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CONTENTS • INHOUD

No.

Page
No. Gazette
 No.**GOVERNMENT NOTICE****Higher Education and Training, Department of***Government Notice*

262 Higher Education Act (101/1997): Institutional Statute of the University of Pretoria 3 35195

GOVERNMENT NOTICE

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

No. 262

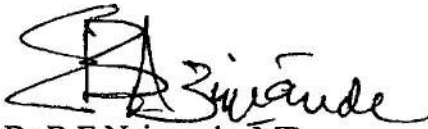
30 March 2012

HIGHER EDUCATION ACT, 1997 (Act No. 101 of 1997)

INSTITUTIONAL STATUTE

UNIVERSITY OF PRETORIA

I, Dr Bonginkosi Emmanuel Nzimande, MP, Minister of Higher Education and Training, in accordance with section 33 (1) of the Higher Education Act, 1997 (Act No. 101 of 1997), hereby publish the *Institutional Statute of the University of Pretoria* set out in the Schedule hereto.



Dr B E Nzimande, MP

Minister: Higher Education and Training

Date:

23/03/12

GOVERNMENT NOTICE

MINISTRY OF HIGHER EDUCATION AND TRAINING
HIGHER EDUCATION ACT, 1997 (ACT No. 101 OF 1997)
STATUTE OF THE UNIVERSITY OF PRETORIA

The Council of the University of Pretoria has, after consultation with the Senate and Institutional Forum, 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 Higher Education and Training and which comes into operation on the date of its publication.

SCHEDULE

To introduce a new Statute for the University of Pretoria to give effect to any law relating to the University of Pretoria and to promote the effective and responsible management and governance of the University in respect of matters not expressly prescribed by any law.

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 activity” includes distance education, but is not limited thereto;

“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 as contemplated in Chapter 3;

“Convocation” means the Convocation as contemplated in Chapter 9;

“Council” means the governing body of the University as 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 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;

“Institutional Forum” means the Institutional Forum as 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 responsible for tertiary 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 or any other person who has been given the title of professor by the University and includes an associate, adjunct, honorary and extraordinary professor;

“qualification” means a certificate, diploma or degree as approved by the Senate and Council;

“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 recognition and conditions have been reduced to writing in a collective or recognition agreement;

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

“Senate” means the body responsible for academic matters as contemplated in Chapter 6;

“senior management” means the Executive plus the Deans of all faculties as well as heads/directors of support services so designated by the Principal: Provided that for purposes of paragraph 37(1)(c) it means the Executive only;

“SRC” means the Student Representative Council as 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;

“TuksAlumni” means the association of persons with membership as set out in the Constitution of TuksAlumni;

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

“written notice” means any notice in writing and includes any notice sent as contemplated by the Electronic Communications and Transactions Act (Act No. 25 of 2002), or any act that amends or replaces it.

CHAPTER 2

INSTITUTION

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

(2) The official street address of the University is: University of Pretoria, c/o Roper Street and Lynnwood Road, Hillcrest, Pretoria, South Africa. The official postal address of the University is: University of Pretoria, Private Bag X20, Hatfield, Pretoria 0028, South Africa.

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

(4) The University also conducts its academic activities within the area of jurisdiction of the Tshwane Local Authority, at its Business School in Illovo, Johannesburg, Gauteng and at eMalahleni (Witbank) and Mbombela (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) the promotion and use of Sepedi as a language of communication;

(e) making a contribution to the development of the other official languages as scientific languages and mediums of instruction; and

(f) 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. Composition of the 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, departments, 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 Student 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 as contemplated in subparagraph (1) nor any deficiency in the numbers or defect in the composition of the bodies or structures as 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 TuksAlumni.

(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 sixteen 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 as 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 the Vice-Principals 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 as 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 as soon as possible at an appropriate time.

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 paragraphs 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 paragraph 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 as 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) The Principal is the University's chief executive officer and is ultimately responsible for the discipline at the University.

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

(4) The Principal may in turn delegate duties to other employees or the chairperson of any committee.

(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, excluding the Human Resources Committee of Council and the Audit and Risk Management Committee of Council which he or she may attend.

(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 compulsory.

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 this Statute.

(2) The Council shall perform all the duties imposed on it by this Statute.

(3) The Council is responsible for governance and policy-making at the University, as well as to monitor compliance therewith and, particularly, to lay 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.

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

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

(6) Subject to section 34 of the Act, the Council shall appoint people whom the Council considers necessary to manage the University effectively in line with the human resource policies contained in the Institutional Rules: Provided that no person is appointed as an academic employee except after consultation with the Senate or a committee of the Senate.

(7) The Council may delegate the function as set out in subparagraph (6) above to the Principal, with the right to further delegate, in accordance with the University's policy in this regard.

(8) 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.

(9) 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 in terms of paragraph 48(7);
- (f) two student members as set out in paragraph 17(3);
- (g) five persons appointed by the Minister 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 a member's term of office that has expired may be extended for a maximum period of six months by the Council if, according to the Council, special circumstances so demand.

(4) Members, whose terms of office have expired, may be re-elected or reappointed.

(5) 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;
- (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; or
- (g) if the Council member has transgressed the Council's rules of conduct.

(6) Apart from the Principal, Vice-Principals, representatives of the Senate and employee representatives and students appointed in terms of paragraph 17(3) to serve on the Council, no other Council member shall be a permanent or temporary staff member or student of the University, and should this happen, such Council member's membership of the Council terminates immediately.

(7) 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; and
 - (ii) every permanent non-academic employee the opportunity to nominate a permanent non-academic employee to represent the permanent non-academic staff 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 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 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) The Registrar shall determine, after consultation with the Director of Human Resources, 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) 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.

