom verhaal, en indien die werknemer die Rektor is, verhaal die Raad dit op sodanige wyse as wat die Raad goedkeur en moet hy dit in daardie fonds stort: Met dien verstande dat die Raad kan goedkeur dat die werknemer bedoelde besoldiging, toelae of beloning of 'n deel daarvan kan behou.

**Delegation of Principal's powers**

53. (1) If the Principal considers it expedient for the efficient administration of the Technikon, he may delegate any powers in respect of the conditions of service vested in him under the provisions of these Rules to another employee on such conditions as he may determine.

(2) The Principal may withdraw a delegation contemplated in subparagraph (1) at any time.

**Employees to place all their time at the disposal of the Technikon**

54. (1) An employee—

- (a) shall place all his time at the disposal of the Technikon where he is employed;
- (b) shall not, subject to the provisions of subparagraph (2), operate a business or do any work for which remuneration of whatever nature will be received by him outside of his work at the Technikon or contract to do such work; and
- (c) shall not be entitled in law to claim additional remuneration, as set out in paragraphs 90 (1) and (2), in respect of official service or work that he is instructed to perform by a competent authority.

(2) Notwithstanding the provisions of subparagraph (1) (b) the Council may grant permission to an employee to operate a business or to do any work for which remuneration of whatever nature will be received by him outside of his work at the Technikon or to contract to do such work on such conditions as the Council may approve.

(3) The Council or Principal or the head of an office may instruct an employee under his control temporarily to perform duties related to his post other than those normally entrusted to him or those that are appropriate to the grade, designation or classification of his post.

(4) If an employee receives remuneration, an allowance or other reward of whatever nature in connection with the performance of his work at the Technikon otherwise than in accordance with the provisions of this rule he shall pay into the Council Revenue Fund an amount equal to the amount of such remuneration, allowance or reward or, if the reward does not consist of money, to the value thereof as determined by the Council, and if he fails to do so, the Principal shall recover such amount from him in such way as the Council may approve, and if the employee is the Principal, the Council shall recover such amount in such way as the Council may approve and shall pay the amount into that fund: Provided that the Council may give approval for the employee to retain the remuneration, allowance or reward or a part thereof.

### **Aanneem van geskenke, kommissies, geld of beloning**

**55.** 'n Werknemer mag nie sonder die toestemming van die Rektor, of, in die geval van die Rektor, sonder die toestemming van die Raad, enige kommissie, geskenk, geld of beloning, geldelik of andersins (behalwe sy goedgekeurde salaris) wat hom aangebied word ten opsigte van of vir die uitvoering van sy pligte of die versuim om sy pligte uit te voer, aanneem nie en hy moet enige sodanige aanbod so spoedig doenlik aan die Rektor, of, in die geval van die Rektor, aan die Raad, rapporteer.

### **Gehoorzaamheid**

**56.** (1) Behoudens die bepalings van subparagraaf (2), moet 'n werknemer 'n wettige skriftelike of mondelinge bevel wat aan hom gegee is deur 'n persoon wat die bevoegdheid het om dit te gee, onvoorwaardelik gehoorzaam.

(2) 'n Werknemer kan eis dat 'n in subparagraaf (1) bedoelde mondelinge bevel skriftelik bevestig word nadat hy sodanige bevel gehoorzaam het en hy kan enige klagte wat hy in verband daarmee het, aan die Rektor voorlê vir 'n beslissing: Met dien verstande dat die werknemer, indien hy nie met die Rektor se beslissing tevrede is nie, kan versoek dat die beslissing vir hersiening deur die Rektor aan die Raad voorgelê word.

### **Amptelike kommunikasiekanale**

**57.** (1) 'n Versoek of mededeling van 'n werknemer wat nie die Rektor is nie oor enige aangeleentheid moet deur bemiddeling van die hoof van sy kantoor aan die Rektor gerig word: Met dien verstande dat 'n werknemer kan eis dat sodanige versoek of mededeling aan die Raad voorgelê word.

(2) 'n Versoek of mededeling aan die Raad, hetsy skriftelik of andersins, oor enige aangeleentheid wat binne die bestek van die Raad se bevoegdhede, werksaamhede of pligte val, of wat kragtens die voorbehoudsbepaling by subparagraaf (1) aan die Raad voorgelê moet word, moet deur of namens die Rektor aan die Raad gerig word.

(3) Indien omstandighede ontstaan wat 'n afwyking van die bepalings van subparagrafe (1) en (2) regverdig, kan die Raad goedkeuring aan die hoof van 'n kantoor verleen om geag te word die Rektor te wees vir die doeleindes van subparagrafe (1) en (2).

### **Woonadresse en telefoonnommers**

**58.** 'n Werknemer moet die hoof van sy kantoor in kennis stel van sy woonadres en van sy telefoonnommer tuis, indien hy 'n telefoon het, en enige verandering daarvan, en die hoof van die kantoor moet dit in 'n register wat vir dié doel gehou word aanteken.

### **Acceptance of gifts, commissions, money or rewards**

**55.** No employee shall, without the permission of the Principal, or, in the case of the Principal, without the permission of the Council, accept any commission, gift, money or reward, whether monetary or other (apart from his approved salary), offered to him in respect of or for the performance of his duties or failure to perform his duties and an employee shall report any such offer to the Principal or, in the case of the Principal, to the Council as soon as possible.

### **Obedience**

**56.** (1) Subject to the provisions of subparagraph (2), an employee shall unconditionally obey a lawful written or oral instruction given to him by a person competent to do so.

(2) An employee may demand that an oral instruction referred to in subparagraph (1) be confirmed in writing after he has obeyed such instruction and he may submit any complaint that he has with regard to it to the Principal for a decision: Provided that the employee, if he is not satisfied with the Principal's decision, may request that the decision be submitted to the Council by the Principal for review.

### **Official communication channels**

**57.** (1) A request or communication of an employee who is not the Principal concerning any matter shall be addressed to the Principal through the head of his office: Provided that an employee may demand that such request or communication be submitted to the Council.

(2) A request or communication to the Council, whether written or other, on any matter falling within the scope of the Council's powers, functions or duties or that has to be submitted to the Council in terms of the proviso to subparagraph (1), shall be addressed to the Council by or on behalf of the Principal.

(3) If circumstances arise that justify a deviation from the provisions of subparagraphs (1) and (2) the Council may give approval to the head of an office to act as the Principal for the purposes of subparagraphs (1) and (2).

### **Residential addresses and telephone numbers**

**58.** An employee shall inform the head of his office of his residential address and of his telephone number at home if he has a telephone, and any change thereof, and the head of the office shall record that information in a register kept for that purpose.



**Private geldelike transaksies**

**59.** (1) Daar word van elke werknemer van die Technikon verwag om te alle tye sy privaataangeleenthede so te bestuur dat sy gedrag en optrede nie 'n verleentheid skep, of sy verhoudings met die publiek of ondergeskiktes benadeel nie.

(2) 'n Werknemer mag onder geen omstandighede geld van 'n ondergeskikte leen nie.

**Regsvordering weens skuld**

**60.** Die uitreiking van—

- (a) 'n prosesstuk weens skuld, vonnis of insolvensiegedinge waarby 'n werknemer die verweerder is, moet dadelik en tesame met volledige besonderhede van die omstandighede wat tot die uitreiking van die prosesstuk gelei het, deur die werknemer wat die verweerder is, aan die Rektor gerapporteer word;
- (b) 'n bevel deur 'n hof waarby voorsiening gemaak word vir die administrasie van 'n werknemer se boedel en vir die vereffening van die betrokke werknemer se skuld in paaierement of andersins, moet, indien hy 'n lid van 'n mediese skema is, deur die Rektor, so spoedig doenlik nadat hy kennis van die uitreiking van sodanige administrasie-order ontvang het, aan die bestuurder van bedoelde skema gerapporteer word.

**Aanneem van nominasies vir Parlement, ens**

**61.** (1) Indien 'n werknemer—

- (a) 'n nominasie of rekwisisie aanvaar as kandidaat vir verkiesing tot lid van—
  - (i) die Parlement, 'n streekwetgewende owerheid;
  - (ii) 'n stadsraad, munisipale raad, gemeenskapsraad, gesondheidskomitee, bestuurs- of raadplegende komitee, plaaslike bestuur, plaaslike raad; of
  - (iii) enige ander bestuursliggaam van 'n organisasie wat na die mening van die Raad inbreuk maak op sy werksaamhede by die Technikon; of
- (b) deur 'n bevoegde persoon of liggaam as lid van enige owerheid benoem, aangewys of aangestel word, word hy, behoudens die bepalinge van subparagraaf (2) (b) en (2) (c), geag vrywillig uit diens te getree het met ingang van die datum waarop hy sodanige nominasie of rekwisisie aanvaar het of waarop hy aldus benoem, aangewys of aangestel is.

(2) Ondanks die bepalinge van subparagraaf (1) kan 'n werknemer—

- (a) wat onmiddellik voor die datum van inwerking-treding van hierdie paragraaf 'n lid was van 'n in subparagraaf (1) (a) bedoelde raad, komitee of bestuur, lid van sodanige raad, komitee of bestuur bly vir die onverstreke gedeelte van die termyn waarvoor hy verkies is;

**Private financial transactions**

**59.** (1) An employee of the Technikon is expected at all times to manage his private affairs in such a way that his conduct and acting will not lead to embarrassment or adversely affect his relations with the public or subordinates.

(2) No employee shall under any circumstances borrow money from a subordinate.

**Legal action for debt**

**60.** The issue of—

- (a) process for debt, judgement or insolvency actions in which an employee is the defendant, shall immediately be reported to the Principal by the employee concerned together with full particulars of the circumstances that have led to the issue of the process;
- (b) an order of a court providing for the administration of the estate of an employee and for the settlement of the debt of the employee concerned in instalments or otherwise shall, if such employee is a member of a medical scheme, be reported to the manager of the scheme concerned by the Principal as soon as possible after he has received notice of the issue of such administration order.

**Acceptance of nominations for Parliament, etc**

**61.** (1) If an employee—

- (a) accepts nomination or requisition as a candidate for election to—
  - (i) Parliament, a regional legislative authority;
  - (ii) a city council, municipal council, community council, health committee, management or consultative committee, local authority, local council; or
  - (iii) any other management body of an organisation which, at the discretion of the Council, may encroach upon his activities at the Technikon; or
- (b) is nominated, designated or appointed by a competent person or body to be a member of an authority, he shall be deemed, subject to the provisions of subparagraphs (2) (b) and (c) to have terminated his service voluntarily with effect from the date on which he accepts such nomination or requisition or on which he is so nominated, designated or appointed.

(2) Notwithstanding the provisions of subparagraph (1) an employee—

- (a) who, immediately before the date on which this paragraph came into operation, was a member of a council, committee or executive contemplated in subparagraph (1) (a) may remain a member of such council, committee or executive for the remainder of the term for which he was elected;

(b) met die toestemming van die Raad aanstelling, nominasie of rekwisisie as kandidaat vir verkiesing tot lid van 'n raad, komitee of bestuur in subparagraaf (1) (a) bedoel, aanvaar indien die Raad oortuig is dat daar nie inbreuk op die werknemer se ampspligte gemaak sal word nie;

(c) met die toestemming van die Raad aanstelling, nominasie of rekwisisie as kandidaat vir verkiesing tot, of benoeming, aanwysing of aanstelling deur 'n bevoegde persoon of liggaam as lid aanvaar op die voorwaardes wat die Raad mag goedkeur.

(3) Indien 'n geskil ontstaan tussen die Technikon en 'n liggaam of organisasie mag 'n werknemer wat lid is van die bestuursliggaam nie aan die bespreking van of stemming oor daardie geskilpunt deelneem nie.

(4) Indien die Raad oortuig is dat 'n werknemer wat verkies is of aangestel is as 'n lid van 'n raad, komitee of bestuur in subparagraaf (1) (a) bedoel, weens sy werksaamhede as sodanige lid nie meer sy ampspligte by die Technikon behoorlik kan vervul nie, of dat daar na die mening van die Raad ander omstandighede is wat vereis dat hy nie langer as sodanige lid diens moet doen nie, kan die Raad daardie werknemer gelas om as lid van daardie raad, komitee of bestuur te bedank en weiering om te bedank, sal aanleiding gee tot die ontslag van daardie werknemer.

#### **Deelname aan politieke en ander verwante bedrywighede**

**62.** 'n Werknemer mag—

(a) nie van sy ampsposisie gebruik maak om die belange van 'n politieke party of 'n politieke organisasie te bevorder of te benadeel nie en mag hy nie 'n geskrif opstel of publiseer of laat publiseer of hom andersins in die openbare pers of op 'n openbare vergadering oor politieke aangeleenthede uitlaat nie;

(b) geen kennisgewing, dokument, biljet of ander stuk wat ondersteuning vir enige politieke party of organisasie uitlok of wat betrekking het op die verkiesing of die bestryding van die verkiesing van iemand tot lid van die Parlement, 'n Streekwetgewende liggaam of 'n komitee, raad, bestuur of liggaam bedoel in paragraaf 61 (1), op enige terrein van die Technikon, 'n sportterrein of by enige verrigtinge van die Technikon, hetsy voor, gedurende of na Technikonure, aanbring, versprei of uitdeel nie en mag hy geen ander daad wat op so 'n verkiesing betrekking het, op bedoelde terrein of sportterrein of by enige sodanige verrigting van die Technikon verrig nie.

(b) may, with the consent of the Council, accept appointment, nomination or requisition as a candidate for election to a council, committee or executive contemplated in subparagraph (1) (a) if the Council is satisfied that the official duties of the employee will not be encroached upon;

(c) may, with the consent of the Council, accept appointment, nomination or requisition as a candidate for election to, or nomination, designation or appointed by a competent person or body to be a member of an authority on such conditions as the Council may approve.

(3) Should a dispute arise between the Technikon and any body or organisation, no employee who is a member of such management body shall take part in the discussion or the voting on such dispute.

(4) If the Council is satisfied that an employee elected or appointed to be a member of a council, committee or executive contemplated in subparagraph (1) (a) is no longer able, owing to his activities as such member, to perform his official duties properly at the Technikon or that, in the opinion of the Council, there are other circumstances that require that he no longer serve as such member, the Council may order such employee to resign from the council, committee or executive and refusal so to resign, shall lead to the dismissal of that employee.

#### **Participation in political and other related activities**

**62.** An employee—

(a) shall not make use of his official position to promote or prejudice the interest of a political party or a political organisation and shall not draw up or publish or have published a document or otherwise express himself in the public press or at a public meeting on political matters;

(b) may not affix, distribute or disseminate any notice, document, poster or other document appealing for support for any political party or organisation or relating to the election of or opposition to the election of any person to be a member of Parliament, a regional legislative body, or a committee, council, executive or body contemplated in paragraph 61 (1) on any grounds of the Technikon, a sportsfield or at any function of the Technikon whether before, during or after Technikon hours, nor perform any other act relating to such an election on such grounds or sportsfields or at any such function.

**Vertroulike aard van dokumente rakende werknemers**

63. Alle dokumente, lêers en korrespondensie met betrekking tot enigiets wat kragtens die Wet of hierdie reëls gedoen kan word en wat die eiendom van die Technikon is, is vertroulik van aard en 'n werknemer het nie reg op toegang daartoe of insae daarin nie: Met dien verstande dat 'n werknemer deur die Raad toegelaat mag word om toegang tot of insae in genoemde dokumente, lêers en korrespondensie te hê indien dit—

- (a) vir die verrigting van sy amptelike pligte;
- (b) by 'n ondersoek wat die Raad kragtens die Wet of hierdie reëls gelas; of
- (c) vir 'n ondersoek soos beoog deur die Disiplinêre Prosedure en Kode nodig is.

**Verslae oor werknemers en ongunstige opmerkings**

64. 'n Prestasie-evalueringsverslag op 'n vorm deur die Raad goedgekeur, moet so dikwels as wat die behoeftes van die Technikon vereis, deur die verslaggewende werknemer ten opsigte van elke werknemer onder sy beheer ingevul en ingedien word.

(2) Behoudens die bepalings van subparagraaf (3), het 'n werknemer ten opsigte van wie 'n verslag ingevolge subparagraaf (1) met uitsondering van 'n ondersoek wat deur Raad gelas is, die reg om insae daarin te hê.

(3) Die verslaggewende werknemer moet, indien hy 'n ongunstige opmerking in 'n verslag, prestasie-evaluering, in subparagraaf (1) bedoel, maak, sodanige opmerking skriftelik en in sy volle samehang onder die aandag bring van die werknemer oor wie gerapporteer word: Met dien verstande dat die werknemer die skriftelike mededeling moet onderteken en dit tesame met enige skriftelike verhoë wat hy in verband daarmee wil voorlê, aan die verslaggewende werknemer terugbesorg.

(4) Die bepalings van subparagraaf (3) is ook van toepassing op 'n ongunstige opmerking wat ten opsigte van 'n werknemer gemaak word in 'n skriftelike mededeling, behalwe dat sodanige opmerking deur die hoof van sy kantoor onder die werknemer se aandag gebring moet word: Met dien verstande dat 'n ongunstige opmerking wat in die notule van 'n vergadering van die Raad of 'n komitee van die Raad vervat is, nie onder die aandag van die werknemer oor wie gerapporteer word, gebring hoef te word nie.

(5) Ondanks die bepalings van subparagraaf (3), kan die Rektor of 'n werknemer deur hom daartoe gemagtig, goedkeur dat 'n ongunstige opmerking, 'n ondersoek wat deur die Raad gelas is, nie onder die aandag van 'n werknemer gebring word nie indien hy van oordeel is dat dit nie in die belang van die Technikon of die betrokke werknemer is nie.

**Confidential nature of documents relating to employees**

63. All documents, files and correspondence relating to anything applicable in terms of the Act or these Rules that are the property of the Technikon shall be confidential and an employee shall not have the right of access to or inspection of such documents, files and correspondence: Provided that an employee may be allowed by the Council to have access to or to inspect such documents, files and correspondence if this is necessary—

- (a) for the performance of his official duties;
- (b) in an inquiry ordered by the Council under the Act or these Rules; or
- (c) for an inquiry as contemplated in the Disciplinary Procedure and Code.

**Reports on employees and unfavourable remarks**

64. (1) A performance appraisal report on a form approved by the Council shall be completed and submitted by the reporting officer in respect of each employee under his control as often as the needs of the Technikon require.

(2) Subject to the provisions of subparagraph (3) an employee in respect of whom a performance appraisal report is completed under subparagraph (1), shall except in cases where the Council orders an investigation, have the right to inspect it.

(3) The reporting officer shall, if he makes an unfavourable remark in the performance appraisal report referred to in subparagraph (1), bring such remark to the attention of the employee being reported upon in writing and in its full context: Provided that the latter employee shall sign the written communication and return it to the reporting officer together with any written representations that he may wish to submit with regard to it.

(4) The provisions of subparagraph (3) shall also apply to an unfavourable remark made in respect of an employee in a written communication, except that such remark shall be brought to the attention of the employee by the head of his office: Provided that an unfavourable remark contained in the minutes of a meeting of the Council or a committee of the Council need not be brought to the attention of the employee being reported upon.

(5) Notwithstanding the provision of subparagraph (3), the Principal or an employee authorised thereto by him may give approval for an unfavourable remark that is the subject of an investigation ordered by the Council, not to be brought to the attention of an employee if he is of the opinion that it would not be in the interest of the Technikon or the employee concerned.



(6) Indien 'n persoon of liggaam wat 'n verslag ten opsigte van 'n werknemer moet mede-onderteken of moet oorweeg, bevind dat daar geen regverdiging bestaan vir 'n ongunstige opmerking wat daarin vervat is nie, word daardie ongunstige opmerking uit die verslag geskrap en die betrokke werknemer skriftelik van die skrapping verwittig indien die ongunstige opmerking reeds onder sy aandag gebring is. Sodanige verwittiging van skrapping moet dan 'n deel van die verslag uitmaak.

(7) Nadat 'n verslaggewende werknemer 'n verslag ingevul het soos in subparagraaf (1) bedoel, besorg hy dit aan die Rektor wat dit, indien vereis, tesame met sy opmerking of kommentaar aan die Raad voorlê.

(8) Die bepalinge van hierdie reël sal ook deur die Rektor nagekom word ten opsigte van 'n ongunstige opmerking wat in 'n skriftelike mededeling vervat is.

#### **Afstaan van besoldiging verbode**

65. 'n Werknemer mag nie sy besoldiging of 'n deel daarvan sonder die skriftelike goedkeuring van die Rektor sêdeer nie.

#### **Kennisgewing van verandering in huwelikstaat en getal afhanklikes**

66. 'n Werknemer moet, sodra 'n verandering in sy huwelikstaat ingetree of sy getal afhanklikes vermeerder of verminder het, dokumentêre bewys daarvan aan die personeelkantoor voorlê.

#### **Bepalings betreffende die mediese geskiktheid van werknemers**

67. (1) Indien die Raad van oordeel is dat 'n werknemer se gesondheidstoestand sodanig is dat hy nie in staat is om sy pligte doeltreffend te verrig nie, kan hy homself te eniger tyd van die geskiktheid al dan nie van sodanige werknemer om met sy pligte voort te gaan, vergewis, hetsy deur die voorlegging deur die werknemer van sodanige bewyse as wat die Raad bepaal deur te vereis dat die werknemer hom op technikon-koste onderwerp aan 'n ondersoek deur 'n paneel van maksimum drie geneeshere waarvan minstens een 'n spesialis moet wees, wat saamgestel is soos deur die Raad bepaal en wat 'n verslag oor sy bevindinge aan die Rektor moet voorlê op 'n vorm deur die Raad goedgekeur. Met dien verstande dat die werknemer op eie koste kan reël dat sy private genees-heer by die verrigtinge van die geneeskundige paneel teenwoordig kan wees.

(2) Die Rektor lê die verslag in subparagraaf (1) bedoel, tesame met enige skriftelike verhoë, wat die betrokke werknemer wil voorlê, aan die Raad voor vir 'n aanwysing aangaande die verdere hantering van die aangeleentheid.

(3) Indien dit uit die bewyse in subparagraaf (1) bedoel of die aanbeveling in subparagraaf (2) bedoel, blyk dat daar 'n redelike vooruitsig bestaan dat die werknemer sy pligte na 'n tydperk van verlof op doeltreffende wyse sal kan uitvoer, kan die Rektor vereis dat hy siekteverlof neem vir sodanige tydperk of verdere tydperk as wat die Rektor bepaal en dat hy gedurende daardie tydperk geneeskundige behandeling ontvang.

(6) If a person or body that has to endorse or consider a report in respect of an employee finds that there is no justification for an unfavourable remark contained in such report, such unfavourable remark shall be deleted from the report and the employee concerned shall be notified in writing of the deletion if the unfavourable remark has already been brought to his attention and such notification of deletion shall then part of the report.

(7) After a reporting officer has completed a report referred to in subparagraph (1) he shall hand it to the Principal who shall, if required, submit it to the Council together with his remarks or comments.

(8) These provisions of this rule shall also comply with by the Principal in respect of an unfavourable remark contained in a written communication.

#### **Cession of remuneration**

65. No employee shall cede his remuneration or a part thereof without the written approval of the Principal.

#### **Notice of change in marital state and number of dependants**

66. An employee shall, as soon as his marital state changes or the number of his dependants increase or decrease, submit appropriate documentary evidence to the personnel office.

#### **Provisions relating to medical fitness of employees**

67. (1) If the Council is of the opinion that an employee's state of health is such that he is unable to perform his duties efficiently, it may at any time satisfy itself regarding the fitness or unfitness of such employee to continue his duties, either by requiring the employee to submit such evidence as the Council may determine or by requiring the employee to subject himself at the Technikon's expense to an examination by a panel of a maximum of three medical practitioners, at least one of whom shall be a specialist, which panel shall be constituted as determined by the Council and shall submit its findings to the Principal in a form approved by the Council: Provided that the employee may arrange at his own expense for his private medical practitioner to be present during the proceedings of the medical panel.

(2) The Principal shall submit the reports contemplated in subparagraph (1), together with any written representations that the employee concerned wishes to submit, to the Council for a direction regarding the further disposal of the matter.

(3) If it appears from the evidence referred to in subparagraph (1) or the recommendation referred to in subparagraph (2) that there is a reasonable prospect that the employee will be able to perform his duties efficiently after a period of leave, the Principal may require that he take sick leave for such period or further period as the Principal may determine and that he receive medical treatment during that period.

