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CONTENTS**INHOUD**

<i>No.</i>	<i>Page No.</i>	<i>Gazette No.</i>	<i>No.</i>	<i>Bladsy No.</i>	<i>Koerant No.</i>
GOVERNMENT NOTICE			GOEWERMENTSKENNISGEWING		
Education, Department of			Onderwys, Departement van		
<i>Government Notice</i>			<i>Goewermentskennisgewing</i>		
1830	Higher Education Act (101/1997): Statute of the University of Pretoria	3 25852	1830	Wet op Hoër Onderwys (101/1997): Statuut van die Universiteit van Pretoria.	37 25852

GOVERNMENT NOTICE

MINISTRY OF EDUCATION

No. 1830

24 December 2003

HIGHER EDUCATION ACT, 1997 (ACT No. 101 OF 1997)

STATUTE OF THE UNIVERSITY OF PRETORIA

The Council of the University of Pretoria has drafted the Statute set out in the Schedule hereto in accordance with section 32 of the Higher Education Act, 1997 (Act No. 101 of 1997), as amended, 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 1 January 2004.

SCHEDULE

STATUTE OF THE UNIVERSITY OF PRETORIA

CONTENTS

CHAPTER 1	Definitions
CHAPTER 2	Institution
CHAPTER 3	Chancellor
CHAPTER 4	Vice-chancellor and principal, vice-principals, executive directors and registrar
CHAPTER 5	Council
CHAPTER 6	Senate
CHAPTER 7	Faculties and faculty boards
CHAPTER 8	Institutional forum
CHAPTER 9	Convocation
CHAPTER 10	Degrees, diplomas and certificates
CHAPTER 11	Employees
CHAPTER 12	Students
CHAPTER 13	Donors
CHAPTER 14	Repeal of previous statute
CHAPTER 15	Transitional provisions

CHAPTER 1

DEFINITIONS

1. Definitions.— In this Statute any word or expression to which a meaning has been assigned by the Higher Education Act, 1997 (Act No. 101 of 1997), as amended, has the meaning so assigned to it, and unless the context otherwise indicates:

“academic employee” means any lecturer appointed to teach or to do research at the University and any other employee designated as such by the Council of the University;

“Act” means the Higher Education Act, 1997 (Act No. 101 of 1997), as amended;

“appoint” also means nominate;

“Chancellor” means the person contemplated in Chapter 3;

“Convocation” means the Convocation contemplated in Chapter 9;

“Council” means the governing body of the University contemplated in Chapter 5;

“days” includes Saturdays, Sundays and public holidays;

“donor” means a person, body or entity who has made a donation, which, in the opinion of the Council warrants that person, body or entity being recognised as a donor as contemplated in Chapter 13;

“employee” means an academic employee or a non-academic employee of the University;

“Executive” means the Principal, Vice-principals and other senior employees designated by the Principal;

“Executive Director” means a person appointed by the Council for purposes of assisting the Principal as contemplated in paragraph 12;

“functions” include powers and duties and *vice versa*;

“graduate” means a person who has obtained a degree;

“Institutional Forum” means the Institutional Forum contemplated in Chapter 8;

“Institutional Rules” mean rules made by the University as contemplated in section 32 of the Act and include all the regulations and policy documents of the University;

“Minister” means the Minister of Education;

“non-academic employee” means any employee who is not an academic employee;

“office bearer” means a functionary provided for in the Act or determined by the Council;

“professor” means an academic employee who has been given the title of professor by the University and includes an associate, adjunct, honorary and extraordinary professor;

“qualification” means a module, subject, course, certificate, diploma or degree;

“representative employees’ organisation” means an organisation which consists of employees organised in a staff association or trade union for the purpose of regulating relations between themselves and the University and which is recognised by the Executive on such

conditions as have been negotiated between the Executive and the employee organisation, and which has been reduced to writing in the collective or recognition agreement;

"seat of the University" means the seat contemplated in paragraph 2 of this Statute and section 65A of the Act;

"Senate" means the body responsible for academic matters contemplated in Chapter 6;

"senior management" means the Executive plus the deans of faculties and heads of support services: Provided that for purposes of paragraph 37(1)(c) it means the Executive only;

"SRC" means the Students' Representative Council contemplated in paragraph 59;

"Statute" means the statute framed and in force as contemplated in section 32 of the Act;

"student" means a person registered for a qualification at the University;

"the University" means the University of Pretoria;

"Tuks Alumni" means the Association of Past Students of the University who are either all members of the Convocation or persons who obtained a diploma or certificate, the curriculum of which had been approved by the Senate, or persons with a degree from another institution who have completed at least one year of successful study at the University, or full-time or permanent employees of the University who obtained a degree from another institution and who have applied for membership of Tuks Alumni;

"Vice-principal" means a person appointed by the Council for purposes of assisting the Principal as contemplated in paragraph 12.

CHAPTER 2

INSTITUTION

2. Name, seat and powers.— (1) The name of the University is the "University of Pretoria".

(2) The official address of the University is: University of Pretoria, Lynnwood Road, Hillcrest, Pretoria 0002, South Africa.

(3) The seat of the University is in the metropolitan area of Tshwane.

(4) The University also conducts its academic activities at its Business School in Illovo, Gauteng and at Witbank and Nelspruit in Mpumalanga.

(5) The University of Pretoria is a university established in terms of the Act and is a juristic person as contemplated in section 20(4) of the Act.

(6) The University functions in accordance with the Act, the Statute and the Institutional Rules of the University.

(7) The University may confer degrees and honorary degrees.

(8) The University, and entities entirely under its control, may award diplomas and certificates in its own name as contemplated in section 65B and 65C of the Act and Chapter 10 of this Statute.

3. Language policy.— (1) The University provides instruction in Afrikaans and English where it is reasonable and practicable.

(2) The language policy of the University is based on the following factors —

- (a) constitutional and statutory requirements;
- (b) the demographic composition and language preferences of its students;
- (c) the promotion and maintenance of Afrikaans and English as scientific languages and mediums of instruction;
- (d) making a contribution to the development of the other official languages as scientific languages and mediums of instruction; and
- (e) the practicability of instruction in a specific language in view of the financial, personnel and facility constraints within the University.

(3) The language policy shall be implemented in such a manner that both Afrikaans and English as academic languages will in the long term be enhanced and strengthened.

4. Constitution of University.— (1) The University shall consist of —

- (a) a Chancellor;
- (b) a Principal;
- (c) Vice-principals;
- (d) Executive directors
- (e) a Council;
- (f) a Senate;
- (g) a Registrar;
- (h) a Convocation;
- (i) an Institutional Forum;
- (j) the faculties, the departments, the schools and such other academic structures of the University as may be determined by the Council;
- (k) the academic employees of the University;
- (l) the non-academic employees of the University;
- (m) the Students' Representative Council;
- (n) the students of the University;

- (o) the various support services and such other offices, bodies or structures as may be established by the Council; and
- (p) all the University's property and assets.

(2) No vacancy in any of the offices contemplated in subparagraph (1) nor any deficiency in the numbers or defect in the composition of the bodies or structures contemplated in subparagraph (1) impairs or affects the existence of the University as a juristic person or any function, rights or privileges conferred by the Act or this Statute upon the University or the Council or the Senate: Provided that no resolution of the Council or of the Senate shall be valid unless passed at a meeting at which a quorum was present and the rules relating to any such meeting has materially been complied with.

CHAPTER 3

CHANCELLOR

5. Functions of Chancellor.— (1) The Chancellor shall be the titular head of the University with no executive powers.

(2) The Chancellor shall confer all degrees and award all diplomas and certificates in the name of the University.

(3) In the absence of the Chancellor, degrees shall be conferred by the Principal or by one of the Vice-principals; and diplomas and certificates shall be awarded by officials designated to do so by the Council.

(4) The Chancellor performs such other functions as assigned to him or her by the Council, subject to the provisions of paragraph 5(1).

6. Election and Appointment of Chancellor.— (1) The Chancellor shall be elected by an electoral college consisting of the members of the Council and the Senate, the President of the Convocation, and the members of the Board of Tuks Alumni.

(2) If the office of Chancellor becomes vacant, the Registrar acting as secretary to the Convocation shall give notice thereof to the members of the electoral college and call for nominations for a successor.

(3) No person shall be elected unless he or she has been nominated in writing, with his or her written consent, by at least two members of the electoral college, and such nomination reaches the Registrar at least three days before the meeting referred to in paragraph 6(5).

(4) After the closing date for nominations, a special meeting of the Institutional Forum must be held before the meeting contemplated in paragraph 6(5) for purposes of considering the

nominations and advising the electoral college on the appointment of a candidate to the office of Chancellor.

(5) The Registrar shall convene a meeting of the electoral college by sending a written notice to each member of the electoral college stating the time, date, place and purpose of the meeting at least two weeks before the date fixed for the meeting.

(6) The nominations shall be submitted to the electoral college by the Registrar for a final decision at the meeting referred to in paragraph 6(5).

(7) Thirty members of the electoral college shall form a quorum.

(8) The Principal shall be the chairperson of the meeting of the electoral college, but should he or she be absent, the members present shall elect one of their number to act as chairperson of that meeting.

(9) The election shall be by secret ballot and a majority of the members present at the meeting contemplated in paragraph 6(5) must vote for the successful candidate and every member has one vote, except for the chairperson who also has a casting vote.

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

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

(12) After the electoral college has elected a Chancellor, the name of the Chancellor is announced by the chairperson of the electoral college.

7. Term of Office.— (1) The Chancellor shall be elected for a period to be determined by the Council, but not exceeding five years, unless his or her term of office is terminated as contemplated in paragraph 7(4) and (5).

(2) A person may be elected for more than one term of office.

(3) If the Chancellor is unable, for any reason, to perform the functions of his or her office, or if the office of Chancellor becomes vacant, the Principal performs the functions of the Chancellor.

(4) The term of office of the Chancellor terminates in the event of

(a) death or incapacity;

(b) resignation; or

(c) removal from office by the electoral college as contemplated in subparagraph 7(5).

(5) The Chancellor may only be removed from office by means of a resolution passed by a majority of the members of the electoral college contemplated in paragraph 6(1), and then only after the Chancellor has been given the opportunity to answer to the reasons provided by the electoral college for such removal.

CHAPTER 4

VICE-CHANCELLOR AND PRINCIPAL, VICE-PRINCIPALS EXECUTIVE DIRECTORS AND REGISTRAR

VICE-CHANCELLOR AND PRINCIPAL

8. Status.— The Principal is the Vice-chancellor of the University *ex officio* and its chief executive and accounting officer.

9. Functions of Principal.— (1) The Principal is responsible for the management and administration of the University and has all the powers necessary to perform these functions.

(2) Apart from being the chief executive officer, the Principal is responsible for the management of the University and is its chief disciplinary official.

(3) The Council shall delegate to the Principal all the powers necessary to perform his duties.

(4) The Principal may in turn delegate duties to other employees or committees.

(5) The Principal reports to the Council.

(6) The Principal is *ex officio* a member of all the committees of the Council and the Senate.

(7) The Council may assign additional functions; and grant additional powers and privileges to the Principal as contemplated in section 68(2) of the Act.

(8) When the Principal is absent or unable to carry out his or her duties, he or she may delegate all his or her powers and duties to a member of the Executive as contemplated in section 68(3) of the Act.

10. Appointment of Principal.— (1) Subject to section 31(1) of the Act, the advertising of the post, the invitation for nominations of and applications by candidates, the search for suitable candidates, the criteria for the short listing of candidates and the interviewing and appointment processes are in the manner determined by the Council and the Institutional Rules of the University.

(2) The Council shall, after consultation with the Senate and the Institutional Forum, appoint the Principal: Provided that when the first term of a Principal has expired, and he or she is reappointed for a period which, together with any previous period(s) of office as Principal, does not exceed 10 years, consultation with the Senate and the Institutional Forum is not required.

11. Term of Office of Principal.— The Principal is appointed by the Council for such period as agreed upon in his or her contract: Provided that the Principal shall not be appointed for a period exceeding 10 years at a time.

VICE-PRINCIPALS, EXECUTIVE DIRECTORS AND REGISTRAR

12. Duties.— The Vice-principals, Executive Directors and Registrar are responsible for assisting the Principal in the management and administration of the University and have the powers and duties conferred upon them by the Council, this Statute, the Institutional Rules and delegated to them by the Principal.

13. Appointment and Terms of Office.— The Vice-principals, Executive Directors and Registrar are appointed in such manner and for such periods as determined by the Council and the Institutional Rules.

CHAPTER 5

COUNCIL

14. Functions.— (1) The Council governs the University subject to the provisions of the Act and the Statute.

(2) The Council shall perform all the duties imposed on it by this Statute; generally, the Council is responsible for governance, policy-making and monitoring and, in particular, responsible for laying down guidelines relating to —

- (a) strategic governance;
- (b) financial governance;
- (c) staff matters;
- (d) fostering a positive academic atmosphere;
- (e) disciplinary matters regarding staff and students; and
- (f) the admission and language policies of the University: Provided that the language policy and aspects of the admission policy are determined with the concurrence of the Senate, as required by sections 27 and 37 of the Act.

(3) The Council may appoint committees to assist it in carrying out its duties.

(4) The Institutional Forum shall advise the Council on the issues contemplated in section 31(1)(a) of the Act.

(5) The Council shall appoint people whom the Council considers are needed to manage the University effectively: Provided that no person is appointed as an academic staff member

except after consultation with the Senate or a committee of the Senate: Provided further that the Council may delegate this function to the Principal in accordance with the University's policy in this regard.

(6) The Council shall keep comprehensive records of all its activities, as well as of all assets, liabilities, income, expenditure and other financial transactions as required by section 41(1) of the Act, and shall report to the Minister as contemplated in section 41(2)) of the Act.

(7) The Council, after consultation with the SRC, shall make provision in the Institutional Rules of the University for a structure or structures for advising the Council on the rendering of student services at the University.

15. Composition.— (1) The Council is constituted as follows –

- (a) the Principal;
- (b) the Vice-principals;
- (c) three members of the Senate;
- (d) six persons appointed by the Council on the basis of their expertise and experience, inter alia in the fields of education, general management, financial management, human resources, technology and investment;
- (e) four members of the Convocation of the University, elected by the members of Tuks Alumni in accordance with the Constitution of Tuks Alumni;
- (f) two student members as set out in paragraph 17(3);
- (g) five persons appointed by the Minister of Education in accordance with section 27(4)(c) of the Act;
- (h) one person appointed by a local authority in whose area the University has its seat, to represent the communities served by the University;
- (i) two persons elected from the ranks of the donors of the University;
- (j) one employee elected from the ranks of the academic employees; and
- (k) one employee elected from the ranks of the non-academic employees.

(2) The Council members are elected or appointed in accordance with the provisions of paragraph 17 of this Statute.

16. Term of Office.— (1) The Principal and the Vice-principals are members of the Council for as long as they remain in their posts.

(2) The term of office of representatives of the SRC is the same as that of the SRC that appointed them.

(3) The term of office of all other members is four years: Provided that members, whose term of office has expired, may be re-elected or reappointed.

(4) A Council member's membership is terminated—

- (a) if the Council member fails to attend three consecutive ordinary meetings of the Council without the Council's consent;
- (b) if the Council member is sequestered;
- (c) if the Council member is found guilty of a crime that in the exclusive opinion of the Council is of such a serious nature that the member's continued membership of the Council is not desirable;
- (d) if the Council member is elected or appointed by a particular interest group and the Council member's membership of or association with the interest group is terminated;
- (e) if the Council member reaches the age of seventy years; or
- (f) if the Council rules that a conflict of interest has arisen, such as being a council member of another higher education institution in South Africa.

(5) Apart from the Principal, Vice-principals, representatives of the Senate and employee and student representatives, no Council member shall be a permanent or temporary staff member of the University, and should this happen, such Council member's membership of the Council lapses.

(6) A Council member is entitled at any time to submit his or her resignation in writing to the Chairperson of the Council.

17. Election and Nomination Procedures.— (1) The Senate representatives on the Council shall be elected in accordance with the procedure prescribed in Chapter 6.

(2) Employee representatives on the Council shall be elected from the ranks of the academic and non-academic employees in accordance with a process controlled by the Registrar consisting of the following —

- (a) Within a reasonable period of time before a specific election date, the Registrar shall offer
 - (i) every permanent academic employee the opportunity to nominate a permanent academic employee to represent the permanent academic staff on the Council;
 - (ii) every permanent non-academic employee the opportunity to nominate a permanent non-academic employee to represent the permanent non-academic employees on the Council.
- (b) Each nominated candidate shall be seconded by at least ten permanent employees (in the case of an academic nominee they must be academic employees and in the

case of a non-academic nominee they must be non-academic employees) and the nominee shall indicate in writing to the Registrar that he or she accepts the nomination.

- (c) On closure of nominations, the Registrar shall arrange for an election in accordance with general acceptable election procedures.
- (d) Permanent academic employees shall vote in respect of the vacancy to be filled by a permanent academic employee and permanent non-academic employees shall vote in respect of the vacancy to be filled by a permanent non-academic employee.
- (e) An election shall be valid only if at least fifteen per cent of the permanent academic employees or permanent non-academic employees, as the case may be, participated in the election.
- (f) The Registrar shall announce the results of the election.
- (g) After consultation with the Director of Human Resources, the Registrar shall determine whether an employee of the University, or an employee of the University jointly appointed by the University and another body qualifies as an academic or a non-academic employee.
- (h) Where an employee according to his or her job description performs academic and non-academic duties, that employee is considered to be an academic employee.

(3) Student members on the Council shall be appointed at an ordinary or a special meeting of the SRC from the ranks of the SRC in accordance with an appointment procedure of the SRC.

(4) The election of Council members from the ranks of the University's donors shall take place in accordance with Chapter 13.