(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 of this Statute.

(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 and on the University's website, inviting organisations, interest groups and individuals to nominate persons with expertise and experience as determined by the Council 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 for recommendation to the Council: 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 also desirable to have a broad and balanced representation on the Council as far as gender and racial composition are concerned.

(7) The process for the appointment of the Council members as contemplated in paragraphs 15(1)(g) and 15(1)(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, Deputy 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 Deputy 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 Deputy Chairperson of the Council shall act as the Chairperson in the absence of the Chairperson: Provided that if the Chairperson and the Deputy 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 meeting procedures.– (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 meeting procedures with due observance of accepted norms of fair administrative process.

(3) Sixteen members present 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 give each member written notice of the date, time and place of the meeting, as well as an agenda with supporting documents, if any.

(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 at least five Council members, the Chairperson shall convene an extraordinary meeting: Provided that reasons for the request are in writing and the matters for discussion 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 permission 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 from the meeting during such discussion and voting.
- (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 Council is constituted as follows —

- (a) the Chairperson of the Council;
 - (b) the Deputy 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 Council as contemplated in subparagraphs (1)(d) and (e) shall be two years.
- (3) Members, whose terms of office have expired, may be re-elected.
- (4) At the request of the person acting as the Chairperson of the Standing Committee of 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, Deputy Chairperson, Secretary of Standing Committee and meeting procedures.—

- (1) The Deputy Chairperson of the Council shall *ex officio* be the Chairperson of the Standing Committee of Council and the Chairperson of the Council shall *ex officio* be the Deputy Chairperson of the Standing Committee of Council.
- (2) In the absence of the Chairperson of the Standing Committee of Council, the Deputy Chairperson of the Standing Committee of Council shall act as the Chairperson of the Standing Committee of Council:

Provided that if the Chairperson and the Deputy 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 Council shall constitute a quorum.

(4) The Standing Committee of Council shall determine its own meeting procedures with due observance of generally accepted norms of fair administrative process.

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

22. Powers and functions of Standing Committee.— (1) When the Council is not in session, the Standing Committee of 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 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 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 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 Registrar shall maintain a detailed consolidated record of all delegated powers as contemplated in subparagraph (3).

(6) The Standing Committee of 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 Council, the Council shall establish an Audit and Risk Management Committee, a Human Resources Committee and an Investment Committee and shall determine their functions and authority.

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

(3) The Council shall determine the constitution, election, term of service and functions of committees.

(4) 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, research and community engagement 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, research and community engagement at the University;
 - (iii) management and supervision of student evaluation; and
 - (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 library;
 - (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 staff of the University;
- (d) together with the Council, as required by section 37(4) of the Act, to approve 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) *Ex officio* members of the Senate, namely the –
 - (i) Chairperson of Council;
 - (ii) Deputy Chairperson of the Council;
 - (iii) Principal;
 - (iv) Vice-Principals;
 - (v) Executive Directors;
 - (vi) Deans and Deputy Deans as well as any academic staff members who have similar status and who have specifically been declared members by the Senate;
 - (vii) Heads of academic departments;

- (viii) Academic staff who have similar status as the Heads of academic departments and who have specifically been declared members by the Senate;
 - (ix) Registrar;
 - (x) Chairpersons of schools;
 - (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.
- (c) Directors of support service divisions who are responsible for the following activities at the University, may attend the Senate meetings as observers: the library; community engagement; education innovation; research support; institutional research and planning; academic administration; as well as the Director of Student Affairs and the director of any other support service specifically invited to attend by the Chairperson of Senate.
- (2) Incidental vacancies in the category of members who are nominated or elected are to be filled as set out in subparagraph (1)(b) 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 terms of office expire.

(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 or is found guilty of a transgression by a disciplinary body of the University.

(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 on the Senate; and
 - (ii) every permanent non-academic employee the opportunity to nominate a representative or representatives to represent the permanent non-academic employees on the Senate.
- (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), 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 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 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 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, as soon as possible at an appropriate time, the names of the members duly elected.

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 own 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 meeting procedures.– (1) The Senate shall meet at least once a semester.

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

(3) Seventy-five (75) members of the Senate 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 Secretary at least nine 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 between the Chairperson and the majority of members present at the meeting.

(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.

(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.

(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; and
- (g) the Registrar.

(2) The Directors of support service divisions, and any other person invited by the Principal, may attend the meetings of the Senate Executive on invitation.

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

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

(5) The Registrar shall be the Secretary of the Senate Executive.

(6) The Chairperson as 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 meeting procedures.— (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 meeting procedures 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 functions of the Senate, particularly with regard to academic planning.

(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 is 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 an extraordinary 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) Selection Committees for the purpose of advising the Council on the appointment of academic employees;
- (b) Timetable Committee;
- (c) Appeals Committee of Senate (Student Discipline);
- (d) Faculty boards;
- (e) Senate Committee for Research and Postgraduate Studies (including the Committee for Research Ethics and Integrity);
- (f) Senate Committee for Student Life;
- (g) Appeals Committee on Academic Exclusions;
- (h) Senate Committee for Teaching and Learning;
- (i) Senate Committee for Student Cases; and
- (j) Senate Committee for GIBS.

(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 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 shall nominate and elect members and chairpersons of committees. A non-member of Senate may be elected as a member of a Senate committee.

(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: Provided that only academic employees of the University may serve on faculty boards;
- (b) their powers and functions;
- (c) their procedures;
- (d) the selection of candidates for the position of Dean, Deputy Dean 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 acting Dean or the Deputy Dean shall act as the Chairperson: Provided that if 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.

(6) Each faculty may have an advisory committee operating in terms of the Institutional Rules.

