



Stellenbosch

UNIVERSITY
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UNIVERSITEIT

FACULTY OF LAW



POSTGRADUATE GUIDE

2022

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1. FOREWORD

Postgraduate research is offered at the Faculty of Law at two levels: master's degrees (LLM) and doctoral degrees (LLD). This document serves as a road map for all processes involving master's theses and doctoral dissertations at the Faculty.

Part A: Admission and registration

Part B: Conducting and supervising research

Part C: Submission

Part D: Examination

In addition, Part E of this guide contains some general provisions related to postgraduate research, Part F contains a number of letters and forms relevant to the appointment of external supervisors and the submission and examination process of a master's thesis or doctoral dissertation and Part G contains annexures, which includes the student-supervisor agreement and summaries of the duties of the assessment panel for a master's examination and the non-examining chairperson for a doctoral examination.

The Faculty's Research Committee, which is tasked with managing and overseeing research at master's and doctoral level at the Faculty, is the custodian of this guide and is responsible for annual updates to this guide in order to ensure that the guide is in accordance with the rules of the University at all times. Any substantive amendments to this guide must be approved by the Faculty Board.

The Calendar 2022 (Part 1 General) contains rules regarding postgraduate qualifications and other policy related matters. These are the overarching rules of the University. Besides the provisions and requirements of the Calendar 2022 (Part 1 General), a faculty may have specific provisions and requirements of its own for master's theses and doctoral dissertations,¹ as long as such specific provisions and requirements are not in conflict with the Calendar 2022 (Part 1 General). Some of these specific provisions and requirements are contained in the Calendar 2022

¹ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.4.2. Despite the Calendar 2022 (Part 1 General) only referring to master's theses in this paragraph, it has been confirmed by the Registrar that the same applies to doctoral dissertations.

(Part 8 Law), whereas others are included in this guide. Accordingly, this guide must be read together with Parts 1 and 8 of the Calendar of the University.

Most of the references in this guide to the Calendar 2022 (Part 1 General) are in the chapter *Postgraduate Qualifications* in the Calendar. You will find this chapter on pages 47 – 70 of the Calendar 2022 (Part 1 General).

In many instances in this guide, you will be referred to the Calendar (Part 1 or Part 8) and you are required to consult those provisions. In other instances, the rules contained in the Calendar are duplicated in this guide, and highlighted in a yellow block, or a reference to the Calendar is provided in a footnote. In respect of the latter, you are also advised to consult the Calendar.

In the digital version of this guide, you will note that specific words are underlined. If you click on those words, the links will take you to relevant websites or documents.

Please note that the terms “student” and “candidate” are used interchangeably.

If anything in terms of this guide is required to be done by the chairperson of the Research Committee, and the chairperson of the Research Committee is also the supervisor or examiner of the specific candidate involved, then the Research Committee must appoint another member of the Research Committee to perform the necessary functions which would otherwise be performed by the chairperson of the Research Committee for purposes of that specific candidate.

If anything in terms of this guide is required to be done by the chairperson of a department or by the Dean, and the chairperson of the department or the Dean, respectively, is also the supervisor or examiner of the specific candidate involved, the chairperson of the Research Committee (or any other member of the Faculty Committee appointed by the Faculty Committee) shall perform the necessary functions which would otherwise be performed by the chairperson of the department or the Dean, respectively, for purposes of that specific candidate.

The contact details of the key people in the Faculty involved with the administration of postgraduate research are as follows:

Dean of the Faculty of Law: Prof Nicola Smit

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Chairperson of the Research Committee: Prof Juanita Pienaar

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PART A: APPLICATION, ADMISSION AND REGISTRATION

2. APPLICATION, ADMISSION AND REGISTRATION: OVERVIEW

- 2.1. Before a prospective student qualifies to register for a postgraduate research programme at the Faculty in terms of paragraph 9 below, the prospective student must (in the following order, and as further explained below):
 - 2.1.1. *prima facie* be satisfied that the admission requirements are met (or should be met at the time of registration) (see paragraph 3 below);
 - 2.1.2. identify a potential supervisor (and co-supervisor if necessary (see paragraph 4 below);
 - 2.1.3. apply to the University for postgraduate studies, after which, if the application was approved, the prospective student is provisionally admitted for postgraduate studies (see paragraph 5 below);
 - 2.1.4. submit a research proposal to the Research Committee (see paragraph 6 below), which will be considered (see paragraph 7 below) and which must subsequently be approved (together with the appointment of the supervisor(s)) by the Faculty Board (see paragraph 8 below);
 - 2.1.5. on approval by the Faculty Board of the research proposal and the appointment of the supervisor(s), the prospective student becomes admitted for postgraduate studies, after which the prospective student must register as student (see paragraph 9 below).
- 2.2. Without detracting from the above, under certain circumstances, prospective students will be allowed to provisionally register for a postgraduate research programme at the Faculty in terms of paragraph 10 below (short procedure registration).

3. ADMISSION REQUIREMENTS

- 3.1. In general, a prospective student should have the capacity to complete the research programme successfully, bearing in mind the nature and quality of previous study, commitment to research, and available time (particularly in the case of students who are working and studying part-time).

- 3.2. Paragraph 4.1 on page 36 (for master's degrees) and paragraph 5.1 on page 40 (for doctoral degrees) of the Calendar 2022 (Part 8 Faculty of Law) should be consulted for the admission requirements.
- 3.3. The Faculty Administrator or Faculty Manager should be consulted for any queries regarding the admission requirements.

4. FINDING (A) POTENTIAL SUPERVISOR(S)

4.1. In this guide, the reference to a “supervisor” is used for the person providing guidance to a student for a master’s thesis and for a doctoral dissertation.

4.2. The following rules from the Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.5.2 shall be applicable to the supervisor(s) of a master’s thesis:

The supervisor for a Master’s thesis need not be a member of the University’s staff, provided that, if he is not, there shall be a co-supervisor who is a member of the University’s staff. If the supervisor is a member of the University’s staff, either another such member or an external person may be appointed co-supervisor, if a co-supervisor is required for the study.

4.3. The following rules from the Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.5 (b) shall be applicable to the supervisor(s) of a doctoral dissertation:

The supervisor need not be a member of the University’s permanent staff. If he is not, there shall however be appointed a co-supervisor who is a member of the University’s permanent staff. If the supervisor is a member of the University’s staff, either another lecturer at the University or a person external to the University may be appointed co-supervisor.

4.4. In this guide, when “supervisor(s)” is used, it includes co-supervisor, if applicable and unless stated otherwise.

4.5. A prospective student should discuss his or her proposed master’s or doctoral study with (a) potential supervisor(s). Prospective students may contact the Faculty Manager or the chairperson of the relevant department in which the topic of the

study falls for assistance in identifying (a) potential supervisor(s) or can consult the [University's Knowledge Directory](#).

- 4.6. The departmental chairperson and/or potential supervisor(s) may require the prospective student to submit his or her CV (including certified copies of degree certificates and academic records).
- 4.7. Potential supervisors are required to confirm in writing to prospective students (copying the Faculty Administrator and Faculty Manager) that supervision will, in principle, be provided for the proposed master's or doctoral study subject to, *inter alia*:
 - 4.7.1. the prospective student complying with the admission requirements (see paragraph 3 above), having applied to the University and having been provisionally admitted (see paragraph 5 below);
 - 4.7.2. the prospective student submitting an acceptable research proposal within a reasonable time (see paragraph 6 below);
 - 4.7.3. the Faculty Board approving the research proposal and the appointment of the potential supervisor(s), thereby admitting the prospective student (see paragraph 8 below); and
 - 4.7.4. the prospective student registering for the relevant postgraduate research programme (see paragraphs 9 and 10 below).
- 4.8. If there is a relationship (for example by blood, adoption, marriage, civil union or of an intimate nature) between a potential supervisor and a prospective student:
 - 4.8.1. such a relationship must be disclosed in the research proposal and to the Faculty Board; and
 - 4.8.2. the related potential supervisor may only act as co-supervisor, together with a person unrelated to the prospective student as supervisor.
- 4.9. If a relationship contemplated in paragraph 4.8 subsequently arises between a student and the supervisor, the relationship must be disclosed to the Faculty Board at the first meeting following the existence of such a relationship, and an unrelated supervisor must be appointed (either as a sole supervisor, or together with the related supervisor as a co-supervisor).

5. APPLICATION FOR POSTGRADUATE STUDIES AND PROVISIONAL ADMISSION

- 5.1. Once a prospective master's or doctoral student has written confirmation from the potential supervisor(s) (see paragraph 4.7 above), an application for postgraduate studies at the University can be made. This application precedes admission and full or provisional (short procedure) registration.
- 5.2. If a person is a registered student at the University in the academic year immediately preceding the registration for the relevant postgraduate research programme, an application form must be collected from the Faculty Administrator, completed and submitted to the Faculty Administrator. It is then not required to follow paragraph 5.3 below.
- 5.3. If a person is not a registered student at the University in the academic year immediately preceding the registration for the relevant postgraduate research programme (irrespective of whether the person was registered at the University before), an [online application to the University](#) must be made.
- 5.4. It is the responsibility of the Faculty Administrator, before approving the application in terms of paragraphs 5.2 or 5.3 above (if necessary in consultation with the Faculty Manager), to ensure that:
 - 5.4.1. prospective students who apply for postgraduate studies must meet the admission requirements for the relevant postgraduate research programme (if necessary in consultation with the [Postgraduate Office](#)), or alternatively, if the admission requirements are not yet met but if there is a reasonable prospect that the admission requirements will be met in due course, to ensure that prospective students are only provisionally admitted (for example, if the prospective master's student is still in the process of completing an LLB degree) (see also 8.2 below); and
 - 5.4.2. the potential supervisor(s) has/have confirmed in writing that supervision will in principle be provided as contemplated in paragraph 4.7 above.
- 5.5. Once the application is approved in terms of paragraph 5.4 above, the prospective student is provisionally admitted, and will only be eligible for registration when

admitted, following the approval of the Faculty Board of the research proposal and the appointment of the supervisor(s) in terms of paragraph 2.1.5.

6. RESEARCH PROPOSAL

- 6.1. Once a prospective student is provisionally admitted to the University, a research proposal may be submitted to the potential supervisor(s) for consideration. Such a research proposal must meet the prescribed requirements set out below in paragraph 6.3 and must be written in the same language as the language in which the thesis or dissertation is to be written.
- 6.2. The proposal functions as part of the screening process of prospective postgraduate programme candidates and gives departments and potential supervisors a sense of the candidate's ability to formulate his or her ideas, the candidate's ability to write a thesis or dissertation in the relevant language, the contribution of the study to the field of research and the feasibility of the project.
- 6.3. A research proposal must include at least the following:
 - 6.3.1. A provisional title.
 - 6.3.2. An initial description of the research problem, which includes an overview of the current state of the research as reflected in the literature, the relevance of the research problem, and potential outcomes.
 - 6.3.3. A more detailed exposition of provisional chapters and headings under which the research problem is proposed to be addressed.
 - 6.3.4. A description of how the prospective student proposes to deal with the research problem, which includes any hypotheses, research methodologies (if a comparative study is undertaken, this would include justifications for selecting particular systems for purposes of comparison), and whether there is any need for ethical clearance and approval.
 - 6.3.5. A detailed research programme schedule, setting out the relevant chapters (as indicated in paragraph 6.3.3), their proposed length, and projected dates of completion.
 - 6.3.6. A provisional bibliography.
- 6.4. Length of a research proposal:
 - 6.4.1. A master's research proposal should be between 4500 and 7500 words (including footnotes, excluding bibliography).