(5) The members of the Council who are appointed to the Council on the basis of their expertise and experience, shall be appointed by means of a process controlled and supervised by the Registrar—

- (a) The Registrar shall place an advertisement in two national papers, inviting organisations, interest groups and individuals to nominate persons with expertise and experience to serve on the Council: Provided that if, in the opinion of the Council, the advertisements fail to elicit a satisfactory response, the Council may request organisations or individuals to nominate additional persons.
- (b) The Standing Committee of Council, after consultation with the Registrar, may draw up a list of the most suitable nominees: Provided that the names of all nominees will be tabled at the Council meeting.
- (c) The members of the Council shall be elected at an ordinary or an extraordinary meeting of the Council from the ranks of the nominees, after taking into consideration the recommendations made by the Standing Committee of Council.

(6) In electing members of the Council as contemplated in subparagraph (5), the Council shall take into account that, apart from the required expertise and experience of the individual candidates, it is desirable to have a broad and balanced representation as far as gender and racial composition are concerned.

(7) The process for the appointment of the Council members contemplated in paragraphs 15(1)(g) and (h), shall be facilitated by the Registrar: Provided that the local authority referred to in paragraph 15(1)(h) shall be designated by the Council.

(8) The process to be followed in the event of an incidental vacancy arising on the Council shall with the necessary changes, be the same as described above.

(9) A new Council member who is elected or appointed to fill a vacancy that arose before the expiry of the previous incumbent's term of office, shall be elected for the full four-year term of the particular office.

18. Chairperson, Vice-chairperson and Secretary.—(1) The Council shall elect a Chairperson from the ranks of Council members who are not employees or students of the University, and he or she shall hold the office for a term of two years.

(2) If the office of Chairperson falls vacant for any reason other than the expiry of the term of office, the Council shall elect a successor for the unexpired part of the term of office of his or her predecessor.

(3) The Council shall elect a Vice-chairperson from the ranks of Council members who are not employees or students of the University and he or she shall hold the office for a term of two years.

(4) The Vice-chairperson of the Council shall act as the Chairperson in the absence of the Chairperson: Provided that if the Chairperson and the Vice-chairperson are both absent, the members who are present shall elect a Chairperson from their own ranks for that specific meeting.

(5) The Registrar is the Secretary to the Council in terms of section 26(4)(b) of the Act.

19. Meetings and Procedure for Meetings.— (1) The Council shall meet at least once a semester at a time and place determined by the Council.

(2) The Council shall determine its own procedure for meetings, with due observation of accepted norms of fair administrative process.

(3) Half of all the Council members plus one additional Council member shall constitute a quorum.

(4) At least seven days before an ordinary meeting and at least three days before an extraordinary meeting of the Council, the Registrar shall send each member an agenda

indicating among others the date, time and place of the meeting, as well as the matters for discussion.

(5) Members wishing to place additional matters for discussion on the agenda, shall send a written request in this regard to the Registrar a reasonable time before the date of the meeting.

(6) With the approval of a majority of the members present, urgent matters may be placed on the agenda during a meeting.

(7) The Registrar shall keep comprehensive minutes of each Council meeting.

(8) The Council shall take decisions by a majority vote of the members who are present.

(9) The Chairperson of the meeting shall have an ordinary and a casting vote.

(10) Subject to the provisions of subparagraph (4), the Chairperson may convene an extraordinary meeting at any time, stating the matter or matters for discussion.

(11) At the request of the Principal or at the request of least five Council members, the Chairperson shall convene an extraordinary meeting: Provided that reasons for the request are in writing and the matters for discussions are briefly stated.

(12) No member of the Council may participate in a discussion or vote on a matter in which he or she has a direct financial, economic or personal interest, unless he or she declares the nature and extent of the interest beforehand and obtains the permissions of the meeting to take part in the discussion or to vote. Provided that if no permission is granted, the person must recuse him- or herself.

(13) The Council may generally, or in a specific case, grant observer status to a person or office bearer that allows such a person to attend a Council meeting or meetings.

(14) With the permission of the Council a person with observer status may take part in the debates of the Council but may not vote.

20. Standing Committee of Council.– (1) The Standing Committee of the Council is constituted as follows:

(a) the Chairperson of the Council;

(b) the Vice-chairperson of the Council;

(c) the Principal;

(d) two Council members appointed from the ranks of Council members who are employees of the University: Provided that at least one of the members who is appointed in this manner is a member of the Senate; and

(e) two Council members appointed by the Council from the ranks of the Council members who are not staff members of the University.

(2) The term of office of members of the Standing Committee of the Council as contemplated in subparagraphs (1)(d) and (e) shall be two years.

(3) Members, whose term of office has expired, may be re-elected.

(4) At the request of the person acting as the Chairperson of the Standing Committee of the Council at a meeting, any member of the Council may serve as a substitute member for an absent member of the Standing Committee: Provided that employees may only substitute for employees and non-employees for non-employees; and provided further that student members of Council may not substitute for absent members.

21. Chairperson, Vice-chairperson, Secretary of Standing Committee and Procedure for Meetings.— (1) The Vice-chairperson of the Council shall *ex officio* be the Chairperson of the Standing Committee of the Council and the Chairperson of the Council shall *ex officio* be the Vice-chairperson of the Standing Committee of the Council.

(2) In the absence of the Chairperson of the Standing Committee of the Council, the Vice-chairperson of the Standing Committee of the Council shall act as the Chairperson of the Standing Committee of the Council: Provided that if the Chairperson and the Vice-chairperson are both absent, the members who are present shall elect a Chairperson from their own ranks for that specific meeting.

(3) Four members of the Standing Committee of the Council shall constitute a quorum.

(4) The Standing Committee of the Council shall determine its own procedure for meetings, with due observation of generally accepted norms of fair administrative process.

(5) The Registrar shall act as Secretary of the Standing Committee of the Council.

22. Powers and Functions of Standing Committee.— (1) When the Council is not in session, the Standing Committee of the Council, as the representative of the Council, may assume the authority of Council and may act on behalf of the Council.

(2) The Standing Committee of the Council shall report to the Council on the actions of the Standing Committee in accordance with subparagraph (1), which actions shall be ratified or reviewed at the next Council meeting, as the case may be.

(3) The Council may, generally and specifically, grant the Standing Committee of the Council the authority to finalise matters on behalf of the Council, in which case the Standing Committee merely reports to the Council and it is not necessary for the Council either to ratify or to review the action taken by the Standing Committee.

(4) Where the Council grants the Standing Committee of the Council the authority to finalise matters as envisaged in subparagraph (3), the Council shall ratify or review the delegated power at least every four years.

(5) The Standing Committee of the Council shall co-ordinate, control and supervise the activities of all the committees of the Council.

(6) As part of its reporting to the Council, the Standing Committee of the Council shall report on the activities of the committees of the Council.

(7) The Registrar shall maintain a detailed consolidated record of all delegated powers as contemplated in subparagraph (3).

(8) The Standing Committee of the Council may further delegate the authority granted to it by the Council, this Statute and the Institutional Rules, including the authority granted in accordance with subparagraph (3), to a committee, or an individual as set out in the Institutional Rules, except in cases where the Council has explicitly specified to the contrary.

23. Committees.— (1) Apart from a Standing Committee of the Council, the Council shall establish an Audit Committee and a Human Resources Committee and shall determine their functions and authority.

(2) The Council may establish any other committees as well as joint Council and Senate committees.

(3) The Council shall determine the constitution, election, term of service and functions of committees: Provided that the Council may appoint persons who are not Council members to the committees.

CHAPTER 6

SENATE

24. Functions.— (1) The Senate conducts its business under the management of the Council and is accountable to the Council for academic and research matters as contemplated in section 28(1) of the Act.

(2) The functions of the Senate are as follows –

- (a) academic planning and development;
- (b) the regulation of all activities of the University in respect of teaching, learning and research, including –
 - (i) guidelines for the appointment and promotion of academic staff;
 - (ii) guidelines for the organisation, structures and administration of teaching, learning and research at the University;
 - (iii) management and supervision of student evaluation;
 - (iv) quality assurance in respect of teaching, learning and research;
- (c) to make recommendations to the Council on inter alia the following matters –
 - (i) the establishment, amalgamation or closure of faculties, departments, institutes, bureaus, research units and centres;

- (ii) the introduction or discontinuation of degrees, diplomas, programmes, curricula, subjects and courses;
 - (iii) curricula for degrees, diplomas and programmes and the content of subjects and courses: Provided that in case of certificates for short courses the Senate may delegate its authority to the Faculty Boards;
 - (iv) the general admission policy of the University;
 - (v) the management, operation and development of the academic information service;
 - (vi) the conferring of honorary degrees;
 - (vii) academic dress, graduation and diploma ceremonies;
 - (viii) organised student life, including student services and student discipline;
 - (ix) the selection of candidates for the position of Chancellor; Principal; and Vice-principals; and
 - (x) the appointment and promotion of the academic personnel of the University, and
- (d) together with the Council, as required by section 37(4) of the Act, to approve of the following –
- (i) the language policy of the University;
 - (ii) admission requirements for specific academic programmes;
 - (iii) the number of students who may be admitted to a specific programme as well as the method of selection;
 - (iv) the minimum admission requirements for readmission to the University and the refusal of students who do not comply with the minimum requirements; and
- (e) the execution of any other function that the Council may assign or delegate to the Senate.

25. Composition.— (1) The Senate is constituted as follows:

- (a) Members of the Senate by virtue of their office, namely the –
- (i) Chairperson of Council;
 - (ii) Deputy Chairperson of the Council;
 - (iii) Principal;
 - (iv) Vice-principals;
 - (v) Executive Directors;
 - (vi) Deans of Faculties, Deputy Deans and academic personnel who have similar status;

- (vii) Heads of academic departments and academic personnel who have similar status;
- (viii) Registrar;
- (ix) Chairpersons of schools;
- (x) Directors of support service divisions who are responsible for the following activities at the University: academic information service; teaching support; research support; telematic education; institutional research and planning; the Dean of Students and any other director as determined by the Senate;
- (xi) Chairperson of the Institutional Forum;
- (b) members who are nominated or elected, namely –
 - (i) four members nominated by the SRC;
 - (ii) two employees, who are not already members of the Senate, elected from the ranks of the permanent academic employees;
 - (iii) two employees, who are not already members of the Senate, elected from the ranks of the permanent non-academic employees.

(2) Incidental vacancies in the category of members who are nominated or elected are to be filled as set out in subparagraph (1) for the remainder of the previous incumbent's term of office.

26. Terms of office.– (1) The persons referred to in paragraph 25(1)(a) are members of the Senate for as long as they remain in the posts concerned.

(2) The term of office of representatives of the SRC shall be the same as that of the SRC that appointed them.

(3) The term of office of all other members shall be four years: Provided that members may be re-elected or renominated when their term of office expires.

(4) If a student representative is re-elected to the SRC, he or she may be nominated as a student representative for another term: Provided that a student representative's membership lapses automatically when he or she is no longer a registered student.

(5) The membership of a Senate member shall be terminated in cases where the member was elected or nominated by a specific interest group to represent it and the association of the Senate member with the interest group concerned ceases.

27. Election and nomination procedures. – (1) The Registrar shall make the arrangements for the nomination and election of members.

(2) Student members of the Senate are elected at an ordinary or special meeting of the SRC in accordance with the election procedures of the SRC.

(3) Two members from the ranks of the permanent academic employees and two members from the ranks of the permanent non-academic employees shall be elected in accordance with the process set out in subparagraph (4).

(4) The Registrar shall arrange and administer an election of members from the ranks of the employees to the Senate in the following manner:

- (a) Within a reasonable period before a particular election date, the Registrar shall afford –
 - (i) every permanent academic employee the opportunity to nominate a representative or representatives to represent the permanent academic employees in the Senate;
 - (ii) every permanent non-academic employee the opportunity to nominate a representative or representatives to represent the permanent non-academic employees in the Senate.
- (b) Each candidate shall be seconded by at least ten permanent employees (in the case of an academic nominee they must be academic employees and in the case of a non-academic nominee they must be non-academic employees), not be a Senate member already and inform the Registrar in writing whether he or she accepts the nomination.
- (c) On the closure of nominations, the Registrar shall arrange for an election in accordance with general acceptable election procedures.
- (d) Permanent academic employees shall vote in respect of vacancies to be filled by permanent academic employees and permanent non-academic employees shall vote in respect of vacancies to be filled by permanent non-academic employees.
- (e) An election is valid only if at least fifteen per cent of the permanent academic employees or permanent non-academic employees, as the case may be, has participated in the election.
- (f) The Registrar shall determine, after consultation with the Director of Human Resources, whether an employee of the University, or an employee of the University who has been appointed jointly by the University and another body, qualifies as an academic or as a non-academic employee.
- (g) If an employee performs academic and non-academic tasks in accordance with his or her job description, that particular employee is considered to be an academic employee.
- (h) The Registrar shall announce the results of the poll.

28. Chairperson, Deputy Chairperson and Secretary.— (1) In terms of section 26(4)(a) of the Act, the Principal is the Chairperson of the Senate.

(2) The Senate shall elect another Senate member to serve as Deputy Chairperson of the Senate.

(3) The Deputy Chairperson shall hold office for two years, but may be re-elected.

(4) In the absence of the Chairperson, the Deputy Chairperson of the Senate shall act as Chairperson and if both the Chairperson and the Deputy Chairperson are absent, the members present shall elect a Chairperson from their ranks for the particular meeting.

(5) If the office of Deputy Chairperson becomes vacant for any reason other than expiry of the term of office, the Senate shall elect a successor for the unexpired part of the term of office of his or her predecessor.

(6) The Registrar is the Secretary of the Senate.

29. Scheduling of Meetings and Procedure at Meetings.— (1) The Senate shall meet at least once a semester.

(2) The Senate shall determine its own procedure at meetings with due observance of generally accepted norms of fair administrative process.

(3) One half of all the members of the Senate plus one shall constitute a quorum.

(4) The Registrar shall notify each member in writing of the date, time and venue of a meeting at least seven days before the meeting and the agenda for the meeting shall accompany the notice.

(5) Members who wish to place additional matters for discussion on the agenda shall submit such matters in writing to the Registrar at least five days before the date of the meeting.

(6) The Registrar shall keep minutes of every meeting.

(7) Urgent matters may be placed on the agenda for discussion or for discussion and finalisation during a meeting by agreement of the majority of members present.

(8) In the absence of a Senate resolution to the contrary, the Senate shall reach its decisions through a majority vote by the members present.

(9) Normally, members shall vote by a show of hands, but the Senate may decide on a different procedure in a particular case.

(10) Secret ballot papers shall be used when members of the Senate vote to elect an individual, but the Senate may decide on a different procedure in a particular case.

(11) The Chairperson of the meeting shall have an ordinary and a casting vote.

(12) The Chairperson may at any time convene an extraordinary meeting: Provided that the matters for discussion are stated and briefly supported by reasons.

(13) The Chairperson shall convene an extraordinary meeting at a date determined by him or her, if requested to do so by at least twenty-five members: Provided that the request is in writing and the matters for discussion are stated and briefly supported by reasons.

(14) The Chairperson shall decide whether or not observers may attend or speak at meetings.

30. Composition of Senate Executive.— (1) The Senate Executive is constituted as follows:

- (a) the Principal;
- (b) the Vice-principals;
- (c) the Executive Directors;
- (d) the Deans of Faculties;
- (e) the Chairpersons of the committees of the Senate who are not already members of the Senate Executive;
- (f) the representatives of the Senate on the Council, elected in accordance with paragraph 35(1), who are not already members of the Senate Executive;
- (g) the Directors of support service divisions who are responsible for the following activities at the University: academic information service; teaching support; research support; telematic education; institutional research and planning; as well as the Dean of Students; and
- (h) the Registrar.

(2) Those bodies that are entitled to nominate or elect members, nominate or elect members in terms of their internal nomination or election procedures.

(3) The Senate Executive is entitled to co-opt members to the Senate Executive.

(4) The Registrar shall be the secretary of the Senate Executive.

(5) The Chairperson contemplated in paragraph 31(1) shall decide whether or not observers may attend or speak at meetings.

31. Chairperson and Deputy Chairperson of Senate Executive and Procedure at Meetings.— (1) The Principal shall be the Chairperson of the Senate Executive: Provided that in the absence of the Principal, a Vice-principal present shall act as the Chairperson.

(2) If neither the Principal nor any of the Vice-principals are available, the Senate Executive shall elect a Chairperson for the particular meeting from its own ranks.

(3) One half of all the members of the Senate Executive plus one shall constitute a quorum.

(4) The Senate Executive shall determine its own procedure at meetings with due observance of generally accepted norms of fair administrative process.

32. Powers and Functions of Senate Executive.— (1) When the Senate is not in session, the Senate Executive, as a representative of the Senate, may assume the authority of the Senate and may execute the Senate's functions.

(2) The Senate Executive shall report to the Senate on its actions in terms of subparagraph (1): Provided that all actions taken by the Senate Executive on behalf of the Senate shall be ratified or reviewed at the next meeting of the Senate.

(3) The Senate are entitled to give the Senate Executive a general or specific authority to finalise matters on behalf of the Senate, in which event the Senate Executive merely reports to the Senate and the action is neither ratified nor reviewed by the Senate.

(4) Where the Senate authorises the Senate Executive to finalise matters, as envisaged in subparagraph (3), the Senate shall ratify or review the delegated power or powers at least every four years.

(5) The Registrar shall keep a detailed consolidated record of all delegated powers, as contemplated subparagraph (3).

(6) The Senate Executive shall meet before each meeting of Senate, except in case of a special meeting of Senate.

33. Committees of Senate.— (1) In addition to the Senate Executive, the Senate shall establish a number of committees to enable the Senate Executive to execute its functions, namely the —

- (a) Academic Planning Committee;
- (b) Committee for Admission, Evaluation and Academic Support;
- (c) Selection Committees for the purpose of advising the Council on the appointment of academic employees;
- (d) Timetable Committee;
- (e) Student Disciplinary Committee;
- (f) Faculty Boards;
- (g) Ethics Committee;
- (h) Student Life Committee.

