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THE PRESIDENCY

No. 1104 2 November 2001

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

No. 23 of 2001: Higher Education Amendment Act, 2001.

DIE PRESIDENSIE

No. 1104 2 November 2001

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

No. 23 van 2001: Wysigingswet op Hoër Onderwys, 2001.



AIDS HELPLINE: 0800-123-22 Prevention is the cure

GENERAL EXPLANATORY NOTE:

[] Words in bold type in square brackets indicate omissions from existing enactments.

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

(English text signed by the President.)
(Assented to 30 October 2001.)

ACT

To amend the Higher Education Act, 1997, so as to provide that the Higher Education Quality Committee is deemed to be accredited as an Education and Training Quality Assurance Body; to provide for the establishment of interim councils for new, declared or merged public higher education institutions; to provide for the dissolution of the council of a public higher education institution if 75 per cent or more of the members resign, and for the constitution of a new council; to provide for a seat for a public higher education institution; to provide for the conferring of degrees and honorary degrees by a public higher education institution; to provide for the repeal of the Certification Council for Technikon Education Act 1986, the universities' Private Acts and certain obsolete Acts; to make certain textual alterations; and to provide for matters connected therewith.

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

Amendment of section 7 of Act 101 of 1997

1. Section 7 of the Higher Education Act, 1997 (hereinafter referred to as "the principal Act"), is hereby amended by the insertion after subsection (1) of the following subsection: 5

"(1A) The Higher Education Quality Committee is deemed to be accredited by SAQA as an Education and Training Quality Assurance body primarily responsible for higher education."

Amendment of section 8 of Act 101 of 1997

2. Section 8 of the principal Act is hereby amended by the substitution for subsection (6) of the following subsection: 10

"(6) The Minister must appoint six non-voting members of the CHE nominated respectively by the Director-General, the Provincial Heads of Education, the Director-General of the Department of Arts, Culture, Science and Technology, the Director-General of the Department of Labour, [the Foundation for Research Development, established in terms of the Research Development Act, 1990 (Act No. 75 of 1990), the Centre for Science Development of the Human Sciences Research Council, established in terms of the Human Sciences Research Act, 1968 (Act No. 23 of 1968)] the National Research Foundation established in terms of the National Research Foundation Act, 1998 (Act No. 23 of 1998), and SAQA." 15 20

ALGEMENE VERDUIDELIKENDE NOTA:

[] Woorde in vet druk tussen vierkantige hake dui skappings uit bestaande verorderings aan.

_____ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verorderings aan.

(Engelse teks deur die President geteken.)
(Goedgekeur op 30 Oktober 2001.)

WET

Tot wysiging van die Wet op Hoër Onderwys, 1997, ten einde voorsiening te maak dat die Komitee vir Gehalte in Hoër Onderwys geag word as 'n Onderwys en Opleiding Gehalteversekeringsliggaam geakkrediteer te wees; voorsiening te maak vir die instelling van tussentydse rade vir nuwe, verklaarde of saamgesmelte openbare inrigtings vir hoër onderwys; om voorsiening te maak vir die ontbinding van 'n raad van 'n openbare inrigting vir hoër onderwys indien 75 persent of meer van die lede bedank en vir die samestelling van 'n nuwe raad; voorsiening te maak vir die setel van 'n openbare inrigting vir hoër onderwys; voorsiening te maak vir die toekenning van grade en eregrade deur 'n openbare inrigting vir hoër onderwys; om vir die herroeping van die Wet op die Sertifiseringsraad vir Technikononderwys, 1986, die private universiteitswette en sekere verouderde wette voorsiening te maak; sekere tekstuele aanpassings te maak; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

DAAR WORD BEPAAL deur die Parlement van die Republiek van Suid-Afrika, soos volg:—

Wysiging van artikel 7 van Wet 101 van 1997

1. Artikel 7 van die Wet op Hoër Onderwys, 1997 (hieronder “die Hoofwet” genoem), word hierby gewysig deur die volgende subartikel na subartikel (1) in te voeg: 5
“(1A) Die Komitee vir Gehalte in Hoër Onderwys word geag deur SAKO as 'n Onderwys en Opleiding Gehalteversekeringsliggaam vir hoër onderwys geakkrediteer te wees.”.

Wysiging van artikel 8 van Wet 101 van 1997

2. Artikel 8 van die Hoofwet word hierby gewysig deur subartikel (6) deur die 10 volgende subartikel te vervang:

“(6) Die Minister moet ses lede van die RHO sonder stemreg aanstel, soos benoem deur onderskeidelik die Direkteur-generaal, die provinsiale onderwyshoofde, die Direkteur-generaal van die Departement van Kuns, Kultuur, Wetenskap en Tegnologie, die Direkteur-generaal van die Departement van Arbeid, 15 [die Stigting vir Navorsingsontwikkeling, ingestel ingevolge die Wet op Navorsingsontwikkeling, 1990 (Wet No. 75 van 1990), die Sentrum vir Wetenskapsontwikkeling van die Raad op Geesteswetenskaplike Navorsing, ingestel ingevolge die Wet op Geesteswetenskaplike Navorsing, 1968 (Wet No. 23 van 1998),] die Nasionale Navorsingstigting ingestel ingevolge die Wet op 20 die Nasionale Navorsingstigting, 1998 (Wet No. 23 van 1998), en SAKO.”.

Amendment of section 17 of Act 101 of 1997

3. Section 17 of the principal Act is hereby amended by the substitution for paragraph (b) of the following paragraph:

“(b) in the case of the [chairperson] chairpersons of the CHE and the Higher Education Quality Committee, such additional remuneration,”.

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Amendment of section 20 of Act 101 of 1997

4. Section 20 of the principal Act is hereby amended—

(a) by the deletion of subsection (2); and

(b) by the addition of the following subsections:

“(6) The Minister must in the notice contemplated in subsection (1) establish an interim council for a period not exceeding six months, to perform the functions relating to the governance of the institution, except the making of an institutional statute.

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(7) The Minister may extend the period referred to in subsection (6) once for a further period not exceeding six months.

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(8) The members of the interim council contemplated in subsection (6) are appointed by the Minister and consist of—

(a) the chairperson; and

(b) four other members.

(9) The interim council must co-opt three members of the interim management contemplated in subsection (10)(a) and these co-opted members have no voting powers.

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(10) Apart from the functions contemplated in subsection (6), the interim council must in particular—

(a) appoint an interim body to manage the day-to-day activities of the institution;

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(b) ensure that a council is constituted in terms of the standard institutional statute contemplated in section 33(3); and

(c) ensure that such other structures as may be determined in the standard institutional statute contemplated in section 33(3) are constituted.

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(11) Any decision of the interim council which may affect the right of any structure of the public higher education institution, may only be taken after consultation with such structure.”.

Amendment of section 21 of Act 101 of 1997

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5. Section 21 of the principal Act is hereby amended by the insertion after subsection (3) of the following subsection:

“(3A) Section 20(6) to (11), with the changes required by the context, applies to a declaration referred to in subsection (1)(a).”.

Amendment of section 23 of Act 101 of 1997

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6. Section 23 of the principal Act is hereby amended by the addition of the following subsections:

“(5) The Minister must in the notice contemplated in subsection (1) establish an interim council for a period not exceeding six months, to perform the functions relating to the governance of the single public higher education institution contemplated in subsection (1), except the making of an institutional statute.

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(6) The Minister may extend the period referred to in subsection (5) once for a further period not exceeding six months.

(7) The members of the interim council contemplated in subsection (5) are appointed by the Minister and consist of—

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(a) the chairperson; and

(b) four other members.

(8) The four members contemplated in subsection (7)(b)—

(a) must be appointed by the Minister from nominations received from the public higher education institutions concerned; and

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Wysiging van artikel 17 van Wet 101 van 1997

3. Artikel 17 van die Hoofwet word hierby gewysig deur die vervanging van paragraaf (b) deur die volgende paragraaf:

“(b) in die geval van die [voorsitter] voorsitters van die RHO en die Komitee vir Gehalte in Hoër Onderwys, die bykomende besoldiging;”.

