

**DEPARTMENT OF HIGHER EDUCATION AND TRAINING**

NO. 7026

23 January 2026

**HIGHER EDUCATION ACT, 1997 (ACT NO. 101 OF 1997)****INSTITUTIONAL STATUTE****UNIVERSITY OF VENDA**

I, Mr Kgwaridi Buti Manamela, MP, Minister of Higher Education and Training in accordance with section 33 (1) of the Higher Education Act, 1997 (Act No. 101 of 1997, as amended), hereby publish the amended Institutional Statute of the University of Venda set out in the Schedule attached hereto.

**Mr KB Manamela, MP****Minister of Higher Education and Training**

Date: 8/12/2025

**AMENDED STATUTE OF THE 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 responsible for Higher Education and Training, and which comes into operation on the date of this publication.

**SCHEDULE**

**To introduce an amended Statute of the 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 and responsible 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 the 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;

“**chancellor**” means the chancellor of the University, referred to in chapter 3 of this Statute;

“**Chief Financial Officer (“CFO”)**” means a person appointed as a chief financial officer by the Council with the duties and powers as assigned by Council pursuant to this Statute;

“**Chief Operating Officer (“COO”)**” means a person appointed as a chief operating officer by the Council with the duties and powers as assigned by Council pursuant to this Statute;

“**core business of the University**” means teaching, research, vocation and community engagement

“**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 17 of this Statute;

“**days**” means week days and include Saturdays, Sundays, public holidays and University holidays, except where otherwise indicated in this Statute;

“**due notice**” means a notice dispatched by written notification through a recognized means of communication, including electronic mail or physical delivery to the last address registered with the registrar 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 and equivalent to the role of “vice principal” as contemplated in the Act;

“**employee**” means, an academic or non-academic employee of the University, whether appointed on a permanent or fixed-term contract, and specifically excluding independent contractors;

“**executive management**”, for purposes of the University, refers to the positions whose appointment fall within the competence of the Council as contemplated in section 31(1)(a)(iii) of the Act and includes the Vice-Chancellor, the deputy Vice-Chancellors, registrar, the chief financial officer, the chief operating 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;

“**Institutional Forum (“IF”)**” means the body contemplated in section 31 of the Act and composed in accordance with chapter 9 of this Statute;

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

“**majority**” means fifty percent plus one (50% + 1) of the votes cast by members present at a meeting that is quorate, or in the case of matters determined by written resolution outside a meeting (“round robin approvals”), fifty percent plus one (50% + 1) of the votes cast by members equivalent to a meeting that is quorate.. ;

“**management**” means the executive management and senior management of the University;

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

“**months**” means calendar months;

“**Non-Academic Employee**” means an employee of the University other than an academic employee, who renders academic support or performs other administrative and operational duties to the University (e.g. student support, human resources management, financial management, building and maintenance services, etc.);

“**principal**” means the official contemplated in section 1 of the Act who is also the Vice Chancellor;

“**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;

“**semester**” means a part of the calendar for the academic activities of the University, approved by the Council on the recommendation of the Senate and comprised of a period of six (6) calendar months;

“**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 purposes of the University, members of the executive management, from time to time; the executive deans of faculties and the directors in the administrative departments;

“**service employee**” means an employee of the university whose primary duties and responsibilities are to perform work of a general nature such as providing security services, manual labour services, cleaning services and the maintenance of buildings and grounds.

“**student**” means any person currently registered at the University for a programme of study leading to a degree, diploma or certificate or registered or enrolled for any course or programme of instruction of the University;

“**Student Representative Council (“SRC”)**” means the body contemplated in section 35 of the Act and composed in accordance with paragraph 86 of this Statute;

“**University**” for purposes of this Statute means the University of Venda;

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

“**Vice-Chancellor**” means the principal as contemplated in section 1 of the Act, who also is the chief executive, accounting and academic officer of the University;

“**working day**” means any day of the week excluding Saturdays, Sundays, public holidays and University 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 and the Statute hereto.
- (3) The seat of the University is at University Road, corner of Mphephu Drive, Thohoyandou, 0950 in the Limpopo Province as contemplated in section 65A(1) of the Act.
- (4) The University is a juristic person, as contemplated in section 20(4) of the Act.

- (5) Notwithstanding subparagraph (3) 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.
- (6) The University functions in accordance with the Act, the Statute and the institutional rules of the University approved by the Council from time to time.
- (7) 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.
- (8) 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 the following offices and structures:
  - (a) the chancellor;
  - (b) the Council;
  - (c) the Senate;
  - (d) the Vice-Chancellor;
  - (e) the deputy Vice-Chancellors;
  - (f) the registrar;
  - (g) the chief financial officer;
  - (h) the chief operating officer;
  - (i) the institutional forum;
  - (j) the convocation;
  - (k) the student representative Council;
  - (l) the employees of the University;
  - (m) the students of the University;
  - (n) such faculties and schools as the Council may establish, after consultation with the Senate, and
  - (o) any other office or structure 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 where the provisions of the Statute relating to any such meeting have in all other respects been complied with.