(2) The Senate may appoint any other committee, including joint Council and Senate committees: Provided that the latter shall be appointed in consultation with the Council.

(3) The activities of all committees of the Senate are co-ordinated by and are executed under the control and supervision of the Senate Executive.

(4) The Senate Executive may further delegate the authority granted to it by the Senate, this Statute and the Institutional Rules, including the authority entrusted to it in terms of paragraph 32(3), to a committee of the Senate or to an individual, as set out in the Institutional Rules, except in cases where the Senate has specified to the contrary.

(5) The reporting by the Senate Executive to the Senate shall include the activities of the committees of the Senate.

(6) The Senate Executive shall nominate and elect members and Chairpersons of committees.

(7) Matters concerning the constitution, election, terms, functions and procedures of committees not regulated in terms of the above shall be regulated by means of the Institutional Rules.

34. Faculties.— (1) At the University there shall be such Faculties, Schools and Departments (whether subdivisions of Faculties or not) as the Council, after consultation with the Senate, may from time to time establish.

(2) The Faculty Board of each Faculty is a committee of the Senate.

(3) The following matters concerning the Faculty Boards are defined in the Institutional Rules –

- (a) the constitution of such Boards;
- (b) their powers and functions;
- (c) their procedures;
- (c) the selection of candidates for the positions of Deans of Faculties, Deputy Deans or persons of similar status;
- (e) the appointment of committees of the faculty as well as the manner in which their functions are determined; and
- (f) their authority to delegate.

(4) The Dean of the Faculty concerned is *ex officio* the Chairperson of the faculty board meeting.

(5) In the absence of the Dean, the Deputy Dean or the acting Dean shall act as the Chairperson: Provided that if both the Dean and the Deputy Dean or the acting Dean are absent, the members present at the faculty board meeting shall elect a Chairperson for the particular meeting from their own ranks.

35. Representatives of Senate on Council.— (1) The Senate shall elect three representatives from its ranks to serve as Council members for a term of four years: Provided that at least one of the said representatives is elected from the ranks of the Senate members in the faculties of natural sciences (including the health sciences and veterinary science) and at least one is elected from the ranks of the Senate members in the faculties for the humanities.

(2) Members who are already by virtue of their office members of the Council shall not be considered as candidates.

(3) The Registrar shall notify all members of the Senate of the election of a representative or representatives of the Senate to the Council at least seven days before a Senate meeting.

(4) A person shall be a candidate if he or she is nominated during a Senate meeting by at least two persons, and indicates verbally or in writing that he or she accepts the nomination.

(5) Members whose term of office has expired may be re-elected or renominated.

(6) The election shall be by secret ballot and a majority of the members present at the meeting of the Senate must vote for the successful candidate.

(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 least number of votes is eliminated as a candidate.

(9) After the Senate has elected the representatives, their names are announced by the Chairperson.

(10) Incidental vacancies shall be filled, with the necessary changes, as set out above.

CHAPTER 7

FACULTIES AND FACULTY BOARDS

36. Functions, compositions and procedures.— These matters are provided for in paragraph 34 and in the Institutional Rules of the University.

CHAPTER 8

INSTITUTIONAL FORUM

37. Functions.— (1) The Institutional Forum shall advise the Council on the following matters affecting the University—

- (a) the implementation of the Act and national policy on higher education;
- (b) the formulation of race and gender equity policies;
- (c) the selection of candidates for senior management positions;
- (d) codes of conduct;
- (e) mediation and dispute resolution procedures;
- (f) the formulation of policy for fostering an institutional culture characterised by tolerance, respect for fundamental human rights and a positive academic climate;
and
- (g) the management of cultural diversity on the University's campuses.

(2) The advice given by the Institutional Forum to the Council shall be submitted in written form by the Chairperson of the Institutional Forum.

(3) The Institutional Forum shall perform such additional functions as are determined by the Council.

(4) The Council may, after consultation with the Institutional Forum, amend or revoke the mandate of the Institutional Forum referred to in subparagraph (3).

38. Composition.— The Institutional Forum is constituted as follows —

- (a) two representatives of the Executive of the University, appointed by the Principal;
- (b) two representatives of the Council elected by the Council;
- (c) two representatives of the Senate elected by the Senate;
- (d) a maximum of five representatives elected from the ranks of the trade unions and staff associations recognised as such by the University as set out in paragraph 40(3);
- (e) one member appointed by Tuks Alumni;
- (f) one disabled person (either a member of staff or a student) appointed by the Council;
- (g) not more than ten student representatives in accordance with an appointment procedure of the SRC.
- (h) a maximum of three employee or student members, appointed by the Council after consultation with the Institutional Forum
 - (i) on the basis of their expertise and experience; or
 - (ii) in order to represent a specific interest group or groups on campus not already represented in the Institutional Forum:

Provided that a student or an employee who had been found guilty of misconduct by a disciplinary committee of the University may not be a member of the Institutional Forum.

39. Term of Office.— (1) The term of office of all members is four years, with the exception of members appointed by the SRC and student members co-opted in accordance with paragraph 38(h).

(2) The term of office of student members shall correspond with the term of office of the SRC that appointed them.

(3) The term of office of members co-opted in accordance with paragraph 38(h) of this Chapter shall be one year.

(4) A member may be re-elected, re-appointed or co-opted again for another term when his or her term expires.

(5) A student member's membership of the Institutional Forum shall be terminated if the member is no longer a registered student.

(6) The membership of a member of the Institutional Forum shall be terminated if the said member is elected or appointed by a specific interest group to represent the particular group and the member's membership of or association with the interest group is terminated or the member is suspended by the interest group.

40. Election Procedure.— (1) The Registrar shall facilitate the process in terms of which members are appointed, elected or co-opted.

(2) When members are elected or appointed by a particular body that is entitled to do so, the body shall elect or appoint such members in accordance with its own internal appointment or election procedures but with a sensitivity for gender and race.

(3) Each trade union and staff association recognised as such by the University shall be entitled to one representative: Provided that the representative shall be elected from the ranks of the employees of the University by members of the trade union or staff association: Provided further that where there are more than five trade unions and staff associations that qualify in this way, only the five trade unions and staff associations with the largest University employee membership, shall be entitled to appoint representatives.

(4) Only members of the SRC may be appointed as students' representatives on the Institutional Forum

41. Chairperson and Deputy Chairperson.— (1) The Institutional Forum shall elect a Chairperson and a Deputy Chairperson from the members of the Institutional Forum.

(2) The term of office of the Chairperson and the Deputy Chairperson shall correspond with their terms of office as members of the Institutional Forum.

(3) If the office of the Chairperson or the Deputy Chairperson becomes vacant, the Institutional Forum shall elect a successor at its next meeting.

(4) The Chairperson of the Institutional Forum reports back to the Institutional Forum on the Council's acceptance, partial acceptance or rejection of the advice of the Institutional Forum.

(5) The Institutional Forum shall elect a Secretary: Provided that the Registrar, or a staff member designated by him or her, shall assist the Secretary or act in his or her place.

42. Executive Committee, Task and Work Groups.— (1) The Institutional Forum shall be empowered to make use of Task and Working Groups in order to facilitate and expedite the activities of the Institutional Forum.

(2) The Institutional Forum shall appoint an Executive Committee to control, manage and administer the Institutional Forum on a day-to-day basis.

(3) The Executive Committee of the Institutional Forum is constituted as follows –

(a) the Chairperson of the Institutional Forum;

(b) the Deputy Chairperson of the Institutional Forum; and

(c) three members appointed by the Institutional Forum, of which one, but not more than two, is a student or are students.

(4) The Executive Committee of the Institutional Forum shall determine its own procedures for meetings with due observation of generally accepted norms of fair administrative process.

(5) The quorum for a meeting of the Executive Committee of the Institutional Forum shall be three members.

(6) The term of office of the three members referred to in subparagraph (3)(c) shall correspond with their respective terms of office as members of the Institutional Forum.

(7) The Registrar, or a staff member designated by him or her, shall be responsible for the administrative services that the Executive Committee may require.

43. Procedure.– (1) The Institutional Forum shall determine its own procedure for meetings with due observation of generally accepted norms of fair administrative process.

(2) Thirty five per cent of all the members of the Institutional Forum plus one member shall constitute a quorum.

(3) Resolutions of the Task and Work Groups shall not be binding on the Institutional Forum and consequently there shall be no quorum requirement for the meetings of these bodies.

(4) The Secretary shall keep comprehensive minutes of all meetings of the Institutional Forum, including meetings of the Task and Work Groups.

(5) At least four days before a meeting the Secretary shall send each member an agenda indicating inter alia the date, venue and time of the meeting as well as the matters for discussion.

(6) Members wishing to place additional matters for discussion on the agenda, shall send a written request in this regard to Secretary at least two days before the date of the meeting.

(7) The Chairperson may convene an extraordinary meeting at any time on four day's notice, stating the matter or matters for discussion.

(8) When requested by at least eight members of the Institutional Forum, the Chairperson shall convene an extraordinary meeting: Provided that the request is in writing and the matters for discussion are stated and briefly supported.

44. Decision-making.– (1) If seventy-five per cent of the members present at a meeting vote either in favour of or against a specific proposal, the Institutional Forum has taken a decision.

(2) If the Council requests the Institutional Forum to advise the Council on a specific matter and no proposal put before the Institutional Forum enjoys the support of seventy-five per cent of the members present, the Chairperson shall be obliged to call a follow-up meeting within two weeks.

(3) If at the follow-up meeting the Institutional Forum does not take an advisory decision, the Executive Committee of the Institutional Forum in conjunction with the members of the Institutional Forum shall compile a summary of the various opinions expressed at the Institutional Forum and shall submit the summary to the Council.

(4) Where the Institutional Forum has taken an advisory decision that is submitted to the Council, a member or members with a minority viewpoint shall be entitled to formulate the minority viewpoint or viewpoints in writing and to submit it or them to the Council through the mediation of the Executive Committee of the Institutional Forum.

CHAPTER 9

CONVOCATION

45. Membership.– The Convocation shall consist of-

(1) all the persons, other than persons referred to in paragraph (2), who immediately before the commencement of this Statute were members of the Convocation of the University;

(2) the Principal, the Vice-principals, the Executive Directors, Registrar, the Deans of Faculties, the academic employees on the permanent staff of the University, professors emeriti, other retired academic employees and such other persons as the Council may determine; and

(3) all persons who are or become graduates of the University:

Provided that if any person who, by virtue of the provisions of paragraph (1) or (3), is or is about to become a member of the Convocation, notifies the Council in writing that he or she does not wish to continue to be or to become such a member, he or she shall, upon the receipt of such notice by the Council, cease to be such a member or not become such a member, as the case may be.

46. President.– (1) There shall be a President of the Convocation who shall be elected by the Convocation from among its number for a period of five years. Provided that the retiring President shall be eligible for re-election.

(2) If the office of President becomes vacant, the Principal shall act as President until the Convocation at its next meeting elects a successor for the unexpired portion of the period of office of his or her predecessor.

47. Election of President.— (1) Whenever the Convocation has to elect a President, the Registrar shall call for written nominations for candidates in the press and in any other appropriate way.

(2) Each nomination shall be signed by at least four members, shall be countersigned by the nominee as accepting nomination and shall be lodged with the Registrar at least three weeks before the election.

(3) If only one person is nominated, the Registrar shall forthwith declare such person to be duly elected.

(4) If more than one person is nominated, the Registrar shall submit the nominations to a meeting of the Convocation for a final vote.

48. Meetings.— (1) The Registrar shall keep the roll thereof, and it shall be incumbent upon every member of the Convocation to notify the Secretary from time to time of any change of address.

(2) Subject to the provisions of subparagraph (3), the President, or in his or her absence the Principal, shall preside at meetings of the Convocation, but in the event of their both being absent, the members present shall elect one of their number to act as chairperson of the meeting.

(3) The President or if the office of President is vacant or if he or she fails to do so, the Registrar, shall convene a meeting of the Convocation in Pretoria at least once every five years: Provided that a joint meeting with Tuks Alumni may be held, save a meeting in terms of paragraph 47(4): Provided further that a joint meeting shall be convened and chaired by Tuks Alumni.

(4) A special meeting of the Convocation may be convened by the President at any time, and shall be convened by him or her or, if he or she fails to do so, by the Registrar, at the written request of at least fifteen members: Provided that the object of the meeting shall be stated in such request and that no business other than that stated in the notice shall be transacted at the meeting.

(5) At least two weeks before the date fixed for a meeting the Registrar shall give notice in the press of the time, date and place of the meeting and of the business to be transacted: Provided that the notice of a joint meeting shall be given in the manner and according to the procedure determined by Tuks Alumni.

(6) One hundred members of the Convocation shall constitute a quorum for any meeting of the Convocation.

(7) Election of members of the Convocation to the Council is in accordance with the Constitution of Tuks Alumni.

(8) For purposes of an election contemplated in subparagraph (7), the Convocation is deemed closed from the latest date on which ballot papers are issued until the date of the election, both days inclusive.

49. Submission of Resolutions to Council.— A copy of any resolution of the Convocation taken at a meeting of the Convocation, duly certified by the Chairperson and the Registrar, shall be submitted to the Council by the Registrar: Provided that the Convocation may discuss any matter that relates to the University or is referred to it by the Council, and may convey its views thereon to the Council.

CHAPTER 10

DEGREES, DIPLOMAS AND CERTIFICATES

50. Capacity.— (1) The University may, subject to the provisions of this Statute, confer such degrees in any faculty as it may deem expedient to confer.

(2) Save as is provided by paragraph 51, no degree shall be conferred by the University upon any person who has not attained, in an examination or other test, the prescribed standard of proficiency.

(3) The University may grant a diploma or certificate to any person who has pursued a course of study approved by the Council and has attained the prescribed standard of proficiency.

(4) The University may grant a certificate to any person who has pursued a course of study approved by a Faculty Board or an entity under the control of the University.

51. Honorary Degrees.— (1) Subject to the provisions of this paragraph, the University may, on the resolution of the Council and of the Senate, and without examination, confer an honorary doctorate in any faculty upon any person whom the University may deem worthy of such a degree: Provided that the holder of such a degree which has been conferred *honoris causa*, shall not, by the fact that he or she has been admitted thereto, be entitled to practise any profession.

(2) A candidate for the award of an honorary degree shall be selected by a selection committee consisting of the Senate Executive with the addition of the Chairperson and the Vice-chairperson of the Council: Provided that the Chairperson and the Vice-chairperson of the

Council may each nominate a member of the Council as his or her representative on the selection committee.

(3) The name of the candidate recommended by the selection committee shall be submitted to the Senate.

(4) The Senate shall vote by secret ballot and without preliminary discussion on the candidate recommended by the selection committee: Provided that the Senate shall not discuss or deal with any proposal not recommended by the selection committee.

(5) The name of the candidate who has obtained an ordinary majority of the votes of the members of the Senate present at the meeting shall be submitted to the Council.

(6) The Council shall vote by secret ballot and without preliminary discussion on the candidate recommended by the Senate: Provided that the Council shall not discuss or deal with any proposal not recommended by the selection committee and the Senate.

(7) The honorary degree shall be awarded to the candidate who has obtained a majority vote of the members of the Council present at the meeting, at the time and place determined by the Principal: Provided that no honorary degree shall be conferred posthumously.

52. Congregation and Conferring of Degrees.— (1) A meeting of the members of the University called a Congregation shall be held for the purpose of conferring degrees.

(2) The Chancellor, or in his or her absence the Principal or a Vice-principal, shall preside at a congregation.

(3) A congregation of the University shall be held at least once a year on a date to be announced at the beginning of every academic year.

(4) The procedure as to the presentation of graduands, the conferring of degrees *in absentia*, academic dress and all other matters in connection with congregations not provided for in this Chapter shall be determined by the Executive Committee of the Senate, taking into account the advice of the Senate.

CHAPTER 11

EMPLOYEES

53. Appointment.— Subject to section 34 of the Act, the Council appoints employees according to the staffing policies of the University as determined in the Institutional Rules.

54. Conditions of Employment.— The conditions of employment, including the determination and review of salaries of employees and all other forms of remuneration, are approved by the Council according to the University's policy as determined in the Institutional Rules which may be amended from time to time by the Council.

55. Evaluation.— All employees of the University are subject to continuous evaluation in the performance of their duties and such evaluation may be tied to remuneration.

56. Staff Discipline.— Subject to applicable labour laws, all staff members of the University shall be subject to a disciplinary code, a disciplinary procedure and a grievance procedure as approved by the Council and as set out in the Institutional Rules.

57. Representative Employees' Organisations.— Agreements with representative employees' organisations may, with reference to conditions of employment and according to the relevant labour legislation, be entered into by the Council or by the Vice-chancellor and Principal acting on the delegated authority of the Council.

CHAPTER 12

STUDENTS

58. Admission and Registration of Students.— (1) As contemplated in section 37 of the Act, a person may be permitted by the Council to register as a student only if he or she satisfies the legal requirements, if any, for admission to study at the University and, further, satisfies any other requirements for admission that may be determined by the Council and the Senate and laid down in the Institutional Rules.

(2) Upon registration, whether for a degree, diploma, certificate or one or more subjects or modules, the student subjects himself or herself to the Institutional Rules of the University, as set out in the various publications of the University.

(3) The requirements for admission of a student to faculties are set out in the Institutional Rules and may be changed by the Council after consultation with the Senate.

(4) A student is registered for one year at a time or for such shorter period as the Council may determine in general or in a particular case.

(5) In order for a student to renew his or her registration after the expiry of the period contemplated in subparagraph (4), the student is required to comply with any conditions set by the Senate: Provided that the Senate may delegate its authority in this respect to the various Faculty Boards.

(6) The Council may refuse to allow the renewal of registration if a student fails to meet the conditions contemplated in subparagraph (5).

(7) The conditions contemplated in subparagraph (5) may include the payment of outstanding fees as well as non-performance academically or disciplinary matters .