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 *ex officio* members of the Council shall not be considered as candidates.

(3) The Registrar shall notify all members of the Senate in writing 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 terms of office have 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 and the Executive 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 and the Executive 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 or the Executive.

(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 TuksAlumni;
- (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 set out in the Institutional Rules; and
- (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 of the Institutional Forum 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 student members co-opted in accordance with paragraph 38(h) shall be one year.

(4) A member may be re-elected, reappointed 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 and 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 student 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 work 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 meeting procedures with due observance 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. Meeting procedures.— (1) The Institutional Forum shall determine its own meeting procedures with due observance of generally accepted norms of fair administrative process.

(2) Eight members of the Institutional Forum 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 of the Institutional Forum shall send each member, by written notice, 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 the 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 at least 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: Provided that where the decision is to be taken on the suitability of a person to be appointed to a position, a decision by the majority of members present shall be the decision of the Institutional Forum.

(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 subparagraph (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 have obtained a qualification, as approved by the Senate and Council, from the University: Provided that if any person who, by virtue of the provisions of subparagraph (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) The President's term of office is terminated –

- (a) if he or she is sequestered;
- (b) if he or she is found guilty of a crime that in the exclusive opinion of the Council is of such a serious nature that his or her continued membership of the Convocation is not desirable;
- (c) if he or she reaches the age of seventy years;

(3) 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 the 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 members of the Convocation will elect a President by means of electronic voting or in any other way provided for in the Institutional Rules.

48. Meetings.— (1) The Registrar shall keep the roll thereof, and it shall be incumbent upon every member of the Convocation to notify the Registrar 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 both being absent, the members present shall elect a Chairperson for the particular meeting from their own ranks.

(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 two years.

(4) An extraordinary meeting of the Convocation may be convened by the President in consultation with the Principal at any time or, if he or she fails to do so, by the Registrar, at the written request of at least two hundred 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 electronically via e-mail, on the University's website or any other way provided for in the Institutional Rules of the time, date and place of the meeting and of the business to be transacted.

(6) Two 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 takes place as follows:

- (a) The Council will determine the expertise and experience required of the person or persons to be elected.
- (b) The Registrar shall place an advertisement in at least two national papers and on the University's website inviting organisations, interest groups and individuals to nominate Convocation members of the University with expertise and experience as determined by the Council 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 that the advertisement be placed again.

- (c) The President of the Convocation, the Principal, the Chairperson of Council and the Chairperson of TuksAlumni or their respective representatives will draw up a list of the most suitable nominees from the Convocation members nominated in terms of paragraph 48(7)(b): Provided that at least two persons per vacancy shall be short-listed if two or more nominations were received. In the case of a tie of votes on whether or not to shortlist a candidate, the relevant candidate must be placed on the shortlist. Should a member of the short-listing committee be nominated as a candidate to serve on the Council of the University, the members of the body to which he/she belongs shall appoint a substitute in his/her place to serve on the short-listing committee.
- (d) Should the number of persons nominated not exceed the number to be elected, the Registrar shall declare such person or persons to be duly elected.
- (e) Members of the Convocation will elect from the persons short-listed in terms of paragraph 48(7)(c) a person or persons to fill the vacancy or vacancies identified in terms of paragraph 48(7)(a).
- (f) The election process should be overseen by the Registrar and be completed within a reasonable time.
- (g) The election may take place by means of electronic voting or in any other way provided for in the Institutional Rules to enable as many members of the Convocation as possible to vote.

49. Submission of resolutions to Council.— A copy of any resolution of the Convocation taken at a meeting of the Convocation, duly signed as a true reflection of the meeting 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 as recommended by the Senate and as the Council deems academically appropriate 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 Senate and 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 the Senate 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 it deems appropriate 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 Deputy Chairperson of the Council: Provided that the Chairperson and the Deputy 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 graduates, 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 Senate Executive, 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 human resource 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 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 the various faculties or other academic entities are set out in the Institutional Rules and may be changed by the Council after consultation with the Senate: Provided that the Council may delegate its authority to the Senate and the various faculty boards.

(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 as 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 as contemplated in subparagraph (5): Provided that the Council may delegate its authority to the Senate and the various faculty boards.

(7) The conditions as 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 which is subordinate to the Institutional Rules of the University.

(2) Only students registered for a degree or diploma at the University 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 a Constitution as well as the provisions of this Statute and the Institutional Rules.

(9) The SRC Constitution or any amendment thereof must be approved by the Council, after consultation with the SRC.

(10) If the Council is of the opinion that the SRC is inoperative or unable to function properly, the Council may:

- (a) revoke the SRC Constitution;
- (b) make interim arrangements for the functioning of the SRC; or
- (c) initiate a process to have a new SRC Constitution drafted.

60. Student discipline.— The disciplinary measures and provisions applicable to 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 as donor.— (1) Any person or entity, who is not an organ of state and 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 and provided further that only donors who have donated more than the minimum amount as 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 a person shall be deemed to be a donor is 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.

63. Election by donors.— (1) 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 two donors, shall be countersigned by the nominee as accepting the 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 a Chairperson for the particular meeting from its own ranks.

(6) Five donors shall constitute a quorum. If less than five donors are present, the Registrar shall reconstitute the meeting. The number of donors present at such a meeting shall then be deemed to be a quorum.

CHAPTER 14

REPEAL OF PREVIOUS STATUTE

64. Repeal of previous Statute.— The Statute applicable to the University of Pretoria published in Government Gazette No. 25852 in Government Notice No. R1830 of 24 December 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 publication of this Statute, the existing Council, Council Committees, Senate, Senate Committees and Faculty Boards shall be deemed to be composed in terms of this Statute and shall continue to perform its activities.