- 6.4.2. A doctorate research proposal should be between 6000 and 9000 words (including footnotes, excluding bibliography).
- 6.5. The default referencing style for the research proposal is that of the *Stellenbosch Law Review*, which can be accessed [here](#). However, a prospective student may with the express permission of the potential supervisor(s) deviate from the *Stellenbosch Law Review* style guide or use another referencing style.
- 6.6. If the potential supervisor(s) is/are of the opinion that a prospective student will benefit from research training, he or she or they may request that the prospective student undertakes the necessary training before submitting a research proposal or as soon as possible after submitting a research proposal. Students who register provisionally (see paragraph 10 below) must attend and participate in the generic postgraduate training sessions during the first year of study to the satisfaction of the supervisor(s).
- 6.7. Once the potential supervisor(s) and the prospective student are satisfied with the content and format of the research proposal, it is submitted to the chairperson of the Research Committee by the potential supervisor(s).

7. THE AD HOC COMMITTEE

- 7.1. The chairperson of the Research Committee, who may in this regard consult with the chairperson of the department in which the topic of the study falls and/or the potential supervisor(s) for recommendations, appoints an *ad hoc* committee to consider the prospective student, the research proposal and the potential supervisor(s). If the chairperson of the Research Committee is of the opinion that the research proposal does not *prima facie* comply with the requirements set out in paragraph 6 above (e.g. with regard to length), he or she may require that the proposal be amended accordingly and resubmitted.
- 7.2. The *ad hoc* committee does not include the prospective student or potential supervisor(s) but comprises at least two members. The chairperson of the Research Committee is allowed to appoint a member of another department of the University or a member of another university to the *ad hoc* committee. The chairperson of the Research Committee may, should he or she consider it necessary, appoint additional members to the *ad hoc* committee.

- 7.3. The *ad hoc* committee may request that the prospective student and/or the potential supervisor(s) provide further input regarding the research proposal and/or that amendments are made to the research proposal. Should the prospective student provide such further input and/or amendments, it should be done with the involvement of the potential supervisor (i.e. the prospective student should not communicate with the *ad hoc* committee without the involvement of the potential supervisor).
- 7.4. The *ad hoc* committee considers the following aspects and submits a written report to the Faculty Board, via the chairperson of the Research Committee, with specific reference to these aspects:
 - 7.4.1. The suitability of the prospective student;
 - 7.4.2. The suitability of the research proposal; and
 - 7.4.3. The suitability of the potential supervisor(s), with due consideration of the expertise available in the department and the Faculty, and of the experience in postgraduate study guidance of the potential supervisor(s). If necessary, the *ad hoc* committee may recommend the appointment of another person as supervisor or may recommend a co-supervisor.

8. APPROVAL BY THE FACULTY BOARD (ADMISSION)

- 8.1. The chairperson of the Research Committee, after receiving the written report from the *ad hoc* committee which recommends the prospective student, the research proposal and the appointment of the supervisor(s), informs the Faculty Administrator in order to have the matter placed on the agenda of the Faculty Board meeting.
- 8.2. If not already done so in terms of paragraph 5.4 above, the Faculty Administrator has the responsibility to ensure that the prospective student meets the admission requirements for the relevant postgraduate research programme, if necessary in consultation with the Postgraduate Office and/or the Faculty Manager, before the matter is placed on the agenda of the Faculty Board meeting.
- 8.3. The prospective student, the research proposal and the appointment of the supervisor(s) must be considered and approved by the Faculty Board on the basis of a recommendation made by the *ad hoc* committee.

- 8.4. The Faculty Administrator notifies the prospective student of whether he or she has been approved by the Faculty Board, and provides the necessary administrative information for registration, including the deadline referred to in paragraph 9.1 below, if the student has been admitted.
- 8.5. The Faculty Administrator sends any external supervisor or co-supervisor the standard letter of appointment (Form A) once his or her appointment was approved by the Faculty Board. The Faculty Administrator must ensure that the signed letter is sent back to him or her by the external supervisor or co-supervisor.

9. REGISTRATION

- 9.1. A prospective student shall register within a period of 12 months after the Faculty Board has considered the recommendation of the *ad hoc* committee and has decided to admit the prospective student by approving the research proposal and the appointment of the supervisor(s).
- 9.2. Registration is administered by the Faculty Administrator.
- 9.3. In addition to registration in terms of 9.1 above, the Faculty Board may permit a prospective full-time master's or doctoral student to register in accordance with the so-called short procedure as set out in paragraph 10 below.
- 9.4. Minimum time periods of registration:
 - 9.4.1. The minimum period in which any student may complete a master's is one academic year.²
 - 9.4.2. The minimum period in which any student may complete a doctorate is two academic years.³
- 9.5. For further rules applicable to, respectively, the interruption of master's and doctoral studies and the continuation of registration for postgraduate research programmes, paragraphs 18 and 19 below should be consulted.

² Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.1.1.

³ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.1.6.

10. SHORT PROCEDURE REGISTRATION

- 10.1. This procedure entails the prospective student, if he or she meets the requirements, being permitted to register provisionally for the study on the basis of a provisional title but without a full research proposal.
- 10.2. A prospective student who wants to register in terms of the short procedure is subject to paragraphs 3, 4 and 5 above. A student who satisfies the aforementioned paragraphs 3, 4 and 5 may discuss registration in terms of the short procedure with the potential supervisor(s) and such registration must be endorsed by the supervisor(s).
- 10.3. If short procedure registration is endorsed by the potential supervisor(s), the potential supervisor(s) must complete and sign Form J and send a copy of the completed and signed Form J to:
 - 10.3.1. the secretary of the Research Committee, who will place matter on the agenda of the Faculty Board meeting for approval by the Faculty Board; and
 - 10.3.2. the student, who will need to present it to the Faculty Administrator in order to effect short procedure registration.
- 10.4. A student will be permitted to register provisionally in accordance with this procedure only if:
 - 10.4.1. The Faculty Board has approved the student, the supervisor(s) and title;
 - 10.4.2. The student is registered full time and, if so required by the supervisor(s), is on campus to work on the study;
 - 10.4.3. The student attends and participates in the generic postgraduate training sessions during the first year of study to the satisfaction of the supervisor(s);
 - 10.4.4. The student, if required by the supervisor(s), completes the necessary further research training during the first year of study to the satisfaction of the supervisor(s); and
 - 10.4.5. The student does not work on the thesis or dissertation during the first year of study or until the research proposal (referred to in paragraph 10.5 below) is approved.
- 10.5. A student who is registered provisionally in terms of the above procedure is required to submit a full research proposal for consideration by an *ad hoc*

committee and for approval by the Faculty Board before the end of the first full year (i.e. 12 months) of being provisionally registered. If, for example, provisional registration was approved by the Faculty Board during February of the current year, then the research proposal must be approved by the Faculty Board during February of the following year at the latest. The same requirements for a research proposal as set out in paragraph 6 above and the same process of consideration by an *ad hoc* committee and approval by the Faculty Board as set out in paragraphs 7 and 8 above applies *mutatis mutandis*.

- 10.6. A candidate who does not comply with paragraph 10.5 will be denied any further registration for the programme.⁴

11. ADMISSION AND REGISTRATION: GENERAL

11.1. RESOURCES

In addition to the various [libraries](#) on campus, students can also make use of several [computer facilities](#) and the [language centre](#). The Faculty also has a [legal writing blog](#). The Postgraduate Office is situated within the [Division for Research Development](#) and provides services and information related to enrolment support, skills development and funding opportunities.

11.2. EMPLOYER'S PERMISSION

Prospective students in the employ of an organisation other than the University should consult the Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.2.1 for master's degrees, or para 6.2 (b) for doctoral degrees.

11.3. INFORMATION FROM EXTERNAL SOURCES

Any person who in his or her programme of study intends to make use of information from sources outside the University's control should consult the Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.2.3 for master's degrees or para 6.2 (c) for doctoral degrees.

11.4. ETHICAL ASPECTS OF SCIENTIFIC RESEARCH

In certain cases, ethical implications are involved in scientific research. In such cases, it is the responsibility of both the student and the supervisor(s) to decide

⁴ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.9.9.

whether ethical clearance and approval for the project is necessary. If so, the University policy on this and the correct procedure for ethical clearance must be followed. The “Policy for Responsible Research Conduct at Stellenbosch University” can be accessed [here](#) and more information on integrity and ethics at the University can be obtained on the website of the Division for Research Development.

11.5. **ATTENDANCE (RESIDENCE)**

Non-residential doctoral students should consult the Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.3.

PART B: CONDUCTING AND SUPERVISING RESEARCH

12. RELATIONSHIP BETWEEN STUDENT AND SUPERVISOR(S)

- 12.1. The mutual responsibilities of the student and the supervisor(s) should be discussed as soon as possible after registration and commencement of the study.
- 12.2. The following guidelines from the Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 7 shall be applicable to the relationship between the student and the supervisor(s), unless otherwise agreed upon between the student and the supervisor(s):

The following set of guidelines is presented as a code of conduct to ensure that the relationship between a supervisor and a postgraduate student, engaged in research for a degree, is conducive to successful studies at the University:

1. The candidate undertakes to stay informed of the infrastructure and the accompanying rules of the department concerned (with the requisite inputs from the supervisor).
2. The University undertakes not to select a candidate for a specific project without confirming beforehand in writing with the faculty concerned that the project may be undertaken. Specifics regarding the responsibility for the required funds and relevant infrastructure shall be indicated.
3. The candidate shall acquaint himself with the guidelines for recording research, as is generally accepted within the discipline concerned, with the aid of the supervisor.
4. The candidate shall confirm that he possesses, or will acquire, the computer skills to complete the project in a satisfactory manner.
5. Pre-study work, as required by the University, shall be completed in an agreed period of time.
6. A work schedule for each candidate has to be drawn up within a reasonable time (as a rule within 60 days) in consultation with the supervisor. The schedule shall include target dates for, among others, the submission of a research proposal, the completion of a literature survey, the completion of specific chapters and the submission of progress reports. Times of absence (study leave, university holidays, etc.) shall also be included.

7. During the academic year, regular meetings on fixed dates shall be scheduled between the candidate and the supervisor.

8. The supervisor shall report annually in writing to the departmental chair/postgraduate coordinator/dean concerned on the candidate's progress.

9. All submitted work shall be returned to the candidate by the supervisor within a reasonable time, but not exceeding 60 days for a complete thesis/dissertation.

10. When a project is near completion, the candidate shall make the necessary submissions in accordance with the requirements for graduation within the discipline concerned. (Refer specifically to the University Almanac as set out in this Part of the University Calendar, to ensure that theses/dissertations are finalised and examined in time for the various graduation ceremonies in December and March.)

11. The candidate undertakes to produce suitable outputs (such as publications, patents, reports), as arranged with the supervisor. The candidate shall acquaint himself with the customs in the discipline concerned regarding authorship.

12. Where applicable, the candidate and the supervisor shall acquaint themselves with the requirements regarding intellectual property in the environment concerned.

Responsibilities of the supervisor

1. To familiarise himself with procedures and regulations.

2. To establish a stimulating research environment.

3. To establish a relationship with the student.

4. To give advice about project choice and planning.

5. To discuss intellectual property and publications.

6. To ensure that facilities, where relevant, are available.

7. To provide research training.

8. To consult with the student, to monitor progress continually and to provide structured feedback.

9. To be aware of the student's situation and needs.

10. To arrange for study guidance during periods of absence.

Responsibilities of the student

1. To familiarise himself with the University regulations regarding postgraduate studies and to abide by these regulations.

2. To undertake research with dedication.

3. To develop initiative and independence.
4. To keep complete records of research results.
5. To establish a relationship with the supervisor.
6. To gain feedback by means of reports and seminars and to act on it.
7. To do a literature survey and to keep abreast of new literature.
8. To benefit from the research environment.
9. To inform the supervisor of non-academic problems.
10. To prepare and write the thesis or the dissertation.
11. To prepare and write publications, patents and reports.