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Wysiging van artikel 20 van Wet 101 van 1997

4. Artikel 20 van die Hoofwet word hierby gewysig—

(a) deur subartikel (2) te skrap; en

(b) deur die volgende subartikels by te voeg:

“(6) Die Minister moet in die kennisgewing in subartikel (1) beoog, ’n tussentydse raad instel vir ’n tydperk van hoogstens ses maande, om die werksaamhede met betrekking tot beheer, uitgesonderd die opstelling van ’n institusionele statuut, te verrig.

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(7) Die Minister kan die tydperk in subartikel (6) bedoel, een keer vir ’n verdere tydperk van hoogstens ses maande verleng.

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(8) Die lede van die tussentydse raad in subartikel (6) beoog, word deur die Minister aangestel en bestaan uit—

(a) die voorsitter; en

(b) vier ander lede.

(9) Die tussentydse raad moet drie lede van die tussentydse bestuur in subartikel (10)(a) beoog, koöpteer en hierdie gekoöpteerde lede het nie stemreg nie.

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(10) Afgesien van die werksaamhede in subartikel (6) beoog, moet die tussentydse raad in besonder—

(a) ’n tussentydse liggaam aanstel om die dag tot dag aktiwiteite van die inrigting te bestuur;

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(b) toesien dat ’n raad ingevolge die standaard institusionele statuut in artikel 33(3) beoog, saamgestel word; en

(c) toesien dat die ander strukture wat in die standaard institusionele statuut beoog in artikel 33(3) bepaal word, saamgestel word.

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(11) Enige besluit van die tussentydse raad wat die reg van enige struktuur van die openbare inrigting vir hoër onderwys raak, mag slegs geneem word na oorleg met sodanige struktuur.”.

Wysiging van artikel 21 van Wet 101 van 1997

5. Artikel 21 van die Hoofwet word hierby gewysig deur die volgende subartikel na subartikel (3) in te voeg:

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“(3A) Artikel 20(6) tot (11), met die veranderinge vereis deur die konteks, is van toepassing op ’n verklaring in subartikel (1)(a) bedoel.”.

Wysiging van artikel 23 van Wet 101 van 1997

6. Artikel 23 van die Hoofwet word hierby gewysig deur die volgende subartikels by te voeg:

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“(5) Die Minister moet in die kennisgewing in subartikel (1) beoog, ’n tussentydse raad instel vir ’n tydperk van hoogstens ses maande, om die werksaamhede met betrekking tot die beheer, van die enkele openbare inrigting vir hoër onderwys in subartikel (1) beoog, uitgesonderd die opstelling van ’n institusionele statuut, te verrig.

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(6) Die Minister kan die tydperk in subartikel (5) bedoel, een keer met ’n verdere tydperk van hoogstens ses maande verleng.

(7) Die lede van die tussentydse raad in subartikel (5) beoog, word deur die Minister aangestel en bestaan uit—

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(a) die voorsitter; en

(b) vier ander lede.

(8) Die vier lede in subartikel (7)(b) beoog—

(a) moet deur die Minister aangestel word uit nominasies ontvang van die betrokke openbare inrigtings vir hoër onderwys; en

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(b) may not include any member of staff, or student, from the public higher education institutions concerned.

(9) The interim council must co-opt three members of the interim management contemplated in subsection (10)(a) and these members have no voting powers.

(10) Apart from the functions contemplated in subsection (5) the interim council must in particular—

(a) appoint an interim body to manage the day-to-day activities of the institution;

(b) ensure that a council is constituted in terms of the standard institutional statute contemplated in section 33(3); and

(c) ensure that such other structures as may be determined in the standard institutional statute contemplated in section 33(3) are constituted.

(11) Any decision of the interim council which may affect the right of any structure of the public higher education institution, may only be taken after consultation with such structure.”.

Amendment of section 26 of Act 101 of 1997, as amended by section 3 of Act 55 of 1999

7. Section 26 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection:

“(3) Subject to subsection (4), a structure referred to in subsection (2)(a), (b), (e), (f) and (g) must elect a chairperson, vice-chairperson and other office-bearers from among its members in the manner determined by the institutional statute [or an Act of Parliament].”.

Amendment of section 27 of Act 101 of 1997

8. Section 27 of the principal Act is hereby amended—

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

“(1) The council of a public higher education institution must govern the public higher education institution, subject to this Act[, any other law] and the institutional statute.”; and

(b) by the addition of the following subsections:

“(8) If 75 per cent or more of the members of the council of a public higher education institution resign at a meeting of council, it is deemed that the council has resigned.

(9) If a council resigns as contemplated in subsection (8) a new council must be constituted in terms of the institutional statute of the public higher education institution.”.

Amendment of section 28 of Act 101 of 1997

9. Section 28 of the principal Act is hereby amended by the substitution for subsection (3) of the following subsection:

“(3) The number of persons contemplated in subsection (2)(b), (c), (d), (e), (f) and (g) and the manner in which they are appointed or elected, as the case may be, must be determined by the institutional statute [or an Act of Parliament].”.

Amendment of section 29 of Act 101 of 1997

10. Section 29 of the principal Act is hereby amended by the substitution for subsection (4) of the following subsection:

“(4) The composition, manner of election, functions, procedure at meetings and dissolution of a committee and a joint committee are determined by the institutional statute [,] or institutional rules [or an Act of Parliament].”.

Amendment of section 31 of Act 101 of 1997

11. Section 31 of the principal Act is hereby amended—

(a) by the substitution in subsection (2) for paragraph (a) of the following paragraph:

- (b) mag nie enige personeelid of student van die betrokke openbare inrigtings vir hoër onderwys insluit nie.
- (9) Die tussentydse raad moet drie lede van die tussentydse bestuur in subartikel (10)(a) beoog, koöpteer en dié gekoöpteerde lede het nie stemreg nie. 5
- (10) Afgesien van die werksaamhede beoog in subartikel (5), moet die tussentydse raad in besonder—
- (a) 'n tussentydse liggaam aanstel om die daaglikse bedrywighede van die inrigting te bestuur;
- (b) toesien dat 'n raad ingevolge die standaard institusionele statuut in artikel 33(3) beoog, saamgestel word; en 10
- (c) toesien dat die ander strukture wat bepaal word in die standaard institusionele statuut in artikel 33(3) beoog, saamgestel word.
- (11) Enige besluit van die tussentydse raad wat die reg van enige struktuur van die openbare inrigting vir hoër onderwys raak, kan slegs 15
- geneem word na oorleg met sodanige struktuur.

Wysiging van artikel 26 van Wet 101 van 1997, soos gewysig deur artikel 3 van Wet 55 van 1999

7. Artikel 26 van die Hoofwet word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang: 20
- “(3) Behoudens subartikel (4) verkies 'n struktuur in subartikel (2)(a), (b), (e), (f) en (g) 'n voorsitter, ondervoorsitter en ander ampsdraers uit eie geledere op die wyse by die institusionele statuut **[of 'n Wet van die Parlement]** bepaal.”.

Wysiging van artikel 27 van Wet 101 van 1997

8. Artikel 27 van die Hoofwet word hierby gewysig— 25
- (a) deur subartikel (1) deur die volgende subartikel te vervang:
- “(1) Die raad van 'n openbare inrigting vir hoër onderwys beheer die openbare inrigting vir hoër onderwys behoudens hierdie Wet **[, enige ander wet]** en die institusionele statuut.”; en
- (b) deur die volgende subartikels by te voeg: 30
- “(8) Indien 75 persent of meer van die lede van die raad van 'n openbare inrigting vir hoër onderwys tydens 'n vergadering van die raad bedank, word dit geag dat die raad bedank het.
- (9) Indien 'n raad bedank soos in subartikel (8) beoog, moet 'n nuwe raad ingevolge die institusionele statuut van die openbare inrigting vir hoër onderwys saamgestel word.”. 35

Wysiging van artikel 28 van Wet 101 van 1997

9. Artikel 28 van die Hoofwet word hierby gewysig deur subartikel (3) deur die volgende subartikel te vervang:
- “(3) Die getal persone beoog in subartikel (2)(b), (c), (d), (e), (f) en (g) en die 40
- wyse waarop hulle aangestel of verkies word, na gelang van die geval, word by die institusionele statuut **[of 'n Wet van die Parlement]** bepaal.”.

