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GOVERNMENT NOTICE

DEPARTMENT OF EDUCATION

No. 1647

7 November 2003

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

AMENDMENT OF STANDARD INSTITUTIONAL STATUTE

I, Professor Kader Asmal, MP, Minister of Education, in accordance with section 33(3) of the Higher Education Act, 1997 (Act No. 101 of 1997), hereby publish the amendments to the Standard Institutional Statute set out in the Schedule hereto.

SCHEDULE

General explanatory note:

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

1. *In this Schedule the expression "the Statute" means the Standard Institutional Statute promulgated by Government Gazette No. 23065 of 27 March 2002, as corrected by Government Notice No. 724 of 23 May 2002.*

2. *The Statute is hereby amended by substituting paragraph 5 for the following paragraph:*

"Functions of chancellor

5. (1) The chancellor is the titular head of the institution **[and confers all degrees and award all diplomas and certificates in the name of the institution].**

(2) The chancellor **[performs such other functions as assigned to him or her by the council]**, or in his or her absence the person appointed by the interim council or the council as the case may be to act on behalf of the chancellor, presides at all congregations of the institution and, in the name of the institution, confers all degrees and awards all diplomas and certificates."

3. *The Statute is hereby amended by substituting paragraph 9 for the following paragraph:*

"Composition of council

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

- (a) the principal;
- (b) not more than two vice-principals;
- (c) five persons appointed by the Minister;
- (d) two members of the senate elected by the senate;
- (e) two academic employees of the institution elected by the academic employees;
- (f) two students, elected by the SRC;
- (g) two non-academic employees elected by the non-academic employees;

- (h) three members of the convocation [elected by the convocation];
- (i) ten members with a broad spectrum of competencies in the fields of education, business, finance, law, marketing, information technology and human resource management appointed by the interim council;
- (j) such members as co-opted by the council.

(2) At least 60 per cent of the members of the council must be persons who are not employed by, or students of the institution and regard must be had to the racial and gender representation on the council.

(3) The council members must have knowledge and experience relevant to the objects and governance of the institution.

(4) Except as provided in subparagraphs (1)(a), (b), (d), (e), (f), and (g) -

- (a) no student or employee of the institution and no other person in receipt of regular remuneration from the institution is eligible for appointment or nomination for election or election as a member of the council;
- (b) a member of the council who becomes a student or an employee of the institution or who enters into a contract with the institution in terms of which he or she is to receive regular remuneration from the institution must forthwith vacate his or her seat on the council.”.

4. The Statute is hereby amended by substituting paragraph 37 for the following paragraph:

“Composition of SRC

37. (1) Only registered students are eligible to serve on the SRC.

(2) The SRC, as contemplated in section 35 of the Act, must be representative of the student body and consists of two students from each faculty elected by the students of each specific faculty.

(3) The election of SRC members must be democratic and transparent;

(4) Notwithstanding subparagraph (2), the SRC composition in the case of a merger of institutions is as determined by the interim council.”.

5. The Statute is hereby amended by deleting subparagraph 14 of paragraph 47.

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