

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

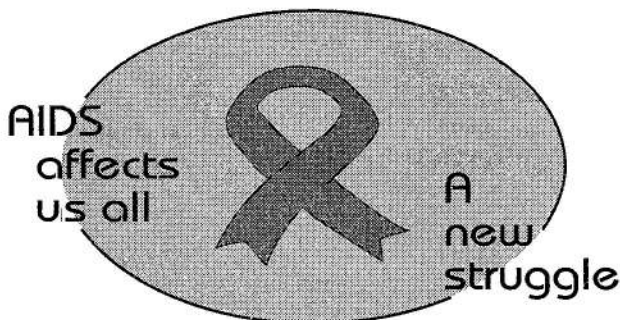
Government Gazette Staatskoerant

Vol. 413

PRETORIA, 12 NOVEMBER 1999

No. 20628

We all have the power to prevent AIDS



Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

GOVERNMENT NOTICE

DEPARTMENT OF EDUCATION**No. 1362****12 November 1999****HIGHER EDUCATION ACT, 1997
(ACT No. 101 OF 1997)****STATUTE OF THE BORDER TECHNIKON**

The council of the Border Technikon has made this Statute set out in the Schedule hereto, in accordance with section 32 of the Higher Education Act, 1997 (Act No. 101 of 1997), which is, in terms of the provisions of section 33 of the said Act, hereby published with the approval of the Minister of Education and which comes into operation on the date of this publication.

SCHEDULE

To introduce a new Statute for the Border Technikon to give effect to any law relating to the Technikon; and to promote the effective management of the Technikon in respect of matters not expressly prescribed by any law.

ARRANGEMENT OF PARAGRAPHS**1. DEFINITIONS****CHANCELLOR**

2. Functions
3. Manner of election, term of office and vacation of office

PRINCIPAL

4. Functions
5. Manner of appointment, term of office and filling of vacancy

VICE-PRINCIPAL OR VICE-PRINCIPALS

6. Functions
7. Manner of appointment, term of office and filling of vacancy

COUNCIL

8. Membership of council
9. Election of representatives of senate on council
10. Election of representatives of employees on council
11. Election of representatives of students on council
12. Election of chairperson and vice-chairperson of council
13. Term of office of members of council
14. Termination of membership and filling of vacancies
15. Meetings of council
16. Committees of council
17. Meetings procedure of committees of council
18. Dissolution of committees of council

SENATE

19. Membership of senate
20. Appointment and election of members of senate
21. Terms of office of senate members
22. Appointment and election of chairperson and vice-chairperson of senate
23. Executive committees of senate
24. Other committees of senate
25. Appointment and election of persons to committees of senate
26. Joint committees of council and senate
27. Meeting procedure of committees of senate and joint committees of council and senate
28. Dissolution of committees of senate and joint committees of council and senate

INSTITUTIONAL FORUM

- 29. Membership of institutional forum
- 30. Term of office of members
- 31. Election of chairperson and vice-chairperson of institutional forum

STUDENTS' REPRESENTATIVE COUNCIL

- 32. Constitution of students' representative council
- 33. Composition of students' representative council
- 34. Functions of students' representative council
- 35. Term of office of members of students' representative council
- 36. Election of members of students' representative council
- 37. Nominations members of students' representative council
- 38. Privileges of members of students' representative council
- 39. Disciplinary measures and procedures applicable to students

CONVOCATION

- 40. Name of convocation
- 41. Membership of convocation
- 42. Functions of convocation
- 43. Election of president of convocation

ACADEMIC FUNCTION OF TECHNIKON

- 44. Academic functions

CO-OPERATION

- 45. Co-operation

THE BORDER TECHNIKON TRUST

- 46. Border Technikon Trust

REPEAL OF PREVIOUS STATUTE

- 47. Repeal of previous Statute

DEFINITIONS

Definitions

1. In this Statute any expression to which a meaning has been assigned by the Higher Education Act, 1997 (Act No. 101 of 1997), has the same meaning so assigned to it, and unless it is inconsistent with the context –