Wysiging van artikel 29 van Wet 101 van 1997

10. Artikel 29 van die Hoofwet word hierby gewysig deur subartikel (4) deur die volgende subartikel te vervang: 45
- “(4) Die samestelling, wyse van verkiesing, werksaamhede, prosedure op vergaderings en ontbinding van 'n komitee en 'n gesamentlike komitee word by die institusionele statuut **[, of institusionele reëls [of 'n Wet van die Parlement]** bepaal.”.

Wysiging van artikel 31 van Wet 101 van 1997

11. Artikel 31 van die Hoofwet word hierby gewysig— 50
- (a) deur in subartikel (2) paragraaf (a) deur die volgende paragraaf te vervang:

- “(a) the management, as determined by the institutional statute **[or an Act of Parliament]**”; and
- (b) by the substitution for subsection (3) of the following subsection:
- “(3) The number of persons contemplated in subsection (2) and the manner in which they are appointed or elected, as the case may be, are determined by the institutional statute **[or an Act of Parliament]**.”.

Amendment of section 32 of Act 101 of 1997

12. Section 32 of the principal Act is hereby amended by the substitution in subsection (1) for paragraph (a) of the following paragraph:

“(a) an institutional statute, subject to section 33, to give effect to any **[law relating to the public higher education institution and to promote the effective management of the institution in respect of matters not expressly prescribed by any law]** matter not expressly prescribed by this Act; and”.

Substitution of section 35 of Act 101 of 1997

13. The following section is hereby substituted for section 35 of the principal Act:

“Students’ representative council

35. The establishment and composition, manner of election, term of office, functions and privileges of the students’ representative council of a public higher education institution must be determined by the institutional statute and the institutional rules.”.

Substitution of section 36 of Act 101 of 1997

14. The following section is hereby substituted for section 36 of the principal Act:

“Disciplinary measures

36. Every student at a public higher institution is subject to such disciplinary measures and disciplinary procedures as may be determined by the institutional statute~~],~~ **subject to section 32(2)(d)]** or the institutional rules.”.

Substitution of section 41A of Act 101 of 1997

15. Section 41A of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

“(1) If an audit of the financial records of a public higher education institution, or an investigation by an independent assessor as contemplated in section 47, reveals financial or other maladministration of a serious nature at a public higher education institution or the serious undermining of the effective functioning of a public higher education institution, the Minister may, after consultation with the council of the public higher education institution concerned, if practicable, and notwithstanding any other provision of this Act **[or a private Act of Parliament]**, appoint a person as administrator to take over the authority of the council or the management of the institution and perform the functions relating to governance or management on behalf of the institution for a period **[not exceeding six months]** determined by the Minister, and such period may not exceed two years.”.

Amendment of section 53 of Act 101 of 1997, as amended by section 8 of Act 55 of 1999 and section 7 of Act 54 of 2000

16. Section 53 of the principal Act is hereby amended by the substitution in subsection (1) for paragraph (c) of the following paragraph:

“(c) complies with any other reasonable requirement **[determined by the registrar which may include a requirement that none of the words or any**

“(a) die bestuur, soos by die institusionele statuut [of ’n Wet van die Parlement] bepaal;”; en

(b) deur subartikel (3) deur die volgende subartikel te vervang:

“(3) Die getal persone beoog in subartikel (2) en die wyse waarop hulle aangestel of verkies word, na gelang van die geval, word by die institusionele statuut [of ’n Wet van die Parlement] bepaal.”.

Wysiging van artikel 32 van Wet 101 van 1997

12. Artikel 32 van die Hoofwet word hierby gewysig deur in subartikel (1) paragraaf (a) deur die volgende paragraaf te vervang:

“(a) behoudens artikel 33 ’n institusionele statuut uitvaardig om uitvoering te gee aan enige [wet rakende die openbare inrigting vir hoër onderwys en om die doeltreffende bestuur van die inrigting te bevorder ten opsigte van aangeleenthede wat nie uitdruklik by enige wet voorgeskryf word nie] aangeleentheid wat nie uitdruklik by hierdie Wet voorgeskryf word nie; en”.

Vervanging van artikel 35 van Wet 101 van 1997

13. Artikel 35 van die Hoofwet word hierby deur die volgende artikel vervang:

“Verteenwoordigende studenteraad

35. Die instelling en samestelling, wyse van verkiesing, ampstermyn, werksaamhede en voorregte van die verteenwoordigende studenteraad van ’n openbare inrigting vir hoër onderwys word by die institusionele statuut en die institusionele reëls bepaal.”.

Vervanging van artikel 36 van Wet 101 van 1997

14. Artikel 36 van die Hoofwet word hierby deur die volgende artikel vervang:

“Tugmaatreëls

36. Elke student aan ’n openbare inrigting vir hoër onderwys is onderworpe aan die tugmaatreëls en dissiplinêre prosedures wat [, behoudens artikel 32(2)(d),] by die institusionele statuut of die institusionele reëls bepaal word.”.

Wysiging van artikel 41A van Wet 101 van 1997

15. Artikel 41A van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

“(1) Indien ’n oudit van die finansiële rekords van ’n openbare inrigting vir hoër onderwys of ’n ondersoek deur ’n onafhanklike assessor soos in artikel 47 beoog, finansiële of ander wanadministrasie van ’n ernstige aard by ’n openbare inrigting vir hoër onderwys of die ernstige ondermyning van die effektiewe funksionering van ’n openbare inrigting vir hoër onderwys aan die lig bring, kan die Minister, na oorleg met die raad van die betrokke openbare inrigting vir hoër onderwys, indien doenlik, en ondanks enige ander bepaling van hierdie Wet [of ’n private Wet van die Parlement], ’n persoon as administrateur aanstel om die gesag van die raad of die bestuur van die inrigting oor te neem en om vir ’n tydperk [van hoogstens ses maande] deur die Minister bepaal die werksaamhede ten aansien van beheer of bestuur namens die inrigting te verrig, en sodanige tydperk mag nie twee jaar oorskry nie.”.

Wysiging van artikel 53 van Wet 101 van 1997, soos gewysig deur artikel 8 van Wet 55 van 1999 en artikel 7 van Wet 54 van 2000

16. Artikel 53 van die Hoofwet word hierby gewysig deur in subartikel (1) paragraaf (c) deur die volgende paragraaf te vervang:

“(c) voldoen aan enige ander redelike vereiste [deur die registrateur bepaal wat ’n vereiste kan insluit dat nie een van die woorde of enige afleidings van

derivatives of the words 'university' or 'technikon' may appear in the name of the applicant] prescribed by the Minister.”.

Amendment of section 54 of Act 101 of 1997, as amended by section 8 of Act 54 of 2000

17. Section 54 of the principal Act is hereby amended—

(a) by the substitution for subsections (3) and (4) of the following subsections, respectively:

“(3) Notwithstanding subsection (1), the registrar may [conditional] provisionally register an applicant, other than a foreign juristic person, who does not fulfil the requirements for registration [other than a foreign juristic person] contemplated in section 53 if the registrar believes that the applicant will be able to fulfill the relevant requirements within a reasonable period.

