

## DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 418

14 May 2021

**HIGHER EDUCATION ACT, 1997 (Act No. 101 of 1997)****INSTITUTIONAL STATUTE****UNIVERSITY OF VENDA**

I, Dr Bonginkosi Emmanuel Nzimande, Minister of Higher Education, Science and Innovation, in accordance with section 33 (1) of the Higher Education Act, 1997 (Act No. 101 of 1997, as amended), hereby publish an amended Institutional Statute of the University of Venda set out in the Schedule attached hereto, which comes into operation on the notice.

**Dr BE Nzimande, MP****Minister of Higher Education, Science and Innovation****Date: 21/04/2021**

# STATUTE OF UNIVERSITY OF VENDA

The Council of the University of Venda 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 Higher Education, Science and Innovation and which comes into operation on the date of this publication.

## SCHEDULE

**To introduce an amended Statute for the Comprehensive University of Venda to give effect to any matter not expressly prescribed by the Higher Education Act, 1997 (Act No. 101 of 1997); and to promote the effective management of the University in respect of matters not expressly prescribed by any law**

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## CHAPTER 1 DEFINITIONS

### 1. Definitions

In this Statute, unless the context otherwise requires, any word or expression to which a meaning has been assigned by section 1 of 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 –

**“act”** means the Higher Education Act, 1997 (Act No 101 of 1997), as amended;

**“academic employee”** means an employee of the university whose primary duties and responsibilities are teaching, research and community services, or any other person who occupies a post designated as such by council of the university.

**“administrative employee”** means an employee of the university whose primary duties and responsibilities are to provide administrative and professional support to the core business of the university;

**“appoint”** means –

- a. to employ;
- b. to assign to; or
- c. to designate an office or duties

**“CFO”** means a person appointed as a chief financial officer by the council with the duties and powers as assigned by council;

**“core business of the university”** means teaching, research, vocation and community service;

**“chancellor”** means the chancellor of the university, referred to in chapter 3 of this statute;

**“convocation”** means the convocation of the university, referred to in chapter 7 of this statute;

**“council”** means the governing body of the University contemplated in section 27 of the Act and composed in accordance with paragraph 16 of this statute;

**“days”** means week days and include Saturdays, Sundays and public holidays;

**“donor”** means a person or body that gives, donates or contributes resources, either in the form of money, movable or immovable property to the University of Venda and whose name is registered in the records of donors in terms of paragraph 83 of this Statute;

**“due notice”** means notice that has been given if a written notification has been dispatched by registered post and other means of communication to the last address registered with the registrar concerned at the commencement of the required period of notice;

**“deputy vice chancellor”** means a person appointed as deputy vice chancellor by the council with the duties and powers as assigned by the council;

**“employee”** means any person employed at the University of Venda in terms of its policies and rules;

**“executive management”** means the vice-chancellor, the deputy vice-chancellors, registrar, the chief financial officer and any other employee appointed and designated as such by the council;

**“faculty”** means a primary cluster of allied academic departments and schools in a major field of knowledge;

**“graduate”** means a person upon whom a degree has been conferred;

**“IF”** means the body contemplated in section 31 of the Act and composed in accordance with chapter 9 of this statute;

**“majority”** means half the total number of members plus one of the voting body concerned (50+1);

**“management”** means executive management and senior management as determined by the council;

**“minister”** means the Minister responsible for Higher Education;

**“months”** means calendar months;

**“qualification”** means any formal qualification registered on the respective sub-framework of the National Qualification Framework, including a degree, diploma or certificate;

**“recognized staff body”** means a body organized by and among staff to represent the staff, or a section of the staff, including a trade union, recognized for this purpose by the council;

**“registrar”** means the university registrar as contemplated in section 26(4)b of the Act and appointed in terms of paragraph 13 of this statute;

**“rules”** means institutional rules of the University contemplated in section 32 of the Act and approved by council;

**“semester”** means the portion of a calendar approved by the council on the recommendation of the senate for the academic activities of the University;

**“senate”** means the body contemplated in section 28 of the Act and composed in accordance with chapter 6 of this statute;

**“senior management”** means for the purpose of section 31(1)(a)(iii) of the Act, the vice-chancellor, the deputy vice-chancellor(s), the registrar, chief financial officer, the executive deans of faculties, the directors of departments/schools and the administrative positions equivalent to the positions of the deans of faculties and directors of administrative departments and schools;

“**SRC**” means the body contemplated in the section 35 of the Act and composed in accordance with paragraph 82 of this statute;

“**student**” means any person registered for any academic programme in a given academic year at the university;

“**university**” in the application of this statute means the University of Venda;

“**university community**” means employees and students of the University of Venda;

“**vice chancellor**” means the chief executive, accounting and academic officer of the university;

“**working day**” means days of the week excluding Saturdays, Sundays and public holidays.

## **CHAPTER 2 INSTITUTION**

### **2. Name, seat and powers**

- (1) The name of the university is University of Venda.
- (2) The University of Venda is a comprehensive university established under the Act
- (3) and statute thereto.
- (4) The seat of the University is at University Road, Mphephu Drive, Thohoyandou, 0950 in the Limpopo Province.
- (5) The University is a juristic person, as contemplated in section 20(4) of the Act.
- (6) Notwithstanding subparagraph (4) the University may not, without the concurrence of the Minister, dispose of or alienate in any manner, any immovable property, in whole or in part, acquired with the financial assistance of the State or grant to any person any real right therein or servitude thereto.
- (7) The University function in accordance with the Act the statute and the rules of the University.
- (8) The University may confer degrees and honorary degrees and award diplomas and certificates in its own name as contemplated in section 65B and 65C of the Act and has the power to withdraw any qualifications.
- (9) The council may, in consultation with the senate, withdraw and revoke any degree, diploma, certificate or other qualification that was awarded as contemplated in section 65BA of the Act.

### **3. Composition of University**

- (1) The University consists of:
  - (a) the chancellor;
  - (b) the vice-chancellor;
  - (c) the deputy vice chancellors;
  - (d) the registrar;
  - (e) the chief financial officer;
  - (f) the council;
  - (g) the senate;



- (h) the institutional forum;
  - (i) the convocation;
  - (j) the student representative council;
  - (k) the employees of the university;
  - (l) the students of the university;
  - (m) faculties as council may establish, after consultation with Senate, and
  - (n) any other office or structures as determined by the council.
- (2) No vacancy in any of the offices contemplated in subparagraph (1) nor any deficiency in the numbers or defect in the composition of the bodies or structures contemplated in subparagraph (1) impairs or affects the existence of the university as a juristic person or any function conferred by the Act or this statute upon the university, provided that no resolution of the council or senate is valid unless passed at a meeting at which a quorum was present and the provisions of the statute relating to any such meeting have in all other respects been complied with.

### **CHAPTER 3 CHANCELLOR**

#### **4. Functions of chancellor**

- (1) The chancellor is the titular head of the University and shall exercise no executive powers.
- (2) The chancellor shall confer all degrees, and award all diplomas and certificates on behalf of the university.
- (3) In the absence of the chancellor, the vice-chancellor or in his or her absence, any of the Deputy Vice -Chancellors, confer all degrees and award all diplomas and certificates in the name of the University.
- (4) The Chancellor performs such other functions as are assigned to him or her by council.
- (5) The vice-chancellor exercises the functions of the chancellor in his or her absence.

#### **5. Term of office of chancellor**

- (1) The chancellor holds office for a period of five years unless he or she tenders his or her resignation in writing to council or vacates his or her office for any reason before the expiry of the term concerned.
- (2) The position of chancellor is renewable if council deems it fit provided that the chancellor shall not serve more than two consecutive terms.
- (3) The term of office of the chancellor terminates in the event of
  - (a) Death or incapacity,
  - (b) Resignation;
  - (c) Removal from office by council; or
  - (d) Expiry of the term of office.
- (4) The chancellor may only be removed from office by council by means of a resolution passed by at least two-third of the members of council. Without limiting the generality of this, the resolution contemplated may not be passed without prior notice to the chancellor of the pending motion for his or her removal and the reasons therefor, and the chancellor must be provided with a reasonable opportunity to present his or her case.

