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GOVERNMENT NOTICE

DEPARTMENT OF EDUCATION

No. 458

28 March 2003

**HIGHER EDUCATION ACT, 1997
(ACT No. 101 of 1997)****AMENDMENT OF THE STATUTE OF THE
UNIVERSITY OF NORTH-WEST**

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

SCHEDULE

1. *In this Schedule the expression "the Statute" means the Statute of the University of North-West promulgated by Government Gazette No 20225, Government Notice No. 788 of 17 June 1999.*

2. *Paragraph 1 of the Statute is hereby amended by the deletion of the following definition;*

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

3. *Paragraph 4 of the Statute is hereby amended by the substitution for the paragraph of the following paragraph:*

"Manner of appointment of vice-chancellor

4. Subject to section 31(1) of the Higher Education Act, the advertising of the post, the invitation for nomination of 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."

4. *Paragraph 17 of the Statute is hereby amended by the substitution for the paragraph of the following paragraph:*

"Composition of council

17. (1) The council, as contemplated in section 27 of the Higher Education Act, consists of -

- (a) the vice-chancellor;
- (b) the deputy vice-chancellor or deputy vice-chancellors;
- (c) five persons appointed by the Minister;
- (d) two persons elected by the senate from among its members;
- (e) two academic employees elected by the academic employees;
- (f) two students elected by the SRC;
- (g) two non-academic employees elected by the non-academic employees;
- (h) six persons appointed by the council who may not be employees or students of the University, with a broad spectrum of competencies, including in the fields of education, business, finance, law, marketing, information technology and human resource management;
- (i) one person appointed by the Premier of the Province of North-West;
- (j) one person elected by the institutional forum;
- (k) three persons appointed by the convocation;
- (l) one person appointed by the City Council of Mafikeng;
- (m) one person appointed by the University Foundation's Board of Trustees on behalf of the donors; and
- (m) one person appointed by the Premier of the Province of Northern Cape;

(2) The persons referred to in subparagraphs 1(c), (h), (i), (k), (l), (m) and (n) must not be employees of the University to ensure that at least 60 per cent of the members of the council are persons who are not employed by or students of the University.”.

5. *Paragraph 18 of the Statute is hereby amended by the substitution for the paragraph of the following paragraph:*

“Manner of election of council members

18. The members of the council are elected or appointed in the manner determined by the council.”.

6. *Paragraph 46 of the Statute is hereby amended by the substitution for the paragraph (1) of the following paragraph:*

“Composition of senate and term of office of senate members

46. (1) The senate, as contemplated in section 28 of the Higher Education Act, consists of –

- (a) the vice-chancellor;
- (b) the deputy vice-chancellor or deputy vice-chancellors;
- (c) the executive deans of faculties;
- (d) the registrar;
- (e) the director library services;
- (f) two members of the council;
- (g) the dean of students;

- (h) one student from each faculty, other than a first year student, elected by the registered students of the faculty concerned in accordance with the Institutional Rules;
 - (i) two professors from each faculty designated by the relevant faculty board in accordance with the Institutional Rules;
 - (j) all heads of academic departments and programme groups;
 - (k) two lecturers from each faculty designated by the relevant faculty board in accordance with the Institutional Rules;
 - (l) the directors of the support institutes, centre and bureau and divisions responsible for research, information systems and technology and academic development;
 - (m) the principals of satellite campuses;
 - (n) two representatives of the SRC;
 - (o) not more than two non-academic employees, elected by such employees in accordance with the Institutional Rules;
 - (p) such additional members as approved by the senate.
- (2) Members appointed in terms of subparagraph (1)(a), (b), (c), (d), (e), (i), (j), (k), (l), and (m) hold office for as long as they are employed by the University in that capacity.
- (3) Members appointed in terms of subparagraph (1)(f) hold office for a period of four years.
- (4) The term of office for student member is determined by the SRC, provided that membership automatically lapses when a student ceases to be a registered student.”.