(4) If the registrar [conditionally] provisionally registers an applicant under subsection (3), the registrar must—

(a) determine the period within which the applicant must satisfy the requirements for registration;

(b) enter the applicant's name in the appropriate register of private higher education institutions;

(c) issue a certificate of [conditional] provisional registration, stating the terms and the duration of such registration;

(d) provide the certificate of [conditional] provisional registration to the applicant; and

(e) as soon as practicable after the decision, publish the certificate of [conditional] provisional registration in the *Gazette*.”; and

(b) by the substitution in subsection (6) for paragraph (b) of the following paragraph:

“(b) fails to satisfy the requirements for registration specified by the registrar, the applicant's [conditional] provisional registration lapses.”.

Substitution of section 55 of Act 101 of 1997

18. The following section is hereby substituted for section 55 of the principal Act:

“Certificate of registration

55. (1) A private higher education institution must conspicuously display—

(a) its certificate of registration or [conditional] provisional registration or a certified copy thereof on its premises; and

(b) its registration number and an indication that it is registered or [conditionally] provisionally registered on all its official documents.

(2) If the registrar has cancelled the registration or [conditional] provisional registration of a private higher education institution under section 62, the private higher education institution must return the original certificate of registration or [conditional] provisional registration to the registrar within 14 days.”.

Amendment of section 58 of Act 101 of 1997

19. Section 58 of the principal Act is hereby amended by the substitution for the words preceding paragraph (a) of the following words:

“A private higher education institution may apply to the registrar to amend its registration or [conditional] provisional registration—”.

Amendment of section 59 of Act 101 of 1997

20. Section 59 of the principal Act is hereby amended by the substitution in subsection (3)(a) for subparagraph (i) of the following subparagraph:

“(i) amend the certificate of registration or [conditional] provisional registration accordingly;”.

die woorde 'universiteit' of 'tegnikon' in die naam van die applikant mag verskyn nie] deur die Minister voorgeskryf.”.

Wysiging van artikel 54 van Wet 101 van 1997, soos gewysig deur artikel 8 van Wet 54 van 2000

17. Artikel 54 van die Hoofwet word hierby gewysig— 5
- (a) deur subartikels (3) en (4) deur onderskeidelik die volgende subartikels te vervang:
- “(3) Ondanks subartikel (1) kan die registrateur ’n applikant wat nie aan die vereistes vir registrasie beoog in artikel 53 voldoen nie, anders as ’n buitelandse regspersoon, [voorwaardelik] voorlopig registreer indien die registrateur van oordeel is dat die applikant binne ’n redelike tydperk aan die toepaslike vereistes sal voldoen. 10
- (4) Indien die registrateur ’n applikant [voorwaardelik] voorlopig registreer kragtens subartikel (3) moet die registrateur—
- (a) die tydperk bepaal waarbinne die applikant aan die vereistes vir registrasie moet voldoen; 15
- (b) die applikant se naam in die toepaslike register van private inrigtings vir hoër onderwys inskryf;
- (c) ’n sertifikaat van [voorwaardelike] voorlopige registrasie uitreik wat die voorwaardes en duur van die registrasie meld; 20
- (d) die sertifikaat van [voorwaardelike] voorlopige registrasie aan die applikant besorg; en
- (e) so gou doenlik na die besluit die sertifikaat van [voorwaardelike] voorlopige registrasie in die *Staatskoerant* publiseer.”; en
- (b) deur in subartikel (6) paragraaf (b) deur die volgende paragraaf te vervang: 25
- “(b) nie voldoen aan die vereistes vir registrasie deur die registrateur uiteengesit nie, verval die [voorwaardelike] voorlopige registrasie van die applikant.”.

Vervanging van artikel 55 van Wet 101 van 1997

18. Artikel 55 van die Hoofwet word hierby deur die volgende artikel vervang: 30

“Registrasiesertifikaat

55. (1) ’n Private inrigting vir hoër onderwys moet—
- (a) sy sertifikaat van registrasie of [voorwaardelike] voorlopige registrasie of ’n gesertifiseerde afskrif daarvan opvallend op sy perseel vertoon; en 35
- (b) sy registrasienommer en ’n aanduiding dat hy geregistreer of [voorwaardelik] voorlopig geregistreer is, opvallend op al sy amptelike dokumente vertoon.
- (2) Indien die registrateur die registrasie of [voorwaardelike] voorlopige registrasie van ’n private inrigting vir hoër onderwys kragtens artikel 62 kanselleer, moet die private inrigting vir hoër onderwys die oorspronklike registrasiesertifikaat of sertifikaat van [voorwaardelike] voorlopige registrasie binne 14 dae aan die registrateur terugbesorg.”. 40

Wysiging van artikel 58 van Wet 101 van 1997

19. Artikel 58 van die Hoofwet word hierby gewysig deur die woorde wat paragraaf 45
- (a) voorafgaan deur die volgende woorde te vervang:
- “’n Private inrigting vir hoër onderwys kan by die registrateur aansoek doen om die wysiging van sy registrasie of [voorwaardelike] voorlopige registrasie—”.

Wysiging van artikel 59 van Wet 101 van 1997

20. Artikel 59 van die Hoofwet word hierby gewysig deur in subartikel (3)(a) 50
- subparagraaf (i) deur die volgende subparagraaf te vervang:
- “(i) die registrasiesertifikaat of sertifikaat van [voorwaardelike] voorlopige registrasie dienooreenkomstig wysig;”.

Amendment of section 60 of Act 101 of 1997

21. Section 60 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

- “(1) The registrar may impose any reasonable condition, which may include a condition that none of the words or any derivatives of the words ‘university’ or ‘technikon’ may appear in its name, on a private higher education institution in respect of—
- (a) its registration;
 - (b) its **[conditional]** provisional registration; or
 - (c) any amendment of its registration or **[conditional]** provisional registration.”.

Amendment of section 62 of Act 101 of 1997

22. Section 62 of the principal Act is hereby amended by the substitution for subsection (1) of the following subsection:

- “(1) Subject to section 63, the registrar may, on reasonable grounds, cancel any registration or **[conditional]** provisional registration in terms of this Act.”.

Amendment of section 64 of Act 101 of 1997

23. Section 64 of the principal Act is hereby amended by the deletion of subsection (4).

Insertion of sections 65A, 65B and 65C in Act 101 of 1997

24. The principal Act is hereby amended by the insertion after section 65 of the following sections:

“Seat of public higher education institution

65A. (1) The seat of a public higher education institution is the physical location of the institution, as contemplated in sections 20(3)(c) and 21(2)(c), where an institution carries out its teaching activities and must be defined in the institutional statute.

(2) Subject to the approval of the Minister, a public higher education institution may conduct its teaching activities beyond the seat contemplated in subsection (1).

(3) If the teaching activities contemplated in subsection (2) fall within the seat of another public higher education institution or at a place where the teaching and research activities of another public higher education institution are conducted, the Minister’s approval is subject to consultation with such other public higher education institution.

Degrees, diplomas and certificates

65B. (1) A public higher education institution may, subject to its institutional statute and this Act, award diplomas and certificates and confer degrees.

(2) Save as is provided in section 65C, no diploma or certificate may be awarded and no degree may be conferred by a public higher education institution upon any person who has not—

- (a) been registered as a student of such public higher education institution for the period prescribed by the senate of such institution; and
- (b) completed the work and attained the standard of proficiency determined through assessment as required by the senate of the public higher education institution, subject to section 7.

Wysiging van artikel 60 van Wet 101 van 1997

21. Artikel 60 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

- “(1) Die registrateur kan aan ’n private inrigting vir hoër onderwys enige redelike voorwaarde oplê, wat ’n voorwaarde kan insluit dat nie een van die woorde ‘universiteit’ of ‘tegnikon’ of enige afleiding daarvan in sy naam mag verskyn nie, ten opsigte van—
- (a) sy registrasie;
 - (b) sy [voorwaardelike] voorlopige registrasie; of
 - (c) enige wysiging van sy registrasie of [voorwaardelike] voorlopige registrasie.”.

Wysiging van artikel 62 van Wet 101 van 1997

22. Artikel 62 van die Hoofwet word hierby gewysig deur subartikel (1) deur die volgende subartikel te vervang:

- “(1) Die registrateur kan, behoudens artikel 63, op redelike gronde enige registrasie of [voorwaardelike] voorlopige registrasie ingevolge hierdie Wet kanselleer.”.