(4) As die bywoningsrekord van 'n werknemer daarop dui dat hy medies ongeskik is om sy pligte uit te voer, word daar van hom verwag om op sy eie onkoste 'n mediese verslag te bekom wat die aard van sy ongesteldheid duidelik uitspel en aandui wanneer hy bevoeg behoort te wees om sy dienste te hervat: Met dien verstande dat die Raad mag besluit of daar redelike grond bestaan om sy diensvoorwaardes sodanige te wysig dat hy op verdere siekteverlof geregtig is.

#### **Finansiële bystand vir studiedoeleindes**

68. (1) 'n Voltydse personeellid wat aan die Technikon studeer, kan met toestemming van die Raad van die betaling van klasgelde, maar nie registrasiegelde nie, vrygeskeld word: Met dien verstande dat die vergunning nie geld vir kursusse wat herhaal word nie.

(2) Die klasgelde, maar nie die registrasiegelde nie, van 'n voltydse personeellid wat aan 'n ander geskikte technikon studeer, kan met die toestemming van die Raad uit Technikonfondse betaal word: Met dien verstande dat—

- (a) die betrokke personeellid 'n skriftelike ooreenkoms, soos deur die Raad goedgekeur, met die Technikon aangaan;
- (b) die Technikon die klasgelde regstreeks aan die ander technikon betaal; en
- (c) die bystand—
  - (i) slegs verleen sal word indien die kursus regstreeks op die betrokke personeellid se werk by die Technikon van toepassing is; en
  - (ii) nie sal geld vir kursusse wat herhaal word nie.

(3) Die Technikon sal onder sekere omstandighede vir die universiteitstudies van personeellede betaal, veral as dit met sy loopbaan verband hou.

(4) 'n Afhanklike kind van 'n voltydse personeellid wat aan die Technikon studeer, kan met toestemming van die Raad van die betaling van klasgelde, maar nie registrasiegelde nie, vrygeskeld word: Met dien verstande dat die vergunning nie geld vir kursusse wat herhaal word nie.

(5) Die klasgelde, maar nie die registrasiegelde nie, van 'n afhanklike kind van 'n voltydse personeellid, wat aan 'n ander technikon studeer, kan met toestemming van die Raad uit Technikonfondse betaal word: Met dien verstande dat die vergunning nie van toepassing is ten opsigte van kursusse wat herhaal word nie.

(6) Finansiële hulp vir die doeleindes van universiteitstudies vir 'n afhanklike kind van 'n permanente personeellid sal slegs die klasgelde, of 'n deel daarvan, soos jaarliks deur die Raad besluit, maar nie die registrasie-, boek- of koshuisgelde van sodanige kind en sodanige gelde kan met die toestemming van die Raad, uit Technikonfondse betaal word, onderhewig aan die volgende voorwaardes:

- (a) Die betrokke personeellid moet 'n skriftelike ooreenkoms met die Technikon aangaan, soos deur die Raad goedgekeur; en

(4) If the attendance record of an employee indicates that he is medically unfit to perform his duties, he shall upon the requests of the Principal at his own expense obtain a medical report clearly spelling out the nature of his indisposition and indicating when he should be fit to resume his duties: Provided that the Council may decide whether there are reasonable grounds for amending his conditions of service in such a way that he is entitled to further sick leave.

#### **Financial assistance for studies**

68. (1) A full-time staff member studying at the Technikon may, with the consent of the Council, be exempted from the payment of tuition fees but not of registration fees: Provided that this concession shall not apply to courses being repeated.

(2) The tuition fees, but not the registration fees, of a full-time staff member studying at another technikon may, with the consent of the Council, be paid from Technikon funds: Provided that—

- (a) the staff member concerned shall enter into a written agreement with the Technikon, as approved by the Council;
- (b) the Technikon shall pay the tuition fees direct to the other technikon; and
- (c) the assistance—
  - (i) shall be granted only if the course concerned is directly related to the staff member's work at the Technikon; and
  - (ii) shall not apply to courses being repeated.

(3) The Technikon shall pay for university studies for personnel under certain conditions, especially with regard to career relevancy and personnel development.

(4) A dependent child of a full-time staff member studying at the Technikon may, with the consent of the Council, be exempted from the payment of tuition fees but not registration fees: Provided that the concession shall not apply to courses being repeated.

(5) The tuition fees, but not the registration fees, of a dependent child of a full-time staff member studying at another technikon may, with the consent of the Council, be paid from Technikon funds: Provided that the concession shall not apply to courses being repeated.

(6) Financial assistance for purposes of university studies for a dependant child of a permanent staff member shall include the tuition fees only, or a part thereof as decided by the Council annually, but not the registration-, book- or hostel fees of such child and such fees may, with the consent of the Council, be paid from Technikon funds, subject to the following conditions:

- (a) The staff member concerned shall enter into a written agreement with the Technikon, as approved by Council; and

- (b) indien 'n persoon wat hulp ontvang sou drui, moet die jaar of kursusse op sy eie koste herhaal word, voordat aansoek om verdere hulp gemaak kan word: Met dien verstande dat indien 'n persoon sy studies nie sou voortsit nie, moet die Technikon se bydrae deur die betrokke personeellid binne ses maande aan die Technikon terugbetaal word;
- (c) hulp sal tot 'n maksimum van vier jaar met betrekking tot voorgaadse studies beperk word;
- (d) die bedrag van die individuele hulp sal jaarliks deur die Raad bepaal word, afhangende van die aantal aansoeke;
- (e) voorkeur sal aan die eerste aansoekers (die eerste kind) gegee word, voordat hulp vir tweede kinders oorweeg word;
- (f) hulp sal tot 'n maksimum van twee kinders van die betrokke personeellid in enige jaar beperk word;
- (g) slegs definitiewe loopbaangerigte kursusse sal aansoekers vir hulp laat kwalifiseer.

#### ***Behuisingslenings en subsidies ten opsigte van behuisingslenings***

##### **69. Aan 'n werknemer kan—**

- (a) 'n lening ingevolge die Behuisingsleningskema vir Werknemers van die Staat, Statutêre Liggame of Staatsondersteunde Inrigtings; of
- (b) 'n subsidie ten opsigte van die terugbetaling van 'n behuisingslening op die voorwaardes en grondslag van toepassing op voltydse werknemers in die Staatsdiens toegestaan word.

#### ***Diensbonus***

**70.** Betaling van jaarlikse bonusse aan werknemers word deur die Raad oorweeg en goed- of afgekeur in die diskresie van die Raad en op die grondslag en voorwaardes wat hy mag bepaal.

#### ***Vermiste werknemers***

**71.** (1) Indien 'n werknemer afwesig is van sy werk sonder verlof vir langer as sewe werksdae sal alle betalings en regte en voorregte van sodanige werknemer opgeskort word totdat deur die owerheid bepaal is dat hy weens die optredes van vyandige of misdadige elemente vermis of as gevangene of as gyselaar aangehou word en dit nie die gevolg is van sodanige werknemer se opsetlike of growwe nalatige optrede nie, waarna die opskorting opgehef word met inwerking-trede vanaf die datum van opskorting.

- (b) should a person receiving assistance fail, the year or courses shall be repeated at own expense before application for further assistance may be made: Provided that should the studies not be continued, the contribution of the Technikon shall be repaid by the staff member concerned within six months;
- (c) assistance shall be limited to a maximum of four years in respect of undergraduate studies;
- (d) the amount of the individual assistance shall be decided on annually by the Council, depending on the number of applications;
- (e) preference shall be given to first applicants (the first child) before considering assistance to second children;
- (f) assistance shall be limited to the maximum of two children of the staff member concerned in any one year; and
- (g) only definite career oriented courses will qualify applicants for assistance.

#### ***Housing loans and subsidies in respect of housing loans***

##### **69. An employee may be granted—**

- (a) a loan under the House Owners Allowance of the State, Statutory Bodies, State-aided Institutions; or
- (b) a subsidy in respect of the repayment of a housing loan on the conditions and basis applicable to employees and full-time employees in the Public Service.

#### ***Service bonus***

**70.** The payment of annual bonuses to employees is considered by, approved or rejected in the discretion of the Council on such basis and conditions as it may determine.

#### ***Missing employees***

**71.** (1) If an employee is absent from his work without leave for longer than seven working days, all payments and rights and privileges of such employee shall be suspended until it has been determined by the authorities that he is missing owing to the actions of hostile or criminal elements or is being held as a prisoner or hostage and that it is not the consequence of deliberate or grossly negligent action on the part of such employee, after which the suspension shall be lifted with effect from the date of suspension.



(2) As die afwesigheid in subparagraaf (1) bedoel, voortduur vir 'n termyn van een jaar of totdat 'n bevoegde hof 'n bevel uitreik waarby die dood van betrokke werknemer vermoed word, die dienste van sodanige werknemer geag sal word beëindig te wees op die laaste dag van die jaar gereken vanaf datum van afwesigheid of die datum van vermoede van dood, soos die geval mag wees.

(3) Die salaris of loon en toelaes wat 'n werknemer toeval tydens sy afwesigheid in subparagraaf (1) bedoel en met betrekking waarvan die opskorting waarna in die bepaalde reël verwys opgehef word, sal uitbetaal word aan—

- (a) sy eggenote;
- (b) sy ander afhanklikes, as hy nie 'n eggenote het nie; of
- (c) 'n persoon wat, volgens die oordeel van die Rektor, bevoeg is om daardie salaris of loon en toelaes ten behoeve van sy eggenote of afhanklikes te ontvang en te administreer; of
- (d) 'n persoon wat hy volmag daartoe gegee het om salaris of loon en toelaes te ontvang of 'n persoon wat, volgens die oordeel van die Rektor, bevoeg is om daardie salaris of loon en toelaes ten behoeve van die betrokke as hy ongetroud en sonder afhanklikes is, te ontvang en te administreer.

(4) Betaling van salaris of loon en toelaes ingevolge subparagraaf (3) word vir alle doeleindes geag betaling daarvan aan die betrokke werknemer te wees, en 'n bedrag aldus betaal is nie deur die Raad op enige persoon verhaalbaar nie: Met dien verstande dat, indien enige van die bedrae ingevolge subparagraaf (3) betaal, verhaalbaar is van 'n derde party, sodanige bedrae van die betrokke werknemer of sy opvolgers in titel verhaal moet word en aan die Technikon terugbetaal moet word.

#### **Mediese hulpskemas**

**72.** Die Raad bepaal watter mediese hulpskema of hulpskemas, vanaf 'n datum deur die Raad bepaal, erken word as die instelling of instellings waarvan werknemers of groepe werknemers verplig sal word om lede te word en te bly.

#### **Verrigting van buitewerk**

**73.** (1) Buitewerk sal alle werksaamhede wees wat nie regstreeks in verband staan, of beskou word in verband te staan, met die werknemer se werk by die Technikon nie, of dit teen vergoeding al dan nie, geskied.

(2) Buitewerk moet van belang wees vir en verrkend inwerk op 'n werknemer se vakbeoefening hetsy wat onderwys hetsy wat navorsing betref.

(3) Geen buitewerk mag sonder die skriftelike toestemming van die Raad deur 'n werknemer onderneem word nie.

(2) If the absence contemplated in subparagraph (1) continues for a period of one year or until a competent court has issued an order of presumed death of the relevant employee the services of such employee shall be deemed to have been terminated on the last day of the year calculated from the date of absence or the date of presumption of death, as the case may be.

(3) The salary or wages and allowances accruing to an employee during an absence contemplated in subparagraph (1) and in respect of whom the suspension referred to in the said rule has been lifted, shall be paid to—

- (a) his wife;
- (b) his other dependants, if he does not have a wife;
- (c) a person who, in the opinion of the Principal, is competent to receive and administer such salary or wages and allowances on behalf of his wife or dependants if he has a wife or dependants; or
- (d) a person to whom he has given a power of attorney for this purpose or a person who, in the opinion of the Principal, is competent to receive and administer such salary or wages and allowances on behalf of the employee, if he is unmarried without dependants.

(4) Payment of a salary or wages and allowances in terms of subparagraph (3) shall for all purposes be deemed to be payment thereof to the employee concerned, and an amount so paid shall not be recoverable from any person by the Council: Provided that if any of the amounts paid in terms of subparagraph (3) are recoverable from a third party such amounts shall be recovered from the employee concerned or his successors in title and shall be repaid to the Technikon.

#### **Medical aid schemes**

**72.** The Council shall determine which medical aid scheme or aid schemes will, from a date to be determined by the Council, be recognised as the institution or institutions of which employees or groups of employees may be obliged to become and remain members.

#### **Performing of external work**

**73.** (1) External work shall denote all activities that do not pertain directly, or is not seen by the Council to pertain directly to an employee's work at the Technikon whether or not remuneration is received in aid thereof.

(2) External work shall enhance and be of importance to an employee's particular field of study, albeit education or research.

(3) No external work shall be undertaken by an employee of the Technikon without the prior written consent of the Council.

(4) 'n Werknemer wat van voorneme is om buite-werk te onderneem sal skriftelik by die Raad aansoek doen om toestemming: Met dien verstande dat sodanige aansoek moet, in die geval van 'n hoof of waarnemende hoof van 'n departement direk aan die Direkteur voorgelê moet word en in die geval van enige ander werknemer word aansoek gedoen via die departementshoof wat die aansoek saam met sy kom-mentaar aan die Direkteur voorlê.

(5) Alle aansoeke moet die volgende inligting bevat:

- (a) Die aard van die werk;
- (b) die naam en adres van die persoon, firma of instansie ten behoeve waarvan sodanige werk onderneem sal word;
- (c) die benaderde hoeveelheid tyd wat aan sodanige werk bestee sal word;
- (d) die benaderde periode waaroor die werk sal strek;
- (e) die mate, indien enige waarin gebruik gemaak sal word van materiaal, apparaat of dienste wat aan die Technikon behoort;
- (f) die vergoeding wat aangebied is of deur die personeellid verwag word vir sodanige werk; en
- (g) enige ander inligting wat die Raad mag verlang.

(6) Toestemming is nie nodig vir die doen van eksamineerwerk vir erkende opvoedkundige inrigtings of eksaminerende liggame nie, vir die publikasie van wetenskaplike boeke, geskrifte en artikels in vak- en ander tydskrifte, diening op die redaksie van wetenskaplike en tegniese tydskrifte (behalwe as dit as redakteur is), diening op die bestuur van wetenskaplike verenigings, die hou van insidentele openbare en ander lesings en voordragte, radiopraatjies en televisie-optrede in verband met die werknemer se vak en aanverwante gebiede en die insidentele verlening van professionele advies en dienste, op voorwaarde dat daar nie gebruik gemaak word van Technikon apparaat en -materiaal nie.

(7) Indien werksaamhede bedoel in subparagraaf (6) afwesigheid gedurende normale werksure meebring, moet 'n verlofaansoek vooraf ingedien word.

(8) Geen werknemer mag enige ooreenkoms met enige persoon of liggaam buite die Technikon aangaan, waarvolgens hy onderneem om sy dienste uitsluitlik aan daardie persoon of liggaam beskikbaar te stel nie.

(9) Geen werknemer mag die dienste wat hy kan lewer, adverteer nie.

(10) Die verlening van toestemming deur die Raad vir die volgende buitewerk, kan oorweeg word:

- (a) Tydelike diens op staats-, semi-staats, provinsiale en semi-provinsiale kommissies en rade, insluitende stadsrade, met die voorbehoud dat lidmaatskap van stadsrade binne partyverband onderworpe is aan paragraaf 61: Met

(4) An employee who intends to undertake external work, shall apply to the Council for permission in writing: Provided that the application of a head or acting head of a department, shall be submitted directly to the Director and that other employees shall apply via the head of their department who shall then submit the application with his comments of the Director.

(5) All applications shall contain the following information:

- (a) The nature of the external work;
- (b) the name and address of the person, firm or institution for which the work will be undertaken;
- (c) the estimated time the work will monopolise;
- (d) the approximate period it will cover;
- (e) the amount of use, if any, that will be made of material, equipment or services of the Technikon;
- (f) the remuneration offered to or expected by the employee for his services; and
- (g) any other information that the Council may deem necessary.

(6) No permission is required for examination work for recognised institutions or examining bodies, for publication of scientific books and articles in journals or other magazines, for serving on the editorial staff of scientific and technical journals, except as editor thereof, for serving on the management of scientific associations, for incidental public and other lectures and presentations, radio talks and television appearances pertaining to an employee's field of study and related areas of interest and for the incidental rendering of professional advice and services, provided that no use be made of Technikon equipment and material.

(7) An application for leave shall have to be submitted and approved beforehand if the activities contemplated in subparagraph (6) should encroach on the normal working hours of the employee.

(8) No employee may enter into any agreement with any person or institution wherein he undertakes to render his services exclusively to such person or institution.

(9) No employee may advertise or publicise his services.

(10) The granting of permission for the following external work shall be considered by the Council:

- (a) Temporary service on state, semi-state, provincial and semi-provincial commissions and councils, including city councils: Provided that membership of city councils within party context is subject to the provisions of paragraph

dien verstande dat hierdie bepalings ook van toepassing is op die gevalle waar daar spesifieke besluite in verband met privaatspraktyk bestaan;

- (b) die gee van advies aan of die doen van werk vir die staat, semi-staats-, provinsiale of semi-provinsiale liggame waaronder liggame, stadsrade en instellings van dergelike aard;
  - (c) lewering van diens in die hoedanigheid van adviseur of die lewering van ander soort dienste aan praatindividue of praatondernemings, op voorwaarde dat, tot bevrediging van die Raad bewys gelewer word dat die betrokke werknemer vir hierdie diens uitgekies is op grond van sy besondere bekwaamheid, ervaring en status in die bepaalde vertakking van die wetenskap wat hy aan die Technikon behartig of dat die onderneem van hierdie werk die werknemer in sy vakkennis, die onderwys daarin en studente ten goede sal strek;
  - (d) uitsaaiwerk of oorklanking oor radio of televisie op 'n gereelde basis;
  - (e) diens as direkteur op die direksie van 'n praat- of publieke maatskappy;
  - (f) die lewering van tegniese deskundige getuie-nis in hofarbitrasie en ander geregtelike verrig-tinge;
  - (g) die aanvaarding van die redakteurskap van wetenskaplike en tegniese tydskrifte; en
  - (h) onderwys, onderrig of korrespondensiewerk teen vergoeding aan persone of liggame buite die Technikon in die algemeen slegs in buitengewone omstandighede toegestaan word.
- (11) Toestemming om lesings teen vergoeding aan 'n ander tersiêre inrigting in vakansietye te gee sal normaalweg toegestaan word.
- (12) Die volgende buitewerk word nie toegelaat nie:
- (a) Buitewerk wat van 'n roetine aard en bloot op vergoeding gemik is en wat sonder verband met 'n werknemer se leeropdrag of amptelike plig is;
  - (b) die aanvaarding van die amp van bestuurder van 'n sake- of ander onderneming of besturende direkteur van 'n publieke of private maatskappy, of aktiewe prinsipaal of aktiewe vennoot in 'n openbare professionele praktyk.
- (13) In alle gevalle sal die verlening van toestem-ming tot die verrigting van buitewerk onderhewig wees daaraan dat—
- (a) aansoek vir toestemming om die buitewerk te verrig vooraf op die voorgeskrewe wyse gedoen moet word;
  - (b) die amptelike pligte van die betrokke werk-nemer nie deur die doen van die buitewerk benadeel sal word nie;

61: Provided further that these Rules also apply in cases where specific resolutions in connection with private practice exists;

- (b) the rendering of advice to or provision of ser-vice for state, semi-state, provincial or semi-provincial institutions including boards of control, city councils and other institutions of similar disposition;
  - (c) provision of services in an advisory capacity or any other service to private individuals or enterprises provided that satisfactory evidence is submitted to the Council that the employee concerned was elected for his service on the basis of his exceptional expertise, experience and status in the practised branch of science at the Technikon or the undertaking of such service in his field of study shall benefit his profession and students;
  - (d) broadcasting or dubbing on radio or television on a regular basis;
  - (e) service as director on the board of a private or public company;
  - (f) provision of technical expert evidence in court arbitration and other legal proceedings;
  - (g) the acceptance of editorship of scientific and technical journals; and
  - (h) general teaching, lecturing or correspondence for remuneration to persons or institutions out-side the Technikon, but only in exceptional cir-cumstances.
- (11) Permission to be remunerated for lecturing at other tertiary institutions during breaks, vacations or holidays shall normally be granted.
- (12) The following external work is not permissible:
- (a) External work merely for remuneration with no reference to an employee's official subject or duties or obligations;
  - (b) the acceptance of the office of manager in any business or enterprise or managing director of a public or private company, or active principal or partner in a public professional practice.
- (13) The granting of permission to perform external work is subject to—
- (a) application for permission on the prescribed form;
  - (b) non-interruption of the responsible employee's official duties;



- (c) in belang van die Technikon en die betrokke personeellid hoogstens 10 uur per week wat voorbereidingstyd en reistyd insluit, aan buitewerk bestee mag word;
- (d) deelname aan 'n verskeidenheid van soorte buitewerksaamhede beperk word;
- (e) in die geval van doserende personeel bewys deur die departementshoof voorgelê word van volledige aandag van die betrokke werknemer aan die onderwysprogram, van die volgehoue navorsing wat tot wetenskaplike publikasies lei, of ander akademiese werk gedoen, wat vir die werknemer persoonlik en die Technikon van betekenis is;
- (f) volledige besonderhede moet al na gelang van die geval in die aansoek om buitewerk verstrek word;
- (g) toestemming telkens nie vir 'n langer tydperk as een jaar toegestaan sal word nie; en
- (h) die inkomste uit die buitewerk, insluitende reis- en verblyfkoste, nie 20% van 'n personeellid se salaris oorskry nie.

(14) Indien enige geval waarin toestemming tot die doen van buitewerk aangevra word, dit nodig sal wees om by die doen daarvan van Technikon apparaat of toerusting gebruik te maak of om Technikon materiaal te verbruik, is die betrokke werknemer verplig om voorafgaande toestemming van die Direkteur daartoe te verkry en indien toestemming verleen word—

- (a) in die geval van gebruikmaking van apparaat of toerusting, 20% van die vergoeding wat hy vir die doen van die buitewerk ontvang, aan die Technikon oor te betaal, en die werknemer verantwoordelik sal wees vir die totale koste van die apparaat of toerusting indien dit sou breek of beskadig sou word tydens gebruik vir buitewerk; en
- (b) in die geval van verbruiking van materiaal, die volle waarde daarvan aan die Technikon te vergoed.

(15) Enige verslag wat 'n werknemer aan wie verlof verleen is om buitewerk te onderneem geskied op sy eie gesag en verantwoordelikheid op voorwaarde dat die naam van die Technikon nie gekoppel mag word aan die buitewerk wat 'n werknemer onderneem nie of aan verslae wat hy in hierdie verband lewer nie, tensy toestemming deur die Raad daartoe verleen is.

(16) Die Direkteur is bevoeg om verleende toestemming te verleng, hoogstens vir een jaar op 'n keer en welke jaar ieder keer op 30 Junie eindig, mits op die voorgeskrewe wyse daarom aansoek gedoen word.

(17) Die onus rus op die werknemer om drie maande voor die verstryking van die goedkeuring op die voorgeskrewe wyse aansoek om verlenging te doen.

- (c) the interest of the Technikon and the employee being served: Provided that no longer than 10 hours, including preparation and travelling time per week shall be spent on external work;

- (d) participation of the employee in a variety of external activities being restricted;

- (e) in the case of academic staff, proof by the head of his department that the employee shall give his full attention to his lecturing load, shall sustain research for scientific publications and continue with other academic work of interest to both employee and Technikon;

- (f) full particulars accompanying the application for permission to perform external work;

- (g) the permitted period of time not exceeding one year; and

- (h) remuneration including travelling and subsistence costs not exceeding 20% of an employee's salary.

(14) In the event of external work that requires the use of Technikon equipment or material, the employee concerned shall be obliged to obtain prior permission from the Director to use and once permitted to use that facilities the employee shall—

- (a) pay over 20% of the remuneration received for the external work to the Technikon and take full responsibility for the total cost of equipment or material broken or damaged while in use for external work; and
- (b) reimburse the Technikon for its material consumed during the performance of external work.

