



REPUBLIEK VAN SUID-AFRIKA

STAATSKOERANT

GOVERNMENT GAZETTE

OF THE REPUBLIC OF SOUTH AFRICA

As 'n Nuusblad by die Poskantoor Geregistreer

Registered at the Post Office as a Newspaper

Verkoopprys • Selling price
(AVB uitgesluit/GST excluded)

Plaaslik **70c** Local
Buitelands R1,00 Other countries
Posvry • Post free

VOL. 301

KAAPSTAD, 13 JULIE 1990

CAPE TOWN, 13 JULY 1990

No. 12629

KANTOOR VAN DIE STAATSPRESIDENT

STATE PRESIDENT'S OFFICE

No. 1609.

13 Julie 1990

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring gegee het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 106 van 1990: Private Wet op die Universiteit van Pretoria (Volksraad), 1990.

No. 1609.

13 July 1990

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 106 of 1990: University of Pretoria (Private) Act (House of Assembly), 1990.

Wet No. 106, 1990

PRIVATE WET OP DIE UNIVERSITEIT VAN PRETORIA
(VOLKSRAAD), 1990

PRIVATE WET

Tot samevatting van die wette wat voorsiening maak vir die stigting van die Universiteit van Pretoria en vir aangeleenthede wat daarmee in verband staan.

*(Engelse teks deur die Staatspresident geteken.)
(Goedgekeur op 28 Junie 1990.)*

Aanhel

NADEMAAL aan 'n inrigting vir hoër onderwys gevestig te Pretoria deur Wet No. 1 van 1910 (Transvaal) onder die benaming die Transvaalse Uniwersiteitskollege regs persoonlikheid verleen is met sekere bevoegdhede, verpligtings en voorregte;

EN NADEMAAL genoemde Uniwersiteitskollege kragtens artikel 3 van Wet No. 12 van 1916 'n samestellende kollege van die Universiteit van Suid-Afrika geword het en aan hom onder meer die bevoegdheid verleen is om wetgewing te bevorder ten einde regs persoonlikheid as 'n universiteit te verkry;

EN NADEMAAL kragtens Wet No. 13 van 1930 genoemde Uniwersiteitskollege regs persoonlikheid verkry het as 'n universiteit onder die benaming van die Universiteit van Pretoria (hieronder "die Universiteit" genoem) met sy setel te Pretoria, in die provinsie Transvaal; aan hom verdere bevoegdhede en verpligtings verleen en opgelê is; voorsiening gemaak is vir die inrigting en die bestuur van die Universiteit, en vir die benoeming of verkiesing, na gelang van die geval, van 'n kanselier, onderkanselier, rektor, raad en senaat, en hulle onderskeie bevoegdhede, voorregte, werksaamhede en verpligtings en die termyn of duur van hulle onderskeie ampstye voorgeskryf is; die Konvokasie gekonstitueer en sy bevoegdhede, voorregte en verpligtings omskryf is; voorsiening gemaak is vir die aanstelling van professore, lektore en ander dosente, en vir hulle ontslag; die Universiteit gemagtig is om sekere persone as lede van die Konvokasie toe te laat, om eksamens af te neem, om grade, diplomas en sertifikate te verleen, om die voorwaardes voor te skryf waaronder hulle verleen kan word, en om grade *honoris causa* te verleen; enige toets ten opsigte van godsdienstige gesindheid verbied is; die vervreemding van onroerende goed van die Universiteit beperk is; voorsiening gemaak is vir die geval van vakatures of onvoltalligheid in enige amp of liggaam; die voorregte kragtens ander wette aan gegradeerdes of besitters van sertifikate van die Universiteit van die Kaap die Goeie Hoop of van die Universiteit van Suid-Afrika toegeken, ook toegeken is aan besitters van gelyke grade of sertifikate van die Universiteit; die bepalings van hierdie Wet deur woordbepalingsklousules toegelig is; en Wet No. 1 van 1910 (Transvaal) herroep is en Wette Nos. 12, 13 en 14 van 1916 en Wet No. 20 van 1917, almal soos gewysig deur Wet No. 15 van 1921, en Wet No. 15 van 1921 gewysig is;

EN NADEMAAL die Raad van die Universiteit deur Wet No. 25 van 1941 gemagtig is om te eis dat 'n student gedurende 'n tydperk wanneer die Universiteit aan die gang is, inwoon by 'n verblyfplek wat die Raad vir dié doel goedgekeur het;

EN NADEMAAL kragtens Wet No. 30 van 1957 die samestelling van die Raad van die Universiteit gewysig is; en voorsiening gemaak is dat die instelling van fakulteite deur die Minister goedgekeur word;

PRIVATE ACT

To consolidate the laws providing for the establishment of the University of Pretoria and for matters incidental thereto.

(English text signed by the State President.)
(Assented to 28 June 1990.)