Wysiging van artikel 64 van Wet 101 van 1997

23. Artikel 64 van die Hoofwet word hierby gewysig deur subartikel (4) te skrap.

Invoeging van artikels 65A, 65B en 65C in Wet 101 van 1997

24. Die Hoofwet word hierby gewysig deur die volgende artikels na artikel 65 in te voeg:

“Setel van openbare inrigting vir hoër onderwys

65A. (1) Die setel van ’n openbare inrigting vir hoër onderwys is die fisiese ligging van die inrigting soos in artikels 20(3)(c) en 21(2)(c) beoog, waar die inrigting sy onderrigbedrywighede beoefen, en moet in die institusionele statuut omskryf word.

(2) Behoudens die goedkeuring van die Minister, kan ’n openbare inrigting vir hoër onderwys sy onderrigbedrywighede beoefen weg van sy setel in subartikel (1) beoog.

(3) Indien die onderrig- en navorsingsbedrywighede in subartikel (2) beoog binne die setel van ’n ander openbare inrigting vir hoër onderwys val, of op ’n plek plaasvind waar die onderrigbedrywighede van ’n ander openbare inrigting vir hoër onderwys beoefen word, is die Minister se goedkeuring onderhewig aan oorlegpleging met sodanige ander openbare inrigting vir hoër onderwys.

Grade, diplomas en sertifikate

65B. (1) ’n Openbare inrigting vir hoër onderwys kan, behoudens sy institusionele statuut en hierdie Wet, diplomas en sertifikate uitreik en grade toeken.

(2) Behalwe soos in artikel 65C bepaal, mag geen diploma of sertifikaat uitgereik word en geen graad toegeken word deur ’n openbare inrigting vir hoër onderwys aan enige persoon wat nie—

- (a) vir die tydperk deur die senaat van sodanige openbare inrigting vir hoër onderwys voorgeskryf, as ’n student van sodanige instelling geregistreer was nie; en
- (b) die werk voltooi en die standaard van bekwaamheid deur evaluering bepaal soos deur die senaat van die openbare inrigting vir hoër onderwys vereis, behoudens artikel 7, bereik het nie.

Honorary degrees

65C. (1) Subject to its institutional statute, a public higher education institution may, without examination, confer honorary degrees of master or doctor in any faculty upon any person whom the public higher education institution may deem worthy of such a degree.

(2) The award of a degree contemplated in subsection (1) does not entitle the holder to practise any profession.”.

Amendment of section 72 of Act 101 of 1997

25. Section 72 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

“(2) Any university established or incorporated by a Private Act of Parliament continues to exist **[in terms of such Private Act]** and is deemed to be a university established in terms of this Act, notwithstanding the repeal of such Private Act by the Higher Education Amendment Act, 2001.”.

Repeal of laws

26. (1) The laws listed in the Schedule are hereby repealed.

(2) Notwithstanding subsection (1), section 3(4), (5) and (6) of the University of Cape Town (Private) Act, 1999 (Act No. 8 of 1999), continue to exist as if that Act had not been repealed.

Transitional arrangements pertaining to Certification Council for Technikon Education

27. (1) For the purposes of this section—

- (a) “agricultural college” means an agricultural college administered by the Department of Agriculture;
- (b) “agricultural college training” means higher education provided partly or in full at or by an agricultural college with a view to obtaining a certificate for agricultural college training, and which is aimed at—
 - (i) the advancement, application, development and transfer of agricultural technology;
 - (ii) the provision of community services relating to farms; and
 - (iii) the undertaking of research relating to agriculture;
- (c) “certificate for agricultural college training” means an education certificate or diploma that may be obtained as a result of successful study at an agricultural college, including a certificate of success in a subdivision of a higher education programme;
- (d) “CHE” means the Council on Higher Education established by section 4 of the principal Act;
- (e) “Council” means the Certification Council for Technikon Education established by section 2 of the Certification Council for Technikon Education Act, 1986 (Act No. 88 of 1986); and
- (f) “repealed Act” means the Certification Council for Technikon Education Act, 1986 (Act No. 88 of 1986), as it existed immediately before its repeal by section 24.

(2) The CHE must ensure that certificates for agricultural college training issued by the CHE and the relevant agricultural college, represent the required standard of education and training.

(3) (a) An agricultural college that was accredited as an examination body by the Council prior to the commencement of this Act continues to operate as an examining body.

(b) The norms, standards and conditions contemplated in section 9(1)(b) of the repealed Act which existed in respect of the accreditation of an examining body immediately before the commencement of this Act, remain in full force and effect until repealed or overridden in terms of the principal Act.

(c) The CHE may withdraw the accreditation contemplated in paragraph (a) if the higher education programme in question no longer complies with the norms and standards or the examining body does not comply with the conditions—

Eregrade

65C. (1) 'n Openbare inrigting vir hoër onderwys kan, behoudens sy institusionele statuut, sonder 'n eksamen, eregrade van meester of doktor in enige fakulteit aan 'n persoon toeken wat die openbare inrigting vir hoër onderwys so 'n graad waardig ag.

(2) Die toekenning van 'n graad beoog in subartikel (1) maak die houer daarvan nie geregtig om enige beroep te beoefen nie.”

Wysiging van artikel 72 van Wet 101 van 1997

25. Artikel 72 van die Hoofwet word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:

“(2) Enige universiteit ingestel by of ingelyf deur 'n private Wet van die Parlement bly [ingevalge die private Wet] bestaan en word geag 'n universiteit ingevalge hierdie Wet ingestel te wees, ondanks die herroeping van sodanige private Wet deur die Wysigingswet op Hoër Onderwys, 2001.”

Herroeping van Wette

26. (1) Die Wette gelys in die Bylae word hierby herroep.

(2) Ondanks subartikel (1) gaan artikel 3(4), (5) en (6) van die Private Wet op die Universiteit van Kaapstad, 1999 (Wet No. 8 van 1999), voort om te bestaan asof die Wet nie herroep is nie.

Oorgangsbepalings met betrekking tot Sertifiseringsraad vir Technikononderwys

27. (1) By die toepassing van hierdie artikel beteken—

- (a) “herroep Wet” die Wet op die Sertifiseringsraad vir Technikononderwys, 1986 (Wet No. 88 van 1986), soos dit bestaan het onmiddellik voor die herroeping daarvan by artikel 24;
- (b) “landboukollege” 'n landboukollege wat deur die Departement van Landbou geadministreer word;
- (c) “landboukollege-opleiding” hoër onderwys gedeeltelik of ten volle by of deur 'n landboukollege voorsien, met die oog op die verkryging van 'n sertifikaat vir landboukollege-opleiding, en wat ten doel het—
 - (i) die bevordering, toepassing, ontwikkeling en oordrag van landbou-tegnologie;
 - (ii) die voorsiening van gemeenskapsdienste rakende plase; en
 - (iii) die onderneming van landbouverwante navorsing;
- (d) “Raad” die Sertifiseringsraad vir Technikononderwys ingestel by artikel 2 van die Wet op die Sertifiseringsraad vir Technikononderwys, 1986 (Wet No. 88 van 1986);
- (e) “RHO” die Raad vir Hoër Onderwys, ingestel by artikel 4 van die Hoofwet; en
- (f) “sertifikaat vir landboukollege-opleiding” 'n onderwyssertifikaat of -diploma wat verkry kan word as gevolg van suksesvolle studie aan 'n landboukollege, met inbegrip van 'n sertifikaat van sukses in 'n onderafdeling van 'n hoër onderwysprogram.

(2) Die RHO moet toesien dat sertifikate vir landboukollege-opleiding wat deur die RHO en die betrokke landboukollege uitgereik word, die vereiste standaard van onderwys en opleiding verteenwoordig.