### CHAPTER 3

#### CHANCELLOR

##### 4. Functions of the Chancellor

- (1) The Chancellor is the titular head of the University and shall exercise no executive powers.
- (2) The Chancellor presides over all congregations of the University and, in the name of the University, confers all degrees and awards all diplomas and certificates to the recipients.
- (3) The Chancellor is not an employee of the University and shall not be deemed as such.
- (4) In the absence of the chancellor or when the office of the chancellor is vacant, the Vice-Chancellor or in his or her absence, any of the deputy Vice-Chancellors, confers all degrees and awards all diplomas and certificates in the name of the University.
- (5) The Chancellor performs such other functions as are assigned to him or her by Council.
- (6) The Vice-Chancellor exercises the functions of the Chancellor in his or her absence.

##### 5. Term of office of the Chancellor

- (1) The Chancellor holds office for a period of five years unless he or she tenders his or her resignation in writing to the Council or vacates his or her office for any reason before the expiry of the term concerned.
- (2) The position of chancellor is renewable once if the Council deems it fit for another term not exceeding five (5) years..
- (3) The term of office of the Chancellor terminates in the event of:
  - (a) death or incapacity,
  - (b) resignation;
  - (c) removal from office by the Council by a resolution passed by at least two thirds of all voting members of the Council who are present at the meeting;
  - (d) a court order being issued against the incumbent;
  - (e) the incumbent being convicted of an offence involving dishonesty, rape, gender-based violence; harassment in any form; hate speech or unfair discrimination; irrespective of the nature of the sentence, whether or not in the form of direct or suspended imprisonment or a fine;
  - (f) the incumbent being declared insolvent and/or removed from a position of trust by a competent court;
  - (g) the incumbent being declared unfit to attend to his/her personal affairs by a competent court; or

- (h) expiry of the term of office.
- (4) The resolution contemplated for the removal of the Chancellor, may not be passed without prior notice to the Chancellor of the pending motion for his or her removal and the reasons thereof, and further affording the Chancellor a reasonable opportunity to present his or her case.
- (5) A Chancellor shall be suspended by Council in the event of any pending investigations or proceedings relating to the offences of dishonesty; rape; gender-based violence; harassment in any form; hate speech or unfair discrimination; removal from office on account of trust; or impending declaration as incompetent to manage own affairs or such pending insolvency; and shall be obliged at all material times to declare to the Council any such occurrence or event. Any omission or failure to declare or advise Council or the university shall be deemed as misconduct.

## **6. Election of the Chancellor**

- (1) The Chairperson of the Council or in his or her absence the Vice-Chancellor, determines the date on which a meeting of the Council must be held for the purpose of electing a chancellor.
- (2) The date contemplated in subparagraph (1) must be within 90 days before the office of the Chancellor becomes vacant.
- (3) The secretary to the 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 the Council of the date, place and time of the meeting contemplated in subparagraph (1).
- (4) The secretary to the Council must, within the period contemplated in subparagraph (3), invite the Council, students, employees and members of the convocation to submit written nominations for the office of chancellor.
- (5) The completed documents for the nomination of candidates must reach the secretary to the Council at least 21 days before the date of the meeting contemplated in subparagraph (1), and must include the nominee's written consent and his or her curriculum vitae.
- (6) A candidate Chancellor who has been convicted or found guilty and sentenced to direct or suspended imprisonment or fined or having any pending investigations or proceedings in respect of offences relating to dishonesty, rape, gender-based violence, harassment in any form; hate speech or unfair discrimination; or declared insolvent, or incompetent to manage own affairs; or removed from office on account of trust may not be elected to the office of Chancellorship.
- (7) The secretary to the Council must, within 5 days of receiving valid nominations, as contemplated in subparagraph (5), give due notice to every member of the Council and the Institutional Forum of such nomination.

- (8) If there is only one person nominated, the secretary to the Council shall forthwith declare such nominee to be duly elected or to be so elected from the date on which the vacancy is to occur.
- (9) Where there is more than one person nominated, the secretary to the Council shall arrange a special meeting of the Institutional Forum before the meeting contemplated in subparagraph (1), to consider the nominations and advise the Council on the appointment of a candidate to the office of Chancellor.
- (10) After due consideration of the advice of the Institutional Forum the Council shall elect the Chancellor by secret ballot.
- (11) A candidate is elected to the office of chancellor by a majority of the members present at the meeting contemplated in subparagraph (1), with each member of the Council having only one vote during the election.
- (12) If no candidate receives a majority of votes, successive rounds of voting are held.
- (13) In each successive round of voting, the candidate with the least support in the previous ballot is eliminated as a candidate.
- (14) In the event of a tie the Chairperson may use his or her casting vote in favour or against a candidate.
- (15) The name of the newly elected chancellor is announced to the University community after the Council meeting by the Chairperson of the Council.