(15) An employee permitted to perform external work is authorised and solely responsible to submit reports on his work on condition that the name of the Technikon may not be linked to external work undertaken by such an employee, unless by prior permission of the Council.

(16) Extension of time for a period of one year ending 30 June may be granted by the Director repeatedly: Provided that application for extension be made in the prescribed manner.

(17) The employee shall apply for extension three months prior to the expiry of the term.

(18) 'n Werknemer stel homself bloot aan dissiplinêre optrede deur die Technikonbestuur indien hy—

- (a) die voorwaardes nie nakom nie;
- (b) buitewerk onderneem sonder om voorafgaande toestemming te verkry;
- (c) buitewerk onderneem waarvoor toestemming nie verleen word nie;
- (d) onjuiste of onvolledige inligting verstrek; en
- (e) enige reël of reëls van die Raad oortree.

(19) Indien toestemming tot die doen van buitewerk verleen is en die betrokke werknemer kom volgens die oordeel van die Direkteur, nie die voorwaardes waaronder dit verleen is, na nie, of indien die Direkteur van oordeel is dat die werknemer se Technikonwerk skadelik deur die doen van sodanige buitewerk, kan die verleende toestemming onmiddellik deur die Direkteur ingetrek word.

(20) Enige onreëlmatighede wat in verband met buitewerk mag voorkom sal deur die betrokke hoof na ondersoek rapporteer word aan die Direkteur oor die nie-nakoming van die voorwaardes waaronder toestemming verleen is om buitewerk te doen.

(21) Die viserektor betrokke, hou 'n register waarin besonderhede voorkom van alle gevalle waar toestemming tot die doen van buitewerk verleen is.

#### **Indeling van personeel**

**74.** (1) Die personeel van die Technikon bestaan uit—

- (a) werknemers wat poste beklee op die vaste diensstaat wat ingedeel is by—
  - (i) die akademiese afdeling;
  - (ii) die geklassifiseerde afdeling; en
  - (iii) die algemene, ambags- en instandhoudingspersoneel.
- (b) werknemers wat—
  - (i) in diens is teen poste op die vaste diensstaat; of
  - (ii) addisioneel tot die vaste diensstaat in diens is; en
  - (iii) addisioneel tot die vaste diensstaat in diens is vir die verrigting van 'n klas werk waarvoor personeel nie onder gewone omstandighede aangestel word nie of wanneer dit om 'n ander rede nodig is om die personeel tydelik te vergroot.

(2) Die akademiese, geklassifiseerde en algemene afdeling bestaan elkeen uit die poste wat die Raad ten opsigte van die besondere afdeling goedgekeur het. Met dien verstande dat indien die Raad goedkeur dat 'n pos wat by een afdeling ingesluit is, uit daardie afdeling verwyder en by 'n ander afdeling ingesluit word, dit nie beteken dat 'n werknemer of verlof of 'n ander voorreg of reg wat sy bekleding van 'n pos in een van die afdelings in hierdie subparagraaf genoem, meegebring het, ontnem mag word nie.

(18) An employee is subject to disciplinary action by the Technikon management if he—

- (a) does not adhere to the set conditions;
- (b) undertakes external work without prior permission;
- (c) performs external work without prior permission;
- (d) supplies incorrect or incomplete information or
- (e) transgresses any rule or rules of the Council.

(19) Permission granted for performance of external work may be retracted immediately by the Director concerned should the particular employee not adhere to the set conditions or in the opinion of the Director concerned, neglect his Technikon duties in favour of external duties.

(20) Any irregularities that may occur in respect of external work shall be monitored by the appropriate head of department who shall report to the Director after thorough investigation of non-accordance to conditions under which permission to perform external work was granted.

(21) The Vice-Principal concerned keeps a register that contains details of all cases for which permission to perform external work was granted.

#### **Classification of staff**

**74.** (1) The staff of the Technikon shall consist of—

- (a) employees occupying posts on the fixed establishment and classified into—
  - (i) the academic division;
  - (ii) the classified division; and
  - (iii) the general trade and maintenance staff.
- (b) employees who—
  - (i) are employed against posts on the fixed establishment; or
  - (ii) are employed additional to the fixed establishment; and
  - (iii) are employed additional to the fixed establishment for the performance of a class of work for which staff are not appointed in normal circumstances or when it may for another reason be necessary temporarily to expand the staff.

(2) The academic, classified and general divisions shall consist in each case of posts approved by the Council in respect of the division concerned: Provided that if the Council gives approval for a post included in one division to be removed from that division and included in another it shall not mean that an employee may be deprived of leave or any other privilege or right entailed by his occupation of a post in one of that divisions contemplated in this subparagraph.

**Vulling van poste**

**75.** (1) Aanzoek vir vaste aanstelling, moet op 'n voorgeskrewe vorm gedoen word.

(2) Die Rektor kan vereis dat 'n persoon wat in aanmerking wil kom vir aanstelling in 'n ander hoedanigheid as dié in subparagraaf (1) bedoel, daarom aansoek doen op die vorm in subparagraaf (1) bedoel.

(3) 'n Applikant bedoel in subparagraaf (1), moet 'n gesondheidsvraelys deur die Raad goedgekeur in sy eie handskrif invul waarin hy volledige besonderhede van afwykings en siektes waaraan hy ly of gely het, verstrek: Met dien verstande dat die applikant se geskiktheid vir vaste aanstelling aan die hand van inligting wat in die gesondheidsvraelys of in 'n geneeskundige verslag wat ingevolge subparagraaf (4) verkry is, verstrek word, word oorweeg met inagneming van die aanvaarding van gesondheidsvraelyste en geneeskundige verslae.

(4) Ondanks die bepalinge van subparagraaf (3), kan die Rektor van 'n persoon in subparagraaf (1) bedoel, vereis dat hy hom aan 'n geneeskundige ondersoek deur 'n geregistreerde geneesheer onderwerp wat 'n verslag op 'n voorgeskrewe vorm moet voorlê.

(5) Die koste van 'n mediese ondersoek sal uit Technikonfondse bestry word: Met dien verstande dat, indien 'n internis se verslag of 'n ander mediese verslag verlang word, die persoon self die koste van die ondersoek moet dra.

(6) Niemand word in 'n vaste hoedanigheid aangestel nie, hetsy op proef al dan nie, tensy hy—

- (a) 'n Suid-Afrikaanse burger is;
- (b) na die mening van die Raad ten volle toegerus is om die werk aan hom toevertrou effektief uit te voer;
- (c) na die mening van die Raad vry is van 'n siekte of liggaams- of geestesgebrek wat waarskynlik die behoorlike uitvoering van sy pligte sal belemmer of sy aftrede sal noodsaak voordat hy die pensioenleeftyd bereik en die Raad aldus verklaar het: Met dien verstande dat iemand op proef aangestel kan word, ondanks die bepalinge van hierdie paragraaf, indien die Raad die daarin bedoelde verklaring agterweë hou en dit as 'n voorwaarde van die aanstelling gelas dat dit bekragtig kan word slegs nadat die Raad sodanige verklaring uitgereik het: Met dien verstande voorts dat sodanige verklaring deur die Raad gedoen word onmiddellik nadat afdoende mediese bewys aan hom verskaf is dat sodanige persoon vry van 'n siekte of liggaams- of geestesgebrek is wat waarskynlik die behoorlike uitvoering van sy pligte sal belemmer of sy aftrede sal noodsaak voordat hy die pensioenleeftyd bereik.

**Filling of posts**

**75.** (1) Application for permanent appointment shall be made on the prescribed form.

(2) The Principal may require a person who applies for appointment in a capacity other than that contemplated in subparagraph (1) to apply on the form referred to in subparagraph (1).

(3) An applicant contemplated in subparagraph (1) shall complete, in his own writing, a health questionnaire approved by the Council in which he shall furnish full particulars of anomalies and diseases from which he may suffer or have suffered: Provided that the fitness of an applicant for permanent appointment shall, in the light of the information furnished in the health questionnaire or in a medical report obtained in terms of subparagraph (4) be considered with due regard to the acceptance of health questionnaires and medical reports.

(4) Notwithstanding the provisions of subparagraph (3), the Principal may require a person contemplated in subparagraph (1) to subject himself to a medical examination by a registered medical practitioner, who shall submit a report on a prescribed form.

(5) The cost of an medical examination referred to in subparagraph (4) shall be defrayed from Technikon funds: Provided that if a report from a specialist physician or another medical report is required, the person himself shall bear the costs of the examination.

(6) No person shall be appointed in a permanent capacity, whether on probation or not, unless he—

- (a) is a South African citizen;
- (b) is, in the opinion of the Council, fully equipped to perform the work entrusted to him effectively;
- (c) is, in the opinion of the Council, free from any disease or physical or mental disability that will probably interfere with the proper performance of his duties or necessitate his retirement before he reaches pensionable age, and the Council has so declared: Provided that a person may be appointed on probation notwithstanding the provisions of this paragraph, if the Council withholds the said declaration and states as a condition of the appointment that it can be confirmed only after the Council has issued that declaration: Provided further that declaration shall be issued by the Council immediately after adequate medical evidence has been supplied to it that the person concerned is free from any disease or physical or mental disability that will probably interfere with the proper performance of his duties or necessitate his retirement before he reaches pensionable age.



(7) Niemand word aangestel in of in diens gehou teen 'n pos van 'n hoër graad as sy eie graad of wat 'n ander benaming het as die rang wat hy bekleë nie, tensy die Raad anders goedkeur.

(8) Nieteenstaande die bepalings van subparagraaf (6), kan 'n pos gevul word deur—

- (a) 'n werknemer te bevorder of ingevolge paragraaf 77 oor te plaas; of
- (b) indien die pos nie bevredigend deur sodanige bevordering of oorplasing gevul kan word nie, iemand wat nie 'n werknemer is nie, aan te stel.

#### **Aanstelling, oorplasing en bevordering op proef**

**76.** (1) Die aanstelling, oorplasing ingevolge paragraaf 77 en bevordering van 'n werknemer is onderworpe aan 'n proeftydperk wat minstens ses kalendermaande moet wees: Met dien verstande dat—

- (a) dit nie van toepassing is op 'n werknemer wat as die Rektor aangestel word nie;
- (b) die proeftyd van 'n werknemer verleng word met die getal dae verlof, van watter aard ook al, wat hy gedurende sy proeftydperk geneem het: Met dien verstande dat verlof wat hy geneem het gedurende tydperke waarin onderrig opgeskort was en sy dienste nie nodig was nie, nie vir die doeleindes van sy proeftydperk in berekening gebring word nie; en
- (c) magtiging verleen kan word deur die Raad dat—
  - (i) die aanstelling van 'n werknemer wat onmiddellik voor sy aanstelling in 'n vaste hoedanigheid in diens was van enigeen van die instellings in paragraaf 78 bedoel en wie se aanstelling ingevolge daardie paragraaf geag word 'n oorplasing te wees, nie aan 'n proeftydperk onderwerp word nie;
  - (ii) indien 'n werknemer wie se aanstelling reeds bekragtig is, bevorder of ingevolge paragraaf 77 oorgeplaas word, sy bevordering of oorplasing nie aan 'n proeftydperk onderwerp word nie; en
  - (iii) 'n werknemer wat, terwyl hy op proef dien, bevorder of ingevolge paragraaf 77 oorgeplaas word, 'n korter tyd op proef in die nuwe pos dien: Met dien verstande dat die korter proeftydperk saam met die proeftydperk wat hy in sy vorige pos voltooi het, minstens ses kalendermaande moet wees: Met dien verstande voorts dat hierdie vereiste geëlimineer of gewysig word as daar 'n situasie heers wat na die Raad se oordeel dit onwenslik maak dat 'n werknemer aan 'n proeftydperk onderwerp word, die Raad die vereiste mag tersyde stel of wysig.

(7) Nobody shall be appointed to or kept in service against a post of a higher grade than his own grade or with a designation different from that of the rank he occupies unless the Council otherwise approves.

(8) Notwithstanding the provisions of subparagraph (6) a post may be filled by—

- (a) promoting an employee or transferring such employee in terms of paragraph 77; or
- (b) if the post cannot be satisfactorily filled by such promotion or transfer, appointing a person who is not an employee.

#### **Appointments, transfers and promotions on probation**

**76.** (1) The appointment, transfer in terms of paragraph 77 and promotion of an employee shall be subject to a probationary period of at least six calendar months: Provided that—

- (a) it shall not apply to an employee appointed as the Principal;
- (b) the probationary period of an employee shall be extended by the number of days of leave, of whatever nature, taken by him during his probationary period: Provided further that leave taken by him during periods during which tuition was suspended and his services were not required, shall not be taken into account for purposes of his probationary period; and
- (c) the Council may grant authority for—
  - (i) the appointment of an employee who, immediately before his appointment, was employed in a permanent capacity by any of the institutions referred to in paragraph 78 and whose appointment is deemed under that paragraph to be a transfer not to be subject to a probationary period;
  - (ii) the promotion or transfer of an employee in terms of paragraph 77 whose appointment has already been confirmed not to be subject to a probationary period; and
  - (iii) an employee who is promoted or transferred in terms of paragraph 77 while he is serving on probation to serve a shorter period on probation in the new post: Provided that the shorter probationary period together with the probationary period completed in his previous post shall be at least six calendar months: Provided further that if a situation prevails which, in the opinion of the Council makes it undesirable for an employee to be subjected to a probationary period, the Council may eliminate or amend that requirement.

(2) Indien die hoof van die kantoor sertifiseer dat die werknemer gedurende sy proeftydperk of sy ingevolge subparagraaf (1) (b) verlengde proeftydperk ywerig was, dat sy gedrag deurgaans bevredigend was, dat hy in alle opsigte geskik is vir die pos wat hy beklee en dat hy voldoen het aan al die voorwaardes waaraan sy aanstelling, oorpasing of bevordering onderworpe was, kan sy aanstelling, oorpasing of bevordering deur die Raad bekragtig word.

(3) Indien 'n werknemer se aanstelling, oorpasing of bevordering nie bekragtig word nie, kan—

- (a) sy proeftydperk tot hoogstens 36 kalendermaande deur die Raad verleng word; of
- (b) met hom gehandel word ooreenkomstig die bepalings van subparagraaf (4).

(4) Ondanks andersluidende bepalings in subparagraaf (1) en die Disziplinêre Prosedure en Kode, kan 'n werknemer wat op proef in diens is, deur die Raad ontslaan word, hetsy gedurende of by of na verstryking van sy proeftydperk—

- (a) deur hom een maand kennis te gee; of
- (b) onverwyld, indien sy gedrag onbevredigend is.

#### **Oorpasing van werknemers binne die Technikon**

**77.** (1) Behoudens die bepalings van hierdie reëls, kan 'n werknemer met instemming uit die pos wat hy beklee, oorgeplaas word na 'n ander pos in dieselfde of in 'n ander tak of skool, ongeag of die pos waarna hy oorgeplaas word van 'n laer graad is al dan nie: Met dien verstande dat—

- (a) die salarisskaal van 'n werknemer by oorpasing nie sonder sy toestemming verlaag mag word nie behalwe in ooreenstemming met die bepalings van paragraaf 36 (7) (a) van die Statuut;
- (b) 'n werknemer wat in diens is in 'n pos van 'n hoër of laer graad as sy eie graad of wat met behoud van die salarisskaal verbonde aan sy eie graad na 'n pos van 'n hoër of laer graad as sy eie graad oorgeplaas is, na 'n pos waarby sy eie graad en salarisskaal pas, oorgeplaas moet word sodra 'n geskikte vakature ontstaan;
- (c) 'n werknemer wat in diens is of oorgeplaas word na 'n pos wat hoër as sy eie graad gegradeer is of hergradeer is na of omgeskep is in 'n pos van 'n hoër graad as sy eie graad, nie uit hoofde alleen van bedoelde diens of oorpasing, op die hoër salarisskaal wat aan die pos verbonde is, geregtig is nie.

(2) 'n Werknemer mag nie sonder die goedkeuring van die Raad oorgeplaas word na 'n pos van 'n hoër of laer graad as sy eie graad of wat 'n ander benaming het as die rang wat hy beklee nie behalwe ooreenkomstig die bepalings van die Disziplinêre Prosedure en Kode: Met dien verstande dat die Raad se goedkeuring verkry moet word ten opsigte van poste waarvan die vulling aan sy goedkeuring onderworpe is.

(2) If the head of the office certifies that the employee has been diligent during his probationary period or his probationary period as extended in terms of subparagraph (1) (b), that his conduct has consistently been satisfactory, that he is in all respects suited to the post he occupies and that he has met all the conditions to which his appointment, transfer or promotion was subject, his appointment, transfer or promotion, may be confirmed by the Council.

(3) If the appointment, transfer or promotion of an employee is not confirmed—

- (a) his probationary period may be extended to a maximum of 36 calendar months by the Council; or
- (b) he may be dealt with in accordance with the provisions of subparagraph (4).

(4) Notwithstanding provisions to the contrary in subparagraph (1) and the Disciplinary Procedure and Code, an employee who is employed on probation may be discharged by the Council whether during, on or after expiry of his probationary period—

- (a) by giving him one months' notice; or
- (b) with immediate effect, if his conduct was unsatisfactory.

#### **Transfer of employees within the Technikon**

**77.** (1) Subject to the provisions of these Rules, an employee may be transferred with his consent from the post he occupies to another post in the same or another branch or school, regardless of whether the post to which he is transferred is of a lower grade or not: Provided that—

- (a) the salary scale of an employee shall not on transfer be reduced without his consent except in accordance with the provisions of paragraph 36 (7) (a) of the Statute;
- (b) an employee who is employed in a post of a higher or lower grade than his own grade or who has been transferred with retention of the salary scale attached to his own grade to a post of a higher or lower grade than his own grade shall be transferred to a post to which his own grade and salary scale is appropriate as soon as a suitable vacancy arises; and
- (c) an employee who is employed in or transferred to a post graded higher than his own grade or regraded or converted into a post of a higher grade than his own grade shall not by virtue solely of such employment or transfer be entitled to the higher salary scale attached to the post.

(2) No employee shall be transferred without the approval of the Council to a post of a lower grade than his own grade or with a designation other than the rank occupied by him except in accordance with the provisions of the Disciplinary Procedure and Code: Provided that the Council's approval shall be obtained in respect of posts of which the filling is subject to its approval.

***Aanstelling van persone wat vir die toepassing van bepaalde diensvoorwaardes geag word oorgeplaas te wees***

**78.** Indien iemand in diens is van —

- (a) die Suid-Afrikaanse Vervoerdienste;
- (b) die Departement van Pos- en Telekommunikasiewese;
- (c) 'n staatsdepartement;
- (d) 'n provinsiale administrasie en ingevolge 'n provinsiale ordonnansie aangestel is;
- (e) 'n teknikon of 'n klas onderwys- of ander instansie wat hy of kragtens 'n wet ingestel is of ingevolge 'n wet hulptoelaes ontvang;
- (f) 'n liggaam of instelling wat 'n pensioen- of voorsorgfonds het wat deur die Staat geadministreer word; of
- (g) enige ander owerheid,

(uitgesonderd iemand wat in 'n deeltydse hoedanigheid in diens was) en sonder onderbreking van diens as 'n werknemer (insluitende 'n werknemer op kontrak) in 'n pos op die vaste diensstaat van die Technikon aangestel word in 'n hoedanigheid waarin hy tot die Pensioenfonds vir Geassosieerde Inrigtings of die Voorsorgfonds vir Geassosieerde Inrigtings bydra, word sy aanstelling geag 'n oorplasing te wees vir doeleindes van pensioen en diensbonus, behoud van oplopende vakansieverlof, die betaling van oorplasing-koste en, indien hy aan al die vereistes en voorwaardes daarvoor voldoen, die terugbetaling van uitgawes aan hereregte en verbandhoudende koste: Met dien verstande dat die aanstelling van so iemand as 'n deeltydse werknemer slegs vir pensioen- en diensbonusdoeleindes en vir die behoud van oplopende vakansieverlof geag word 'n oorplasing te wees.

***Aanstelling van waarnemende en plaasvervangende personeel***

**79.** (1) Indien 'n werknemer weens siekte of om 'n ander rede nie in staat is om die pligte verbonde aan sy pos uit te voer nie of indien 'n pos vakant raak —

- (a) kan 'n ander werknemer deur die Rektor gemagtig word om waar te neem in die plek van sodanige werknemer of in die vakante pos totdat dit gevul word; of
- (b) kan 'n plaasvervanger vir sodanige werknemer vir die tydperk wat hy nie in staat is om sy pligte uit te voer nie, maar behoudens die bepalinge van paragraaf 84, addisioneel tot die vaste diensstaat in diens geneem word,

en iemand wat aldus waarneem of in diens geneem is, kan die bevoegdhede uitoefen en die pligte nakom wat aan die pos verbonde is.

(2) Die Raad kan 'n nie-pensioendraende toelae betaal aan 'n werknemer wat in die plek van die Rektor of die hoof van 'n skool of administrasie waarneem.

***Appointment of persons deemed to be transferred for the purposes of certain conditions of service***

**78.** If a person is in the employ of —

- (a) the South African Transport Services;
- (b) the Department of Posts and Telecommunications;
- (c) a Government department;
- (d) a provincial administration and appointed in terms of a provincial ordinance;
- (e) a technikon or a class of educational or other institution instituted by or under an act or receiving grants-in-aid in terms of an act;
- (f) a body or institution that has a pension or provident fund administered by the State; or
- (g) any other authority,

(excluding a person who was employed in only a part-time capacity) and is appointed without a break in service to be an employee (including an employee on contract) in a post on a fixed establishment of the Technikon in a capacity in which he contributes to the Associated Institutions Pension Fund or the Associated Institutions Provident Fund; his appointment shall be deemed to be a transfer for purposes of pension and service bonus, the retention of cumulative holiday leave, the payment of transfer costs and, if he satisfies all the requirements and conditions in that regard, the repayment of expenditure on transfer duties and related costs: Provided that the appointment of such a person as a part-time employee shall be deemed to be a transfer only for pension and service bonus purposes and for the retention of cumulative holiday leave.

***Appointment of acting and substituting staff***

**79.** (1) If an employee is, on account of illness or for some other reason, unable to perform the duties attached to his post or if a post becomes vacant —

- (a) another employee may be authorised by the Principal to act in the place of such employee or in the vacant post until it is filled; or
- (b) a substitute for such employee may be employed additional to the fixed establishment for the period during which he is not able to perform his duties, but subject to the provisions of paragraph 84,

and any person so acting or employed may exercise the powers and perform the duties attached to the post.

(2) The Council may pay a non-pensionable allowance to an employee acting in the place of the Principal or the head of a school or administration.



**Minimum ouderdom by aanstelling**

**80.** Niemand jonger as 15 jaar word aangestel as 'n werknemer nie tensy hy in besit is van 'n matrikulasiesertifikaat van die Matrikulasieraad of 'n sertifikaat wat gelykwaardig is aan of hoër is as genoemde sertifikaat.

**Afdanking en vroeë uitdienstreding van werknemers**

**81. (1)** Vroeë uitdienstreding van 'n werknemer kan deur die Raad goedgekeur word—

- (a) Weens aanhoudende swak gesondheid;
- (b) weens afskaffing van sy pos of vermindering of herorganisasie of heraanpassing van die personeel van die Technikon;
- (c) indien, om ander redes as sy eie ongeskiktheid of onvermoë, sy uitdienstrede na die oordeel van die Raad verbeterings in die organisasie van die Technikon sal vergemaklik waardeer groter doeltreffendheid of besparing bewerkstellig sal word;
- (d) behoudens die bepalings van die Dissiplinêre Prosedure en Kode, weens ongeskiktheid vir sy pligte of onvermoë om hulle op 'n bekwame wyse uit te voer;
- (e) behoudens die bepalings van die Dissiplinêre Prosedure en Kode, weens wangedrag; of
- (f) indien, in die geval van 'n werknemer wat op proef aangestel is, sy aanstelling nie bekragtig word nie:

Met dien verstande dat in die geval van uitdienstrede kragtens subparagraaf (1) (b) of (c) die betrokke werknemer minstens drie maande vooraf kennis gegee word en die Raad indien 'n ander pos vir sodanige personeel by die Technikon beskikbaar is, dit vir aanvaarding aan sodanige werknemer aanbied, of indien daar geen sodanige ander pos is nie, pogings aangewend word om 'n pos by 'n ander instansie vir die werknemer te reël.