- “academic employee” means any person appointed to teach or to conduct research at the Technikon or any other employee designated as such by the council of the Technikon;
- “Act” means the Higher Education Act, 1997 (Act No. 101 of 1997);
- “appointment” means employing, or assigning, or designating a task or functions to someone;
- “calendar year” refers to a period extending from the first day of January of any year to the thirty-first day of December of the same year;
- “chancellor” means the titular head of the Technikon;
- “council” means the governing structure of the Technikon established in terms of section 27 of the Act;
- “donor” means any body or person that donates to the Technikon an amount in cash or kind as may be determined by the council from time to time, 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 arrears with the instalments;
- “employee” means a person employed full-time or part-time in a permanent or temporary capacity at the Technikon and who receives, or is entitled to receive, any remuneration;
- “employee organisation” means an organisation which consists of employees, formally associated together and organised in a employee association or trade union for the purpose of regulating relations between themselves and the Technikon and which is recognised by the council on such conditions as have been negotiated between the council and the employee organisation, subject to applicable labour laws;
- “financial year” means any calendar year commencing on the first day of April of any year and ending on the thirty first day of March of the following year;
- “general student council” means the executive committee of the students’ representative council and elected representatives in accordance with the student representative council constitution;
- “Minister” means the Minister of Education;
- “principal” means the chief executive and accounting officer of the Technikon, and includes a vice-chancellor and a rector;
- “rectorate” means rectorate as defined in the rules of the Technikon;
- “remuneration” means the categorical salaries or wages payable to respective employees who are in the service of the Technikon and may include allowances and fringe benefits;
- “Rules” mean the institutional rules approved by the council of the Technikon to give to effect the institutional statute;
- “senate” means the body contemplated in section 28 of the Act, and includes an academic board.
- “Statute” means this institutional statute of the Technikon with input by relevant stakeholders and made by the council for approval by the Minister of Education in terms of section 32 of the Act;
- “student” means any person registered as a student at the Technikon for the current academic year;
- “Technikon” means the Border Technikon being a juristic person and a public higher education institution;
- “vice-principal” means the vice-rector or the deputy vice-chancellor of the Technikon.
- “while ensuring that the principles of democracy, inclusivity and transparency are complied with” includes the advice of the institutional forum contemplated in section 31(1) of the Act.

CHANCELLOR

Functions

2. (1) The chancellor is the titular head of the Technikon and confers all diplomas and degrees on behalf of the Technikon.
- (2) The chancellor performs such other functions as assigned to him or her by the council.

Manner of election, term of office and vacation of office

3. (1) The council, while ensuring that the principles of democracy, inclusively and transparency are complied with, determines from time to time the process of election of a chancellor and the criteria to be applied in electing a chancellor.
- (2) The chancellor holds office for a period of four years and is eligible for re-election.
- (3) The chancellor vacates his or her office if he or she, by writing under his or her hand, addressed to the secretary of the council, resigns as chancellor.
- (4) The chancellor may be removed from office by a resolution of at least two-thirds of the members of the council on account of incapacity to carry out his or her official duties or any valid reason that the council deems adequate.

PRINCIPAL

Functions

4. (1) The principal, as the chief executive officer of the Technikon, is responsible for the management and administration of the Technikon.
- (2) The principal is directly responsible to council.
- (3) In the absence of the chancellor, the principal, in his or her capacity as vice-chancellor, performs the functions pertaining to the office of chancellor.
- (4) The principal is by virtue of his or her office a member of all the committees of the council and the senate.

Manner of appointment, term of office and filling of vacancy

5. (1) The council, while ensuring that the principles of democracy, inclusivity and transparency are complied with, determines from time to time the process of election and appointment of the principal and the criteria to be applied in electing a principal.
- (2) The principal occupies his or her office for a period determined by the council, subject to reappointment if the council deems it fit.
- (3) If the principal is absent or unable to perform the duties of his or her office for any other reason, the council appoints a vice-principal as acting principal for that period.
- (4) An acting principal has the same privileges and functions as the principal on the understanding that he or she may not change existing policy.
- (5) If the office of the principal becomes vacant, the council appoints an acting principal in terms of subparagraph (3) until a successor appointed in terms of subparagraph (1) assumes office.

VICE-PRINCIPALS

Functions

6. The vice-principals, as executive officers of the Technikon, are directly responsible to the principal and execute the powers and perform the functions pertaining to their respective offices.

Manner of appointment, term of office and filling of vacancy

7. (1) The procedures for the election and appointment of the principal apply with the necessary changes to the election and appointment of the vice-principals.

(2) The vice-principals hold office for a period determined by the council which does not extend beyond the normal retirement age of employees of the Technikon, provided the council may extend the appointment beyond such age limit by not more than five years.

COUNCIL

Membership of council

8. (1) The council consists of not more than 27 members.

(2) The members of the council contemplated in section 27(4)(a), (b), (d), (e), (f) and (g) of the Act are –

- (a) the principal;
- (b) the vice-principal or vice-principals;
- (c) two representatives of the senate;
- (d) one representative of the academic employees;
- (e) two representatives of the students' representative council; and
- (f) one representative of the employees other than academic employees.

(3) The number of persons contemplated in section 27(4)(c) of the Act is five.