#### **7. Vacancy in the office of Chancellor**

- (1) If the office of the chancellor becomes vacant, as contemplated in paragraphs 5(1) and (3), the secretary to the Council must, within fourteen days of the occurrence of the vacancy, give due notice to each member of the Council of such vacancy 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) Where the Chancellor has served his or first term of office and his or her term of office is due to expire the secretary to the Council must, not more than three months prior to the expiry of the term of office of the chancellor, give due notice to every member of the Council of the pending expiry of the chancellor's first term of office. The notice must afford the members an opportunity to indicate if they deem the Chancellor fit to be re-elected for a second term.
- (2) If a majority of the members of the Council express support for the consideration of the incumbent Chancellor for election to a second term, the name of the Chancellor shall form

part of the nominees provided for in paragraph 6 and be considered as part of the process contemplated in paragraph 6 and the ensuing subparagraphs. Conversely, if the majority of the members of the Council do not deem the chancellor eligible for re-election the process contemplated in paragraph 6 and subsequent subparagraphs shall proceed unabated.

## 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 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 the provisions of sections 31(1)(a)(iii) and 34(1) – (3) of the Act.
- (2) The Council, subject to the institutional rules and sections 31(1)(a)(iii) and 34(1) – (3) 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, after consultation with the Senate and the Institutional Forum.
- (4) Where the Council elects not to reappoint the Vice Chancellor for a second term of office the position may be advertised, provided that the Council may allocate a role to the Vice Chancellor for such period and under such conditions as the Council may deem fit, to support the new Vice Chancellor to transition into the new role and as a way of promoting continuity and sustainability.
- (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 Council appoints the Vice-Chancellor on a five-year performance-based contract renewable subject to performance evaluation if Council deems it fit after such consultation as is 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 the Council;
  - (b) is declared insolvent;
  - (c) is convicted of an offence involving dishonesty or an offence for which he or she is sentenced and found guilty irrespective of whether it is a direct or suspended sentence, or a fine; including harassment in any form; gender-based violence; hate speech or unfair discrimination;
  - (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 position.

#### **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 or 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, the 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 the Council and they are appointed by the Council on a five-year performance-based contract renewable by Council subject to performance evaluation, provided that the deputy shall not serve more than two terms.
- (2) The appointment of deputy Vice-Chancellors is in the manner contemplated in paragraphs 9 and 10 of this Statute.

- (3) In the event of the absence of a deputy Vice-Chancellor, an acting deputy Vice-Chancellor is appointed in the manner contemplated in paragraph 11 (1) and (2) of this Statute.
- (4) A vacancy in the office of the deputy Vice-Chancellor is filled in the manner contemplated in paragraph 11 (4) of this Statute.
- (5) The deputy Vice-Chancellor vacates office in the circumstances contemplated 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-Chancellors are determined by the Vice-Chancellor in consultation with Council.

### **13. Registrar**

- (1) The registrar is the chief administrative and compliance officer of the University. The registrar is also a secretary to the Council, Senate, Convocation, Institutional Forum and all Committees of such structures.
- (2) The registrar may participate in the discussion of the Council, governance structures and all other Committees of the Council but may not vote.
- (3) The registrar is accountable to the Vice-Chancellor and the Council.
- (4) The registrar is the custodian of the records, documents and information pertaining to academic records and the minutes and resolutions of the Council, Committees of Council, other governance structures and the management Committees of the University.
- (5) The appointment of the registrar is in the manner contemplated in paragraphs 9 and 10 of the Statute.
- (6) The absence of the registrar is dealt with in the manner contemplated in paragraph 11 (1) and (2) of this Statute.
- (7) The vacancy in the office of the registrar is filled in the manner contemplated in paragraph 11 (4) of this Statute.
- (8) Vacation of office by the registrar arises in the circumstances contemplated in paragraph 10 (2) of this Statute.
- (9) The salary and other conditions of service of the registrar are determined by the 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 paragraphs 9 and 10 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) and (2) of this Statute.
- (3) A vacancy in the office of the chief financial officer is filled in the manner contemplated in paragraph 11 (4) of this Statute.
- (4) The chief financial officer vacates office in the circumstances contemplated in paragraph 10 (2) of this Statute.
- (5) The salary and other conditions of service of 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.

**15. Chief Operating Officer**

- (1) The appointment of the chief operating officer is in the manner prescribed in paragraphs 9 and 10 of this Statute.
- (2) In the event of the absence of the chief operating officer, an acting chief operating officer is appointed in the manner determined in paragraph 11(1) and (2) of this Statute.
- (3) A vacancy in the office of the chief operating officer is filled in the manner contemplated in paragraph 11(4) of this Statute.
- (4) The chief operating officer vacates office in the circumstances contemplated in paragraph 10(2) of this Statute.
- (5) The salary and other conditions of service of the chief operating officer are determined by Council.
- (6) The powers and duties of the chief operating officer are determined by the vice chancellor in consultation with the Council.
- (7) The term of office of the chief operating officer is as per paragraph 10 of this Statute.

**CHAPTER 5****COUNCIL****16. Functions of the Council**

- (1) Subject to the law and this Statute, the function of the Council is to govern the University.
- (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 and 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 the policy on recruitment, selection and placement for all employees of the institution;
  - (f) Determines the student admission policy of the institution, after consultation with the Senate; and
  - (g) Provides for and establishes a suitable structure to advise on the policy for 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 the Senate-
    - i) the academic structures required and the functions of each structure, in order to ensure efficient governance; and
    - ii) the appointment of academic employees.
  - (e) Determines with the approval of the Senate-
    - i) The entrance requirements for particular higher education programmes; the number of students who may be admitted for a particular 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, where applicable; and
  - (g) approves the annual budget of the institution.