(2) Any decision of the Council, Council Committees, Senate, Senate Committees and Faculty Boards made before the publication of this Statute shall be regarded as having been made in terms of this Statute.

(3) There shall be no interruption in the legal personality of the University as it existed before and after the coming into operation of this Statute.

(4) This Statute has no effect on the rights and duties that the University had against any legal subject or which any legal subject had against the University prior to the coming into operation of this Statute, except as specifically provided for herein.

(5) The terms of office of Convocation members on the Council of the University will expire on 9 October 2012.

STAATSKOERANTKENNISGEWING

DEPARTEMENT VAN HOËR ONDERWYS EN OPLEIDING**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, na oorleg met die Senaat en Institusionele Forum, 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 Hoër Onderwys en Opleiding gepubliseer word en op die datum van publikasie in werking tree.

BYLAE

Om 'n nuwe Statuut vir die Universiteit van Pretoria in te stel om uitvoering te gee aan enige wet wat met die Universiteit van Pretoria verband hou en om die doeltreffende en verantwoordelike bestuur van die Universiteit te bevorder ten opsigte van aangeleenthede wat nie uitdruklik deur enige wet voorgeskryf word nie.

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, 1997 (Wet No. 101 van 1997) soos gewysig, die betekenis aldus daaraan toegeken, en tensy die konteks tot die teendeel dui, beteken:

“akademiese aktiwiteit” ook afstandsonderrig, maar is nie daartoe beperk nie;

“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;

“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 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 sertifikaat, diploma of graad soos goedgekeur deur die Senaat en Raad;

“Minister” die Minister verantwoordelik vir tersiële onderrig;

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

“professor” 'n akademiese werknemer of enige ander persoon aan wie die Universiteit die titel van professor toegeken het, en sluit in 'n mede-, adjunk-, honorêre en buitengewone professor;

“Raad” die Universiteit se beheerliggaam 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 al die fakulteite en hoofde/direkteure van ondersteuningsdienste sodanig aangewys deur die Rektor: Met dien verstande dat dit vir doeleindes van paragraaf 37(1)(c) net die Hoofbestuur beteken;

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

“skriftelike kennisgewing” enige kennisgewing in skrif en sluit in enige kennisgewing wat uitgestuur word soos bedoel in die Wet op Elektroniese Kommunikasie en Transaksies (Wet No. 25 van 2002), of enige wet wat hierdie wet wysig of vervang;

“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;

“TuksAlumni” die vereniging van persone met lidmaatskap soos uiteengesit in die Grondwet van TuksAlumni;

“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 waarvan die erkenning en voorwaardes op skrif gestel is in ’n kollektiewe of erkenningsooreenkoms;

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

“VSR” die Verteenwoordigende Studenteraad soos bedoel in paragraaf 59;

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

“werksaamhede” ook bevoegdhede en pligte en andersom;

“Wet” die Wet op Hoër Onderwys, 1997 (Wet No. 101 van 1997) soos gewysig.

HOOFSTUK 2

INSTELLING

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

(2) Die amptelike straatadres van die Universiteit is: Universiteit van Pretoria, h/v Roperstraat en Lynnwoodweg, Hillcrest, Pretoria, Suid-Afrika. Die amptelike posadres van die Universiteit is: Universiteit van Pretoria, Privaatsak X20, Hatfield, Pretoria 0028, Suid-Afrika.

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

(4) Die Universiteit bedryf sy akademiese aktiwiteite binne die jurisdiksie van die Tshwane Plaaslike Owerheid, by sy Bestuurskool in Illovo, Johannesburg, Gauteng, asook in eMalahleni (Witbank) en Mbombela (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) die bevordering en gebruik van Sepedi as kommunikasietaal;
- (e) om 'n bydrae te maak tot die bevordering van die ander amptelike tale as wetenskapstale en mediums van onderrig; en
- (f) 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 word.

4. Samestelling van die 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 Verteenwoordigende Studenteraad;
- (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 enige van die ampte soos bedoel in subparagraaf (1) nog enige tekort in die aantal of gebrek in die samestelling van die liggame of strukture in subparagraaf (1) bedoel, raak of beperk die Universiteit se regspersoonlikheid of enige werksaamhede, 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 tydens 'n vergadering waar '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. Werksaamhede 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 die bepalings van paragraaf 5(1).

6. Verkieëing 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 TuksAlumni.

(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 vir 'n opvolger.

(3) Geen persoon sal verkies word 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 sestig 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 soos 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 'n 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 een van die Viserektore om as voorsitter vir die betrokke vergadering op te tree.

(9) Die verkiesing geskied by wyse van geslote stembriewe en 'n meerderheid van die persone aanwesig by die vergadering soos bedoel in paragraaf 6(5) moet vir die suksesvolle kandidaat stem. Elke lid van die kieskollege 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 so gou as moontlik op 'n gepaste tyd 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 kanseliersamp 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 paragraaf 7(5).

(5) Die Kanselier kan net deur middel van 'n besluit van die meerderheid van die kieskollege soos 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

UISEKANSELIER EN REKTOR, UISEREKTORE, UITVOERENDE DIREKTEURE EN REGISTRATEUR

UISEKANSELIER EN REKTOR

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

9. Werksaamhede 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) Die Rektor is die Universiteit se hoof uitvoerende beamppte en is in die finale instansie verantwoordelik vir die dissipline by die Universiteit.

(3) Die Raad moet aan die Rektor al die bevoegdhede delegeer wat nodig is vir die uitvoering van sy of haar pligte.

(4) Die Rektor mag op sy of haar beurt pligte aan ander werknemers of die voorsitter van enige komitee delegeer.

(5) Die Rektor doen verslag aan die Raad.