(4) The members of council contemplated in section 27(4)(h) of the Act are–

- (a) a maximum of 10 persons with a broad spectrum of competencies elected in a manner prescribed by the Rules from nominations elicited from the bodies identified by the council as falling under one of the following categories –

- (i) local and regional government and civic interests;
- (ii) local and regional business and industrial interests;
- (iii) local and regional educational institutions, convocation and interests;
- (iv) local and regional organised professional and career interests;
- (v) local and regional organised labour;
- (vi) local and regional organised religious interests;
- (vii) convocation; and
- (viii) donors; and

- (b) such other persons, not exceeding two in number, as the council may appoint in their personal capacity by a majority of votes at the first meeting of council, with the aim of balancing the competencies of the council.

(5) The members contemplated in subparagraph (4) may not be employees or students of the Technikon.

(6) The council may invite persons who are not members to attend meetings of the council, on the understanding that such persons may take part in deliberations but may not vote.

(7) The members of the council elect from among their number a secretary, on the understanding that the council may assign any other employee to assist the secretary or to act in his or her place.

Election of representatives of senate on council

9. (1) When it becomes necessary for the senate to elect its representatives to the council as contemplated in section 27(4)(d) of the Act, such representatives are elected by secret ballot and a majority of the members present at an ordinary meeting of the senate.

(2) No person may be elected unless he or she has been nominated in writing by two members and he or she has confirmed by his or her signature that he or she accepts the nomination.

(3) The signed nomination contemplated in subparagraph (2) must reach the secretary of the senate at least two days before the date of the meeting.

Election of representatives of employees on council

10. (1) Whenever it is necessary for employees to elect persons as members of the council as contemplated in section 27(4)(e) and (g) of the Act the secretary of the council, by written notice, invites each of the recognised employee organisations as well as employees who are not members of such employee organisations, to nominate in writing candidates to be elected as members of the council.

(2) A nomination contemplated in subparagraph (1) must be lodged with the secretary of the council on a date determined by him or her.

(3) Each nomination contemplated in subparagraph (1) must be signed by at least five employees and countersigned by the nominee to denote his or her acceptance of the nomination.

(4) If only one candidate is nominated in accordance with subparagraph (1), the secretary of the council declares such candidate to be duly elected.

(5) If more than one candidate is nominated in accordance with subparagraph (1), the secretary of the council determines a date for the election; and posts to the employees ballot papers containing the names of all such candidates and return envelopes in which to seal the completed ballot papers.

(6) Each employee is entitled to one vote.

(7) A ballot paper sealed in the return envelope must be returned to the secretary of the council.

(8) A ballot paper is invalid if –

(a) it is received after the date determined for the election; or

(b) it is not sealed in the return envelope; or

(c) it is spoilt because it does not clearly indicate the candidate in whose favour the vote has been cast or because more than one vote has been cast.

(9) The secretary of the council must take steps to ensure that employees cast one vote each.

(10) The secretary of the council is the returning officer and may be assisted by two scrutineers nominated in consultation with the academic employees and employees other than academic employees.

(11) The secretary of the council declares the person obtaining the highest number of votes to have been duly elected and, in the event of an equality of votes, a further election must be held in accordance with subparagraphs (5) to (10).

Election of representatives of students on council

11. (1) Whenever it is necessary for students to be elected to the council as contemplated in section 27(4)(f) of the Act, the secretary of the council notifies the president of the students' representative council accordingly.

(2) The students' representative council must elect two of its members to the council by means of a secret ballot and a majority of the members present at an ordinary meeting of the students' representative council.

(3) The president of the students' representative council submits the names of the members elected to the secretary of the council.

Election of chairperson and vice-chairperson of council

12. (1) The members of the council, at the first meeting of the council and thereafter when it becomes necessary, elect from among their number who are not employees or students of the Technikon a chairperson and vice-chairperson of the Council who each holds office for a period of four years, or for such shorter period as he or she is a member of the council.

(2) Nominations for the chairperson or vice-chairperson of the council must be given in writing to the secretary of the council on a date determined by him or her.

(3) Each nomination must be signed by at least three members of council and countersigned by the nominee to denote his or her acceptance of the nomination.

(4) The principal must act for the duration of the election of a chairperson as acting chairperson.

(5) If more than one candidate is nominated for one of the offices, voting is by secret ballot.

(6) A candidate may only be elected to the office of chairperson or vice-chairperson by a majority of the members present.

(7) If no candidate receives a majority of votes, successive rounds of voting are held.

(8) In each successive round of voting the candidate receiving the fewest votes in the previous round of voting is eliminated as a candidate.

(9) If a vacancy occurs in the office of chairperson or vice-chairperson for any reason, the provisions of subparagraphs (2) to (8) apply with the necessary changes to the filling of such vacancy.

Term of office of members of council

13. (1) The members of council contemplated in section 27(4)(c), and (h) of the Act, hold office for four years.

(2) The members of council contemplated in section 27(4)(d), (e), and (g) of the Act, hold office for two years.

