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GOVERNMENT NOTICE

DEPARTMENT OF EDUCATION

No. 707

30 May 2003

HIGHER EDUCATION ACT 101 OF 1997

AMENDMENT TO THE STATUTE OF THE TECHNIKON SA

The Council of Technikon SA has made the amendments to 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. *General explanatory note:*

- [] Words in bold type in square brackets indicate omissions from enactments.
- _____ Words underlined with a solid line indicate insertions in existing enactments.

2. In the schedule, unless the context otherwise indicates, the expression "the Statute" means the Statute of the Technikon SA promulgated by Government Notice No. R 19602 of 11 December 1998.

3. *The Statute is amended by the substitution for paragraph 3 of the following paragraph:*

“3. The council, subject to the provisions of the Act, consists of the following members-

- (a) the principal;
- (b) the vice-principal or vice-principals;
- (c) the registrar or registrars;
- (d) **[five]** four persons appointed by the Minister;
- (e) two members of the senate elected by the senate;
- (f) one academic employee elected by such employees, provided that the election of such employee is not restricted to the election of an employee belonging to or not belonging to a representative employees' organisation or organisations;
- (g) one non-academic employee elected by such employees, provided that the election of such employee is not restricted to the election of an employee belonging to or not belonging to a representative employees' organisation or organisations;
- (h) **[two]** one member[s] elected by the students' representative council;
- (i) one member nominated by each sufficiently representative employees' organisation;
- (j) four members representing commercial, technological, services, or professional employment sectors of students of the Technikon, nominated and elected by the council;
- (k) **[three]** two members with specific expertise nominated and elected by the council;
- (l) one member appointed by the **[advisory]** provincial committee of each **[region]** province and which appointee may not be an employee.”.

4. *The Statute is amended by the substitution for subparagraph 4(1)(c) of the following subparagraph:*

"4. (1) The term of office of members of the council is four years, except-

- (c) a member[s] elected by the students' representative council in terms of paragraph 3(h) whose term of office is one year and six months."

5. *The Statute is amended by the substitution for subparagraph 14(5) of the following subparagraph:*

"14. (5) **[The minutes of the executive committee meeting must be disclosed at such council meeting.]** The report of the executive committee meeting and of all other council committee meetings must be submitted to the council at such council meeting."

6. *The Statute is amended by the substitution for subparagraph 19(1) of the following subparagraph:*

"19. (1) The council appoints such other committees as may be required and such committees include the following-

- (a) a finance committee;
- (b) an audit committee;
- (c) a physical planning committee;
- [(d) a disciplinary committee;**
- (e) an employment equity committee;**
- (f) regional advisory committees;**
- (g) an institutional collaboration committee;**
- (h) a selection committee for senior management;**
- (i) a human resources committee.]**
- (d) a human resources committee; and
- (e) a remuneration committee."

7. *The Statute is amended by the substitution for paragraph 21 of the following paragraph:*

"Composition of senate

21. The senate shall, subject to the provisions of the Act, consist of the following members:

- (a) the principal;
- (b) the vice-principal or vice-principals;
- (c) the registrar or registrars;
- (d) the dean of **[each academic division]** each faculty;
- (e) the dean of students;
- (f) **[the executive director of each programme group]** the dean of research;
- (g) **[the chief lecturer in respect of each programme group or, in the event of no such functionary, the deputy chief lecturer;]** the executive director of each programme group;
- (h) **[the deputy chief lecturer in respect of each programme group or, in the event of no such functionary, then two senior lecturers;]** the manager: academic development unit;
- (i) **[the director: academic development unit;]** the director: library and information services;
- (ii) **[the regional directors;]** one professor, or, in the event of no professor, one associate professor or in the event of no associate professor, one chief lecturer, or, in the event of no chief lecturer, one deputy chief lecturer, elected by each programme group;
- (k) **[the director: library and information services;]** two regional directors nominated by the regional directors' forum;
- (l) **[the senior director: courseware, origination and production;]** one non-academic employee elected by such employees provided that the election of such employee shall not be restricted to the election of an employee belonging to or not belonging to a representative employees' organisation or organisations;
- (m) **[the director: centre for courseware design and development;]** two members of the council, who are not employed by the Technikon, elected by the council;