**6. Election of chancellor**

- (1) The chairperson of council or in his or her absence the vice-chancellor, determines the date on which a meeting of council must be held for the purpose of electing a chancellor.
- (2) The date contemplated in subparagraph (1) must be within 90 days after the office of the chancellor becomes vacant.
- (3) The secretary to council must, at least two months, but not more than three months prior to the expiry of the term of office of the chancellor, give due notice to every member of council of the date, place and time of the meeting contemplated in subparagraph (1).
- (4) A member may supplement the information of the prescribed form contemplated in subparagraph (3) by the submission of additional information.
- (5) The completed documents for the nomination of candidates must reach the secretary to council at least 21 working days before the date of the meeting contemplated in subparagraph (1).
- (6) The secretary to council must, within three days of receiving a valid nomination, give due notice to every member of council of such nomination.
- (7) In order to be eligible for election, a candidate for the office of chancellor must have been nominated, with his or her written consent, by at least four members of the council.
- (8) The election of the chancellor is by secret ballot.
- (9) A candidate is elected to the office of chancellor by a majority.
- (10) Each member of council has only one vote during each election.
- (11) In the event of a tie the chairperson may use his or her casting vote in favour or against thereof.
- (12) In each successive round of voting, the candidate with the least support in the previous ballot is eliminated as a candidate.
- (13) The name of the newly elected chancellor is announced to the university community after the council meeting by the chairperson of council.

**7. Vacancy in the office of chancellor**

- (1) If the office of the chancellor becomes vacant, the secretary to council must, within fourteen days of the occurrence of the vacancy, give due notice to each member of council of such vacancy or resignation and call for nominations.
- (2) The council must within 90 days of the occurrence of the vacancy elect a new chancellor in accordance with the provisions of paragraph 6 of this statute.

**7A. Re-election of the Chancellor**

- (1) At least 7 days before the date of the meeting of Council, the secretary to the Council must give due notice to every member of the Council of the intention to consider the re-election of the Chancellor for a second term.
- (2) The Chancellor must be re-elected to the office of Chancellor at a meeting of Council by a majority of the members of the Council.
- (3) The re-election of the chancellor is by secret ballot.

## **CHAPTER 4 EXECUTIVE MANAGEMENT**

### **8. Vice-Chancellor**

- (1) The vice-chancellor and principal is the chief executive, accounting and academic officer of the university.

### **9. Appointment of vice-chancellor**

- (1) When the post of Vice-Chancellor becomes vacant, the advertising of the post, the invitation for nominations of and applications by candidates, the search for suitable candidates, the applicable criteria for the short-listing of candidates and the interviewing and appointment processes take place in the manner determined by the council, subject to section 30 of the Act.
- (2) The Council, subject to the Rules and section 30 of the Act, appoints the Vice-Chancellor.
- (3) When the term of office of the Vice-Chancellor expires and he or she is available for appointment for a further term of office, the council may on account of the proven sustainable good performance of the incumbent measured against agreed performance outcomes, decide to re-appoint the Vice-Chancellor for a further term of office only after consultation with the Senate and the Institutional Forum.
- (4) Nothing in subparagraphs (1) to (3) above prevents the council from advertising the position of the vice-chancellor. The incumbent may apply for the position.
- (5) The salary and conditions of service of the vice-chancellor are as determined by council from time to time

### **10. Term of office of vice-chancellor**

- (1) The vice-chancellor is appointed by council on a five-year performance based contract renewable subject to performance evaluation if council deems it fit after such consultation as required by the Act, provided that the vice-chancellor shall not serve more than two consecutive terms.
- (2) The vice-chancellor vacates office if he or she -
  - (a) resigns by giving written notice to the chairperson of council;
  - (b) is declared insolvent;
  - (c) is convicted of an offence involving dishonesty or of an offence for which he or she is imprisoned without the option of a fine;
  - (d) is declared unfit by a court of law to attend to his or her personal affairs;
  - (e) is dismissed by the council of the university on account of misconduct; or
  - (f) is incompetent to perform duties required of the post.

**11. Absence of vice-chancellor**

- (1) The vice-chancellor, after consultation with the chairperson of the council, appoints an acting vice-chancellor for any period of absence of the vice-chancellor not exceeding ten working days.
- (2) If the period of absence of the vice-chancellor exceeds ten working days, the executive committee of the council appoints an acting vice-chancellor for the period concerned.
- (3) If the vice-chancellor is unable to perform his/her duties and has not appointed an acting vice-chancellor in terms of subparagraph (1), the executive committee of the council appoints an acting vice-chancellor for the period of absence of the vice-chancellor.
- (4) If the office of the vice-chancellor becomes vacant, council must appoint an acting vice-chancellor until a successor assumes office, provided that an acting vice-chancellor must not serve for longer than twelve (12) months. An acting vice-chancellor has the powers and functions of the vice-chancellor.

**12. Deputy vice chancellors**

- (1) The number of deputy vice chancellors is determined by council and are appointed by council on a five-year performance based contract renewable subject to performance evaluation provided that the deputy vice-chancellor shall not serve more than two terms.
- (2) The appointment of deputy vice chancellors is in the manner of paragraph 9 of this statute.
- (3) In the event of absence of the deputy vice-chancellor, an acting deputy-chancellor is appointed in the manner determined in paragraph 11 (1) of this statute.
- (4) The vacancy in the office of the deputy vice chancellor is in the manner of paragraph 11 (4) of this statute.
- (5) The deputy vice-chancellor vacates office in the manner as determined in paragraph 10 (2) of this statute.
- (6) The salary and other conditions of service of the deputy vice chancellors are determined by council.
- (7) The powers and duties of deputy vice chancellor/s are determined by the vice- chancellor in consultation with council.

**13. Registrar**

- (1) The registrar is the chief administrative officer and compliance officer of the University. The registrar is also a secretary to council, senate, convocation, institutional forum and all committees of council.
- (2) The registrar may participate in the discussion of the council, governance structures and all other committees of council but may not vote.
- (3) The registrar is accountable to the vice-chancellor and council.
- (4) Registrar is the custodian of the records, documents and information pertaining to the matters of academic records, minutes, resolutions of council, committees of council and management committees of the university.
- (5) The appointment of registrar is in the manner of paragraphs 9 and 10 of the statute.
- (6) The absence of the registrar is in the manner of paragraph 11 (1) of this statute.

- (7) The vacancy in the office of the registrar is in the manner of paragraph 11 (4) of this statute.
- (8) Vacation of office by registrar is in the manner of paragraph 10 (2) of this statute.
- (9) The salary and other conditions of service of the registrar are determined by council.
- (10) The powers and duties of a registrar are determined by the vice chancellor in consultation with council.

#### **14. Chief Financial Officer**

- (1) The appointment of the chief financial officer is in the manner prescribed in paragraph 9 of this statute.
- (2) In the event of the absence of the chief financial officer, an acting chief financial officer is appointed in the manner determined in paragraph 11 (1) of this statute.
- (3) The vacancy in the office of the chief financial officer is in the manner of paragraph 11 (4) of this statute.
- (4) The chief financial officer vacates office in manner determined in paragraph 10 (2) of this statute.
- (5) The salary and other conditions of service for the chief financial officer are determined by council.
- (6) The powers and duties of the chief financial officer are to oversee the financial affairs of the university and any other function which may be determined by the vice chancellor in consultation with the council.
- (7) The term of office of the chief financial officer is as per paragraph 10 of this statute.

### **CHAPTER 5 COUNCIL**

#### **15. Functions of council**

- (1) Subject to the law and this statute, the council governs the institution.
- (2) Without derogating from the generality of subparagraph (1), the council –
  - (a) Determines the vision and mission of the university;
  - (b) Makes rules for the institution;
  - (c) Establishes the council committees, determines the composition and functions of each committee;
  - (d) Establishes, in consultation with the senate, joint committees of the council and the senate to perform functions which are common to the council and the senate;
  - (e) Determines policy on recruitment, selection and placement for all employees of the institution;
  - (f) Determines the students admission policy of the institution, after consultation with the senate;
  - (g) May, with the approval of the senate, refuse readmission to a student who fails to satisfy the minimum requirement for readmission; and
  - (h) Determines and provides student support services after consultation with the SRC.
- (3) Without derogating from the generality of subparagraph (1), the council –
  - (a) makes the institutional statute and any amendments thereto with the concurrence of the Minister;
  - (b) appoints the executive management of the institution;

- (c) determines policies on conditions of services, the disciplinary code and the privileges and functions of its employees;
- (d) determines after consultation with senate-
  - i) What academic structures are required and what the functions of each structure are in order to ensure efficient governance;
  - ii) The appointment of academic employees;
  - iii) The student academic admission policy of the university
- (e) Determines with the approval of senate-
  - i) The entrance requirements for particular higher education programmes, the number of students who may be admitted for a particular higher programme, the way in which to select/place students; the minimum requirements for re-admission to study at the university; and to refuse such re-admission to a student who fails to satisfy such minimum requirements for re-admission.
- (f) determines tuition fees, accommodation fees and any other fees payable by students as well as accommodation fees payable by employees;
- (g) approves the annual budget of the institution;
- (4) Subject to section 68 of the Act, the council may delegate any of the functions referred to in subparagraph (2), but the council may not delegate any of the functions referred to in subparagraph (3).
- (5) The council is not divested of responsibility for the performance of any function delegated or assigned under subparagraph (2).