13. COMPLAINTS ON FEEDBACK

- 13.1 If a student is dissatisfied with the quality of feedback or is of the opinion that unreasonable delays exist in the provision of feedback from his or her supervisor(s), the student first approaches his or her supervisor(s).
- 13.2 If the matter is not resolved to the satisfaction of the student, the matter may be referred by the student to the line manager of the supervisor(s) for facilitation, or for the line manager to appoint a facilitator within 10 working days from the referral. If the Dean is the supervisor, the matter may be referred by the student to a senior professor of the Faculty appointed by the chairperson of the Research Committee for facilitation. The facilitator will then be disqualified to act as an unattached examiner of the thesis or dissertation.
- 13.3 If the facilitator does not resolve the dispute to the satisfaction of the parties within 10 working days after his or her appointment or within such longer period as agreed to with the parties, the matter is referred to the Research Committee for a decision. In making a decision, the Research Committee may, in addition to the representations by the parties, take into account the view of the facilitator.

14. ANNUAL REPORTING AND MONITORING OF PROGRESS

- 14.1. Any student for the degree of master's or doctorate shall have an obligation to keep his or her supervisor(s) informed of how his or her research is progressing.⁵

⁵ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.3.1. See also Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.4.

- 14.2. Master's and doctoral candidates shall remain in constant touch with their supervisor(s), and shall at a frequency of not less than once in every six months report to him or her the amount of progress they have made with their research, otherwise the approval of the topic for the thesis or dissertation and of the study for the degree of master's or doctor may be suspended.⁶
- 14.3. In cases where the supervisor(s) may deem it necessary (as where sustained contact with the student is not possible), he or she shall have the right to require one or more written reports, as may be necessary, from the student.⁷
- 14.4. Departments shall report to the Faculty Manager annually on the progress of students engaged in research for degree purposes.⁸
- 14.5. Where a department's annual report shows that a student is not making satisfactory progress, or has failed to report on his or her progress or lack thereof, the Dean shall in a formal letter remind such student of his or her above-said obligation.⁹
- 14.6. The student-supervisor agreement (see [annexure 1](#)) must be concluded and submitted annually by 1 March to the secretary of the Research Committee. This agreement must include a schedule containing a work programme for the academic year. See paragraph 19 on the relevance of progress for purposes of determining whether registration may be continued; the student-supervisor agreement can play an important role in making this determination.

15. REFERENCING AND PLAGIARISM

- 15.1. The default referencing style for master's theses and doctoral dissertations is that of the *Stellenbosch Law Review*, which can be accessed [here](#). However, students may with the express permission of the supervisor(s) deviate from the *Stellenbosch Law Review* style guide or use another referencing style.

⁶ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.9.7.

⁷ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.3.2. See also Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.4.

⁸ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.3.3. See also Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.4.

⁹ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.3.4. See also Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.4.

- 15.2. It is the responsibility of masters' and doctoral students to familiarise themselves with and to abide by the ["Policy on Plagiarism \(in Support of Academic Integrity\)"](#) and the ["Procedure for the Investigation and Management of Allegations of Plagiarism"](#).
- 15.3. All theses and dissertations must be submitted to a plagiarism detector or an originality checker (for example Turnitin) for a plagiarism check by the supervisor(s) before examination (see paragraph 22 below).
- 15.4. Any uncertainties regarding referencing and plagiarism must be addressed to the supervisor(s), who may recommend that a [writing consultant](#) be contacted, if further clarification is required and if a writing consultant is available to assist.

16. CHANGES IN RESEARCH PROBLEM, TITLE AND/OR SUPERVISORS(S)

- 16.1. **Substantial changes in the research problem** of a master's or doctoral study must be submitted to and approved by the Faculty Board via the chairperson of the Research Committee. A new research proposal must be prepared and submitted to the chairperson of the Research Committee. Paragraphs 6, 7 and 8 above apply *mutatis mutandis*.
- 16.2. **Changes in the title** of a master's or doctoral study must be submitted to and approved by the Faculty Board via the chairperson of the Research Committee. A written motivation must be provided by the supervisor(s) to the chairperson of the Research Committee, together with a confirmation that the change is not a substantial change in the research problem. The change in title should be requested when the supervisor(s) inform the chairperson of the Research Committee of the anticipated submission in terms of paragraph 21 below.
- 16.3. **Changes in the supervisor(s)** of a master's study or of a doctoral study must be submitted to and approved by the Faculty Board via the chairperson of the Research Committee. A written motivation must be provided by the previous or prospective supervisor(s) to the chairperson of the Research Committee.

17. CONVERSION FROM MASTER'S TO DOCTORATE

- 17.1. The University and the Faculty recognise the conversion of a master's registration into a doctoral registration in certain circumstances and if certain requirements are met.
- 17.2. The following provisions from the Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 1.2 shall be applicable to the conversion of a student's registration from a master's degree to a doctorate (importantly, the process in terms of paragraph 1.2.5 in the block below must be followed):

That, in deserving cases, and with due regard to the best interests of the student concerned, the conversion of a registration for the degree of Master requiring a thesis into a registration for the Doctorate may be considered and communicated to the EC(S) and Senate by the board of the relevant faculty, provided that:

1.2.1 the student shall have shown exceptional progress with his research (registration for the Doctorate after not less than one year's registration for the Master's study) and shall have applied for the conversion not later than during the third year of registration for the Master's study;

1.2.2 in the course of the work done for the Master's study concerned there shall have emerged new and original insights which warrant further inquiry at the Doctoral level;

1.2.3 the work done for the Master's study concerned shall have been such that it exceeds the conventional Master's study in scope and justifies further investigation at the Doctoral level;

1.2.4 the results of the work done for the Master's study concerned shall preferably already have been accepted for publication in a learned journal of high quality, although this is not a prerequisite;

1.2.5 the proposal for such conversion shall be initiated by the supervisor, who shall make a request to the departmental chairperson.

If the chairperson supports the request, he shall direct the request to the dean. (Where the supervisor is himself the departmental chair, he shall make the request to the dean direct.)

The dean shall appoint a committee of three or four members whose subject expertise equips them to judge the request. One of the members shall preferably not be a member of the Stellenbosch University staff.

The student, after consultation with the supervisor, shall compile a brief report containing (i) a report of the progress made with the Master's study and (ii) a submission on the proposed Doctoral study, consisting of, among others, a detailed protocol containing full information on the hypothesis(es), literature review, material for and technique of the study, viability and ethical implications of the study.

The committee shall consider the report and make a recommendation for consideration by the faculty board;

1.2.6 before the Doctorate may be awarded to the student, he shall have been registered for the degrees of Master and Doctor jointly for a total of not less than three years where the Master's is taken directly after an Honours or a four-year career-oriented Bachelor's, and for a total of not less than four years where the Master's is taken directly after a Bachelor's (while there may still be students registered for such two-year degrees of Master's that are being phased out), including, in both instances, not less than one year for the Doctorate;

1.2.7 in cases where written examinations are required for the Master's study in question, all such examinations shall have been taken and passed by the student before the Doctorate may be awarded to him;

1.2.8 the conversion shall always only take place at the start of a new academic year, that is to say in February; and

1.2.9 the student's tuition fees shall not be retrospectively adjusted after the conversion.

17.3. A request for a conversion from a master's to a doctorate must be made before the thesis is submitted for examination.

17.4. In terms of 1.2.5 in the block above, the Dean shall appoint a committee of three or four members whose subject expertise equips them to judge the request. The Dean may in this regard consult with the chairperson of the Research Committee, the chairperson of the department in which the topic of the study falls and/or the supervisor(s) to make recommendations.

17.5. The Communications Report of the Faculty Board must include a short motivation (2-3 sentences) regarding the need for the conversion. Such motivation must be provided by the supervisor(s).

17.6. Conversion from a doctorate to a master's is not possible. It is however possible to terminate doctoral studies (deregister in terms of paragraph 18 below) and to register for a master's. Such registration for a master's constitutes a new student, and the complete process set out above in Part A for prospective students must be satisfied.

18. INTERRUPTION AND DEREGISTRATION OF MASTER'S AND DOCTORAL STUDIES

18.1. The University and the Faculty recognise certain acceptable reasons for the interruption of studies.

18.2. The following provisions from the Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 10 shall be applicable to the interruption of master's and doctoral studies:

10.1 Acceptable reasons for interruption of studies

Where an application for consent to an interruption of Master's or Doctoral studies is being considered, the indications below of possible reasons shall serve as the guidelines in judging the acceptability of the reasons given in support of such application. Each such application shall be substantiated by means of appropriate supporting documents, such as letter of appointment, text of academic assignment, medical certificate(s), financial statement(s), and affidavit:

10.1.1 Situation at work

10.1.2 Medical reasons

10.1.3 Financial reasons

10.1.4 Highly special personal circumstances, if thoroughly and convincingly substantiated.

10.2 Procedure for applications for consent to an interruption of studies

10.2.1 Any application for consent to an interruption of studies shall reach the appropriate faculty secretary on or before 30 April of the year concerned. Applications received after 30 April of the year concerned will be considered on merit, provided that the student has not registered for the year.

10.2.2 Consent to an interruption of studies shall be considered on the recommendation of the supervisor and the chairperson of the department concerned.

10.2.3 Where any such application has been granted in accordance with the internal procedures of the faculty board concerned, it shall be noted in the next Communications Report of such faculty board.

10.2.4 Consent to an interruption of studies shall be granted for a period of not less than one year.

10.2.5 Consent to an interruption of studies for the degree of Master shall in the normal course of events be granted to any student once only and for a period of one year.

10.2.6 Consent to an interruption of studies for the degree of Doctor shall in the normal course of events be granted to any one student either twice at the most, namely for a period of one year in each instance, or once only, namely for a period of two years.

18.3. Where an application for consent to an interruption of doctoral studies is submitted, such an application must be accompanied by the relevant progress report (if required) and application for reregistration (after the interruption) as referred to in paragraph 5.3 on pages 41-42 of the of the Calendar 2022 (Part 8 Law). Permission to register after the interruption is recommended by the Research

Committee or the Dean to the Faculty Board in accordance with paragraph 5.3 as referred to above.

- 18.4. Any student who wishes to deregister (i.e. to terminate master's or doctoral studies) must notify the Faculty Administrator accordingly, after informing the supervisor(s). Faculty Board approval is not required for deregistration.

19. CONTINUATION OF REGISTRATION

- 19.1 Any student for the degree of master's or doctorate shall, for the full duration of his or her studies until awarded the degree concerned, each year register as a student, subject to paragraph 18 above which provides that master's and doctoral studies can be interrupted.¹⁰
- 19.2 For the consequences if a student fails to register as student for the current year before the prescribed date and prior to the conferment upon him or her of the degree concerned, the Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 8.1 should be consulted.
- 19.3 See paragraph 9.4 above for the minimum time periods of registration for the degree of master's and doctorate respectively.
- 19.4 See paragraph 4.4 on page 37 of the Calendar 2022 (Part 8 Law) for the maximum duration of the **master's** programme.
- 19.5 The University's expectation is that a **doctorate** be completed within three years.¹¹ The maximum in the Faculty is five consecutive academic years of registration.¹² The provisions for continued registration are set out in a) to e) on pages 41-42 of the Calendar 2022 (Part 8 Law). The provisions *inter alia* require that all doctoral students must report at least once a year to their supervisor(s) on the progress made with the proposal and/or specific chapters. If a student wants to register again after the allowed maximum of five years, the student must obtain special permission from the Dean, and the Dean's recommendation to permit or refuse reregistration

¹⁰ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 8.1.

¹¹ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 8.3.

