

DRAFT STATUTE

OF

STELLENBOSCH UNIVERSITY

## INTRODUCTORY NOTE

**[This introductory note explains the context for the Statute, but does not form part of the Statute.]**

1. The Statute is the constitution of Stellenbosch University. The Statute provides the foundational structures and processes within which the values, ideals and principles driving the University are being conducted and pursued. It binds together the various sectors comprising the University, and sets the tone for all decision-making and academic and administrative activity. The Statute describes the composition, powers, and functioning of the various bodies established by the Statute, and the election or appointment, and the powers, of the office bearers created by the Statute. In short, the Statute provides the institutional framework within which the effective governance and administration of the University are conducted.
2. The Statute is subject to the Constitution of the Republic of South Africa, 1996, and may also not be inconsistent with the Higher Education Act, 1997. Within the University, the Statute is its foundational document. All rules, policies or other instruments made by University bodies and functionaries are therefore subject to the Statute.
3. As the constitution of the University, the focus of the Statute is on the overall architecture of the University, and it does not provide for all the particulars in respect of the governance and administration of the University. Section 32(1)(b) of the Higher Education Act, 1997, supports this approach by providing for the making of institutional rules to give effect to detail aspects of the Statute. Some institutional rules are already in place, but in due course more institutional rules will be made to flesh out the Statute.
4. Consequently, the general approach in the Statute is to confer on the University, or a particular body or functionary, the necessary *authority* to do something. Put differently, it confers the final *responsibility* for a power or duty on a particular body or functionary, but it does not necessarily indicate how that power or duty is to be executed or performed, and even by whom. Throughout,

it is assumed that through delegation powers and duties are often, if not mostly, exercised and performed by other functionaries and bodies than those carrying the final responsibility. In support of this approach, the Statute provides for the general delegation of all powers and duties, unless expressly prohibited by the Statute or the Higher Education Act, 1997. In this sense, the Statute is a flexible and common-sense document which accommodates acceptable and effective decision-making processes and procedures generally found in large entities.

5. As stated clearly in the Preamble and clause 5, the Statute is based on certain fundamental principles. The various governing structures and office-bearers function in accordance with the principles of democratic representation and accountable governance. The Statute determines the scope for the exercise of decision-making powers, and ensures that powers and duties are performed lawfully and effectively, in accordance with the democratic spirit and intent of the Statute. The Statute commits the University to open, transparent, responsible and accountable governance and administration and contains various checks and balances to ensure this.
  
6. From a drafting point of view, it is believed that the Statute is a logical and accessible document, drafted in language and style that is simple and easy to understand, and in all essential respects accurate and legal. It is believed that the Statute is a clear, streamlined and effective document ideally suited to serve the University as it embraces the opportunities ahead. The Statute will promote good, ethical, open and accountable leadership, governance and administration, and will bind together the University community in its pursuit of academic and administrative excellence that benefits society as a whole.

## **PREAMBLE**

WHEREAS STELLENBOSCH UNIVERSITY

- \* is duly established in terms of the Higher Education Act, 1997;
- \* may make an institutional statute in terms of section 32(1)(a) of the Act;

AND WHEREAS STELLENBOSCH UNIVERSITY

- \* is driven by the values underlying the Constitution, in particular relating to human dignity, equality and freedom;
- \* pursues academic integrity, academic freedom and freedom of scientific research, responsibility, accountability, ethical behaviour, fairness and transparency;
- \* promotes unity in diversity by inculcating tolerance of and respect for different perspectives and belief systems ensuring a suitable environment for learning, innovation, research and societal engagement;

AND WHEREAS STELLENBOSCH UNIVERSITY

- \* is committed to be an internationally recognised university in Africa, distinguished for engaged scholarship, academic excellence, social responsiveness, and an ethic of care among staff and students;
  - \* aims to benefit society through excellence in innovative learning and teaching, and pioneering research;
  - \* is committed to the development of a comprehensive range of academic, professional, vocational and general programmes addressing societal needs;
  - \* is responsive to the well-being of its staff, students and the wider community through optimal engagement, capacity building and sound management practices;
- NOW, THEREFORE, THE COUNCIL OF STELLENBOSCH UNIVERSITY MAKES THIS STATUTE, AS FOLLOWS:

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# CHAPTER 1

## CONSTITUENT PROVISIONS

### **Name of University**

1. The name of the University is Stellenbosch University in English and “Universiteit Stellenbosch” in Afrikaans.

### **Seat of University**

2. The seat of the University is Stellenbosch. The University may conduct its activities at such other locations as may be determined by the Council.

### **Status of University**

3. The University is a juristic person as contemplated in section 20(4) of the Act.

### **Framework, interpretation and application**

4. This Statute, together with the institutional rules,<sup>1</sup> is the framework for the governance and administration of the University in terms of the Act, and must be interpreted and applied in the spirit of, and subject to, the Constitution and the Act.

### **Principles**

5. The governance and administration of the University in terms of this Statute must comply with the following principles:
  - (a) representivity, inclusiveness and participation;
  - (b) a high standard of ethics;
  - (c) outcome-oriented performance and delivery;
  - (d) efficient, effective and sustainable use of resources;
  - (e) responsiveness to the well-being of the University community and the society which the University serves;

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<sup>1</sup> Institutional rules are rules made by the Council to give effect to the Statute (section 32(1)(b) of the Act).

- (f) responsibility, transparency and accountability.

## **CHAPTER 2**

### **GOVERNANCE**

#### **COUNCIL**

##### **Establishment and composition**

- 6.** There is a Council of the University composed of —
  - (a) the rector;
  - (b) one of the vice-rectors, who must rotate every calendar year in an order determined by the rector;
  - (c) the chief operating officer;
  - (d) one member elected by the Senate from its ranks;<sup>2</sup>
  - (e) one member elected by the permanent academic staff who are not members of the Senate from their ranks;
  - (f) one member elected by the permanent non-academic staff from their ranks;
  - (g) two members elected by the SRC from its ranks;
  - (h) three persons appointed by the Minister with due consideration of the candidates proposed by the Council;
  - (i) one person designated by the Municipal Council of Stellenbosch;<sup>3</sup>
  - (j) three persons elected by the Convocation;
  - (k) three persons elected by the donors;
  - (l) two persons appointed by the Council for their expertise.<sup>4</sup>

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<sup>2</sup> See definition of “elected”.

<sup>3</sup> See definition of “designated”.

<sup>4</sup> See definition of “appointed”.