- (4) The Council may, pursuant to section 68 of the Act, delegate by resolution or in a relevant delegations framework, any of its functions, except for the following functions:
- (a) The making or review of the institutional statute;
  - (b) Entering into a loan or an overdraft agreement; and
  - (c) The construction of a permanent building or other immovable infrastructural development; the purchase of immovable property or the long-term lease of immovable property.
- (5) Where the Council delegates or assigns any function as contemplated in subparagraph (4), it is not thereby divested of its responsibility for the performance of any such function.

### 17. Composition of the Council

- (1) Council is comprised of both internal and external members and is composed as follows -
- (a) the Vice-Chancellor;
  - (b) the deputy Vice-Chancellor: teaching and learning;
  - (c) the deputy Vice-Chancellor: research and postgraduate studies
  - (d) the chief financial officer;
  - (e) the chief operating officer;
  - (f) eight members with a broad spectrum of skills and competencies in the fields of higher education, policy, auditing, accounting, finance, human resources, governance, risk, compliance, law, information technology, engineering and infrastructure and facilities management appointed by the Council, and such other skills as Council may from time to time determine;
  - (g) five persons appointed by the Minister;
  - (h) one person appointed by the Premier of the Limpopo Province;
  - (i) two persons elected by the Senate from among its members;
  - (j) two persons elected by convocation;
  - (k) two Student Representatives 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;
    - (o) one person from local government appointed by Council from nominations received from each of the municipalities in the Vhembe district municipality, based on the skills determined by Council;
  - (p) one person from the local traditional authority designated by Council;
- (1A) The persons referred to in subparagraph 1(f), (g), (h), (j), (o) and (p) must not be employees or students of the University.
- (1B) A person who is nominated and / or elected to the Council must be fit and proper to serve on the Council in terms of the eligibility requirements determined in the relevant institutional rule. Furthermore, with the exceptions of the members mentioned in subparagraph 1(a), (b), (c), (d), (e), (i), (k), (l), (m) and (n) -

- (a) no student or employee of the University and no other person in receipt of regular remuneration from the University is eligible for appointment or nomination for election as a member of the Council.
  - (b) a member of the Council who becomes a student or an employee of the University or who enters into a contract with the University in terms of which he or she is to receive regular remuneration from the University must forthwith vacate his or her seat on the Council.
- (2) The registrar is the secretary to the Council and has no voting powers;
- (3) A member of the Council, other than the Vice-Chancellor, the deputy Vice-Chancellors, the chief financial officer and the chief operating officer vacates his or her office if he or she -
- (a) is absent without the Council's leave for two consecutive ordinary meetings of the 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 – provided that in the case of offences relating to dishonesty, harassment of any form, gender-based violence; hate speech or unfair discrimination, a member shall vacate office irrespective of the nature of the sentence;
  - (e) is recalled by his or her constituency;
  - (f) is found guilty of an offence that the Council considers to be of a serious nature.
  - (g) 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) being 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 the Council, is of such a serious nature that the member's continued membership of Council is not desirable.
  - (i) is elected or appointed by a particular interest group and the Council member's membership of/or association with the interest group is terminated.
- (4) The Council may by a resolution of a two-thirds 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 inform the affected member's constituency about the decision.
- (5) A vacancy in the 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.
- (6) The allowances payable to external members of Council or a committee of Council are determined through an independent process as facilitated by the Executive Management Committee.
- (7) Council elects a Chairperson and vice-Chairperson from its numbers, provided that the Chairperson and vice-Chairperson must not be employees of the University.
- (8) The Chairperson shall serve for the full term of Council or the remainder thereof if a vacancy has arisen, provided that he or she may be re-elected for a second and final term of office for the maximum of two terms.
- (9) The Council may grant observer status to a person entitling him or her to attend meetings of the Council without voting powers.

**18. Manner of appointment, election or designation of Council members**

- (1) The Senate, from amongst its members, elects in the manner contemplated in paragraph 47 of this Statute, two members to serve as members of the Council.
- (2) The Convocation elects two members to serve as members of the Council in the manner as determined by the Constitution of the Convocation.
- (3) The election of structures, students and employees is by secret ballot in open general elections conducted by an independent body coordinated by the registrar, where all tiers of employees are allowed to vote across the board for fellow employees within their constituencies.
- (4) The two members of the Student Representative Council are elected in accordance with the SRC Constitution.
- (5) The nomination of a representative from the local municipality Council is done in accordance with a resolution of such local municipality, in line with the skills requirements determined by the Council.
- (6) The ten members appointed by the Council to serve as members of Council based on their broad spectrum of competencies are appointed in accordance with a resolution of the Council.
- (7) The name of a person appointed, elected, or designated as a member of the Council, must be furnished to the secretary to the Council by the relevant body or person as soon as reasonably practicable after such appointment, election or designation.