(6) Die Rektor is *ex officio* lid van al die komitees van die Raad en die Senaat, behalwe die Menslike Hulpbronskomitee van die Raad en die Oudit- en Risikobestuurskomitee van die Raad wat hy of sy mag bywoon.

(7) Die Raad kan ooreenkomstig artikel 68(2) van die Wet bykomende werksaamhede, 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 artikel 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 advertering 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 soos bepaal deur die Raad en die Institusionele Reëls van die Universiteit.

(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 heraangetel word vir 'n periode wat saam met enige vorige termyn(e) as Rektor nie tien jaar oorskry 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 termyne soos bepaal deur die Raad en die Institusionele Reëls.

HOOFSTUK 5

RAAD

14. Werksaamhede.– (1) Die Raad beheer die Universiteit onderhewig aan die bepalings van die Wet en hierdie Statuut.

(2) Die Raad moet al die pligte uitvoer wat hierdie Statuut daaraan oplê.

(3) Die Raad het 'n beheer en beleidmakende verantwoordelikheid by die Universiteit, moet die nakoming van beleid monitor en is in die besonder verantwoordelik vir die neerlê van riglyne 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 personeel 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.

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

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

(6) Die Raad moet, onderhewig aan artikel 34 van die Wet, persone dienooreenkomstig die menslike hulpbronbeleide soos vervat in die Institusionele Reëls, 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.

(7) Die Raad mag die bevoegdheid soos uiteengesit in subparagraaf (6) hierbo aan die Rektor delegeer, met die reg om verder te delegeer, in ooreenstemming met die Universiteit se beleid in hierdie verband.

(8) 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.

(9) 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 ingevolge paragraaf 48(7);
- (f) twee studente lede 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 owerheidsinstelling 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 verkies uit die geledere van die akademiese werknemers; en
- (k) een werknemer verkies uit die geledere van die nie-akademiese werknemers.

(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 'n lid se ampstermyn vir 'n maksimum van ses maande deur die Raad verleng mag word indien die Raad van mening is dat spesiale omstandighede dit vereis.

(4) Lede, wie se ampstermyne verstryk het, mag herkies of weer aangestel word.

(5) 'n Raadslid 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 misdaad 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;

(f) die Raad beslis dat 'n botsing van belange ontstaan het, soos om 'n Raadslid van 'n ander hoër onderwysinstelling in Suid-Afrika te wees; of

(g) die Raadslid die Raad se gedragsreëls oortree het.

(6) Buiten die Rektor, Viserektore, verteenwoordigers van die Senaat en verteenwoordigers van die werknemers en studente wat aangewys is ingevolge paragraaf 17(3) om op die Raad te dien, mag geen ander Raadslid 'n permanente of tydelike werknemer of student van die Universiteit wees nie en indien dit sou gebeur, verval so 'n Raadslid se lidmaatskap van die Raad onmiddellik.

(7) 'n Raadslid is geregtig om te eniger 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 soos voorgeskryf in Hoofstuk 6.

(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) Indien 'n werknemer ingevolge sy of haar pligstaat beide akademiese en nie-akademiese pligte verrig, word die spesifieke werknemer geag 'n akademiese werknemer te wees.
- (3) Die studente lede op die Raad word op 'n gewone of spesiale vergadering van die VSR aangewys volgens die aanwysingsprosedure van die VSR.
- (4) Die verkiesing van Raadslede uit die geledere van die donateurs van die Universiteit geskied ooreenkomstig Hoofstuk 13 van hierdie 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 en op die Universiteit se webtuiste waarin hy of sy 'n uitnodiging rig aan organisasies, belangegroepe en individue om persone te nomineer om vanweë hul kundigheid en ervaring, soos deur die Raad bepaal, op die Raad te dien: Met dien verstande dat indien die advertensies volgens die Raad se mening nie bevredigende reaksie ontlok het nie, die Raad organisasies of individue 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 vir aanbeveling aan die Raad: 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 ook 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 prosesse.

(3) Sestien lede teenwoordig 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 skriftelike kennisgewing van die datum, tyd en plek van die vergadering asook 'n sakelyste met stawende dokumentasie, indien enige.

(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 eniger 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: Met dien verstande dat die gronde vir die versoek op skrif is en die besprekingspunte kortliks gestel is.

(12) Geen Raadslid mag aan 'n bespreking deelneem of oor 'n saak stem 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 vergadering tydens sodanige bespreking of stemming 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 die Raad se toestemming aan die debatte van die Raad deelneem, maar mag nie stem nie.

20. Vaste Komitee van die 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 subparagraawe (1)(d) en (e) is twee jaar.

(3) Lede, wie se ampstermyne 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, en met dien verstande voorts dat studente wat lede van die Raad is, nie as plaasvervangers vir afwesige lede mag optree nie.

21. Voorsitter, Ondervoorsitter, Sekretaris van die Vaste Komitee en vergaderings-prosedure.— (1) Die Ondervoorsitter van die Raad is *ex officio* die Voorsitter van die Vaste Komitee van die Raad en die Voorsitter van die Raad is *ex officio* 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 proses.

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

22. Bevoegdhede en werksaamhede van die 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 oorneem 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 van 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 Registrateur moet 'n volledige gekonsolideerde rekord hou van alle gedelegeerde bevoegdhede soos bedoel in subparagraaf (3).

(6) Die Vaste Komitee van die Raad kan die bevoegdhede wat deur die Raad, hierdie Statuut en die 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 Oudit- en Risikobestuurskomitee, 'n Menslike Hulpbronskomitee en 'n Beleggingskomitee 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.