## 16. Composition of council

- (1) Council is comprised of the internal and external members and is composed as follows -
  - (a) the vice-chancellor;
  - (b) deputy vice-chancellors;
  - (c) chief financial officer;
  - (d) three members with specific competencies in the fields designated by the council;
  - (e) the chairperson of the institutional forum;
  - (f) five persons appointed by the Minister;
  - (g) one person appointed by the Premier of the Limpopo Province;
  - (h) two persons elected by senate from among its members;
  - (i) two persons elected by convocation;
  - (j) two persons elected by the donors;
  - (k) Two student representative council members elected in accordance with the SRC Constitution;
  - (l) One academic employee of the university other than members of the senate, elected by the academic employees;
  - (m) One member of the administrative employees elected by administrative employees;
  - (n) One member of the service employees of the university elected by the service employees;
- (2) The registrar is the secretary to council and has no voting powers;
- (3) A member of council, other than the vice chancellor and deputy vice chancellors vacates his or her office if he or she -
  - (a) is absent without council's leave for two consecutive ordinary meetings of council;
  - (b) is absent with leave from council for four consecutive meetings of council in a term;

- (c) is declared insolvent by a court of law;
  - (d) is convicted of an offence and sentenced to imprisonment without an option of a fine;
  - (e) is recalled by his or her constituency;
  - (f) is found guilty of an offence that council considers to be of a serious nature.
  - (g) If the council member is found guilty of conduct that in the exclusive opinion of council is of such a nature that the member's ability to exercise his or her fiduciary duties and obligations is compromised, and that continued membership of council is not desirable.
  - (h) If a council member, who is also a member of staff or a student of the University, is found guilty of misconduct in terms of the Disciplinary Code of the University which, in the opinion of council, is of such a serious nature that the member's continued membership of council is not desirable.
  - (i) 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.
- (5) Council may by a resolution of the two third majority of its members present at a meeting specifically called for that purpose decide that a member's presence at council is no longer in the best interest of the university and informs the affected member's constituency about the decision.
- (6) A vacancy in council must be filled in the same manner as that in which the member who previously held office was appointed, elected or designated and such a member appointed, elected or designated holds office for the unexpired portion of the term of office of his or her predecessor.
- (7) The allowances payable to external members of council or a committee of council are determined by council subject to the regulations.
- (8) Council elects a chairperson, vice chairperson provided that the chairperson and vice-chairperson must not be employees of the university.
- (9) The chairperson shall not serve more than five years per term and for the maximum of two terms.

## **17. Manner of election of council members**

- (1) Senate, from amongst its members, elects in the manner contemplated in paragraph 37 of this statute, two members to serve as members of council.
- (2) Convocation elects two members to serve as members of council in the manner as determined by the Constitution of Convocation.
- (3) The two members to council designated by persons who are donors, are designated in the manner contemplated in paragraph 81 of this statute.
- (4) The election of structures, students and union is by secret ballot in open general elections conducted by Independent Body coordinated by the registrar where all tiers of employees are allowed to vote across the board for colleagues within their constituencies.
- (5) Two members of student representative council in accordance with the SRC Constitution.
- (6) The designation of persons from the local municipality or body/bodies determined by council is done in accordance with a resolution of such local municipality or body/bodies.
- (7) The three experts designated by council to serve as members of council are appointed in accordance with a resolution of council.



- (8) The name of a person appointed, elected, or designated as a member of council, must be furnished to the secretary to council by the relevant body or person as soon as reasonably practicable after such appointment, election or designation.

**18. Term of office of council members**

- (1) The members appointed, nominated or designated in terms of the statute, excluding students hold office for five years.
- (2) Members of council may serve a maximum number of two terms.
- (3) The term of office of the members of the student representative council is one year.
- (4) An officer of the university who becomes a member of council by virtue of his or her office, remains a member of council as long as he or she holds the office to which he or she was appointed and by virtue of which he or she is a member of council.

**19. Vacancies in council and notification of expiry term of office**

If the membership of a member of council terminates for any reason before the expiry of the period for which he or she was appointed, nominated or designated, the secretary to council must inform the body or person that appointed, nominated or designated the member of the vacancy, and that body or person must appoint, nominate or designate a successor as soon as reasonably practicable thereafter. The successor is appointed for the remainder of the term of office for his/her predecessor.

**20. Chairperson, vice-chairperson and other office bearers of council**

- (1) Nominations for chairperson, vice chairperson of council must be submitted in writing to the secretary to council.
- (2) If more than one candidate is nominated for each portfolio, voting must be by secret ballot.
- (3) The chairperson, vice chairperson of the council must be elected by a majority of the members at a duly constituted meeting of council.
- (4) The council decides, before the elections contemplated in subparagraph (3) on the electoral system to be employed.
- (5) The chairperson, the vice chairperson and other office bearers occupy their respective offices for a term of five years from the date following the day on which the previous chairperson, vice chairperson or other office bearer's term expires, except in a case of removal from office before the expiry period when council deems fit.
- (6) If the chairperson for any reason vacates his or her office prior to the expiry of his or her term of office, the vice-chairperson presides over all council meetings pending the election of a new chairperson.
- (7) If the chairperson and the vice-chairperson are not available for any council meeting, members of council elect one of the external member as chairperson to preside at a particular meeting.



**21. Secretary to council**

- (1) The registrar is the secretary to council.
- (2) vice-chancellor may assign any other administrative employee to assist the secretary or to act in his or her place.
- (3) The secretary is the electoral officer at all meetings.
- (4) The registrar shall attend all meetings of council.
- (5) Council holds four meeting in a year, one meeting per quarter, however, should there be an urgent matter requiring council attention, a special council meeting may be called to attend to such an urgent matter.

**22. Council meetings**

- (1) Ordinary meetings
  - (a) Council holds four ordinary meetings per year, which are held quarterly.
  - (b) A quorum consists of fifty per cent plus one of the total number of council members.
- (2) Special meetings
  - (a) Council may call for special meeting in cases of urgency.
  - (b) A quorum consists of fifty per cent plus one of the total number of council members.
- (2) Extraordinary meetings

An extraordinary meeting of council may be convened by the chairperson at any time if he or she deems it necessary, and must convene such meeting at the written request of at least nine members if -

  - (a) the purpose of the meeting is stated in such a request;
  - (b) no business other than that stated in the request is dealt with at the meeting; at least ten days' notice of such meeting must be given.
  - (c) A quorum consists of fifty per cent plus one of the total number of council members.

**23. Attendance of council meetings**

Council may invite persons who are not members to attend Council meetings on certain agenda items that are relevant to them. Such persons may take part in the discussions provided that they shall not be entitled to vote.

**24. Notice of meeting**

The secretary to council must, at least seven days before the date set for any meeting, give due notice to each member of all matters to be dealt with at the meeting, stating the time and place of such meeting. However, the seven days' notice period may be dispensed with in cases of emergency or special meetings.

**25. Notice of matters to be dealt with at council meeting**

- (1) Notice of matters for consideration must be submitted in writing to the secretary to council at least five days prior to the date on which he or she is required to give notice of the meeting.
- (2) Notwithstanding subparagraph (1), matters of an urgent nature may, without prior notice, be placed on the agenda at an ordinary meeting if the majority of members present agree thereto.