59. SRC.— (1) In matters that may affect them, the students of the University are represented by the SRC acting in accordance with the provisions of the SRC's Constitution and the Institutional Rules of the University.

(2) Only students registered for a degree or diploma shall be elected as members of the SRC.

(3) No student who has been found guilty of transgressing the University's disciplinary code by a disciplinary committee of the University shall be eligible to serve on the SRC and a standing member of the SRC thus found guilty shall immediately vacate his or her position.

(4) The SRC, as contemplated in section 35 of the Act, must be representative of the student body.

(5) The election of SRC members must be democratic and transparent.

(6) The term of office of the members of the SRC is one year.

(7) The privileges of members of the SRC are determined by the Council and can be revoked by the Council.

(8) The SRC is composed and functions in terms of its own Constitution as approved by the Council, as well as the provisions of this Statute and the Institutional Rules: Provided that in the absence of an approved Constitution, the provisions of paragraphs 36 to 43 of the Standard Institutional Statute published in Government Notice 377 of 27 March 2002 shall apply.

(9) The current Constitution of the SRC as acceded to by Council on 28 May 2003 shall remain in effect until revoked by Council.

60. Student Discipline.— The disciplinary measures and discipline provisions applicable to the students are set out in the Institutional Rules as contemplated in section 36 of the Act, and may be changed by the Council after consultation with the Senate and the SRC as provided for in section 32(2)(d) of the Act.

CHAPTER 13

DONORS

61. Donors.— The University may receive monies, equipment or services of any sort from donors to assist the University in providing quality education and support services.

62. Qualification for Donors.— (1) Any person who has made a particular donation to the University shall be deemed to be a donor: Provided that if a donation is made by a juristic person, the representative of such juristic person shall be deemed to be a donor: Provided further that only donors who have donated more than the minimum amount contemplated in

subparagraph (2) shall for a period of five years be entitled to elect two members of the Council as mentioned in paragraph 15(1).

(2) The donation referred to in subparagraph (1), whether in the form of money, either in one sum or in a number of lesser sums, or as property, either in one asset or a number of assets, or as money and property together, shall be not less than an amount or valued at not less than an amount fixed from time to time by the Council.

(3) The period contemplated in subparagraph (1) shall be five years calculated from the time when the donation satisfies the requirements set in subparagraph (2).

(4) In the case of a donor who, having satisfied the requirements of subparagraph (2), makes further donations, the period of five years shall be calculated from the last date on which the requirements of subparagraph (2) were satisfied.

(5) Any person who at the commencement of this Statute is already a donor shall be deemed to have satisfied the requirements of subparagraph (2) on the date of commencement.

63. Election by Donors.— (1) Whenever the donors have to elect a member of the Council, the Registrar shall call for written nomination for candidates in the press and in any other appropriate way.

(2) Each nomination shall be signed by at least two donors, shall be countersigned by the nominee as accepting nomination and shall be lodged with the Registrar at least four weeks before the election.

(3) If the number of persons nominated does not exceed the number to be elected, the Registrar shall forthwith declare such person or persons to be duly elected.

(4) If more persons are nominated than are to be elected, the Registrar shall submit the nominations to a meeting of the donors for a final ruling.

(5) The Principal shall preside at any meeting of the donors and in his or her absence the donors present shall elect one of their number to act as chairperson of that meeting.

(6) Five donors shall constitute a quorum.

CHAPTER 14

REPEAL OF PREVIOUS STATUTE

64. Repeal of Previous Statute.— The Statute applicable to the University of Pretoria published by Government Notice No. R1632 of 18 October 1996, as amended by Government Notice No. 755 of 10 June 1999 and Government Notice No. 1206 of 19 August 2003, is hereby repealed with effect from the date on which this Statute comes into operation.

CHAPTER 15

TRANSITIONAL PROVISIONS

65. Transitional Provisions.— (1) With the coming into force of this Statute, the existing Council of the University shall have the power and authority to take steps to implement the provisions of the Act, this Statute and the Institutional Rules.

(2) The steps referred to in subparagraph (1) may include the termination of the membership of Council members to make it possible to reconstitute the Council in accordance with the Statute.

(3) Before the promulgation of this Statute, the Council has delegated powers, with or without the authority to finalise matters, to committees of the Council, the Senate, committees of the Senate and individuals.

(4) The delegated powers referred to in paragraph (3) shall be regarded as having been delegated in terms of the provisions of this Statute to the Standing Committee of the Council, other committees of the Council, the Senate, committees of the Senate and individuals, specifically also the Principal.

(5) Before promulgation of this Statute, the Senate has delegated authority, with or without the power to finalise matters, to the Executive Committee of the Senate, the committees of the Senate, the faculty boards and to individuals.

(6) The delegated authority referred to in subparagraph (5) is regarded as having been delegated in terms of the provisions of this Statute: Provided that powers entrusted to the Executive Committee of the Senate shall be regarded as powers entrusted to the Senate Executive.

(7) The Statute of the University that applied before the coming into operation of this Statute shall remain in force and effect until 31 December 2003.

(8) The terms of office of all the members of Council shall expire on 31 December 2003, except for the following:

- (a) the Principal;
- (b) the Vice-principals;
- (c) the six persons appointed by the Council on the basis of their expertise and experience;
- (d) the four members of the Convocation of the University, elected by the members of Tuks Alumni;
- (e) the four persons appointed by the Minister in terms of section 27(4)(c) of the Act;
- (f) the two persons elected from the ranks of the donors of the University.

GOEWERMENSKENNISGEWING

DEPARTEMENT VAN ONDERWYS

No. 1830

24 Desember 2003

WET OP HOËR ONDERWYS, 1997 (WET No. 101 VAN 1997)

STATUUT VAN DIE UNIVERSITEIT VAN PRETORIA

Die Raad van die Universiteit van Pretoria het die Statuut soos uiteengesit in die Bylae opgestel ooreenkomstig artikel 32 van die Wet op Hoër Onderwys, 1997 (Wet No. 101 van 1997 soos gewysig), wat hiermee, ingevolge artikel 33 van die genoemde Wet, met die goedkeuring van die Minister van Onderwys gepubliseer word en op 1 Januarie 2004 in werking tree.

BYLAE

STATUUT VAN DIE UNIVERSITEIT VAN PRETORIA

INHOUDSOPGAWE

HOOFSTUK 1	Woordomskrywings
HOOFSTUK 2	Instelling
HOOFSTUK 3	Kanselier
HOOFSTUK 4	Visekanselier en rektor, viserektore, uitvoerende direkteure en registrateur
HOOFSTUK 5	Raad
HOOFSTUK 6	Senaat
HOOFSTUK 7	Fakulteite en fakulteitsrade
HOOFSTUK 8	Institusionele forum
HOOFSTUK 9	Konvokasie
HOOFSTUK 10	Grade, diplomas en sertifikate
HOOFSTUK 11	Werknemers
HOOFSTUK 12	Studente
HOOFSTUK 13	Donateurs
HOOFSTUK 14	Herroeping van vorige statuut
HOOFSTUK 15	Oorgangsbepalings

HOOFSTUK 1

WOORDOMSKRYWINGS

1. Woordomskrywings.— In hierdie Statuut dra enige woord waaraan 'n betekenis toegeken is deur die Wet op Hoër Onderwys, 1977 (Wet No. 101 van 1977) soos gewysig, die betekenis aldus daaraan toegeken, en tensy die konteks tot die teendeel dui, beteken:

“akademiese werknemer” enige dosent wat aangestel is om aan die Universiteit onderrig te gee of navorsing te doen en enige ander werknemer wat as sodanig deur die Raad van die Universiteit aangewys word;

“aanstel” ook nomineer;

“ampsdraer” 'n funksionaris soos ingevolge die Wet of deur die Raad bepaal;

“dae” ook Saterdag, Sondag en openbare vakansiedae;

“die Universiteit” die Universiteit van Pretoria;

“donateur” enige persoon, liggaam of entiteit wat 'n skenking gemaak het wat, volgens die Raad se mening, die erkenning van sodanige persoon, liggaam of entiteit as 'n donateur soos bedoel in Hoofstuk 13 regverdig;

“funksies” ook bevoegdhede en pligte en andersom;

“gegraduateerde” 'n persoon wat 'n graad verwerf het;

“Hoofbestuur” die Rektor, Viserektore en ander senior werknemers deur die Rektor aangewys;

“Institusionele Forum” die institusionele forum soos bedoel in Hoofstuk 8;

“Institusionele Reëls” die reëls en regulasies deur die Universiteit uitgevaardig ooreenkomstig artikel 32 van die Wet, insluitende al die reglemente en beleidsdokumente van die Universiteit;

“Kanselier” die persoon soos bedoel in Hoofstuk 3;

“Konvokasie” die Konvokasie soos bedoel in Hoofstuk 9;

“kwalifikasie” 'n module, vak, kursus, sertifikaat, diploma of graad;

“Minister” die Minister van Onderwys;

“nie-akademiese werknemer” 'n werknemer wat nie 'n akademiese werknemer is nie;

“professor” 'n akademiese werknemer aan wie die Universiteit die titel van professor toegeken het, en sluit in 'n mede-, ere-, assistent- en buitengewone professor;

“Raad” die Universiteit se besturende liggaam soos bedoel in Hoofstuk 5;

“Senaat” die liggaam verantwoordelik vir akademiese aangeleenthede soos bedoel in Hoofstuk 6;

“senior bestuur” die Hoofbestuur asook die dekane van fakulteite en hoofde van ondersteuningsdienste: Met dien verstande dat dit vir doeleindes van paragraaf 37(1)(c) net die Hoofbestuur beteken.

“setel van die Universiteit” die setel bedoel in paragraaf 2 van hierdie Statuut en artikel 65A van die Wet;

“Statuut” die statuut wat ingevolge artikel 32 van die Wet uitgevaardig en van krag is;

“student” ’n persoon wat vir ’n kwalifikasie aan die Universiteit geregistreer is;

“Tuks Alumni” is die Vereniging van Oudstudente van die Universiteit wat óf almal lede van die Konvokasie is of persone wat ’n diploma of sertifikaat verwerf het waarvan die instelling en leergang deur die Senaat goedgekeur is, of persone wat ’n graad aan ’n ander instansie verwerf het en minstens een suksesvolle studiejaar aan die Universiteit voltooi het, óf voltyds/permanente werknemers van die Universiteit is wat ’n graad van ’n ander instansie verwerf het en om lidmaatskap van Tuks Alumni aansoek gedoen het;

“Uitvoerende Direkteur” ’n persoon wat deur die Raad aangestel is om die Rektor by te staan soos bedoel in paragraaf 12;

“verteenwoordigende werknemersorganisasie” ’n organisasie wat bestaan uit werknemers wat vir doeleindes van die regulering van die verhouding tussen werknemers en die Universiteit georganiseer is in ’n personeelvereniging of vakbond en wat deur die Hoofbestuur erken word op die voorwaardes waarop die Hoofbestuur en die werknemersorganisasie ooreengekom het en wat op skrif gestel is in die kollektiewe of erkenningsooreenkoms;

“Viserektor” ’n persoon wat deur die Raad aangestel is om die Rektor by te staan soos bedoel in paragraaf 12 van hierdie Statuut;

“VSR” die Verteenwoordigende Studenteraad bedoel in paragraaf 59;

“werknemer” ’n akademiese of nie-akademiese werknemer van die Universiteit;

“Wet” die Wet op Hoër Onderwys, 1977 (Wet No. 101 van 1979), soos gewysig.

HOOFSTUK 2

INSTELLING

2. Naam, setel en bevoegdhede.– (1) Die naam van die Universiteit is die “Universiteit van Pretoria”.

(2) Die amptelike adres van die Universiteit is: Universiteit van Pretoria, Lynnwoodweg, Hillcrest, Pretoria 0002, Suid-Afrika.

(3) Die setel van die Universiteit is in die metropolitaanse gebied van Tshwane.

(4) Die Universiteit bedryf sy akademiese aktiwiteite ook by sy Bestuurskool in Illovo, Gauteng, asook in Witbank en Nelspruit in Mpumalanga.

(5) Die Universiteit van Pretoria is ’n universiteit wat opgerig is ingevolge die Wet en is ’n regspersoon soos bedoel in artikel 20(4) van die Wet.

(6) Die Universiteit funksioneer ooreenkomstig die Wet, die Statuut en die Institusionele Reëls van die Universiteit.

(7) Die Universiteit mag grade en eregrade toeken.

(8) Die Universiteit en entiteite wat in die geheel onder sy beheer is, mag ooreenkomstig artikels 65B en 65C van die Wet en Hoofstuk 10 van hierdie Statuut, in eie naam diplomas en sertifikate toeken.

3. Taalbeleid.– (1) Die Universiteit verskaf onderrig in Afrikaans en Engels waar dit redelik en prakties moontlik is.

(2) Die Universiteit se taalbeleid is op die volgende faktore gebaseer –

- (a) grondwetlike en statutêre voorskrifte;
- (b) die demografiese samestelling en taalvoorkeur van sy studente;
- (c) die bevordering en instandhouding van Afrikaans en Engels as wetenskapstale en mediums van onderrig;
- (d) om 'n bydrae te maak tot die bevordering van die ander amptelike tale as mediums van onderrig;
- (e) die praktiese uitvoerbaarheid van onderrig in 'n spesifieke taal in die lig van die finansiële, personeel- en fasiliteitsbeperkings binne die Universiteit.

(3) Die taalbeleid sal op so 'n wyse geïmplementeer word dat beide Afrikaans en Engels as akademiese tale oor die lang termyn uitgebou en versterk sal word.

4. Samestelling van Universiteit.– (1) Die Universiteit bestaan uit –

- (a) 'n Kanselier;
- (b) 'n Rektor;
- (c) Viserektore;
- (d) Uitvoerende direkteure;
- (e) 'n Raad;
- (f) 'n Senaat;
- (g) 'n Registrateur;
- (h) 'n Konvokasie;
- (i) 'n Institusionele Forum;
- (j) die fakulteite, departemente, skole en ander akademiese strukture in die Universiteit soos deur die Raad bepaal;
- (k) die akademiese werknemers van die Universiteit;
- (l) die nie-akademiese werknemers van die Universiteit;
- (m) die VSR;
- (n) die studente van die Universiteit;
- (o) die onderskeie ondersteuningsdienste en ander ampte, liggame of entiteite soos deur die Raad ingestel; en

(p) al die Universiteit se eiendomme en bates.

(2) Geen vakature in die ampte bedoel in subparagraaf (1) nog enige tekort in die aantal of gebrek in die samestelling van die liggame en strukture in subparagraaf (1) bedoel, raak of beperk die Universiteit se regspersoonlikheid of enige funksies, regte of voorregte deur die Wet of hierdie Statuut aan die Universiteit of die Raad of die Senaat verleen nie: Met dien verstande dat geen besluit van die Raad of Senaat geldig is nie tensy dit geneem is op 'n vergadering waarop 'n kworum aanwesig was en daar wesenlik voldoen is aan die bepalings van die reëls wat op so 'n vergadering betrekking het.

HOOFSTUK 3

KANSELIER

5. Funksies van Kanselier.— (1) Die Kanselier is die titulêre hoof van die Universiteit en het geen uitvoerende magte nie.

(2) Die Kanselier ken alle grade, diplomas en sertifikate in die naam van die Universiteit toe.

(3) In die Kanselier se afwesigheid word grade deur die Rektor of deur een van die Viserektore toegeken. Diplomas en sertifikate word deur ampsdraers toegeken wat vir daardie doel deur die Raad aangewys is.

(4) Die Kanselier voer sodanige ander pligte uit as wat die Raad aan hom of haar opdra, onderhewig aan paragraaf 5(1).

6. Verkiesing en Aanstelling van Kanselier.— (1) Die Kanselier word gekies deur 'n kieskollege wat bestaan uit die lede van die Raad en die Senaat, die President van die Konvokasie en die lede van die Raad van Tuks Alumni.

(2) Indien die amp van Kanselier vakant word, gee die Registrateur, handelende as sekretaris van die Konvokasie, kennis van die vakature aan die lede van die kieskollege en versoek nominasies van 'n opvolger.

(3) Niemand word verkies nie, tensy hy of sy, met sy of haar skriftelike toestemming, skriftelik deur minstens twee lede van die kieskollege genomineer word en sodanige nominasies die Registrateur minstens drie dae voor die vergadering in paragraaf 6(5) bedoel, bereik.

(4) Na die sluitingsdatum vir nominasies moet 'n spesiale vergadering van die Institusionele Forum gehou word voor die vergadering bedoel in paragraaf 6(5), sodat die forum die nominasies kan oorweeg en die kieskollege kan adviseer oor die aanstelling van 'n kandidaat as Kanselier.

(5) Die Registrateur belê 'n vergadering van die kieskollege deur minstens twee weke voor die vasgestelde datum van sodanige vergadering 'n skriftelike kennisgewing aan elke lid van die kieskollege te stuur met vermelding van die tyd, datum, plek en doel van die vergadering.

(6) Tydens die vergadering in paragraaf 6(5) bedoel, lê die Registrateur die nominasies vir finale besluit aan die kieskollege voor.

(7) Dertig lede van die kieskollege vorm 'n kworum.

(8) Die Rektor tree by 'n vergadering van die kieskollege as voorsitter op en indien hy of sy afwesig is, kies die aanwesige lede uit eie geledere 'n voorsitter vir die betrokke vergadering.

(9) Die verkiesing geskied by wyse van geslote stembriewe en 'n meerderheid van die persone aanwesig by die vergadering bedoel in paragraaf 6(5) moet vir die suksesvolle kandidaat stem. Elke lid het een stem en die voorsitter het ook 'n beslissende stem.

(10) Indien geen kandidaat 'n meerderheid stemme verwerf nie, vind opeenvolgende stemrondes plaas.

(11) In elke opeenvolgende stemronde word die kandidaat met die minste stemme uitgeskakel.