(3) The members of council contemplated in section 27 (4)(f) of the Act, hold office for one year.

Termination of membership and filling of vacancies

14. (1) A person ceases to be a member of the council if he or she —

(a) resigns by giving written notice to the secretary of the council;

(b) is absent from three consecutive meetings of the council without the leave of the chairperson or, in the case of the chairperson, the leave of the executive committee of the council;

(c) is declared insolvent, is removed from an office of trust by a court of law or is convicted of an offence involving dishonesty or an offence for which the sentence is imprisonment without the option of a fine; or

(d) is declared unable to attend to his or her personal affairs by a court of law;

(e) fails to comply with section 27(7)(b) of the Act.

(2) Vacancies on the council as a result of death, resignation or other causes as contemplated in subparagraph (1) are filled as prescribed in paragraphs 9, 10 and 11.

Meetings of council

15. (1) The number of meetings, the notice of the dates and venues of meetings and the matters to be dealt with are as determined by council from time to time.

(2) The meeting procedure, quorum, discussion of motions, voting procedures, ruling by the chairperson, recording of votes, minutes of the meetings, financial or other interests of members and attendance by non-members are as prescribed in the Rules.

Committees of council

16. (1) The council must at least establish the following committees -
- (a) executive committee;
 - (b) finance committee;
 - (c) planning committee;
 - (d) human resource committee;
 - (e) student affairs committee; and
 - (f) tender committee;
- (2) The functions and composition of the committees contemplated in subparagraph (1) are as determined by the council.
- (3) Notwithstanding subparagraph (2) the functions of the executive committee must include -
- (a) recommendations to the council on matters relating to conditions of service, discipline and functions of employees;
 - (b) advice to the council on any matter which the executive committee deems expedient for the efficient management of the Technikon; and
 - (c) decisions on matters contemplated in subparagraphs (a) and (b) in accordance with its delegated powers.
- (4) Notwithstanding subparagraph (2) the executive committee of the council consists of -
- (a) the chairperson of the council, who is the chairperson;
 - (b) the vice-chairperson of the council;
 - (c) the principal;
 - (d) three members of the council elected by the council on account of their experience and expertise in human resources management or general management; and
 - (e) the secretary of the council, who must act as secretary.

Meetings procedure of committee of council

17. The meeting procedure of the council, as contained in the Rules, apply with the necessary changes to the meetings of the committees of the council.

Dissolution of committees of council

18. A committee of the council may be dissolved only by the council.

SENATE**Membership of senate**

19. (1) The members of the senate, contemplated in section 28(2) of the Act, are the following -
- (a) the principal
 - (b) the vice-principals;
 - (c) the deans of faculties;
 - (d) the director of student affairs;
 - (e) the chief librarian or head of the resource centre;
 - (f) the head of the co-operative education department;
 - (g) the head of the unit for research development;
 - (h) the director of human resources;
 - (i) the heads of administrative departments or professional services as the senate may from time to time determine;
 - (j) the heads of academic departments or schools;
 - (k) two representatives of the council who are not employed by the Technikon;
 - (l) two representatives of the students' representative council;
 - (m) a representative of employees other than academic employees;

- (n) a representative of each of the employee organisations; and
- (o) a representative of other interest groups as the senate may from time to time determine

(2) The senate may invite persons who are not members of the senate to attend meetings of the senate on condition that such persons may take part in discussions but may not vote.

Appointment and election of members of senate

20. (1) The persons contemplated in paragraph 19(1)(a) - (j) are appointed in their official capacity as members of the senate.

(2) Whenever it is necessary for the council to elect its representatives to the senate, as contemplated in paragraph 19(1)(k), such representatives are elected by means of a secret ballot and a majority of the members present at an ordinary meeting of the council.

(3) The persons contemplated in paragraph 19(1)(m), (n) and (o) are appointed to the senate by their respective constituencies, and the names of such persons are submitted to the secretary of the senate.

- (4) (a) Whenever it is necessary for members of the students' representative council to be elected to the senate, as contemplated in paragraph 19(1)(l) of the Act, the secretary of the senate notifies the president of the students' representative council accordingly.
- (b) The students' representative council elects two of its members to the senate.
- (c) The president of the students' representative council submits the names of the members elected to the secretary of the senate.

Terms of office of senate members

21. (1) The senate members as contemplated in paragraph 19(1)(k), (m), (n) and (o) hold office for a period of three years.

(2) The senate members contemplated in paragraph 19(1)(l) hold office for a period of one year.

(3) Vacancies on the senate due to death, resignation or other causes, must be filled as prescribed in paragraph 20 and for the unexpired term of office of such predecessor.