**26. Minutes**

- (1) The secretary to council keeps record of the minutes of each meeting of council and must include such minutes in the notice of the next council meeting.
- (2) An ordinary meeting of council, after being constituted and opened, commences with the reading and confirmation, by signature of the chairperson, of the minutes of the preceding ordinary meeting and the minutes of all subsequent extraordinary meetings.
- (3) Any objection to the minutes must be raised and disposed of before the minutes are confirmed.
- (4) A meeting may consider the minutes as read, if a copy thereof has been sent to each member previously with the notice convening the meeting concerned.
- (5) The secretary to council shall keep a register of council decisions and its committees.

**27. Discussion of proposals**

- (1) A member may not, except by leave of the chairperson, speak more than once on any motion or amendment thereto, but the proposer of a motion or amendment has the right to reply.
- (2) Despite subparagraph 1, any member may move that the subject under discussion be dealt with in committee, and if seconded, such motion must be put to the vote without further discussion and, if the motion is adopted, council must go into committee forthwith, whereupon any member is entitled to speak more than once on the subject under discussion.

**28. Voting procedure at council meeting**

- (1) Except where otherwise provided, all matters are decided by a majority of all members present.
- (2) In the event of a tie, the chairperson, in addition to his or her ordinary vote, has also a casting vote.
- (3) Notwithstanding subparagraph (2), The chairperson may have a casting vote even in the event of a tie during a vote by secret ballot.
- (4) A tie in votes means that a motion is rejected, unless the chairperson declares that he or she will use his or her casting vote in favour thereof, in which case the motion is adopted.
- (5) The chairperson may also use his or her casting vote against a motion or may decide not to use his or her casting vote.
- (6) If members present during any vote on a motion abstain from voting, this must be recorded in the minutes.

**29. Recording of votes at council meeting**

- (1) The number of votes for or against a proposal must be noted in the minutes if a meeting so decides.
- (2) At the request of a member, the chairperson must direct that the vote of such member be recorded.

**30. Proposal to be seconded at council meetings**

- (1) A proposal or an amendment must be seconded and if the chairperson so directs, must be submitted in writing.
- (2) A proposal may not be withdrawn without the consent of the meeting.

**31. Ruling of chairperson**

The ruling of the chairperson of the meeting on a point of order or procedure is binding unless a member immediately objects, in which case such ruling must be put to the vote without discussions and the decision of the meeting is final.

**32. Motions in connection with drafting or amending of statute**

- (1) A motion to initiate a draft, amend, supplement, or repeal the Statute may only be adopted if at least two-thirds of the members of council vote in favour of it.
- (2) If less than two-thirds of the members of council vote for such a motion, the motion may be resubmitted at the next ordinary meeting, where it may only be adopted if at least three-quarters of the members present vote in favour thereof.
- (3) If the motion has not been adopted by at least two-thirds of the members present at the meeting referred to in subparagraph (2), the motion lapses.

**33. Financial and other interests of council members**

- (1) In accordance with section 27 (7E)(a) of the Act, the council must, after consultation with the institutional forum, adopt a code of conduct to which all the members of council, governance structures, all the members of committee of council, all persons attending meetings of the council and all other persons who exercise functions of the council in terms of the act or in terms of delegated authority must subscribe in writing.
- (2) Any member of council or a committee who has a direct or indirect financial interest in any matter to be discussed at the meeting must declare such an interest before the commencement of such meeting.
- (3) Any member of the university community has the right to inform the chairperson in writing, before any meeting, of any possible conflict of interest in respect of any member of the council or a committee.
- (4) The chairperson is then obliged to place the matter as a first item on the agenda for the council or a committee to discuss.

- (5) The member so affected must be given an opportunity to respond, where after a ruling is made in his or her absence.
- (6) The affected member is thereafter called into the meeting where the decision of the council or a committee must be communicated to him or her.
- (7) After such declaration or in the event of the committee finding that such an interest exists, such member of council or a committee must recuse himself or herself from the meeting before such issue is discussed.
- (8) If the person recusing himself or herself is an officer of the university, the chairperson or the council or a committee may nominate a suitable substitute from the relevant structure or department to attend in the place of the person who has recused himself or herself.
- (9) In the event of the person recusing himself or herself being the chairperson of the meeting, the vice chairperson assumes the duty as chairperson of such meeting.
- (10) In the event of there being no vice chairperson, the council or a committee elects from persons who are not staff or students of the University.

#### **34. Committees of council**

- (1) The council may appoints the following committees of the council:-
  - (a) executive committee of council;
  - (b) human resources committee;
  - (c) audit and risk committee;
  - (d) finance committee;
  - (e) student affairs committee; and
  - (f) appeals committee for staff and students' disciplinary cases.
- (2) Council will from time to time decide on the number and nature of Council Committees to assist with the execution of its governance function.
- (3) If the council appoints a committee, the provisions of such an appointment should be in accordance with the terms of reference of such a committee.
- (4) The members of committees other than the executive of council hold office for a maximum period of five years and the powers and duties of such committees are as determined by the council.
- (5) Chairpersons of committees of council shall be external members of council who are not employees or students of the university.

### **CHAPTER 6 SENATE**

#### **35. Composition of senate**

- (1) The senate of the university consist of:-
  - (a) the vice-chancellor;
  - (b) the deputy vice chancellors;
  - (c) two members of council, elected by council;
  - (d) all executive deans of faculties;
  - (e) all deputy deans;
  - (f) all directors of schools;
  - (g) professors of the university who are not executive deans or deputy deans or directors;

- (h) twenty five percent senior lecturers of the university who are not deans or deputy deans or directors, elected by the senior lecturers;
  - (i) fifteen percent of lecturers of the university per faculty, elected by the lecturers in the faculty;
  - (j) the director library services of the university;
  - (k) the director or head of a bureau, section or department of the university designated by the senate;
  - (l) one student, other than a first year student, for each faculty, elected by the students of the faculty concerned; and
  - (m) the directors of academic centres and institutes.
  - (n) At least two members of the students' representative council elected by students' representative council.
- (2) The control and regulation of the teaching, learning, research and community engagement at the university is vested in the senate in accordance with the rules framed by the senate for that purpose and approved by the council.
- (3) A vacancy in the senate must be filled in the same manner as that in which the member who previously held the office was appointed, elected or designated.
- (4) A person appointed, elected or designated in terms of subparagraph (3) holds office for the remainder of the term of office of his or her predecessor.
- (5) The senate submits to council -
- (a) reports of its activities;
  - (b) such recommendations as it may deem expedient regarding any matter or interest to the university; and
  - (c) recommendations regarding any matter referred to it by council.
- (6) The registrar is the secretary to the senate and has no voting powers.

### **36. Joint committees of council and senate**

- (1) The council or the senate may assign any of the powers or functions that they have in common to any joint committee, but is not thereby divested of any power or function so assigned and may amend or set aside any decision of such committee.
- (2) The council and the senate may appoint one or more committees which, subject to the directions of council or senate, as the case may be, perform the functions of council or senate that council or senate, as the case may be, determines.
- (3) Such a committee consists of as many members of council or senate, as the case may be, or of such members and other persons as council or senate, as the case may be, may deem necessary and such committee may at any time be dissolved and reconstituted.
- (4) The council or the senate, as the case may be, is not divested of the responsibility for the performance of a function assigned to a committee in terms of subparagraph 1.
- (5) Any decision taken by such a committee in the performance of any function so assigned must be presented for ratification to council or senate, as the case may be, at its first meeting after the decision was taken.
- (6) The council and the senate may, by agreement, establish from among their members one or more joint committees.

**37. The manner of election or designation of members of senate**

- (1) The elections of the required percentage of senior lecturers and lecturers are by secret ballot in elections conducted by an independent body to be co-ordinated by the registrar.
- (2) Faculties already having the required parentage of qualifying members do not participate in the elections, since their members are duly elected by virtue of being the sole and automatic candidates within their faculties.

**38. Term of office of members of senate**

- (1) The members of the senate elected by the council and referred to in paragraph 35 (1)(c) of this statute hold office for as long as they are members of council.
- (2) Elected members of the senate in terms of paragraph 35 (1)(g)(h) and (i) of this statute hold office for a period of five years as long as they are employed by the university.
- (3) In the event of a vacancy, the constituency that elected or designated such a member must fill such vacancy, through election or designation in the manner determined by such bodies.
- (4) Elected members of the student representative council will serve a period of one year as long as they remain registered students.