## **Requirements for members**

7. In addition to the requirements of section 27 of the Act —
- (a) a member of the Council must be a person with knowledge and experience relevant to the objects and governance of the University;
  - (b) the representivity of the Council in respect of race, gender and disability must be duly considered in the election, designation and appointment of members of the Council;
  - (c) no person of 70 years or older may be a member of the Council, but a member who reaches the age of 70 may serve until that member's term expires;
  - (d) no person may serve on the Council in more than one capacity;
  - (e) no person referred to in clause 6(h)-(l) may be an employee or student of the University;<sup>5</sup>
  - (f) no member of the Council may be a member of the council of another institution of higher learning or be employed in a permanent executive managerial capacity at the level or equivalent of dean or higher by such an institution.

## **Terms of office**

8. (1) The term of office of a member referred to in clause 6(a) and (c) continues for as long as that person holds office.
- (2) The term of office of a member referred to in clause 6(b) is one year.
- (3) The term of office of a member referred to in clause 6(d), (e) and (f) is two years.
- (4) The term of office of a student member referred to in clause 6(g) is one year, aligned to their SRC term, but the membership terminates immediately when the member ceases to be a registered student of the University.
- (5) The term of office of all other members is four years.

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<sup>5</sup> In terms of section 27(6) of the Higher Education Act, 1997, at least 60% of the members of the Council may not be staff members or students of the University.

- (6) The term of office of a member referred to in subclauses (2), (3), (4) and (5) runs from the date on which the member assumes office until the expiry date of the term.
- (7) A person whose term of office has expired may be elected, designated or appointed again, but no person may serve for more than three consecutive terms in the same or any other capacity.

### **Vacancies**

- 9. (1) Membership of the Council terminates before the expiry of the relevant term of office if a member —
  - (a) resigns in writing to the registrar;
  - (b) vacates his or her position, in the case of a member referred to in clause 6(a), (b) and (c);
  - (c) ceases to be an employee of the University, in the case of a member referred to in clause 6(d), (e) and (f);
  - (d) is absent from three consecutive meetings of the Council without prior apology having been made to and accepted by the chairperson;
  - (e) is declared insolvent by a court of law, or is found guilty of an offence and sentenced to imprisonment of more than 12 months without the option of a fine, but a person is not regarded as being sentenced until an appeal against the conviction or sentence has been determined, or the time for an appeal has expired;
  - (f) becomes incapable of performing the functions of a member of the Council;
  - (g) is a member in terms of clause 6(d), (e), (f) or (j) and ceases to be a member of the body that designated or elected the member;
  - (h) is found guilty of contravening a code of conduct contemplated in clause 11(1), or the rules, in disciplinary proceedings against the member, which results in the termination of membership in terms of the code of conduct;

- (i) registers as a student of the University or becomes an employee of the University, in the case of a member referred to in clause 6(h), (i), (j), (k) and (l).<sup>6</sup>
  - (j) becomes a member of the Council of another institution of higher learning, or is employed in an executive managerial capacity at the level or equivalent of dean or higher by another institution of higher learning.
- (2) The registrar must give fair notice<sup>7</sup> in writing to the Council and to the functionary or body who elected, appointed or designated a member when the membership of a member expires or is terminated for any reason before the expiry of the term of office.
- (3) The appropriate functionary or body must fill a vacancy in accordance with clause 6 and the rules, and a member who fills a vacancy occurring before the expiry of the term of office concerned is elected, appointed or designated for a full term of the relevant office.

### **Powers, responsibilities and functions**

- 10.** (1) The Council governs the University in accordance with the Act, the Statute and the rules, and exercises a general supervisory responsibility in respect of academic and operational matters and institutional policy and strategy.
- (2) The Council may, specifically —
- (a) make and amend the Statute;
  - (b) make rules and determine the University's policies;
  - (c) approve institutional strategies and plans;
  - (d) monitor institutional performance and management and oversee risk management;
  - (e) establish academic structures and units, including faculties and departments, on the recommendation of the Senate;

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<sup>6</sup> See section 27(6) of the Higher Education Act, 1997.

<sup>7</sup> Prescribing specific periods for notice in the case of meetings, elections, etc is regarded as too rigid and sometimes unnecessary difficult to comply with. The principle behind such requirements, that fair or reasonable notice be given, is preferred and will achieve the same purpose in a more flexible way.

- (f) establish other entities and structures on the recommendation of the rector and, where applicable, the Senate; and
  - (g) determine the appointment and conditions of service of staff in accordance with section 34 of the Act.
- (3) Subject to section 20(5) of the Act, the Council must approve the construction, purchase, alienation or long-term lease of immovable property.
- (4) The Council, after consultation with the Senate, must determine an admissions policy in terms of section 37 of the Act.
- (5) The Council, with the concurrence of the Senate, must determine a language policy in terms of section 27(2) of the Act.
- (6) The Council, after consultation with the SRC, must provide for a suitable structure to advise the Council on a policy for student support services in terms of section 27(3) of the Act.
- (7)
  - (a) The Council may appoint committees consisting of Council members, or Council members and other persons, to assist the Council in the performance of its functions, and must appoint committees as prescribed by the rules.
  - (b) Anything in the Statute, including a code of conduct referred to in clause 11(1), applicable to a member of the Council applies to a member of a committee who is not a Council member, or a person attending a meeting of the Council or of a committee of the Council.
- (8) Subject to subclause (9), the Council may delegate any of its powers or functions to any structure, employee or body of the University in terms of section 68(2) of the Act and clause 63 of the Statute, but the Council remains responsible for the exercise of the powers and the performance of the functions so delegated.
- (9) The Council may not delegate —
  - (a) the making or amendment of the Statute;
  - (b) the appointment of the rector and the chief operating officer;
  - (c) the establishment or disestablishment of faculties;
  - (d) the modification of the general terms of appointment or conditions of service of employees;

- (e) the approval of the annual budget and financial statements of the University;
- (f) the determination of student fees;
- (g) the power to obtain a loan or overdraft on behalf of the University; and
- (h) the construction, purchase, alienation or long term lease of immovable property.

### **Code of conduct and conflicts of interest**

11. (1) The Council must adopt a code of conduct for the Council for the purposes of section 27(7E) of the Act.
- (2) The Council must determine rules and procedures to ensure compliance with section 27 of the Act in respect of the financial or other interests and fiduciary roles of members of the Council, members of or persons attending committees, and their relatives.

### **Chairperson and deputy chairperson**

12. (1) At its first meeting, chaired by the rector, the Council must elect a chairperson and a deputy chairperson from among the members referred to in clause 6(h), (i), (j), (k) and (l).
- (2) A nomination for chairperson or deputy chairperson must be in writing, must be submitted to the registrar before the meeting, must be signed by two members of the Council and must be accompanied by a signed declaration by the nominee accepting the nomination.
- (3) For the election of the chairperson or deputy chairperson the procedure is that if only one candidate is nominated, the chairperson must declare that person elected. If more than one candidate is nominated, a secret ballot is taken and the chairperson must declare the candidate elected who receives a majority of votes of members present and voting, each member having one vote. If no candidate receives a majority of votes, the candidate with the lowest number of votes must be eliminated, and a further vote taken on the remaining candidates. This procedure must be repeated until a candidate receives a majority of the votes.