(12) Nadat die kieskollege 'n Kanselier verkies het, word sy of haar naam deur die voorsitter van die kieskollege bekend gemaak.

7. Ampstermyn.— (1) Die Kanselier word vir 'n termyn soos deur die Raad bepaal, maar vir hoogstens vyf jaar, verkies, tensy sy of haar ampstermyn ooreenkomstig paragraaf 7(4) en (5) beëindig word.

(2) 'n Persoon kan vir meer as een ampstermyn verkies word.

(3) Indien die Kanselier om welke rede ook al nie in staat is om sy of haar ampspligte na te kom nie of indien die kanseliarsamp vakant word, rus die pligte van die Kanselier op die Rektor.

(4) Die ampstermyn van die Kanselier word beëindig in geval van

(a) dood of onbevoegdheid;

(b) bedanking; of

(c) verwydering uit die amp deur die kieskollege ingevolge subparagraaf (5).

(5) Die Kanselier kan net deur middel van 'n besluit van die meerderheid van die kieskollege bedoel in paragraaf 6(1) uit sy of haar amp verwyder word, en ook net nadat aan die Kanselier geleentheid gebied is om te antwoord op die redes wat die kieskollege vir sodanige verwydering verskaf het.

HOOFSTUK 4

WISEKANSELIER EN REKTOR, VISEREKTORE, UITVOERENDE DIREKTEURE EN REGISTRATEUR

WISEKANSELIER EN REKTOR

8. Status.— Die Rektor is die Visekanselier van die Universiteit en *ex officio* die hoof uitvoerende en rekenpligtige beampte daarvan.

9. Funksies van die Rektor.— (1) Die Rektor is verantwoordelik vir die bestuur en administrasie van die Universiteit en beskik oor al die bevoegdhede wat nodig is om sodanige pligte uit te voer.

(2) Benewens sy pligte as hoof uitvoerende beampte is die Rektor verantwoordelik vir die bestuur van die Universiteit en is hy ook die hoof dissiplinêre amptenaar.

(3) Die Raad moet aan die Rektor al die bevoegdhede deleger wat nodig is vir die uitvoering van sy verpligtinge.

(4) Die Rektor mag op sy beurt verpligtinge aan ander werknemers of komitees deleger.

(5) Die Rektor doen verslag aan die Raad.

(6) Die Rektor is ampshalwe lid van al die komitees van die Raad en die Senaat.

(7) Die Raad kan ooreenkomstig artikel 68(2) van die Wet bykomende funksies, bevoegdhede en voorregte aan die Rektor toeken.

(8) Indien die Rektor afwesig is of nie in staat is om sy of haar pligte na te kom nie, kan hy of sy ingevolge 68(3) van die Wet al sy of haar bevoegdhede en pligte oordra aan 'n lid van die Hoofbestuur.

10. Aanstelling van Rektor.— (1) Behoudens artikel 31(1) van die Wet, geskied die advertensie van die pos, die uitnodiging vir nominasies van en aansoeke deur kandidate, die soeke na geskikte kandidate, die kriteria vir die samestelling van kortlyste van kandidate, die voer van onderhoude en die aanstellingsproses op die wyse deur die Raad en die Institusionele Reëls van die Universiteit bepaal.

(2) Die Raad stel die Rektor aan na raadpleging met die Senaat en die Institusionele Forum: Met dien verstande dat wanneer die eerste termyn van 'n Rektor verstryk het en hy of sy heraangestel word vir 'n periode wat saam met enige vorige termyn(e) as Rektor nie tien jaar te bowe gaan nie, beraadslaging met die Senaat en Institusionele Forum nie vereis word nie.

11. Ampstermyn van Rektor.— Die Rektor word deur die Raad aangestel vir 'n kontraktueel-ooreengekome tydperk: Met dien verstande dat die Rektor nie aangestel word vir 'n termyn wat tien jaar op 'n keer oorskry nie.

VISEREKTORE, UITVOERENDE DIREKTEURE EN REGISTRATEUR

12. Pligte.— Die Viserektore, Uitvoerende Direkteure en Registrateur staan die Rektor by in die bestuur en administrasie van die Universiteit en het die bevoegdhede en pligte aan hulle opgelê deur die Raad, hierdie Statuut, die Institusionele Reëls van die Universiteit asook dié wat deur die Rektor aan hulle gedelegeer is.

13. Aanstelling en Ampstermyne.— Die Viserektore, Uitvoerende Direkteure en Registrateur word aangestel op die wyse en vir die termyn soos deur die Raad en die Institusionele Reëls bepaal word.

HOOFSTUK 5

RAAD

14. Werksaamhede.— (1) Die Raad beheer die Universiteit onderworpe aan die bepalings van die Wet en die Statuut.

(2) Die Raad moet al die pligte uitvoer wat hierdie Statuut daaraan oplê. Die Raad het in die algemeen 'n beheer-, beleidmakende en 'n moniterende verantwoordelikheid en is in die besonder verantwoordelik om riglyne neer te lê met betrekking tot -

- (a) strategiese beheer;
- (b) finansiële beheer;
- (c) personeelaangeleenthede;
- (d) die skep van 'n positiewe akademiese klimaat;
- (e) dissiplinêre aangeleenthede ten opsigte van werknemers en studente; en
- (f) die toelatings- en taalbeleid van die Universiteit: Met dien verstande dat die taalbeleid en aspekte van die toelatingsbeleid met instemming van die Senaat bepaal word soos vereis in artikels 27 en 37 van die Wet.

(3) Die Raad mag komitees aanwys om dit met die uitvoering van sy pligte by te staan.

(4) Die Institusionele Forum voorsien die Raad van skriftelike advies oor die aangeleenthede vermeld in artikel 31(1)(a) van die Wet.

(5) Die Raad moet persone aanstel wat die Raad nodig ag om die Universiteit doeltreffend te bestuur: Met dien verstande dat geen persoon deur die Raad as 'n akademiese werknemer aangestel word nie behalwe na oorleg met die Senaat of 'n komitee van die Senaat: Met dien verstande voorts dat die Raad hierdie bevoegdheid aan die Rektor mag delegeer in ooreenstemming met die Universiteit se beleid in hierdie verband.

(6) Die Raad moet volledige rekords hou van al sy werksaamhede asook van alle bates, laste, inkomste, uitgawes en ander finansiële transaksies soos vereis in artikel 41(1) van die Wet en moet aan die Minister verslag doen soos beoog in artikel 41(2) van die Wet.

(7) Die Raad moet, na oorleg met die VSR, in die Universiteit se Institusionele Reëls voorsiening maak vir 'n struktuur of strukture om die Raad met advies te bedien oor die lewering van studentedienste aan die Universiteit.

15. Samestelling.— (1) Die Raad word soos volg saamgestel:

- (a) die Rektor;
- (b) die Viserektore;
- (c) drie lede van die Senaat;
- (d) ses persone deur die Raad aangestel op grond van hulle kundigheid en ervaring, onder andere op die gebied van onderwys, algemene bestuur, finansiële bestuur, menslike hulpbronne, tegnologie en belegging;
- (e) vier persone wat lede is van die Konvokasie van die Universiteit, verkies deur die lede van Tuks Alumni ingevolge die Grondwet van Tuks Alumni;
- (f) twee studenteledes soos bedoel in paragraaf 17(3);
- (g) vyf persone deur die Minister aangewys ingevolge artikel 27(4)(c) van die Wet;
- (h) een persoon aangewys deur 'n plaaslike owerheidinstelling in wie se gebied die Universiteit se setel is, om die gemeenskappe wat deur die Universiteit bedien word te verteenwoordig;
- (i) twee persone verkies uit die geledere van die donateurs van die Universiteit;
- (j) een werknemer uit die geledere van die akademiese werknemers verkies; en
- (k) een werknemer uit die geledere van die nie-akademiese werknemers verkies.

(2) Raadslede word verkies of aangewys ingevolge die bepalings van paragraaf 17 van hierdie Statuut.

16. Ampstermyne.– (1) Die Rektor en die Viserektore is lede van die Raad vir solank hulle hul poste beklee.

(2) Die ampstermyn van verteenwoordigers van die VSR is dieselfde as dié van die VSR wat hulle aangestel het.

(3) Alle ander lede se ampstermyn is vier jaar. Met dien verstande dat lede wie se ampstermyn verstryk het, herkies of weer aangewys mag word.

(4) 'n Lid van die Raad se lidmaatskap word beëindig indien–

- (a) die Raadslid versuim om drie agtereenvolgende gewone vergaderings van die Raad, sonder verlof van die Raad, by te woon;
- (b) die Raadslid se boedel gesekwestreer word;
- (c) die Raadslid aan 'n misdadig skuldig bevind word wat volgens die uitsluitlike oordeel van die Raad van so 'n ernstige aard is dat die lid se voortgesette lidmaatskap van die Raad nie wenslik is nie;
- (d) die Raadslid deur 'n bepaalde belangegroep gekies of aangewys is en die Raadslid se lidmaatskap of verbintenis met die belangegroep beëindig word;
- (e) die Raadslid die ouderdom van sewentig jaar bereik het; of
- (f) die Raad besluit dat 'n botsing van belange ontstaan het, soos om 'n Raadslid van 'n ander hoër onderwysinstelling in Suid-Afrika te wees.

(5) Buiten die Rektor, Viserektore, verteenwoordigers van die Senaat en verteenwoordigers van die werknemers en studente, mag geen Raadslid 'n permanente of tydelike werknemer van die Universiteit wees nie en indien dit sou gebeur, verval so 'n Raadslid se lidmaatskap van die Raad.

(6) 'n Raadslid is geregtig om te enige tyd sy of haar bedanking skriftelik by die Voorsitter van die Raad in te dien.

17. Verkiesings- en Aanwysingsprosedures.—(1) Senaatsverteenwoordigers op die Raad word verkies ingevolge die prosedure in Hoofstuk 6 van hierdie Statuut voorgeskryf.

(2) Die werknemerverteenwoordigers op die Raad word uit die geledere van die akademiese en nie-akademiese werknemers verkies ingevolge 'n proses onder die beheer van die Registrateur en wat die volgende behels:

- (a) Die Registrateur bied, binne 'n redelike tyd voor 'n bepaalde verkiesingsdatum
 - (i) aan elke permanente akademiese werknemer 'n geleentheid om 'n permanente akademiese werknemer te nomineer om die permanente akademiese werknemers op die Raad te verteenwoordig; en
 - (ii) aan elke permanente nie-akademiese werknemer 'n geleentheid om 'n permanente nie-akademiese werknemer te nomineer om die permanente nie-akademiese werknemers op die Raad te verteenwoordig.
- (b) Elke genomineerde kandidaat moet deur ten minste tien permanente werknemers gesekondeer word (in geval van 'n akademiese genomineerde moet hulle akademiese werknemers wees en in geval van 'n nie-akademiese genomineerde moet hulle nie-akademiese werknemers wees) en so 'n persoon moet skriftelik teenoor die Registrateur aandui dat hy of sy die nominasie aanvaar.
- (c) Na die sluiting van die nominasies tref die Registrateur reëlins vir 'n verkiesing volgens algemeen aanvaarde verkiesingsprosedures.
- (d) Permanente akademiese werknemers stem vir die vakature wat deur 'n permanente akademiese werknemer gevul moet word en permanente nie-akademiese werknemers stem vir die vakature wat deur 'n permanente nie-akademiese werknemer gevul moet word.
- (e) 'n Verkiesing is net geldig indien ten minste vyftien persent van die permanente akademiese werknemers of permanente nie-akademiese werknemers, na gelang van die geval, daaraan deelgeneem het.
- (f) Die Registrateur maak die uitslag van die stemming bekend.
- (g) Die Registrateur bepaal, na oorleg met die Direkteur van Menslike Hulpbronne, of 'n werknemer van die Universiteit, of 'n werknemer van die Universiteit wat gesamentlik

deur die Universiteit en 'n ander liggaam aangestel is, as 'n akademiese of 'n nie-akademiese werknemer kwalifiseer.

(h) Waar 'n werknemer ingevolge sy pligstaar beide akademiese en nie-akademiese pligte verrig, word die werknemer geag 'n akademiese werknemer te wees.

(3) Die studente lede op die Raad word op 'n gewone of 'n spesiale vergadering van die VSR uit die geledere van die VSR aangewys volgens 'n aanwysingsprosedure van die VSR.

(4) Die verkiesing van Raadslede uit die geledere van die donateurs van die Universiteit geskied ooreenkomstig Hoofstuk 13 van die Statuut.

(5) Die lede van die Raad wat op die Raad aangestel word vanweë hulle kundigheid en ervaring, word by wyse van 'n proses aangewys onder die beheer en toesig van die Registrateur:

(a) Die Registrateur plaas 'n advertensie in twee nasionale koerante waarin hy of sy 'n uitnodiging rig aan organisasies, belangegroepes en individue om persone te nomineer om vanweë hul kundigheid en ervaring op die Raad te dien: Met dien verstande dat indien die advertensies volgens die mening van die Raad nie bevredigende reaksie ontlok het nie, die Raad organisasies of persone kan versoek om bykomende persone te nomineer.

(b) Die Vaste Komitee van die Raad kan, na oorleg met die Registrateur, 'n lys van die geskikste genomineerdes opstel: Met dien verstande dat die name van alle genomineerdes tydens die Raadsvergadering ter tafel gelê moet word.

(c) Die Raadslede word op 'n gewone of 'n buitengewone vergadering van die Raad verkies uit die geledere van die genomineerdes, na oorweging van die aanbevelings van die Vaste Komitee van die Raad.

(6) In die verkiesing van lede vir die Raad soos in subparagraaf (5) beoog, hou die Raad daarmee rekening dat, benewens die vereiste kundigheid en ervaring van die individuele kandidate, dit wenslik is om 'n breë en gebalanseerde verteenwoordiging ten opsigte van geslag en ras op die Raad te hê.

(7) Die proses vir die aanwysing van Raadslede soos in paragrafe 15(1)(g) en 15(1)(h) bedoel, word deur die Registrateur beheer: Met dien verstande dat die Raad die plaaslike owerheidsinstelling in paragraaf 15(1)(h) bedoel, aanwys.

(8) Indien daar 'n toevallige vakature op die Raad ontstaan, geld die proses wat gevolg moet word om die vakature te vul, met die nodige veranderinge, soos hierbo uiteengesit.

(9) 'n Nuwe Raadslid wat verkies of aangewys word om 'n vakature te vul wat voor die verstryking van die laaste ampsbekleër se ampstermyn ontstaan het, word vir die volle termyn van die betrokke amp verkies.

18. Voorsitter, Ondervoorsitter en Sekretaris.—(1) Die Raad kies uit die geledere van Raadslede wat nie werknemers of studente van die Universiteit is nie 'n voorsitter en hy of sy beklee die amp vir 'n termyn van twee jaar.

(2) Indien die amp van voorsitter om enige ander rede as tydsverloop vakant word, kies die Raad 'n opvolger vir die onverstreke deel van die ampstermyn van die voorganger.

(3) Die Raad kies uit die geledere van Raadslede wat nie werknemers of studente van die Universiteit is nie 'n Ondervoorsitter en hy of sy beklee die amp vir 'n termyn van twee jaar.

(4) In die afwesigheid van die Voorsitter tree die Ondervoorsitter van die Raad as voorsitter op en indien albei afwesig is, kies die aanwesige lede uit eie geledere 'n voorsitter vir die betrokke vergadering.

(5) Die Registrateur is die Sekretaris van die Raad ingevolge artikel 26(4)(b) van die Wet.

19. Vergaderings en Vergaderingsprosedure.—(1) Die Raad vergader minstens een keer per semester op 'n tyd en plek deur die Raad bepaal.

(2) Die Raad bepaal sy eie vergaderingsprosedure met behoorlike inagneming van die algemeen aanvaarde norme van billike administratiewe proses.

(3) Die helfte van alle Raadslede plus een lid vorm 'n kworum.

(4) Minstens sewe dae voor 'n gewone vergadering en minstens drie dae voor 'n buitengewone vergadering van die Raad, stuur die Registrateur aan elke lid 'n sakelys wat onder andere die datum, tyd en die plek van die vergadering asook die sake vir behandeling vermeld.

(5) Lede wat bykomende besprekingspunte op die sakelys wil plaas, rig 'n skriftelike versoek aan die Registrateur binne 'n redelike tyd voor die datum van die vergadering.

(6) Dringende sake kan tydens 'n vergadering met instemming van 'n meerderheid van die aanwesige lede op die sakelys geplaas word.

(7) Die Registrateur hou volledige notule van elke Raadsvergadering.

(8) Die Raad neem besluite by wyse van 'n meerderheidstem van die aanwesige lede.

(9) Die voorsitter van die vergadering het 'n gewone en 'n beslissende stem.

(10) Behoudens die bepalings van subparagraaf (4), kan die voorsitter te enige tyd 'n buitengewone vergadering belê met vermelding van die besprekingspunt of besprekingspunte.

(11) Die voorsitter moet op versoek van die Rektor of op die versoek van minstens vyf Raadslede 'n buitengewone vergadering belê mits die gronde vir die versoek op skrif is en die besprekingspunte kortliks gestel is.

(12) 'n Lid van die Raad neem nie deel aan 'n bespreking of stem nie oor 'n saak waarin hy of sy 'n regstreekse geldelike, ekonomiese of persoonlike belang het nie, tensy hy of sy vooraf die aard en omvang van die belang openbaar en verlof van die vergadering ontvang om aan die bespreking deel te neem of te stem: Met dien verstande dat indien toestemming nie verleen word nie, die persoon hom of haar van die verrigtinge moet onttrek.

(13) Die Raad kan in die algemeen, of in 'n bepaalde geval, aan 'n persoon of ampsbekleër waarnemerstatus verleen wat só 'n persoon geregtig maak om 'n Raadsvergadering of Raadsvergaderings by te woon.

(14) 'n Persoon met waarnemerstatus mag met toestemming van die Raad deelneem aan die debatte van die Raad maar mag nie stem nie.