Preamble

WHEREAS an institution for higher education situated at Pretoria was incorporated under the title of the Transvaal University College by Act No. 1 of 1910 (Transvaal) with certain powers, duties and privileges;

AND WHEREAS the said University College became, in terms of section 3 of Act No. 12 of 1916, a constituent college of the University of South Africa and was, *inter alia*, given the power to promote legislation for its incorporation as a university;

AND WHEREAS in terms of Act No. 13 of 1930 the said University College was incorporated as a university under the title of the University of Pretoria (hereinafter referred to as "the University"), having its seat at Pretoria, in the Province of the Transvaal; further powers and duties were conferred and imposed on it; provision was made for the constitution and the government of the University, and for the appointment or election, as the case may be, of a chancellor, vice-chancellor, principal, council and senate, and their respective powers, privileges, functions and duties and the term or duration of their respective periods of office were prescribed; the Convocation was constituted and its powers, privileges and duties were defined; provision was made for the appointment of professors, lecturers and other teachers, and for their dismissal; the University was empowered to admit certain persons to membership of the Convocation, to conduct examinations, to grant degrees, diplomas and certificates, to prescribe the conditions under which these may be granted, and to confer degrees *honoris causa*; any test of religious belief was prohibited; the alienation of immovable property vested in the University was restricted; provision was made for the effect of any vacancy or deficiency in any office or body; the privileges granted under other laws to graduates or holders of certificates of the University of the Cape of Good Hope or of the University of South Africa were extended to holders of like degrees or certificates of the University; the provisions of this Act were elucidated by interpretation clauses; and Act No. 1 of 1910 (Transvaal) was repealed and Acts Nos. 12, 13 and 14 of 1916 and Act No. 20 of 1917, all as amended by Act No. 15 of 1921, and Act No. 15 of 1921 were amended;

AND WHEREAS by Act No. 25 of 1941 the Council of the University was empowered to require a student to reside for any period during which the University is in session, at a place of residence approved for the purpose by the Council;

AND WHEREAS in terms of Act No. 30 of 1957 the constitution of the Council of the University was amended; and provision was made for the establishment of faculties to be approved by the Minister;

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EN NADEMAAL deur Wet No. 13 van 1962 voorsiening gemaak is dat tugbepalings deur die Raad van die Universiteit voorgeskryf word;

EN NADEMAAL deur Wet No. 52 van 1967 die kwalifikasies vir lidmaatskap van sekere lede van die Raad herformuleer is; en voorsiening gemaak is vir komitees van die Raad en van die Senaat en vir die delegering van bevoegdhede en werksaamhede aan sodanige komitees;

EN NADEMAAL kragtens Wet No. 59 van 1975 voorsiening gemaak is dat die Rektor ook die Onderkanselier sal wees; vir 'n wysiging in die samestelling van die Senaat van die Universiteit; vir die amp van Vise-rektor; en dat die Raad by besluit in plaas van by statuut voorsiening kan maak vir die instelling van komitees en vir tugbepalings;

EN NADEMAAL kragtens Wet No. 112 van 1979 voorsiening gemaak is vir die organiseer van 'n deel van die Universiteit as skole, kolleges of inrigtings van die Universiteit en vir die aanstelling van bestuursrade daarvoor;

EN NADEMAAL kragtens Wet No. 78 van 1988 die werkring van die Universiteit nader omskryf is; die ampte van Vise-kanselier en Rektor verenig is en die samestelling van die Universiteit gewysig is om alle personeellede in te sluit; die wyse van verkiesing van die Kanselier verander is; voorsiening gemaak is dat die bevoegdhede, pligte en werksaamhede van die Vise-rektore deur die Vise-kanselier en Rektor bepaal word; die wyse van verteenwoordiging van die Konvokasie in die Raad verander is en voorsiening gemaak is dat agt persone in die Raad deur die Minister aangestel word; voorsiening gemaak is dat die Raad in bepaalde gevalle met die Senaat oorleg moet pleeg; voorsiening gemaak is dat 'n verdere kategorie van dosente in die Senaat verteenwoordig kan word; die funksies van die Senaat anders omskryf is; die voorwaardes vir lidmaatskap van die Konvokasie verander is; die spesifieke name van fakulteite, waar dit ook al voorgekom het, geskrap is; die verbod op godsdienstoetse vervang is; en die omskrywings van "Minister" en "dosent" vervang is en die omskrywings van "Rektor" en "onderwyskollege" geskrap is;

EN NADEMAAL dit dienstig is om die wette wat vir die stigting van die Universiteit voorsiening maak, saam te vat, die bepalinge daarvan te herrangskik en die teks daarvan te moderniseer:

WORD DAAR DERHALWE BEPAAL deur die Staatspresident en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