- (4) Subject to the termination of membership of the Council through the expiry of time or otherwise, the chairperson and deputy chairperson hold their offices for four years, and may be re-elected, but may not hold office for more than three consecutive terms.
- (5) When the office of chairperson or deputy chairperson becomes vacant for any reason, the registrar must notify each member of the Council in writing, and the Council must elect a chairperson or deputy chairperson at its next ordinary meeting.
- (6) The chairperson and deputy chairperson exercise the powers and perform the functions set out in this Statute.

### **Meetings**

13. (1) The Council must hold at least two ordinary meetings in each semester.
- (2) The chairperson –
  - (a) may call an extraordinary meeting at any time, and
  - (b) must call an extraordinary meeting at the written request of at least five members of the Council.
- (3) The purpose of an extraordinary meeting must be stated clearly and no other business may be conducted at the meeting.
- (4) The registrar must give fair notice of an ordinary or extraordinary meeting.<sup>8</sup>
- (5) The chairperson or, in the absence of the chairperson, the deputy chairperson, presides at a meeting of the Council. If both are absent, the members present must elect from their ranks a chairperson for that meeting in accordance with clause 12(1).
- (6) The quorum for a meeting of the Council is one half plus one of the members.
- (7) If for any reason there is no quorum, the meeting is adjourned after one hour to a date not more than 14 days later, at which meeting the members present form a quorum.

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<sup>8</sup> See footnote 7.



- (8) The Council must take a decision by a majority of votes of members present, each member having one vote. In the event of an equality of votes, the chairperson may exercise a casting vote, except in the election of an office bearer, in which case a further vote must be taken repeatedly until a candidate, or the prescribed number of candidates, receives a majority of votes.
- (9) The Council must determine the procedures for its meetings and the meetings of its committees in accordance with the rules.
- (10) The chairperson may invite any person to attend a meeting of the Council.

### **Election of Council members to Senate**

14. The Council must elect two members from its ranks to the Senate in accordance with the rules.

### **Executive committee of Council**

15. (1) There is an executive committee of the Council composed of —
  - (a) the chairperson of the Council, who is the chairperson of the executive committee;
  - (b) the deputy chairperson of the Council, who is the deputy chairperson of the executive committee;
  - (c) the rector; and
  - (d) two other members of the Council, of whom one may not be an employee or student of the University, who are elected by the Council in accordance with the rules.
- (2) The quorum for a meeting of the executive committee is three members, of which at least two members may not be an employee or student of the University.
- (3) The executive committee may —
  - (a) advise the Council on any matter referred to in clause 10, including a report of a committee of the Council, except the Honorary Degrees Committee;
  - (b) deal with any urgent matter on behalf of the Council, but must report to the Council at its next meeting;

- (c) deal with any matter which the Council authorises the executive committee to do, in accordance with the Council's authorisation.

## **SENATE**

### **Establishment and composition**

- 16.** (1) There is a Senate composed of —
- (a) the rector;
  - (b) the vice-rectors;
  - (c) the chief operating officer;
  - (d) the registrar;
  - (e) two members elected by the Council from its ranks who are not employees or students of the University;
  - (f) the dean and deputy-deans of each faculty;
  - (g) the professors of the University;
  - (h) five members elected by the associate professors from their ranks;
  - (i) five members elected by the academic staff who are not professors or associate professors from their ranks;
  - (j) the SRC chairperson, the Tygerberg SRC chairperson, two other members elected by the SRC from its ranks, and the chairperson of the Academic Affairs Council; and
  - (k) the additional academic or other staff members whom the Senate may appoint for their expertise.
- (2) The representivity of the Senate in respect of race, gender and disability must be duly considered in the election, designation and appointment of members of the Senate.

### **Terms of office**

- 17.** (1) The term of office of a member referred to in clause 16(1)(a), (b), (c), (d), (f), (g) and (k) continues for as long as that person holds office.
- (2) The term of office of a member referred to in clause 16(1)(e), (h) and (i) is four years.

- (3) The membership of a student member referred to in clause 16(1)(j) continues for as long as that person holds office in the SRC or the relevant student body, but the membership terminates immediately when the member ceases to be a registered student of the University.
- (4) The term of office of a member referred to in subclauses (2) and (3) runs from the date on which the member assumes office until the expiry date of the term.
- (5) A person whose term of office has expired may be elected, designated or appointed again, but no person may serve for more than three consecutive terms.

### **Vacancies**

- 18.** (1) Membership of the Senate terminates before the expiry of the relevant term of office if a member —
- (a) resigns in writing to the registrar;
  - (b) vacates his or her post, in the case of a member referred to in clause 16(1)(a), (b), (c), (d) and (f);
  - (c) ceases to be an employee of the University, in the case of a member referred to in clause 16(1)(g) and (k);
  - (d) ceases to be a member of the body or category of persons that elected the member, in the case of a member referred to in clause 16(1)(e), (h), (i), and (j);
  - (e) is absent from three consecutive meetings of the Senate without prior apology having been made to and accepted by the chairperson;
  - (f) is declared insolvent by a court of law, or is found guilty of an offence and sentenced to imprisonment of more than 12 months without the option of a fine, but a person is not regarded as being sentenced until an appeal against the conviction or sentence has been determined, or the time for an appeal has expired;
  - (g) becomes incapable of performing the functions of a member of the Senate; or
  - (h) is found guilty of contravening a code of conduct contemplated in clause 11(1), or the rules, in disciplinary proceedings against the

member, and the council regards continued membership as improper.

- (2) The registrar must give fair notice<sup>9</sup> in writing to the Senate and to the body that elected, appointed or designated a member when the membership of a member expires or is terminated for any reason before the expiry of the term of office.
- (3) The body that elected, appointed or designated the member referred to in subclause (2) must fill a vacancy in accordance with clause 16 and the rules, and a member who fills a vacancy occurring before the expiry of the term of office concerned is elected, appointed or designated for a full term of the relevant office.