(4) Die Raad kan persone op die komitees 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, navorsings- en gemeenskapsbetrokkenheidsaangeleenthede 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 organisering, struktuur en beheer van onderrig, leer, navorsing en gemeenskapsbetrokkenheid 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 deleger;

(iv) die algemene toelatingsbeleid van die Universiteit;

(v) die beheer, bedryf en ontwikkeling van die biblioteek;

- (vi) die toekenning van eregrade;
 - (vii) akademiese drag en grade- en diplomaplegtighede;
 - (viii) georganiseerde studentelewe, met inbegrip van studentedienste en studentedisipline;
 - (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, soos bepaal deur artikel 37(4) van die Wet, 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 *ex officio* 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 en Adjunkdekane asook enige akademiese werknemers met soortgelyke status en wat spesifiek as lede deur die Senaat aangewys is;
 - (vii) die Hoofde van akademiese departemente;
 - (viii) die Akademiese werknemers met soortgelyke status as die Hoofde van akademiese departemente en wat spesifiek as lede deur die Senaat aangewys is;
 - (ix) die Registrateur;
 - (x) die Voorsitters van skole;
 - (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, verkies uit die geledere van die permanente akademiese werknemers;
 - (iii) twee werknemers, wat nie reeds Senaatslede is nie, verkies uit die geledere van die permanente nie-akademiese werknemers.

(c) die Direkteure van die ondersteuningsafdelings wat vir die volgende werksaamhede binne die Universiteit verantwoordelik is, mag die Senaatsvergaderings as waarnemers bywoon: die biblioteek; gemeenskapsbetrokkenheid; onderwysinnovasie; navorsingsondersteuning; institusionele navorsing en beplanning; akademiese administrasie asook die Direkteur van Studentesake en die direkteur van enige ander ondersteuningsdiens wat spesifiek deur die Voorsitter van die Senaat genooi word om by te woon.

(2) Toevallige vakatures in die kategorie van lede wat aangewys of verkies word, word soos in subparagraaf (1)(b) 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 as wat hulle die betrokke poste beklee.

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

(3) Alle ander lede se ampstermyne is vier jaar: Met dien verstande dat lede wie se ampstermyne 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 of deur 'n dissiplinêre liggaam van die Universiteit aan 'n oortreding skuldig bevind word.

(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 studenteledes 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; en
 - (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 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), 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 reëlins 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) Indien 'n werknemer ingevolge sy of haar pligstaat beide akademiese as nie-akademiese pligte verrig, word die spesifieke werknemer geag 'n akademiese werknemer te wees.
- (h) Die Registrateur maak so gou as moontlik op 'n gepaste tyd die name van die lede bekend wat behoorlik verkies is.

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 prosedures.

(3) Vyf en sewentig (75) lede van die Senaat 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 sakelyst van die vergadering.

(5) Lede wat bykomende besprekingspunte op die sakelyst wil plaas, moet dit minstens nege 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 die voorsitter en 'n meerderheid van die aanwesige lede op die sakelyst 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 daar 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 prosedure besluit.

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

(12) Die voorsitter kan te eniger 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 en/of daartydens mag praat.

30. Samestelling van die 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; en
 - (g) die Registrateur.
- (2) Die Direkteure van ondersteuningsafdelings en enige ander persoon genooi deur die Rektor, mag die vergaderings van die Uitvoerende Bestuur van die Senaat op uitnodiging bywoon.
- (3) 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.
- (4) Die Uitvoerende Bestuur van die Senaat is geregtig om lede te koöpteer.
- (5) Die Registrateur is die Sekretaris van die Uitvoerende Bestuur van die Senaat.
- (6) Die voorsitter soos bedoel in paragraaf 31(1) besluit of waarnemers vergaderings mag bywoon of daartydens mag praat.

31. Voorsitter en Ondervoorsitter van die Uitvoerende Bestuur van die Senaat en vergaderingsprosedure.– (1) Die Rektor is die Voorsitter van die Uitvoerende Bestuur van die Senaat: Met dien verstande dat in die afwesigheid van die Rektor, 'n beskikbare Viserektor as voorsitter waarneem.

(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 die 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, veral ten opsigte van akademiese beplanning, 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 dien 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 soos 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 die 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) Aanstellingskeurkomitees wat die Raad moet adviseer oor die aanstelling van akademiese werknemers;
- (b) Roosterkomitee;
- (c) Appèlkomitee van die Senaat (Studentedissipline);
- (d) Fakulteitsrade;
- (e) Senaatskomitee vir Navorsing en Nagraadse Studie (insluitende die Komitee vir Navorsingsetiek en -integriteit);
- (f) Senaatskomitee vir Studentelewe;
- (g) Appèlkomitee vir Akademiese Uitsluitings;
- (h) Senaatskomitee vir Onderrig en Leer;
- (i) Senaatskomitee vir Studentegevalle; en
- (j) Senaatskomitee vir GIBS.

(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. 'n Persoon wat nie 'n lid van die Senaat is nie, kan as lid van 'n Senaatskomitee verkies word.

(7) Aangeleenthede wat betrekking het op die samestelling, verkiesing, termyne, 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: Met dien verstande dat slegs akademiese werknemers van die Universiteit op fakulteitsrade mag dien;

(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 *ex officio* 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.

(6) Elke fakulteit kan 'n advieskomitee hê wat ingevolge die Institusionele Reëls funksioneer.

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

(2) Persone wat *ex officio* 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 weer 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 stemrondes plaas.

(8) In elke opeenvolgende stemronde 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) Toevallige vakatures word gevul, met die nodige veranderinge, soos hierbo uiteengesit.

HOOFSTUK 7

FAKULTEITE EN FAKULTEITSRADE

36. Werksaamhede, samestelling en prosedures.— Hierdie aangeleenthede word gereël in paragraaf 34 en die Institusionele Reëls van die Universiteit.