¹² Calendar 2022 (Part 8 Law) para 5.3 on pages 41-42.

must be approved by the Faculty Board.¹³ Note that Senate may terminate doctoral studies on recommendation of the Faculty Board according to the process set out in a) to e) referred to above, even though the maximum number of five years for continued registration is not exceeded.¹⁴

- 19.6 A postgraduate degree may not be conferred upon a student at the December graduation ceremony, or the March graduation ceremony of the subsequent year, if he or she was not registered before June of the year of the December graduation ceremony concerned.¹⁵ Such a student may, however, obtain from the University a statement to the effect that he or she has complied with all the requirements for the qualification in question and that the said qualification will be conferred in December of the subsequent year, provided that the student shall have been registered on time in respect of the year in which such qualification is to be conferred and shall have paid all tuition fees for such year.¹⁶

¹³ Calendar 2022 (Part 8 Law) para 5.3 on pages 41-42.

¹⁴ Calendar 2022 (Part 8 Law) para 5.3 on pages 41-42.

¹⁵ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 8.4.

¹⁶ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 8.4.

PART C: COMPLETION AND SUBMISSION

20. GENERAL THESIS AND DISSERTATION REQUIREMENTS

- 20.1. The only format in which a doctoral dissertation may be submitted in the Faculty is the format allowed in paragraph 6.9.5.1 of the Calendar 2022 (Part 1 General); i.e. an introduction, followed by a number of chapters, followed by a summary of the research results, which indicates the scientific contribution of the study.¹⁷
- 20.2. Only work that has been done by the candidate himself or herself shall be included in a thesis or dissertation.¹⁸
- 20.3. The thesis or dissertation shall reflect original research by candidates into one central and coherent problem.¹⁹
- 20.4. Candidates shall not have submitted the said research previously to any university for the purpose of obtaining a degree.²⁰
- 20.5. Unless the supervisor(s) determine(s) otherwise, a master's thesis may not exceed 60 000 words, whereas a doctoral dissertation may not exceed 100 000 words. This word limit includes footnotes but excludes the bibliography.
- 20.6. It is the responsibility of master's and doctoral students to familiarise themselves with and to abide by the provisions in the Calendar 2022 (Part 1 General) regarding typing, binding, compulsory information that must appear on the first four pages of all theses and dissertations, electronic submission on SUNScholar (the digital research archive of the University) etc. The provisions for master's theses are found in para 5.7 in the Calendar 2022 (Part 1 General) *Postgraduate Qualifications* and the provisions for doctoral dissertations are found in paragraphs 6.9.24, 6.9.25 and 6.10 in the Calendar 2022 (Part 1 General) *Postgraduate Qualifications*.

¹⁷ Calendar 2022 (Part 8 Law) para 5.5 on page 42.

¹⁸ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.9.4.

¹⁹ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.9.2 and para 6.9.8.

²⁰ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.9.8.

21. INITIATING SUBMISSION FOR EXAMINATION

- 21.1. The examination procedure is initiated (usually at least three months before the intended submission of the thesis or dissertation for examination) by the student notifying his or her supervisor(s) of his or her intention to submit his or her thesis or dissertation for examination. The student is required to provide the supervisor(s) an anticipated date of submission.
- 21.2. Once the availability of potential examiners is determined by the departmental chairperson or the supervisor(s) (see paragraphs 028 and 29 below), the departmental chairperson or the supervisor(s) shall inform the chairperson of the Research Committee of the anticipated submission by completing Form B “Anticipated submission of a master’s thesis for examination” or the Form C “Anticipated submission of a doctoral dissertation for examination” and by sending the form to the chairperson of the Research Committee.
- 21.3. The chairperson of the Research Committee then initiates the process of appointing an assessment panel (for a master’s thesis) or a non-examining chairperson (for a doctoral dissertation) without delay. The provisions related to these appointments are found in paragraph 26 below.
- 21.4. Two further steps precede the submission of a thesis or dissertation for examination:
 - 21.4.1. A plagiarism check (via a plagiarism detector or an originality checker such as Turnitin) to the satisfaction of the supervisor(s) (see paragraph 22 below); and
 - 21.4.2. Permission from the supervisor(s) to submit for examination (see paragraph 23 below).

22. PLAGIARISM CHECK

- 22.1. Before a student obtains permission for submission for examination from his or her supervisor(s) in terms of paragraph 23 below, the student is required to submit his or her thesis or dissertation electronically to the supervisor(s) in order to enable them to perform a plagiarism check (via a plagiarism detector or an originality checker such as Turnitin).

- 22.2. Supervisors may use the Turnitin Playground on the [Faculty of Law: Teaching & Learning SUNLearn page](#) to perform a Turnitin plagiarism check and to generate and an automatic Turnitin similarity report.
- 22.3. Should the supervisor or co-supervisor not be a member of the University's staff, a Turnitin similarity report (or any alternative similarity report) must be made available by the supervisor or co-supervisor who is the member of the University's staff with access to the SUNLearn module.
- 22.4. The supervisor(s) is/are required to check whether the result summary of the plagiarism check as contained in the similarity report is satisfactory and is/are required to confirm same when giving permission for submission for examination in terms of paragraph 23 below.
- 22.5. Similarity reports cannot be performed by the student, and sent to the supervisor(s).

23. PERMISSION FOR SUBMISSION FOR EXAMINATION

- 23.1. After the supervisor(s) is/are satisfied with the results of the plagiarism check (see paragraph 22 above) and if the thesis or dissertation meets the standard requirements of the General Calendar and of this guide, the supervisor(s) shall grant written permission on Form D "Permission for submission of master's thesis for examination and plagiarism check confirmation" or Form E "Permission for submission of doctoral dissertation for examination and plagiarism check confirmation",²¹ whereby the supervisor(s) give(s) permission that the thesis or dissertation may be submitted for examination. The supervisor(s) must also confirm in such written permission form that the results summary of the plagiarism check on the thesis or dissertation is satisfactory.
- 23.2. The completed and the signed permission form must be sent to the chairperson of the Research Committee by the supervisor(s) together with electronic versions of the thesis or dissertation in MS Word and PDF formats via e-mail. The electronic version must be the same version as submitted for the plagiarism check and which produced the satisfactory result.

²¹ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.9.10.

- 23.3. The abovementioned permission for submission shall not necessarily imply that the supervisor(s) approve(s) the ideas expressed in the thesis or dissertation, but only implies (at the least) that the thesis or dissertation is formally ready for submission.²² Accordingly, (a) supervisor(s) is/are obliged to sign the permission for submission form if such formal requirements in terms of paragraph 23.1 are met.²³ Should (a) supervisor(s) sign the permission for submission form on such a latter basis, that is without approving the ideas expressed in the thesis or dissertation, this shall not be communicated to the examiners before the examiners have submitted their independent reports.²⁴ However, this may be disclosed in the non-examining chairperson's or assessment panel's report.
- 23.4. In the exceptional circumstance of a candidate being unable to obtain the permission required for submission of the thesis or dissertation, the process set out in paragraphs 6.9.12 – 6.9.19 of the Calendar 2022 (Part 1 General) *Postgraduate Qualifications* must be followed.
- 23.5. Irrespective of the permission for submission by the supervisor(s), the departmental chairperson, a research or academic committee or a person designated by the Dean (such as the Chairperson of the Research Committee) in the department or Faculty may decide to not send a thesis or dissertation out for examination for the following reasons:²⁵
- 23.5.1. Any form of dishonesty including plagiarism is found to have occurred during the study;
 - 23.5.2. Ethical concerns;
 - 23.5.3. Non-compliance with a faculty regulation (e.g. appropriate editing of the thesis or dissertation);
 - 23.5.4. Anything that can potentially harm the good standing of the University.

24. SUBMISSION FOR EXAMINATION: WHAT, WHEN AND WHERE

- 24.1. Should the necessary permission for submission for examination be obtained, the chairperson of the Research Committee is notified of such permission by the

²² Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.9.11.

²³ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.9.11.

²⁴ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.9.21.

²⁵ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.9.20.

submission of the completed and signed permission form together with the electronic versions of the thesis or dissertation sent via e-mail by the supervisor(s) (see paragraph 23.2 above).

- 24.2. In addition to the electronic versions, a maximum of three hard copies in the case of a master's thesis or four hard copies in the case of a doctoral dissertation may also be required to be delivered by the student to the chairperson of the Research Committee in order to make such hard copies available to the examiners and assessor. The delivery of these hard copies of the master's thesis or doctoral dissertation needs to be accompanied by a declaration (Form F) signed by the student in which it is confirmed that the electronic version which was submitted to the supervisor(s) for purposes of the plagiarism check was the same version as the hard copies handed in.
- 24.3. The master's thesis is sent to the examiners electronically and/or by courier in accordance with paragraph 28.4 below and the doctoral dissertation is sent to the examiners electronically and/or by courier in accordance with paragraph 29.4 below. An electronic copy of the thesis or dissertation is also sent to, respectively, the members of the assessment panel or the non-examining chairperson.
- 24.4. A thesis or dissertation may be submitted for examination at any time during the calendar year, subject to the required permission being obtained.²⁶
- 24.5. In order to enable the examination process to be completed on time with a view to the next December or March graduation ceremonies, the thesis or dissertation shall be submitted (in electronic and hard copy formats) for examination prior to **1 September** preceding the next December or March graduation ceremonies.
- 24.6. Each candidate is accountable for the costs involved in the copying and binding of his or her thesis or dissertation for purposes of examination,²⁷ should any of the examiners or assessor require a hard copy.

²⁶ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.9.22.

²⁷ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* paragraphs 6.10.9 and 6.11.

24.7. The cost of sending the copies of a master's thesis or doctoral dissertation to the external examiners or assessor by courier will be at the expense of the department concerned.²⁸

²⁸ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.10.9.

PART D: EXAMINATION

25. EXAMINATION: GENERAL

25.1. Definitions:

- 25.1.1. “**External**”²⁹ in relation to a person means a person who is not an employee of the University. Professors extraordinary and honorary professors of the University do not qualify as external. A minimum of two years must have passed since a person’s retirement, accelerated retirement or leaving of service at the University before said person is regarded as external;
- 25.1.2. “**Examination panel**” in relation to a master’s thesis means the two appointed examiners and in relation to a doctoral dissertation means the three appointed examiners;
- 25.1.3. “**Internal**”³⁰ in relation to a person means a person who is an employee of the University;
- 25.1.4. “**Unattached**”³¹ in relation to a person means a person who has not been involved in the elaboration [sic, Afrikaans text: “totstandkoming”] of the thesis or dissertation in question.

25.2. The aim of the examination procedure for master’s theses and doctoral dissertations is to ensure that the procedure is transparent, objective and fair.

25.3. Neither the supervisor(s), nor the student, may attempt to influence the procedure in any way or otherwise act in a way that may create the impression that he or she or they is/are attempting to influence the procedure.

25.4. During the examination procedure, the student may not contact the examiners at any stage or in any way concerning the thesis or dissertation, or on the examination of the thesis or dissertation.³² Similarly, during the examination procedure, the supervisor(s) may also not contact the examiners at any stage or in any way concerning the thesis or dissertation, or on the examination of the thesis or dissertation, other than to determine the availability of potential examiners for examination.

²⁹ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.5.1.1.

³⁰ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.5.1.1.

³¹ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.5.1.2.

³² Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.5.3 and para 6.6.4.

- 25.5. The entire examination procedure takes place under the guidance and supervision of the Research Committee (assisted by the assessment panel for master's theses or the non-examining chairperson for doctoral dissertations), of which neither the supervisor(s) nor the student may be a member for the purpose of the relevant examination procedure.
- 25.6. During the examination procedure, all correspondence and communication with, or between, the student, or the supervisor(s), and the examiners concerning the thesis or dissertation, or concerning the examination of the thesis or dissertation, takes place via the assessment panel for master's theses or the non-examining chairperson for doctoral dissertations.