### **Powers and functions**

19. (1) The Senate is accountable to the Council for the academic and research functions of the University, regulates learning, teaching, research and academic support functions, and makes recommendations to the Council in respect of policies concerning academic matters.
- (2) The Senate may, specifically —
  - (a) determine, with the approval of the Council, the conditions for the obtaining of qualifications, decide which persons have satisfied the conditions, and submit the names to the Council;
  - (b) control and supervise examinations, in accordance with the rules;
  - (c) make recommendations to the Council on the formation or reconfiguration of faculties, departments and other academic structures;
  - (d) approve the composition of faculty boards in accordance with clause 23(2);
  - (e) make recommendations to the Council on the appointment of the dean of a faculty;
  - (f) appoint committees consisting of Senate members, or Senate members and other persons, to assist the Senate in the performance of its functions;

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<sup>9</sup> See footnote 7.

- (g) may delegate any of its powers or functions to a committee, structure or employee of the University, but the Senate remains responsible for the exercise of the power and the performance of the function so delegated.

### **Chairperson and meetings**

- 20.** (1) The rector is the chairperson of the Senate.
- (2) If the rector is absent, a vice-rector nominated by the rector presides at that meeting, but if the vice-rectors are absent, the members present must elect a chairperson for that meeting from their ranks.
- (3) The Senate must hold at least two ordinary meetings in each semester.
- (4) The chairperson –
- (a) may call an extraordinary meeting at any time, and
  - (b) must do so at the written request of at least one-third of the members of the Senate. The purpose of an extraordinary meeting must be stated clearly and no other business may be conducted at the meeting.
- (5) The registrar must give fair notice of an ordinary or extraordinary meeting.<sup>10</sup>
- (6) The quorum for a meeting of the Senate is one third of the members.
- (7) If for any reason there is no quorum, the meeting is adjourned after one hour to a date not more than five work days later, at which meeting the members present form a quorum.
- (8) The Senate must take a decision by a majority of votes of members present and voting, each member having one vote. In the event of an equality of votes, the chairperson may exercise a casting vote, except in the election of an office bearer, in which case a further vote must be taken repeatedly until a candidate, or the prescribed number of candidates, receive a majority of votes.
- (9) The Senate must determine the procedures for its meetings and the meetings of its committees in accordance with the rules.
- (10) The chairperson may invite any person to attend a meeting of the Senate.

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<sup>10</sup> See footnote 7.

## **Election of Senate members to Council**

- 21.** The Senate must elect one member from its ranks to the Council in accordance with the rules.

## **Executive committee of Senate**

- 22.** (1) There is an executive committee of the Senate composed of —
- (a) the rector;
  - (b) the vice-rectors;
  - (c) the chief operating officer;
  - (d) the registrar; and
  - (e) the deans of the faculties.
- (2) The executive committee may —
- (a) advise the Senate on any matter referred to in clause 19;
  - (b) make recommendations to the Senate on the reports of all Senate committees;
  - (c) deal with any urgent matter on behalf of the Senate, but must report to the Senate at its next meeting;
  - (d) deal with any matter which the Senate authorises the executive committee to do, in accordance with the Senate's authorisation.

## **FACULTY BOARDS**

### **Establishment and composition**

- 23.** (1) The Senate must establish for each faculty a standing committee of the Senate known as a faculty board.
- (2) The composition of a faculty board must be determined by the faculty board and must be approved by the Senate in terms of clause 19(2)(d), but —
- (a) academic staff, non-academic staff, and students must be represented on a faculty board; and

- (b) the representivity of a faculty board in respect of race, gender and disability must be duly considered.<sup>11</sup>

### **Powers and functions**

- 24. (1) A faculty board —
  - (a) is accountable, and must make recommendations, to the Senate in respect of academic programmes and activities in the faculty;
  - (b) must make proposals to the Senate for the making of rules applicable to the faculty;
  - (c) must inform the Senate whether doctoral candidates have satisfied the prescribed conditions and requirements;
  - (d) must give advice on any matter, and perform any function, that the Senate refers to the faculty board.
- (2) The Senate, after consultation with the faculty boards concerned, may make rules in respect of academic programmes and examinations.

### **Meetings**

- 25. (1) A meeting of a faculty board must be held before every ordinary meeting of the Senate.
- (2) The chairperson —
  - (a) may call an extraordinary meeting at any time, and
  - (b) must do so on the written request of at least one-third of the members of the faculty board. The purpose of an extraordinary meeting must be stated clearly and no other business may be conducted at the meeting.
- (3) The dean presides at a meeting of the faculty board. In the absence of the dean, the vice/deputy dean, or a deputy dean elected by the faculty board, presides at the meeting. If both the chairperson and the deputy chairperson are absent from a meeting, the members present must elect a chairperson for that meeting from their ranks.
- (4) The quorum for a meeting of a faculty board is one half plus one of the members.

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<sup>11</sup> The purpose is for faculty boards to determine their own composition within this framework.

- (5) If for any reason there is no quorum, the meeting is adjourned after one hour to a date not more than 14 days later, at which meeting the members present form a quorum.
- (6) A faculty board must take a decision by a majority of votes of members present and voting, each member having one vote. In the event of an equality of votes, the chairperson may exercise a casting vote, except in an election, in which case a further vote must be taken repeatedly until a candidate, or the prescribed number of candidates, receive a majority of votes.
- (7) A faculty board must determine the procedures for its meetings in accordance with the rules.
- (8) The chairperson may invite any person to attend a meeting of the faculty board.

## **STUDENTS' REPRESENTATIVE COUNCIL**

### **Establishment and composition**

- 26.** (1) There is a Students' Representative Council (SRC) that represents the interests of the student community.
- (2) The student constitution must be approved by the Council, and must prescribe the membership, composition and election of the SRC, and the procedures for the amendment of the constitution.<sup>12</sup>
- (3) An election for members of the SRC must be held each year, and a member serves from the constitution of an SRC until the constitution of the next SRC, but may be elected for more than one term. If the election of members of the SRC is not concluded at the appointed time, or the SRC is not constituted properly after an election, membership of the SRC expires when an interim SRC is constituted as contemplated in clause 28 or another appropriate arrangement is made in terms of clause 28.

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<sup>12</sup> The Council takes the final responsibility, but the student constitution may provide for its own amending procedures.



## **Powers and functions**

### **27. The SRC —**

- (a) coordinates organised student life at the University;
- (b) represents the student community in the Council in terms of clause 6(g), the Senate in terms of clause 16(1)(j), the Institutional Forum in terms of clause 29(2)(c)(i), and any other prescribed university structure or forum;
- (c) represents the student community in national and international student bodies;
- (d) supervises compliance with the student constitution.<sup>13</sup>

## **Continuation of functions**

- 28. (1)** An interim SRC must be elected in accordance with the student constitution if no election for members of the SRC takes place at the appointed time, or the SRC is not constituted properly after an election, or the SRC resigns or fails to perform its prescribed duties and functions.<sup>14</sup>
- (2)** The Council, after consultation with the SRC, must make rules to ensure the continued performance of the functions of the SRC, if—
- (a) an election for members of an interim SRC is not concluded at the appointed time;
  - (b) the interim SRC is not constituted properly; or
  - (c) the interim SRC resigns or fails to perform its prescribed duties and functions.