Appointment and election of chairperson and vice-chairperson and secretary of senate

22. The senate, taking into account the specific nature of the functions of such office-bearers, elect by means of a secret ballot and a majority of the members present at an ordinary meeting of the senate, from amongst its members elects a chairperson, vice-chairperson and secretary of the senate who holds office for a period determined by the senate.

Executive committees of senate

23. (1) The executive committee of the senate consists of -

- (a) the principal;
- (b) the vice-principals;
- (c) the deans of faculties;
- (d) senate student representative;
- (e) senate employee representative;
- (f) senate council representative;
- (g) one associate director for each faculty

(2) The executive committee -

- (a) co-ordinates and regulates overall academic and academically related matters;
- (b) makes a recommendation concerning academic policy to the senate;
- (c) ensures that policy decisions of the senate are implemented;

- (d) ensures that academic standards, as prescribed by the senate, are maintained;
- (e) considers matters referred by boards of faculty or faculty committees and makes decisions in accordance with its delegated powers;
- (f) advises the senate on academic and academically related matters at the request of the senate.

(3) The executive committee of the senate has the power to act on behalf of the senate, provided that any decision made by the executive committee is ratified and may be amended by the senate at the next meeting of the senate.

Other committees of senate

24. The senate shall appoint such other committees as may be required.

Appointment and election of members to committees of senate

25. (1) Members of the rectorate, deans of faculties, including the director of students, and directors of bureaux and units, are in their official capacity members of the respective committees of senate as contemplated in subparagraph 24.

(2) Notwithstanding subparagraph (1), when it is necessary to elect a representative in lieu of a dean, a director or other representatives, where applicable, such representatives are elected by secret ballot and a majority vote of members present at a meeting of the faculty committee or the management committee of the bureau or unit concerned.

(3) Whenever it becomes necessary for a member of the students' representative council to be elected, the students' representative council elects one of its members.

(4) The committees of the senate contemplated in paragraph 24 may invite persons who are not members to attend meetings of the committees on condition that such persons may take part in discussions, but may not vote.

Joint committees of council and senate

26. (1) The joint committees of the council and the senate are –

- (a) the professorial selection committee;
- (b) the honorary degrees committee.

(2) The professorial selection committee considers applications or nominations for awarding professorships in accordance with prescribed criteria.

(3) The professorial selection committee consists of –

- (a) the principal, who is the chairperson;
- (b) the vice-principal or vice-principals;
- (c) one representative of the council; and
- (d) three representatives of the senate.

(4) Notwithstanding subparagraph (3), in the event that –

- (a) the professorial selection committee does not include an authority in a specific discipline in which a candidate must be evaluated, the professorial selection committee must co-opt an authority in such discipline as an advisory member;
- (b) one of the members of the professorial selection committee is a candidate for a professorship, the professorial selection committee consists of the remaining members only.

(5) Whenever it is necessary for the rectorate to elect a vice-principal as contemplated in subparagraph (3)(b) to the professorial selection committee, such election takes place by means of a secret ballot and a majority vote of the members present at a meeting of the rectorate.

(6) At the election of a representative of council to the professorial selection committee as contemplated in subparagraph 3 (c) the provisions of paragraph 20 (2) apply with the necessary changes.

(7) At the election of the three representatives of the senate to the professorial selection committee contemplated in paragraph 3 (d) the provisions of paragraph 9 apply with the necessary changes.

(8) The members of the professorial selection committee, excluding the principal, are elected for a term of office of three years.

(9) The honorary degrees committee consists of –

- (a) the principal, who is the chairperson;
- (b) the chairperson of the council;
- (c) the vice-principals; and
- (d) four representatives of the senate.

(10) The honorary degrees committee considers a proposal to confer an honorary doctorate on a person in accordance with the criteria prescribed by the rules of the Technikon, and makes a recommendation in this regard to the senate and the council.

(11) At the election of the four representatives of the senate to the honorary degrees committee contemplated in subparagraph (9)(d) the provisions of paragraph 9 apply with the necessary changes.

(12) The four representatives of senate to the honorary degrees committee contemplated in subparagraph (9)(d) are elected for a term of office of three years.

(13) The honorary degrees committee must in each case consult with the dean of the faculty in which it is proposed that the degree be conferred.

Meetings procedure of committees of senate and joint committees of council and senate

27. The meetings procedure of council, as contained in the Rules, apply with the necessary changes to the meetings of the committees contemplated in paragraph 26(1)(a) and (b).

Dissolution of committees of senate and joint committees of council and senate

28. (1) Committees of the senate may be dissolved by the senate only.

(2) Joint committees of the council and senate contemplated in paragraph 26(1)(a) and (b) may be dissolved by the council with the concurrence of the senate.