Woordbepaling

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken—

- (i) "die gemeenskaplike statuut" die gemeenskaplike statuut en die gemeenskaplike regulasies wat kragtens artikel 18 van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), opgestel en van krag is; (v) 5
- (ii) "die statuut" die statuut en regulasies van die Universiteit wat kragtens artikel 17 van die Wet op Universiteite, 1955 (Wet No. 61 van 1955) opgestel en van krag is; (vi) 10
- (iii) "die Universiteit" die Universiteit van Pretoria wat deur die Private Wet op die Universiteit van Pretoria, 1930 (Wet No. 13 van 1930), gestig is; (vii)
- (iv) "dosent" ook 'n lid van die navorsingspersoneel; (iv)
- (v) "hierdie Wet" ook die statuut en die gemeenskaplike statuut; (viii)
- (vi) "Minister" die Minister van Onderwys en Kultuur: Administrasie: Volksraad; (ii) 15
- (vii) "Raad" die Raad van die Universiteit; (i) en
- (viii) "Senaat" die Senaat van die Universiteit. (iii)

Naam van die Universiteit

2. (1) Die naam van die Universiteit is "Die Universiteit van Pretoria". 20

(2) Na die inwerkingtreding van hierdie Wet word die uitdrukking "Uniwersiteit van Pretoria", waar dit ook al voorkom in 'n akte of 'n wetsbepaling (behalwe 'n bepaling wat deur of kragtens hierdie Wet herroep word), as 'n verwysing na die Universiteit van Pretoria uitgelê.

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AND WHEREAS by Act No. 13 of 1962 provision was made for disciplinary provisions to be prescribed by the Council of the University;

AND WHEREAS by Act No. 52 of 1967 the qualifications for membership of certain members of the Council were reformulated; and provision was made for committees of the Council and of the Senate and for the delegation to such committees of powers and functions;

AND WHEREAS in terms of Act No. 59 of 1975 provision was made for the Principal also to be the Vice-Chancellor; for a modification of the constitution of the Senate of the University; for the office of Vice-Principal; and for the Council to provide by resolution instead of by statute for the establishment of committees and for disciplinary provisions;

AND WHEREAS in terms of Act No. 112 of 1979 provision was made for the organization of any portion of the University into schools, colleges or institutions of the University and for setting up governing boards therefor;

AND WHEREAS in terms of Act No. 78 of 1988 the sphere of activity of the University was defined more closely; the offices of Vice-Chancellor and Principal were combined and the composition of the University was amended to include all staff; the manner of election of the Chancellor was changed; provision was made that the powers, duties and functions of the Vice-Principals shall be determined by the Vice-Chancellor and Principal; the manner of representation of the Convocation on the Council was changed and provision was made that eight persons be appointed to the Council by the Minister; provision was made that in certain cases the Council shall consult the Senate; provision was made for a further category of teachers to be represented in the Senate; the functions of the Senate were differently defined; the conditions for membership of the Convocation were changed; the specific names of faculties wherever they occurred were deleted; the prohibition of religious tests was substituted; and the definitions of "Minister" and "teacher" were substituted and the definitions of "Principal" and "college of education" were deleted;

AND WHEREAS it is expedient to consolidate the laws providing for the establishment of the University and to rearrange the provisions and to modernize the text thereof:

BE IT THEREFORE ENACTED by the State President and the House of Assembly of the Republic of South Africa, as follows:—

Definitions

1. In this Act, unless the context otherwise indicates—

- 5 (i) "Council" means the Council of the University; (vii)
- (ii) "Minister" means the Minister of Education and Culture: Administration: House of Assembly; (vi)
- (iii) "Senate" means the Senate of the University; (viii)
- 10 (iv) "teacher" includes any member of the research staff; (iv)
- (v) "the joint statute" means the joint statute and the joint regulations framed and in force in terms of section 18 of the Universities Act, 1955 (Act No. 61 of 1955); (i)
- (vi) "the statute" means the statute and regulations of the University framed and in force in terms of section 17 of the Universities Act, 1955 (Act No. 61 of 1955); (ii)
- 15 (vii) "the University" means the University of Pretoria established by the University of Pretoria (Private) Act, 1930 (Act No. 13 of 1930); (iii) and
- (viii) "this Act" includes the statute and the joint statute. (v)

Name of the University

- 20 2. (1) The name of the University shall be "The University of Pretoria".
- (2) After the commencement of this Act, the expression "Uniwersiteit van Pretoria", wherever it appears in any deed or a provision of any law (except a provision withdrawn by or under this Act), shall be construed as a reference to the University of Pretoria.

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PRIVATE WET OP DIE UNIVERSITEIT VAN PRETORIA
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3. Die Universiteit se setel is te Pretoria: Met dien verstande dat die Universiteit sy akademiese aktiwiteite ook buite sy setel kan uitoefen: Met dien verstande voorts dat indien 'n vak gedoseer word binne die setel van 'n ander universiteit of op 'n plek waar die akademiese aktiwiteite van 'n ander universiteit kragtens die Wet van daardie universiteit of met die goedkeuring van die Minister uitgeoefen word, sodanige vak met die goedkeuring van daardie ander universiteit of die Minister gedoseer word. 5

Status van die Universiteit

4. (1) Die Universiteit is 'n regspersoon. 10
(2) Die Universiteit mag nie sonder die goedkeuring van die Minister sy onroerende goed vervreem of belas nie.