**19. Term of office of Council members**

- (1) A member of Council appointed, nominated or designated in terms of the Statute, excluding students, holds office for a period of five years from the time of appointment.
- (2) A members of the 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; provided that an elected member of the Student Representative Council may contest elections for a further term of one (1) year (whether consecutively or otherwise) and may, on this basis, if successful, be appointed to Council for a second and final term of one (1) year.
- (4) An officer of the University who becomes a member of the Council by virtue of his or her office, remains a member of the 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 the Council.

**20. Vacancies in the Council and notification of expiry term of office**

- (1) If the membership of a member of the Council terminates for any reason before the expiry of the period for which he or she was appointed, nominated or designated, the secretary to the Council must inform the body or person that appointed, elected or designated such member

to appoint, elect or designate a new member to replace the member who vacated office as soon as reasonably practicable thereafter.

- (2) The term of office of the new member shall commence on the date on which he or she was appointed, elected or designated and be durable for a period of five years as contemplated in paragraph 19(1), subject to the provisions of paragraph 19(2).

## **21. Chairperson and Vice-Chairperson of the Council**

- (1) The Council appoints, from its members who are not employees or students of the University, a Chairperson and a Vice-Chairperson.
- (2) Whenever a vacancy arises in the position of Chairperson or vice-Chairperson of the Council the secretary to the Council must invite written nominations for those positions from members of the Council, who must submit such nominations to the secretary to the Council within the designated closing date.
- (3) If more than one candidate is nominated for any of the positions, voting must be by secret ballot.
- (4) The Chairperson or vice-Chairperson of the Council must be elected by a majority of the members present at a duly constituted meeting of Council.
- (5) The Council decides, before the elections contemplated in subparagraph (3) on the electoral system to be employed.
- (6) The Chairperson, the vice-Chairperson and other office bearers occupy their respective offices for a period coincident with their memberships of Council but, in any case, for a period up to but not exceeding five years.
- (7) 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.
- (8) If the Chairperson and the vice-Chairperson are not available for any Council meeting, members of Council elect one of the external members as Chairperson to preside at a particular meeting.

## **22. Secretary to the Council**

- (1) The registrar is the secretary to Council.
- (2) The 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 and in respect of all elections .

- (4) The registrar shall attend all meetings of the Council.

### **23. Council meetings**

- (1) Ordinary meetings
- (a) The Council holds four ordinary meetings per year, which are held quarterly.
  - (b) A quorum consists of fifty percent plus one of the total number of Council members.
- (2) Special meetings
- (a) A special meeting of the Council may be called by the Chairperson in cases of urgency. A special meeting may also be convened at the request of at least ten (10) members, half of whom must be external members, if
    - (i) the purpose of the meeting is clearly stated in the request for a special meeting;
    - (ii) no business other than that stated in the request is dealt with at the meeting; and
    - (iii) at least three (3) working days' notice of such meeting is given.
  - (b) A quorum consists of fifty per cent plus one of the total number of Council members.

### **24. Attendance of Council meetings**

- (1) The Council may invite persons who are not members to attend Council meeting on certain agenda items that are relevant to them, who may also take part in the discussion provided such persons shall not be entitled to vote.

### **25. Notice of meeting**

- (1) The secretary to Council must, not less than seven days before the date set for any meeting, give due notice of such meeting to each member, accompanied by the meeting agenda containing all matters to be dealt with at the meeting, and 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.

### **26. 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.

### **27. Minutes**

- (1) The secretary to Council keeps record of the minutes of each meeting of Council and must include such minutes in the agenda of the next meeting of Council.

- (2) An ordinary meeting of Council, after being constituted and opened, commences with the reading and confirmation 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.

#### **28. 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 in-committee forthwith, whereupon any member is entitled to speak more than once on the subject under discussion.

#### **29. 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) If members present during any vote on a motion abstain from voting, this must be recorded in the minutes.

#### **30. 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.

**31. Proposal / motion 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) Upon secondment the proposal must be put to the vote and proceeded with only if the majority of members vote in favour thereof, or if there is no objection the proposal.
- (3) A proposal may not be withdrawn without the consent of the meeting.

**32. Ruling of Chairperson**

- (1) 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 discussion. The decision of the meeting in this regard is final.

**33. 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 three-quarters of the members present at the meeting referred to in subparagraph (2), the motion lapses.

**34. 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, all the members of the Committees of 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, personal or other interest in any matter to be discussed at the meeting must declare such an interest in writing before the commencement of such meeting or before the business of the meeting is transacted.
- (3) Any member of the University community has the right to inform the Chairperson in writing, before any meeting, of a conflict of interest or possible conflict of interest in respect of any member of the Council or a committee.

- (4) Any conflict or possible conflict of interest declared in terms of subparagraphs (2) and (3) hereof must be dealt with in accordance with the provisions of section 27(7B) and (7C) of the Act.

### **35. Committees of Council**

- (1) The Council shall appoint the following Committees of Council:-
- (a) executive committee of Council;
  - (b) human resources and remuneration committee of Council;
  - (c) audit committee of Council;
  - (d) finance committee of Council;
  - (e) student affairs committee of Council;
  - (f) facilities planning and infrastructure committee of Council, and
  - (g) governance, risk and compliance committee of Council.
- (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 powers and functions of such a committee shall be in accordance with the terms of reference of such a committee, as approved by Council.
- (4) The members of Committees other than the members of the executive of Council hold office for the remaining terms of their appointment to Council, but, in any case, for a period not exceeding five years. The members of the executive committee of Council hold office by virtue of being the Chairpersons of committees of Council or being specifically designated or elected as members of the executive committee.
- (5) Chairpersons of Committees of Council shall be external members of Council who are not employees or students of the University.