**39. Functions of senate**

- (1) The senate -
  - (a) makes recommendations to council concerning the creation of new programmes and structures as well as the dissolution of such structures and programmes;
  - (b) makes recommendations to council regarding the creation of new faculties, schools, departments, centres or institutes and any other academic unit;
  - (c) appoints the executive dean of each faculty;
  - (d) appoints the director(s) for departments and schools;
  - (e) recommends to council the functions of executive deans, deputy deans and directors;
  - (f) appoints directors of centres or institutes in the faculties and schools or as approved by faculty boards;
  - (g) monitors and advises on tuition in the various faculties, schools, departments, centres, institutes, lectures and classes subject to the rules approved by council on the recommendation of the senate;
  - (h) appoints all internal and external examiners and moderators;
  - (i) makes recommendations to council concerning degrees, diplomas, and certificates offered by the various faculties and schools, after consultation with the faculty boards;
  - (j) makes recommendations to council on the conditions for the awarding of degrees, diplomas or certificates by the university and monitors the requirements for admission to study for such degrees, diplomas and certificates and the conditions for the granting of equal status to persons who have studied at other institutions or universities;
  - (k) approves the procedure for the awarding of degrees, diplomas and certificates as well as the nature of academic dress;
  - (l) regulates all matters relating to academic meetings for which no provision has been made in the statute;

- (m) makes recommendations to council concerning the appointment of emeritus professors, special category appointments and persons to whom honorary degrees may be awarded;
  - (n) makes recommendations to council concerning the amendment, supplementation or repeal of disciplinary rules in the academic sphere;
  - (o) determines the quorum and procedures of committees of the senate; and
  - (p) ensures that the academic programme of various faculties and schools adhere to the mission of the university.
- (2) The senate may delegate any of its powers to a member or a committee of the senate.
- (3) The senate is not divested of any power, nor relieved of any functions or duty delegated in terms of subparagraph(2), and may amend or set aside any decision of any such persons or committee at the meeting of the senate following such a decision.

#### **40. Chairperson of senate**

- (1) The vice-chancellor is the chairperson of senate.
- (2) In the absence of the chairperson, the deputy vice chancellor designated by the chairperson acts as chairperson and in the absence of the deputy vice chancellor, the members of the senate must elect a chairperson from amongst the members present by the majority votes.

#### **41. Secretary to senate**

- (1) The registrar is the secretary to senate and he or she may designate any other official to assist him or her to act on his or her behalf as secretary to senate.
- (2) The secretary to senate attends all meetings of the senate and of committees of the senate and may take part in the discussions but may not vote.

#### **42. Meetings of senate**

- (1) At least two ordinary meetings of senate must be held during each semester of the academic year.
- (2) Ordinary meetings of senate are held on the dates, and at the times and places, as determined by the senate.

#### **43. Attendance of meeting by non-members**

- (1) The senate may invite persons who are not members to attend a meeting.
- (2) The persons contemplated in subparagraph (1) may take part in the discussions but are not allowed to vote.

#### **44. Quorum of senate meetings**

A quorum consists of half plus one of the total number of members.



**45. Agenda for senate meetings**

At least seven days before an ordinary meeting and at least two days before an extraordinary meeting of the senate, the secretary to senate must provide to every member an agenda reflecting, among others, the date, time and venue of the meeting and the matters to be considered.

**46. Compilation of agenda**

- (1) Submissions must be in writing and must be lodged with the secretary to senate at least fourteen days before the appointed date of an ordinary meeting.
- (2) Notwithstanding subparagraph (1), matters of an urgent nature may, without prior notice, be placed on the agenda at an ordinary meeting if the majority of the members present agree thereto.

**47. Representatives of senate on council**

- (1) The senate decides before the election on the electoral system to be employed.
- (2) The members are elected by a majority at an ordinary senate meeting.
- (3) Nominations of candidates must be in writing, and must be signed by at least two members of senate and the nominee, and must reach the secretary at least three days before the senate meeting concerned.
- (4) Notice of the expiry of a term of office of a senate member on council must be given by the secretary to senate by including an item on the agenda of the ordinary meeting of the senate preceding the last meeting of council which takes place during the term of office of such a member.
- (5) A member whose term of office expires may be re-elected.
- (6) If a representative of senate on the council vacates his or her office prematurely, the senate elects a successor for the remaining part of his or her term of office at its next meeting.

**48. Standing orders of senate**

- (1) No proposal to make, amend, or repeal a standing order of senate may be considered unless it is included and set out in detail in the agenda of an ordinary meeting of senate.
- (2) A resolution to make, amend or repeal a rule of senate must be accepted by at least two-thirds of the total number of members of senate.

**49. Minutes of senate meetings**

- (1) The secretary to senate keeps the minutes of the proceedings at all meetings and forwards a report of all resolutions, as well as the necessary documentation concerning matters for decision by council, to the secretary to council after each meeting.
- (2) The minutes of an ordinary meeting of senate must be provided to all members within three weeks after such meeting.



- (3) At the commencement of an ordinary meeting, after it has been constituted, the minutes of the previous ordinary meeting and of any extraordinary meeting held subsequently must be read and, if adopted, must be confirmed by the signature of the chairperson of senate.
- (4) Any objection to the minutes must be raised and dealt with before the confirmation contemplated in subparagraph 3.
- (5) The meeting may take the minutes as read if a copy thereof has been delivered to every member at least three days before the meeting.

#### **50. Register of resolutions**

A complete and accessible register of senate resolutions must be kept available by the secretary to senate.

#### **51. Discussion of proposals**

- (1) A member may not, without the permission of the chairperson, speak more than once on a motion or an amendment, but the proposer of a motion or amendment has the right to reply.
- (2) A member may move that the matter under discussion be dealt with in committee and, if his or her motion is seconded, it must be put to the vote without further discussion, and if his or her motion is carried, senate must go immediately into committee, where after a member may speak more than once on the subject under discussion.
- (3) The opinion of a member who cannot attend a meeting personally may be submitted to the meeting if it is in writing, but it is not deemed as a vote by such a member.

#### **52. Voting procedures and recording of resolutions**

- (1) Except as otherwise provided in this statute, all matters are decided by a majority vote of all members present.
- (2) The chairperson is a voting member of the meeting and if he or she desires to cast his or her ordinary vote he or she does so simultaneously with the general voting and not thereafter.
- (3) In the event of a tie, the chairperson has, in addition to his or her ordinary vote, a casting vote.
- (4) Despite subparagraph (3), the chairperson may have a casting vote in the case of a vote by secret ballot.
- (5) A tie in a vote means that a motion is rejected unless the chairperson declares that he or she will use his or her casting vote in favour thereof, in which case the motion is adopted.
- (6) The chairperson may also use his or her casting vote against a motion or may decide not to use his or her casting vote.
- (7) The number of votes for a proposal together with all abstentions must be recorded in the minutes.
- (8) At the request of a member, the chairperson may direct that -
  - (a) voting be by secret ballot; or
  - (b) the request of the member in question be recorded in the minutes.

**53. Ruling of chairperson of senate**

The ruling of the chairperson of the meeting on a point of order or procedure raised by the chairperson or a member of the meeting is binding, unless a member immediately objects, in which event such ruling is subjected to the final decision of the meeting without discussion.

**54. Extraordinary meetings**

- (1) The chairperson or in his or her absence his or her representative may convene an extraordinary meeting at any time if he or she deems it necessary, and must convene such a meeting if he or she is requested to do so in writing by at least ten members of the senate on condition the purpose of such meeting is stated in such request.
- (2) No matter not stated in such request may be considered at such meeting contemplated in subparagraph (1), except with the consent of the meeting following an uncontested motion.

**55. Committees of senate**

- (1) Committees of senate including the executive committee of senate may be established, as determined by the senate itself.
- (2) The members of standing committees of senate are elected by electoral system determined by senate.
- (3) Members of committees established for particular purposes hold office for as long as it is deemed necessary by senate.
- (4) Every committee elects a chairperson at its first meeting before transacting any other business, unless the senate at the time of electing the committee appointed a chairperson.
- (5) The chairperson of a committee must, at every ordinary meeting of the senate, submit a report of the activities of the committee concerned.