HOOFSTUK 8

INSTITUSIONELE FORUM

37. Werksaamhede.— (1) Die Institusionele Forum adviseer die Raad en Hoofbestuur 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 geslagsgelykheid;
- (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 en Hoofbestuur word skriftelik deur die Voorsitter van die Institusionele Forum verskaf.

(3) Die Institusionele Forum verrig bykomende werksaamhede wat deur die Raad of Hoofbestuur 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 TuksAlumni 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, soos uiteengesit in die Institusionele Reëls; en
- (h) hoogstens drie personeel- of studenteledes, 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 van die Institusionele Forum, uitgesonderd die lede wat aangewys word deur die VSR en studenteledes gekoöpteer ingevolge paragraaf 38(h), is vier jaar.

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

(3) Die ampstermyn van studenteledes 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. Verkiesingsprosedure.– (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 verkiesingsprosedures, 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, en 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 Institusionele 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 drie 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. Vergaderingsprosedure.— (1) Die Institusionele Forum bepaal sy eie vergaderingsprosedure met behoorlike inagneming van die algemeen aanvaarde norme van billike administratiewe proses.

(2) Agt lede van die Institusionele Forum vorm 'n kworum.

(3) Besuite 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, by wyse van skriftelike kennisgewing, 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 eniger 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 ten minste 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: Met dien verstande dat waar 'n besluit geneem moet word oor die geskiktheid van 'n persoon om in 'n posisie aangestel te word, 'n besluit deur die meerderheid aanwesige lede die besluit van die Institusionele Forum sal wees.

(2) Waar die Raad die Institusionele Forum versoek om die Raad oor 'n spesifieke aangeleentheid te adviseer en geen voorstel 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 subparagraaf (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, emeritusprofessore, ander afgetrede akademiese werknemers en sodanige ander persone as wat die Raad bepaal; en

(3) alle persone wat 'n kwalifikasie, soos goedgekeur deur die Senaat en Raad, van die Universiteit verwerf het: Met dien verstande dat indien enige persoon wat ingevolge subparagraawe (1) of (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 deur die Raad ophou om 'n lid te wees of nie 'n lid word nie, na gelang van 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 uittredende President herkiesbaar is.

(2) Die President se termyn word beëindig indien —

(a) sy of haar boedel gesekwestreer word;

(b) hy of sy aan 'n misdaad skuldig bevind word wat volgens die uitsluitlike oordeel van die Raad van so 'n ernstige aard is dat sy of haar voortgesette lidmaatskap van die Konvokasie nie wenslik is nie;

(c) hy of sy die ouderdom van sewentig jaar bereik het;

(3) 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, kies die Konvokasie 'n President by wyse van elektroniese stemming of op enige ander wyse waarvoor daar voorsiening gemaak word in die Institusionele Reëls.

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 of sy in gebreke bly om dit te doen, die Registrateur, belê minstens een keer in twee jaar 'n vergadering van die Konvokasie in Pretoria.

(4) 'n Buitengewone vergadering van die Konvokasie kan te eniger tyd deur die President in oorleg met die Rektor belê word of, indien hy of sy in gebreke bly om dit te doen, deur die Registrateur, op skriftelike versoek van minstens twee honderd 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 elektronies via e-pos, op die Universiteit se webtuiste of op enige ander wyse waarvoor daar voorsiening gemaak word in die Institusionele Reëls, bekend.

(6) Twee 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 soos volg:

(a) Die Raad bepaal die vereiste kundigheid en ervaring van die persoon of persone wat verkies word.

- (b) Die Registrateur plaas 'n advertensie in ten minste twee nasionale koerante en op die Universiteit se webtuiste waarin hy of sy 'n uitnodiging rig aan organisasies, belangegroeppe en individue om lede van die Konvokasie te nomineer om vanweë hul kundigheid en ervaring, soos deur die Raad bepaal, op die Raad te dien: Met dien verstande dat indien die advertensies volgens die Raad se mening nie bevredigende reaksie ontlok het nie, die Raad mag versoek dat die advertensie weer geplaas word.
- (c) Die President van die Konvokasie, die Rektor, die Voorsitter van die Raad en die Voorsitter van TuksAlumni of hul onderskeie verteenwoordigers sal 'n lys opstel van die mees geskikte kandidate van die lede van die Konvokasie wat genomineer is ingevolge paragraaf 48(7)(b): Met dien verstande dat ten minste twee persone per vakante posisie op die kortlys geplaas sal word indien twee of meer nominasies ontvang is. In die geval van 'n staking van stemme oor of 'n kandidaat op die kortlys geplaas moet word al dan nie, moet die toepaslike kandidaat op die kortlys geplaas word. Indien 'n lid van die kortlyskomitee genomineer word as kandidaat om op die Raad van die Universiteit te dien, moet die lede van die liggaam waaraan hy/sy behoort 'n plaasvervanger aanwys om in sy/haar plek op die kortlyskomitee te dien.
- (d) 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.
- (e) Lede van die Konvokasie sal 'n persoon of persone kies uit dié wat ingevolge paragraaf 48(7)(c) op die kortlys geplaas is, om die vakante posisie of posisies soos geïdentifiseer ingevolge paragraaf 48(7)(a) te vul.
- (f) Die verkiesingsproses vind plaas onder toesig van die Registrateur en moet binne 'n redelike tyd afgehandel word.
- (g) Die verkiesing kan by wyse van elektroniese stemming plaasvind of op enige ander wyse soos bepaal deur die Institusionele Reëls om dit vir soveel as moontlik lede van die Konvokasie moontlik te maak om te stem.