Samestelling van die Universiteit

5. Die Universiteit bestaan uit— 15
(a) 'n Kanselier;
(b) die Vise-kanselier en Rektor;
(c) Vise-rektore;
(d) 'n Raad;
(e) 'n Senaat;
(f) 'n Konvokasie; en 20
(g) die personeellede en studente van die Universiteit.

Kanselier van die Universiteit

6. (1) Die Kanselier van die Universiteit word deur 'n kieskollege gekies op die wyse wat die statuut voorskryf.
(2) Die bevoegdhede, voorregte, funksies, ampsduur en pligte van die Kanselier is dié wat die statuut voorskryf. 25
(3) By verstryking van die Kanselier se ampstermyn of in die geval van sy dood of bedanking, word 'n nuwe Kanselier ooreenkomstig subartikel (1) gekies.

Vise-kanselier en Rektor van die Universiteit

7. (1) Die Vise-kanselier en Rektor van die Universiteit word deur die Raad aangestel op die wyse wat die statuut voorskryf, en behoudens die bepalinge van hierdie Wet word sy diensvoorwaardes, voorregte, bevoegdhede, pligte en funksies deur die Raad bepaal. 30

(2) Die Vise-kanselier en Rektor is die hoof- uitvoerende beampte van die Universiteit en is ampshalwe lid van elke komitee van die Raad of die Senaat. 35

Vise-rektore van die Universiteit

8. (1) Die Raad kan Vise-rektore aanstel, en behoudens die bepalinge van hierdie Wet word 'n Vise-rektor se—
(a) diensvoorwaardes en voorregte deur die Raad bepaal; en
(b) bevoegdhede, pligte en funksies deur die Vise-kanselier en Rektor bepaal. 40
(2) Die Vise-kanselier en Rektor kan van tyd tot tyd van sy bevoegdhede aan 'n Vise-rektor deleger.

Raad van die Universiteit

9. (1) Behoudens die bepalinge van hierdie Wet berus die bestuur van die Universiteit by die Raad, wat bestaan uit— 45
(a) die Vise-kanselier en Rektor van die Universiteit;
(b) agt persone deur die Minister aangestel;
(c) vier persone wat lede van die Konvokasie van die Universiteit is, deur die raad van "Die Bond van Oudstudente van die Universiteit van Pretoria" aangestel; 50

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Seat and sphere of activity of the University

3. The seat of the University shall be at Pretoria: Provided that the University may conduct its academic activities also beyond its seat: Provided further that if lectures in a subject are given within the seat of another university or at a place where the academic activities of another university are conducted under the Act of that university or with the approval of the Minister, the lectures in such subject shall be given with the approval of that other university or the Minister.

Status of the University

4. (1) The University shall be a body corporate.
10 (2) The University shall not without the approval of the Minister alienate or encumber its immovable property.

Constitution of the University

5. The University shall consist of—
(a) a Chancellor;
15 (b) the Vice-Chancellor and Principal;
(c) Vice-Principals;
(d) a Council;
(e) a Senate;
(f) a Convocation; and
20 (g) the staff and students of the University.

Chancellor of the University

6. (1) The Chancellor of the University shall be elected by an electoral college in the manner prescribed by the statute.
(2) The powers, privileges, functions, period of office and duties of the Chancellor
25 shall be as prescribed by the statute.
(3) Upon the expiration of the term of office of the Chancellor or in the event of his death or resignation, a new Chancellor shall be elected in accordance with subsection (1).

Vice-Chancellor and Principal of the University

- 30 7. (1) The Vice-Chancellor and Principal of the University shall be appointed by the Council in the manner prescribed by the statute, and subject to the provisions of this Act his conditions of service, privileges, powers, duties and functions shall be determined by the Council.
(2) The Vice-Chancellor and Principal shall be the chief executive officer of the
35 University and shall by virtue of his office be a member of every committee of the Council or the Senate.

Vice-Principals of the University

8. (1) Vice-Principals may be appointed by the Council, and subject to the provisions of this Act a Vice-Principal's—
40 (a) conditions of service and privileges shall be determined by the Council; and
(b) powers, duties and functions shall be determined by the Vice-Chancellor and Principal.
(2) The Vice-Chancellor and Principal may from time to time delegate any of his powers to a Vice-Principal.