26. APPOINTING AN ASSESSMENT PANEL (MASTER'S) AND A NON-EXAMINING CHAIRPERSON (DOCTORATES)

- 26.1. An assessment panel shall be appointed for the examination of each master's thesis.³³ Such panel preferably consists of one unattached member of the Research Committee and one unattached member of the Faculty.
- 26.2. An unattached non-examining chairperson shall be appointed for the examination of each doctoral dissertation.³⁴
- 26.3. Members of the assessment panel and non-examining chairpersons shall preferably have the degree for which the thesis or dissertation is a requirement, or a higher degree, or have postgraduate supervision experience for the degree for which the thesis or dissertation is a requirement.
- 26.4. The process of selecting and appointing the assessment panel or the non-examining chairperson, which may commence before the thesis or dissertation has been submitted for examination, is initiated by the chairperson of the Research Committee upon receipt of the completed Form B "Anticipated submission of a master's thesis for examination" or Form C "Anticipated submission of a doctoral dissertation for examination".

³³ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.6.6.

³⁴ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.6.1.

- 26.5. The chairperson of the Research Committee, if necessary in consultation with the chairperson of the department in which the candidate is registered, decides on suitable persons which can be approached to act as members of the assessment panel or as the non-examining chairperson. The members of the assessment panel or the non-examining chairperson are not required to be experts in the subject of the thesis or dissertation. A fair spread of such duties among the members of the Research Committee and the members of the Faculty should be taken into account by the chairperson of the Research Committee when requesting persons to act in this capacity.
- 26.6. The chairperson of the Research Committee approaches the member(s) of the Faculty and requests his or her or their availability to act as a member of the assessment panel or as non-examining chairperson.
- 26.7. Upon provisional acceptance by the member(s) of the Faculty, the names of the members of the assessment panel or of the non-examining chairperson are submitted by the chairperson of the Research Committee to the Faculty Board for approval.
- 26.8. Persons appointed as members of the assessment panel or as the non-examining chairperson may not act as examiners of the thesis or dissertation.
- 26.9. The duties of an assessment panel and a non-examining chairperson for, respectively, a master's or doctorate examination are summarised in annexures 2 and 3, which should be read together with this part D of the guide.

27. SELECTING AND APPOINTING EXAMINERS: GENERAL

- 27.1. The process of selecting and appointing the examination panel, which may commence before the thesis or dissertation has been submitted for examination, is initiated:
- 27.1.1. for a master's thesis by the departmental chairperson, in consultation with, and, if need be, with the assistance of, the supervisor(s) (see paragraph 28 below); or
- 27.1.2. for a doctoral dissertation by the supervisor(s), via the departmental chairperson (see paragraph 29 below).

- 27.2. The factors to be taken into account for the suggestion and selection of suitable persons as examiners for master's theses and doctoral dissertations include the following:
- 27.2.1. The person himself or herself has the degree for which the thesis or dissertation is a requirement, or a higher degree;
 - 27.2.2. The person is deemed an expert in the subject by his or her colleagues;
 - 27.2.3. The credibility of the institutional affiliation (if any) of the examiner;
 - 27.2.4. The person is not related to the candidate, or the supervisor, and was not involved in the writing of the thesis or dissertation; and
 - 27.2.5. Examiners are not used too frequently where possible.
- 27.3. The student (if he or she is a Faculty member) whose thesis or dissertation is to be examined may not in any way participate in the process of appointing the examiners. The examination panel may not be discussed with him or her, except through normal reporting in the Faculty Board and Senate minutes.
- 27.4. The mere fact that a person served on the *ad hoc* committee (see paragraph 7 above) does not disqualify the person from being recommended as an examiner.

28. SELECTING AND APPOINTING EXAMINERS: MASTER'S³⁵

- 28.1. There shall be two examiners of a master's thesis. Such examination panel shall consist of one unattached internal examiner and one unattached external examiner or of two unattached external examiners.
- 28.2. The supervisor(s) is/are not (a) member(s) of the abovementioned examination panel.
- 28.3. The process of appointing examiners for a master's thesis is as follows:
- 28.3.1. If the supervisor is a permanent staff member at the University, he or she shall well in advance of the time approach suitable examiners and request that he or she may nominate them to examine the thesis and participate in the oral examination of the candidate, should there be an oral (if the supervisor is not a permanent staff member at the University, the internal co-supervisor shall approach suitable examiners). Potential examiners

³⁵ Based on Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.5.3.

- should be informed that, if they are available and once their appointment has been confirmed by the Faculty Board, they will be contacted again by the chairperson of the Research Committee and/or the assessment panel.
- 28.3.2. Once the potential examiners have indicated their availability, the supervisor or co-supervisor completes and submits Form B “Anticipated submission of a master’s thesis for examination” to the departmental chairperson. Form B requires that a motivation regarding suitability for each examiner must be included. The departmental chairperson distributes Form B amongst the members of the department. Members of the department should be requested to indicate if they have any concerns relating to the appointment of the potential examiners.
- 28.3.3. The department then makes a recommendation of examiners to be appointed to the chairperson of the Research Committee by submitting Form B “Anticipated submission of a master’s thesis for examination”.
- 28.3.4. The chairperson of the Research Committee submits the recommendation to the Faculty Board on behalf of the department.
- 28.3.5. The examiners must be appointed by the Faculty Board, based on the recommendation of the department concerned, and the Faculty Board reports the appointments to Senate by means of the Communications Report.
- 28.4. After the examiners have been formally appointed by the Faculty Board, the chairperson of the Research Committee informs the examiners of their appointment and ascertains whether the examiners are prepared to accept electronic copies of the thesis for examination. Should the examiners require a hard copy, it needs to be determined by the chairperson of the Research Committee to what address the hard copy of the thesis should be couriered.
- 28.5. After the final thesis has been submitted (see paragraph 24 above), the chairperson of the Research Committee sends an electronic copy of the thesis via e-mail (and a hard copy if requested via courier, with the assistance of the secretary of the Research Committee) to each of the examiners together with the necessary official documentation (Form G “Instructions to examiners for the examination of a master’s thesis” including part A and B, the human resources form and the bank account form), and also includes the details of the members of the assessment panel in this e-mail.

29. SELECTING AND APPOINTING EXAMINERS: DOCTORATES³⁶

- 29.1. There shall be three examiners of a doctoral dissertation. Such examination panel shall consist of at least two external examiners. The unattached non-examining chairperson is also a member of the examination panel.³⁷
- 29.2. The supervisor(s) is/are not (a) member(s) of the abovementioned examination panel (except in circumstances of joint degrees as referred to in the Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.5 (d)).
- 29.3. The process of appointing examiners for a doctorate is as follows:
- 29.3.1. If the supervisor is a permanent staff member at the University, he or she shall well in advance of the time approach suitable examiners and request that he or she may nominate them to examine the dissertation and participate in the oral examination of the candidate (if the supervisor is not a permanent staff member at the University, the internal co-supervisor shall approach suitable examiners). Potential examiners should be informed that, if they are available and once their appointment has been confirmed by the Faculty Board, they will be contacted again by the chairperson of the Research Committee and/or a non-examining chairperson.
- 29.3.2. Once the potential examiners have indicated their availability, the supervisor or co-supervisor completes and submits Form C “Anticipated submission of a doctoral dissertation for examination” to the departmental chairperson. Form C requires that a motivation regarding suitability for each examiner must be included. The departmental chairperson distributes Form C amongst the members of the department. Members of the department should be requested to indicate if they have any concerns relating to the appointment of the potential examiners.
- 29.3.3. The department then makes a recommendation of examiners to be appointed to the chairperson of the Research Committee by submitting Form C “Anticipated submission of a doctoral dissertation for examination”.

³⁶ Based on Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.6.

³⁷ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.7.6.

- 29.3.4. The chairperson of the Research Committee submits the recommendation to the Faculty Board on behalf of the department.
- 29.3.5. The examiners must be appointed by the Faculty Board, based on the recommendation of the department concerned, and the Faculty Board reports the appointments to Senate by means of the Communications Report.
- 29.3.6. With regard to joint degrees, presented in collaboration with foreign universities, the identification of the panel of examiners is done jointly by the supervisors. However, due to differences in timing it may be that approval of a joint examination panel takes place at one of the partners ahead of the opportunity for such approval at the other. In such cases, SU may recognise the partner's approval of the joint examination panel and report the same via SU's structures in the usual manner.³⁸
- 29.3.7. Examiners shall be expected to declare their independence and undertake to adhere to the timelines of the SU examination process as part of their formal appointment as examiners.³⁹
- 29.4. After the examiners have been formally appointed by the Faculty Board, the chairperson of the Research Committee informs the examiners of their appointment and ascertains whether the examiners are prepared to accept electronic copies of the dissertation for examination. Should the examiners require a hard copy, it needs to be determined by the chairperson of the Research Committee to what address the hard copy of the dissertation should be couriered.
- 29.5. After the final dissertation has been submitted (see paragraph 24 above), the chairperson of the Research Committee sends an electronic copy of the dissertation via e-mail (and a hard copy if requested via courier, with the assistance of the secretary of the Research Committee) to each of the examiners together with the necessary official documentation (Form H "Instructions to examiners for the examination of a doctoral dissertation thesis" including part A and B, the human resources form and the bank account form), and also includes the details of the non-examining chairperson in this e-mail.

³⁸ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.6.1.

³⁹ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.6.2

30. SELECTING AND APPOINTING AN ASSESSOR (DOCTORATES ONLY)

- 30.1. An external assessor is appointed if unanimity on the outcome of the examination cannot be reached by the examiners (see paragraph 34.4 below).⁴⁰

- 30.2. The external assessor can be suggested and appointed together with the suggestion and appointment of the examiners (without implying that there will be a dispute as contemplated in paragraph 34 below) to avoid further delays should a dispute arise. Alternatively, the assessor must be appointed when unanimity cannot be reached by the examiners.

- 30.3. The process of appointing an assessor is as follows:⁴¹
 - 30.3.1. After determining the potential assessor's availability, the internal supervisor or internal co-supervisor submits the name of the assessor to the chairperson of the Research Committee (or other person designated by the Dean)) by submitting Form C "Anticipated submission of a doctoral dissertation for examination". The internal supervisor or internal co-supervisor may do so simultaneously with submitting the names of examiners in terms of paragraph 29.3 above (explaining to the assessor that his or her appointment is subject to a dispute arising later), or must otherwise do so upon the request of the non-examining chairperson in the event of the absence of unanimity. A potential assessor should be informed that, if he or she is available and once the appointment has been confirmed by the Faculty Board, he or she will be contacted again by the chairperson of the Research Committee and/or a non-examining chairperson in the event of a dispute among the examiners.

 - 30.3.2. The chairperson of the Research Committee or other person designated by the Dean according to paragraph 30.3.1 above makes a recommendation to the Faculty Board. The Faculty Board shall make the final decision regarding the approval of the assessor and shall communicate this decision to the EC(S) and Senate by means of the Communications Report.

⁴⁰ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.8.1.

⁴¹ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.8.2.

- 30.4. An assessor is nominated on the grounds of substantial academic standing and experience in the examination of doctoral dissertations and/or in the subject domain in which the dissertation was completed.⁴² If the examiners examined different fields of speciality within the research field, the external assessor must be a specialist in the research field of the examiner(s) who did not recommend a pass. This requirement may necessitate that an assessor can only be appointed at a later stage when there is already a dispute.
- 30.5. An appointment letter is not sent to the assessor immediately if he or she is appointed in advance together with examiners. The appointment letter is sent later by the non-examining chairperson in the event that there is a dispute, together with the other relevant documentation contemplated in paragraph 34.5 below. The non-examining chairperson then ascertains whether the assessor is prepared to accept electronic copies of the relevant documents. Should the assessor require hard copies, it needs to be determined by the non-examining chairperson to what address the hard copy of the dissertation should be couriered.

