

HIGHER EDUCATION ACT, 1997 (ACT No. 101 OF 1997)**MERGER OF PUBLIC HIGHER EDUCATION INSTITUTIONS****THE TECHNIKON NATAL AND THE M L SULTAN TECHNIKON**

I, Professor Kader Asmal, MP, Minister of Education, in accordance with section 23(1) of the Higher Education Act, 1997 (Act No. 101 of 1997), and after consulting the Council on Higher Education, hereby merge the Technikon Natal and the M L Sultan Technikon into a single public higher education institution. The date of the establishment of the new institution, the type and name of the new institution, the physical location and official address of the new institution, the composition of the interim council and the transitional arrangements required to ensure the effective implementation of the merger process are set out in the Schedule hereto



Professor Kader Asmal, MP
Minister of Education

SCHEDULE**The date of the establishment of the new institution**

1 April 2002

The type and name of the new institution

A technikon to be known as the Durban Institute of Technology.

The physical location and official address of the new institution

The physical location of the merged institution will be:

79 Mansfield Road

Berea

Durban

4001

The official address of the merged institution will be:

Durban Institute of Technology

P O Box 953 or 1334

Durban

4000

Establishment of Interim Council

An interim council is established for a period not exceeding six months, to perform the functions relating to governance, except the function to make the institutional statute.

The Interim Council must in particular -

- appoint an interim body to manage the day-to-day activities of the institution;
- ensure that a council is constituted in terms of the standard institutional statute
- ensure the establishment of such other structures as may be determined in the standard institutional statute

The composition of the interim council

Chairperson and 4 members (four members must be appointed from nominations received from the higher education institutions concerned).

The Chairperson shall be: Justice T S Jali

The four members shall be:

Bishop R Phillip

Mr M Madanjit

Ms B Davis

Dr M Mokoape

The transitional arrangements

The two institutions are merged as going concerns.

All assets which vested in Technikon Natal and M L Sultan Technikon immediately prior to 1 April 2002 vest in the Durban Institute of Technology on 1 February 2002.

Existing agreements of employment between Technikon Natal and M L Sultan Technikon and their employees, on 1 February 2002, shall be deemed to be

agreements entered into between those employees and the Durban Institute of Technology and shall continue to exist subject to applicable labour laws. The affected employees shall be deemed to have served continuously under the same employer without interruption.

Until such time as a new senate and a new institutional forum are established in terms of the institutional statute, the membership of the existing bodies shall be combined to fulfil the functions and duties of the two bodies.

The two merging higher education institutions' rolls of convocation are combined to establish a single roll of members of convocation for the Durban Institute of Technology from which roll the office-bearers of convocation shall be elected in terms of the standard institutional statute. Until such election the existing office-bearers shall jointly fulfil their respective duties and functions.

The Students' Representative Councils of the two merging institutions shall continue to co-exist as separate entities until such time as elections for a single Students' Representative Council can be held in terms of the standard institutional statute. In the interim period the respective roles, functions and duties of the two Students' Representative Councils shall be determined by the interim council.