45 Council of the University

9. (1) Subject to the provisions of this Act, the government of the University shall be vested in the Council, which shall consist of—
(a) the Vice-Chancellor and Principal of the University;
(b) eight persons appointed by the Minister;
50 (c) four persons who are members of the Convocation of the University, appointed by the council of "Die Bond van Oudstude van die Univer-siteit van Pretoria";

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- (d) vier lede van die Senaat van die Universiteit wat kragtens artikel 10 (1) (d) of (e) lede van die Senaat is, deur die Senaat gekies;
- (e) die Burgemeester van Pretoria, of 'n ander lid van die Stadsraad van Pretoria skriftelik deur hom benoem;
- (f) twee lede van die Stadsraad van Pretoria deur die Stadsraad van Pretoria aangestel; 5
- (g) twee persone uit hul midde gekies deur persone wat ingevolge die statuut donateurs is uit hoofde van skenkings aan die Universiteit gedoen; en
- (h) hoogstens drie ander persone aangestel deur instansies wat die Raad aanwys. 10
- (2) Niemand wat van die Universiteit besoldiging of vergoeding vir diens of werk ontvang, behalwe kragtens subartikel (1) (a) of (d) of op grond van diens as lid van die Raad gelewer, mag as lid van die Raad dien nie.
- (3) Die verkiesing van 'n lid van die Raad geskied op die wyse wat vir die doeleindes van die betrokke paragraaf deur die statuut voorgeskryf word. 15
- (4) 'n Toevallige vakature in die Raad wat veroorsaak word deur die dood, bedanking of 'n ander oorsaak wat deur die statuut voorgeskryf is, word behoudens die bepalings van subartikel (1) gevul soos deur die statuut vereis word.
- (5) Die Raad kies 'n voorsitter en ondervoorsitter soos deur die statuut voorgeskryf. 20
- (6) Vergaderings van die Raad word gehou op die tye wat die Raad bepaal, en die kworum vir en die prosedure op 'n vergadering word deur die statuut voorgeskryf.
- (7) Die Raad beheer die eiendom van die Universiteit en oefen, behoudens die bepalings van hierdie Wet, beheer oor die Universiteit en al die sake en werksaamhede daarvan uit. 25
- (8) Die ampstermyn van 'n lid van die Raad word deur die statuut bepaal.
- (9) Sonder inkorting van die algemeenheid van die bevoegdhede aan hom verleen, moet die Raad, behoudens die bepalings van hierdie Wet, al die persone aanstel wat hy vir die doeltreffende bestuur van die Universiteit nodig ag en die ampstitel, status, bevoegdhede, voorregte, funksies en pligte bepaal van enige persoon wat aldus aangestel word, en dié persone is onderworpe aan die tugbepalings wat die statuut voorskryf: Met dien verstande dat geen aanstelling van dosente van die Universiteit deur die Raad gedoen word nie behalwe na oorleg met die Senaat of met 'n komitee daarvan of 'n lid van die personeel van die Universiteit (of hy 'n lid van die Senaat is of nie) wat vir dié doel deur die Senaat aangestel of aangewys is. 30 35
- (10) Die Raad bepaal slegs na oorleg met die Senaat die leergange, leerplanne en regulasies met betrekking tot die verwerwing van 'n graad, diploma of sertifikaat, of die beleid insake opvoeding en navorsing.
- (11) Die Raad kan komitees van die Raad instel wat uit lede van die Raad sowel as uit lede van die Raad en ander persone bestaan, en kan enige van sy bevoegdhede en pligte deleger aan 'n komitee deur hom uit sy lede aangestel of aan enige van die amptenare van die Universiteit. 40

Senaat van die Universiteit**10. (1) Die Senaat bestaan uit—**

- (a) die Vise-kanselier en Rektor van die Universiteit, wat die voorsitter is; 45
- (b) die Vise-rektore van die Universiteit;
- (c) twee lede van die Raad (behalwe die Vise-kanselier en Rektor) wat deur die Raad gekies word op die wyse en vir 'n termyn deur die statuut voorgeskryf;
- (d) die dekane van die Universiteit; 50
- (e) die dosente van die Universiteit wat deur die Raad na oorleg met die Senaat as akademiese hoofde van departemente aangestel is;
- (f) die ander dosente van die universiteit wat die statuut bepaal; en
- (g) die ander persone wat kragtens die bepalings van artikel 9 of artikel 10B (3) van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), tot lede van die Senaat verklaar word. 55
- (2) Die Senaat adviseer die Raad oor opvoeding, navorsing en gemeenskapsdiens: Met dien verstande dat die Senaat die opstelling, wysiging, aanvulling of herroeping van 'n regulasie wat 'n fakulteit raak, slegs na oorleg met die betrokke fakulteitsraad oorweeg. 60