(2) Behoudens die bepalings van subparagrafe (3), (4) en (5), kan 'n lid met pensioen uit die diens tree wanneer hy die uitdienstredingsleeftyd bereik.

(3) 'n Werknemer wat die pensioenleeftyd (60 jaar) bereik het, kan te enige tyd voordat hy die uitdienstredingsleeftyd (65 jaar) bereik, skriftelik kennis gee van sy begeerte om met pensioen uit die diens te tree en kan, indien die Raad tot sodanige uitdienstreding instem, aldus uit die diens tree.

(4) 'n Werknemer wat die pensioenleeftyd (60 jaar) bereik het maar nog nie die uitdienstredingsleeftyd (65 jaar) nie, kan met pensioen uit tree indien die Raad dit gelas.

(5) 'n Werknemer kan, indien die Raad aldus besluit en die lid daarmee instem, na die uitdienstredingsleeftyd van tyd tot tyd in sy amp of pos aangehou word vir die verdere tydperk wat die Raad bepaal.

**Minimum age on appointment**

**80.** No person younger than 15 years shall be appointed as employee unless he is in possession of a matriculation certificate issued by the Matriculation Board or a certificate that is equivalent to or higher than such a certificate.

**Dismissal and early retirement of employees**

**81. (1)** Early retirement of an employee may be approved by the Council—

- (a) on the grounds of continuing poor health;
- (b) owing to the abolition of his post or the reduction or reorganisation or readjustment of the staff of the Technikon;
- (c) if, for reasons other than his own disability or incapacity, his early retirement will, in the opinion of the Council, facilitate improvements in the organisation of the Technikon by which greater efficiency or savings will be brought about;
- (d) subject to the provisions of the Disciplinary Procedure and Code owing to incapacity for his duties or inability to perform them in a competent way;
- (e) subject to the provisions of the Disciplinary Procedure and Code, on the grounds of misconduct; or
- (f) if, in the case of an employee appointed on probation, his appointment is not confirmed:

Provided that in the case of early retirement in terms of subparagraph (1) (b) or (c), the employee concerned shall be given at least three months notice in advance and the Council shall, if another post for such employee is available at the Technikon, offer such post to such employee or, if there is not another such post, efforts will be made to obtain a post at another institution for the employee.

(2) Subject to the provisions of subparagraphs (3), (4) and (5), an employee shall be retired on pension on attaining the retirement age.

(3) An employee who has reached the pensionable age (60 years) may at any time before he has attained the retirement age (65 years), give written notification of his wish to be retired on pension and may, if the Council consents to such retirement, be so retired.

(4) An employee who has reached the pensionable age (60 years) but has not attained the retirement age (65 years) may be retired on pension if the Council so directs.

(5) An employee may, if the Council so decides and such employee agrees thereto, be retained from time to time in his office or post beyond the retirement age for such further periods as the Council may determine.

(6) Werknemers wat aan die Regeringsdienspensioenfonds behoort geld die ooreenstemmende pensioenregulasies as die van die Pensioenfonds vir Geassosieerde Inrigtings.

(7) Indien die dienste van 'n werknemer om enigen van die redes in subparagraaf (1) (c) en (d) genoem, beëindig word —

(a) ontvang hy skriftelike kennisgewing van een Technikonkwartaal indien hy lid van die akademiese personeel is: Met dien verstande dat die kennisgewing hom nie later nie as die sewende dag van die betrokke Technikonkwartaal moet bereik; of

(b) ontvang hy skriftelike kennisgewing minstens een kalendermaand indien hy nie lid van die akademiese personeel is nie.

(8) Die dienste van 'n volttydse of deelttydse werknemer kan wedersyds met 24 uur skriftelike kennisgewing beëindig word.

(9) Indien 'n werknemer weier om bewyse voor te lê of 'n ondersoek te ondergaan, word hy geag skuldig te wees aan wangedrag en kan daar met hom gehandel word ooreenkomstig die bepalings van die Dissiplinêre Prosedure en Kode.

#### **Bedankings**

**82.** (1) Die Rektor en Viserektor gee minstens een semester skriftelik kennis van bedanking of sodanige korter kennisgewing as wat vir die Raad aanneemlik is.

(2) Behoudens die bepalings van subparagraaf (3), gee 'n werknemer —

(a) wat lid is van die akademiese of navorsingspersoneel minstens een Technikonkwartaal skriftelik kennis van bedanking: Met dien verstande dat hy sy dienste slegs aan die einde van 'n semester mag beëindig; en

(b) wat nie lid van die akademiese of navorsingspersoneel is nie, minstens een kalendermaand skriftelik kennis van bedanking.

(3) Die Raad kan korter kennisgewing as dié in subparagraaf (2) bedoel, aanvaar.

(4) Tensy anders in sy aanstellingsvoorwaardes bepaal, kan 'n volttydse of deelttydse werknemer 24 uur skriftelik kennis van bedanking gee.

#### **Besoldiging van werknemers**

**83.** (1) Aan 'n werknemer word 'n salaris volgens die skaal wat by sy rang pas en sodanige toelaes as wat die Raad goedkeur, betaal en sodanige verhogings binne dié perke van die skaal wat van toepassing is op die werknemer na voltooiing van 'n salarisverhogings tydperk of andersins.

(2) Die Raad kan goedkeur dat —

(a) aan 'n werknemer by aanstelling of bevordering 'n salaris teen 'n hoër bedrag as die minimum van die toepaslike skaal betaal word;

(6) Employees who belong to the Government Service Pension Fund are subject to the corresponding pension regulations of the Pension Fund for Associated Institutions.

(7) If the services of an employee are terminated for any of the reasons referred to in subparagraphs (1) (c) and (d) —

(a) he shall receive one Technikon quarter's written notice if he is a member of the academic staff: Provided that the notice shall reach him not later than the 7th day of the Technikon quarter concerned; or

(b) he shall receive at least one calendar month's written notice if he is not a member of the academic staff.

(8) The services of an employee may be terminated by the Council upon 24 hours' written notice.

(9) If an employee refuses to submit the evidence or to undergo an inquiry, he shall be deemed to be guilty of misconduct and may be dealt with in accordance with the provisions of the Disciplinary Procedure and Code.

#### **Resignations**

**82.** (1) The Principal and Vice-Principal shall give at least one semester's written notice of resignation or shorter notice such as may be acceptable to the Council.

(2) Subject to the provisions of subparagraph (3), an employee —

(a) who is a member of the academic or research staff shall give at least one Technikon quarter's written notice of resignation: Provided that he may terminate his services only at the end of a semester; and

(b) who is not a member of the academic or research staff, shall give at least one calendar month's written notice of resignation.

(3) The Council may accept shorter periods of notice than those contemplated in subparagraph (2).

(4) Unless his conditions of appointment provide otherwise, an employee may give 24 hours' written notice of resignation.

#### **Remuneration of employees**

**83.** An employee shall be paid a salary in accordance with a scale appropriate to his rank and such allowances as the Council may approve and such increments within the limits of the scale as may be applicable to the employee after the completion of a salary incremental period or otherwise.

(2) The Council may give approval for —

(a) an employee on appointment or promotion to be paid a salary at a higher amount than the minimum of the appropriate scale;

(b) die salarisse of lone van werknemers of klasse werknemers spesiaal verhoog word binne die skale wat op hulle van toepassing is; en

(c) die salaris van 'n werknemer wat buitengewoon bekwaam is of spesiale kwalifikasies besit of verdienstelike werk gelewer het, spesiaal verhoog word binne die skaal wat op hom van toepassing is of dat aan sodanige werknemer 'n salaris volgens 'n hoër skaal betaal of 'n ander geskikte beloning toegeken word.

(3) Geen besoldiging, toelae, honorarium, toekenning of bonus van watter aard ook al bo en behalwe dié wat deur die Raad goedgekeur is, mag aan 'n werknemer ten opsigte van sy indienshouding as sodanig betaal word nie.

#### **Erkenning van verpligte ononderbroke militêre diens**

**84.** (1) Enige persoon sonder enige vorige diens-ondervinding wat sy militêre diens of opleiding bevredigend voltooi of gedeeltelik deurloop het (welke gedeeltelike tydperke erken kan word vir militêre diens of opleidingsdoeleindes) en wat by 'n technikon in 'n toetreerang (dit wil sê 'n rang wat geïdentifiseer is om bereik te word op 'n ander manier as deur bevordering of wat nie ook deur bevordering bereik kan word nie) in 'n vaste hoedanigheid aangestel, oorgeskakel of oorgeplaas word, word vir salarisdoeleindes in die posisie geplaas wat hy sou bereik het indien hy vir 'n tydperk gelyk aan sy militêre diens of opleiding vroeër sodanig opgeneem was: Met dien verstande dat waar hy sy militêre diens of opleiding gedeeltelik deurloop het en in die loop van sy militêre diens of opleidingstydperk aangestel word, is die voorwaardes waaraan sodanige aanstelling moet voldoen, benewens ander tersaaklike bepalinge, die volgende:

- (a) Die aanstelling mag nie terugwerkend geskied nie.
- (b) die persoon moet fisies vir diens aanmeld.
- (c) indien verlof met betaling vir die oorblywende tydperk van die militêre diens of opleiding toegeken word, moet 'n kontrak soos deur die Raad bepaal, aangegaan word.

(2) Aan 'n werknemer wat gedurende sy militêre diens of opleiding 'n bepaalde kwalifikasie behaal het, moet erkenning vir die meerdere kwalifikasie nie van die begin van sy teruggedateerde opname in die toetreerang verleen word nie, maar na verloop van 'n tydperk gelyk aan die verloop vanaf die aanvang van die militêre diens of opleiding tot die datum wat volg op dié van die laaste eksamen ter verwerwing van die meerdere kwalifikasie.

#### **Datum waarop salaris begin en eindig**

**85.** (1) Aan 'n werknemer word salaris betaal met ingang van die datum waarop hy diens aanvaar tot en met die datum waarop sy diens eindig: Met dien verstande dat—

- (a) aan iemand wat in 'n voltydse hoedanigheid tot die akademiese personeel toetree op die eerste werkdag van die eerste Technikonkwartaal en aan die einde van die voorafgaande

(b) the salaries of employees or classes of employees to be specially increased within the scales applicable to them; and

(c) the salary of an employee who is exceptionally able or is in possession of special qualifications or has done meritorious work to be specially increased within the scale applicable to him or for such employee to be paid a salary in accordance with a higher scale or to be awarded some other appropriate reward.

(3) No remuneration, allowance, honorarium, allocation or bonus of whatever nature over and above that approved by the Council shall be paid to an employee in respect of his employment as such.

#### **Recognition of compulsory uninterrupted military service**

**84.** (1) Any person without any previous working experience who has satisfactorily completed or partly completed his military service or training (if the partial periods can be recognised for military service or training purposes) and who is appointed, shifted or transferred at the Technikon to an entry rank, which is a rank identified by the Council as one to be reached in a way other than by promotion or which cannot be reached by promotion, in a permanent capacity shall for salary purposes be placed in the position that he would have reached if he had been so appointed, shifted or transferred earlier by a period equal to his military service or training: Provided that where he has partly completed his military service or training and is appointed in the course of his military service or training period, the conditions with which such appointment shall comply, apart from other relevant provisions, shall be the following:

- (a) the appointment shall not be retrospective;
- (b) the person shall physically report for duty;
- (c) if leave with pay is granted for the remaining period of the military service or training, a contract, as determined by the Council, shall be entered into.

(2) Any employee who has obtained a qualification during his military service or training shall be granted recognition for the further qualification not from the beginning of his back-dated entry into the entry rank but after the expiry of a period equal to the period from the start of the military service or training to the date following on that of the last examination for the further qualification.

#### **Date on which salary begins and terminates**

**85.** (1) An employee shall be paid a salary with effect from the date on which he assumes duty up to and including the date on which his service terminates: Provided that—

- (a) any person who joins the academic staff in a full-time capacity on the first working day of the first Technikon quarter and who satisfied the requirements for the award of a recognised



jaar na voltydse studie aan 'n universiteit of ander opleidingsinrigting voldoen het aan die vereistes vir toekenning van 'n graad, diploma of sertifikaat wat erken word, salaris betaal word met ingang van 1 Januarie van die jaar waarop hy aldus tot die diens toetree;

(b) indien iemand op die eerste werkdag van 'n maand diens aanvaar en daardie dag nie die eerste dag van die betrokke maand is nie, die eerste dag van daardie maand geag word sy datum van diensaanvaarding te wees;

(c) aan iemand wat vir 'n aaneenlopende tydperk van minstens 30 dae in die Technikonkwartaal voltyds in die akademiese personeel diens gedoen het en wie se diens eindig, salaris betaal word tot en met die laaste dag van die maand waarin sy diens eindig mits hy diens doen tot en met die laaste werkdag van die betrokke Technikonkwartaal. Met dien verstande dat indien bedoelde Technikonkwartaal binne dieselfde maand eindig as waarin die eersvolgende Technikonkwartaal begin, salaris aan hom betaal word tot en met die laaste werkdag waarop sy diens aldus eindig;

(d) aan iemand wat gedurende die Technikonkwartaal vir 'n aaneenlopende tydperk van minder as 30 dae voltyds in die akademiese personeel diens doen, salaris betaal word tot en met die laaste werkdag waarop hy aldus in diens is. Met dien verstande dat indien hy tot en met die laaste werkdag van die betrokke Technikonkwartaal diens doen en vanaf die eerste werkdag van die eersvolgende Technikonkwartaal vir 'n aaneenlopende tydperk van minstens 30 dae diens doen, salaris vir die tussenkomende Technikonvakansie aan hom betaal word;

(e) aan 'n werknemer—

(i) wie se diens ingevolge die bepalings van hierdie reëls beëindig word met kennisgewing korter as een maand; of

(ii) wat bedank met kennisgewing korter as een maand; of

(iii) wat aangestel is vir 'n tydperk wat binne dieselfde maand eindig as waarin hy diens aanvaar het,

salaris betaal word tot en met die laaste werkdag waarop hy diens doen; en

(f) aan 'n werknemer—

(i) wie se diens ingevolge die bepalings van hierdie reëls beëindig word met minstens een maand kennisgewing; of

(ii) wat bedank met minstens een maand kennisgewing,

degree, diploma or certificate at the end of the preceding year after full-time study at a university or other training institution shall be paid a salary with effect from 1 January of the year in which he so joins the staff;

(b) if any person assumes duty on the first working day of a month and that day is not the first day of the month concerned, the first day of that month shall be deemed to be his date of assumption of duty;

(c) any person who has served on the academic staff in a full-time capacity for a continuous period of at least 30 days in the Technikon quarter and whose service terminates shall be paid a salary up to and including the last day of the month in which his service terminates if he does duty up to and including the last working day of the Technikon quarter concerned: Provided that if the Technikon quarter concerned ends within the same month as that within which the next ensuing Technikon quarter begins a salary shall be paid to him up to and including the last working day on which his service so terminates;

(d) any person who serves on the academic staff in a full-time capacity for a continuous period of less than 30 days during the Technikon quarter shall be paid a salary up to and including the last working day on which he so serves: Provided that if he serves up to and including the last working day of the Technikon quarter concerned and serves for a continuous period of at least 30 days from the first working day of the next ensuing Technikon quarter a salary shall be paid to him for the intervening Technikon holiday;

(e) to an employee—

(i) whose services are terminated in terms of the provisions of these rules on less than one month's notice; or

(ii) who resigns with less than one month's notice; or

(iii) appointed for a period ending with the same month as that within which he assumes duty,

shall be paid a salary up to and including the last working day on which he serves; and

(f) an employee—

(i) whose services are terminated in terms of the provisions of these rules on at least one month's notice; or

(ii) who resigns with at least one month's notice,

salaris betaal word tot en met die laaste dag van die betrokke maand, ongeag of daardie maand op 'n rusdag eindig, mits hy normaalweg vir rusdae betaal word en hy tot en met die laaste werkdag van daardie maand diens doen.

### **Salarisverhogings**

**86.** (1) Behoudens die bepalings van subparagraaf (2) en paragraaf 83, word die salaris van 'n werknemer hersien met een salarisverhoging binne die perke van die skaal wat op hom van toepassing is, na voltooiing van elke salarisverhogingstydperk en wel met ingang van die eerste dag van sodanige werknemer se verhogingsmaand.

(2) Indien die hoof van die kantoor 'n sertifikaat uitreik waarin verklaar word dat 'n werknemer se gedrag met betrekking tot ywer, dissipline, presiesheid op tyd of matigheid gedurende 'n salarisverhogingstydperk nie deurgaans bevredigend was nie of dat hy sy werk gedurende sodanige salarisverhogingstydperk nie deurgaans op 'n bevredigende wyse verrig het nie, word die salaris van sodanige werknemer nie kragtens subparagraaf (1) verhoog nie: Met dien verstande dat die Rektor kan goedkeur dat die salaris van 'n werknemer kragtens subparagraaf (1) verhoog word, niteenstaande 'n sertifikaat uitgereik is.

(3) Indien die salaris van 'n werknemer nie kragtens subparagraaf (1) of die voorbehoudsbepaling by subparagraaf (2) verhoog word nie, word—

(a) sodanige werknemer skriftelik deur die Rektor verwittig van die redes daarvoor asook dat by verstryking van 'n aaneenlopende tydperk, wat aangedui moet word en wat nie langer as 'n salarisverhogingstydperk is nie, 'n salarisverhoging deur die Rektor toegeken kan word op voorwaarde dat 'n sertifikaat deur die hoof van die kantoor uitgereik word waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe in subparagraaf (2) bedoel gedurende sodanige tydperk bevredigend was; en

(b) die saak deur die Rektor aan die Raad gerapporteer.

(4) (a) Indien die tydperk in subparagraaf (3) (a) bedoel korter is as 'n salarisverhogingstydperk, ken die Rektor een salarisverhoging aan die werknemer toe met ingang van die eerste dag van die maand wat volg op die datum waarop genoemde tydperk verstryk: Met dien verstande dat sodanige salarisverhoging slegs toegeken kan word indien die hoof van die kantoor 'n sertifikaat uitreik waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe in subparagraaf (2) bedoel gedurende sodanige tydperk bevredigend was.

shall be paid a salary up to and including the last day of the month concerned, whether the month ends on a day of rest or not, if he is normally paid for days of rest and if he serves up to and including the last working day of that month.

### **Salary increases**

**86.** (1) Subject to the provisions of subparagraph (2) and paragraph 83, the salary of an employee shall be reviewed with one salary increment within the limits of the scale applicable to him after completion of each salary incremental period, with effect from the first day of the incremental month of such employee.

(2) If the head of the office issues a certificate declaring that the conduct of the employee with regard to diligence, discipline, punctuality or moderation has not been consistently satisfactory during the salary incremental period or that he has not consistently performed his work in a satisfactory way during such salary incremental period, the salary of such employee shall not be increased in terms of subparagraph (1): Provided that the Principal may give approval for the salary of an employee to be increased in terms of subparagraph (1) notwithstanding the issue of such a certificate.

(3) If the salary of an employee is not increased in terms of subparagraph (1) or the proviso to subparagraph (2)—

(a) such employee shall be notified in writing by the Principal of the reasons therefore and also of the fact that, on expiry of a continuous period, which shall be stated and which shall not exceed a salary incremental period, a salary increase may be awarded by the Principal on condition that a certificate is issued by the head of the office in which it is declared that the performance and conduct of the employee with regard to the characteristics referred to in subparagraph (2) have been satisfactory during such period; and

(b) the matter shall be reported to the Council by the Principal.

(4) (a) If the period contemplated in subparagraph (3) (a) is shorter than a salary incremental period, the Principal shall award one salary increment to the employee with effect from the first day of the month following the date on which that period expires: Provided that such salary increment may be awarded only if the head of the office issues a certificate in which it is declared that the performance and conduct of the employee with regard to the characteristics referred to in subparagraph (2) have been satisfactory during such period.



(b) Indien 'n salarisverhoging kragtens subparagraaf (4) (a) aan 'n werknemer toegeken is, word 'n verdere salarisverhoging deur die Rektor aan hom toegeken na verstryking van 'n salarisverhogingstydperk gereken vanaf die datum waarop sy salaris kragtens subparagraaf (1) verhoog sou gewees het indien sodanige verhoging nie kragtens subparagraaf (2) weerhou was nie: Met dien verstande dat sodanige salarisverhoging slegs toegeken kan word indien die hoof van die kantoor 'n sertifikaat uitreik waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe in subparagraaf (2) bedoel steeds bevredigend was vanaf die datum van toekenning van die salarisverhoging in subparagraaf (4) (a) bedoel tot die datum voorafgaande dié waarop 'n salarisverhoging kragtens hierdie subparagraaf toegeken kan word: Met dien verstande voorts dat die bepalings van hierdie subparagraaf nie op 'n werknemer van toepassing is nie indien sy salaris reeds gelyk is aan die maksimum kerf van die toepaslike skaal.

(5) Indien 'n salarisverhoging kragtens subparagraaf (4) (a) nie aan 'n werknemer toegeken word nie—

(a) word sodanige werknemer weer eens skriftelik deur die Rektor verwittig van die redes daarvoor asook dat by verstryking van 'n aaneenlopende tydperk, wat aangedui moet word en gelykstaande moet wees aan die verskil tussen die tydperk in subparagraaf (3) (a) bedoel en 'n salarisverhogingstydperk 'n salarisverhoging deur die Rektor toegeken kan word op voorwaarde dat 'n sertifikaat deur die hoof van die kantoor uitgereik word waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe in subparagraaf (2) bedoel bevredigend was gedurende genoemde aaneenlopende tydperk;

(b) is die bepalings van subparagraaf (3) (b) van toepassing; en

(c) word twee salarisverhogings deur die Rektor aan sodanige werknemer toegeken na verstryking van 'n salarisverhogingstydperk gereken vanaf die datum waarop sy salaris kragtens subparagraaf (1) verhoog sou gewees het indien sodanige verhoging nie kragtens subparagraaf (2) weerhou was nie: Met dien verstande dat sodanige salarisverhogings slegs toegeken kan word indien die hoof van die kantoor 'n sertifikaat uitreik waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe in subparagraaf (2) bedoel bevredigend was gedurende die aaneenlopende tydperk in subparagraaf (5) (a) bedoel: Met dien verstande voorts dat slegs een salarisverhoging aan sodanige werknemer toegeken kan word indien sy salaris reeds gelyk is aan die tweede laaste kerf van die toepaslike skaal.

(b) If a salary increment is awarded to an employee under subparagraph (4) (a), a further salary increment shall be awarded to him by the Principal after expiry of a salary incremental period calculated from the date upon which his salary would have been increased under subparagraph (1) if such increase had not been withheld in terms of subparagraph (2): Provided that such salary increment shall be awarded only if the head of the office issues a certificate in which it is declared that the performance and conduct of the employee with regard to the characteristics referred to in subparagraph (2) have continued to be satisfactory from the date of the award of the salary increment referred to in subparagraph (4) (a) to the date preceding that on which a salary increment may be awarded under this subparagraph: Provided further that the provisions of this subparagraph shall not be applicable to an employee if his salary is already equal to the maximum notch of the appropriate scale.

(5) If a salary increment is not awarded to an employee in terms of subparagraph (4) (a) —

(a) such employee shall be informed in writing by the Principal of the reasons therefor and of the fact that upon expiry of a continuous period, which shall be indicated and shall be equal to the difference between the period referred to in subparagraph (3) (a) and a salary incremental period, a salary increment may be awarded by the Principal on condition that a certificate is issued by the head of the office in which it is declared that the performance and conduct of the employee with regard to the characteristics referred to in subparagraph (2) have been satisfactory during the said continuous period;

(b) the provisions of subparagraph (3) (b) shall apply; and

(c) two salary increments shall be awarded by the Principal to such employee upon expiry of a salary incremental period calculated from the date upon which his salary would have been increased in terms of subparagraph (1) if such increase had not been withheld in terms of subparagraph (2): Provided that such salary increments shall be awarded only if the head of the office issues a certificate in which it is declared that the performance and conduct of the employee with regard to the characteristics referred to in subparagraph (2) have been satisfactory during the continuous period contemplated in subparagraph (5) (a): Provided further that only one salary increment shall be awarded to such employee if his salary is already equal to the second last notch of the appropriate scale.