## **INSTITUTIONAL FORUM**

### **Establishment and composition**

- 29. (1)** There is an Institutional Forum composed of 23 members, made up of members from each of the following sectors – governance and management, staff, students, and the community.<sup>15</sup>

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<sup>13</sup> This is an executive function not to be confused with adjudication by the student court in accordance with the student constitution.

<sup>14</sup> See clause 26(3).

<sup>15</sup> See section 31 of the Act.

- (2) The sectors of the membership of the Institutional Forum are composed as follows:
- (a) *Governance and management sector:*
    - (i) one member elected by the Council from its ranks;
    - (ii) two members elected by the Senate from its ranks;
    - (iii) the registrar or a person designated by the registrar;
    - (iv) the senior director responsible for community relations or a person designated by the senior director; and
    - (v) the director responsible for employment equity or a person designated by the director.
  - (b) *Staff sector:*
    - (i) two members elected by the permanent non-professorial academic staff from their ranks;
    - (ii) two members elected by the professional and administrative support staff from their ranks;
    - (iii) one member elected by the technical support staff from their ranks; and
    - (iv) one member elected by the staff on post level 12 to 19, excluding professional and administrative support staff, and technical support staff.
  - (c) *Student sector:*
    - (i) two members elected by the SRC from its ranks;
    - (ii) one member elected by the TSR from its ranks;
    - (iii) one member elected by the Prim Committee from its ranks;
    - (iv) one member elected by the Society Council from its ranks; and
    - (v) one member elected by the Academic Affairs Council from its ranks.
  - (d) *Community sector:*
    - (i) one member of the Convocation, who may not be an employee or student of the University, elected by the Convocation; and
    - (ii) four members, who may not be staff members of the University, each designated by a body representative of civic society, as identified by the Institutional Forum on the recommendation of the senior director responsible for community relations.

### **Terms of office**

- 30.** (1) The term of office of a member, except a member elected by a student body, is two calendar years, and no member may serve for more than three consecutive terms.
- (2) Not all members may be elected or designated in the same year.
- (3) The term of office of a member elected by a student body is one year aligned to the term of the relevant student body.

### **Powers and functions**

- 31.** (1) The Institutional Forum must —
- (a) advise the Council on —<sup>16</sup>
- (i) the implementation of the Act and the national policy on higher education;
  - (ii) race and gender equity policies;
  - (iii) the selection of candidates for senior management positions;
  - (iv) codes of conduct, mediation and dispute resolution procedures; and
  - (v) the fostering of an institutional culture which promotes tolerance and respect for fundamental human rights and creates an appropriate environment for learning, teaching and research; and
- (b) advise the Council on any other matter and perform any other function, as determined by the Council.
- (2) The Council may take a decision on any matter referred to in subclause (1) only after consultation with the Institutional Forum.
- (3) The Council must consider advice given by the Institutional Forum, and must provide written reasons if the advice is not accepted.<sup>17</sup>

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<sup>16</sup> See s 31(1) of the Act.

<sup>17</sup> See s 31(1A) of the Act, as inserted by Act 9 of 2016.

## **Chairpersons and meetings**

- 32.** (1) Every two years, the Institutional Forum must elect from its ranks a chairperson and deputy chairperson, but they may not serve for more than three consecutive terms.
- (2) The Institutional Forum must meet on the dates determined by the registrar.
- (3) The chairperson –
- (a) may call an extraordinary meeting at any time, and
  - (b) must do so on the written request of at least one-third of the members of the Institutional Forum. The purpose of an extraordinary meeting must be stated clearly and no other business may be conducted at the meeting.
- (4) If both the chairperson and the deputy chairperson are absent from a meeting, the members present must elect a chairperson for that meeting from their ranks.
- (5) The quorum for a meeting is one half plus one of the members.
- (6) If for any reason there is no quorum, the meeting is adjourned after one hour to a date not more than 14 days later, at which meeting the members present form a quorum.
- (7) The Institutional Forum must take a decision by a majority of votes of members present and voting, each member having one vote. In the event of an equality of votes, the chairperson may exercise a casting vote, except in an election, in which case a further vote must be taken repeatedly until a candidate receives a majority of votes.
- (8) The Institutional Forum must determine the procedures for its meetings in accordance with the rules.

## **Executive committee of Institutional Forum**

- 33.** (1) The executive committee of the Institutional Forum is composed of —
- (a) the chairperson and deputy chairperson; and
  - (b) one person elected every two years by each sector referred to in clause 29(2) in accordance with the rules, except in the case of the student sector where a person must be elected every year.

- (2) The executive committee may —
  - (a) advise the Institutional Forum on any matter referred to in clause 31(1);
  - (b) deal with any urgent matter on behalf of the Institutional Forum, but must report to the Forum at its next meeting;
  - (c) deal with any matter which the Institutional Forum authorises the executive committee to do, in accordance with the Forum's authorisation.
- (3) The quorum for a meeting of the executive committee is one half plus one of the members. The executive committee must take a decision by a majority of votes of members present and voting, each member having one vote. In the event of an equality of votes, the chairperson may exercise a casting vote.

## **RECTOR'S MANAGEMENT TEAM**

### **Composition and duties**

34. (1) The rector's management team must assist the rector in the management and administration of the University, and is composed of —
  - (a) the rector;
  - (b) the vice-rectors;
  - (c) the chief operating officer;
  - (d) the registrar; and
  - (e) the persons nominated by the rector.
- (2) The rector's management team must appoint a general management committee, and may appoint other committees, to support the rector's management team in the performance of its functions.

## **GENERAL MANAGEMENT COMMITTEE**

### **Composition and duties**

- 35.** The general management committee advises the rector's management team on matters affecting the management and administration of the University, and is composed of —
- (a) the rector's management team;
  - (b) the deans;
  - (c) chief directors and senior directors; and
  - (d) the persons designated by the rector's management team.

## **CHAPTER 3**

### **OFFICE BEARERS**

#### **CHANCELLOR**

##### **Duties**

- 36.** The chancellor is the titular head of the University and all degrees awarded by the University are conferred in the name of the chancellor.

##### **Requirements**

- 37.** A candidate for the office of chancellor must be a fit and proper person.

##### **Election**

- 38.** (1) The chancellor is elected by an electoral college composed of the members of the Council and the members of the executive committee of the Senate.