20. Vaste Komitee van Raad.— (1) Die Vaste Komitee van die Raad word soos volg saamgestel:

(a) die Voorsitter van die Raad;

(b) die Ondervoorsitter van die Raad;

(c) die Rektor;

(d) twee Raadslede deur die Raad aangewys uit die geledere van Raadslede wat werknemers van die Universiteit is: Met dien verstande dat ten minste een van die lede wat aldus aangewys word, 'n Senaatslid moet wees; en

(e) twee Raadslede deur die Raad aangewys uit die geledere van Raadslede wat nie werknemers van die Universiteit is nie.

(2) Die ampstermyn van lede van die Vaste Komitee van die Raad soos bedoel in subparagrafe (1)(d) en (e) is twee jaar.

(3) Lede wie se ampstermyn verstryk het, kan herkies word.

(4) Op versoek van die persoon wat as Voorsitter van die Vaste Komitee van die Raad by 'n vergadering optree, kan enige lid van die Raad as plaasvervangende lid in die plek van 'n afwesige lid van die Vaste Komitee dien: Met dien verstande dat werknemers net deur werknemers vervang word en nie-werknemers deur nie-werknemers: Met dien verstande verder dat studente wat lede van die Raad is, nie as plaasvervangers vir afwesige lede mag optree nie.

21. Voorsitter, Ondervoorsitter, Sekretaris van Vaste Komitee en Vergaderingsprosedure.— (1) Die Ondervoorsitter van die Raad is ampshalwe die Voorsitter van die Vaste Komitee van die Raad en die Voorsitter van die Raad is ampshalwe die Ondervoorsitter van die Vaste Komitee van die Raad.

(2) In die afwesigheid van die Voorsitter van die Vaste Komitee van die Raad, tree die Ondervoorsitter van die Vaste Komitee van die Raad op as voorsitter van die Vaste Komitee van die Raad en indien albei afwesig is, kies die aanwesige lede uit eie geledere 'n voorsitter vir die betrokke vergadering

(3) Vier lede van die Vaste Komitee van die Raad vorm 'n kworum.

(4) Die Vaste Komitee van die Raad bepaal sy eie vergaderingsprosedure met behoorlike inagneming van die algemeen aanvaarde norme van billike administratiewe prosedures.

(5) Die Registrateur is die Sekretaris van die Vaste Komitee van die Raad.

22. Bevoegdhede en Werksaamhede van Vaste Komitee.—(1) Wanneer die Raad nie vergader nie, kan die Vaste Komitee van die Raad, as verteenwoordiger van die Raad, die bevoegdhede van die Raad op hom neem en namens die Raad optree.

(2) Die Vaste Komitee van die Raad doen aan die Raad verslag oor die handeling van die Vaste Komitee ingevolge subparagraaf (1), welke handeling by die eersvolgende Raadsvergadering bekragtig of hersien word, na gelang die geval.

(3) Die Raad kan aan die Vaste Komitee van die Raad die bevoegdheid gee, in die algemeen of in die besonder, om sake namens die Raad af te handel, in welke geval die Vaste Komitee net aan die Raad verslag doen en dit nie nodig is dat die handeling van die Vaste Komitee van die Raad deur die Raad bekragtig of hersien word nie.

(4) Waar die Raad aan die Vaste Komitee van die Raad die bevoegdheid gegee het om sake af te handel soos in subparagraaf (3) beoog, moet die Raad ten minste elke vier jaar die gedelegeerde bevoegdhede bekragtig of hersien.

(5) Die werksaamhede van alle komitees van die Raad word gekoördineer deur en geskied onder die beheer en toesig van die Vaste Komitee van die Raad.

(6) As deel van die Vaste Komitee van die Raad se verslagdoening aan die Raad word verslag gedoen oor die werksaamhede van die komitees van die Raad.

(7) Die Registrateur moet 'n volledige gekonsolideerde rekord hou van alle gedelegeerde bevoegdhede soos bedoel in subparagraaf (3).

(8) Die Vaste Komitee van die Raad kan die bevoegdhede wat deur die Raad, Statuut en Institusionele Reëls aan hom verleen is, insluitende die bevoegdhede verleen ingevolge subparagraaf (3), verder na 'n komitee of individu deleger soos in die Institusionele Reëls uiteengesit, behalwe in gevalle waar die Raad uitdruklik tot die teendeel bepaal het.

23. Komitees.—(1) Benewens 'n Vaste Komitee van die Raad, stel die Raad 'n Ouditkomitee en 'n Menslike Hulpbronskomitee aan en bepaal hulle werksaamhede en bevoegdhede.

(2) Die Raad kan enige ander komitee aanstel, asook gesamentlike Raads- en Senaatskomitees.

(3) Die samestelling, verkiesing, dienstermyn en werksaamhede van komitees word deur die Raad bepaal: Met dien verstande dat die Raad persone op die komitees kan benoem wat nie Raadslede is nie.

HOOFSTUK 6

SENAAT

24. Werksaamhede.– (1) Die Senaat verrig sy werksaamhede onder die beheer van die Raad en is wat akademiese en navorsingsaangeleenthede betref, teenoor die Raad verantwoordbaar soos in artikel 28(1) van die Wet beoog.

(2) Die Senaat het die volgende werksaamhede:

(a) akademiese beplanning en ontwikkeling;

(b) regulering van alle werksaamhede van die Universiteit met betrekking tot onderrig, leer en navorsing, met inbegrip van –

(i) riglyne vir die aanstelling en bevordering van akademiese werknemers;

(ii) riglyne vir die organisasie, struktuur en beheer van onderrig, leer en navorsing aan die Universiteit;

(iii) beheer en toesig oor studente-evaluering; en

(iv) kwaliteitsversekering met betrekking tot onderrig, leer en navorsing;

(c) om aanbevelings by die Raad te maak oor onder andere die volgende aangeleenthede –

(i) die instelling, samesmelting of afskaffing van fakulteite, departemente, institute, buro's, navorsingseenhede en sentrums;

(ii) die instelling of afskaffing van grade, diplomas, programme, leergange, vakke en kursusse;

(iii) die leergange vir grade, diplomas en programme en die inhoud van kursusse en vakke: Met dien verstande dat in geval van sertifikate vir kortkursusse, die Senaat sy bevoegdhede aan die Fakulteitsrade mag delegeer;

(iv) die algemene toelatingsbeleid van die Universiteit;

(v) die beheer, bedryf en ontwikkeling van die akademiese inligtingsdiens;

(vi) die toekenning van eregrade;

(vii) akademiese drag en grade- en diplomaplegtighede;

(viii) georganiseerde studentelewe, met inbegrip van studentedienste en studentetug;

(ix) die keuring van kandidate vir aanstelling as Kanselier, Rektor en Viserektor; en

(x) die aanstelling en bevordering van akademiese werknemers van die Universiteit;

(d) om gesamentlik met die Raad die volgende goed te keur –

(i) die taalbeleid van die Universiteit;

(ii) toelatingsvereistes vir bepaalde akademiese programme;

(iii) die aantal studente wat tot 'n bepaalde program toegelaat kan word en die wyse waarop hulle gekeur word;

- (iv) die minimum vereistes vir hertoelating tot die Universiteit en die weiering van studente wat nie aan die minimum vereistes voldoen nie; en
- (e) om enige ander funksie te verrig wat die Raad aan die Senaat mag toewys of delegeer.

25. Samestelling.— (1) Die Senaat word soos volg saamgestel:

(a) Persone wat ampshalwe lede van die Senaat is, naamlik –

- (i) die Voorsitter van die Raad;
- (ii) die Ondervoorsitter van die Raad;
- (iii) die Rektor;
- (iv) die Viserektore;
- (v) die Uitvoerende Direkteure;
- (vi) die Dekane, die Adjunkdekane en die akademiese werknemers met 'n soortgelyke status;
- (vii) die Hoofde van akademiese departemente en akademiese werknemers met 'n soortgelyke status;
- (viii) die Registrateur;
- (ix) voorsitters van skole;
- (x) die Direkteure van die ondersteuningsafdelings wat vir die volgende werksaamhede binne die Universiteit verantwoordelik is: akademiese inligtingsdiens; onderrigondersteuning; navorsingsondersteuning; telematiese onderrig; institusionele navorsing en beplanning; die Studentedekaan en enige ander direkteur soos deur die Senaat bepaal;
- (xi) die Voorsitter van die Institusionele Forum;

(b) Lede wat aangewys of verkies word, naamlik –

- (i) vier lede deur die VSR aangewys;
- (ii) twee werknemers, wat nie reeds Senaatslede is nie, uit die geledere van die permanente akademiese werknemers verkies;
- (iii) twee werknemers, wat nie reeds Senaatslede is nie, uit die geledere van die permanente nie-akademiese werknemers verkies.

(2) Toevallige vakatures in die kategorie van lede wat aangewys of verkies word, word soos in subparagraaf (1) uiteengesit vir die onverstreke gedeelte van die vorige bekleër se termyn gevul.

26. Ampstermyne.— (1) Die persone in paragraaf 25(1)(a) bedoel, is lede van die Senaat vir solank hulle die betrokke poste beklee.

(2) Die ampstermyn van verteenwoordigers van die VSR is dieselfde as dié van die VSR wat hulle aangestel het.

(3) Alle ander lede se ampstermyn is vier jaar. Met dien verstande dat lede wie se ampstermyn verstryk het, herkies of weer aangewys kan word.

(4) Indien 'n studenteverteenwoordiger tot die VSR herkies word, kan hy of sy vir 'n verdere termyn as 'n studenteverteenwoordiger aangewys word. Met dien verstande dat 'n studenteverteenwoordiger se lidmaatskap outomaties verval as hy of sy nie meer 'n ingeskrewe student is nie.

(5) Die lidmaatskap van 'n lid van die Senaat word beëindig indien die lid deur 'n bepaalde belangegroep gekies of aangewys is om die betrokke belangegroep te verteenwoordig en die Senaatslid se verbintenis met die belangegroep beëindig word.

27. Verkiesings- en aanwysingsprosedures.– (1) Die proses vir die aanwysing en verkiesing van lede word deur die Registrateur gereël.

(2) Die studentelede op die Senaat word op 'n gewone of spesiale vergadering van die VSR aangewys volgens die aanwysingsprosedure van die VSR.

(3) Die twee lede uit die geledere van die permanente akademiese werknemers en die twee lede uit die permanente nie-akademiese werknemers word verkies ingevolge die proses in subparagraaf (4) uiteengesit.

(4) Die Registrateur reël en beheer 'n verkiesing om Senaatslede uit die geledere van die werknemers aan te wys.

(a) Die Registrateur bied binne 'n redelike tyd voor 'n bepaalde verkiesingsdatum –

(i) aan elke permanente akademiese werknemer 'n geleentheid om 'n verteenwoordiger of verteenwoordigers te nomineer om die permanente akademiese werknemers op die Senaat te verteenwoordig;

(ii) aan elke permanente nie-akademiese werknemer 'n geleentheid om 'n verteenwoordiger of verteenwoordigers te nomineer om die permanente nie-akademiese werknemers op die Senaat te verteenwoordig.

(b) Elke kandidaat moet deur ten minste tien permanente werknemers gesekondeer word (in geval van 'n akademiese genomineerde moet hulle akademiese werknemers wees en in geval van 'n nie-akademiese genomineerde moet hulle nie-akademiese werknemers wees), nie reeds 'n Senaatslid wees nie en skriftelik teenoor die Registrateur aandui dat hy of sy die nominasie aanvaar.

(c) Na die sluiting van die nominasies tref die Registrateur reëlings vir 'n verkiesing volgens algemeen aanvaarde verkiesingsprosedures.

(d) Permanente akademiese werknemers stem vir vakatures wat deur die permanente akademiese werknemers gevul moet word en permanente nie-akademiese

werknemers stem vir vakatures wat deur permanente nie-akademiese werknemers gevul moet word.

- (e) 'n Verkiesing is net geldig indien ten minste vyftien persent van die permanente akademiese werknemers of permanente nie-akademiese werknemers, na gelang van die geval, daaraan deelgeneem het.
- (f) Die Registrateur bepaal, na oorleg met die Direkteur van Menslike Hulpbronne, of 'n werknemer van die Universiteit, of 'n werknemer van die Universiteit wat gesamentlik deur die Universiteit en 'n ander liggaam aangestel is, as 'n akademiese of 'n nie-akademiese werknemer kwalifiseer.
- (g) Waar 'n werknemer ingevolge sy pligstaatsowel akademiese as nie-akademiese pligte verrig, word die werknemer geag 'n akademiese werknemer te wees.
- (h) Die Registrateur maak die uitslag van die stemming bekend.

28. Voorsitter, Ondervoorsitter en Sekretaris.— (1) Ingevolge artikel 26(4)(a) van die Wet is die Rektor die Voorsitter van die Senaat.

- (2) Die Senaat kies 'n ander Senaatslid om as Ondervoorsitter van die Senaat te dien.
- (3) Die Ondervoorsitter beklee die amp vir 'n termyn van twee jaar maar kan herkies word.
- (4) In die afwesigheid van die voorsitter tree die Ondervoorsitter van die Senaat as voorsitter op en indien albei afwesig is, kies die aanwesige lede uit eie geledere 'n voorsitter vir die betrokke vergadering.
- (5) Indien die amp van Ondervoorsitter om enige ander rede as tydsverloop vakant word, kies die Senaat 'n opvolger vir die onverstreke deel van die ampstermyn van die voorganger.
- (6) Die Registrateur is die Sekretaris van die Senaat.

29. Skedulering van Vergaderings en Vergaderingsprosedure.— (1) Die Senaat vergader ten minste een keer per semester.

- (2) Die Senaat bepaal sy eie vergaderingsprosedure met behoorlike inagneming van die algemeen aanvaarde norme van billike administratiewe proses.
- (3) Die helfte van die lede van die Senaat plus een lid vorm 'n kworum.
- (4) Die Registrateur gee minstens sewe dae voor 'n vergadering skriftelik aan elke lid kennis van die datum, tyd en plek asook die sakelys van die vergadering.
- (5) Lede wat bykomende besprekingspunte op die sakelys wil plaas, moet dit minstens vyf dae voor die datum van 'n vergadering skriftelik by die Sekretaris indien.
- (6) Die Registrateur hou notule van elke vergadering.
- (7) Dringende sake kan tydens 'n vergadering met die instemming van 'n meerderheid van die aanwesige lede op die sakelys geplaas word vir bespreking of bespreking en afhandeling.

(8) Behoudens 'n andersluidende Senaatsbesluit, neem die Senaat besluite deur 'n meerderheidstem van aanwesige lede.

(9) Normaalweg word deur die opsteek van hande gestem, maar die Senaat kan in 'n bepaalde geval op 'n ander prosedure besluit.

(10) Waar die Senaat oor die verkiesing van 'n persoon stem, geskied die stemming per geslote stembrief, maar die Senaat kan in 'n bepaalde geval op 'n ander proses besluit.

(11) Die voorsitter van die vergadering het 'n gewone en 'n beslissende stem.

(12) Die voorsitter kan te enige tyd 'n buitengewone vergadering belê: Met dien verstande dat die besprekingspunte gestel en kortliks gemotiveer is.

(13) Die voorsitter moet op versoek van minstens vyf en twintig Senaatslede 'n buitengewone vergadering belê op 'n tyd deur hom of haar bepaal: Met dien verstande dat die versoek op skrif is en die besprekingspunte gestel en kortliks gemotiveer is.

(14) Die voorsitter besluit of waarnemers vergaderings mag bywoon of daartydens mag praat.

30. Samestelling van Uitvoerende Bestuur.— (1) Die Uitvoerende Bestuur van die Senaat word soos volg saamgestel —

(a) die Rektor;

(b) die Viserektore;

(c) die Uitvoerende Direkteure;

(d) die Dekane van fakulteite;

(e) die voorsitters van komitees van die Senaat wat nie reeds lede van die Uitvoerende Bestuur is nie;

(f) die Senaatsverteenwoordigers op die Raad ingevolge paragaraaf 35(1) verkies wat nie reeds lede van die Uitvoerende Bestuur is nie;

(g) die Direkteure van die ondersteuningsafdelings wat vir die volgende werksaamhede binne die Universiteit verantwoordelik is: akademiese inligtingsdiens; onder- en rigondersteuning; navorsingsondersteuning; telematiese onderrig; institusionele navorsing en beplanning; die Studentedekaan; en

(h) die Registrateur.

(2) Die liggame wat geregtig is om lede aan te wys of te verkies, wys lede aan of verkies hulle ingevolge die liggame se interne aanwysings- of verkiesingsprosedures.

(3) Die Uitvoerende Bestuur van die Senaat is geregtig om lede te koöpteer.

(4) Die Registrateur is die Sekretaris van die Uitvoerende Bestuur van die Senaat.

(5) Die voorsitter bedoel in paragaraaf 31(1) besluit of waarnemers vergaderings mag bywoon of daartydens mag praat.

31. Voorsitter en Ondervoorsitter van Uitvoerende Bestuur van Senaat en Vergaderings-prosedure.– (1) Die Rektor is die Voorsitter van die Uitvoerende Bestuur van die Senaat en in die afwesigheid van die Rektor neem 'n beskikbare viserektor as voorsitter waar.

(2) Indien nóg die Rektor nóg enige van die Viserektore beskikbaar is, kies die Uitvoerende Bestuur van die Senaat uit hulle eie geledere 'n voorsitter vir die vergadering.

(3) Die helfte van die lede van die Uitvoerende Bestuur van die Senaat plus een lid vorm 'n kworum.

(4) Die Uitvoerende Bestuur van die Senaat bepaal sy eie vergaderingsprosedure met behoorlike inagneming van die algemeen aanvaarde norme van billike administratiewe proses.

32. Bevoegdhede en Werksaamhede van Uitvoerende Bestuur.– (1) Wanneer die Senaat nie vergader nie, kan die Uitvoerende Bestuur van die Senaat, as verteenwoordiger van die Senaat, die bevoegdhede van die Senaat uitoefen en die werksaamhede van die Senaat verrig.