## **CHAPTER 7 CONVOCATION OF UNIVERSITY**

**56. Composition of convocation –**

The convocation consists of -

- (1) all the persons, other than the persons referred to in subparagraph (2), who were immediately before the commencement of this statute members of the convocation of the university;
- (2) the vice-chancellor, the deputy vice-chancellors and the registrar;
- (3) the permanent academic employees of the university with five years working experience and retired academic employees designated by council on the recommendation of senate to be members; and
- (4) all graduates of the university, provided that if any person who is a member of convocation by virtue of subparagraphs (1) or (3) gives written notice to council that he or she does not wish to become or remain a member of convocation, he or she does not become such a member, or ceases to be such a member, as the case may be, upon receipt of such notice by council.

**57. Constitution of convocation**

The council must approve the Constitution of Convocation which provides for all matters relating to the establishment of its own alumni structures and their functions, meetings and meeting procedures, elections and term of office, its representatives on the Institutional Forum (IF) and council together with such other provisions as the council may consider appropriate within the context of the statute and Act.

**58. Convocation roll**

- (1) The secretary to convocation keeps a convocation roll showing the full names and the addresses of the members of convocation.
- (2) It is the duty of every member to notify the secretary in writing of any change of address and such address is regarded as the member's registered address.
- (3) The fact that the name of a person appears on the convocation roll is sufficient proof of his or her membership of convocation and of the fact that he or she is entitled to vote.

**59. Office bearers Election of convocation**

- (1) With the exception of ex officio members and members designated by other constituencies, the president, vice president and five additional members of the convocation are elected by convocation through electronic ballot and or a secured online voting system;
- (2) The secretary to convocation is the electoral officer who determines the procedure(s) of elections of convocation.
- (3) He or she must be assisted by two scrutineers appointed by the vice-chancellor.
- (4) No student or staff member may be eligible for election into the executive committee of convocation;
- (5) In order to be eligible for election to serve on the Executive Committee of convocation, a period of at least five years working experience should have lapsed after graduating from the university.

**60. President of convocation**

- (1) No employee of the university shall be elected president of convocation.
- (2) The president of convocation holds office for a period of five years.
- (3) If the president for any reason vacates his or her office prior to the expiry of his or her term of office, the vice president must act as president until the convocation has elected a new president for the unexpired part of such term of office.
- (4) The president is the chairperson of all meetings of convocation and in his or her absence the vice president must act as chairperson.
- (5) In the absence of both the president and vice president, the members present must, under the guidance of the secretary to convocation, elect a chairperson for that meeting from amongst themselves.

**61. Notice of meetings of convocation**

Notice of a meeting of the convocation with a statement of the business to be brought before the meeting must be sent to every person who is a member, or who at the time of the meeting, will be eligible to be a member at least fourteen days before such meeting.

**62. Meetings of convocation**

- (1) All meetings of convocation take place at the venue determined by the convocation.
- (2) A meeting of convocation may be convened by the president at any time if he or she deems it necessary, and must be convened by the secretary when a written request signed by at least twenty members is lodged with him or her, provided that the matters for consideration at such meeting are stated in the form of specific motions and that no matters other than those stated in such request may be discussed at such meeting.
- (3) The meeting contemplated in subparagraph (2) must be convened by the secretary as soon as possible but not later than two months of receipt of such request.

**63. Office bearers of convocation**

- (1) The executive committee of convocation consists of -
  - (a) the president and the vice president of convocation;
  - (b) one member of council elected by council;
  - (c) five persons elected by the convocation from amongst convocation members;
  - (d) one member of senate appointed by senate;
  - (e) the vice-chancellor;
  - (f) the director of communications and marketing; and
  - (g) registrar or his or her representative is the secretary to convocation and has no voting powers.

**64. Duties of the office bearers**

- (1) The office bearers of the convocation must -
  - (a) administer the affairs of the convocation; and
  - (b) discuss and on behalf of the convocation state its opinion upon any matters relating to the university or to the convocation, including matters that may be referred to it by council.

**65. Funds of convocation**

All monies pertaining to the business of the convocation are administered by the finance department of the university according to the university's financial policies.

**66. Quorum and procedure at meetings of convocation**

- (1) 100 (one hundred) members constitute a quorum for the purposes of convocation meetings and five members constitute a quorum for purposes of executive committee meetings.
- (2) The procedure at a meeting of the council, with the changes required by the context, applies to meetings of the convocation.
- (3) A copy of all resolutions of the convocation and declarations concerning all other matters on which the convocation may decide, duly certified by the president and the secretary, must be sent to the secretary to the council and the secretary to the senate for the information of the council and the senate respectively.

**67. Representatives of convocation on council**

The election of members of the convocation on the council is in a manner as determined by the Constitution of Convocation.

**CHAPTER 8  
FACULTIES****68. Faculties**

- (1) The council may, after consultation with the senate and in line with higher education policies, establish faculties or schools, departments, programmes and courses at the university.
- (2) The university may, upon the recommendation of the senate, provide tuition for a degree, a diploma or certificate or a module or a course in a subject.

**69. Faculties board**

- (1) A faculty board is established for each faculty.
- (2) A faculty board consists of -
  - (a) the executive dean of the faculty who serves as chairperson;
  - (b) the deputy dean of the faculty;
  - (c) directors of departments and schools;
  - (d) the professors of the faculty;
  - (e) all lecturers of that faculty;
  - (f) such other persons as the faculty board itself may from time to time determine; and
  - (g) the chairpersons of the students in a faculty;
- (3) Persons invited to a meeting of the faculty board who are not members of the faculty may take part in the discussions but shall not vote.
- (4) A faculty board meets once a term at such time and place as may be determined by the faculty board itself.
- (5) The dates of such meetings contemplated in subparagraph (4) must be reflected in the university calendar.
- (6) A special meeting of a faculty board, of which not less than 24 hours' notice must be given to all members, may be convened by the dean at any time, if the reason for convening such a meeting is clearly stated.
- (7) Subject to the provisions of subparagraph (6), a special meeting of the faculty board may also be convened by the executive dean or deputy dean at the written request of at least one third of the members of the faculty board if the purpose of such meeting is clearly stated in such a request and no other matter is dealt with at such a meeting, except the one stated in the request.
- (8) The date, time and venue of all special meetings are determined by the executive dean and no elections or nominations of persons into offices within the faculty may be conducted at such special meetings.
- (9) A quorum comprises one half plus one member of the total voting membership of the board.

**70. Functions of faculty board**

A faculty board must present to the senate, for the senate's consideration and recommendation to the council, all matters relating to the curricula, syllabi, courses, research and examinations to the extent that the departments, on such matters as may be referred to it by the senate and on other matters affecting the interest of the faculties.

**71. Executive Deans**

- (1) The executive dean is appointed by the university on a performance-based five year contract subject to renewal if the council deems it fit, provided that the dean shall not serve for more than two terms.
- (2) The executive deans are the chief accounting officers of the faculties and chair all meetings of the faculties and administer the budget and all resources of the faculties and report the proceedings of the meetings to senate.
- (3) The executive dean reports to the deputy vice-chancellor: academic.
- (4) The executive dean is the chairperson of the faculty board and a member of the committees of the faculty board by virtue of his or her office.
- (5) The executive dean must ensure that the registration of students in the faculty or school is carried out according to regulations.
- (6) The executive dean must ensure that the work of the departments, centres, institutes and the programmes in the faculty is effective and well organised.
- (7) The executive dean presents reports to the senate in respect of the activities of the faculty.
- (8) The executive dean vacates office if he or she -
  - (a) resigns by giving written notice to the vice-chancellor and principal;
  - (b) is declared insolvent, or is convicted of an offence involving dishonesty or of an offence for which he or she is imprisoned without the option of a fine;
  - (c) is declared unfit to attend to his or her personal affairs by a court of law;
  - (d) is found guilty of misconduct and demoted or dismissed; or
  - (e) is incompetent.

**72. Deputy deans**

- (1) The deputy dean is elected by the faculty for a period of five years subject to renewal if the faculty deems it fit.
- (2) The deputy dean is the deputy chief administrative officer of the faculty and performs any duty given to him or her by the executive dean.
- (3) The deputy dean reports to the executive dean of the faculty.
- (4) The deputy dean vacates office if he or she:-
  - (a) resigns by giving notice to the deputy vice-chancellor academic and copies to the dean;
  - (b) is declared insolvent, or is convicted of an offence involving dishonesty or of an offence for which he or she is imprisoned without the option of a fine;
  - (c) is declared unfit to attend to his or her personal affairs by a court of law;
  - (d) is found guilty of misconduct and demoted or dismissed; or
  - (e) is incompetent.