INSTITUTIONAL FORUM

Membership of institutional forum

29. (1) The institutional forum as contemplated in section 31 of the Act consists of –

- (a) the principal;
- (b) the vice-principals
- (c) two representatives of the council;
- (d) two representatives of senate;
- (e) deans of faculties;
- (f) one representative of academic employees, not being a member of senate, elected by academic employees;
- (g) two representative of employees other than academic employees, elected by such employees;
- (h) ten representatives of the students' representative council;
- (i) the director of student affairs;
- (j) the director of human resources;
- (k) the director of strategic planning;
- (l) the director of finance;
- (m) two gender representatives one from students and one from employees;
- (n) two members from the employee organisations;

- (o) a member or members co-opted by the institutional forum for the purpose of assisting the institutional forum in respect of any specific project or projects.

Term of office of members

30. (1) The term of office of members of the institutional forum contemplated in paragraph 29 is as determined by their constituencies.

(2) The procedures of council in respect of filling the vacancies, the vacating of office and the suspension of a member shall apply with the necessary changes to the institutional forum.

Election of chairperson and vice-chairperson of institutional forum

31. (1) The members of the institutional forum, when it becomes necessary, elect from amongst themselves a chairperson and vice-chairperson who each holds office for a period of four years.

(2) Nominations for the chairperson and vice-chairperson of the institutional forum must be given in writing to the minuting secretary of the institutional forum.

(3) Each nomination must be signed by at least five members of the institutional forum and countersigned by the nominee to denote his or her acceptance of the nomination.

(4) If more than one person is nominated for one of the offices, voting is by secret ballot.

(5) A candidate may be elected to the office of chairperson or vice-chairperson only by a majority of members present at a meeting of the institutional forum.

(6) If no candidate receives a majority of votes, successive rounds of voting must be held.

(7) In each successive round of voting the candidate receiving the least number of votes in the previous round of voting is eliminated as a candidate.

(8) If a vacancy occurs in the office of chairperson or vice-chairperson for any reason, the provisions of subparagraphs (2) to (7) apply to the filling of such vacancy.

(9) The person elected in terms of subparagraph (8) holds office for the unexpired period of office of his or her predecessor.

(10) The principal acts for the duration of the election of a chairperson as acting chairperson.

(11) The chairperson and the vice-chairperson are eligible for re-election for one further term of office.

(12) The chairperson and the vice-chairperson cease to hold their respective offices when the incumbent is removed from that office by a majority decision of the institutional forum or when the incumbent ceases to be a member of the institutional forum.

STUDENTS' REPRESENTATIVE COUNCIL

Constitution

32. (1) The constitution of the students' representative council must be approved by the council.

(2) The affairs of the students shall be conducted in terms of the constitution of the students' representative council.

Composition

33. The composition of the students' representative council is in accordance with the students' representative council constitution as amended from time to time.

Functions

34. The students' representative council must -

- (a) represent the students as a whole in all matters concerning their interest;
- (b) endeavour to be at the forefront of the transformation of the Technikon;
- (c) promote the development of facilities at all campuses;

- (d) endeavour to sit on all Technikon committees which make decisions impacting on student's activities;
- (e) represent students in general and in particular at national and international student organisations;
- (f) regulate all matters pertaining to student meetings, collections and petitions;
- (g) give advice on the use of premises specifically set aside for the students' representative council and supervise special service and facilities offered to students;
- (h) carry out any resolutions passed by the student body at a general meeting of students;
- (i) mediate and recommend on what action to be taken in the event where there are disputes in the club or society and must refer the recommendation to the general student council for final decision;
- (j) oversee the elections of the students' representative council's standing committees and officials;
- (j) publish regular progress reports of the students' representative council during its term of office so as to keep all students informed of its activities;
- (k) promote all extramural student activities at the Technikon: cultural, recreational and educational, as long as they do not contradict with the student' representative council's constitution and activities;
- (l) approve or reject the constitution or any amendments to the constitution of any club or society, provided that such approval or rejection must be limited to points where it conflicts with the students' representative council;
- (m) keep proper financial records and submit annual audited financial statements to the students' finance committee on the expenditure of the student finances to be tabled at the general student council and the council;
- (n) ensure that democratic principles and practices are pursued in the students' representative council committees and where possible on campuses generally.

Term of office

35. The term of office of the students' representative council is twelve months.

Election of members

36. (1) The students' representative council in office appoints an independent electoral commission to administer students' representative council elections.

(2) The electoral commission appoints a chief electoral commissioner from its members.

(3) All registered Technikon students are eligible to vote.

(4) Notification of the drawing up of the voters roll must be given at least 14 days prior to the holding of students' representative council elections.

(5) The voters roll is open to students for inspection.

(6) Objections and requests for the inclusion or exclusion of names are submitted in writing with supporting arguments, to the chief electoral commissioner not later than 48 hours after the closure of the voters roll for inspection.