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- (d) four members of the Senate of the University who are members of the Senate in terms of section 10 (1) (d) or (e), elected by the Senate;
- (e) the Mayor of Pretoria, or some other member of the Municipal Council of Pretoria nominated by him in writing;
- 5 (f) two members of the Municipal Council of Pretoria appointed by the Municipal Council of Pretoria;
- (g) two persons elected from among their members by persons who in terms of the statute are donors on account of donations made to the University; and
- 10 (h) other persons not exceeding three in number appointed by such bodies as may be designated by the Council.
- (2) No person who receives any remuneration or compensation for service or work from the University, save in terms of subsection (1) (a) or (d) or by reason of services performed as a member of the Council, shall serve as a member of the Council.
- (3) The election of a member of the Council shall take place in the manner
- 15 prescribed by the statute for the purposes of the relevant paragraph.
- (4) A casual vacancy on the Council caused by death, resignation or other cause prescribed by the statute shall, subject to the provisions of subsection (1), be filled as required by the statute.
- (5) The Council shall elect a chairman and vice-chairman as prescribed by the statute.
- 20 (6) Meetings of the Council shall be held at such times as the Council may determine, and the quorum for and the procedure at a meeting shall be as prescribed by the statute.
- (7) The Council shall administer the property of the University and shall, subject to the provisions of this Act, have the control of the University and all its affairs and
- 25 functions.
- (8) The period of office of a member of the Council shall be determined by the statute.
- (9) Without prejudice to the generality of the powers vested in it, the Council shall, subject to the provisions of this Act, appoint all such persons as it considers
- 30 necessary for the efficient conduct of the University and determine the official title, status, powers, privileges, functions and duties of any person so appointed, and such persons shall be subject to such disciplinary provisions as the statute may prescribe: Provided that no appointment of teachers of the University shall be made by the Council except after consultation with the Senate or with such committee thereof or
- 35 such member of the staff of the University (whether he is a member of the Senate or not) as may be appointed or designated for that purpose by the Senate.
- (10) The Council shall only after consultation with the Senate determine the curricula, syllabi and regulations relating to the obtaining of a degree, diploma or certificate, or the policy concerning education and research.
- 40 (11) The Council may establish committees of the Council consisting of members of the Council as well as of members of the Council and other persons, and may delegate any of its powers and duties to a committee appointed by it from its members or to any of the officers of the University.

Senate of the University

- 45 10. (1) The Senate shall consist of—
- (a) the Vice-Chancellor and Principal of the University, who shall be chairman;
- (b) the Vice-Principals of the University;
- (c) two members of the Council (other than the Vice-Chancellor and Principal) chosen by the Council in the manner and for a period prescribed by the
- 50 statute;
- (d) the deans of the University;
- (e) such teachers of the University appointed as academic heads of departments by the Council after consultation with the Senate;
- (f) such other teachers of the University as may be determined by the statute; and
- 55 (g) such other persons as may be declared by virtue of the provisions of section 9 or section 10B (3) of the Universities Act, 1955 (Act No. 61 of 1955), to be members of the Senate.
- (2) The Senate shall advise the Council on education, research and public service: Provided that the Senate shall consider the framing, amendment, supplementation
- 60 or repeal of any regulation affecting a faculty only after consultation with the board of the faculty concerned.

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- (3) Die Senaat moet van tyd tot tyd aan die Raad voorlê—
 (a) verslae oor sy werksaamhede;
 (b) aanbevelings wat die Senaat wenslik ag oor sake van belang wat die Universiteit betref; en
 (c) aanbevelings oor sake wat die Raad na hom verwys het. 5
- (4) Indien 'n lid van die Raad wat kragtens paragraaf (c) van subartikel (1) gekies is, te sterwe kom of ophou om lid van die Raad te wees of sy amp as lid van die Senaat neerlê, moet die lede van die Raad 'n ander uit hulle midde kies om sy plek in die Senaat te vul.
- (5) Die kworum vir en die prosedure op vergaderings van die Senaat word deur die statuut voorgeskryf. 10
- (6) Die Senaat kan by besluit, met die goedkeuring van die Raad, voorsiening maak vir die instelling van komitees van die Senaat wat uit lede van die Senaat sowel as uit lede van die Senaat en ander persone bestaan, en kan enige van sy bevoegdhede en pligte deleger aan 'n komitee deur hom uit sy lede aangestel of aan enige van die amptenare van die Universiteit. 15

Fakulteite

11. Aan die Universiteit is daar die fakulteite en departemente (hetsy onderafdelings van fakulteite al dan nie) wat die Raad, na oorleg met die Senaat en met die goedkeuring van die Minister, van tyd tot tyd instel. 20

Konvokasie van die Universiteit

12. (1) Die Konvokasie bestaan uit—
 (a) al die persone, behalwe persone in paragraaf (b) bedoel, wat onmiddellik voor die inwerkingtreding van hierdie Wet lede van die Konvokasie van die Universiteit was; 25
 (b) die Vise-kanselier en Rektor, die Vise-rektore, die dekane en die dosente wat vas aangestel is in poste op die diensstaat van die Universiteit; en
 (c) al die gegradueerdes van die Universiteit:
- Met dien verstande dat indien iemand wat uit hoofde van die bepalings van paragraaf (a) of (c) 'n lid van die Konvokasie is of staan te word, die Raad skriftelik in kennis stel dat hy nie so 'n lid wil bly of word nie, hy by ontvangs van bedoelde kennisgewing deur die Raad ophou om so 'n lid te wees of nie so 'n lid word nie, na gelang van die geval. 30
- (2) Vergaderings van die Konvokasie word belê en gehou op die wyse en tye en vir die doeleindes wat die statuut voorskryf: Met dien verstande dat die Konvokasie 'n aangeleentheid kan bespreek wat op die Universiteit betrekking het of deur die Raad na hom verwys word, en sy mening daaroor aan die Raad kan meedeel. 35

Tug en verblyfplek van studente

13. (1) Elke student van die Universiteit is onderworpe aan die tugbepalings wat die Raad na oorleg met die Senaat voorskryf. 40
- (2) Die Raad kan eis dat 'n student gedurende 'n tydperk wanneer die Universiteit aan die gang is, inwoon by 'n verblyfplek wat die Raad vir dié doel goedgekeur het.