- (2) The registrar must give fair notice<sup>18</sup> in the media and elsewhere when a chancellor must be elected, specifying the date of the election, and calling on members of the Convocation for nominations of suitable candidates by a closing date.
- (3) A nomination must be in writing, submitted to the registrar at least three weeks before the election, and must be signed by at least 20 members of the Convocation and accompanied by a signed declaration by the nominee accepting the nomination.
- (4) The electoral college considers the nominations at a meeting chaired by the chairperson of the Council or, in the absence of the chairperson, the deputy chairperson. If both are absent, the remaining members of the electoral college must elect a chairperson from their ranks.
- (5) The quorum for a meeting of the electoral college is half of its members plus one.
- (6) If only one candidate is nominated, the chairperson must declare that person elected as chancellor. If more than one candidate is nominated, a secret ballot is taken and the chairperson must declare the candidate elected as chancellor who receives a majority of votes of members present and voting, each member having one vote. If no candidate receives a majority of votes, the candidate with the lowest number of votes must be eliminated, and a further vote taken on the remaining candidates. This procedure must be repeated until a candidate receives a majority of the votes.

### **Term of office**

- 39.** (1) The term of office of the chancellor is five years, and the chancellor may be elected again for one more consecutive term.
- (2) The Council may dismiss the chancellor from office by a two-thirds majority vote of all the members of the Council on the grounds of a serious violation of the law, serious misconduct, or incapacity.
- (3) A vacancy in the office of chancellor must be filled in accordance with clause 38, the person being elected for a full term.

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<sup>18</sup> See footnote 7.

## **RECTOR AND VICE-CHANCELLOR**

### **Duties and accountability**

- 40.** (1) The rector and vice-chancellor is the principal of the University.<sup>19</sup>
- (2) The rector is responsible for the management and administration of the University and is accountable to the Council.

### **Appointment**

- 41.** (1) The Council, after consultation with the Senate and the Institutional Forum, must appoint the rector in accordance with the procedures prescribed in the rules, and must determine the duties, functions, privileges and conditions of service of the rector.
- (2) A candidate for the office of rector must be a fit and proper person who is capable and suitably qualified and experienced for the office.

### **Term of office**

- 42.** (1) The rector may hold office for a period, as determined by the Council, of not more than five years and may be appointed again for one more consecutive term, after which the person may apply again for the position.
- (2) The Council may dismiss the rector from office by a two thirds majority vote of all the members of the Council on the grounds of a serious violation of the law, serious misconduct, or incapacity
- (3) A vacancy in the office of rector must be filled in accordance with clause 41.
- (4) When the office of rector is vacant or the rector is incapable of performing the duties of rector, the chief operating officer, or a vice-rector designated by the Council, acts as rector.

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<sup>19</sup> See section 30 of the Act.



## **VICE-RECTORS AND DEPUTY VICE-CHANCELLORS**

### **Appointment, duties and terms of office**

- 43.** (1) The Council must appoint one or more vice-rectors (or deputy vice-chancellors), who are the vice-principals,<sup>20</sup> after consultation with the Senate and the Institutional Forum and in accordance with the procedures prescribed in the rules, and must determine the duties, functions, privileges and conditions of service of a vice-rector.
- (2) A vice-rector may hold office for a period, determined by the Council, of not more than five years, and may be appointed again for one more consecutive term, after which the person may apply again for the position.
- (3) A vice-rector is accountable to the rector and the Council.
- (4) The Council may dismiss a vice-rector from office by a two thirds majority vote of all the members of the Council on the grounds of a serious violation of the law, serious misconduct, or incapacity.
- (5) A vacancy in the office of vice-rector must be filled in accordance with subclauses (1) and (2).
- (6) When the office of a vice-rector is vacant or a vice-rector is incapable of performing his or her duties, a person designated by the rector acts as vice-rector.

## **CHIEF OPERATING OFFICER**

### **Appointment, duties and term of office**

- 44.** (1) The Council must appoint a chief operating officer after consultation with the Senate and the Institutional Forum and in accordance with the procedures prescribed in the rules, and must determine the duties, functions, privileges and conditions of service of the chief operating officer.

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<sup>20</sup> See sections 27(4)(b) and 28(2)(b) of the Act.

- (2) The chief operating officer may hold office for a period, determined by the Council, of not more than five years, and may be appointed again upon the expiry of the term of office.
- (3) The chief operating officer is accountable to the rector and the Council.
- (4) The Council may dismiss the chief operating officer from office by a two thirds majority vote of all the members of the Council on the grounds of a serious violation of the law, serious misconduct, or incapacity.
- (5) A vacancy in the office of chief operating officer must be filled in accordance with subclauses (1) and (2).
- (6) When the office of chief operating officer is vacant or the chief operating officer is incapable of performing his or her duties, a person designated by the rector acts as chief operating officer.

## **REGISTRAR**

### **Appointment, duties and term of office**

- 45.** (1) The registrar is responsible to the rector for the academic administration of the University.
- (2) The registrar is the secretary to the Council, the Senate and the rector's management team, supports the good governance and administration of the University, and ensures compliance with the Act, the Statute, and relevant policies and rules of the University.
  - (3) The registrar may participate in the discussions of the Council, the Senate and the rector's management team, but may vote only in the Senate and the rector's management team.
  - (4) The Council must appoint a registrar in accordance with the rules, must determine the duties, functions, privileges and conditions of service of the registrar, and must determine the term of office, which may not be more than five years. The registrar may be appointed again upon expiry of the term of office.
  - (5) The registrar is accountable to the rector, and with regard to the duties and functions performed in respect of a particular body, to that body.

- (6) The Council may dismiss the registrar from office by a two thirds majority vote of all the members of the Council on the grounds of a serious violation of the law, serious misconduct, or incapacity.
- (7) A vacancy in the office of registrar must be filled in accordance with subclause (4).

## **DEANS**

### **Appointment, duties and terms of office**

- 46.** (1) The Council must appoint a dean of a faculty after consultation with the Senate and in accordance with the rules, and must determine the term of office and the duties, functions, privileges and conditions of service.
- (2) A dean is accountable to the rector or the vice-rector designated by the rector.
- (3) The Council may dismiss a dean from office by a two thirds majority vote of all the members of the Council on the grounds of a serious violation of the law, serious misconduct, or incapacity.
- (4) A vacancy in the office of dean must be filled in accordance with subclause (1).
- (5) When the office of a dean is vacant or a dean is incapable of performing his or her duties, a person designated by the rector acts as dean.