49. Voorlê van besluite aan die 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 onderteken is as 'n ware weergawe van die vergadering, word deur die Registrateur aan die Raad voorgelê: Met dien verstande dat die Konvokasie enige aangeleentheid wat met die Universiteit verband hou of deur die Raad na die Konvokasie verwys is, mag bespreek en sy standpunte daaroor 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 toeken soos aanbeveel deur die Senaat en akademies toepaslik geag deur die Raad.

(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 goedgekeurde studiekursus gevolg het, soos bepaal deur die Senaat en Raad, en die voorgeskrewe peil van bekwaamheid bereik het.

(4) Die Universiteit kan 'n sertifikaat aan iemand toeken wat 'n studiekursus gevolg het wat deur die Senaat 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 'n eksamen 'n doktorsgraad soos toepaslik geag *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 die 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 aanwesig op die vergadering, 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.

HOOFSUK 11

WERKNEMERS

53. Aanstelling.– Behoudens die bepalings van artikel 34 van die Wet, word werknemers deur die Raad aangestel ooreenkomstig die personeelbeleide 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 pligte en sodanige evaluering kan aan vergoeding gekoppel word.

56. Personeeldisziplinê.– Met behoud van die toepaslike arbeidswetgewing, is alle werknemers onderhewig aan 'n disziplinêre kode, 'n disziplinêre prosedure en 'n grieweprosedure soos deur die Raad goedgekeur en in die Institusionele Reëls uiteengesit.

57. Verteenwoordigende werknemersorganisasies.– Die Raad of die Rektor handelende op die gedelegeerde bevoegdheid van die Raad, mag ooreenkomste rakende diensvoorwaardes ooreenkomstig die tersaaklike arbeidswetgewing met verteenwoordigende werknemersorganisasies sluit.

HOOFSTUK 12

STUDENTE

58. Toelating en registrasie van studente.– (1) Soos bedoel 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 en voorts voldoen aan enige ander vereistes bepaal deur die Raad en die Senaat en neergelê in die Institusionele Reëls.

(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 of ander akademiese entiteite word in die Institusionele Reëls vervat en kan deur die Raad gewysig word na raadpleging met die Senaat: Met dien verstande dat die Raad sy bevoegdheid aan die Senaat en die onderskeie fakulteitsrade kan delegeer.

(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 delegeer.

(6) Indien 'n student nie aan die voorwaardes soos bedoel in subparagraaf (5) voldoen nie, kan die Raad weier om die student se registrasie te hernu: Met dien verstande dat die Raad sy bevoegdheid aan die Senaat en die onderskeie fakulteitsrade kan delegeer.

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

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

(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 'n Grondwet, asook die bepalings van hierdie Statuut en die Institusionele Reëls.

(9) Die VSR Grondwet of enige wysiging daarvan moet, na oorlegpleging met die VSR, deur die Raad goedgekeur word.

(10) Indien die Raad van mening is dat die VSR nie in staat is om behoorlik te funksioneer nie, kan die Raad:

- (a) die VSR Grondwet herroep;
- (b) tussentydse reëlins tref vir die funksionering van die VSR; of
- (c) 'n proses van stapel stuur om 'n nuwe VSR Grondwet op te stel.

60. Dissipline.— Die dissiplinêre maatreëls en 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 gehalte onderrig en ondersteuningsdienste.

62. Vereistes vir donateurs.— (1) Enige persoon of entiteit, wat nie 'n staatsorgaan is nie en 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, en met dien verstande voorts dat net donateurs wat 'n groter skenking gemaak het as die bedrag soos 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 wat 'n persoon geag 'n donateur te wees, is vyf jaar, bereken vanaf die tydstop 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.

63. Verkiesing deur donateurs.– (1) Die Registrateur maak 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 ingedien.

(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 tydens die vergadering as voorsitter op te tree.

(6) Vyf donateurs vorm 'n kworum. Indien minder as vyf donateurs teenwoordig is, sal die Registrateur kennis van 'n verdere vergadering gee. Die aantal donateurs aanwesig by sodanige vergadering sal geag word 'n kworum te wees.

HOOFSTUK 14

HERROEPING VAN VORIGE STATUUT

64. Herroeping van vorige Statuut.– Die Statuut van die Universiteit van Pretoria wat gepubliseer is in die Staatskoerant No. 25852 in Staatskoerantkennisgewing No. R1830 van 24 Desember 2003, word hiermee herroep met ingang van die datum waarop hierdie Statuut in werking tree.

HOOFSTUK 15

OORGANGSBEPALINGS

65. Oorgangsbepalings.– (1) By die inwerkingtreding van hierdie Statuut, sal die bestaande Raad, Raadskomitees, Senaat, Senaatskomitees en Fakulteitsrade geag saamgestel te wees ingevolge hierdie Statuut en sal hulle voortgaan om hul funksies te verrig.

(2) Enige besluit van die Raad, Raadskomitees, Senaat, Senaatskomitees en Fakulteitsrade wat voor die inwerkingtreding van hierdie Statuut geneem is, sal geag geneem te wees ingevolge hierdie Statuut.

(3) Daar sal geen onderbreking wees in die regspersoonlikheid van die Universiteit soos dit voorheen bestaan het en na die inwerkingtreding van hierdie Statuut nie.

(4) Hierdie Statuut het geen effek op die regte en verpligtinge wat die Universiteit teen enige regspersoon het nie of wat enige regspersoon teen die Universiteit mag gehad het voor die inwerkingtreding van hierdie Statuut nie, behalwe waar daar spesifiek hiervoor voorsiening gemaak is.

(5) Die ampstermyne van Kōnvokasielede op die Raad van die Universiteit sal op 9 Oktober 2012 verstryk.