Grade, diplomas en sertifikate

14. (1) Die Universiteit kan, behoudens die bepalings van hierdie Wet en die statuut, die grade in 'n fakulteit toeken waarvan hy die toekenning dienstig ag. 45
- (2) Behalwe soos by artikel 15 bepaal word, mag die Universiteit nie 'n graad toeken aan iemand wat nie in 'n eksamen of ander toets die voorgeskrewe peil van bekwaamheid bereik het nie.
- (3) Die Universiteit kan 'n diploma of sertifikaat verleen aan iemand wat 'n deur die Raad goedgekeurde studiekursus gevolg het. 50

Grade honoris causa

15. Behoudens die bepalings van die statuut kan die Universiteit, by besluit van die Raad en van die Senaat, sonder eksamen 'n graad van magister of doktor in enige

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- (3) The Senate shall submit to the Council from time to time—
- (a) reports upon its work;
 - (b) such recommendations as may seem expedient to the Senate as to any matters of interest affecting the University; and
 - (c) recommendations as to any matters referred to it by the Council.
- (4) If any member of the Council chosen under paragraph (c) of subsection (1) dies or ceases to be a member of the Council or resigns his office as a member of the Senate, the members of the Council shall choose another of their number to fill his place in the Senate.
- (5) The quorum for and the procedure at meetings of the Senate shall be as prescribed by the statute.
- (6) The Senate may by resolution, with the approval of the Council, provide for the establishment of committees of the Senate consisting of members of the Senate as well as of members of the Senate and other persons, and may delegate any of its powers and duties to a committee appointed by it from its members or to any of the officers of the University.

Faculties

11. At the University there shall be such faculties and departments (whether subdivisions of faculties or not) as the Council, after consultation with the Senate, may, with the approval of the Minister, from time to time establish.

Convocation of the University

12. (1) The Convocation shall consist of—
- (a) all the persons, other than persons referred to in paragraph (b), who immediately before the commencement of this Act were members of the Convocation of the University;
 - (b) the Vice-Chancellor and Principal, the Vice-Principals, the deans and the teachers permanently appointed to posts on the establishment of the University; and
 - (c) all the graduates of the University:
- Provided that if any person who, by virtue of the provisions of paragraph (a) or (c), is or is about to become a member of the Convocation, notifies the Council in writing that he does not wish to continue to be or to become such a member, he shall, upon the receipt of such notice by the Council, cease to be such a member or not become such a member, as the case may be.
- (2) Meetings of the Convocation shall be convened and held in the manner and at the times and for the purposes prescribed by the statute: Provided that the Convocation may discuss any matter that relates to the University or is referred to it by the Council, and may convey its views thereon to the Council.

Discipline and place of residence of students

13. (1) Every student of the University shall be subject to such disciplinary provisions as may be prescribed by the Council after consultation with the Senate.
- (2) The Council may require a student to reside for any period during which the University is in session, at a place of residence approved for the purpose by the Council.

Degrees, diplomas and certificates

14. (1) The University may, subject to the provisions of this Act and the statute, confer such degrees in any faculty as it may deem expedient to confer.
- (2) Save as is provided by section 15, no degree shall be conferred by the University upon any person who has not attained, in examination or other test, the prescribed standard of proficiency.
- (3) The University may grant a diploma or certificate to any person who has pursued a course of study approved by the Council.

Degrees *honoris causa*

15. Subject to the provisions of the statute, the University may, on the resolution of the Council and of the Senate, and without examination, confer a degree *honoris*

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fakulteit *honoris causa* toeken aan iemand wat die Universiteit so 'n graad waardig ag: Met dien verstande dat iemand aan wie 'n graad *honoris causa* toegeken is, nie op grond van daardie toekenning geregtig is om 'n beroep te beoefen nie.

Toelating tot die Universiteit

16. (1) Behoudens die bepalings van artikel 11 van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), word 'n student op grond van akademiese oorwegings tot die Universiteit toegelaat. 5

(2) Personeel word slegs op grond van bekwaamheid en in die beste belang van die Universiteit aangestel.

Skole, kolleges en instellings

10

17. Die Raad is bevoeg om 'n deel van die Universiteit as 'n skool of kollege of instelling van die Universiteit te organiseer.