(2) Die Uitvoerende Bestuur van die Senaat doen aan die Senaat verslag oor die handeling van die Uitvoerende Bestuur van die Senaat ingevolge subparagraaf (1): Met die verstande dat die handeling by die eersvolgende Senaatsvergadering bekragtig of hersien word.

(3) Die Senaat kan aan die Uitvoerende Bestuur van die Senaat die bevoegdheid gee, in die algemeen of in die besonder, om sake namens die Senaat af te handel in welke geval die Uitvoerende Bestuur van die Senaat net aan die Senaat verslag doen, maar die handeling nie deur die Senaat bekragtig of hersien word nie.

(4) Waar die Senaat aan die Uitvoerende Bestuur van die Senaat die bevoegdheid gegee het om sake af te handel soos beoog in subparagraaf (3), moet die Senaat ten minste elke vier jaar die gedelegeerde bevoegdheid of bevoegdhede bekragtig of hersien.

(5) Die Registrateur moet 'n volledige gekonsolideerde rekord hou van alle gedelegeerde bevoegdhede bedoel in subparagraaf (3).

(6) Die Uitvoerende Bestuur van die Senaat moet voor elke Senaatsvergadering vergader, behalwe in geval van 'n buitengewone vergadering van die Senaat.

33. Komitees van Senaat.– (1) Benewens die Uitvoerende Bestuur van die Senaat, wys die Senaat 'n aantal komitees aan om die Uitvoerende Bestuur van die Senaat in staat te stel om sy werksaamhede te kan verrig, naamlik die –

(a) Akademiese Beplanningskomitee;

(b) Komitee vir Toelating, Evaluering en Akademiese Ondersteuning;

(c) Aanstellingskeurkomitees wat die Senaat moet adviseer oor die aanstelling van akademiese werknemers;

(d) Roosterkomitee;

(e) Komitee vir Studentetug;

- (f) Fakulteitsrade;
- (g) Etiekkomitee;
- (h) Studentelewekomitee.

(2) Die Senaat kan enige ander komitee aanwys, met inbegrip van gesamentlike Raads- en Senaatskomitees: Met dien verstande dat laasgenoemde in oorleg met die Raad aangewys word.

(3) Die werksaamhede van alle komitees van die Senaat word gekoördineer deur en geskied onder die beheer en toesig van die Uitvoerende Bestuur van die Senaat.

(4) Die Uitvoerende Bestuur kan die bevoegdhede wat deur die Senaat, hierdie Statuut en die Institusionele Reëls aan hom verleen is, met inbegrip van die bevoegdhede verleen ingevolge paragraaf 32(3), verder na 'n komitee van die Senaat of 'n individu deleger soos in die Institusionele Reëls uiteengesit, behalwe in gevalle waar die Senaat tot die teendeel besluit het.

(5) Die Uitvoerende Bestuur van die Senaat se verslagdoening aan die Senaat sluit verslagdoening oor die werksaamhede van die komitees van die Senaat in.

(6) Die Senaat nomineer en verkies lede en voorsitters van die komitees.

(7) Aangeleenthede wat betrekking het op die samestelling, verkiesing, termyn, werksaamhede en prosedures van komitees wat nie hierbo gereël word nie, word in die Institusionele Reëls gereël.

34. Fakulteite.— (1) Die Universiteit beskik oor sodanige Fakulteite, Skole en Departemente (hetsy dit onderafdelings van Fakulteite is of nie) wat die Raad, na oorlegpleging met die Senaat, van tyd tot tyd mag instel.

(2) Die Fakulteitsraad van elke fakulteit is 'n komitee van die Senaat.

(3) Die volgende aangeleenthede met betrekking tot Fakulteitsrade word in die Institusionele Reëls omskryf —

- (a) die samestelling van die Rade;
- (b) hulle bevoegdhede en werksaamhede;
- (c) hulle prosedures;
- (d) die keuring van kandidate vir die posisie van Dekaan, Adjunkdekaan of persone met soortgelyke status;
- (e) die aanwysing van komitees van die fakulteit en die wyse waarop hulle werksaamhede bepaal word; en
- (f) hulle delegasiebevoegdhede.

(4) Die Dekaan van die betrokke fakulteit is ampshalwe voorsitter van die fakulteitsraadsvergadering.

(5) In die afwesigheid van die Dekaan tree die Adjunkdekaan, of die waarnemende Dekaan na gelang van die geval, as voorsitter op en by beide die Dekaan en Adjunkdekaan of

waarnemende Dekaan se afwesigheid, kies die aanwesige lede by 'n fakulteitsraadsvergadering uit eie geledere 'n voorsitter vir die betrokke vergadering.

35. Senaatsverteenwoordigers in Raad.— (1) Die Senaat kies drie Senaatsverteenwoordigers uit die geledere van die Senaat om as Raadslede te dien vir 'n termyn van vier jaar: Met dien verstande dat ten minste een Senaatsverteenwoordiger gekies moet word uit die geledere van Senaatslede van die natuurwetenskaplike fakulteite en ten minste een Senaatsverteenwoordiger gekies moet word uit die geledere van Senaatslede van die geesteswetenskaplike fakulteite.

(2) Persone wat ampshalwe reeds lede van die Raad is, word nie as kandidate oorweeg nie.

(3) Die Registrateur moet minstens sewe dae voor 'n Senaatsvergadering aan alle lede skriftelik kennis gee van 'n verkiesing om 'n verteenwoordiger of verteenwoordigers van die Senaat te kies om op die Raad te dien.

(4) 'n Persoon is 'n kandidaat indien hy of sy tydens 'n Senaatsvergadering deur ten minste twee persone genomineer is en mondelings of skriftelik aandui dat hy of sy die nominasie aanvaar.

(5) Lede wie se ampstermyn verstryk het, mag herkies of -aangewys word.

(6) Die verkiesing geskied by wyse van geslote stembriewe en 'n meerderheid van die persone aanwesig by die Senaatsvergadering moet vir die suksesvolle kandidaat stem.

(7) Indien geen kandidaat 'n meerderheid stemme verwerf nie, vind opeenvolgende stemrondtes plaas.

(8) In elke opeenvolgende stemrondte word die kandidaat met die minste stemme uitgeskakel.

(9) Nadat die Senaat die verteenwoordigers verkies het, word hul name deur die voorsitter bekend gemaak.

(10) Toevallig vakatures word gevul, met die nodige veranderings, soos hierbo uiteengesit word.

HOOFSTUK 7

FAKULTEITE EN FAKULTEITSRADE

36. Funksies, Samestelling en Prosedures.— Hierdie aangeleenthede word gereël in paragraaf 34 van Hoofstuk 6 en die Institusionele Reëls van die Universiteit.

HOOFSTUK 8

INSTITUSIONELE FORUM

37. Werkzaamhede.– (1) Die Institusionele Forum adviseer die Raad oor die volgende aangeleenthede wat die Universiteit raak –

- (a) die implementering van die Wet en die nasionale beleid op hoër onderwys;
- (b) die formulering van 'n beleid oor ras- en geslagregverdigheid;
- (c) die keuring van kandidate vir senior bestuursposisies;
- (d) gedragskodes;
- (e) bemiddeling en geskilbeslegtingsprosedures;
- (f) die formulering van beleid ter bevordering van 'n institusionele kultuur gekenmerk deur verdraagsaamheid, respek vir basiese menseregte en 'n positiewe akademiese klimaat; en

(g) die bestuur van kulturele diversiteit op die Universiteit se kampusse.

(2) Die advies van die Institusionele Forum aan die Raad word skriftelik deur die Voorsitter van die Forum verskaf.

(3) Die Institusionele Forum verrig bykomende werkzaamhede wat deur die Raad bepaal word.

(4) Die Raad kan, na oorleg met die Institusionele Forum, die mandaat van die Institusionele Forum in subparagraaf (3) bedoel, wysig of beëindig.

38. Samestelling.– Die Institusionele Forum word soos volg saamgestel –

- (a) twee verteenwoordigers van die Hoofbestuur van die Universiteit, deur die Rektor aangewys;
- (b) twee verteenwoordigers van die Raad, deur die Raad aangewys;
- (c) twee verteenwoordigers van die Senaat, deur die Senaat aangewys;
- (d) hoogstens vyf verteenwoordigers verkies uit die geledere van die vakbonde en personeelverenigings wat as sodanig deur die Universiteit erken word, soos in paragraaf 40(3) uiteengesit;
- (e) een lid deur Tuks Alumni aangewys;
- (f) een gestremde persoon (óf 'n werknemer óf 'n student) deur die Raad aangestel;
- (g) nie meer as tien studenteverteenwoordigers nie, aangestel ooreenkomstig 'n aanwysingsprosedure van die VSR; en
- (h) hoogstens drie personeel- of studenteledere, deur die Raad aangewys na oorleg met die Institusionele Forum –
 - (i) op grond van hulle kundigheid en ervaring; of

- (ii) om 'n belangegroep of belangegroepe op kampus te verteenwoordig wat nie reeds op die Institusionele Forum verteenwoordig is nie:

Met dien verstande dat 'n werknemer of student wat deur 'n dissiplinêre komitee van die Universiteit aan wangedrag skuldig bevind is, nie 'n lid van die Institusionele Forum mag wees nie.

39. Ampstermyn.— (1) Die ampstermyn van alle lede, uitgesonderd die lede wat aangewys word deur die VSR en studentelege gekoöpteer ingevolge paragraaf 38(h), is vier jaar.

(2) Die ampstermyn van studentelege stem ooreen met die ampstermyn van die VSR wat hulle aangestel het.

(3) Die ampstermyn van studentelege wat ingevolge paragraaf 38(h) gekoöpteer word, is een jaar.

(4) 'n Lid kan vir 'n volgende termyn herkies, aangewys of gekoöpteer word wanneer sy of haar ampstermyn verstryk.

(5) 'n Studentelid se lidmaatskap van die Institusionele Forum word outomaties beëindig indien die lid nie meer 'n ingeskrewe student is nie.

(6) Die lidmaatskap van 'n lid van die Institusionele Forum word beëindig indien die lid deur 'n bepaalde belangegroep gekies of aangewys word om die betrokke belangegroep te verteenwoordig en die lid se lidmaatskap van of verbintenis met die belangegroep beëindig word of indien die lid deur die belangegroep geskors word.

40. Verkiegingsprosedure.— (1) Die Registrateur fasiliteer die proses ingevolge waarvan lede verkies, aangewys of gekoöpteer word.

(2) Die betrokke liggame wat geregtig is om lede aan te wys of te verkies, wys lede aan of verkies hulle ingevolge die liggame se interne aanwysings- of verkiegingsprosedures, maar met 'n sensitiwiteit vir geslag en ras.

(3) Elke vakbond en personeelvereniging wat deur die Universiteit erken word, is geregtig op een verteenwoordiger. Met dien verstande dat sodanige verteenwoordiger deur die lede van die vakbond of personeelvereniging uit die geledere van die werknemers van die Universiteit verkies moet word. Met dien verstande voorts dat indien daar meer as vyf vakbonde en personeelverenigings is wat aldus kwalifiseer, net die vyf vakbonde en personeelverenigings met die grootste lidmaatskap onder die werknemers van die Universiteit geregtig is om verteenwoordigers aan te wys.

(4) Net lede van die VSR mag aangewys word as studenteverteenwoordigers op die Institusionele Forum.

41. Voorsitter en Ondervoorsitter.— (1) Die Institusionele Forum verkies 'n Voorsitter en 'n Ondervoorsitter uit die geledere van die lede van die Institusionele Forum.

(2) Die ampstermyn van die Voorsitter en die Ondervoorsitter stem onderskeidelik ooreen met hulle ampstermyne as lede van die Institusionele Forum.

(3) Indien die amp van Voorsitter of Ondervoorsitter vakant word, kies die Institusionele Forum by die eerskomende vergadering 'n opvolger.

(4) Die Voorsitter van die Institusionele Forum gee telkens terugvoering aan die Institusionele Forum van die Raad se aanvaarding, gedeeltelike aanvaarding of verwerping van die Institusionele Forum se advies.

(5) Die Institusionele Forum kies 'n Sekretaris: Met dien verstande dat die Registrateur, of 'n werknemer deur hom of haar aangewys, die Sekretaris kan bystaan of in sy of haar plek kan optree.

42. Bestuurskomitee, Taak- en Werkgroepe.— (1) Die Institusionele Forum kan van taak- en werkgroepe gebruik maak om die werksaamhede van die Forum te vergemaklik en te bespoedig.

(2) Die Institusionele Forum wys 'n Bestuurskomitee aan om die Institusionele Forum van dag tot dag te beheer, bestuur en administreer.

(3) Die Bestuurskomitee van die Institusionele Forum word soos volg saamgestel:

(a) die Voorsitter van die Institusionele Forum;

(b) die Ondervoorsitter van die Institusionele Forum; en

(c) drie lede deur die Institusionele Forum aangewys van wie een, maar nie meer as twee nie, 'n student moet wees.

(4) Die Bestuurskomitee van die Institusionele Forum bepaal sy eie vergaderingsprosedure met behoorlike inagneming van die algemeen aanvaarde norme van billike administratiewe proses.

(5) Die kworum vir 'n vergadering van die Bestuurskomitee van die Institusionele Forum is drie lede.

(6) Die ampstermyn van die twee lede in subparagraaf (3)(c) bedoel, stem ooreen met hulle onderskeie ampstermyne as lede van die Institusionele Forum.

(7) Die Registrateur, of 'n werknemer deur hom of haar aangewys, is verantwoordelik vir die administratiewe dienste wat die Bestuurskomitee mag benodig.

43. Prosedure.— (1) Die Institusionele Forum bepaal sy eie vergaderingsprosedure met behoorlike inagneming van die algemeen aanvaarde norme van billike administratiewe proses.

(2) Vyf en dertig persent van die lede van die Institusionele Forum plus een lid vorm 'n kworum.

(3) Besluite van die taak- en werkgroepe bind nie die Institusionele Forum nie en derhalwe is daar geen kworumvereiste vir vergaderings van hierdie liggame nie.

(4) Die Sekretaris hou volledige notule van alle vergaderings van die Institusionele Forum, insluitende vergaderings van die taak- en werkgroepe.

(5) Minstens vier dae voor 'n vergadering stuur die Sekretaris van die Institusionele Forum aan elke lid 'n sakelys wat onder andere die datum, plek en tyd van die vergadering asook die sake vir behandeling vermeld.

(6) Lede wat bykomende besprekingspunte op die sakelys wil plaas, rig 'n skriftelike versoek aan die Sekretaris minstens twee dae voor die datum van die vergadering.

(7) Die voorsitter kan te enige tyd en met vier dae kennisgewing 'n buitengewone vergadering belê met vermelding van die besprekingspunt of besprekingspunte.

(8) Die voorsitter moet op versoek van minstens agt lede van die Institusionele Forum 'n buitengewone vergadering belê. Met dien verstande dat die versoek op skrif is en die besprekingspunte kortliks gestel en gemotiveer is.

44. Besluitneming.— (1) Indien vyf en sewentig persent van die aanwesige lede by 'n vergadering óf ten gunste van óf teen 'n bepaalde voorstel stem, het die Institusionele Forum 'n besluit geneem.

(2) Waar die Raad die Institusionele Forum versoek om die Raad oor 'n spesifieke aangeleentheid te adviseer en geen adviesvoorstel voor die Institusionele Forum die steun van vyf en sewentig persent van die aanwesige lede geniet nie, is die voorsitter verplig om binne twee weke 'n opvolgvergadering te belê.

(3) Indien die Institusionele Forum tydens die opvolgvergadering nie 'n adviesbesluit neem nie, moet die Bestuurskomitee van die Institusionele Forum, in oorleg met die lede van die Institusionele Forum, 'n opsomming van die verskillende standpunte op die Institusionele Forum formuleer en dit aan die Raad voorlê.

(4) Waar die Institusionele Forum 'n adviesbesluit geneem het wat aan die Raad voorgelê word, is 'n lid of lede met 'n minderheidstandpunt of minderheidstandpunte geregtig om die minderheidstandpunt of standpunte skriftelik te formuleer en deur bemiddeling van die Bestuurskomitee van die Institusionele Forum aan die Raad voor te lê.

HOOFSTUK 9

KONVOKASIE

45. Lidmaatskap.— Die Konvokasie bestaan uit –

(1) alle persone, anders as die persone na verwys in paragraaf (2), wat onmiddellik voor die inwerkingtreding van hierdie Statuut lede van die Konvokasie van die Universiteit was;

(2) die Rektor, Viserektore, Uitvoerende Direkteure, die Registrateur; Dekane van Fakulteite, die permanente akademiese werknemers van die Universiteit, emeriti professore, ander afgetrede akademiese werknemers en sodanige ander persone as wat die Raad bepaal; en

(3) alle persone wat gegradueerdes van die Universiteit is of word:

Met dien verstande dat indien enige persoon wat ingevolge subparagrafe (1) en (3) 'n lid van die Konvokasie is of sal word, die Raad skriftelik in kennis stel dat hy of sy nie 'n lid wil wees of word nie, sal sodanige persoon by ontvangs van sodanige kennisgewing ophou om 'n lid te wees of nie 'n lid word nie, na gelang die geval.

46. President.— (1) Daar is 'n President van die Konvokasie wat deur die Konvokasie uit eie geledere verkies word vir 'n tydperk van vyf jaar: Met dien verstande dat die uitredende President herkiesbaar is.

(2) Indien die amp van President vakant word, tree die Rektor as President op totdat die Konvokasie op sy volgende vergadering 'n opvolger kies vir die onverstreke deel van die ampstermyn van die voorganger.

47. Verkiesing van President.— (1) Wanneer die Konvokasie 'n President moet kies, maak die Registrateur in die pers en op enige ander toepaslike wyse bekend dat skriftelike nominasies van kandidate ingewag word.