(7) Any objections in terms of subparagraph (6) are considered by the chief electoral commissioner whose decision is final.

Nominations and elections

37. (1) The nomination of candidates for general elections must be lodged with the election committee within the deadline set for submission.

(2) Each nomination form must bear the signatures of two seconders and the manifesto of the nominee.

- (3) The election committee must display the names of duly nominated candidates on the notice boards.
- (4) All students are entitled to be nominated, except members of the election committee.
- (5) Objections to nominations must be in writing and must be lodged with the election committee within a period of one day after the names have been displayed.
- (6) The election committee must evaluate the objections and respond within 24 hours of receipt of such objections.
- (7) If any nominee's nomination form is declared invalid by the election committee, the committee must notify the concerned within twenty four hours of such declaration.
- (8) The election process is as contained in the students' representative council's constitution.

Privileges

38. The privileges of members of the students' representative council are as determined by the council after consultation with the students' representative council.

Disciplinary measures and procedures applicable to students

39. Subject to section 32(2)(d) of the Act, disciplinary measures and procedures applicable to students are as determined by the Rules.

CONVOCATION

Name

40. The convocation of the Technikon is known as the convocation of the Border Technikon.

Membership of convocation

41. The convocation consists of –

- (a) persons to whom the Technikon has awarded a diploma or a degree;
- (b) academic employees permanently appointed to posts on the establishment of the Technikon; and
- (c) such other persons and employees of the Technikon as the council may determine.

Functions of convocation

42. The convocation may discuss and state its opinion on any matter relating to the Technikon, including matters which may be referred to it by the council.

Election of president of convocation

43. (1) The president of the convocation, who is elected by the convocation from amongst its own members, holds office for a period of four years.

(2) The president is elected at a meeting of the convocation by secret ballot and a majority of the members present.

(3) The principal acts for the duration of the election of a president as acting president.

(4) If the president for any reason vacate his or her office prior to the expiring of his or her term of office, the convocation elects a successor for the unexpired portion of such term of office in accordance with the provisions of subparagraphs (2) and (3).

ACADEMIC FUNCTIONS OF TECHNIKON

Academic functions

44. Subject to section 32(2)(b) of the Act, the academic functions of the Technikon are as determined by the Rules.

CO-OPERATION

Co-operation

45. The Technikon may, in order to achieve the optimal utilisation of resources and performance of its functions -

- (a) co-operate with other public education institutions;
- (b) co-operate with private education institutions;
- (c) establish regional, national and international structures to assist and facilitate such co-operation.

THE BORDER TECHNIKON TRUST

Border Technikon Trust

46. The Border Technikon Trust is a trust created for the purpose of fund-raising for the Technikon.

REPEAL OF PREVIOUS STATUTE

Repeal of previous statute

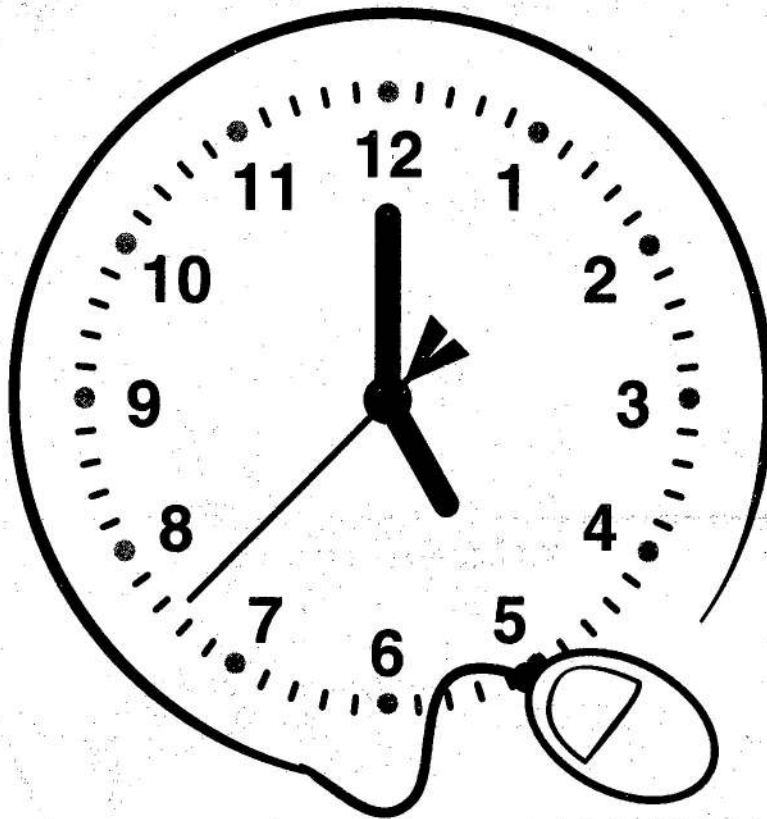
47. (1) The Statute applicable to the Border Technikon, published by Government Gazette No. 17192, Notice No. 834 of 17 May 1996, is hereby repealed with effect from the date on which this Statute comes into operation.