31. EXAMINATION PROCEDURES: MASTER'S

31.1. OVERVIEW

Once the examiners and the assessment panel have been appointed, and the master's thesis has been dispatched to the examiners (see paragraph 28.4 above), the key steps of a master's examination (as further explained in more detail below in this paragraph 31 and paragraph 32) are as follows:

- 31.1.1. The reports are received back from the two examiners by the chairperson of the Research Committee as a central point of return, upon which the chairperson of the Research Committee (via the secretary of the Research Committee) forwards the examiner's reports to the supervisor(s) as the reports become available (copying the members of the assessment panel in the correspondence). It is not required that the reports to the supervisor(s) are anonymised. (see paragraph 31.3).
- 31.1.2. The supervisor(s) is/are allowed to make anonymised parts of the examiners' reports available to the candidate. These parts may include a list of corrections (revisions or material revisions) which are required by

⁴² Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.8.2.

the examiner(s). The outcome or the mark may however not be communicated to the candidate at this stage.

- 31.1.3. The assessment panel may circulate the reports among the examiners once all the reports have been received from the examiners (see paragraph 31.3).
- 31.1.4. The supervisor(s) submit(s) the supervisor's report (see paragraph 31.4).
- 31.1.5. The assessment panel makes a determination regarding the **outcome** of the examination (whether the degree should be conferred) in light of the examiners' reports, as well as the supervisor's report and any further elucidation provided by the supervisor(s). This may involve discussions with examiners and dispute resolution between the examiners, including an oral (see paragraphs 31.5, 31.10 and 32).
- 31.1.6. A **mark** is determined by the assessment panel in light of the examiners' reports, as well as the supervisor's report and any further elucidation provided by the supervisor(s). This may involve discussions with the examiners and dispute resolution between the examiners, including an oral (see paragraphs 31.6, 31.10 and 32).
- 31.1.7. Revisions (if any) are required to be made by the student. These revisions must be completed and confirmed by the supervisor(s) or the examiner(s) before the final report on the outcome of the examination and the mark to be awarded is submitted by the assessment panel to the chairperson of the Research Committee. Revisions may arise from the reports from the examiners or during further discussions or dispute resolution involving the examiners (see paragraphs 31.7 and 31.8).
- 31.1.8. The assessment panel sends an interim report to the chairperson of the Research Committee (see paragraph 31.9).
- 31.1.9. The Research Committee decides, in consultation with the departmental chairperson, whether an oral examination is required if an oral has not yet taken place in terms of the dispute resolution process (see paragraphs 31.9 and 31.10).
- 31.1.10. The oral examination takes place, if required and if it has not taken place in terms of the dispute resolution process (see paragraph 31.10).
- 31.1.11. The assessment panel submits a final report on the outcome of the examination and the mark to be awarded to the chairperson of the Research Committee. The final report should reach the chairperson of the

Research Committee at least two weeks prior to the Faculty Board meeting in order to have the matter placed on the agenda (see paragraph 31.11).

31.1.12. The outcome and mark must be approved by the Faculty Board (see paragraph 31.11).

31.1.13. Some last finalisation steps must be followed (see paragraph 31.12).

31.2. The duties of an assessment panel for a master's examination are summarised in [annexure 2](#), which should be read together with this paragraph 31 and paragraph 32.

31.3. EXAMINERS REPORTS

31.3.1. Examiners are required to independently complete the **examiner's report** (consisting of part A and B). A specific recommendation is made on the outcome and a mark is awarded on part A of the report. Examiners must also complete and submit part B of the report, in which comments and revisions must be included (if any). The instructions to examiners, including the examiner's report (consisting of part A and B) are contained in Form G.

31.3.2. One of the following recommendations must be made on part A of the examiner's report by each of the examiners in respect of the outcome of the examination:

(a) **The degree may be conferred** upon the candidate, provided that the revision (if any), in accordance with the recommendations of the examiners, is completed to the satisfaction of the supervisor.

(b) **The degree may be conferred** upon the candidate, provided that a material revision is completed to the satisfaction of the examiner(s), as agreed upon by the examination panel.

(c) **The degree may not be conferred** upon the candidate but the work may be resubmitted for examination, provided material revisions have been made.

(d) **The degree may not be conferred** upon the candidate and the work may not be resubmitted for examination.

31.3.3. A percentage mark (0-100) must be awarded to the thesis by each of the examiners on part A of the examiner's report. The minimum pass mark for

a master's thesis is 50% (this means that the categories of (c) or (d) above cannot be selected if a mark of 50% or more is awarded). For *cum laude*, the minimum pass mark is 75%. General guidelines for awarding a mark which may be used by the examiners are included in Form G "Instructions to examiners for the examination of a master's thesis".

- 31.3.4. When completing part B of the examiner's report on the thesis, the examiners should take into account the criteria listed in form G "Instructions to examiners for the examination of a master's thesis". Part B of the examiner's report should further contain any comments and a description of any revisions or material revisions which are required to be made (if any).
- 31.3.5. The two examiners' reports (consisting of part A and B) are submitted to the chairperson of the Research Committee.
- 31.3.6. The chairperson of the Research Committee follows up with the examiners after the deadline for the submission of the examiners' reports if these have not yet been received.
- 31.3.7. The chairperson of the Research Committee (via the secretary of the Research Committee) forwards the examiners' reports to the supervisor(s) as the reports become available (copying the members of the assessment panel in the correspondence). It is not required that the reports to the supervisor(s) are anonymised.
- 31.3.8. The supervisor(s) is/are allowed to make anonymised parts of the examiners' reports available to the candidate. These parts may include a list of corrections (revisions or material revisions) which are required by the examiner(s). The outcome or the mark may however not be communicated to the candidate at this stage.
- 31.3.9. The assessment panel may circulate the reports among the examiners once all the reports have been received from the examiners.

31.3.10. Once all the reports have been received from the examiners, the supervisor(s) is/are requested to submit his or her or their supervisor's reports to the assessment panel (see paragraph 31.4 below).

31.4. SUPERVISOR'S REPORT⁴³

31.4.1. After having seen the examiners' reports (consisting of part A and B), the supervisor(s) of a master's thesis compile(s) (a) report(s) in order to provide the assessment panel, which has to assess the examiners' reports, with insight into the course of the process that culminated in the production of the thesis. Any aspect that could have implications for the final assessment of, and allocation of a mark for, the thesis could be included in the report.

31.4.2. When the assessment panel determines the final mark for the thesis, one of the considerations is the supervisor's report.⁴⁴

31.4.3. In the case of co-supervision, the supervisor and co-supervisor may compile and submit separate reports, but it is also sufficient to submit one joint supervisors' report.

31.4.4. The supervisor's report(s) may be circulated by the assessment panel among the examiners.

31.4.5. The Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.5.1.4 should be consulted for the content of such a report, which must be sent to the assessment panel. Should the examiners' reports require revisions and/or material revisions (categories (a) and/or (b)), the supervisor's report(s) may include(s) an integrated and consolidated list of the proposed revisions required by the examiners. In compiling this list, the supervisor may require the candidate's assistance.

⁴³ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.5.1.4.

⁴⁴ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.6.8.

31.5. PROVISIONAL OUTCOME

31.5.1. The outcome of the examination relates to the conferment or non-conferment of the degree and depends on the categories of (a) – (d) selected by the examiners.

31.5.2. The provisional outcome (always subject to the revisions or material revisions, if any, being made to the satisfaction of the supervisor(s) and/or examiner(s)) among the two examiners will be one of the following:

CATE- GORIES	PROVISIONAL OUTCOME	POSSIBLE DISPUTE IN TERMS OF THE OUTCOME?
a & a	The degree may be conferred.	No
a & b	The degree may be conferred.	No
a & c	The degree may initially not be conferred, but the result could change after deliberation or an oral.	Yes
a & d	The degree may initially not be conferred, but the result could change after deliberation or an oral.	Yes
b & b	The degree may be conferred.	No
b & c	The degree may initially not be conferred, but the result could change after deliberation or an oral.	Yes
b & d	The degree may initially not be conferred, but the result could change after deliberation or an oral.	Yes
c & c	The degree may not be conferred. Refer to paragraph 31.5.4 below.	No
c & d	The degree may not be conferred, but the result on whether the student is allowed to resubmit the work for examination could change after deliberation or an oral.	Yes
d & d	The degree may not be conferred and the work may not be resubmitted for examination.	No

31.5.3. The above table further indicates when there is a possible dispute in respect of the outcome, in which case paragraph 32 may have to be followed in an attempt to resolve the dispute, which may include an oral. However, should there be a possible dispute, and before paragraph 32 is

invoked, the assessment panel should contact the examiners and send them the supervisor(s) report(s). The examiners should be informed of the possible dispute and should be requested to indicate whether they wish to reconsider the outcome indicated on their reports, in light of having seen the other examiners' report as well as the supervisor(s) report(s). At no time should pressure be placed on examiners to change their views. If the possible dispute cannot be resolved, paragraph 32 should be followed.

- 31.5.4. Should the outcome of the first examination be that the degree may not be conferred upon the candidate but that the work may be resubmitted for examination, provided material revisions have been made (category (c) selected by both examiners in their reports or category (c) agreed upon by both examiners after discussions or after dispute resolution), the following applies:
- 31.5.4.1. It is preferable that a re-examination of the materially revised thesis takes place by the same examiners and by the same assessment panel.
 - 31.5.4.2. Should one or both of the examiners not be in favour of re-examining the thesis, or not be available to re-examine the thesis, one or two new examiners must be appointed in terms of paragraph 28 above. New examiners must be informed of the process preceding the re-examination.
 - 31.5.4.3. Should one or both members of the assessment panel not be available to act in the re-examination, one or two new members must be appointed in terms of paragraph 26 above.
 - 31.5.4.4. The examiners are requested by the assessment panel to indicate (if not already done so in their reports) the material changes which are required in order for a re-examination of the thesis which could result in an outcome that the degree should be conferred upon the candidate.
 - 31.5.4.5. The assessment panel determines a date for the re-submission of the revised thesis in consultation with the examiners, supervisor(s) and the student.
 - 31.5.4.6. Upon a re-submission of the thesis, the procedures of part C (completion and submission) and part D (examination) of this guide apply *mutatis mutandis*.

31.6. PROVISIONAL MARK

31.6.1. The assessment panel needs to decide on a mark to be awarded for the thesis. A provisional mark is initially determined by taking into account the reports from the examiners and supervisor(s), as well as any other elucidation provided by the supervisor(s), but the final decision is reached in the absence of the supervisor(s).⁴⁵ However, should an oral take place, the oral presentation must also subsequently be considered when determining the final mark.⁴⁶

31.6.2. Where there is no dispute in terms of the marks allocated by the examiners (as defined in paragraph 32 below), the provisional mark is initially the average of the marks awarded by the two examiners. This initial average may be adjusted by the assessment panel in light of the supervisor's report(s) or elucidations (and later, in light of the oral should there be one).

31.6.3. Should there be a possible dispute in terms of the mark (as defined in paragraph 32 below), the dispute resolution process of paragraph 32 may have to be followed in an attempt to resolve the dispute, which may include an oral. However, should there be a possible dispute and before paragraph 32 is invoked, the assessment panel should contact the examiners and send them the supervisor(s) report(s). The examiners should be informed of the possible dispute and should be requested to indicate whether they wish to reconsider the mark indicated on their reports, in light of having seen the other examiners' report and the supervisor(s) report(s). At no time should pressure be placed on examiners to change their views. If the possible dispute cannot be resolved, paragraph 32 should be followed.

31.7. REVISIONS TO THE SATISFACTION OF THE SUPERVISOR(S)

31.7.1. If either one or both of the examiners select category (a) requiring revisions to be made to the satisfaction of the supervisor(s) (or should this be required subsequent to any discussion with examiners, the dispute resolution process and/or the oral), the following steps must be followed:

31.7.1.1. The supervisor(s) make(s) the necessary anonymised digest of the report (part B) from the examiner(s) with the suggested

⁴⁵ Based on Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.5.2 and para 5.6.6.