(6) Indien die tydperk in subparagraaf (3) (a) bedoel gelyk is aan 'n salarisverhogingstydperk, word twee salarisverhogings deur die Rektor aan sodanige werknemer toegeken na verstryking van sodanige tydperk: Met dien verstande dat sodanige salarisverhogings slegs toegeken kan word indien die hoof van die kantoor 'n sertifikaat uitreik waarin verklaar word dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe in subparagraaf (2) bedoel gedurende sodanige tydperk bevredigend was: Met dien verstande voorts dat slegs een salarisverhoging aan sodanige werknemer toegeken kan word indien sy salaris reeds gelyk is aan die tweede laaste kerf van die toepaslike skaal.

(7) Indien 'n salarisverhoging nie kragtens subparagraaf (4) (b), (5) (c) of (6) aan 'n werknemer toegeken word nie, tree die bepalings van subparagraaf (2), (3), (4), (5) en (6) opnuut in werking.

(8) Die salaris van 'n werknemer aan wie 'n salarisverhoging kragtens subparagraaf (4) (b), (5) (c) of (6) toegeken is, by die verstryking van elke verdere salarisverhogingstydperk verhoog met een salarisverhoging binne die perke van die skaal wat op hom van toepassing is.

#### **Amptelike diensure**

**87.** (1) Ondanks andersluidende bepalings, kan die Rektor van 'n werknemer vereis om op enige dag van die week of op enige tyd van die dag of nag amptelike diens te verrig of om by sy normale werkplek of elders vir sodanige diens aanwesig te wees.

(2) Behoudens die bepalings van subparagraaf (1) en van paragraaf 89, begin en eindig 'n werknemer se werkdag op die tye deur die Raad goedgekeur.

(3) Die Rektor bepaal die etenspouse van 'n werknemer of van klasse werknemers: Met dien verstande dat 'n etenspouse wat binne die amptelike diensure val nie as amptelike dienstyd vir die voltooiing van die werkweek gereken word nie.

(4) 'n Werknemer—

(a) moet gedurende sy amptelike diensure sy volle aandag wy aan die pligte wat aan hom toevertrou is; en

(b) mag nie gedurende sy amptelike diensure sonder toestemming van die hoof van sy kantoor of werkplek afwesig wees nie.

#### **Bywoningsregisters**

**88.** (1) Die hoof van 'n kantoor is verantwoordelik vir die nakoming deur die personeel onder sy beheer van die voorgeskrewe amptelike diensure.

(2) Die Rektor kan vereis dat 'n bywoningsregister gehou word waarin werknemers in die poste wat hy aandui, persoonlik die tyd van hul aankoms by en vertrek vanaf hul werkplek moet aanteken.

(6) If the period contemplated in subparagraph (3) (a) is equal to a salary incremental period, two salary increments shall be awarded by the Principal to such employee upon expiry of such period: Provided that such salary increments may be awarded only if the head of the office issues a certificate in which it is declared that the performance and conduct of the employee with regard to the characteristics referred to in subparagraph (2) have been satisfactory during such period: Provided further that only one salary increment may be awarded to such employee if his salary is already equal to the second last notch of the appropriate scale.

(7) If a salary increment is not awarded to an employee in terms of subparagraphs (4) (b), (5) (c) or (6), the provisions of subparagraphs (2), (3), (4), (5) and (6) shall apply anew.

(8) The salary of an employee to whom a salary increment has been awarded in terms of subparagraphs (4) (b), (5) (c) or (6) shall be increased on the expiry of each further salary incremental period by one salary increment within the limits of the scale applying to him.

#### **Official hours of duty**

**87.** (1) Notwithstanding provisions to the contrary, the Principal may require an employee to do official duty or be present at his normal place of work or elsewhere for such duty on any day of the week or at any time of the day or night.

(2) Subject to the provisions of subparagraph (1) and paragraph 89, the working day of an employee shall begin and end at the times approved by the Council.

(3) The Principal shall determine the lunch break of an employee or of classes of employees: Provided that a lunch break falling within the official hours of duty shall not be taken into account as official duty for the completion of the working week.

(4) An employee—

(a) shall give his full attention to the duties entrusted to him during his official hours of duty; and

(b) shall not be absent during his official hours of duty without the permission of the head of his office or place of work.

#### **Attendance registers**

**88.** (1) The head of an office shall be responsible for compliance by the staff under his control with the prescribed official hours of duty.

(2) The Principal may require an attendance register to be kept in which employees in such posts as he may indicate shall personally record the time of their arrival at and departure from their place of work.

(3) Die hoof van 'n kantoor moet die bywoningsregister toevertrou aan die persoonlike toesig van 'n werknemer wie se plig dit is om—

- (a) toe te sien dat die bywoningsregister beskikbaar is vir lede van die personeel vir die doel in subparagraaf (2) bedoel, en dan slegs gedurende sodanige beperkte tye aan die begin en aan die einde van die dagtaak as wat die hoof van die kantoor aandui;
- (b) toe te sien dat slegs outentieke aantekeninge van aankoms en vertrek gemaak word deur die werknemers in subparagraaf (2) bedoel;
- (c) die aantekeninge in die bywoningsregister na te gaan en die register daagliks vir inspeksie voor te lê aan die hoof van die kantoor of aan 'n werknemer wat vir die doel aangewys is;
- (d) verslag te doen van enige onreëlmatigheid aan die werknemer aangewys om die bywoningsregister te inspekteer; en
- (e) toe te sien dat aangetekende gevalle van afwesigheid deur verlof gedek word.

#### **Akademiese kalender en werksweke**

**89.** (1) Behoudens die bepalings van paragraaf 87 bepaal die Raad—

- (a) die akademiese kalender;
- (b) of werknemers 'n vyfdaagse werksweek of andersins moet nakom; en
- (c) die minimum getal ure diens wat werknemers weekliks moet lewer,

en kan hy verskillende werkweke en minimum weeklikse diensure vir verskillende klasse of groepe werknemers of vir individue binne sodanige klasse of groepe of vir takke of kantore voorskryf.

(2) Indien die amptelike diensure wat vir 'n werknemer kragtens paragraaf 87 (2) vasgestel is, in die geheel of gedeeltelik gedurende die nag val, moet sodanige werknemer se werkweek vir doeleindes van die berekening van oortyd diens verminder word met een-sesde van daardie gedeelte van genoemde diensure wat gedurende die nag val: Met dien verstande dat hierdie subparagraaf nie van toepassing is nie op 'n werknemer wat in 'n klas val wat as 'n diensvoorwaarde nagdiens moet verrig.

(3) (a) Indien 'n werknemer gedurende die amptelike diensure wat vir hom vasgestel is, van diens afwesig is met goedgekeurde verlof of weens ander omstandighede wat vir die Rektor aanneemlik is, moet hy, vir doeleindes van die voltooiing van sy werkweek, geag word aan diens te gewees het gedurende sodanige afwesigheid.

(b) Die amptelike diensure wat ten opsigte van 'n bepaalde dag vir 'n werknemer vasgestel is en wat—

- (i) op 'n openbare vakansiedag val in die geval van 'n werknemer wat nie normaalweg op sodanige dag werk nie; of

(3) The head of an office shall entrust the attendance register to the personal supervision of an employee whose duty it shall be—

- (a) to ensure that the attendance register is available to members of the staff for the purpose contemplated in subparagraph (2), and then only during such limited times at the beginning and the end of the working day as may be indicated by the head of the office;
- (b) to ensure that only authentic entries of arrival and departure are made by the employees referred to in subparagraph (2);
- (c) to check the entries in the attendance register and to submit the register daily for inspection to the head of the office or to an employee designated for the purpose;
- (d) to report on any irregularity to the employee designated to inspect the attendance register; and
- (e) to ensure that recorded cases of absence are covered by leave.

#### **Academic calendar and working weeks**

**89.** (1) Subject to the provisions of paragraph 87 the Council shall determine—

- (a) the academic calendar;
- (b) whether employees have to work a five-day working week or otherwise; and
- (c) the minimum number of hours of service to be performed weekly by employees,

and may determine different working weeks and minimum weekly hours of service for different classes or groups of employees or for individuals within such classes or groups or for branches or offices.

(2) If the official hours of duty determined for an employee under paragraph 87 (2) fall wholly or partly during the night the working week of such employee shall be reduced for purposes of the calculation of overtime service by one-sixth of that portion of the said hours of duty that fall during the night: Provided that this subparagraph shall not apply to an employee in a class of employees who have to do night duty as a condition of service.

(3) (a) If an employee is absent from duty during the official hours of duty determined for him with approved leave or owing to other circumstances acceptable to the Principal he shall, for purposes of the completion of his working week, be deemed to have been on duty during such absence.

(b) The official hours of duty determined in respect of a particular day for an employee and which—

- (i) fall on a public holiday in the case of an employee who does not normally work on such a day; or

- (ii) op sodanige ander dag val as wat hy normaalweg in plaas daarvan van diens vrygestel mag wees, in die geval van 'n werknemer wat normaalweg op 'n openbare vakansiedag werk,

moet ingereken word vir doeleindes van die voltooiing van sy werkswaek.

### **Oortyddiens en oortydbesoldiging**

**90.** (1) Indien die hoof van 'n kantoor ingevolge paragraaf 87 (1) van 'n werknemer onder sy beheer vereis om oortyddiens te verrig wat 'n oorskryding meebring van die werknemer se amptelike diensure vasgestel, mag oortydbesoldiging ten opsigte van sodanige oortyddiens nie as 'n reg geëis word nie: Met dien verstande dat die Raad kan goedkeur dat die Rektor nie-pensioendraende oortydbesoldiging aan 'n werknemer ten opsigte van oortyddiens betaal op sodanige voorwaardes as wat die Raad goedkeur.

(2) Ondanks die bepalings van subparagraaf (1), kan die Rektor aan werknemers wat onvermydelike oortyddiens verrig in takke of kantore deur die Raad aangedui en deur die Raad goedgekeur, nie-pensioendraende oortydbesoldiging betaal.

(3) Behoudens die bepalings van subparagraaf (6), word oortydbesoldiging wat kragtens hierdie reëls gemagtig is, betaal op die grondslag en teen die koerse van toepassing op werknemers.

(4) By die berekening van oortyddiens deur 'n werknemer verrig, moet—

- (a) 'n tydperk van oortyddiens van korter as 'n kwartier wat aaneenlopend is met die amptelike diensure wat vir die betrokke werknemer vasgestel is, buite rekening gelaat word;
- (b) 'n tydperk van oortyddiens van korter as 'n uur wat nie aaneenlopend is nie met die amptelike diensure wat vir die betrokke werknemer vasgestel is, as een uur gereken word;
- (c) een uur by die tydperk van oortyddiens gereken word ten opsigte van elke geval waar 'n werknemer—
  - (i) vir oortyddiens aangesê word; of
  - (ii) kennis gegee word dat oortyddiens waarvoor hy aangesê is maar waarvoor hy hom nog nie aangemeld het nie, gekanselleer is; en

later as 18:00 op die vorige dag of na afsluiting van die dienstrydperk wat die oortyddiens onmiddellik voorafgaan, welke ook al die laaste;

- (d) die volle tydperk van oortyddiens waarvoor 'n werknemer aangesê is, tot 'n maksimum van twee uur, by die ekstra diens gereken word ten opsigte van oortyddiens wat gekanselleer is, maar waarvoor sodanige werknemer hom aangemeld het omdat hy nie vooraf van die kansellering in kennis gestel is nie.

- (ii) fall on another day on which he would normally be exempted from duty in place of a public holiday in the case of an employee who normally works on a public holiday,

shall be taken into account for purposes of the completion of his working week.

### **Overtime service and overtime remuneration**

**90.** (1) If the head of an office requires an employee under his control in terms of paragraph 87 (1) to do overtime duty which leads to the official hours of duty of the employee being exceeded, overtime remuneration in respect of such overtime service shall not be claimed as a right: Provided that the Council may give approval to the Principal to pay non-pensionable overtime remuneration to an employee in respect of the overtime service on such conditions as the Council may approve.

(2) Notwithstanding the provisions of subparagraph (1), the Principal may pay non-pensionable overtime remuneration to employees performing unavoidable overtime service in such branches or offices as the Council may indicate and approve.

(3) Subject to the provisions of subparagraph (6), overtime remuneration shall be paid on the basis of and at the rates applicable to employees.

(4) In the calculation of overtime service performed by an employee—

- (a) any period of overtime service shorter than a quarter of an hour which is continuous with the official hours of duty determined for the employee concerned shall be left out of account;
- (b) a period of overtime service shorter than one hour that is not continuous with the official hours of duty determined for the employee concerned shall be calculated as one hour;
- (c) one hour shall be added to the period of overtime service in respect of each case in which an employee is—
  - (i) instructed to do overtime duty; or
  - (ii) notified that overtime duty which he has been instructed to perform but for which he has not yet reported has been cancelled,

later than 18:00 on the previous day or after the end of the period of service immediately preceding the overtime service, whichever is the latest;

- (d) the full period of overtime service that an employee was instructed to perform, up to a maximum of two hours, shall be added to the extra service in respect of overtime service cancelled for which such employee reported because he was not notified of the cancellation in advance.



(5) By die berekening van die oortyd diens wat 'n werknemer oor 'n tydperk wat deur 'n werkweek gedek word, verrig het, en behoudens die bepalings van subparagraaf (4) (b), moet gedeeltes van 'n uur in elke totaal wat teen 'n afsonderlike tarief bereken word —

- (a) buite rekening gelaat word indien dit korter as 'n halfuur is; en
- (b) as een uur gereken word indien dit 'n halfuur of langer is.

(6) Oortydbesoldiging ten opsigte van oortyd diens wat gedurende die nag verrig is, moet bereken word teen die tariewe wat vir oortyd diens op 'n Sondag ooreenkomstig die bepalings van subparagraaf (3) voorgeskryf is: Met dien verstande dat hierdie subparagraaf nie van toepassing is nie op 'n werknemer wat in 'n klas val wat as 'n diensvoorwaarde nagdiens moet verrig.

(7) 'n Werknemer moet gedurende tydperke van oortyd diens sy volle aandag wy aan die pligte wat aan hom toevertrou is en mag nie gedurende sodanige tydperke sonder die toestemming van sy toesighouer van sy kantoor of werkplek afwesig wees nie.

#### **Vaste oortydtoelaes**

91. Ondanks enige bepalings kan die Raad goedkeur dat die Rektor, indien die betaling van oortydbesoldiging volgens uurtariewe onprakties of onwenslik is, aan 'n werknemer wat vir oortydbesoldiging in aanmerking kom, oortydbesoldiging op 'n vaste grondslag betaal.

#### **Grieweprosedure**

92. (1) Die Raad sal, in oorleg met die werknemers, 'n prosedure opstel en byhou om griewe te hanteer wat werknemers graag wil aanspreek.

(2) Enige werknemer van die Technikon sal vryelik, ongehinderd en sonder om hom te benadeel toegang tot dié prosedure hê.

### **VERLOF EN VERLOFGRATIFIKASIES**

#### **Verlofvergunning**

93. (1) Verlof is 'n vergunning en word toegestaan slegs met inagneming van die behoeftes en belange van die Technikon soos bepaal deur die Raad.

(2) Verlof kan nie as 'n reg geëis word nie en indien 'n werknemer se dienste om watter rede ook al eindig, kan hy nie eis dat die geldwaarde van ongebruikte verlof aan hom uitbetaal word nie, tensy die Raad magtiging daartoe verleen: Met dien verstande dat die bepalings van hierdie subparagraaf nie belet dat 'n verlofgratifikasie ingevolge paragraaf 80 aan 'n werknemer betaal word nie.

(3) Indien die Raad dit in die belang van die werksaamhede van die Technikon ag, kan die Raad, sonder opgaaf van redes, enige werknemer gelas om verpligte spesiale verlof te neem vir sodanige tydperk en op sodanige voorwaardes as wat die Raad mag bepaal met die voorbehoud dat sodanige verpligte verlof nie inbreuk sal maak op enige opgehoopte verlofkrediet van sodanige werknemer op die datum waarop die Raad die verpligte spesiale verlof gelas nie.

(5) In the calculation of the overtime service performed by an employee over the period covered by a working week, and subject to the provisions of subparagraph (4) (b), portions of an hour in each total calculated at a separate tariff —

- (a) shall be left out of account if they are shorter than half an hour; and
- (b) shall be calculated as one hour if they are half an hour or longer.

(6) Overtime remuneration in respect of overtime service performed during the night shall be calculated at the rates prescribed for overtime service on a Sunday in accordance with the provisions of subparagraph (3): Provided that the provisions of this subparagraph shall not apply to an employee falling in a class that has to do night duty as a condition of service.

(7) An employee shall give his full attention during periods of overtime service to the duties entrusted to him and shall not be absent from his office or place of work without the permission of his supervisor during such period.

#### **Fixed overtime allowances**

91. Notwithstanding any provision to the contrary the Council may give approval to the Principal, if the payment of overtime remuneration in accordance with hourly tariffs is impractical or undesirable, to pay to an employee who is eligible for overtime remuneration, such remuneration on a fixed basis.

#### **Grievance procedure**

92. (1) Council shall, in consultation with the employees, set up and maintain a procedure to deal with grievances which employees may wish to be addressed.

(2) Any employee of the Technikon shall have free, unhindered and without prejudice access to such procedure.

### **LEAVE AND LEAVE GRATUITIES**

#### **Leave privileges**

93. (1) Leave shall be a privilege and shall be granted only with due regard to the needs and interests of the Technikon as determined by the Council.

(2) Leave cannot be claimed as a right and if the services of an employee terminate for whatever reason he cannot demand that the monetary value of unused leave be paid out to him unless the Council gives authority therefor: Provided that this subparagraph shall not prevent a leave gratuity from being paid to an employee under paragraph 80.

(3) If the Council considers it to be in the interest of the functioning of the Technikon, the Council may, without giving reasons, order any employee to take compulsory special leave for such period and on such conditions as the Council may determine: Provided that such compulsory leave shall not infringe upon any accumulated leave credit of such employee at the date on which the Council orders the compulsory special leave.

**Verlofaansoekvorms, toestaan en intrekking van verlof**

94. (1) Uitgesonderd verpligte spesiale verlof soos in paragraaf 93 (3) bedoel, word aansoek om verlof skriftelik gedoen op 'n voorgeskrewe vorm.

(2) Aansoek om siekteverlof moet vergesel gaan van die voorgeskrewe sertifikaat van ongesteldheid of 'n aanvaarbare mediese sertifikaat indien die betrokke afwesigheid langer as drie dae duur.

(3) Die toestaan van alle verlof is onderworpe aan die goedkeuring van die Rektor: Met dien verstande dat die neem van verlof deur die Rektor onderworpe is aan die goedkeuring van die Raad.

(4) Verlof reeds toegestaan, kan te eniger tyd deur die Rektor, of, in die geval van die Rektor, deur die Raad ingetrek word.

(5) Behalwe in die geval van 'n werknemer wat in sy diens geskors is of 'n werknemer wat weens sy skielike siekte of ander onvermydelike omstandighede verhinder word om in sy werk aan te bly of hom vir diens aan te meld, mag 'n werknemer nie sy werk verlaat of van diens wegbly voordat hy skriftelik om verlof (uitgesluit siekteverlof) aansoek gedoen het en hy deur die hoof van sy kantoor in kennis gestel is dat sy verlofaansoek goedgekeur is nie.

**Verlofstase**

95. (1) Uitgesonderd verpligte spesiale verlof soos in paragraaf 93 (3) bedoel, word 'n verlofstase ten opsigte van elke werknemer gehou waarin alle afwesighede van diens volgens die indeling bedoel in paragraaf 96 (1) aangeteken word.

(2) Uitgesonderd verpligte spesiale verlof soos in paragraaf 93 (1) bedoel, word alle verlofaansoeke vir die tydperk wat die Raad bepaal, vir audit- en ander doeleindes in die kantoor waar die verlofstase gehou word, bewaar.

**Indeling van afwesighedsverlof**

96. (1) Alle afwesighede van diens met verlof moet onder een of meer van die volgende hoofde ingedeel word:

- (a) Vakansieverlof;
- (b) oplopende verlof;
- (c) siekteverlof met volle betaling;
- (d) siekteverlof met halwe betaling;
- (e) siekteverlof sonder betaling;
- (f) spesiale siekteverlof met volle betaling;
- (g) spesiale siekteverlof met halwe betaling;
- (h) spesiale siekteverlof sonder betaling;
- (i) spesiale verlof met volle betaling;
- (j) spesiale verlof sonder betaling.

(2) Alle ongemagtigde afwesighede van diens ongeag enige tugstappe wat teen 'n werknemer gedoen kan word, geag spesiale verlof sonder betaling te wees, tensy die Raad anders bepaal.

**Leave application forms, granting and withdrawal of leave**

94. (1) Except in the case of compulsory special leave as contemplated in paragraph 93 (3) application for leave shall be made in writing on the prescribed form.

(2) An application for sick leave shall be accompanied by the prescribed certificate of indisposition or an acceptable medical certificate if the absence concerned exceeds three days.

(3) The granting of all leave shall be subject to the approval of the Principal: Provided that the taking of leave by the Principal shall be subject to the approval of the Council.

(4) Leave already granted may at any time be withdrawn by the Principal or, in the case of the Principal, by the Council.

(5) Except in the case of an employee who has been suspended from duty or an employee who, owing to sudden indisposition or other unavoidable circumstances, is prevented from remaining at work or reporting for duty, no employee shall leave his work or stay away from before he has applied for leave (excluding sick leave) in writing and has been informed by the head of his office that his application for leave has been approved.

**Leave statements**

95. (1) Except in the case of compulsory special leave contemplated in paragraph 93 (3), a leave statement shall be kept in respect of each employee in which all absences from duty shall be recorded in accordance with the subdivisions contemplated in paragraph 96 (1).

(2) Except in the case of special leave as contemplated in paragraph 93 (1), all applications for leave shall be kept in the office where the leave statements are kept for auditing and other purposes for such period as the Council may determine.

**Classification of leave**

96. (1) All absences from duty on leave shall be classified under one or more of the following headings:

- (a) Vacation leave;
- (b) accumulative leave;
- (c) sick leave with full pay;
- (d) sick leave with half pay;
- (e) sick leave without pay;
- (f) special sick leave with full pay;
- (g) special sick leave with half pay;
- (h) special sick leave without pay;
- (i) special leave with full pay;
- (j) special leave without pay.

(2) Any unauthorised absence from duty shall, irrespective of disciplinary measures taken against an employee, be calculated as special leave without pay, unless the Council determines otherwise.



(3) Die toestaan van verlof onder enigeen van die hoofde in subparagraaf (1) genoem, beïnvloed nie die toestaan van verlof onder enigeen van die ander genoemde hoofde nie, behalwe soos elders in hierdie reëls uitdruklik bepaal word.

**Afwesigheid van diens wat nie as verlof aange-teken word nie: Hofsake, ondersoeke en bywoning van kursusse, lesings, vergaderings en byeen-komste**

**97.** (1) Noodsaaklike afwesigheid van diens van 'n werknemer met die oog op die verskyning, hetsy as getuie of as verweerder of medeverweerder—

- (a) in geregtelike verrigtinge of 'n ondersoek deur iemand ingevolge 'n Parlements-wet; of
- (b) voor 'n kommissie of komitee van ondersoek wat deur die Staat aangestel is; of
- (c) in siviele geregtelike verrigtinge voortspruitend uit sy ampspligte en waarby die Staat of die Technikon regstreekse belang het,

word nie as verlof aangeteken nie mits die werknemer stawende dokumente as bewys vir die afwesigheid van diens voorlê. Met dien verstande dat indien die werknemer 'n eiser in siviele geregtelike verrigtinge (insluitende egskedingsverrigtinge) is, of die persoon is wat die inisiatief in 'n huurraadondersoek neem, sy afwesigheid van diens gedek moet word deur die toestaan van vakansieverlof met salaris of sonder salaris indien hy nie sodanige verlof tot sy krediet het nie.

(2) Indien 'n werknemer 'n kursus, lesing, vergadering of byeenkoms bywoon wat deur sy eie of 'n ander technikon gereël word en toestemming deur die Rektor aan hom verleen is om sodanige kursus, lesing vergadering of byeenkoms in amptelike tyd by te woon, word die gevolglike afwesigheid van diens nie as verlof aangeteken nie.

