
GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 2609

10 October 2022

HIGHER EDUCATION ACT, 1997 (Act No. 101 of 1997)**APPOINTMENT OF AN INDEPENDENT ASSESSOR TO CONDUCT AN INVESTIGATION
INTO THE AFFAIRS OF THE CENTRAL UNIVERSITY OF TECHNOLOGY**

I, Dr BE Nzimande, Minister of Higher Education, Science and Innovation, in accordance with Section 44 of the Higher Education Act (Act 101 of 1997, as amended) hereby appoint an Independent Assessor to investigate the affairs of the Central University of Technology.

The terms of reference of the Independent Assessor are attached in the Schedule.



Dr BE Nzimande, MP

Minister of Higher Education, Science and Innovation

Date: 27/09/2022

SCHEDULE

MINISTER OF HIGHER EDUCATION, SCIENCE AND INNOVATION

Terms of Reference of the Independent Assessor to Conduct an Investigation into the Affairs of the Central University of Technology (CUT)

INTRODUCTION

1. In terms of Sections 44 and 45 of the Higher Education Act, 101 of 1997, as amended (the Act), the Minister of Higher Education, Science and Innovation appoint **Professor Norman Duncan** as an Independent Assessor to conduct an investigation into the affairs of the Central University of Technology. The overall purpose of the investigation is to advise the Minister on the source and nature of problems; and measures required to restore good governance and management.

SCOPE OF THE INVESTIGATION

2. The Independent Assessor shall conduct an investigation into the:
 - a. the circumstances leading to the suspension of the former Vice-Chancellor to determine if there was any breach of the fiduciary duty on the part of the Council; the disciplinary processes and his departure from the University.
 - b. the financial management systems and practices of the institution and its business entities with a special focus on whether there are appropriate and adequate policies, and whether the policies are adequately applied; the internal audit processes; the procurement and tender processes; expenditure on legal fees; NSFAS funding management; the functioning of the financial aid office; and any specific allegations of financial irregularity that may be brought to the attention of the Independent Assessor.
 - c. the human resource policies and practices of the University, particularly in relation to enhancing organisational efficiency and employment relations at the University.
 - d. the current situation of the University governance and executive management structures, in particular their functioning and efficacy, and relationships between the various structures and portfolios.
 - e. the operations of the Office of the Registrar in relation to the management of academic affairs, registration and certification matters and any other matters that the Independent Assessor believes warrant investigation.
 - f. the veracity of allegations and complaints received by the Minister; and any matters that, in the opinion of the Assessor, may impact on the effective functioning of the University.

3. The Independent Assessor shall report to the Minister in writing of the findings of the investigation together with the reasons upon which the findings are based; and suggest in the report appropriate measures and provide the reasons why the measures are needed.
4. The Independent Assessor must be mindful of provisions of the provisions of section 45A of the Act in conducting the investigation.

DURATION

5. The Independent Assessor must complete his/ her work and submit a written report to the Minister within 90 days from the date of publication of this notice.