Vakatures raak nie bevoegdhede van die Universiteit, Raad of Senaat nie

18. Geen vakature in die Universiteit raak die Universiteit se regspersoonlikheid of enige bevoegdhede, regte of voorregte deur hierdie Wet aan die Universiteit of die Raad of die Senaat verleen nie: Met dien verstande dat geen besluit van die Raad of van die Senaat geldig is nie tensy dit aangeneem is op 'n vergadering waarop 'n kworum aanwesig was en daar in alle ander opsigte voldoen is aan die statuut wat op so 'n vergadering betrekking het. 15

Herroeping van wette, en voorbehoude

20

19. (1) Behoudens die bepalings van subartikels (2) en (3) word die wette in die Bylae vermeld hierby herroep vir sover in die derde kolom daarvan aangedui.

(2) Enigiets gedoen kragtens 'n bepaling van 'n wet wat by subartikel (1) herroep is, word geag kragtens die ooreenstemmende bepaling van hierdie Wet gedoen te gewees het. 25

(3) 'n Bepaling wat onmiddellik voor die inwerkingtreding van hierdie Wet ten opsigte van die Universiteit of iemand van toepassing was uit hoofde van 'n wet wat by subartikel (1) herroep is, maar wat nie deur hierdie Wet herverorden is nie, bly ten opsigte van die Universiteit of so iemand, na gelang van die geval, van toepassing asof sodanige wet nie herroep was nie. 30

Kort titel

20. Hierdie Wet heet die Private Wet op die Universiteit van Pretoria (Volksraad), 1990.

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causa of master or doctor in any faculty upon any person whom the University may deem worthy of such a degree: Provided that the holder of such a degree which has been conferred *honoris causa*, shall not, by the fact that he has been admitted thereto, be entitled to practise any profession.

5 Admission to the University

16. (1) Subject to the provisions of section 11 of the Universities Act, 1955 (Act No. 61 of 1955), a student shall be admitted to the University on the ground of academic considerations.

(2) Staff shall be appointed only on the ground of competency and in the best interests of the University.

Schools, colleges or institutions

17. The Council shall have power to organize any portion of the University into a school or college or an institution of the University.

Vacancies not to affect powers of the University, Council or Senate

15 18. No vacancy in the University shall affect the corporate existence of the University or any powers, rights or privileges conferred by this Act upon the University or the Council or the Senate: Provided that no resolution of the Council or of the Senate shall be valid unless passed at a meeting at which a quorum was present and the statute relating to any such meeting has in all other respects been
20 complied with.

Repeal of laws, and savings

19. (1) Subject to the provisions of subsections (2) and (3), the laws specified in the Schedule are hereby repealed to the extent set out in the third column thereof.

(2) Anything done under any provision of a law repealed by subsection (1), shall
25 be deemed to have been done under the corresponding provision of this Act.

(3) Any provision which immediately before the commencement of this Act applied in relation to the University or to any person by virtue of any law repealed by subsection (1), but which is not re-enacted by this Act, shall continue to apply in relation to the University or to that person, as the case may be, as if such law had not
30 been repealed.

Short title

20. This Act shall be called the University of Pretoria (Private) Act (House of Assembly), 1990.

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Bylae

WETTE HERROEP

Nommer en jaar van wet	Kort titel	In hoeverre herroep
Wet No. 13 van 1930.....	Private Wet op die Uniwersiteit van Pretoria, 1930	Die geheel
Wet No. 25 van 1941.....	Wysigingswet op Hoër Onderwys, 1941	Artikel 7
Wet No. 61 van 1955.....	Wet op Universiteite, 1955	Soveel van artikel 29 en die Bylae as wat betrekking het op die Universiteit van Pretoria
Wet No. 30 van 1957.....	Private Wet tot Wysiging van die Private Wet op die Uniwersiteit van Pretoria, 1957	Die geheel
Wet No. 13 van 1962.....	Wysigingswet op die Universiteit van Pretoria, 1962	Die geheel
Wet No. 52 van 1967.....	Wysigingswet op die Universiteit van Pretoria, 1967	Die geheel
Wet No. 59 van 1975.....	Private Wysigingswet op die Universiteit van Pretoria, 1975	Die geheel
Wet No. 112 van 1979.....	Private Wysigingswet op die Universiteit van Pretoria, 1979	Die geheel
Wet No. 78 van 1988.....	Private Wysigingswet op die Universiteit van Pretoria, 1988	Die geheel

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Schedule

LAWS REPEALED

Number and year of law	Short title	Extent of repeal
Act No. 13 of 1930	University of Pretoria (Private) Act, 1930	The whole
Act No. 25 of 1941	Higher Education (Amendment) Act, 1941	Section 7
Act No. 61 of 1955	Universities Act, 1955	So much of section 29 and the Schedule as relates to the University of Pretoria
Act No. 30 of 1957	University of Pretoria (Private) Act Amendment (Private) Act, 1957	The whole
Act No. 13 of 1962	University of Pretoria Amendment Act, 1962	The whole
Act No. 52 of 1967	University of Pretoria Amendment Act, 1967	The whole
Act No. 59 of 1975	University of Pretoria (Private) Amendment Act, 1975	The whole
Act No. 112 of 1979	University of Pretoria (Private) Amendment Act, 1979	The whole
Act No. 78 of 1988	University of Pretoria (Private) Amendment Act, 1988	The whole