## **CHAPTER 4**

### **THE CONVOCATION**

#### **Composition of Convocation**

- 47.** (1) The Convocation of the University is composed of —
- (a) all persons to whom a qualification has been conferred at a congregation of the University;

- (b) the rector, the vice-rectors, chief operating officer and the full-time academic staff of the University; and
  - (c) former full-time academic staff of the University who have left the service of the University on account of their having reached retirement age.
- (2) The registrar must keep the list of members of the Convocation referred to in subclause (1). A member must notify the registrar of a change of address.
  - (3) The members' list is conclusive evidence of membership of the Convocation, and only a person whose name appears on the members' list may vote.
  - (4) A member of the Convocation may resign in writing to the registrar. A person may apply in writing to the registrar to be re-admitted as a member, and the registrar must refer the matter to the executive committee of the Convocation for a decision.

### **Objective and functions**

- 48. (1) The objective of the Convocation is to promote the welfare of the University by maintaining a mutually beneficial relationship between the University and its alumni, and may advise the Council, and the Senate when applicable, in this respect.
- (2) The Convocation may elect members to the Council and the Institutional Forum in accordance with clauses 6(j) and 29(2)(d)(i).

### **Meetings**

- 49. (1) The president or, in the absence of the president, the vice-president, must call an annual meeting of the Convocation.
- (2) The president must call an extraordinary meeting at the written request of at least 100 members of the Convocation. The purpose of an extraordinary meeting must be stated clearly and no other business may be conducted at the meeting.

- (3) The secretary must give fair notice<sup>21</sup> of a meeting, and the notice must include the agenda, in accordance with the procedures determined by the rules.
- (4) The president or, in the absence of the president, the deputy president, presides at a meeting of the Convocation. If both are absent, the members present must elect a chairperson for that meeting from their ranks.
- (5) The quorum for a meeting of the Convocation is 250 members. If for any reason there is no quorum, the meeting is adjourned after one hour to a date not more than 14 days later, at which meeting the members present form a quorum.
- (6) The Convocation must take a decision by a majority of votes of members present or participating, each member having one vote. In the event of an equality of votes, the chairperson may exercise a casting vote, except in an election, in which case a further vote must be taken repeatedly until a candidate, or the prescribed number of candidates, receives a majority of votes.
- (7) The Convocation must make rules of procedure for its meetings. The secretary must submit the record of a meeting to the registrar.
- (8) The registrar must submit advice received from the Convocation in terms of clause 48(1) to the Council, and the Senate when applicable.
- (9) For the purposes of this clause, a meeting must include the virtual participation of members. The University must take reasonable steps within available resources for the progressive realisation of the highest possible level of participation.

## **Elections**

- 50.** The Convocation must elect members to the Council and the Institutional Forum in accordance with the procedures determined by the rules.

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<sup>21</sup> See footnote 7.

### **Executive committee of Convocation**

51. (1) The Convocation elects from its ranks a president, a vice-president, a secretary, and two other members, who form the executive committee of the Convocation.
- (2) A member of the executive committee holds office for two years, or until the next meeting of the Convocation if before the end of the member's term no meeting of the Convocation has been held, but may be elected again for no more than three consecutive terms. The Convocation may adjust the terms of members to ensure continuity of membership of the executive committee.
- (3) When a vacancy occurs in the office of the president, the vice-president acts as president until a president is elected at the next ordinary meeting of the Convocation. In the case of any other vacancy in the executive committee, the Convocation must elect a successor at its next ordinary meeting.
- (4) The executive committee assists the Convocation in the performance of its functions in terms of clause 48 and gives effect to decisions of the Convocation, and must report to the Convocation at its next meeting.

## **CHAPTER 5**

### **DONORS**

#### **Recognition**

52. (1) The Council may recognise a person or institution as a member of the electoral college of donors for a period determined by the Council when the person or institution makes a donation to the University equal to an amount periodically determined in the rules.
- (2) The registrar must keep a list of the names and addresses of donors, and of the name of the person who will vote on behalf of an institution recognised under subclause (1).

### **Election by donors**

53. The electoral college of donors must elect members to the Council in accordance with the procedures determined in the rules.

## **CHAPTER 6**

### **EMPLOYEES**

#### **Appointment and conditions**

54. (1) The Council must appoint academic, administrative support and technical employees in accordance with the applicable legislation and the employment policies of the University, and must determine the salaries and other forms of remuneration of employees, and other terms and conditions of employment, including disciplinary measures.
- (2) An academic employee must be appointed after consultation with the Senate.
- (3) Upon appointment and annually thereafter, every employee must declare possible conflicts of interest emanating from financial interests and fiduciary roles.
- (4) An academic employee who is offered an appointment in a management position is entitled to a contractual stipulation, subject to such conditions as may be agreed upon, pertaining to the return or not to an academic position upon the termination of the contract.
- (5) Subject to applicable law, employees may be dismissed on the grounds of
- (a) operational requirements;
  - (b) serious violation of the law or serious misconduct; or
  - (c) incapacity.

#### **Representative employees' organisations**

55. The Council may recognise and enter into agreements with representative employees' organisations in respect of salaries, terms and conditions of

employment and related matters in accordance with the relevant labour and employment legislation.

## **CHAPTER 7**

### **STUDENTS**

#### **Admission and registration**

- 56.** (1) In order to be a student of the University, a person must have been admitted to the University and must have been registered for a module, or for a programme leading to the attainment of a qualification.
- (2) The Council may determine the maximum number of students that may be registered with the concurrence of the Senate.
- (3) The Council, with the concurrence of the Senate, may prescribe selection tests or a particular standard of academic competence as further admission requirements for studies at the University.
- (4) A student who is admitted to and registered at the University continues to be a student of the University for the duration of the academic programme, or until the time the student or the University terminates the registration in accordance with the rules.
- (5) In order to continue with studies at the University, a returning student must reregister annually in accordance with the rules.
- (6) A student whose studies have been interrupted without permission for a year or longer must apply anew for admission in order to be reregistered.
- (7) The Council, after consultation with the Senate, may set requirements for the readmission of a student and may refuse to allow readmission unless such requirements are met.
- (8) A person who has been admitted to the University, and demonstrates the intention to be associated with the University as a student by using University facilities or participating in University activities, is subject to the rules.



## **Discipline**

- 57.** (1) The Council, after consultation with the Senate and the SRC, must make rules in respect of student discipline, and the rules must be stipulated in the Disciplinary Code for Students.
- (2) The rector is responsible for student discipline and must submit an annual report on student discipline to the Council and the Senate.
- (3) A student or other person indicated is subject to the disciplinary rules and procedures provided in the Disciplinary Code for Students and applied by the appropriate disciplinary bodies contemplated in that Code.