(3) (a) 'n Landboukollege wat deur die Raad as 'n eksamineringsliggaam geakkrediteer is voor die inwerkingtreding van hierdie Wet, gaan voort om as 'n eksamineringsliggaam op te tree.

(b) Die norme, standaarde en voorwaardes beoog in artikel 9(1)(b) van die herroep Wet wat bestaan het ten opsigte van die akkreditering van 'n eksamineringsliggaam, onmiddellik voor die inwerkingtreding van hierdie Wet, bly van krag totdat dit herroep of vervang word ingevalge die Hoofwet.

(c) Die RHO kan die akkreditering beoog in paragraaf (a) terugtrek indien die betrokke hoër onderwysprogram nie meer aan die norme en standaarde voldoen nie, of as die eksamineringsliggaam nie aan die voorwaardes—

- (i) referred to in paragraph (b); or
- (ii) determined by the CHE.

(4) The CHE, in conjunction with an agricultural college, must issue certificates for agricultural college training, in the form prescribed by the CHE in conjunction with the agricultural college, to candidates who have complied with the norms and standards for higher education. 5

(5) From the date of commencement of this Act, all assets, liabilities, rights and obligations of the Council immediately prior to the commencement of this Act, devolve upon the CHE.

(6) As soon as possible after the commencement of this Act all records, documents and electronic information pertaining to any function performed by the Council must be handed to the CHE. 10

(7) The CHE is responsible for the safekeeping of all records, documents and electronic information received in terms of subsection (6).

Transitional arrangements pertaining to universities

15

28. (1) The institutional statutes of universities that existed prior to the commencement of this Act continue to exist and are deemed to have been made under the principal Act.

(2) If there is a matter contained in a Private Act but not dealt with in the principal Act or the relevant institutional statute, and which is indispensable for the effective functioning of a university, such provision in the Private Act is deemed to remain in force for a period not longer than two years, despite the repeal of such Private Act. 20

Short title

29. This Act is called the Higher Education Amendment Act, 2001.

- (i) bedoel in paragraaf (b); of
- (ii) deur die RHO bepaal,

voldoen nie.

(4) Die RHO, in samewerking met 'n landboukollege, moet sertifikate vir landboukollege-opleiding, in die vorm deur die RHO in samewerking met die landboukollege voorgeskryf, uitreik aan die kandidate wat aan die norme en standaarde vir hoër onderwys voldoen het. 5

(5) Alle bates, laste, regte en verpligtinge van die Raad onmiddellik voor die inwerkingtreding van hierdie Wet gaan vanaf die datum van inwerkingtreding van hierdie Wet oor op die RHO. 10

(6) Alle rekords, dokumente en elektroniese inligting met betrekking tot enige werksaamheid deur die Raad verrig, moet so gou as moontlik na die inwerkingtreding van hierdie Wet aan die RHO oorhandig word.

(7) Die RHO is verantwoordelik vir die veilige bewaring van alle rekords, dokumente en elektroniese inligting ingevolge subartikel (6) ontvang. 15

Oorgangsbepalings met betrekking tot universiteite

28. (1) Die institusionele statute van universiteite wat voor die inwerkingtreding van hierdie Wet bestaan het, bly voortbestaan en word geag kragtens die Hoofwet uitgevaardig te gewees het.

(2) Indien daar 'n aangeleentheid in 'n private Wet vervat is wat nie in die Hoofwet of die tersaaklike institusionele statuut gehanteer word nie en wat onontbeerlik vir die doeltreffende funksionering van 'n universiteit is, bly sodanige bepaling in die private Wet geldig vir 'n tydperk van hoogstens twee jaar, ondanks die herroeping van sodanige private Wet. 20

Kort titel

29. Hierdie Wet heet die Wysigingswet op Hoër Onderwys, 2001. 25

SCHEDULE**Laws repealed (section 26)**

Rhodes University (Private) Act, 1949 (Act No. 15 of 1949);
University of the Orange Free State (Private) Act, 1949 (Act No. 21 of 1949);
University Laws Amendment Act, 1953 (Act No. 23 of 1953);
University of the Witwatersrand, Johannesburg, (Private) Act, 1959 (Act No. 15 of 1959);
University of South Africa Act, 1959 (Act No. 19 of 1959);
University of the Orange Free State (Private) Act Amendment Act, 1959 (Act No. 36 of 1959);
Universities Amendment Act, 1959 (Act No. 82 of 1959);
Rhodes University Act Amendment (Private) Act, 1960 (Act No. 6 of 1960);
University of Natal (Private) Act, 1960 (Act No. 7 of 1960);
Universities Amendment Act, 1961 (Act No. 46 of 1961);
University of the Orange Free State (Private) Act Amendment (Private) Act, 1962 (Act No. 29 of 1962);
University of Port Elizabeth Act, 1964 (Act No. 1 of 1964);
University of South Africa Amendment Act, 1964 (Act No. 13 of 1964);
Rhodes University (Private) Act Amendment Act, 1965 (Act No. 7 of 1965);
University of Port Elizabeth Amendment Act, 1965 (Act No. 40 of 1965);
Universities Amendment Act, 1965 (Act No. 43 of 1965);
Rand Afrikaans University Act, 1966 (Act No. 51 of 1966);
University of Port Elizabeth Amendment Act, 1967 (Act No. 31 of 1967);
University of South Africa Amendment Act, 1967 (Act No. 53 of 1967);
Universities Amendment Act, 1968 (Act No. 24 of 1968);
University of the Witwatersrand, Johannesburg, (Private) Amendment Act, 1968 (Act No. 32 of 1968);
University of Fort Hare Act, 1969 (Act No. 40 of 1969);
University of Zululand Act, 1969 (Act No. 43 of 1969);
University of the North Act, 1969 (Act No. 47 of 1969);
University of South Africa (Private) Amendment Act, 1969 (Act No. 62 of 1969);
University of Port Elizabeth (Private) Amendment Act, 1969 (Act No. 66 of 1969);
Universities Amendment Act, 1969 (Act No. 67 of 1969);
Rand Afrikaans University (Private) Amendment Act, 1969 (Act No. 70 of 1969);
Rand Afrikaans University (Private) Amendment Act, 1970 (Act No. 84 of 1970);
University of Fort Hare Amendment Act, 1971 (Act No. 28 of 1971);
University of the Orange Free State (Private) Amendment Act, 1971 (Act No. 70 of 1971);
Black Education Account Abolition Act, 1972 (Act No. 20 of 1972);
Rhodes University (Private) Amendment Act, 1972 (Act No. 81 of 1972);
Black Universities Amendment Act, 1973 (Act No. 6 of 1973);
Rhodes University (Private) Amendment Act, 1973 (Act No. 21 of 1973);
University of South Africa (Private) Amendment Act, 1973 (Act No. 22 of 1973);
University of the Orange Free State (Private) Amendment Act, 1974 (Act No. 69 of 1974);
Universities Amendment Act, 1975 (Act No. 67 of 1975);
Medical University of Southern Africa Act, 1976 (Act No. 78 of 1976);
University of Port Elizabeth (Private) Amendment Act, 1976 (Act No. 114 of 1976);
Black Universities Amendment Act, 1977 (Act No. 57 of 1977);
Universities Amendment Act, 1977 (Act No. 65 of 1977);
University of Natal (Private) Amendment Act, 1977 (Act No. 66 of 1977);
University of the Orange Free State (Private) Amendment Act, 1978 (Act No. 108 of 1978);
Universities for Blacks Amendment Act, 1979 (Act No. 52 of 1979);
Rhodes University (Private) Amendment Act, 1979 (Act No. 62 of 1979);
University of Natal (Private) Amendment Act, 1979 (Act No. 71 of 1979);
University of Port Elizabeth (Private) Amendment Act, 1979 (Act No. 86 of 1979);
University of the Witwatersrand, Johannesburg, (Private) Amendment Act, 1980 (Act No. 37 of 1980);

BYLAE

Herroepe wette (artikel 26)