7. *Paragraph 47 of the Statute is hereby amended by the substitution for the paragraph of the following paragraph:*

“47. Subject to section 26(4)(a) of the Higher Education Act, the senate elects by secret ballot and a majority of members present at an ordinary meeting of the senate from among its members –

- (a) a vice-chairperson; and
- (b) other office-bearers.”.

8. *Paragraph 48 of the Statute is hereby deleted.*

9. *Paragraph 57 of the Statute is hereby amended by the substitution for the paragraph of the following paragraph:*

“Dean of faculty

57. (1) There is an executive dean for each faculty who is the executive head of the faculty.

(2) The executive dean is responsible to the deputy vice-chancellor (academic) for the efficient and effective management and administration of the faculty.

(3) Notwithstanding the generality of subparagraphs (1) and (2), the executive dean is answerable to the vice-chancellor for –

- (a) supervision of both academic and non-academic employees in the faculty;
 - (b) supervision of teaching, research and community outreach programmes in the faculty;
 - (c) drawing up and submission of annual budget estimates of revenue and expenditure of the faculty to executive management;
 - (d) controlling and monitoring of the capital and recurrent budgets of the faculty;
 - (e) resolution of disputes between employees and between employees and students in the faculty; and
 - (f) any other such responsibilities as may be assigned to him or her by the vice-chancellor from time to time.
- (4) The executive dean is appointed by the vice-chancellor for a contract period in accordance with the procedure concerning consultation and evaluation determined in the Institutional Rules.
- (5) An executive dean may be re-appointed.
- (6) An executive dean may resign by giving three months' written notice to the vice-chancellor.
- (7) In the absence of the executive dean, the vice-chancellor determines who acts and for what period, provided that the period of acting does not exceed the unexpired period of the term of office of the substantive dean of such faculty."

10. *Paragraph 58 of the Statute is hereby deleted.*

11. *Paragraphs 63 and 64 of the Statute are hereby amended by the substitution for the paragraphs of the following paragraphs:*

"Functions of institutional forum

61. (1) The institutional forum advises the council on issues affecting the University including –
- (a) the implementation of the Higher Education Act and the national policy on higher education;
 - (b) race and gender policies;
 - (c) the selection of candidates for senior management positions;
 - (d) code of conduct, mediation and dispute resolution procedures;
 - (e) fostering of an institutional culture which promotes tolerance and respect for fundamental human rights and creates an appropriate environment for teaching, research and learning;
 - (f) the language policy of the University.
- (2) The institutional forum participates in establishing the procedure and criteria for selection of candidates for senior management positions.
- (3) The institutional forum participates in the selection procedure of candidates for senior management positions.
- (4) The institutional forum performs such other functions as determined by the council.

Composition of institutional forum

64. (1) The institutional forum consists of –
- (a) two members of the council;
 - (b) four members designated by management;
 - (c) two members designated by the senate;
 - (d) five members representing the academic employees;
 - (e) five members representing the non-academic employees;
 - (f) ten students designated by the SRC;
 - (g) two representatives of the convocation;
 - (h) one or more members co-opted by the institutional forum for the specific purpose of assisting the institutional forum in respect of any specific project.
- (2) The designation of representatives must be transparent and democratic and each constituency must follow the procedure within its own constituency and submit the names of its representatives to the registrar.
- (3) The term of office of members is as determined by each constituency.”.

12. *Paragraphs 65, 66, 67, 88 and 89 of the Statute are hereby deleted.*

13. *Paragraph 95 of the Statute is hereby amended by the substitution for the paragraph of the following paragraph:*

“Student discipline

95. (1) The disciplinary measure and disciplinary provisions applicable to the students are set out in the Institutional Rules and may be changed by the council after consultation with the senate and the SRC.”.

14. *Paragraphs 96, 97, 98 and 99 of the Statute are hereby deleted.*

15. *Chapter 12 of the Statute is hereby amended by the substitution for the chapter paragraph of the following chapter:*

**“CHAPTER 12
EMPLOYEES****Employees’ discipline**

124. Every employee is subject to a disciplinary code, a disciplinary procedure and a grievance procedure for employees, as approved by the council and determined in the Institutional Rules which serve as an integral part of every employee’s condition of service.”.