⁴⁶ Based on Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.6.8.

revisions, or any other anonymised list compiled by the examination panel which is made available to the supervisor(s) by the assessment panel, available to the student (alternatively, the student is informed of the required revisions during the oral). A consolidated list of revisions may be included in the supervisor's report (see paragraph 31.4 above). This list may be accepted by the examination panel as the list of revisions to be made by the candidate.

- 31.7.1.2. The assessment panel determines a date for the submission of the revised thesis in consultation with the supervisor(s) and the student. This date should, as far as possible, concur with the University closing dates for the relevant graduation ceremony. Further, the revisions must be completed and confirmed by the supervisor(s) before the final report on the outcome of the examination and the mark to be awarded is submitted to the chairperson of the Research Committee (see paragraph 31.11 below).
- 31.7.1.3. The revised thesis, with a written declaration by the supervisor(s) stating that the revisions are to his or her or their satisfaction, is submitted to the assessment panel by the determined date.
- 31.7.1.4. The assessment panel verifies that the declaration is in order and that the revisions have *prima facie* been made.
- 31.7.1.5. The revised thesis is not required to be sent back to the examiner(s) who selected category (a).

31.8. MATERIAL REVISIONS TO THE SATISFACTION OF THE EXAMINER(S)

31.8.1. If either one or both of the examiners select category (b), requiring material revisions to be made to the satisfaction of the examiner(s), as agreed upon by the examination panel (or should this be required subsequent to any discussions with examiners, the dispute resolution process and/or the oral), the following steps must be followed:

- 31.8.1.1. The assessment panel must facilitate a discussion among the examiners in order to compile a list of material revisions to be made by the candidate as these revisions must be agreed upon by the examination panel. The assessment panel must also

request the examiners to agree to whose satisfaction the changes must be made (i.e. which examiner(s) is/are going to review the changes). A consolidated list of material revisions may be included in the supervisor's report (see paragraph 31.4 above). This list may be accepted by the examination panel as the list of material revisions to be made by the candidate.

- 31.8.1.2. The supervisor(s) make(s) the necessary anonymised digest of the report (part B) from the examiner(s) with the suggested material revisions, or any other anonymised list compiled by the examination panel which is made available to the supervisor(s) by the assessment panel, available to the student (alternatively, the student is informed of the required material revisions during the oral).
- 31.8.1.3. The assessment panel determines a date for the submission of the revised thesis in consultation with the supervisor(s) and the student. This date should, as far as possible, concur with the University closing dates for the relevant graduation ceremony. Further, the material revisions must be completed and confirmed by the examiner(s) before the final report on the outcome of the examination and the mark to be awarded is submitted to the chairperson of the Research Committee (see paragraph 31.11 below).
- 31.8.1.4. The revised thesis, with a written declaration by the supervisor(s) stating that the material revision is completed in line with the requests of the examination panel, is submitted to the assessment panel by the determined date.
- 31.8.1.5. The assessment panel verifies that the declaration is in order and that the revisions have *prima facie* been made.
- 31.8.1.6. The assessment panel sends the revised thesis back to the chosen examiner(s), as agreed upon between the examiners.
- 31.8.1.7. The chosen examiner(s) is/are requested to send a written confirmation within three weeks to the assessment panel confirming whether he or she or they is/are satisfied with the revised thesis.

31.9. **INTERIM REPORT BY THE ASSESSMENT PANEL**

- 31.9.1. The assessment panel sends an interim report (including the outcome, the mark, the progress on the revisions or material revisions (if any are required), any possible disputes which were resolved and the dispute resolution process which was followed (if any)) to the chairperson of the Research Committee.
- 31.9.2. If an oral has not yet taken place in terms of paragraph 32.4 below as part of the dispute resolution process, the Research Committee decides, in consultation with the departmental chairperson, whether an oral presentation is required.⁴⁷
- 31.9.3. If an oral has already taken place as part of the dispute resolution process, the interim report includes feedback on the oral.
- 31.9.4. The assessment panel, in consultation with the chairperson of the Research Committee, facilitates the process in terms of paragraphs 32.6, if required, if an additional external examiner must be appointed.

31.10. **ORAL PRESENTATION**

- 31.10.1. The oral presentation, if required in terms of the dispute resolution process or in terms of paragraph 31.9.2 above, is facilitated by and takes place under the supervision of the assessment panel.
- 31.10.2. The oral presentation may deal with the thesis or with the candidate's knowledge of the subject in general, or with both of these topics.⁴⁸ If there is a dispute in terms of the outcome and/or in terms of the mark, the main objective of the oral should be to resolve the dispute.

⁴⁷ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.6.7 a) requires that every master's candidate is required to deliver an oral presentation, with the exception where a department, with the approval of the Faculty Board concerned, or its delegate views an oral presentation as unnecessary. The departments have delegated their power to decide that an oral presentation is unnecessary to the relevant departmental chairperson, and the Faculty Board has agreed that its function to approve such a decision is delegated to the Research Committee.

⁴⁸ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.6.7 b).

31.10.3. The oral presentation shall normally be attended by at least the candidate, the members of the assessment panel, all the examiners and the supervisor(s).⁴⁹

31.10.4. The supervisor(s) may decide to disclose anonymised parts of the reports from the examiners to the candidate before the oral to enable the candidate to prepare for the oral examination.

31.10.5. It is preferred that examiners who are based in the Western Cape travel to Stellenbosch for the oral. However, the oral can take place by telephonic, Skype, or other interactive-telematic conferencing mediums to accommodate participation in the oral for examiners who are not able to attend the oral in person.

31.11. FINAL REPORT FROM ASSESSMENT PANEL AND APPROVAL BY THE FACULTY BOARD

31.11.1. The assessment panel submits a final report on the outcome of the examination and the mark to be awarded to the chairperson of the Research Committee, taking the oral (if any) into account. Any further dispute resolution process which took place in terms of paragraph 32.6 below should also be included in the report.

31.11.2. If an oral is not required in terms of paragraph 31.9.2 above (e.g. if the requirement of the oral was waived or if an oral had already taken place in terms of the dispute resolution process), the interim report can serve as the final report with merely an inclusion that the requirement of an oral was waived in terms of paragraph 31.9.2 above or that an oral had already taken place.

31.11.3. The final report should reach the chairperson of the Research Committee at least two weeks prior to the Faculty Board meeting in order to have the matter placed on the agenda.

⁴⁹ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.6.7 c).

31.11.4. On the recommendation of the assessment panel, the Faculty Board makes the final decision regarding the outcome and mark (or alternatively if there is still a dispute, the Faculty Board first makes a decision in terms of paragraph 32.6). In the interests of transparency, the reports of the examiners and supervisor(s) should be made available to the members of the Faculty Board upon their request before the Faculty Board decides on the result.

31.12. FINALISATION

31.12.1. The chairperson of the Research Committee (who may delegate this duty to the assessment panel) must make sure that the examiners submit the human resources form and the bank account form and that these completed forms are submitted to the office of the Dean in order for payment to be processed to the examiners.

31.12.2. The assessment panel provides the student, supervisor(s) and examiners with written feedback on the result (the outcome and the mark) of the examination. If there was a dispute between the two examiners, a motivation for the final result should be provided.

31.12.3. The interim and final reports from the assessment panel (together with the reports from the examiners and supervisor(s)) and the final decision of the Faculty Board are filed by the Research Committee for record purposes.

31.12.4. Students are referred to para 5.7 of the Calendar 2022 (Part 1 General) *Postgraduate Qualifications* regarding the electronic submission of a master copy of the thesis on SUNScholar after examination and before graduation. The last day for such electronic submission of master's theses for March and December graduation ceremonies is annually determined in the University's almanac which can be accessed [here](#).

32. MASTER'S DISPUTES⁵⁰

- 32.1. A dispute in terms of the **outcome** is one (see also paragraphs 31.5.2 and 31.5.3 above):
- 32.1.1. where the examiners disagree as to whether the degree should be conferred; or
 - 32.1.2. where the examiners agree that the degree should not be conferred but disagree as to whether the work may be resubmitted for examination.
- 32.2. A dispute in terms of the **mark** is one (see also paragraph 31.6.3 above):
- 32.2.1. where there is a difference of 15 percentage points or more between the marks on part A of the examiners' reports and the average of these marks is below 75%; or
 - 32.2.2. where the examiners differ on whether or not a distinction should be awarded to the candidate and if the average of the two marks is not a distinction.
- 32.3. Should there be a possible dispute in terms of the outcome and/or the mark, paragraphs 31.5.3 and/or 31.6.3 must first be followed before this paragraph 32 can be invoked. Should paragraphs 31.5.3 and/or 31.6.3 not be successful in resolving a possible dispute, the assessment panel enters into a discussion with the examiners in an attempt to reach consensus (i.e. resolve the dispute) on the mark and/or the outcome. At no time should pressure be placed on examiners to change their views.
- 32.4. By way of an example: If there is a dispute in terms of the outcome where the examiners selected categories (b) (conferment) and (d) (non-conferment), an opportunity is created by the assessment panel for the examiner who initially selected the (d) to change his or her decision to an (a) or a (b) in a process of deliberation which takes place between the assessment panel and the two examiners. This could involve requiring the student to make changes to the thesis and/or requiring an oral examination. The same process would apply to a dispute in terms of the mark.

⁵⁰ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 5.6.8 c) states that "Each faculty board determines its own mechanism for dealing with possible disputes".

- 32.5. If the dispute in terms of the outcome and/or in terms of the mark can be resolved during the process set out above, which could be upon the condition that revisions or material revisions are required to be made to the satisfaction of the supervisor(s) and/or examiner(s), in which case the process of paragraph 31.7 and/or paragraph 31.8 should be followed, the interim report as referred to in paragraph 31.9 above is submitted by the assessment panel.
- 32.6. If the dispute in terms of the outcome and/or in terms of the mark cannot be resolved during the process set out above, the assessment panel informs the chairperson of the Research Committee of this finding in its interim report (see paragraph 31.9 above). The Research Committee may appoint an additional external examiner (to be approved by the Faculty Board) whose report gives a decisive result in terms of the outcome and the mark. The assessment panel facilitates the examination process by the third examiner, who must be informed of the process which preceded his or her involvement as an examiner of the thesis. The anonymised reports from the two examiners who were in dispute must be provided to the third examiner, as well as the supervisor(s) report(s).

33. EXAMINATION PROCEDURES: DOCTORATES

33.1. OVERVIEW

Once the examiners and the non-examining chairperson have been appointed, and the doctoral dissertation has been dispatched to the examiners (see paragraph 29.4 above), the key steps of a doctoral examination (as further explained in more detail below in this paragraph 33 and paragraphs 34 and 35) are as follows:

- 33.1.1. The reports are received back from the three examiners by the chairperson of the Research Committee as a central point of return, upon which the chairperson of the Research Committee (via the secretary of the Research Committee) forwards the examiners' reports to the supervisor(s) as the reports become available (copying the non-examining chairperson in the correspondence). It is not required that the reports to the supervisor(s) are anonymised (see paragraph 33.3).
- 33.1.2. The supervisor(s) is/are allowed to make anonymised parts of the examiners' reports available to the candidate. These parts may include a list of corrections (revisions or material revisions) which are required by

the examiner(s). The outcome may however not be communicated to the candidate at this stage.