Private Wet op Rhodes-universiteit, 1949 (Wet No. 15 van 1949);
Private Wet op die Universiteit van die Oranje-Vrystaat, 1949 (Wet No. 21 van 1949);
Wysigingswet op Universiteitswette, 1953 (Wet No. 23 van 1953);
Private Wet op die Universiteit van die Witwatersrand, Johannesburg, 1959 (Wet No. 15 van 1959);
Wet op die Universiteit van Suid-Afrika, 1959 (Wet No. 19 van 1959);
Private Wysigingswet op die Universiteit van die Oranje-Vrystaat, 1959 (Wet No. 36 van 1959);
Wysigingswet op Universiteite, 1959 (Wet No. 82 van 1959);
Private Wysigingswet op die Private Wet op Rhodes-universiteit, 1960 (Wet No. 6 van 1960);
Private Wet op die Universiteit van Natal, 1960 (Wet No. 7 van 1960);
Wysigingswet op Universiteite, 1961 (Wet No. 46 van 1961);
Private Wysigingswet op die Private Wet op die Universiteit van die Oranje-Vrystaat, 1962 (Wet No. 29 van 1962);
Wet op die Universiteit van Port Elizabeth, 1964 (Wet No. 1 van 1964);
Wysigingswet op die Universiteit van Suid-Afrika, 1964 (Wet No. 13 van 1964);
Wysigingswet op die Private Wet op Rhodes-universiteit, 1965 (Wet No. 7 van 1965);
Wysigingswet op die Universiteit van Port Elizabeth, 1965 (Wet No. 40 van 1965);
Wysigingswet op Universiteite, 1965 (Wet No. 43 van 1965);
Wet op die Randse Afrikaanse Universiteit, 1966 (Wet No. 51 van 1966);
Wysigingswet op die Universiteit van Port Elizabeth, 1967 (Wet No. 31 van 1967);
Wysigingswet op die Universiteit van Suid-Afrika, 1967 (Wet No. 53 van 1967);
Wysigingswet op Universiteite, 1968 (Wet No. 24 van 1968);
Private Wysigingswet op die Universiteit van die Witwatersrand, Johannesburg, 1968 (Wet No. 32 van 1968);
Wet op die Universiteit van Fort Hare, 1969 (Wet No. 40 van 1969);
Wet op die Universiteit van Zoeloeland, 1969 (Wet No. 43 van 1969);
Wet op die Universiteit van die Noorde, 1969 (Wet No. 47 van 1969);
Private Wysigingswet op die Universiteit van Suid-Afrika, 1969 (Wet No. 62 van 1969);
Private Wysigingswet op die Universiteit van Port Elizabeth, 1969 (Wet No. 66 van 1969);
Wysigingswet op Universiteite, 1969 (Wet No. 67 van 1969);
Private Wysigingswet op die Randse Afrikaanse Universiteit, 1969 (Wet No. 70 van 1969);
Private Wysigingswet op die Randse Afrikaanse Universiteit, 1970 (Wet No. 84 van 1970);
Wysigingswet op die Universiteit van Fort Hare, 1971 (Wet No. 28 van 1971);
Private Wysigingswet op die Universiteit van die Oranje-Vrystaat, 1971 (Wet No. 70 van 1971);
Wet op die Afskaffing van die Swart Onderwysrekening, 1972 (Wet No. 20 van 1972);
Private Wysigingswet op Rhodes-universiteit, 1972 (Wet No. 81 van 1972);
Wysigingswet op Swart Universiteite, 1973 (Wet No. 6 van 1973);
Private Wysigingswet op Rhodes-universiteit, 1973 (Wet No. 21 van 1973);
Private Wysigingswet op die Universiteit van Suid-Afrika, 1973 (Wet No. 22 van 1973);
Algemene Regswysigingswet, 1974 (Wet No. 29 van 1974);
Private Wysigingswet op die Universiteit van die Oranje-Vrystaat, 1974 (Wet No. 69 van 1974);
Wysigingswet op Universiteite, 1975 (Wet No. 67 van 1975);
Wet op die Mediese Universiteit van Suider-Afrika, 1976 (Wet No. 78 van 1976);
Private Wysigingswet op die Universiteit van Port Elizabeth, 1976 (Wet No. 114 van 1976);
Wysigingswet op Swart Universiteite, 1977 (Wet No. 57 van 1977);
Wysigingswet op Universiteite, 1977 (Wet No. 65 van 1977);
Private Wysigingswet op die Universiteit van Natal, 1977 (Wet No. 66 van 1977);
Private Wysigingswet op die Universiteit van die Oranje-Vrystaat, 1978 (Wet No. 108 van 1978);