**73. Academic department**

- (1) There is for every faculty or school an academic department.
- (2) Academic department consists of all lecturing members of the faculty or school.
- (3) Persons invited to meetings of an academic department who are not members of the academic of such academic department may take part in discussions but are not entitled to vote.
- (4) An academic department meets regularly to discuss departmental matters.
- (5) A quorum at a meeting of an academic department comprises one half plus one of the total numbers of voting members.

**74. Functions of academic department**

- (1) An academic department and schools recommend to the faculty board for recommendation to senate, all matters relating to curricula, syllabi, courses, research, and examinations.
- (2) All rules concerning curricula, syllabi, courses, modules, research or examinations of a particular department or school must be adopted by the faculty board after they have been formally approved by the academic department or school.

## **CHAPTER 9 INSTITUTIONAL FORUM**

**75. Institutional forum (IF)**

- (1) The IF is an advisory body to council and is accountable to council.
- (2) In the event of the IF holding a view that is at variance with council's opinion on a particular matter, the opinion of council prevails.

**76. Composition of IF**

- (1) The IF consists of two representatives from each of the following designations-
  - (a) the management;
  - (b) the council;
  - (c) the senate;
  - (d) the academic employees;
  - (e) the administrative employees;
  - (f) the service employees;
  - (g) the students;
  - (h) the convocation; and
  - (i) any other bodies at the university that are recognised by council.
- (2) Nomination 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 secretary to the IF.
- (3) The term of office of members of IF is five years co-incident with the five-year term of office of the council.
- (4) The term of office of the members designated in terms of paragraph 76 (1)(g) of this statute is one year in line with the term of office of the students representative council.



- (5) A member vacates his or her seat on the IF if he or she ceases to be a member of the constituency which nominated or elected him or her, provided that the membership of a student contemplated in paragraph 82 (1) of this statute ceases automatically when he or she ceases to be a registered student.

**77. Executive committee of IF**

- (1) The executive committee of the IF consists of -
- (a) the chairperson;
  - (b) the deputy chairperson;
  - (c) the secretary to the IF; and
  - (d) three additional members.
- (2) The institutional forum must elect a Chairperson and a Deputy Chairperson from its ranks, provided that the Chairperson and the Deputy Chairperson may not be from the same constituency.
- (3) The Chairperson of the Institutional Forum is an ex officio member of Council. The Chairperson of the Institutional Forum may participate in the discussion in council but cannot vote.
- (4) The term of office of the Chairperson and the Deputy Chairperson will be five years or of a lesser duration depending on their membership with their constituencies.
- (5) If the office of the Chairperson or the Deputy Chairperson becomes vacant, the institutional Forum will elect a successor at its next meeting.
- (6) The chairperson of the Institutional Forum reports to the Institutional Forum the decision of Council on the advice submitted by the Institutional Forum to the Council.

**78. Functions of IF**

The functions of the IF are to -

- (1) advise council on issues affecting the institution, including -
- (a) the implementation of the Act and the national policy on higher education;
  - (b) race and gender equity policies;
  - (c) the selection of candidates for senior management positions;
  - (d) code of conduct, mediation and dispute resolution procedures; and
  - (e) the fostering of an institutional culture which promotes tolerance and respect for fundamental human rights and the creation of an appropriate environment for teaching, research and learning.
- (2) The advice given by the Institutional Forum must be submitted in writing by the Chairperson of the IF to the Council through the office of the Registrar, who thereafter must provide a copy to the Vice Chancellor.

**79. Secretary of IF**

The office of the registrar shall provide secretariat service to the IF.



**80. Meetings of IF**

- (1) The meetings of the IF must be convened and held in the manner, at the time and places and for the purposes prescribed by its standing orders which must be submitted to council for approval.
  - (a) The Chairperson must convene a meeting of the Institutional Forum at least twice in each semester. The date for meetings is set out in the University Calendar.
  - (b) Subject to the provisions of the statute and the Rules, the Institutional Forum must determine its meeting procedures with due observance of generally accepted norms and practices of fair administrative process.
  - (c) The quorum consists of fifty percent plus one of the total numbers of serving members (excluding vacancies) of the Institutional Forum.
  - (d) In the absence of the Chairperson, the Deputy Chairperson acts as the Chairperson, and in the absence of both the Chairperson and the Deputy Chairperson, the members present at the meeting of the Institutional Forum with the assistance of the secretary elect a member to chair the meeting.
  - (e) A written notice must be issued by the Secretary to each member of the Institutional Forum at least seven days before an ordinary meeting, indicating the time, date and place of such meeting. Such notice must be accompanied by an agenda and supporting documentation as appropriate.
  - (f) Members who wish to place additional matters on the agenda must send a written request in this regard to the Secretary at least five days before the date of the meeting, and must provide the Secretary with the documentation the member wishes to submit to the Institutional Forum.
  - (g) The Registrar must keep the minutes of the meetings and a register of the decisions of the Institutional Forum and all members of the Institutional Forum must have access to the register.
  - (h) The Chairperson or the Vice-Chancellor may convene an ordinary meeting with four days notice stating the reason for the urgent meeting and the matter(s) for discussion.
  - (i) When requested by at least one-fifth of the members of the Institutional forum, the Chairperson must convene an extraordinary meeting, provided that the request is in writing and the matters for discussion are stated. Not less than 24 hours notice must be given of such a meeting.
  - (j) No matter other than that of which notice has been given can be discussed at a meeting.
  - (k) The chairperson has a deliberative vote on every matter and, in a case of an equality of votes, also a casting vote, and
  - (l) Whenever the Chairperson so rules, voting must take place by means of a secret ballot.

## **CHAPTER 10 DONORS**

### **81. Donors**

- (1) Any person or organisation who has donated to the university an amount which is deemed as substantial by the council during the two years preceding his or her designation to the council, is deemed a donor.
- (2) The secretary to council keeps a list of names of donors and each donor may register his or her address with the secretary and inform him or her of any change of address or name.
- (3) The list of names of donors is conclusive proof that a person or body, whose name appears therein at the time of the election by the donors, is entitled to vote and that a person or body whose name does not appear on the list is not entitled to vote.
- (4) Whenever it is necessary for donors to elect a member of the council, the secretary to the council must direct that an election be held, the procedure of which is as decided by the council from time to time.

## **CHAPTER 11 STUDENTS**

### **82. Student's representative council (SRC)**

- (1) A student's representative council for the university is elected by the registered students of the university in line with the SRC constitution.
- (2) The manner of election, term of office, functions and privileges of the student's representative council are determined by the SRC Constitution.
- (3) The SRC Constitution or any amendment thereof must be approved by Council, after consultation with the SRC, and such be submitted through the Secretary of Council.

### **83. Registration of students**

- (1) Every person registered as a student at the university must sign the official registration form, thereby binding himself or herself to such conditions, rules and regulations for the students and the SRC constitution as the council may determine.
- (2) A person registered as a student of the university is registered for the ensuing academic year or semester or for such shorter period as may be determined by the council after consultation with senate generally or in any particular case.
- (3) No person is enrolled for a course for any degree or diploma or certificate unless he or she has satisfied all the pre-requisites laid down in the rules concerned.

### **84. Student discipline**

- (1) A student of the university is subject to the disciplinary provisions contained in the rules in respect of disciplinary action as determined by the council. The vice chancellor may cancel or for a specified period suspend registration of a student or admission to an academic programme and accommodation in any student hostel or residence of the university or his or her right or entitlement to utilise any other university facilities if, at any time after due

inquiry, the vice chancellor is satisfied that such disciplinary measures are in the best interest of the university.

- (2) Any disciplinary action taken by the vice chancellor in terms of (1) above may be confirmed or reversed by the council upon appeal.
- (3) Should a student for any reason institute legal proceedings against the university and have costs awarded against him/her, such costs will be debited into the student's fee account.