#### **Ongemagtigde afwesighede van diens**

**98.** (1) Behalwe in 'n geval soos in paragraaf 114 (1) (c) bedoel, word alle ongemagtigde afwesighede van diens, ongeag enige tugstappe wat teen 'n werknemer gedoen mag word, geag vakansieverlof sonder betaling te wees, tensy die Raad onder besondere omstandighede anders goedkeur.

(2) 'n Werknemer wat sonder verlof van die Rektor of die hoof van sy kantoor—

- (a) vir 'n tydperk langer as een kalendermaand van sy diens afwesig is; of
- (b) van sy diens afwesig is en ander werk aanvaar,

word geag weens wangedrag ontslaan te wees met ingang van die dag wat onmiddellik volg op die laaste dag waarop hy diens verrig het: Met dien verstande dat indien 'n werknemer in subparagraaf (2) (a) bedoel, hom te eniger tyd binne 'n tydperk van 90 dae na verstryking van die tydperk in gemelde paragraaf genoem,

(3) The granting of leave under any of the headings contemplated in subparagraph (1) shall not affect the granting of leave under any of the other headings, except as otherwise expressly provided in these rules.

**Absence from duty not recorded as leave: Court cases, inquiries and attendance of courses, lectures, meetings and gatherings**

**97.** (1) An employee's obligatory absence from duty with a view to his appearance, whether as witness or as defendant or co-defendant—

- (a) in legal proceedings or an inquiry by any person under an Act of Parliament;
- (b) before a commission or committee of inquiry appointed by the State; or
- (c) in civil legal proceedings arising from his official duties in which the State or the Technikon has a direct interest,

shall not be recorded as leave provided that the employee submits supporting documents as proof for that absence from duty: Provided that if the employee is a plaintiff in civil legal proceedings (including divorce proceedings) or is the person taking the initiative in a rent board inquiry, his absence from duty shall be covered by the granting of holiday leave with pay or without pay if he has no such leave to his credit.

(2) If an employee attends a course, lecture, meeting or gathering arranged by his own or another technikon and permission has been granted to him by the Principal to attend such course, lecture, meeting or gathering in official time, the consequent absence from duty shall not be recorded as leave.

#### **Unauthorised absence from duty**

**98.** (1) Except in a case contemplated in paragraph 114 (1) (c) all unauthorised absence from duty, regardless of any disciplinary measures that may be taken against an employee, shall be deemed to be holiday leave without pay, unless the Council approves the contrary in particular circumstances.

(2) An employee who, without permission of the Principal or the head of his office—

- (a) is absent from duty for a period exceeding one calendar month; or
- (b) is absent from duty and accepts other employment,

shall be deemed to have been dismissed on grounds of misconduct with effect from the day immediately following the last day upon which he did duty: Provided that if an employee referred to in subparagraph (2) (a) reports for duty at any time within a period of 90 days after expiry of the period referred to that subparagraph,



vir diens aanmeld, die Raad sodanige werknemer in sy vorige of 'n ander pos kan herstel op die voorwaardes wat die Raad goedkeur en in so 'n geval word die tydperk van afwesigheid van diens geag afwesigheid met vakansieverlof sonder betaling of verlof op die ander voorwaardes wat die Raad goedkeur, te wees.

#### **Technikonvakansies: Deel van verlof**

**99.** (1) Indien 'n werknemer wat gewoonlik nie gedurende die Technikonvakansie diens verrig nie, tot en met die laaste werkdag van die Technikonkwartaal met verlof afwesig is en vanaf die eerste werkdag van die eersvolgende Technikonkwartaal met verlof gaan, word die tussenkomende Technikonvakansie as verlof gereken: Met dien verstande dat waar sodanige Technikonvakansie voorafgegaan en gevolg word deur siekteverlof sonder betaling of vakansieverlof sonder betaling die werknemer nie vir daardie Technikonvakansie betaling ontvang nie.

(2) Indien 'n werknemer aangesê word om hom gedurende die Technikonvakansie of 'n gedeelte daarvan vir diens aan te meld en in gebreke bly om dit te doen, word verlof sonder betaling aan hom toegeken tensy hy om geldige redes wat hy kan bewys, verhinder is om hom aldus vir diens aan te meld.

#### **Groepering van werknemers vir verlofdoeleindes en verlofvoorsiening**

**100.** (1) Werknemers word vir doeleindes van verlofvoorsiening ooreenkomstig die volgende groepe ingedeel en verlof word so toegeken:

(a) Groep A: Lede van die doserende en navorsingspersoneel:

(i) Vir tydperke wat die Raad goedkeur, gedurende Technikonvakansies, wat in die geheel nie 56 dae per jaar oorskry nie: Met dien verstande dat die Raad in spesiale omstandighede kan goedkeur dat sodanige verlof in geheel of gedeeltelik tydens ander tydperke geneem kan word.

(ii) Siekteverlof wat soos volg in elke tyd-siklus aanwas:

(aa) 90 dae met volle betaling; en

(bb) 90 dae met halwe betaling; en

(iii) oplopende verlof wat oploep teen 15 dae per jaar met volle betaling.

(b) Groep B: Lede van die administratiewe en hulppersoneel uitgesonderd die vir wie in Groep C voorsiening gemaak word:

(i) Vir tydperke wat die Raad goedkeur, gedurende Technikonvakansies, wat in die geheel nie 30 dae oorskry nie: Met dien verstande dat die Raad in spesiale omstandighede kan goedkeur dat sodanige verlof in geheel of gedeeltelik tydens ander tydperke as Technikonvakansies geneem kan word.

the Council may restore such employee to his previous or another post on such conditions as the Council may approve and in such a case the period of absence from duty shall be deemed to be absence on holiday leave without pay or leave on such other conditions as the Council may approve.

#### **Technikon holidays: Part of leave**

**99.** (1) If an employee who does not usually work during a Technikon holiday is absent on leave up to and including the last working day of the Technikon quarter and goes on leave from the first working day of the next ensuing Technikon quarter the intervening Technikon holiday shall be calculated as leave: Provided that where such Technikon holiday is preceded and followed by sick leave without pay or holiday leave without pay the employee shall not receive pay for that Technikon holiday.

(2) If an employee is instructed to report for duty during the Technikon holiday or part thereof and fails to do so, leave without pay shall be granted to him unless he has been prevented, for valid reasons which he can prove, from so reporting for duty.

#### **Grouping of employees for leave purposes and leave provision**

**100.** (1) Employees shall for the purpose of leave provision be classified in the following groups and shall be granted leave accordingly:

(a) Group A: Members of the teaching and research staff:

(i) Vacation leave with full pay for periods as approved by the Council during Technikon holidays, not exceeding, in the aggregate, 56 days per annum: Provided that the Council may, in special circumstances, approve that such leave be taken in whole or in part during periods other than Technikon holidays.

(ii) Sick leave which shall accrue in each cycle with:

(aa) 90 days with full pay; and

(bb) 90 days with half pay; and

(iii) accumulative leave which shall accrue at the rate of 15 days per annum with full pay.

(b) Group B: Members of the administrative and auxiliary staff other than those provided for in Group C:

(i) Vacation leave with full pay for periods as approved by the Council during Technikon holidays, not exceeding in the aggregate, 30 working days per annum: Provided that the Council may, in special circumstances, approve that such leave be taken in whole or in part during periods other than Technikon holidays.

- (ii) Siekteverlof wat soos volg in elke tyd-siklus aanwas:

- (aa) 90 dae met volle betaling; en
- (bb) 90 dae met halwe betaling; en

- (iii) oplopende verlof wat oploop teen nege dae per jaar met volle betaling.

- (c) Groep C: Lede van die algemene, ambags- en instandhoudingspersoneel en arbeiders behalwe werknemers wie se diensvoorwaardes ingevolge nywerheids- of soortgelyke ooreenkomste bepaal is en van wie normaalweg vereis word om gedurende Technikonvakansies op diens te bly hoewel onderrig opgeskort en die Technikon gesluit is:

- (i) Vir tydperke wat die Raad goedkeur wat in die geheel nie 26 dae per jaar oorskry nie: Met dien verstande dat ondanks andersluidende bepalings van hierdie reëls die Raad in sy diskresie elke jaar, in die algemeen, tot een derde van sodanige verlof in oplopende verlof kan omskep.

- (ii) Siekteverlof wat soos volg in elke tyd-siklus aanwas:

- (aa) 90 dae met volle betaling; en
- (bb) 90 dae met halwe betaling.

(2) Ondanks andersluidende bepalings in die reëls, kan spesiale verlof met of sonder betaling deur die Raad aan 'n werknemer toegestaan word.

#### **Vakansieverlof**

**101.** (1) Behoudens die bepalings van paragraaf 117, sal oplopende vakansieverlof, uitgesonderd oplopende vakansieverlof waarmee 'n werknemer ingevolge paragraaf 103 gekrediteer word, ten opsigte van elke volle maand diens teen een-twaalfde van die voorsiening wat ingevolge paragraaf 100 (1) (a) (iii) op 'n werknemer van toepassing is, akkumuleer.

(2) Indien 'n werknemer van een pos na 'n ander pos oorgeplaas word en sy oorplasing 'n verandering van sy groepering vir verlofdoeleindes meebring of as hy om enige ander rede as sy oorplasing van die een na 'n ander verlofgroep oorgaan—

- (a) behou hy die oplopende verlofkrediet wat gedurende sy dienstrydperk in die vorige groep of groepe aangewas het; en
- (b) word die nuwe groep se verlofbepalings op hom van toepassing vanaf die eerste dag van die kalendermaand waarin sodanige oorplasing of oorgang van krag word, tensy die bepalings van hierdie reëls op hom van toepassing is.

(3) Ongebruikte vakansieverlof in 'n bepaalde kalenderjaar verval aan die einde van daardie kalenderjaar en word nie oorgedra na die volgende kalenderjaar nie.

- (ii) Sick leave which shall accrue in each cycle with:

- (aa) 90 days with full pay; and
- (bb) 90 days with half pay; and

- (iii) accumulative leave which shall accrue at the rate of nine days per annum with full pay.

- (c) Group C: Members of general, artisan and maintenance staff and labourers except employees whose conditions of service have been determined in terms of industrial or similar agreements and who are normally required to remain on duty during Technikon holidays, although instruction is suspended and the Technikon is closed:

- (i) Vacation leave with full pay for such periods as approved by the Council, in the aggregate, not exceeding 26 working days per annum: Provided that notwithstanding anything to the contrary in these rules, the Council may in its discretion convert in general up to one third of such leave annually into accumulative leave; and

- (ii) Sick leave which shall accrue in each cycle with:

- (aa) 90 days with full pay; and
- (bb) 90 days with half pay.

(2) Notwithstanding anything to the contrary in these rules, special leave with or without pay may be granted to an employee by the Council.

#### **Holiday leave**

**101.** (1) Subject to the provisions of paragraph 117, cumulative holiday leave, excluding accumulative holiday leave with which an employee is credited under paragraph 103, in respect of each full month of service shall accrue at one twelfth of the rate applying to an employee under paragraph 100 (1) (a) (iii).

(2) If any employee is transferred from one post to another and his transfer results in a change in his classification for leave purposes or if, for any reason other than his transfer, he passes from one leave group to another—

- (a) he shall retain the accumulated leave credit which accrued during his service in the previous group or groups; and
- (b) the leave privileges of the new group shall become applicable to him from the first day of the calendar month during which such transfer or passing becomes effective unless other provisions of these rules apply to him.

(3) Unused vacation leave for a particular calendar year shall lapse at the end of that calendar year and shall not be carried forward to the next calendar year.

(4) Die oplopende vakansieverlof wat 'n werknemer op 1 Januarie van elke jaar tot sy krediet het, word in die verlofstaat aangeteken en by die aantekening van sodanige krediet word enige gedeelte van 'n dag as een dag gereken.

***Vakansieverlof en erkenning van vorige diens vir verlofdoeleindes: Persone wat in die diens van 'n ander departement, administrasie of inrigting was***

**102.** (1) Indien iemand bedoel in paragraaf 119 (1) sonder diensonderbreking op 'n voltydse grondslag as werknemer aangestel word, kan hy, behoudens die bepalings van subparagraaf (2), gekrediteer word met die vakansieverlof wat hy op die laaste dag van sy diens by sy vorige werkgever tot sy krediet gehad het tot 'n maksimum van 90 dae en kan sy vorige erkende aaneenlopende diens vir verlofdoeleindes in aanmerking geneem word: Met dien verstande dat, indien sodanige verlof eers na voltooiing van 'n vasgestelde dienstydperk vir benutting beskikbaar sou word en sodanige dienstydperk op sy laaste dag van diens by sy vorige werkgever nog nie voltooi is nie, die verlofkrediet bereken word in verhouding tot die gedeelte van die dienstydperk wat hy op sy laaste dag van diens by die vorige werkgever voltooi het.

(2) Iemand bedoel in subparagraaf (1) wat as lid van die akademiese personeel aangestel is en wat 'n vakansieverlofvoorsiening geniet het van meer as 36 dae per jaar gedurende enige tydperk van sy diens ten opsigte waarvan hy met vakansieverlof ingevolge subparagraaf (1) gekrediteer word, se vakansieverlofkrediet word verminder met die getal dae waarmee sy vakansieverlofvoorsiening 36 dae per jaar in enige tydperk te bowe gegaan het.

***Verlofkrediet vir Technikonvakansiediens***

**103.** (1) Die Rektor kan vereis dat 'n werknemer wat normaalweg nie gedurende die Technikonvakansiediens doen nie, gedurende enige Technikonvakansie voltyds aan diens bly: Met dien verstande dat 'n werknemer wat aldus verplig word om aan diens te bly, gekrediteer kan word met vakansieverlof bo en behalwe die vakansieverlof in paragraaf 100 bedoel, gelyk aan die helfte van die getal dae wat hy gedurende die Technikonvakansie voltyds aan diens gebly het: Met dien verstande voorts dat hy nie met meer as 24 dae vakansieverlof in 'n jaar of 'n proporsioneel berekende getal dae ten opsigte van 'n onvoltooide jaar waarin sy diens as werknemer begin of eindig, gekrediteer word nie: Met dien verstande voorts dat geen verlofkrediet ten opsigte van deeltydse diens aldus verrig, toegeken word nie.

***Toestaan van vakansieverlof***

**104.** (1) Die Rektor kan te eniger tyd van 'n werknemer vereis, en die Raad kan te eniger tyd van die Rektor vereis, dat hy 'n gedeelte of al die vakansieverlof wat hom toekom, neem: Met dien verstande dat die maksimum tydperk van verlof in subparagrafe (2) en (4) bepaal, nie oorskry word nie.

(4) The accumulative holiday leave which an employee has to his credit on 1 January of each year shall be recorded in the leave statement and in recording such credit any part of a day shall be calculated as one day.

***Holiday leave and recognition of previous service for leave purposes: Persons who were in service of another department, administration or institution***

**102.** (1) If a person referred to in paragraph 119 (1) is appointed on a full-time basis as an employee without a break in service, he shall, subject to the provisions of subparagraph (2), be credited with the holiday leave which he had to his credit on the last day of his service with his previous employer up to a maximum of 90 days and his previous recognised uninterrupted service shall be taken into account for leave purposes: Provided that, if such leave would have been available to be taken only after completion of a fixed period of service and such period of service had not yet been completed on his last day of service with his previous employer, the leave credit shall be calculated in proportion to the part of the period of service that he had completed on his last day of service with the previous employer.

(2) The holiday leave credit of any person contemplated in subparagraph (1) who is appointed as a member of the academic staff and who enjoyed a leave benefit of more than 36 days per annum during any period of his service in respect of which he is credited with holiday leave under subparagraph (1) shall be reduced by the number of days by which his holiday leave provision exceeded 36 days per annum in any period.

***Leave credit for Technikon holiday service***

**103.** (1) The Principal may require an employee who does not usually do duty during a Technikon holiday to remain on duty full-time during any Technikon holiday: Provided that an employee who is so obliged to remain on duty shall be credited with holiday leave over and above the holiday leave contemplated in paragraph 100 equal to half of the number of days on which he remained on duty full-time during the Technikon holiday: Provided further that he shall not be credited with more than 24 days of holiday leave in a year of a proportionally calculated number of days in respect of an uncompleted year in which his services as employee begin or end: Provided further that no leave credit shall be granted in respect of part-time service so performed.

***Granting of holiday leave***

**104.** (1) The Principal may at any time require an employee, and the Council may at any time require the Principal, to take a part or all of the holiday leave due to him: Provided that the maximum period of leave determined in subparagraphs (2) and (4) shall not be exceeded.



(2) (a) Vakansieverlof met betaling wat minder as een volle Technikonkwartaal is, word nie aan 'n lid van die akademiese personeel toegestaan nie en die totale onafgebroke tydperk van vakansieverlof met betaling strek nie oor meer as twee volle Technikonkwartale of een volle semester nie.

(b) 'n Lid van die akademiese personeel wat minstens een Technikonkwartaal vakansieverlof tot sy krediet het en verlang om twee agtereenvolgende Technikonkwartale of een semester verlof te neem, kan skriftelik aansoek doen dat die vakansieverlof met halwe betaling op die grondslag van twee dae met halwe betaling vir elke dag vakansieverlof wat hy vir die doel aanwend: Met dien verstande dat die aanvangs- en verstrykingsdatum van enige tydperk van vakansieverlof wat aan 'n sodanige lid toegestaan word, saamval met, onderskeidelik, die eerste en laaste werkdag van die Technikonkwartaal of semester: Met dien verstande voorts dat die Raad 'n lid van die akademiese personeel kan magtig om te eniger tyd die vakansieverlof wat hom toekom, of 'n gedeelte daarvan te neem.

(c) 'n Lid van die akademiese personeel wat aansoek doen om vakansieverlof vir minstens een volle Technikonkwartaal moet sy aansoek om sodanige verlof minstens drie maande vooruit indien.

(3) Vakansieverlof met betaling tot hoogstens 184 dae kan in enige tydperk van 18 maande aan 'n lid van die nie-akademiese personeel toegestaan word en behoudens subparagraaf (4) word enige afwesigheid van diens bo hierdie beperking gedek deur die bestaan van vakansieverlof sonder betaling.

(4) Behoudens subparagrafe (2) en (3) en paragraaf 112 (7) kan die Raad, indien gegronde redes daarvoor bestaan, aan 'n werknemer wat nie vakansieverlof tot sy krediet het nie, in 'n onafgebroke tydperk van 18 maande vakansieverlof sonder betaling vir hoogstens twee agtereenvolgende Technikonkwartale of een semester toestaan as lid van die akademiese personeel is en hoogstens 184 dae as hy lid van die nie-akademiese personeel is.

#### **Oortoekenning van vakansieverlof**

**105.** Indien aan 'n werknemer meer vakansieverlof met volle betaling toegestaan is as wat hy op daardie tydstip tot sy krediet gehad het, kan sodanige oortoekenning afgetrek word van vakansieverlof wat later aan hom toeval en die Rektor oortuig is dat die oortoekenning te goeder trou gedoen is: Met dien verstande dat indien sodanige werknemer bedank of indien sy dienste beëindig word voordat voldoende vakansieverlof vir die doel van sodanige aftrekking aan hom toegeval het, die gedeelte van die oortoekenning wat sy vakansieverlofkrediet op die laaste dag van sy diens oorskry, geag word 'n oorbetalings van salaris te wees.

#### **Vrywillige beëindiging van verlof**

**106.** 'n Werknemer wat diens wil hervat voor die verstryking van 'n tydperk van verlof wat aan hom toegestaan is, moet vooraf goedkeuring van die Rektor daarvoor verkry.

(2) (a) Holiday leave with pay that is less than one full Technikon quarter shall not be granted to a member of the academic staff and the total uninterrupted period of holiday leave with pay shall not extend over more than two full Technikon quarters or one full semester.

(b) A member of the academic staff that has holiday leave of at least one Technikon quarter to his credit and desires to take leave for two successive Technikon quarters or one semester may apply in writing for the holiday leave which he has to his credit to be converted into holiday leave with half pay on the basis of two days with half pay for each day of holiday leave used for that purpose: Provided that the first and last days of any period of holiday leave granted to such member shall coincide with, respectively, the first and last working days of the Technikon quarter or semester: Provided further that the Council may authorise a member of the academic staff at any time to take the holiday leave due to him, or part thereof.

(c) A member of the academic staff who applies for holiday leave of at least one full Technikon quarter shall submit his application for such leave at least three months in advance.

(3) Holiday leave with pay of no more than 184 days may be granted to a member of the non-academic staff in any period of 18 months and, subject to subparagraph (4), and absence from duty exceeding that period shall be recovered by the granting of holiday leave without pay.

(4) Subject to subparagraphs (2) and (3) and paragraph 112 (7), the Council may, if there are sound reasons therefor, grant an employee who has no holiday leave to his credit holiday leave without pay for no more than two successive Technikon quarters or one semester in any uninterrupted period of 18 months if he is a member of the academic staff and for a period of no more than 184 days if he is a member of the non-academic staff.

#### **Overgranting of holiday leave**

**105.** If an employee has been granted more holiday leave with full pay than he had to his credit at that time, such overgranting may be deducted from holiday leave accruing to him later if the Principal is satisfied that the overgranting occurred in good faith: Provided that if such employee resigns or his services are terminated before sufficient holiday leave for the purposes of such deduction has accrued to him the portion of the overgranting exceeding his holiday leave credit on the last day of his service shall be deemed to be an overpayment of salary.

#### **Voluntary termination of leave**

**106.** An employee who wishes to resume duty before the expiry of a period of leave granted to him shall obtain the prior approval therefore of the Principal.

**Vakansieverlof vir dringende private sake**

**107.** Ondanks enige bepaling kan aan 'n lid van die akademiese personeel vakansieverlof toegestaan word om hom in staat te stel om aandag te skenk aan dringende private sake.

**Vakansieverlof vir dienskontinuiteit**

**108.** Ondanks andersluidende bepalings, kan 'n werknemer wat sy diens as werknemer onderbreek het, vakansieverlof sonder betaling vir 'n tydperk van hoogstens 90 dae op 'n keer vanaf die eerste dag wat volg op die datum waarop sy diens geëindig het tot en met die dag onmiddellik voor die dag waarop hy diens hervat het, toegestaan word: Met dien verstande dat verlof aldus toegestaan die kontinuiteit van sy diens vir pensioendoeleindes bewaar, behoudens die bepalings van die Wet op die Pensioenfonds vir Geassosieerde Inrigtings, 1963 (Wet No. 41 van 1963), of die Wet op die Voorsorgfonds vir Geassosieerde Inrigtings, 1971 (Wet No. 11 van 1971), of die pensioenfonds van toepassing in die Staatsdiens en die regulasies daarkragtens uitgevaardig, na gelang van die geval, maar nie as diens gereken word nie.

**Vakansieverlof vir bevalling**

**109.** (1) 'n Vroulike werknemer (ongeach haar huwelikstatus) sal kwalifiseer vir die toeken van verlof vir haar bevalling na 12 maande ononderbroke diens: Met dien verstande dat—

- (a) 84 kalenderdae spesiale verlof met volle betaling vir elke bevalling toegestaan kan word;
- (b) dié verlof vir 'n maksimum van drie bevallings toegestaan word;
- (c) dié verlof nie aan kontrakverbindings gekoppel word nie;
- (d) sy om sodanige verlof aansoek moet doen minstens een maand voordat die verlof 'n aanvang neem;
- (e) verlof met volle betaling onmiddellik voor dié verlof aan haar toegestaan kan word of onmiddellik na dié verlof mits sy daarom aansoek doen soos in subparagraaf (1) (d) bedoel en sy verlof tot haar krediet het;
- (f) verlof sonder betaling toegestaan kan word: Met dien verstande voorts dat siekteverlof aan sodanige werknemer toegestaan kan word—
  - (i) gedurende 'n tydperk van swangerskap maar nie ten opsigte van afwesigheid van diens wat haar bevalling onmiddellik voorafgaan en aaneenlopend met haar bevallingsafwesigheid is nie; of
  - (ii) ten opsigte van afwesigheid van diens as gevolg van 'n miskraam of beëindiging van haar swangerskap op mediese advies.

**Holiday leave for urgent private matters**

**107.** Notwithstanding any provision to the contrary, a member of the academic staff may be granted holiday leave to enable him to attend to urgent private matters.