Act No. 23, 2001**HIGHER EDUCATION AMENDMENT ACT, 2001**

Rand Afrikaans University (Private) Amendment Act, 1980 (Act No. 49 of 1980);
Universities for Blacks Amendment Act, 1982 (Act No. 14 of 1982);
Rand Afrikaans University (Private) Amendment Act, 1982 (Act No. 93 of 1982);
Technikons (Education and Training) Amendment Act, 1983 (Act No. 48 of 1983);
University of Port Elizabeth (Private) Amendment Act, 1983 (Act No. 68 of 1983);
Rhodes University (Private) Amendment Act, 1983 (Act No. 69 of 1983);
University of Natal (Private) Amendment Act, 1983 (Act No. 71 of 1983);
University of the Western Cape Act, 1983 (Act No. 78 of 1983);
University of Durban-Westville Act, 1983 (Act No. 81 of 1983);
Universities Amendment Act, 1983 (Act No. 83 of 1983);
Rand Afrikaans University (Private) Amendment Act, 1983 (Act No. 107 of 1983);
Universities, National Education Policy and Technikons Amendment Act, 1984 (Act No. 75 of 1984);
Technikons (Education and Training) Amendment Act, 1984 (Act No. 77 of 1984);
Tertiary Education (Education and Training) Act, 1984 (Act No. 92 of 1984);
University of the Orange Free State (Private) Amendment Act, 1984 (Act No. 97 of 1984);
University Staff (Education and Training) Amendment Act, 1985 (Act No. 28 of 1985);
Universities and Technikons for Blacks, Tertiary Education (Education and Training) and Education and Training Amendment Act, 1986 (Act No. 3 of 1986);
Universities Amendment Act, 1986 (Act No. 86 of 1986);
Certification Council for Technikon Education Act, 1986 (Act No. 88 of 1986);
Technikons (National Education) Amendment Act, 1986 (Act No. 89 of 1986);
Rhodes University (Private) Amendment Act, 1986 (Act No. 99 of 1986);
Universities (Education and Training) Amendment Act, 1987 (Act No. 34 of 1987);
Rand Afrikaans University (Private) Amendment Act, 1987 (Act No. 44 of 1987);
Education Laws (Education and Training) Amendment Act, 1987 (Act No. 95 of 1987);
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University of Port Elizabeth (Private) Amendment Act, 1988 (Act No. 98 of 1988);
Rand Afrikaans University (Private) Amendment Act, 1989 (Act No. 33 of 1989);
University of the Orange Free State (Private) Amendment Act, 1989 (Act No. 34 of 1989);
Universities Amendment Act, 1989 (House of Assembly) (Act No. 64 of 1989);
Universities and Technikons (Education and Training) Amendment Act, 1990 (Act No. 41 of 1990);
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Universities and Technikons Advisory Council Amendment Act, 1991 (Act No. 24 of 1991);
University of the Witwatersrand, Johannesburg, (Private) Amendment Act, 1991 (House of Assembly) (Act No. 78 of 1991);
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University of Port Elizabeth (Private) Amendment Act, 1992 (House of Assembly) (Act No. 69 of 1992);
University of Stellenbosch (Private) Act, 1992 (House of Assembly) (Act No. 107 of 1992);
University of the North Amendment Act, 1992 (Act No. 150 of 1992);
Universities Amendment Act, 1993 (Act No. 21 of 1993);
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Wysigingswet op Universiteite vir Swartes, 1979 (Wet No. 52 van 1979);
Private Wysigingswet op Rhodes-universiteit, 1979 (Wet No. 62 van 1979);
Private Wysigingswet op die Universiteit van Natal, 1979 (Wet No. 71 van 1979);
Private Wysigingswet op die Universiteit van Port Elizabeth, 1979 (Wet No. 86 van 1979);
Private Wysigingswet op die Universiteit van die Witwatersrand, Johannesburg, 1980 (Wet No. 37 van 1980);
Private Wysigingswet op die Randse Afrikaanse Universiteit, 1980 (Wet No. 49 van 1980);
Wysigingswet op Universiteite vir Swartes, 1982 (Wet No. 14 van 1982);
Private Wysigingswet op die Randse Afrikaanse Universiteit, 1982 (Wet No. 93 van 1982);
Wysigingswet op Technikons (Onderwys en Opleiding), 1983 (Wet No. 48 van 1983);
Private Wysigingswet op die Universiteit van Port Elizabeth, 1983 (Wet No. 68 van 1983);
Private Wysigingswet op Rhodes-universiteit, 1983 (Wet No. 69 van 1983);
Private Wysigingswet op die Universiteit van Natal, 1983 (Wet No. 71 van 1983);
Wet op die Universiteit van Wes-Kaapland, 1983 (Wet No. 78 van 1983);
Wet op die Universiteit van Durban-Westville, 1983 (Wet No. 81 van 1983);
Wysigingswet op Universiteite, 1983 (Wet No. 83 van 1983);
Private Wysigingswet op die Randse Afrikaanse Universiteit, 1983 (Wet No. 107 van 1983);
Wysigingswet op Universiteite, die Nasionale Onderwysbeleid en Technikons, 1984 (Wet No. 75 van 1984);
Wysigingswet op Technikons (Onderwys en Opleiding), 1984 (Wet No. 77 van 1984);
Wet op Tersiêre Onderwys (Onderwys en Opleiding), 1984 (Wet No. 92 van 1984);
Private Wysigingswet op die Universiteit van die Oranje-Vrystaat, 1984 (Wet No. 97 van 1984);
Wysigingswet op Universiteitspersoneel (Onderwys en Opleiding), 1985 (Wet No. 28 van 1985);
Wysigingswet op Universiteite en Technikons vir Swartes, Tersiêre Onderwys (Onderwys en Opleiding) en Onderwys en Opleiding, 1986 (Wet No. 3 van 1986);
Wysigingswet op Universiteite, 1986 (Wet No. 86 van 1986);
Wet op die Sertifiseringsraad vir Technikononderwys, 1986 (Wet No. 88 van 1986);
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Private Wysigingswet op Rhodes-universiteit (Volksraad), 1986 (Wet No. 99 van 1986);
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Private Wysigingswet op die Randse Afrikaanse Universiteit, 1987 (Wet No. 44 van 1987);
Wysigingswet op Onderwyswetgewing (Onderwys en Opleiding), 1987 (Wet No. 95 van 1987);
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Wysigingswet op Technikons (Nasionale Opvoeding) (Volksraad), 1988 (Wet No. 33 van 1988);
Private Wysigingswet op die Universiteit van Port Elizabeth (Volksraad), 1988 (Wet No. 98 van 1988);
Private Wysigingswet op die Randse Afrikaanse Universiteit (Volksraad), 1989 (Wet No. 33 van 1989);
Private Wysigingswet op die Universiteit van die Oranje-Vrystaat, 1989 (Wet No. 34 van 1989);
Wysigingswet op Universiteite (Volksraad), 1989 (Wet No. 64 van 1989);
Wysigingswet op Universiteite en Technikons (Onderwys en Opleiding), 1990 (Wet No. 41 van 1990);
Private Wet op die Universiteit van Pretoria (Volksraad), 1990 (Wet No. 106 van 1990);
Wysigingswet op die Adviesraad vir Universiteite en Technikons, 1991 (Wet No. 24 van 1991);
Private Wysigingswet op die Universiteit van die Witwatersrand, Johannesburg (Volksraad), 1991 (Wet No. 78 van 1991);
Wysigingswet op Universiteite, 1991 (Wet No. 123 van 1991);

University of the Witwatersrand, Johannesburg, (Private) Amendment Act, 1993 (House of Assembly) (Act No. 78 of 1993);

Potchefstroomse Universiteit vir Christelike Hoër Onderwys (Private) Act (House of Assembly), 1993 (Act No. 80 of 1993);

University of the Orange Free State (Private) Amendment Act, 1993 (House of Assembly) (Act No. 81 of 1993);

University of Pretoria (Private) Amendment Act, 1993 (House of Assembly) (Act No. 158 of 1993);

Rhodes University (Private) Amendment Act (House of Assembly) Act, 1993 (Act No. 159 of 1993);

University of Natal (Private) Amendment Act, 1993 (House of Assembly) (Act No. 163 of 1993);

Certification Council for Technikon Education Amendment Act, 1993 (Act No. 185 of 1993);

University of North-West (Private) Act, 1996 (Act No. 17 of 1996);

University of Zululand (Private) Amendment Act, 1996 (Act No. 80 of 1996);

University of Transkei (Private) Act, 1996 (Act No. 81 of 1996);

University of Durban-Westville (Private) Amendment Act, 1996 (Act No. 82 of 1996);

University of Port Elizabeth (Private) Amendment Act, 1996 (Act No. 83 of 1996);

University of Venda (Private) Act, 1996 (Act No. 89 of 1996);

University of the Witwatersrand, Johannesburg (Private) Amendment Act, 1997 (Act No. 21 of 1997);

Medical University of Southern Africa (Private) Amendment Act, 1997 (Act No. 25 of 1997);

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Private Wysigingswet op die Universiteit van die Oranje-Vrystaat (Volksraad), 1992 (Wet No. 68 van 1992);

Private Wysigingswet op die Universiteit van Port Elizabeth (Volksraad), 1992 (Wet No. 69 van 1992);

Private Wet op die Universiteit van Stellenbosch (Volksraad), 1992 (Wet No. 107 van 1992);

Wysigingswet op die Universiteit van die Noorde, 1992 (Wet No. 150 van 1992);

Wysigingswet op Universiteite, 1993 (Wet No. 21 van 1993);

Wysigingswet op die Universiteit van Durban-Westville (Raad van Afgevaardigdes), 1993 (Wet No. 51 van 1993);

Private Wysigingswet op die Universiteit van Suid-Afrika (Volksraad), 1993 (Wet No. 54 van 1993);

Private Wysigingswet op die Universiteit van die Witwatersrand, Johannesburg (Volksraad), 1993 (Wet No. 78 van 1993);

Private Wet op die Potchefstroomse Universiteit vir Christelike Hoër Onderwys (Volksraad), 1993 (Wet No. 80 van 1993);

Private Wysigingswet op die Universiteit van die Oranje-Vrystaat (Volksraad), 1993 (Wet No. 81 van 1993);

Private Wysigingswet op die Universiteit van Pretoria (Volksraad), 1993 (Wet No. 158 van 1993);

Private Wysigingswet op Rhodes-universiteit (Volksraad), 1993 (Wet No. 159 van 1993);

Private Wysigingswet op die Universiteit van Natal (Volksraad), 1993 (Wet No. 163 van 1993);

Wet op die Sertifiseringsraad vir Technikononderwys, 1993 (Wet No. 185 van 1993);

Private Wet op die Universiteit van Noord-wes, 1996 (Wet No. 17 van 1996);

Algemene Regswysigingswet, 1996 (Wet No. 49 van 1996);

Private Wysigingswet op die Universiteit van Zoeloeland, 1996 (Wet No. 80 van 1996);

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Private Wysigingswet op die Mediese Universiteit van Suider-Afrika, 1997 (Wet No. 25 van 1997);

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Private Wet op die Universiteit van Kaapstad, 1999 (Wet No. 8 van 1999).