(2) Elke nominasie word deur minstens vier lede onderteken, bevat die aanvaarding van die nominasie deur die genomineerde onder sy of haar handtekening en word minstens drie weke voor die verkiesing by die Registrateur ingedien.

(3) Indien net een persoon genomineer word, verklaar die Registrateur die persoon onverwyld as behoorlik verkies.

(4) Indien meer as een persoon genomineer word, lê die Registrateur die nominasies aan 'n vergadering van die Konvokasie voor vir 'n finale stemming.

48. Vergaderings.— (1) Die Registrateur hou die rol daarvan en dit is verpligtend vir elke lid van die Konvokasie om die Registrateur van tyd tot tyd van enige adresverandering in kennis te stel.

(2) Behoudens die bepalings van subparagraaf (3) tree die President, of indien hy of sy afwesig is, die Rektor, by vergaderings van die Konvokasie as voorsitter op en indien albei afwesig is, kies die aanwesige lede uit eie geledere 'n voorsitter vir die vergadering.

(3) Die President of, indien die amp van President vakant is of indien hy in gebreke bly om dit te doen, die Registrateur, belê minstens een keer in vyf jaar 'n vergadering van die Konvokasie in Pretoria: Met dien verstande dat 'n gesamentlike vergadering met Tuks Alumni

gehou kan word, behalwe 'n vergadering ingevolge paragraaf 47(4): Met dien verstande voorts dat 'n gesamentlike vergadering onder voorsitterskap van Tuks Alumni belê word.

(4) 'n Buitengewone vergadering van die Konvokasie kan ter eniger tyd deur die President belê word, en word deur hom of haar belê of, indien hy of sy in gebreke bly om dit te doen, deur die Registrateur op skriftelike versoek van minstens vyftien lede: Met dien verstande dat die doel van die vergadering in sodanige versoek vermeld word en dat geen ander sake as dié wat in die kennisgewing vermeld word tydens die vergadering behandel word nie.

(5) Die Registrateur maak minstens twee weke voor die vasgestelde datum van 'n vergadering die tyd, datum en plek van die vergadering asook die sake vir behandeling in die pers bekend: Met dien verstande dat die kennisgewing van 'n gesamentlike vergadering geskied op die wyse en volgens die prosedure deur Tuks Alumni bepaal.

(6) Een honderd lede van die Konvokasie vorm 'n kworum vir enige vergadering van die Konvokasie.

(7) Verkiesing van lede van die Konvokasie tot die Raad geskied volgens die Grondwet van Tuks Alumni.

(8) Vir doeleindes van 'n verkiesing in subparagraaf (7) bedoel, word die Konvokasie geag gesluit te wees vanaf die laaste dag waarop stembriewe uitgereik word tot die dag van die verkiesing, beide dae ingesluit.

49. Voorlê van Besluite aan Raad.— 'n Afskrif van enige besluit van die Konvokasie geneem op 'n vergadering van die Konvokasie, welke afskrif behoorlik deur die Voorsitter van die Konvokasie en die Registrateur gesertifiseer moet word, word deur die Registrateur aan die Raad voorgelê: Met dien verstande dat die Konvokasie enige aangeleentheid wat met die Universiteit verband hou, mag bespreek en sy standpunte daarvoor aan die Raad mag oordra.

HOOFSTUK 10

GRADE, DIPLOMAS EN SERTIFIKATE

50. Bevoegdheid.— (1) Die Universiteit kan, behoudens die bepalings van hierdie Statuut, die grade in enige fakulteit toeken waarvan hy die toekenning dienstig ag.

(2) Behalwe soos in paragraaf 51 bepaal word, mag die Universiteit nie 'n graad toeken aan iemand wat nie in 'n eksamen of ander toets die voorgeskrewe peil van bekwaamheid bereik het nie.

(3) Die Universiteit kan 'n diploma of sertifikaat toeken aan iemand wat 'n deur die Raad goedgekeurde studiekursus gevolg het en die voorgeskrewe peil van bekwaamheid bereik het.

(4) Die Universiteit kan 'n sertifikaat verleen aan iemand wat 'n studiekursus gevolg het wat deur 'n Fakulteitsraad of 'n entiteit onder die Universiteit se beheer goedgekeur is.

51. Eregrade.— (1) Behoudens die bepalings van hierdie paragraaf kan die Universiteit, by besluit van die Raad en Senaat, sonder eksamen 'n doktorsgraad in enige fakulteit *honoris causa* toeken aan iemand wat die Universiteit so 'n graad waardig ag: Met dien verstande dat iemand aan wie 'n graad *honoris causa* toegeken is nie op grond van sodanige toekenning geregtig is om 'n beroep te beoefen nie.

(2) Met die oog op die toekenning van 'n eregraad word 'n kandidaat gekeur deur 'n komitee wat bestaan uit die Uitvoerende Bestuur van die Senaat met byvoeging van die Voorsitter en Ondervoorsitter van die Raad: Met dien verstande dat die Voorsitter en Ondervoorsitter van die Raad elk 'n lid van die Raad kan aanwys om hom of haar in die keurkomitee te verteenwoordig.

(3) Die naam van 'n kandidaat wat deur die keurkomitee aanbeveel word, word aan die Senaat voorgelê.

(4) Die Senaat stem sonder voorafgaande bespreking met geslote stembriewe oor die kandidaat wat deur die keurkomitee aanbeveel is: Met dien verstande dat die Senaat nie 'n voorstel wat nie deur die keurkomitee aanbeveel is nie, bespreek of behandel nie.

(5) Die naam van die kandidaat wat 'n gewone meerderheid van die stemme van die lede van die Senaat wat tydens die stemming teenwoordig was, behaal het, word aan die Raad voorgelê.

(6) Die Raad stem sonder voorafgaande bespreking met geslote stembriewe oor die kandidaat wat deur die Senaat aanbeveel is: Met dien verstande dat die Raad nie 'n voorstel wat nie deur die keurkomitee en die Senaat aanbeveel is nie, bespreek of behandel nie.

(7) Die eregraad word toegeken aan die kandidaat ten gunste van wie 'n meerderheid van die lede van die Raad op die vergadering aanwesig, gestem het en wel op die tyd en plek soos deur die Rektor bepaal: Met dien verstande dat geen eregraad postuum toegeken word nie.

52. Kongregasie en Toekenning van Grade.— (1) Met die oog op die toekenning van grade word 'n vergadering van die lede van die Universiteit gehou, wat 'n Kongregasie genoem word.

(2) 'n Kongregasie staan onder voorsitterskap van die Kanselier of, in sy of haar afwesigheid, die Rektor of 'n Viserektor.

(3) 'n Kongregasie van die Universiteit word minstens een keer per jaar gehou op 'n datum wat aan die begin van elke akademiese jaar bekend gemaak word.

(4) Die prosedure wat betref die voorstelling van graduandi, die verlening van grade *in absentia*, die akademiese drag en alle ander sake wat kongregasies raak en waarvoor in hierdie hoofstuk geen voorsiening gemaak word nie, word deur die Uitvoerende Bestuur van die Senaat bepaal, met inagneming van die advies van die Senaat.

HOOFSTUK 11

WERKNEMERS

53. Aanstellings.— Behoudens die bepalings van artikel 34 van die Wet, word werknemers deur die Raad aangestel ooreenkomstig die personeelbeleid neergelê in die Institusionele Reëls van die Universiteit.

54. Diensvoorwaardes.— Die diensvoorwaardes, wat insluit die vasstelling en hersiening van werknemers se salarisse en alle ander vorme van vergoeding word deur die Raad goedgekeur in ooreenstemming met die Universiteit se beleid soos vervat in die Institusionele Reëls wat van tyd tot tyd deur die Raad gewysig mag word.

55. Evaluering.— Alle werknemers van die Universiteit is onderhewig aan deurlopende evaluering van die nakoming van hul diensverpligtinge en sodanige evaluering kan aan vergoeding gekoppel word.

56. Personeeldisipline.— Met behoud van die toepaslike arbeidswetgewing, is alle werknemers onderhewig aan 'n dissiplinêre kode, 'n dissiplinêre prosedure en 'n griewe-prosedure soos deur die Raad goedgekeur en in die Institusionele Reëls uiteengesit.

57. Verteenwoordigende Werknemerorganisasies.— Die Raad of die Rektor handelende op die gedelegeerde bevoegdheid van die Raad, mag ooreenkomste rakende diensvoorwaardes ooreenkomstig die tersaaklike arbeidswetgewing met verteenwoordigende werknemers-organisasies sluit.

HOOFSTUK 12

STUDENTE

58. Toelating en Registrasie van Studente.— (1) Soos voorsien in artikel 37 van die Wet, word iemand net deur die Raad toegelaat om as student te registreer indien hy of sy aan die wetlike vereistes, indien enige, vir studie aan die Universiteit voldoen het en voorts voldoen aan enige ander vereistes wat deur die Raad en die Senaat bepaal en deur die Institusionele Reëls neergelê mag word.

(2) By registrasie, hetsy vir 'n graad, diploma, sertifikaat of een of meer vakke of modules, onderwerp 'n student hom of haar aan die Institusionele Reëls van die Universiteit soos vervat in die tersaaklike publikasies van die Universiteit.

(3) Die toelatingsvereistes tot die verskillende fakulteite word in die Institusionele Reëls vervat en kan deur die Raad verander word na raadpleging met die Senaat.

(4) 'n Student is geregistreer vir een jaar op 'n keer of vir sodanige korter tydperk as wat die Raad in die algemeen of in 'n besondere geval bepaal.

(5) Ten einde sy of haar registrasie te hernu na verstryking van die periode in subparagraaf (4) bedoel, moet 'n student voldoen aan die voorwaardes wat deur die Senaat gestel word: Met dien verstande dat die Senaat sy bevoegdheid in hierdie verband aan die onderskeie Fakulteitsrade kan deleger.

(6) Indien 'n student nie aan die voorwaardes bedoel in subparagraaf (5) voldoen nie, kan die Raad weier om die student se registrasie te hernu.

(7) Die voorwaardes bedoel in subparagraaf (5) kan insluit die betaling van agterstallige klasgeld, akademiese prestasie en dissiplinêre aangeleenthede.

59. VSR.— Die studente van die Universiteit word in aangeleenthede wat hulle raak, verteenwoordig deur die VSR wat optree ooreenkomstig die bepalings van die VSR se grondwet en die Institusionele Reëls.

(2) Net studente wat vir 'n diploma of graad aan die Universiteit geregistreer is, mag as lede van die VSR verkies word.

(3) Geen student wat deur 'n dissiplinêre komitee van die Universiteit skuldig bevind is van oortreding van die Universiteit se dissiplinêre kode sal verkies word om op die VSR te dien nie en 'n bestaande lid van die VSR wat aldus skuldig bevind word, sal dadelik sy of haar pos ontruim.

(4) Die VSR soos bedoel in artikel 35 van die Wet moet verteenwoordigend wees van die studentebevolking.

(5) Lede van die VSR word op 'n demokratiese en deursigtige wyse verkies.

(6) Die ampstermyn van lede van die VSR is een jaar.

(7) Die voorregte van lede van die VSR word deur die Raad bepaal en kan deur die Raad herroep word.

(8) Die VSR word saamgestel en funksioneer ingevolge sy eie Grondwet soos deur die Raad goedgekeur, asook hierdie Statuut en die Institusionele Reëls: Met dien verstande dat in die afwesigheid van 'n goedgekeurde Grondwet, die bepalings van paragrawe 36 tot 43 van die Standaard Institusionele Statuut afgekondig in Goewermmentskennisgewing 377 van 27 Maart 2002, sal geld.

(9) Die huidige Grondwet van die VSR soos deur die Raad goedgekeur op 28 Mei 2003 sal van krag bly totdat dit deur die Raad herroep word.

60. Dissipline.— Die dissiplinêre maatreëls en dissiplinêre bepalings wat op studente van toepassing is, word ooreenkomstig artikel 36 van die Wet in die Institusionele Reëls uiteengesit en kan deur die Raad gewysig word na oorlegpleging met die Senaat en die VSR soos bepaal in artikel 32(2)(d) van die Wet.

HOOFSTUK 13

DONATEURS

61. Donateurs.— Die Universiteit mag gelde, goedere of dienste van enige aard van donateurs ontvang ten einde die Universiteit van hulp te wees met die verskaffing van kwaliteit onderrig en ondersteuningsdienste.

62. Vereistes vir Donateurs.— (1) Enige persoon wat 'n bepaalde skenking aan die Universiteit doen, word geag 'n donateur te wees: Met dien verstande dat indien 'n regspersoon 'n skenking maak, die verteenwoordiger van sodanige regspersoon geag word 'n donateur te wees: Met dien verstande dat net donateurs wat 'n groter skenking gemaak het as die bedrag bedoel in subparagraaf (2) vir 'n tydperk van vyf jaar geregtig is om twee lede van die Raad te kies ooreenkomstig paragraaf 15(1).

(2) Die skenking in subparagraaf (1) bedoel, by wyse van hetsy geld as enkelbedrag of 'n aantal kleiner bedrae, hetsy eiendom as 'n enkele bate of 'n aantal bates, hetsy geld en eiendom saam, moet minstens 'n bedrag wees of gewaardeer wees teen minstens 'n bedrag wat die Raad van tyd tot tyd vasstel.

(3) Die tydperk in subparagraaf (1) bedoel, is vyf jaar bereken vanaf die tydstip waarop die skenking voldoen aan die vereistes wat in subparagraaf (2) gestel word.

(4) In geval van 'n donateur wat, na voldoening aan die vereistes van subparagraaf (2), verdere skenkings doen, word die tydperk van vyf jaar bereken vanaf die laaste datum waarop daar aan die vereistes van subparagraaf (2) voldoen word.

(5) Enige persoon wat by die inwerkingtreding van hierdie Statuut reeds 'n donateur is, word geag aan die vereistes van subparagraaf (2) te voldoen het op die dag van inwerkingtreding.

63. Verkiesing deur Donateurs.— (1) Wanneer die donateurs 'n lid van die Raad moet kies, maak die Registrateur in die pers en op enige ander toepaslike wyse bekend dat skriftelike nominasies van kandidate ingewag word.

(2) Elke nominasie word deur minstens twee donateurs onderteken, bevat die aanvaarding van die nominasie deur die genomineerde onder sy of haar handtekening en word minstens vier weke voor die verkiesing by die Registrateur ingehandig.

(3) Indien die getal persone wat genomineer word nie meer is as die getal wat verkies moet word nie, verklaar die Registrateur die persoon of persone onverwyld as behoorlik verkies.

(4) Indien meer persone genomineer word as wat verkies moet word, lê die Registrateur die nominasies aan 'n vergadering van die donateurs voor vir 'n finale beslissing.

(5) Die Rektor tree by die vergadering van donateurs as voorsitter op, en indien hy of sy afwesig is, kies die aanwesige donateurs uit eie geledere iemand om op die vergadering as voorsitter op te tree.

(6) Vyf donateurs vorm 'n kworum.

HOOFSTUK 14

HERROEPING VAN VORIGE STATUUT

64. Herroeping van Vorige Statuut.— Die Statuut van die Universiteit van Pretoria wat gepubliseer is in Goewermentskennisgewing No. R1632 van 18 Oktober 1996, soos gewysig deur Goewermentskennisgewing No. 755 van 10 Junie 1999 en Goewermentskennisgewing No. 1206 van 19 Augustus 2003, word hiermee herroep met ingang van die datum waarop hierdie Statuut in werking tree.

HOOFSTUK 15

OORGANGSBEPALINGS

65. Oorgangsmaatreëls.— (1) By die inwerkingtreding van hierdie Statuut, het die bestaande Raad die mag en bevoegdheid om maatreëls te tref om die voorskrifte van die Wet, hierdie Statuut en die Institusionele Reëls te implementeer.

(2) Die maatreëls in subparagraaf (1) bedoel, kan die beëindiging van die lidmaatskap van Raadslede insluit om dit moontlik te kan maak om die Raad ooreenkomstig die Statuut te kan hersaamstel.

(3) Voor die inwerkingtreding van hierdie Statuut het die Raad sekere bevoegdhede, met of sonder afhandelingsbevoegdheid, aan komitees van die Raad, die Senaat, komitees van die Senaat en individue gedelegeer.

(4) Dit word geag dat die gedelegeerde bevoegdhede in subparagraaf (3) bedoel ooreenkomstig die bepalinge van hierdie Statuut aan die Vaste Komitee van die Raad, ander komitees van die Raad, die Senaat, komitees van die Senaat en individue, en in die besonder ook die Rektor, gedelegeer is.

(5) Voor die inwerkingtreding van hierdie Statuut het die Senaat sekere bevoegdhede gedelegeer, met of sonder afhandelingsbevoegdheid, aan die Uitvoerende Komitee van die Senaat, aan komitees van die Senaat, fakulteitsrade en aan individue.

(6) Dit word geag dat die gedelegeerde bevoegdhede in subparagraaf (5) bedoel ooreenkomstig die bepalinge van hierdie Statuut gedelegeer is: Met dien verstande dat 'n delegasie aan die Uitvoerende Komitee van die Senaat geag word 'n delegasie aan die Uitvoerende Bestuur van die Senaat te wees.

(7) Die Statuut van die Universiteit wat van krag was voor die inwerkingtreding van hierdie Statuut, bly van krag tot 31 Desember 2003.

(8) Die ampstermyne van alle lede van die Raad verstryk op 31 Desember 2003, behalwe die volgende lede:

- (a) die Rektor;
 - (b) die Viserektore;
 - (c) die ses lede wat tot die Raad verkies is op grond van hul kundigheid en ervaring;
 - (d) die vier lede van die Konvokasie van die Universiteit, verkies deur lede van Tuks Alumni;
 - (e) die vier persone deur die Minister aangewys ingevolge artikel 27(4) van die Wet;
 - (f) die twee persone wat uit die geledere van die donateurs van die Universiteit verkies is.
-

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