(2) Anything done, any body established and person appointed to an office under a provision of the Statute repealed by subparagraph (1) is deemed to have been done, established or appointed under the corresponding provision of this Statute, provided that such provisions are not inconsistent with any provision of this Statute or the Act.

CONTENTS • INHOUD**No.****Page
No. Gazette
No.****GOVERNMENT NOTICE****Education, Department of
Government Notice**

1362 Higher Education Act (101/1997): Statute of the Border Technikon..... 2 20628

SA Tenders



**... the timeous advantage
for gaining the competitive edge!**

**With online access to the Government Tender Bulletin, the Provincial Tender Bulletins,
private tenders and also tender news items.**

- Easily accessible through the www!
- Comprehensive five weeks coverage of tenders and tender news
- Saves time looking for information
- Available in full-text, with keyword searching

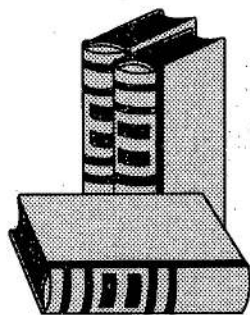
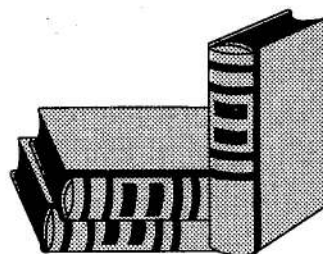
Don't delay - call SABINET Online now!



Turning information into intelligence

Tel: (012) 663-4954, Fax: (012) 663-3543, Toll free: 0800 11 11 73, e-mail info@sabinet.co.za, [www http://www.sabinet.co.za](http://www.sabinet.co.za)

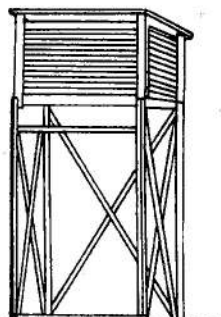
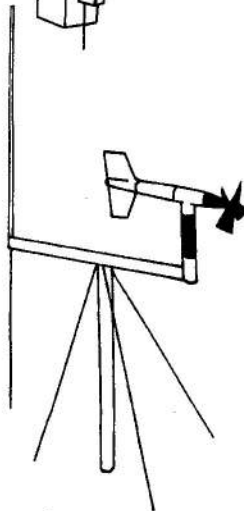
Where is the largest amount of meteorological information in the whole of South Africa available?



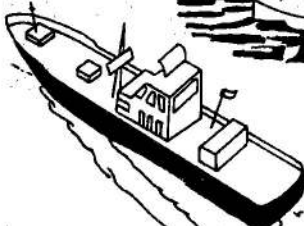
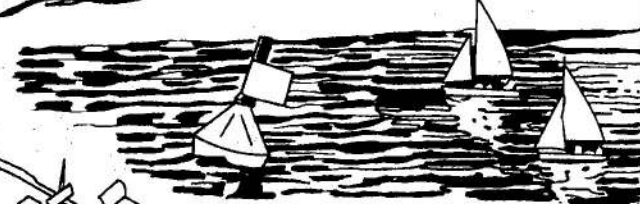
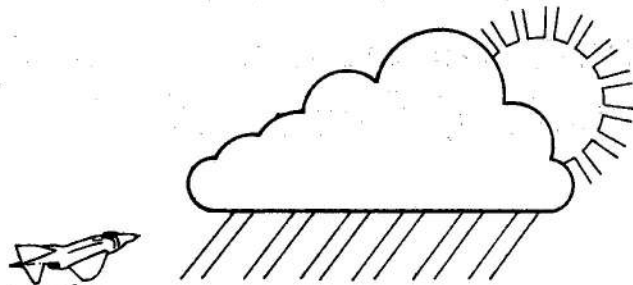
Waar is die meeste weerkundige inligting in die hele Suid-Afrika beskikbaar?

*Department of Environmental Affairs and Tourism
Departement van Omgewingsake en Toerisme*

SA WEATHER BUREAU SA WEERBURO



**W
E
A
T
H
E
R
·
S
E
R
V
I
C
E
S
·
W
E
E
R
D
I
E
N
S
T
E**



Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001

Publications: Tel: (012) 334-4507, 334-4508, 334-4509, 334-4510

Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504

Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001

Publikasies: Tel: (012) 334-4507, 334-4508, 334-4509, 334-4510

Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504

Kaapstad-tak: Tel: (021) 465-7531