**Holiday leave for continuity of service**

**108.** Notwithstanding any provision to the contrary, an employee who has interrupted his service as employee may be granted holiday leave without pay for a period of no more than 90 days at a time from the first day following the date on which his services terminated up to and including the day immediately before the day on which he resumes duty: Provided that leave so granted shall retain the continuity of his service for pension purposes subject to the provisions of the Associated Institutions Pension Fund Act, 1963 (Act No. 41 of 1963), or the Associated Institutions Provident Fund Act, 1971 (Act No. 11 of 1971), or the pension fund applicable in the Public Service and the relevant regulations, as the case may be, but shall not be calculated as service.

**Holiday leave for confinement**

**109.** (1) A female employee (irrespective of marital status) shall qualify for the granting of leave for confinement purposes after 12 months uninterrupted service: Provided that—

- (a) 84 calendar days special leave with full pay may be granted per confinement;
- (b) the granting of such leave is limited to three confinements;
- (c) utilisation of such leave is not coupled to contractual binding;
- (d) she shall apply for such leave at least one month before the leave commences;
- (e) vacation leave with full pay may be granted to her immediately preceding such leave or immediately following such leave provided that she applies for it on the application contemplated in subparagraph (1) (d) and has leave to her credit;
- (f) leave without pay may be granted: Provided further that sick leave may be granted to such employee—
  - (i) during a period of pregnancy but not in respect of absence from duty immediately preceding her confinement and continuous with her confinement absence; or
  - (ii) in respect of absence from duty resulting from a miscarriage or the termination of her pregnancy on medical advice.

(2) 'n Vroulike werknemer (ongeach haar huwelikstaat) met minder as 12 maande ononderbroke diens, moet vir haar bevalling verlof neem: Met dien verstande dat—

- (a) sy minstens een maand voor die begin van die verlof daarom aansoek doen;
- (b) verlof met volle betaling aan haar toegestaan kan word, met dien verstande dat sy skriftelik daarom aansoek doen en verlof tot haar krediet het;
- (c) verlof sonder betaling toegestaan kan word: Met dien verstande voorts dat siekteverlof aan so 'n werknemer toegestaan kan word—
  - (i) tydens 'n swangerskap, maar nie ten opsigte van haar afwesigheid van diens wat haar bevalling onmiddellik voorafgaan en aaneenlopend met die afwesigheid vir die bevalling; of
  - (ii) ten opsigte van afwesigheid van diens wat uit 'n miskraam of die beëindiging van haar swangerskap op mediese advies.

#### **Vakansieverlof vir studiedoeleindes**

**110.** (1) Ondanks enige bepaling, kan vakansieverlof aan 'n werknemer toegestaan word vir sodanige tydperk as wat die Raad bepaal, met die doel om sy kwalifikasies as werknemer te verbeter deur 'n studiekursus te volg wat deur die Raad vir hierdie doel goedgekeur is.

(2) Die vakansieverlof in subparagraaf (1) bedoel, word met volle betaling toegestaan in die mate wat die werknemer vakansieverlof tot sy krediet het of, indien die werknemer skriftelik so versoek, met halwe betaling op die grondslag van twee dae met halwe betaling vir elke dag vakansieverlof wat hy tot sy krediet het, of sonder betaling vir 'n tydperk wat die Raad goedkeur.

(3) Vir elke dag vakansieverlof met volle betaling wat ingevolge subparagraaf (2) toegestaan word, kan een dag spesiale verlof met volle betaling of, indien die werknemer skriftelik so versoek, twee dae spesiale verlof met halwe betaling toegestaan word, of vir elke dag vakansieverlof met halwe betaling wat ingevolge subparagraaf (2) toegestaan word, kan een dag spesiale verlof met halwe betaling toegestaan word: Met dien verstande dat die toestaan van spesiale verlof ingevolge hierdie subparagraaf daaraan onderworpe is dat die werknemer 'n ooreenkoms met die Technikon aangaan op die voorwaardes wat die Raad bepaal.

#### **Siekteverlof**

**111.** (1) Siekteverlof val aan 'n werknemer toe op die eerste dag van 'n tydsiklus en met ingang van daardie dag kan die volle voorsiening vir die betrokke tydsiklus aan hom toegestaan word, mits aan die ander bepalings van hierdie reëls voldoen word: Met dien verstande dat aan geen werknemer siekteverlof met

(2) A female employee (irrespective of marital status) with less than 12 months uninterrupted service, shall take leave for her confinement: Provided that—

- (a) she shall apply for such leave at least one month before the leave commences;
- (b) leave with full pay may be granted to her provided that she applies for it in writing and has leave to her credit;
- (c) leave without pay may be granted to her: Provided further that sick leave may be granted to such employee—
  - (i) during a period of pregnancy but not in respect of absence from duty immediately preceding her confinement and continuous with her confinement absence; or
  - (ii) in respect of absence from duty resulting from a miscarriage or the termination of her pregnancy on medical advice.

#### **Holiday leave for study purposes**

**110.** (1) Notwithstanding any provision to the contrary, holiday leave may be granted to an employee for such period as the Council may determine with a view to the improvement of his qualifications as employee by following a course of study approved by the Council for that purpose.

(2) The holiday leave referred to in subparagraph (1) shall be granted with full pay to the extent that the employee has holiday leave to his credit or, if the employee so requests in writing, with half pay on the basis of two days with half pay for each day of holiday leave that he has to his credit, or without pay for such period as the Council may approve.

(3) For each day of holiday leave with full pay granted under subparagraph (2), one day of special leave with full pay or, if the employee so requests in writing, two days of leave with half pay may be granted, or for each day of holiday leave with half pay granted under subparagraph (2) one day of special leave with half pay may be granted: Provided that the granting of special leave under this subparagraph shall be subject to the employee entering into an agreement with the Technikon on such conditions as the Council may determine.

#### **Sick leave**

**111.** (1) Sick leave shall accrue to an employee on the first day of a cycle and with effect from that day the full provision for the cycle concerned may be granted to him, provided that the other provisions of these rules are complied with: Provided that no employee shall be granted sick leave with full or half



volle of halwe betaling toegestaan word voordat hy minstens 30 dae diens, gereken vanaf die eerste werkdag waarop hy diens aanvaar het, voltooi het nie en dan slegs ten opsigte van afwesighede weens siekte na voltooiing van sodanige diens.

(2) Ongebruikte siekteverlof wat vir 'n bepaalde tydsiklus voorsien is, verval aan die einde van die betrokke tydsiklus en kan nie na die volgende tydsiklus oorgedra word nie.

(3) Ondanks die bepalings van paragraaf 100, maar behoudens die bepalings van paragraaf 111 kan addisionele siekteverlof vir hoogstens 90 dae met volle betaling en 90 dae met halwe betaling toegestaan word indien die maksimum hoeveelheid siekteverlof waarvoor in hierdie diensvoorwaardes voorsiening gemaak is, toegestaan is aan 'n lid van die akademiese personeel na voltooiing van nege jaar ononderbroke diens en gedurende elke tydperk van nege jaar daarna.

(4) Aan 'n werknemer wat in 'n tydsiklus al die siekteverlof met betaling geneem het waarvoor in hierdie reëls voorsiening gemaak is, kan verdere siekteverlof sonder betaling in die betrokke tydsiklus toegestaan word vir sodanige verdere tydperk as wat die Raad bepaal, maar vir altesaam hoogstens 365 dae in enige besondere tydsiklus.

(5) Indien aan 'n lid van die nie-akademiese personeel die maksimum hoeveelheid siekteverlof waarvoor in hierdie reëls voorsiening gemaak is, toegestaan is, en hy weens gesondheidsredes nog nie in staat is om sy pligte te hervat nie, kan die Rektor—

- (a) by voorlegging aan hom van 'n bevredigende sertifikaat van 'n geregistreerde geneesheer of 'n geregistreerde tandarts; en
- (b) indien hy oortuig is dat sodanige lid op die betrokke tydstop nie permanent ongeskik is vir hervatting van sy normale pligte nie; en
- (c) indien sodanige lid geen vakansieverlof tot sy krediet het nie, verdere siekteverlof met halwe betaling aan hom toestaan vir altesaam hoogstens 92 dae in enige besondere tydsiklus, en sodanige verlof kan toegestaan word ten opsigte van afsonderlike tydperke van afwesigheid en ten opsigte van afsonderlike tydperke van afwesigheid en ten opsigte van ongesteldhede van verskillende aard.

(6) Aan 'n lid van die akademiese personeel wat minstens 21 jaar onafgebroke diens voltooi het en wat al die siekteverlof met volle betaling geneem het wat ingevolge hierdie reëls aan hom toegestaan kan word, kan addisionele siekteverlof met volle betaling toegestaan word in die mate en op die voorwaardes soos deur die Raad goedgekeur.

(7) (a) Aan 'n werknemer kan, indien hy skriftelik daarom aansoek doen, vakansieverlof wat hy tot sy krediet het, toegestaan word in plaas van siekteverlof met halwe betaling of siekteverlof sonder betaling: Met dien verstande dat—

- (i) sodanige aansoek nie later nie as drie kalendermaande nadat hy diens hervat het, ingedien word;

pay before he has completed at least 30 days of service calculated from the first working day on which he assumed duty, and then only in respect of absences owing to illness after completion of such service.

(2) Unused sick leave provided for in a cycle shall lapse at the end of the cycle concerned and shall not be carried forward to the next cycle.

(3) Notwithstanding the provisions of paragraph 100, but subject to the provisions of paragraph 111, additional sick leave may be granted for no more than 90 days with full pay and 90 days with half pay if the maximum amount of sick leave provided for in these rules have been granted to a member of the academic staff after completion of nine years of uninterrupted service and during every period of nine years thereafter.

(4) An employee who has during a cycle taken all the sick leave with pay provided for in these rules may be granted further sick leave without pay in the cycle concerned for such period as the Council may determine but for no more than 365 days in all in any particular cycle.

(5) If a member of the non-academic staff has been granted the maximum amount of sick leave provided for in these rules and he is not yet able, for health reasons, to resume his duties, the Principal may—

- (a) on submission to him of a satisfactory certificate by a registered medical practitioner or a registered dentist; and
- (b) if he is satisfied that such employee is not at the time permanently incapacitated for the resumption of his normal duties; and
- (c) if such employee has no holiday leave to his credit, grant further sick leave with half pay to him for no more than 92 days in all in any particular cycle, and such leave may be granted in respect of separate periods of absence and in respect of illnesses of different nature.

(6) A member of the academic staff who has completed at least 21 years of uninterrupted service and who has taken all the sick leave with full pay that may be granted to him in terms of these rules may be granted additional sick leave with full pay to such extent and on such conditions as the Council may approve.

(7) (a) An employee may, if he applies therefor in writing, be granted holiday leave which he has to his credit in stead of sick leave with half pay or sick leave without pay: Provided that—

- (i) such application shall be submitted no later than three calendar months after he resumes duty;

(ii) die getal dae vakansieverlof wat aldus toegestaan word, altesaam nie 280 dae in die geval van 'n lid van die akademiese personeel en 365 dae in die geval van 'n lid van die nie-akademiese personeel in enige tydsiklus oorskry nie; en

(iii) die Rektor daarvan oortuig is dat die betrokke werknemer op die betrokke tydstip nie permanent ongeskik is om met sy plicte as werknemer voort te gaan nie.

(b) Indien vakansieverlof bedoel in subparagraaf (1) aan 'n werknemer toegestaan is en hy betaling ten opsigte daarvan ontvang het, mag sodanige verlof nie weer in siekteverlof met halwe betaling of sonder betaling omgesit word nie.

(8) (a) Indien 'n werknemer aan wie vakansieverlof [wat nie vakansieverlof in subparagraaf (7) bedoel, is nie] toegestaan is, siek word terwyl hy met sodanige vakansieverlof is, kan die gedeelte van bedoelde vakansieverlof ten opsigte waarvan hy 'n sertifikaat van 'n geregistreerde geneesheer of 'n geregistreerde tandarts indien wat aan die vereistes voorgeskryf in paragraaf 112 (4) (a) voldoen, in siekteverlof omgesit word mits hy siekteverlof tot sy krediet het: Met dien verstande dat aansoek om siekteverlof in plaas van vakansieverlof gedoen moet word binne 30 dae na die verstryking van sodanige tydperk van vakansieverlof.

(b) Vakansieverlof sonder betaling mag nie in siekteverlof omgesit word nie.

(9) Behoudens die geneeskundige vereistes en omstandighede van die geval, is die datum waarop geag word dat enige siekteverlof van 'n werknemer begin en die datum waarop dit eindig, die onderskeie datums soos deur die Rektor met inagneming van die belange van die Technikon bepaal.

(10) Indien 'n werknemer gedurende 'n tydsiklus sonder onderbreking van diens—

(a) oorgaan na 'n groep waarin die siekteverlof-deel minder gunstig is as dié wat voorheen op hom van toepassing was, behou hy vir die duur van die tydsiklus die siekteverlofvoordeel wat voorheen op hom van toepassing was;

(b) oorgaan na 'n groep waar die siekteverlofvoordeel gunstiger is as dié wat voorheen op hom van toepassing was, is hy onmiddellik geregtig op die gunstiger siekteverlofvoordeel, waarvan afgetrek word die siekteverlof met betaling wat hy reeds gedurende daardie tydsiklus geneem het.

#### **Toestaan van siekteverlof**

**112.** (1) Siekteverlof word aan 'n werknemer toegestaan slegs ten opsigte van sy afwesigheid van diens weens 'n siekte, ongesteldheid of besering wat nie te wyte is aan sy wangedrag of sy versuim om behoorlike voorsorg te tref nie.

(ii) the number of days of sick leave so granted shall not exceed 280 days in all in the case of a member of the academic staff and 365 days in all in the case of a member of the non-academic staff in any cycle; and

(iii) the Principal shall be satisfied that the employee concerned is not at the time concerned permanently incapacitated for continuing his duties as employee.

(b) If the holiday leave contemplated in subparagraph (7) (a) is granted to an employee and he has received payment in respect thereof such leave may not again be converted into sick leave with half pay or without pay.

(8) (a) If an employee to whom holiday leave [which is not holiday leave contemplated in subparagraph (7)] has been granted falls ill while he is on such leave, the portion of such holiday leave in respect of which he submits a certificate from a registered medical practitioner or registered dentist complying with the requirements prescribed in paragraph 112 (4) (a) may be converted into sick leave if he has sick leave to his credit: Provided that an application for sick leave instead of holiday leave shall be submitted within 30 days after the end of such period of holiday leave.

(b) Holiday leave without pay shall not be converted into sick leave.

(9) Subject to the medical requirements and circumstances of the case, the date on which any sick leave of an employee is deemed to begin and the date on which it is deemed to end shall be the respective dates as the Principal with due regard to the interests of the Technikon shall determine.

(10) If during a cycle an employee, without interruption of service—

(a) passes into a group in which the sick leave benefit is less favourable than that previously applicable to him, he shall for the duration of that cycle retain the sick leave benefit previously applicable to him;

(b) passes into a group where the sick leave benefit is more favourable than that previously applicable to him, he shall immediately be entitled to the more favourable sick leave benefit, from which shall be deducted the sick leave with pay that he has already taken during that cycle.

#### **Granting of sick leave**

**112.** (1) Sick leave shall be granted to an employee only in respect of his absence from duty owing to an illness, indisposition or injury not due to his misconduct or his failure to take proper precautions.



(2) Siekteverlof word ten opsigte van senuwee-aandoenings, slapeloosheid, swakte en dergelike minder goed omskrewe siektes of ongesteldhede toegestaan slegs indien die Rektor oortuig is dat die applikant se gesondheidstoestand —

- (a) hom ongeskik maak vir sy werk; en
- (b) nie voortvloei uit sy versuim om van vakansieverlof gebruik te maak nie.

(3) (a) Die Rektor kan te eniger tyd eis dat 'n werknemer wat met siekteverlof is hom onderwerp aan 'n ondersoek deur een of meer geregistreerde geneesherde deur die Raad aangewys.

(b) Die onkoste verbonde aan sodanige ondersoek word uit Technikonfondse betaal.

(4) (a) Indien 'n werknemer weens siekte van diens afwesig is vir 'n aaneenlopende tydperk van langer as drie dae, kan siekteverlof aan hom toegestaan word slegs indien hy 'n sertifikaat van 'n geregistreerde geneesheer of 'n geregistreerde tandarts waarin die aard van die siekte duidelik omskryf word, verklaar word dat hy nie in staat is om sy ampspligte waar te neem nie en aangedui word watter tydperk nodig is vir sy herstel, aan die Rektor voorlê.

(b) Die Rektor kan eis dat 'n sertifikaat in subparagraaf (4) (a) bedoel, ook ten opsigte van tydperke van drie dae of minder ingedien word.

(c) Indien die Rektor daarvan oortuig is dat die werknemer se afwesigheid *bona fide* te wyte is aan siekte en dat daar goeie redes bestaan waarom 'n sertifikaat van ongesteldheid nie ingedien is nie, kan hy die werknemer van die indiening van sodanige sertifikaat vrystel ten opsigte van 'n aaneenlopende tydperk van siekteverlof van nie langer as 14 dae nie: Met dien verstande dat sodanige vrystelling op die verlofaan-soek geëndosseer moet word.

(5) Siekteverlof met of sonder betaling ten opsigte waarvan 'n sertifikaat in subparagraaf (4) bedoel nie ingedien is nie, kan toegestaan word slegs vir altesaam 10 dae gedurende enige jaar eindigende op 31 Desember, en enige verdere afwesighede moet gedek word deur die toestaan van vakansieverlof met volle betaling of, indien die werknemer geen vakansieverlof tot sy krediet het nie, van vakansieverlof sonder betaling: Met dien verstande dat die bepalings van hierdie subparagraaf nie van toepassing is op tydperke van afwesigheid ten opsigte waarvan vrystelling kragtens subparagraaf (4) (c) verleen is nie en sodanige tydperke ook nie ingereken word by die vasstelling van die 10 dae nie.

(6) Ondanks die indiening van 'n sertifikaat in subparagraaf (4) bedoel, kan die Rektor weier om siekteverlof met betaling toe te staan ten opsigte van enige afwesigheid van diens waarop die sertifikaat betrekking het en in so 'n geval word die afwesigheid as ongemagtig beskou en is die bepalings van paragraaf 98 (1) van toepassing.

(2) Sick leave shall be granted in respect of nervous conditions, insomnia, weakness and similar less well defined illnesses or indispositions only if the Principal is satisfied that the state of health of the applicant —

- (a) makes him unable to do his work; and
- (b) does not arise from his failure to make use of holiday leave.

(3) (a) The Principal may at any time require an employee who is on sick leave to subject himself to an examination by one or more registered medical practitioners designated by the Council.

(b) The cost of such examination shall be defrayed from Technikon funds.

(4) (a) If an employee is absent from duty owing to illness for a continuous period longer than three days, sick leave shall be granted to him only if he submits to the Principal a certificate from a registered medical practitioner or a registered dentist in which the nature of the illness is clearly described, it is declared that he is not able to perform his official duties and it is indicated what period is needed for his recovery.

(b) The Principal may require a certificate contemplated in subparagraph (4) (a), to be submitted in respect of periods of three days or less as well.

(c) If the Principal is satisfied that the absence of the employee is *bona fide* due to illness and that there are good reasons why a certificate of indisposition was not submitted he may exempt the employee from the submission of such certificate in respect of a continuous period of sick leave not exceeding 14 days: Provided that such exemption shall be endorsed on the application for leave.

(5) Sick leave with or without pay in respect of which a certificate contemplated in subparagraph (4) has not been submitted may be granted only for a maximum of 10 days during any year ending on 31 December and any further absences shall be covered by the granting of holiday leave with full pay or, if the employee has no holiday leave to his credit, of holiday leave without pay: Provided that this subparagraph shall not apply to periods of absence in respect of which exemption has been granted under subparagraph (4) (c) and that such periods shall also not be taken into account in determining the 10 days.

(6) Notwithstanding the submission of a certificate contemplated in subparagraph (4) the Principal may refuse to grant sick leave with pay in respect of any absence from duty to which the certificate relates, and in such a case the absence shall be deemed to be unauthorised and the provisions of paragraph 98 (1) shall apply.



(7) Indien al die siekteverlof sonder betaling waarvoor in hierdie reëls voorsiening gemaak word, aan 'n werknemer toegestaan is, mag geen verdere verlof van watter aard ook al gedurende die betrokke tydsiklus aan hom toegestaan word om sy afwesigheid van diens weens siekte te dek nie, behalwe met die goedkeuring van die Raad.

### **Spesiale siekteverlof**

**113.** (1) Aan 'n werknemer wat van diens afwesig is weens 'n besering wat voortspruit uit 'n ongeval wat uit sy diens ontstaan en in die loop daarvan plaasvind of weens 'n siekte wat in die loop van en as gevolg van sy diens opgedoen is, kan spesiale siekteverlof met volle betaling toegestaan word vir die tydperk wat hy nie geskik is om sy ampspilte uit te voer nie of, indien die geval binne die bestek van die Ongevalwet, 1941 (Wet No. 30 van 1941), val, spesiale siekteverlof met betaling gelykstaande aan die verskil tussen volle betaling en die skadeloosstelling wat kragtens daardie Wet by wyse van periodieke uitkerings van sy maandelikse verdienste aan hom betaalbaar is: Met dien verstande dat spesiale siekteverlof met betaling kragtens hierdie paragraaf nie toegestaan word nie indien die ongeval deur 'n derde party veroorsaak is, tensy die werknemer die Technikon magtig om in sy naam 'n eis teen die derde party vir skade deur hom gely, in te stel, of onderneem om self 'n eis teen die derde party in te stel en om die Technikon uit enige bedrag wat verhaal mag word, te vergoed vir die skade wat hy as gevolg van die ongeval gely het.

(2) Spesiale siekteverlof kragtens hierdie paragraaf word nie toegestaan nie indien die Rektor van oordeel is dat die ongeval aan die ernstige en opsetlike wangedrag van die werknemer toe te skryf is.

(3) Die bepalings van paragrawe 112 (3), (4) en (5) is *mutatis mutandis* van toepassing op die toestaan van spesiale siekteverlof.

### **Spesiale verlof met volle betaling**

**114.** (1) Spesiale verlof met volle betaling kan aan 'n werknemer toegestaan word —

(a) vir elke dag waarop hy 'n goedgekeurde eksamen, uitgesonderd 'n hereksamen, aflê: Met dien verstande dat een addisionele dag spesiale verlof met volle betaling aan hom toegestaan kan word vir elke dag waarop hy sodanige eksamen aflê ten einde hom in staat te stel om vir die eksamen voor te berei;

(b) indien hy van diens afwesig is as gevolg van afsondering of isolasie kragtens geneeskundige instruksies nadat hy in aanraking was met 'n persoon wat 'n besmetlike of aansteeklike siekte opgedoen of vermoedelik opgedoen het: Met dien verstande dat die toestaan van spesiale verlof kragtens hierdie paragraaf onderworpe is aan die indiening van 'n sertifikaat van 'n geregistreerde geneesheer waarin die tydperk en oorsaak van afsondering of isolasie aangedui word;

(7) If all the sick leave without pay provided for in these rules has been granted to an employee, no further leave of whatever nature shall be granted to him during the cycle concerned to cover his absence from duty owing to illness except with the approval of the Council.

### **Special sick leave**

**113.** (1) An employee who is absent from duty owing to an injury resulting from an accident arising from his service and taking place in the course thereof or owing to an illness contracted in the course of and as a result of his service may be granted special sick leave with full pay for the period during which he is incapable of performing his official duties or, if the case comes within the ambit of the Workmen's Compensation Act, 1941 (Act No. 30 of 1941), special sick leave with pay equal to the difference between full pay and the compensation payable to him under that Act in the form of periodical payments of his monthly earnings: Provided that special sick leave with pay in terms of this subparagraph shall not be granted if the accident was caused by a third party, unless the employee authorises the Technikon to institute a claim against the third party in his name for the damage suffered by him or undertakes himself to institute a claim against the third party and to compensate the Technikon from any amount recovered for the damage suffered by it as a result of the accident.

(2) Special sick leave shall not be granted in terms of this paragraph if the Principal is of the opinion that the accident was attributable to the serious and deliberate misconduct of the employee.

(3) The provisions of subparagraphs 112 (3), (4) and (5) shall, *mutatis mutandis*, apply to the granting of special sick leave.