## **CHAPTER 6**

### **SENATE**

#### **36. Composition of the Senate**

- (1) The Senate of the University consists of:-
- (a) the Vice-Chancellor;
  - (b) the deputy Vice-Chancellors;
  - (c) the chief financial officer;
  - (d) the chief operating officer;
  - (e) two members of the Council, elected by the Council;
  - (f) all executive deans of faculties;
  - (g) all deputy deans;
  - (h) all directors of schools;
  - (i) professors of the University who are not executive deans or deputy deans or directors of schools;

- (j) three members from each of the faculties who are senior lecturers of the University and who are not deans or deputy deans or directors of schools, elected by the members of each of the faculties;
  - (k) two members from each of the faculties who are lecturers of the University, elected by the members of each of the faculties;
  - (l) one member from each of the faculties who is a junior lecturer, elected by the members of each of the faculties;
  - (m) the director library services of the University;
  - (n) the director legal services;
  - (o) the directors or heads of a Senate-approved academic department, bureau, academic centres and institutes;
  - (p) one student, other than a first year student, for each Faculty, elected by the students of the Faculty concerned; and
  - (q) at least two members of the student representative Council elected by the 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 and the remainder of the term shall be deemed to constitute a full term of office
- (5) The Senate submits to Council -
- (a) reports of its activities;
  - (b) such recommendations as it may deem expedient regarding any matter of interest for the advancement of the academic project of the University; and
  - (c) recommendations regarding any matters referred to it by Council.
- (6) The Registrar is the secretary to the Senate and has no voting powers.

### **37. Joint Committees of Council and Senate**

- (1) The Council and the Senate may assign any of the powers or functions that they have in common to any joint committee, but they are not thereby divested of any power or function so assigned and may amend or set aside any decision of such committee.
- (2) Such a committee consists of as many members of Council and 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.
- (3) 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.

- (4) 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.

### **38. Term of office of members of Senate**

- (1) The members of the Senate elected by the Council and referred to in paragraph 36 (1)(e) 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 three 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, renewable to a second and final year, if re-elected, as long as they remain registered students.

### **39. Functions of the Senate**

- (1) The Senate -
  - (a) makes recommendations to the Council concerning the creation of new academic 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 and deputy deans of each Faculty;
  - (d) appoints the directors of schools and the heads of departments for departments within faculties and schools;
  - (e) appoints directors of centres or institutes in the faculties and schools or as approved by Faculty boards;
  - (f) recommends to Council the functions of executive deans, deputy deans, directors and heads of departments;
  - (g) recommends policies and rules on tuition, research and innovation in the various faculties, schools, departments, centres, institutes and academic units, for approval by Council, and regularly monitors alignment with such rules in the conduct of lectures, research and innovation;
  - (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, including admission and re-admission requirements after consultation with the Faculty boards;
  - (j) makes recommendations to the Council on the conditions for the awarding or revocation 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 the academic dress;
  - (l) regulates all other academic matters for which no provision has been made in the Statute;
  - (m) makes recommendations to the Council concerning the appointment of emeritus professors, adjunct Faculty, 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 programmes of all 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 the Senate**

- (1) The Vice-Chancellor is the Chairperson of the 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 a majority of votes.

#### **41. Secretary to Senate**

- (1) The registrar is the secretary to Senate and he or she may designate any 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 may take part in the discussions but may not vote.

#### **42. Meetings of the 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 meetings 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**

- (1) A quorum consists of half plus one of the total number of members.

#### **45. Agenda for Senate meetings**

- (1) 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 the Senate on the 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 for one further and final term.
- (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 the 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 present at the said ordinary meeting.

#### **49. Minutes of Senate meetings**

- (1) The secretary to the Senate keeps the minutes of the proceedings at all meetings and includes a report of all resolutions, as well as the necessary documentation concerning matters for decision by the Council, on the agenda of the next Council meeting following each meeting of Senate.
- (2) The resolutions of an ordinary meeting of the 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 the 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**

- (1) 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, whereafter 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. Chairperson.
- (4) 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.
- (5) All abstentions to a proposal must be recorded in the minutes.
- (6) 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 the Chairperson of the Senate**

- (1) 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 the 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 an 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**

#### **56. Composition of Convocation**

- (1) The convocation consists of -
  - (a) all the persons, other than the persons referred to in subparagraph 1(b), who were immediately before the commencement of this Statute members of the convocation of the University;
  - (b) the Vice-Chancellor, the deputy Vice-Chancellors and the registrar;
  - (c) the permanent academic employees of the University with five years of working experience and retired academic employees designated by the Council on the recommendation of the Senate to be members; and
  - (d) all graduates of the University; provided that if any person who is a member of convocation by virtue of subparagraphs (1)(a) 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.
- (2) Any member of the Convocation may at any time nominate in writing any person to become an honorary member of the Convocation and shall submit such a written nomination, co-signed by at least ten members of the Convocation and accompanied by a detailed

curriculum vitae of the nominated person to the secretary to the Convocation. The secretary shall submit verified nominations to the executive committee of the Convocation for their consideration and their decision. The secretary shall inform the nominator of the outcome of the process and shall ensure that the recognition and conferring of honorary membership are appropriately communicated to the nominated person.