- (n) **[the director: professional educational services;] one member nominated by each sufficiently representative employees' organisation;**
- (o) **[the director: research;] one member of the students' representative council, elected by such council.**
- (p) **[directors of institutes or centres;**
- (q) **one non-academic employee elected by such employees provided that the election of such employee is not be restricted to the election of an employee belonging to or not belonging to a representative employees' organisation or organisations;**
- (r) **two members of the council, who are not employed by the Technikon, elected by the council;**
- (s) **two members of the student representative council, elected by such council;**
- (t) **one member nominated by each sufficiently representative employees' organisation;**
- (u) **one academic employee elected by such employees for each division.]".**

8. *The Statute is amended by the substitution for paragraph 22(1) of the following paragraph:*

- "22. (1) The term of office of members of the senate is two years, except:
- (a) members referred to in paragraph 21(a) to 21[(p)] (i) who serve by virtue of their offices;
 - (b) a member[s] elected by the students' representative council in terms of paragraph 21[(s)] (o) whose term of office shall be one year and six months.
- (2) The procedures of the council in respect of the filling of vacancies, the vacating of office and the suspension of a member apply with the necessary changes to the senate;.
- [(3) There must be at least three meetings per annum.]".**

9. *The Statute is amended by the substitution for paragraph 26(1) of the following paragraph:*

“Executive committee

26. (1) The senate appoints an executive committee, which consist of the following members-

- (a) the principal;
- (b) the vice principal or vice principals;
- (c) the registrar or registrars;
- (d) the deans of **[academic divisions]** faculties ;
- (e) **[two representatives elected by the senate]** the dean of research;
- (f) **[one representative from a sufficiently represented employees' organisation]** the dean of students;
- (g) two representatives elected by the senate;
- (h) one representative from each sufficiently represented employees' organisation.

- (2) The functions of the executive committee are determined by the senate.”.

10. *The Statute is amended by the substitution for paragraph 28 of the following paragraph:*

“[Divisional academic board]

Faculty Board

28. (1) The senate establishes a **[divisional academic board for each division]** faculty board for each faculty, which provides assistance to the senate.

- (2) A **[divisional academic board]** faculty board must-

- (a) ensure broader representation from academic programme groups in respect of academic issues;
- (b) consider academic issues and policies at operational level;
- (c) make recommendations to and obtain approval from the senate.”.

- (3) A **[divisional academic board]** faculty board is constituted as follows:

- (a) the dean;
- (b) **[a secretary];** a subject librarian;

- (c) the executive director of each programme group within the **[division] faculty**;
- (d) all full-time academic employees within the **[division] faculty**;
- (e) a representative nominated by the student representative council;
- (f) **[such other persons as may be co-opted by the divisional academic board for a particular purpose] a nominated representative from each other faculty**;
- (g) such other persons as may be co-opted by the faculty board for a particular purpose.

11. *The Statute is amended by the substitution for paragraph 35 of the following paragraph:*

**“[Regional advisory committees]
Provincial committees**

35. (1) A **[regional advisory committee] provincial committee** may be established in each **[region] province**.

(2) A **[regional advisory committee] provincial committee** is concerned with **[regional] provincial** matters and advises the council and the institutional forum in respect of any specific matters which may assist the council and the institutional forum in the performance of their functions.”.

12. *The Statute is amended by the insertion of subparagraph 36(2) of the following subparagraph:*

“(2) The chairperson of the institutional forum is the chairperson of the executive committee.”.

13. *The Statute is amended by the insertion of the following paragraph:*

“RECTORATE

49A. (1) The principal performs his or her managerial functions by means of a rectorate.

(2) The rectorate consists of the following members-

- (a) the principal;

- (b) the vice principal or vice principals;
 - (c) the registrar or registrars;
 - (d) any other functionaries nominated by the rectorate.
- (3) The principal is the chairperson of the rectorate.”.

14. *The Statute is amended by the deletion of paragraphs 57,58,59 and 60.*

15. *The Statute is amended by the substitution for paragraph 62 of the following paragraph:*

“62. (1) The Technikon SA Foundation is a trust created by the Technikon for the purpose of fundraising for the benefit of the Technikon.

[(2) The foundation presents a report of its activities at every meeting of the council in the manner prescribed by the council.]”.