# **CHAPTER 8**

## **QUALIFICATIONS AND HONORARY DEGREES**

### **Authority of University**

- 58.** (1) The University may confer and award the qualifications determined by the Council on the recommendation of the Senate, and which have been approved, accredited and registered in accordance with the Act and other applicable legislation, and which are contained in the rules of the University.
- (2) The Senate may exempt a person from requirements for a qualification in respect of attendance and examinations in the case of a student who has graduated or obtained a qualification from, or completed a module at, another faculty or another higher education institution.
- (3) The Council, with the concurrence of the Senate, may revoke a degree or withdraw a diploma or certificate obtained through plagiarism, theft, fraud, bribery or any other dishonest or unlawful act.

## **Congregation**

- 59.** (1) Qualifications must be conferred and awarded at a meeting of the University, called a congregation, which the registrar must call at a time, place and in a manner determined in the rules.
- (2) The chancellor or, in the absence of the chancellor, the rector or the rector's representative, presides at the congregation.
- (3) A qualification may not be conferred or awarded unless the registrar has certified and the Senate has been satisfied that the requirements for the qualification have been met.
- (4) A person is not entitled to the privileges of a qualification until it has been conferred or awarded at a congregation. If a student has met the academic requirements for a degree or diploma and the degree or diploma certificate has not yet been issued, the registrar may issue a document stating that the student has met the academic requirements for the degree or diploma and that the certificate will be issued in accordance with the rules.
- (5) A qualification may be conferred or awarded in the relevant person's absence, or posthumously.

## **Conferral of honorary degrees and awards**

- 60.** The Council may confer and revoke honorary degrees and awards in accordance with the rules.

# **CHAPTER 9**

## **GENERAL**

### **Rules**

- 61.** The registrar must publish the rules made by the Council in terms of clause 10(2)(b), or another body in terms of a delegation under clause 10(8), after which the rules are enforceable in the University. The registrar must make

known in the yearbook of the University or elsewhere the manner and form in which the rules of the University may be accessed.<sup>22</sup>

### **Effect of vacancies**

- 62.** (1) No vacancy in the membership of a body established by or under this Statute impairs the capacity of that body to exercise its powers and perform its functions in terms of and in accordance with the Act or this Statute.
- (2) Subclause (1) does not set aside a quorum requirement or the requirement that reasonable steps be taken to fill a vacancy in the membership of a body established by or under this Statute as soon as possible.

### **Delegations**

- 63.** (1) A body or office bearer on whom a power or function is conferred by or in terms of this Statute may delegate that power or function to the extent allowed by the Act and this Statute.
- (2) A body or office bearer to whom a power or function is delegated in accordance with this Statute may sub-delegate such power or function only in terms of an authority contained in the delegation itself or otherwise with the prior approval of the body or office-bearer on whom the power or function has originally been conferred.
- (3) A body or office-bearer that has delegated any power or function remains responsible for the exercise of the powers and the performance of the functions so delegated, and may withdraw the delegation at any time.
- (4) The registrar must keep an up-to-date register of delegations made under or in terms of the Statute. The registrar must make known in the yearbook of the University or elsewhere the manner and form in which the delegations may be accessed.<sup>23</sup>

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<sup>22</sup> In order to enhance transparency.

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### **Transitional provisions**

- 64.** (1) A body and office bearer provided for in this Statute that existed prior to the commencement of the Statute, continue to exist and hold office, and exercise the powers and perform the functions which they have exercised and performed prior to the commencement of the Statute, but they must comply with this Statute within 24 months after its commencement.
- (2) Anything done, commenced, instituted or in the process of being finalised under the previous Statute is deemed to have been done, commenced, instituted or in the process of being finalised under the corresponding provision of this Statute.
- (3) The rules in force at the commencement of this Statute continue to apply until they are replaced or repealed.
- (4) The Council may take any step necessary as a transitional measure to ensure the effective implementation of this Statute.

### **Amendment of Statute**

- 65.** (1) The Council may amend this Statute by a two-thirds majority of all its members.
- (2) Only a member of the Council may propose an amendment to the Statute. A proposal for an amendment may be tabled if written notice was given by the registrar to all the members of the Council at least 14 calendar days before the meeting at which the proposal is to be introduced, unless a two-thirds majority of the members present vote in favour of disposing with the requirement of prior notice.

### **Repeal of Statute**

- 66.** The Statute of Stellenbosch University referred to in Government Notice No 972 of 2 September 2016 and published in Government Gazette No 40243 of 2 September 2017 is repealed from the date mentioned in the Government Gazette notice referred to in clause 69.

### **Different versions of Statute**

- 67.** In the event of an inconsistency between different versions of the Statute, the English version prevails.

## Definitions

68. In this Statute, unless the context indicates otherwise —

“**Academic Affairs Council**” means a body established by the SRC to promote academic matters on behalf of students;

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

“**alumni**” means all persons who have obtained a formal qualification from the University;

“**appointed**”, with reference to a member of a body, means appointed in accordance with the procedures of that body;

“**chancellor**” means the office bearer referred to in clause 36;

“**chief operating officer**” means the office holder referred to in clause 44;

“**Constitution**” means the Constitution of the Republic of South Africa, 1996;

“**Convocation**” means the body of persons referred to in clause 47;

“**Council**” means the body established by clause 6;

“**dean**” means an office bearer referred to in clause 46;

“**designated**”, with reference to a member of a body, means designated in accordance with the procedures of that body;

“**donor**” means a person or institution recognised in terms of clause 52;

**“elected”**, with reference to a member of a body, means elected by a majority of the members of the relevant body present and voting, unless otherwise indicated;

**“employee”** means a person referred to in clause 54;

**“executive committee of Council”** means the committee referred to in clause 15;

**“executive committee of Senate”** means the committee referred to in clause 22;

**“faculty board”** means the body established in terms of clause 22;

**“general management committee”** means the committee referred to in clause 35;

**“Institutional Forum”** means the body established by clause 29;

**“Minister”** means the member of the national executive responsible for higher education and training;

**“Prim Committee”** means the committee of head students of the various residences and in the private student organisation of the University;

**“qualification”** means a formal qualification registered on the relevant sub-framework of the National Qualification Framework, and includes a degree, diploma or certificate;

**“rector”** means the office bearer referred to in clause 40;

**“rector’s management team”** means the body referred to in clause 34;

**“registrar”** means the office bearer referred to in clause 45;

**“rules”** means the rules made by the Council or another competent body in terms of this Statute;

**“Senate”** means the body established by clause 16;

**“SRC”** means the Students’ Representative Council referred to in clause 26;

**“Society Council”** means the body established by the student constitution referred to in clause 26(2) to represent the interests of all recognised student societies and their members;

**“staff”** means the employees referred to in kl 54;

**“University”** means Stellenbosch University; and

**“vice-rector”** means an office bearer referred to in clause 43.

### **Commencement**

- 69.** The Statute comes into effect on the date mentioned in the relevant notice in the Government Gazette.