#### **85. Registration of and fees payable by students**

- (1) The council may, with the approval of the senate, prescribe the minimum requirements of study with which any person must comply before he or she may be permitted -
  - (a) to register as a student of the university;
  - (b) to renew his or her registration as a student; or
  - (c) if he or she is registered as a student of the university, to attend or to continue to attend the university as a student.
- (2) The fees payable by a student to the university are determined by the council.
- (3) The council may refuse to renew the registration of a student applying therefore if such student fails to comply with the minimum study requirements contemplated in subparagraph (1).
- (4) Notwithstanding anything to the contrary contained in this statute, the council may cancel the registration of a student if it considers such cancellation to be in the best interest of the university, provided that such cancellation is final and the council is obliged to furnish reasons therefore.
- (5) The council may, after consultation with the senate, limit the number of persons who may be permitted to register for any specific course of study and, where the number of applicants for the admission to such a course of study exceed the number so limited, the senate may select from the number of applicants those who are to be admitted to register for such course.
- (6) The rules relating to study programmes and syllabuses in regard to full-time and part-time studies are determined by the council on the recommendation of the senate.
- (7) The council may refuse to admit or re-admit as a student of the university any person who applies for any such admission or re-admission if the council considers it in the best interest of the university to do so and the council must furnish reasons for any such refusal.

### **CHAPTER 12 PENSION / PROVIDENT FUND**

#### **86. Pension/Provident fund**

Membership of the University of Venda Pension/ Provident Fund and Group Life is compulsory for all permanent and contract employees subject to the rules and regulations of the fund.

## **CHAPTER 13**

### **DEGREES, DIPLOMAS AND CERTIFICATES**

#### **87. Degrees, diplomas and certificates**

Subject to the NQF Act and paragraph 90 of this statute, the university may confer a degree, diploma and award a certificate upon any person who has attained the standard of proficiency determined by the university in assessment and evaluation.

#### **88. Honorary degrees**

- (1) The university may, by resolution of council, passed on the recommendation of the senate and without examination, confer an honorary degree of master or doctor in any faculty upon any person whom the university may deem worthy of such honour.
- (2) The holder of honorary degree is not, by reason of such conferral, entitled to practise that profession.
- (3) A proposal for an honorary degree, doctor or magister, to be conferred must be submitted to the vice-chancellor in writing by a member of the senate or the council.
- (4) The proposal contemplated in subparagraph (3) must be seconded by three other members of the body concerned, and must set out clearly why the degree should be conferred, taking into account the guidelines set out in the policy documents in this respect.
- (5) The vice-chancellor must refer any such proposals to the university's honorary degrees committee which must consist of the -
  - (a) the vice-chancellor as chairperson;
  - (b) the chairperson of council;
  - (c) two members of council;
  - (d) two members of senate;
  - (e) two members of the relevant faculty board;
  - (f) the chairperson of convocation; and
  - (g) the president of the students representative council.
- (6) The honorary degrees committee must make a recommendation concerning the candidate or candidates and the degree or degrees which are to be conferred, and must submit it, with detailed reasons, to a special senate meeting called for this purpose.
- (7) In the event of the honorary degrees committee deciding not to make such recommendations, this decision must be conveyed to the proposer by the vice-chancellor.
- (8) Any proposal must be treated as confidential, and all documentation in respect of any proposals for conferring honorary degrees must be retrieved by the secretary after every meeting.
- (9) The senate, at the meeting called for this purpose as contemplated in subparagraph (6), must be provided with documentation in respect of the proposal or proposals.
- (10) There must be discussions at the special senate meeting and members of the senate must vote by secret ballot on the recommendation submitted to it.
- (11) If a two-thirds majority of the members present at the special senate meeting vote in favour thereof, the recommendation must be submitted to the council.
- (12) The council must at its meeting after the special senate meeting, be provided with documentation in respect of the proposal(s) and be addressed by the proposer or proposers.
- (13) There must be no discussion at the council meeting and the council must vote by

secret ballot on the recommendation submitted to it.

- (14) The honorary degree may only be conferred if a two-thirds majority of the members present vote in favour of the recommendation.
- (15) Honorary degrees may be conferred on persons who:-
  - (a) have made an outstanding contribution to scholarship and research;
  - (b) have made an outstanding contribution to economic and industrial development in South Africa or the region;
  - (c) have an outstanding record in leadership in their professions; or
  - (d) have made an outstanding contribution to community health, welfare or the cultural well-being of the community which the university serves.
- (16) Honorary degrees may not be conferred on any current employee of the university, or anybody serving on a statutory body of the university.
- (17) On council recommending that a degree be conferred, the vice-chancellor must approach the candidate or candidates to ascertain whether they are willing to accept such a degree.

#### **89. Examinations and tests**

- (1) The assessment and evaluation of students are conducted under the control of the senate.
- (2) The university may, for the purpose of any examination or test determined by the council on the recommendation of the senate, make use of external examiners or moderators appointed by the council on the recommendation of the senate.

#### **90. Congregation and conferring or awarding of degrees, diplomas or Certificates**

- (1) No degree, diploma or certificate, other than an honorary degree, may be conferred upon any person unless the registrar certifies that such person has satisfied all the requirements prescribed for such degree, diploma or certificate.
- (2) For the purpose of conferring degrees or awarding of diplomas or certificates, a meeting to be called "Congregation of the University" is held, to which are invited members of the council, academic employees, persons upon whom degrees, diplomas or certificates are to be conferred and such other persons as the vice-chancellor may determine.
- (3) No person is entitled to any privileges attached to a degree, diploma or certificate until such time as such degree, diploma or certificate has been conferred upon or awarded to him or her at a congregation.
- (4) The congregation of the university is held at least once a year at such time as determined by the council, and is presided over by the chancellor or the vice-chancellor in the absence of the chancellor.
- (5) The procedure relating to the conferment of degrees and the academic dress to be worn are as determined by the council, and all other matters concerning the congregation are as determined by senate.

## CHAPTER 15 EMERITUS PROFESSORS AND SPECIAL CATEGORY ACADEMICS

### 91. *Emeritus professors*

- (1) The council may, on the recommendation of the senate and subject to the statute, bestow the status of emeritus professor on retired professors of the university with such rights and privileges as may be determined by the senate.
- (2) The council may, on the recommendation of the senate, engage the services and expertise of individuals as within a specific area of teaching and research for a specified period, which academics may not enjoy voting rights in anybody or committee of the university.
- (3) Persons who retire from the university having served as vice-chancellor or as deputy vice-chancellor or persons who retire after five (5) years of service as full professors, may be appointed as *emeritus professors* of the university.
- (4) Such appointment does not take place automatically but follows a recommendation to senate from the faculty board concerned, and is based on a significant contribution made in respect of academic and administration leadership.
- (5) Persons who retire from the university, but who have not served as full professors for five (5) years with proven record of sound graduates supervision, publications plus community service in the institution and outside may be appointed *professors emeritus* of the university on a written and substantiated recommendation made to the senate by the faculty board after being requested to do so by the vice chancellor and principal.
- (6) The privileges and the duties of an emeritus professor may include the following:
  - (a) referring to himself or herself as an emeritus professor of the university;
  - (b) being invited to all graduation ceremonies and related functions of the university, and to take part in any academic ceremony of the university, being placed immediately behind members of the council of the university.
  - (c) having free membership of the University Library;
  - (d) supervising post-graduate research if requested to do so by the senate;
  - (e) undertaking and publishing research approved by senate, and having access to funding to make this possible;
  - (f) having office or laboratory space allocated when available and if approved by senate; and
  - (g) qualifying for fee remission benefits as approved by council on a recommendation by senate.
- (7) Besides administrative functions contemplated in subparagraph 7(d), an emeritus professor may exercise no management or executive duties at the university, and may not be a member of the senate of the university.

### 92. *Special category academics*

Academics that have made outstanding contributions and/or are experts in their respective fields may be considered for appointments or promotions to special category academics, researchers and administrators.

## CHAPTER 16 REPEAL OF PREVIOUS STATUTE

### 93. Repeal of previous Statute

- (1) The Statute of the University of Venda promulgated in ***Government Gazette No. 40673 Government Notice No.210 of 10 March 2017.***
- (2) Anything done, anybody established and person appointed to an office under a provision of the Statute repealed by subparagraph (1) is deemed to have been done, established or appointed under the corresponding provision of this Statute, provided that such provisions are not inconsistent with any provision of this Statute.