#### **57. Constitution of convocation**

- (1) 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 terms 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 the Convocation keeps a convocation roll showing the full names and the addresses of the members of the 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 the Convocation and of the fact that he or she is entitled to vote.
- (4) Once the voting day for the election of the executive committee of the Convocation is announced, the voters' roll will open for registration for 15 calendar days.

#### **59. Election of office bearers of the Convocation**

- (1) With the exception of ex-officio members and members designated by other constituencies the president, vice-president and the five additional members of the Convocation are elected by the Convocation through an electronic ballot / a secured online voting system, or a manual process, or both.
- (2) The secretary to convocation is the electoral officer who determines the procedure(s) of elections of convocation.
- (3) In carrying out his or her duties as electoral officer the secretary of the Convocation must be assisted by two scrutineers appointed by the Vice-Chancellor.
- (4) No student or staff member may be eligible for election as a member of 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 or business experience should have lapsed after graduating from the University.

- (6) On the first meeting of the newly-elected Executive Committee of Convocation, the Executive Committee shall allocate portfolios to the elected additional members for the proper functioning of the Convocation.
- (7) With the exception of ex officio members, members of the executive committee of the Convocation shall hold office for a period of five year.
- (8) No student or staff member shall be eligible for election to the Executive Committee of Convocation.
- (9) Should any member of the Convocation executive elected by the Convocation, vacate his or her office before the expiry of his or her term, the convocation executive may appoint a member of the Convocation to fill such a vacancy until the following annual general meeting of the Convocation when an election shall take place to fill the vacated office for the balance of his or her term.
- (10) Except for ex officio members, the term of office of Convocation executive member shall terminate if he or she is absent for three consecutive meetings without leave of the convocation executive.

#### **60. President of the Convocation**

- (1) No employee or student of the University shall be elected as 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 those of the executive committee 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 at a meeting of convocation or the executive committee of convocation must, under the guidance of the secretary to convocation, elect a Chairperson for that meeting from amongst themselves.

#### **61. Notice of meetings of convocation**

- (1) 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 the Convocation**

- (1) All meetings of convocation take place at a venue determined by the executive committee of 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 nine 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.
- (4) The Annual General Meetings of the Convocation shall be conducted in a manner as determined by the constitution of the Convocation.

### **63. Executive committee of convocation**

- (1) The executive committee of the Convocation consists of -
  - (a) the president of convocation;
  - (b) the vice president of convocation;
  - (c) one member of Council elected by Council;
  - (d) five persons elected by the convocation from amongst convocation members, as contemplated in paragraph 60(1);
  - (e) one member of Senate appointed by Senate;
  - (f) the Vice-Chancellor and principal;
  - (g) the director of marketing, branding and communications;
  - (h) the director of legal services. and
  - (i) one Convocation member living with disabilities elected by the Convocation from amongst Convocation members.
- (2) The registrar or his or her representative is the secretary to convocation and has no voting powers.

### **64. Duties of the executive committee of Convocation**

- (1) The executive committee of convocation must -
  - (a) administer the affairs of the convocation;
  - (b) discuss and on behalf of the convocation state their opinion upon any matters relating to the University or to the convocation, including matters that may be referred to it by Council; and
  - (c) Establish and support alumni structures of the University.

### **65. Funds of Convocation**

- (1) All monies pertaining to the business of the Convocation are administered by the Registrar of the University according to the University's financial policies.

- (2) Any monies raised through the efforts of the Convocation are administered by the finance department of the University.

#### **66. Quorum and procedure at meetings of Convocation**

- (1) Fifty (50) members of the Convocation, either present in person or via an online platform, constitute a quorum for the purposes of Convocation meetings and the majority of members constitute a quorum for purposes of meetings of the executive committee of convocation.
- (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 submitted to the Council and the Senate for their information.

#### **67. Representatives of the Convocation on the Council**

- (1) 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. Faculty Boards**

- (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 deans of the Faculty;
  - (c) directors of schools;
  - (d) heads of departments;
  - (e) the professors of the Faculty;
  - (f) all lecturers of that Faculty;
  - (g) such other persons as the Faculty board itself may from time to time determine; and
  - (h) 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 the 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 executive dean or deputy-dean, representing the executive 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**

- (1) 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 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 Senate Council deems it fit, provided that the executive 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 the Senate.
- (3) The executive dean reports to the deputy Vice-Chancellor: teaching and learning.
- (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 the University policies and 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 found to be incompetent, following a process sanctioned by the executive management committee.

## **72. Deputy deans**

- (1) Two deputy deans shall be appointed under each Faculty, namely a deputy dean teaching and learning and a deputy dean research and postgraduate studies.
- (2) A deputy-dean is appointed for a period of five years in terms of the institutional rules.
- (3) The deputy-dean teaching and learning reports to the executive dean of the Faculty concerned and performs any duty given to him or her by the executive dean.
- (4) The deputy-dean research and postgraduate studies provides support in relation to academic research and postgraduate studies and reports to the executive dean.
- (5) The deputy-dean vacates office as per paragraph 71(8)(a-e).