### **Special leave with full pay**

**114.** (1) Special leave with full pay may be granted to an employee —

(a) for each day on which he sits an approved examination, excluding a supplementary examination: Provided that one additional day of special leave with full pay may be granted to him for each day on which he sits such examination in order to enable him to prepare for the examination;

(b) if he is absent from duty as a result of isolation in terms of medical instruction after he has been in contact with a person who has contracted or is suspected of having contracted a contagious or infectious disease: Provided that the granting of special leave under this paragraph shall be subject to the submission of a certificate by a registered medical practitioner in which the period and cause of isolation is indicated;

- (c) (i) indien hy gevangene geneem is of voor die hof moet verskyn op 'n strafregtelike aanklag en hy later vrygespreek of die aanklag teruggetrek word;
- (ii) indien hy voortspruitend uit optrede deur vyandige of misdadige elemente, waarby daar geen opset of growwe nalatigheid van die werknemer self betrokke is nie, afwesig is vir 'n periode korter as een jaar;
- (d) indien hy kragtens die Verdedigingswet, 1957 (Wet No. 44 van 1957), of enige regulasie daarkragtens uitgevaardig, as lid van die Burgermag, 'n Kommando, die Reserwe van Offisiere, die Staandemagreserwe, die Burgermagreserwe, die Kommandoreserwe of die Nasionale Reserwe of kragtens die Polisiewet, 1958 (Wet No. 7 van 1958), of enige regulasie daarkragtens uitgevaardig as lid van die Reserwepolisiesmag, na gelang van die geval,
- (i) aangesê of opgeroep word om hom met die oog op diens in die Burgermag of Kommando's medies te laat ondersoek; of
- (ii) met die oog op 'n offisiërsaanstelling in die Suid-Afrikaanse Staandemag voor 'n militêre keurraad te verskyn; of
- (iii) as bevelvoerder van 'n kommando, 'n kommandementsvergadering by te woon; of
- (iv) enige militêre diens te verrig of opleiding te ontvang of 'n oefen-, instruksie- of kwalifiserende kursus by te woon; of
- (v) 'n optog of parade by te woon; of
- (vi) diens te verrig in verband met die voorkoming of onderdrukking van onluste of enige noodtoestand in die Republiek, tensy hy aldus aangesê of opgeroep word terwyl hy ingevolge artikel 20 van die Verdedigingswet, 1957 (Wet No. 44 van 1957), vrywillige voltydse diens in die Burgermag verrig: Met dien verstande dat—
- (aa) in die geval van sy aanvanklike tydperk van ononderbroke verpligte militêre diens as lid van die Burgermag of 'n Kommando, asook in die geval vrywillige verlengde militêre diens vir 'n ononderbroke tydperk van ses of 12 kalendermaande wat aaneenlopend is met sy aanvanklike tydperk van verpligte militêre diens, slegs die verskil tussen sy gewone Technikon-salaris en die militêre soldy aan hom betaal mag word, onderworpe aan die voorwaardes wat op werknemers in die Staatsdiens van toepassing is;
- (c) (i) if he is arrested or has to appear in court on a criminal charge and is later acquitted or the charge is withdrawn;
- (ii) if he is absent for a period of less than one year as the result of the action of hostile or criminal elements involving no intent or gross negligence on his part;
- (d) if he is instructed or called up under the Defence Act, 1957 (Act No. 44 of 1957), or any regulation promulgated thereunder, as a member of the Citizen Force, a commando, the Reserve of Officers, the Permanent Force Reserve, the Citizen Force Reserve, the Commando Reserve or the National Reserve or under the Police Act, 1958 (Act No. 7 of 1958), or any regulation promulgated thereunder, as a member of the Reserve Police Force, as the case may be, to—
- (i) subject himself to a medical examination with a view to service in the Citizen Force or Commandos; or
- (ii) appear before a military selection board with a view to appointment as an officer in the South African Permanent Force; or
- (iii) attend a command meeting as the commander of a commando; or
- (iv) do any military service or receive training or attend an exercise, instruction or qualifying course; or
- (v) attend a procession or parade; or
- (vi) do duty in connection with the prevention or suppression of riots or any emergency in the Republic unless he is so instructed or called up while doing voluntary full-time service in the Citizen Force in terms of section 20 of the Defence Act, 1957 (Act No. 44 of 1957): Provided that—
- (aa) in the case of his initial period of uninterrupted compulsory military service as a member of the Citizen Force or a commando, as well as in the case of voluntarily extended military service for an uninterrupted period of six or 12 calendar months continuous with his initial period of compulsory military service, only the difference between his ordinary Technikon salary and the military pay shall be paid to him, subject to the conditions applying to employees in the Public Service;

- (bb) 'n werknemer wat aansoek doen om en daarna deur die militêre owerhede gekeur word vir vrywillige verlengde militêre diens, toegelaat kan word om vir sodanige diens in te skryf op voorwaarde dat die Rektor betyds daarvan verwittig word dat die werknemer vir sodanige diens gekeur is;
- (cc) nadat hy sy verpligte militêre diens en, indien van toepassing, sy vrywillige verlengde militêre diens soos in hierdie paragraaf bedoel, voltooi het, enige verdere vrywillige militêre diens, behalwe vrywillige voltydse diens ingevolge artikel 20 van die Verdedigingswet, 1957 (Wet No. 44 van 1957), slegs met die instemming van die Rektor geskied; en
- (dd) die werknemer aanneemlike skriftelike bewys deur die betrokke militêre of polisie-owerheid van die noodsaaklikheid vir sy afwesigheid van diens indien;
- (e) indien, in die geval van 'n vroulike werknemer, sy gekies word om die tuisfrontopleidingskursus vir vroue, aangebied deur die Suid-Afrikaanse Weermag, by te woon: Met dien verstande dat—
- (i) sy met die instemming van die Rektor aansoek om toelating tot die kursus gedoen het;
  - (ii) sy aanneemlike skriftelike bewys dat sy gekies is om die kursus by te woon, indien;
  - (iii) haar gewone Technikon-salaris vir die tydperk van die kursus verminder word met 'n bedrag gelykstaande aan die militêre soldy waarmee die salaris van so 'n werknemer in die Staatsdiens verminder kan word; en
  - (iv) bywoning van die kursus voorts onderworpe is aan sodanige verdere voorwaardes as wat op werknemers in die Staatsdiens van toepassing is;
- (f) indien hy as lid van die St John Ambulansbrigade, die Suid-Afrikaanse Rooikruisvereniging of die S.A. Noodhulpiga gekies is en toegelaat word om ooreenkomstig die bepalinge van regulasies 11 en 12 van Hoofstuk XV (B) van die Burgermagregulasies 'n opleidingskursus aan 'n militêre hospitaal te volg, mits die Direkteur van Mediese Dienste sertifiseer dat hy gekies is om sodanige kursus te deurloop en dat sy bywoning daarvan nodig is in belang van die korps waarby hy ingedeel is;
- (bb) an employee who applies for and is thereafter selected by the military authorities for voluntarily extended military service as contemplated in the aforementioned subparagraph may be allowed to enrol for such service on condition that the Principal is notified in good time that the employee has been selected for such service;
- (cc) after he has completed his compulsory military service and, if applicable, his voluntarily extended military service as contemplated in this paragraph, any further voluntary military service, except voluntary full-time service in terms of section 20 of the Defence Act, 1957 (Act No. 44 of 1957), shall be rendered only with the consent of the Principal; and
- (dd) the employee shall submit acceptable written evidence from the military or police authority concerned of the necessity of his absence from duty;
- (e) if, in the case of a female employee, she is selected to attend a home front training course for women offered by the South African Defence Force: Provided that—
- (i) she applied for admission to the course with the consent of the Principal;
  - (ii) she submits acceptable written evidence that she has been selected to attend the course;
  - (iii) her ordinary Technikon salary shall be reduced for the period of the course by an amount equal to the military pay by which the salary of such an employee in the Public Service may be reduced; and
  - (iv) attendance of the course shall further be subject to such further conditions as may apply to an employee in the Public Service;
- (f) if he is selected as a member of the St John Ambulance Brigade, the South African Red Cross Association or the S.A. Noodhulpiga and is allowed in accordance with the provisions of regulations 11 and 12 of Chapter XV (B) of the Citizen Force Regulations to attend a training course at a military hospital, provided that the Director of Medical Services certifies that he has been chosen to attend such course and that his attendance of it is in the interest of the corps of which he is a member;



(g) indien hy deur 'n erkende amateursportvereniging gekies word om—

(i) as lid van 'n georganiseerde sportgroep, hetsy as 'n deelnemer, afrigter of bestuurder, aan 'n sporttoer buite die Republiek mee te doen; of

(ii) Suid-Afrika, en nie slegs 'n klub of provinsie nie, by 'n internasionale sportwedstryd binne die Republiek as deelnemer, afrigter of bestuurder te verteenwoordig; of

(iii) 'n buitelandse nasionale span wat die Republiek besoek, as verteenwoordiger van die Suid-Afrikaanse sportliggaam wat die toer reël, te vergesel; of

(h) indien hy as skeidsregter, beamppte of beoordelaar by 'n georganiseerde amateursportbyeenkoms op internasionale vlak binne die grense van die Republiek optree; of

(i) vir bevallingsdoeleindes soos bedoel in paragraaf 109 (1).

(2) Spesiale verlof wat ingevolge subparagraaf (1) toegestaan word, kan enige tydperk werklik en noodsaaklikerwys deurgebring met reise vir doeleindes waarvoor die verlof toegestaan word, insluit.

#### **Rusdae**

**115.** (1) 'n Rusdag word nie geag verlof te wees nie en word nie as sodanig op die verlofstaat aangeteken nie: Met dien verstande dat 'n rusdag of twee of meer opeenvolgende rusdae—

(a) wat binne 'n tydperk van verlof val, geag word deel van sodanige verlof te wees indien sodanige rusdag of rusdae voorafgegaan en gevolg word deur verlof van dieselfde soort;

(b) wat tussen 'n tydperk van gemagtigde vakansieverlof en 'n tydperk van gemagtigde siekteverlof (of omgekeerd) val, geag word vakansieverlof met volle betaling te wees of vakansieverlof sonder betaling indien die werknemer geen vakansieverlof tot sy krediet het nie, tensy hy bewys lewer dat hy werklik op sodanige rusdag of rusdae siek was, in welke geval dit geag word siekteverlof te wees;

(c) wat tussen 'n tydperk van gemagtigde vakansie- of spesiale verlof en 'n tydperk van ongemagtigde afwesigheid (of omgekeerd) val, geag word vakansieverlof met volle betaling te wees of vakansieverlof sonder betaling indien die werknemer geen vakansieverlof tot sy krediet het nie;

(d) wat tussen 'n tydperk van gemagtigde siekteverlof en 'n tydperk van ongemagtigde afwesigheid (of omgekeerd) val, geag word vakansieverlof met volle betaling te wees of vakansieverlof sonder betaling indien die werknemer geen vakansieverlof tot sy krediet het nie, tensy hy bewys lewer dat hy werklik op sodanige rusdag of rusdae siek was, in welke geval dit geag word siekteverlof te wees.

(g) if he is selected by a recognised amateur sports association to—

(i) take part in a sports tour outside the Republic as a member of an organised sports group, whether as a participant, coach or manager;

(ii) represent South Africa, and not merely a club or province, at an international sports meeting within the Republic as a participant, coach or manager; or

(iii) accompany a foreign national team visiting the Republic as a representative of the South African sporting body arranging the tour; or

(h) he is acting as a referee, official or umpire at an organised amateur sports meeting at international level within the borders of the Republic; or

(i) for confinement purposes contemplated in paragraph 109 (1).

(2) Special leave granted under subparagraph (1) may include any period actually and necessarily spent on travelling for the purposes for which the leave is granted.

#### **Days of rest**

**115.** (1) A day of rest shall not be deemed to be leave and shall not be recorded as such on the leave statement: Provided that a day of rest or two or more successive days of rest—

(a) falling within a period of leave shall be deemed to be part of such leave if such day of rest or days of rest are preceded and followed by leave of the same kind;

(b) falling between a period of authorised holiday leave and a period of authorised sick leave (or *vice versa*) shall be deemed to be holiday leave with full pay or holiday leave without pay if the employee has no holiday leave to his credit, unless he submits proof that he was actually sick on such day of rest or days of rest, in which case they shall be deemed to be sick leave;

(c) falling between a period of authorised holiday or special leave and a period of unauthorised absence (or *vice versa*) shall be deemed to be holiday leave with full pay or holiday leave without pay if the employee has no holiday leave to his credit;

(d) falling between a period of authorised sick leave and a period of unauthorised absence (or *vice versa*) shall be deemed to be holiday leave with full pay or holiday leave without pay if the employee has no holiday leave to his credit, unless he submits proof that he was actually sick on such day of rest or days of rest, in which case they shall be deemed to be sick leave.

(2) Indien 'n werknemer aangesê word om hom op 'n rusdag vir diens aan te meld en hy in gebreke bly om dit te doen, word sodanige rusdag geag vakansieverlof sonder betaling te wees tensy hy om geldige redes, wat hy kan bewys, verhinder is om hom aldus vir diens aan te meld.

#### **Betaling van toelae tydens verlof**

**116.** Die betaling aan 'n werknemer van 'n toelae of ander besoldiging wat nie normaalweg by sy basiese salaris of loon inbegrepe is nie, word gedurende tydperke van verlof voortgesit of gestaak afhangende van die voorskrifte wat die Raad in verband met sodanige toelae of besoldiging goedgekeur het, en die aanspreeklikheid van 'n werknemer vir die betaling aan die Technikon van gelde vir goedere of dienste deur die Technikon gelewer gedurende tydperke van verlof is onderworpe aan die bepalinge van die reëls wat daarop van toepassing is en die opdragte wat die Raad daaromtrent uitreik.

#### **Verlof wat vir verlofdoeleindes tel**

**117.** (1) Alle verlof, van watter aard ook al, met volle of gedeeltelike betaling, asook verlof- en siekteverlof en verlof sonder betaling van altesaam hoogstens 15 dae in 'n maand, tel as diens vir die doel van verlofaanwas.

(2) Indien verlof- en siekteverlof sonder betaling die getal dae in subparagraaf (1) bedoel, in 'n maand oorskry, word—

- (a) die maand waarin die oorskryding plaasvind, nie as diens vir die doel van verlofaanwas ingevolge paragraaf 101 (1) gereken nie; en
- (b) die voorsiening ten opsigte van siekteverlof met volle betaling en siekteverlof met halwe betaling wat ingevolge paragraaf 100 op 'n werknemer van toepassing is, met een ses-entertigste ten opsigte van elke maand waarin sodanige oorskryding plaasvind, verminder en word hierdie vermindering aangebring aan die tydsiklus waarin die oorskryding plaasvind of, indien die werknemer sodanige voordeel reeds ten volle benut het, word die vermindering oorgedra en aangebring aan die voordeel vir die eersvolgende tydsiklus.

(3) Verlof wat ingevolge subparagraaf (1) aanwas tydens 'n werknemer se afwesigheid met verlof of siekteverlof sonder betaling mag nie aan hom toegestaan word voordat hy na sodanige afwesigheid of verlof diens hervat het nie en dan slegs ten opsigte van afwesighede na sodanige hervatting van diens.

#### **Verlof vir salarisverhogingsdoeleindes**

**118.** Alle verlof, van watter aard ook al, tel as diens vir salarisverhogingsdoeleindes.

(2) If an employee is instructed to report for duty on a day of rest and fails to do so, such day of rest shall be deemed to be holiday leave without pay unless he was prevented by valid causes, which he is able to prove, from so reporting for duty.

#### **Payment of allowances during leave**

**116.** The payment to an employee of an allowance or other remuneration not normally included in his basic salary shall be continued or suspended during periods of leave depending on instructions approved by the Council with regard to such allowance or remuneration, and the liability of an employee for payment to the Technikon of monies for goods or services rendered by the Technikon during periods of leave shall be subject to the provisions of the appropriate rules and such instructions as the Council may issue.

#### **Leave counting for leave purposes**

**117.** (1) All leave, of whatever nature, with full or partial payment, and leave and sick leave and leave without pay for no more than 15 days in a month, in all shall count as service for purposes of leave accrual.

(2) If leave or sick leave without pay exceeds the number of days referred to in subparagraph (1)—

- (a) the month in which the number is so exceeded shall not be calculated as service for the purposes of leave accrual under paragraph 101 (1); and
- (b) the provision in respect of sick leave with full pay and sick leave with half pay applying to an employee in terms of paragraph 100 shall be reduced by one thirty-sixth in respect of each month in which the number is so exceeded, and such reduction shall apply to the cycle during which the number is exceeded or, if the employee has already fully utilised such benefit, such reduction shall be carried over and shall apply to the benefit for the next ensuing cycle.

(3) Leave accruing in terms of subparagraph (1) during the absence of an employee on leave or sick leave without pay shall not be granted to him before he has resumed duty after such absence or leave, and then only in respect of absences after the resumption of duty.

#### **Leave for purposes of salary increments**

**118.** All leave, of whatever nature, shall count as service for purposes of salary increments.

**Verval van toegestane verlof by beëindiging van diens**

**119.** (1) Sodra 'n werknemer kennis gee van bedanking verval enige verlof met betaling wat op daardie tydperk reeds toegestaan mag wees vir 'n tydperk of tydperke vanaf of na die datum van sodanige kennisgewing of, indien die kennisgewing nie gedateer is nie, vanaf of na die datum van ontvangs daarvan deur die hoof van die betrokke kantoor, en word alle afwesighede van diens op of na bedoelde datum geag vakansieverlof sonder betaling te wees: Met dien verstande dat die bepalings van hierdie subparagraaf—

- (a) van toepassing is slegs ten opsigte van afwesighede gedurende die laaste 30 dae van 'n werknemer se diens; en
- (b) nie van toepassing is nie op—
  - (i) siekteverlof;
  - (ii) spesiale verlof wat kragtens paragrawe 114 (1) (b), (c) of (d);
  - (iii) vakansieverlof wat kragtens paragraaf 111 (7) toegestaan word; en
  - (iv) 'n werknemer wie se dienskontrak of aanstellingsbrief 'n klousule bevat wat uitdruklik bepaal dat sy dienste deur homself of deur die Raad met 24 uur kennisgewing beëindig kan word, maar wat desnieteenstaande langer as 24 uur kennis van bedanking gee.

(2) Indien 'n werknemer se dienste om enige ander rede as dié in subparagraaf (1) bedoel, eindig, verval enige afwesighedsverlof wat op daardie tydperk reeds toegestaan mag wees vir 'n tydperk of tydperke na die datum van sy diensbeëindiging.

(3) 'n Werknemer se diens tydperk mag nie verleng word ten einde hom in staat te stel om gebruik te maak van verlof wat aan hom toegestaan sou kon word indien hy in die tydperk in diens was nie.

**Verval van opgehoopte vakansieverlof by beëindiging van diens**

**120.** (1) Indien—

- (a) 'n werknemer aftree uit sy pos;
- (b) 'n werknemer uit sy pos bedank; of
- (c) 'n werknemer se aanstelling om watter rede ook al beëindig word, uitgesonderd 'n werknemer wat sonder onderbreking van diens in 'n vaste hoedanigheid of wie se aanstelling op proef beëindig word en hy in 'n tydelike hoedanigheid heraan gestel word,

verval vakansieverlof wat tot sy krediet staan, tensy die Raad anders goedkeur, behoudens die voorbehoudsbepaling by paragraaf 93 (2) op die datum waarop sy dienste eindig.

(2) Indien—

- (a) 'n werknemer in subparagraaf (1) (a) of (b) bedoel, met of sonder onderbreking van diens in 'n vaste of tydelike hoedanigheid heraan gestel word; of

**Lapse of leave granted on termination of service**

**119.** (1) As soon as an employee has given notice of his resignation, any leave with pay that may at that time already have been granted for a period or periods from or after the date of such resignation or, if the notice is not dated, from or after the date of receipt thereof by the head of the applicable office shall lapse, and all absences from duty on or after the said date shall be deemed to be holiday leave without pay: Provided that the provisions of this subparagraph—

- (a) shall apply only to absences during the last 30 days of the service of an employee; and
- (b) shall not apply to—
  - (i) sick leave;
  - (ii) special leave granted in terms of paragraphs 114 (1) (b), (c) or (d);
  - (iii) holiday leave granted in terms of paragraph 111 (7); and
  - (iv) an employee whose service contract or letter of appointment contains a clause explicitly providing that his services may be terminated by himself or by the Council with 24 hours' notice, but who nevertheless gives more than 24 hours' notice of resignation.

(2) If the services of an employee terminate for any reason other than that contemplated in subparagraph (1) any leave of absence already granted at that time for a period or periods after the date of the termination of his services shall lapse.

(3) The period of service of an employee shall not be extended in order to enable him to make use of leave that could have been granted to him if he had been employed after that period.

**Lapsing of accumulated holiday leave on termination of service**

**120.** (1) If—

- (a) an employee retires from his post;
- (b) an employee resigns from his post; or
- (c) the appointment of an employee is terminated for whatever reason, excluding an employee who is reappointed in a permanent capacity or whose appointment on probation is terminated and who is reappointed in a temporary capacity without an interruption of service,

holiday leave to his credit shall lapse unless the Council approves the contrary, subject to the proviso to paragraph 93 (2), on the date on which his services terminate.

(2) If—

- (a) an employee contemplated in subparagraph (1) (a) or (b) is reappointed in a permanent or temporary capacity without interruption of service; or



(b) 'n persoon in subparagraaf (1) (c) bedoel—

(i) met of sonder onderbreking van diens in 'n tydelike hoedanigheid heraan gestel word; of

(ii) met onderbreking van diens in 'n vaste hoedanigheid heraan gestel word,

word sodanige heraanstelling vir alle doeleindes van hierdie reëls geag 'n nuwe aanstelling te wees, tel sy vorige diens nie as diens vir verlofdoeleindes nie en word vakansieverlof wat ingevolge subparagraaf (1) verval het, nie weer tot sy krediet geplaas nie.

#### **Verlofgratifikasies**

**121.** 'n Verlofgratifikasie word aan 'n werknemer betaal uit fondse vir dié doel beskikbaar gestel.

#### **Daaglikse bestuur van die Technikon**

**122.** Sake verbonde aan die daaglikse bestuur van die Technikon wat nie in die Statuut of die Reëls ingesluit is nie, is die verantwoordelikheid van die Bestuurskomitee.

(b) a person contemplated in subparagraph (1) (c)—

(i) is reappointed in a temporary capacity with or without an interruption of service; or

(iii) is reappointed in a permanent capacity with interruption of service,

such reappointment shall be deemed for all purposes of these rules to be a new appointment, his previous service shall not count as service for leave purposes and holiday leave that has lapsed in terms of subparagraph (1) shall not again be placed to his credit.

#### **Leave gratuities**

**121.** A leave gratuity shall be paid to an employee from funds made available for that purpose.

#### **Daily management of the Technikon**

**122.** Any matters pertaining to the daily management of the Technikon not provided for in the Statute or the Rules, are the responsibility of the Management Committee.

# BELANGRIK!!

## Plasing van tale:

### *Staatskoerante*

1. Hiermee word bekendgemaak dat die omruil van tale in die *Staatskoerant* jaarliks geskied met die eerste uitgawe in Oktober.
2. Vir die tydperk 1 Oktober 1993 tot 30 September 1994 word Afrikaans EERSTE geplaas.
3. Hierdie reëling is in ooreenstemming met dié van die Parlement waarby koerante met Wette ens. die taalvolgorde deurgaans behou vir die duur van die sitting.
4. *Dit word dus van u, as adverteerder, verwag om u kopie met bogenoemde reëling te laat strook om onnodige omskakeling en stylredigering in ooreenstemming te bring.*

—oOo—

# IMPORTANT!!

## Placing of languages:

### *Government Gazettes*

1. Notice is hereby given that the interchange of languages in the *Government Gazette* will be effected annually from the first issue in October.
2. For the period 1 October 1993 to 30 September 1994, Afrikaans is to be placed FIRST.
3. This arrangement is in conformity with Gazettes containing Act of Parliament etc. where the language sequence remains constant throughout the sitting of Parliament.
4. *It is therefore expected of you, the advertiser, to see that your copy is in accordance with the above-mentioned arrangement in order to avoid unnecessary style changes and editing to correspond with the correct style.*

# Hou Suid-Afrika Skoon



**Gooi rommel waar dit hoort**



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