## **73. Academic departments**

- (1) There is for every Faculty a school or academic departments.
- (2) Schools and academic departments consist of all lecturing members of the Faculty.
- (3) Persons invited to meetings of an academic department who are not members 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 recommends 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, prior to submission to Senate.

#### **75. Head of department**

- (1) The head of a department is appointed for a period of five years in terms of the institutional rules.

#### **76. Functions of heads of departments**

- (1) The functions of heads of departments are in terms of the institutional rules.

#### **77. Directors of schools, institutes and centres**

- (1) The director of a school, institute or centre is appointed for a period of five years in terms of the institutional rules.

#### **78. Functions of directors of Schools and Institutes**

- (1) The functions of directors of schools and institutes are in terms of the institutional rules.

### **CHAPTER 9 INSTITUTIONAL FORUM**

#### **79. 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, however, Council must provide written reasons as to why the advice of the IF is not accepted.

#### **80. 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 legal services department;
  - (h) the students;

- (i) the convocation; and
  - (j) any other bodies at the University that are identified 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 student representatives is one year in line with the term of office of the Students Representative Council, renewable for a further and final one-year term, if re-elected to the Student 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 member ceases automatically when he or she ceases to be a registered student.

### **81. 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;
  - (d) director legal services; and
  - (e) three additional members elected by the IF from its ranks.
- (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 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.
- (4) If the office of the Chairperson or the deputy-Chairperson becomes vacant, the institutional forum will elect a successor at its next meeting.
- (5) 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.

### **82. 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 Council through the office of the registrar, who thereafter must provide a copy to the Vice-Chancellor. Where the IF submits advice to Council, the Chairperson of the IF shall be invited to the Council meeting in which such advice is to be presented, to present such advice; provided that in the absence of the Chairperson of the IF the Deputy Chairperson shall present such advice.

### **83. Secretary of IF**

- (1) The registrar is the secretary to the IF.

### **84. Meetings of IF**

- (1) The meetings of the IF must be convened and held in the manner, at the time and place and for the purposes prescribed by its strategic plan which must be submitted to Council for notification.
- (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 institutional 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 fourteen 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**

### **STUDENTS**

#### **85. Student Representative Council (SRC)**

- (1) The registered students of the University elect a Student Representative Council for the University, in line with the SRC constitution.
- (2) The manner of election, term of office, functions and privileges of the Student 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 must be submitted through the secretary of Council.

#### **86. Registration of Students**

- (1) Every person registered as a student at the University must sign the official registration form, in whatever form prescribed, 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 shall be enrolled for a course for any degree or diploma or certificate unless he or she has satisfied all the prerequisites laid down in the regulations concerned.

#### **87. 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 after consultation with the Senate and the Students Representative 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 a student's 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 subparagraph (1) above may be confirmed or reversed upon appeal to a panel chaired by an independent party appointed in terms of the student disciplinary rules approved by Council after consultation with the Senate and the Student Representative Council. A student may lodge any such appeal through the legal services department. This notwithstanding, student disciplinary cases must be reported to the Council for notification through the legal services department in the ordinary course.
- (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.

#### **88. Registration 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 or participate in lectures or other academic programmes of the University as a student.
- (2) The fees payable by a student to the University are as determined by the Council.
- (3) The Council may refuse to renew the registration of a student applying, 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 written 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 written reasons for any such refusal.

## **CHAPTER 11 PROVIDENT FUND**

### **89. Provident fund**

- (1) Membership of the University Provident Fund and Group Life is compulsory for all permanent and contract employees subject to the rules and regulations of the fund.

## **CHAPTER 12 DEGREES, DIPLOMAS AND CERTIFICATES**

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

- (1) Subject to the NQF Act and paragraph 93 of this Statute, the University may confer a degree upon, award a diploma or issue a certificate to any person who has attained the standard of proficiency determined by the University in assessment and evaluation.

### **91. 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 nomination and selection of such a person will be in accordance with the applicable institutional rule.

### **92. 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 faculties in conjunction with the Senate, make use of external examiners or moderators.

### **93. 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.

## CHAPTER 13

### EMERITUS PROFESSORS AND SPECIAL CATEGORY ACADEMICS

#### 94. 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 within a specific area of teaching and research for a specified period, which academics may not enjoy voting rights in any body 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 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 administrative leadership.
- (5) Persons who retire from the university, but who have not served as full professors for five 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.

#### **95. Special category academics**

- (1) Academics who 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 14**

#### **REPEAL OF PREVIOUS STATUTE**

#### **96. 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***, and the Statute of the University of Venda promulgated in ***Government Gazette No. 44571 Government Notice No.418 of 14 May 2021*** and the Statute of the University of Venda promulgated in ***Government Gazette No. 47926 Government Notice No. 2972 of 27 January 2023*** are hereby repealed.
- (2) Anything done, any body established, and any person appointed to an office under a provision of a 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.