- 33.1.3. The non-examining chairperson circulates the reports among the examiners once all the reports have been received from the examiners (see paragraph 33.3).
 - 33.1.4. The non-examining chairperson may hold a preliminary discussion with the examiners (see paragraph 33.3.9).
 - 33.1.5. The non-examining chairperson determines the provisional outcome of the examination, which will be either one of the following: Unanimity that the degree should be conferred, unanimity that the degree should not be conferred, or the absence of unanimity regarding the conferment of the degree (see paragraph 33.3.10).
 - 33.1.6. If the provisional outcome of the examination is **unanimity that the degree should be conferred**, the oral takes place and revisions (if any are required) must be made by the student. The non-examining chairperson submits a report and the Faculty Board is requested to approve the outcome of the examination (see paragraph 33.4).
 - 33.1.7. If the provisional outcome of the examination is **unanimity that the degree should not be conferred**, the non-examining chairperson submits a report and the Faculty Board is requested to approve the outcome of the examination. No oral takes place (see paragraph 33.5).
 - 33.1.8. If the provisional outcome is **neither the unanimous conferment nor the unanimous non-conferment of the degree**, there is an initial dispute. Initially, the non-examining chairperson attempts to resolve the dispute among the examiners, which may include an oral taking place and the candidate effecting prior changes or revisions as recommended by the examiners. If unanimity can still not be reached by the examiners, an assessor must be appointed. A further dispute resolution process involving such an assessor is followed. The non-examining chairperson submits a report and the Faculty Board approves the outcome of the examination (see paragraphs 33.6 and 34).
 - 33.1.9. Some last finalisation steps must be followed (see paragraph 33.7).
- 33.2. The duties of a non-examining chairperson for a doctorate examination are summarised in [annexure 3](#), which should be read together with this paragraph 33, and paragraphs 34 and 35.

33.3. EXAMINERS REPORTS

- 33.3.1. Examiners are required to independently complete the **examiner's report** (consisting of part A and B). A specific recommendation is made on the outcome of the examination on part A of the report. Examiners must also complete and submit part B of the report, in which comments and revisions must be included (if any). The instructions to examiners, including the **examiner's report** (consisting of part A and B) are contained in Form H.
- 33.3.2. One of the following recommendations must be made on part A of the examiner's report by each of the examiners in respect of the outcome of the examination:
- (a) **The degree may be conferred** upon the candidate, provided that the revision (if any), in accordance with the recommendations of the examiners, is completed to the satisfaction of the supervisor.
 - (b) **The degree may be conferred** upon the candidate, provided that a material revision is completed to the satisfaction of the examiner(s), as agreed upon by the examination panel.
 - (c) **The degree may not be conferred** upon the candidate and the work may not be resubmitted for examination.
- 33.3.3. When completing part B of the examiner's report on the dissertation, the examiners should take into account the criteria listed in Form H "Instructions to examiners for the examination of a doctoral dissertation". Part B of the examiner's report should further contain any comments and a description of any revisions or material revisions which are required to be made (if any).
- 33.3.4. The three examiners' reports (consisting of part A and B) are submitted to the chairperson of the Research Committee.
- 33.3.5. The chairperson of the Research Committee follows up with the examiners after the deadline for the submission of the reports if these have not yet been received.
- 33.3.6. The chairperson of the Research Committee (via the secretary of the Research Committee) forwards the examiners' reports to the supervisor(s)

as the reports become available (copying the non-examining chairperson in the correspondence). It is not required that the reports to the supervisor(s) are anonymised.

- 33.3.7. The supervisor(s) is/are allowed to make anonymised parts of the examiners' reports available to the candidate. These parts may include a list of corrections (revisions or material revisions) which are required by the examiner(s). The outcome may however not be communicated to the candidate at this stage.
- 33.3.8. The non-examining chairperson circulates the reports from the examiners among the examiners once all the reports have been received from the examiners.
- 33.3.9. Should at least one examiner, but not all the examiners, select category (c) (that the degree should not be conferred), the non-examining chairperson should facilitate a **preliminary discussion** with the examiners to determine whether unanimity can be reached regarding the conferment or non-conferment of the degree before the oral takes place. It is, for example, possible for an examiner, after being presented with the reports of the other examiners by the non-examining chairperson, to be willing to reconsider his or her recommendation regarding the conferment or non-conferment of the degree which could resolve a potential dispute from the examiners' reports. Such an examiner may, even before the oral, inform the non-examining chairperson that he or she recommends conferring the degree after having seen the other examiners' reports. Also refer to paragraphs 33.4.2 and 33.4.3 below for other matters which can be dealt with in this preliminary discussion by the non-examining chairperson with the examiners, such as for the examiners to agree on any revisions or material revisions to be made.
- 33.3.10. The provisional outcome from part A of the three examiners' reports (or subsequent to any preliminary discussions by the non-examining chairperson with the examiners contemplated in paragraph 33.3.9 above) will be one of the following:

- 33.3.10.1. Unanimity that the degree should be conferred (none of the examiners selecting (c)). Paragraph 33.4 below should be followed and applies when the following combinations of categories were selected by the three examiners: (a)(a)(a), (a)(a)(b), (a)(b)(b) and (b)(b)(b).
- 33.3.10.2. Unanimity that the degree should not be conferred (all three examiners selecting (c)). Paragraph 33.5 below should be followed.
- 33.3.10.3. The absence of unanimity regarding the conferment or non-conferment of the degree (at least one examiner selecting (c)), in which case there is an initial dispute. Paragraph 33.6 below should be followed and applies when the following combinations of categories were selected by the three examiners: (a)(a)(c), (a)(b)(c), (a)(c)(c) and (b)(b)(c) and (b)(c)(c).

33.4. UNANIMITY THAT THE DEGREE SHOULD BE CONFERRED

- 33.4.1. If no revisions or material revisions are required by any of the examiners to be made, the non-examining chairperson determines a date and time which suits the examiners, the supervisor(s) and the student for an oral (see paragraph 35 below). Should it be required at the oral that revisions or material revisions must be made, paragraphs 33.4.2 or 33.4.3 are followed *mutatis mutandis*.
- 33.4.2. If either one or more of the examiners select category (a) requiring revisions to be made to the satisfaction of the supervisor(s) (or should this be required subsequent to any preliminary discussions with examiners, the dispute resolution process and/or the oral), the following steps must be followed:
- 33.4.2.1. The supervisor(s) make(s) the necessary anonymised digest of the report (part B) from the examiner(s) with the suggested revisions, or any other anonymised list compiled by the examination panel during the preliminary discussions referred to in paragraph 33.3.9 above, available to the student (alternatively, the student is informed of the required revisions during the oral). The candidate may prepare a consolidated list

of revisions for potential approval by the examination panel as the list of revisions to be made by the candidate.

- 33.4.2.2. The non-examining chairperson determines a date and time which suits the examiners, the supervisor(s) and the student for an oral (see paragraph 35 below).
 - 33.4.2.3. The non-examining chairperson determines a date for the submission of the revised dissertation in consultation with the supervisor(s) and the student. This date should, as far as possible, concur with the University closing dates for the relevant graduation ceremony and should preferably be before the oral. Further, the revisions must be completed and confirmed by the supervisor(s) before the final report on the outcome of the examination is submitted to the chairperson of the Research Committee (see paragraph 33.4.5 below).
 - 33.4.2.4. The revised dissertation, together with a written declaration by the supervisor(s) stating that the revisions are to his or her or their satisfaction, is submitted to the non-examining chairperson by the determined date.
 - 33.4.2.5. The non-examining chairperson verifies that the declaration is in order and that the revisions have *prima facie* been made.
 - 33.4.2.6. The revised dissertation is not required to be sent back to any of the examiners who selected category (a).
- 33.4.3. If either one or more of the examiners select category (b), requiring material revisions to be made to the satisfaction of the examiner(s), as agreed upon by the examination panel, (or should this be required subsequent to any preliminary discussions with examiners, the dispute resolution process and/or the oral):
- 33.4.3.1. The non-examining chairperson must facilitate a discussion among the examiners in order to compile a list of material revisions to be made by the candidate as these revisions must be agreed upon by the examination panel. The non-examining chairperson must also request the examiners to agree to whose satisfaction the changes must be made (i.e. which examiner(s) is/are going to review the changes). These aspects can all be discussed during a preliminary discussion referred to in

paragraph 33.3.9 above. The candidate may prepare a consolidated list of revisions for potential approval by the examination panel as the list of revisions to be made by the candidate.

- 33.4.3.2. The supervisor(s) make(s) the necessary anonymised digest of the report (part B) from the examiner(s) with the suggested material revisions, or any other anonymised list compiled by the examination panel which is made available to the supervisor(s) by the non-examining chairperson, available to the student (alternatively, the student is informed of the required material revisions during the oral).
- 33.4.3.3. The non-examining chairperson determines a date and time which suits the examiners, the supervisor(s) and the student for an oral (see paragraph 35 below).
- 33.4.3.4. The non-examining chairperson determines a date for the submission of the revised dissertation in consultation with the examiners, supervisor(s) and the student. This date should, as far as possible, concur with the University closing dates for the relevant graduation ceremony and should preferably be before the oral. Further, the material revisions must be completed and confirmed by the examiner(s) before the final report on the outcome of the examination is submitted to the chairperson of the Research Committee (see paragraph 33.4.5 below).
- 33.4.3.5. The revised dissertation, together with a written declaration by the supervisor(s) stating that the material revision is completed in line with the request(s) of the examiner(s), is submitted to the non-examining chairperson by the determined date.
- 33.4.3.6. The non-examining chairperson verifies that the declaration is in order and that the revisions have *prima facie* been made.
- 33.4.3.7. The non-examining chairperson sends the revised dissertation back to the chosen examiners, as agreed upon between the examiners.
- 33.4.3.8. The chosen examiner(s) is/are requested to send a written confirmation within three weeks to the non-examining chairperson confirming whether he or she or they is/are satisfied with the revised dissertation.

- 33.4.4. The examinations process is completed after an oral examination and completion of the corrections required by the examination panel (if any).⁵¹
- 33.4.5. A final report summarising the findings of the examination panel is submitted by the non-examining chairperson to the departmental chairperson and to the Research Committee,⁵² via the chairperson of the Research Committee. The final report includes the outcome from the oral examination.
- 33.4.6. If the conferment of the doctorate is unanimously recommended by the examination panel, and the Faculty Board confirms the recommendation, the Faculty Board's decision must be included in the Recommendations Report to the EC(S) and Senate.⁵³
- 33.4.7. In the interests of transparency, the reports of the examiners should be made available to the members of the Faculty Board upon their request before the Faculty Board decides on the result.
- 33.4.8. Paragraph 33.7 in respect of finalisation shall apply.

33.5. UNANIMITY THAT THE DEGREE SHOULD NOT BE CONFERRED

- 33.5.1. This paragraph 33.5 applies if all three examiners select category (c). The outcome is that the degree may not be conferred upon the candidate and the work may not be resubmitted for examination.
- 33.5.2. The decision is final and no dispute process will be followed.⁵⁴ No oral takes place if the examiners agree unanimously that the degree should not be conferred.
- 33.5.3. A final report summarising the findings of the examination panel is submitted by the non-examining chairperson to the departmental

⁵¹ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.7.3.

⁵² Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.7.14.

⁵³ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.7.16.1.

⁵⁴ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.7.16.3.

chairperson and to the Research Committee,⁵⁵ via the chairperson of the Research Committee.

33.5.4. If the examination panel unanimously recommends that the doctorate not be conferred upon the candidate, and the Faculty Board confirms the recommendation, the Faculty Board's decision must be included in the Recommendation Report to the EC(S) and Senate.⁵⁶

33.5.5. In the interests of transparency, the reports of the examiners should be made available to the members of the Faculty Board upon their request before the Faculty Board decides on the result.

33.5.6. To the extent applicable, paragraph 33.7 in respect of finalisation shall apply.

33.6. **DISPUTES**

33.6.1. If paragraphs 33.4 or 33.5 are not applicable, there is an initial dispute between the examiners.

33.6.2. Paragraph 34 below must be followed before paragraph 33.7 is followed.

33.7. **FINALISATION**

33.7.1. The chairperson of the Research Committee (who may delegate this duty to the non-examining chairperson) must make sure that the examiners submit the human resources form and the bank account form and that these completed forms are submitted to the office of the Dean in order for payment to be processed to the examiners.

33.7.2. The non-examining chairperson provides the student, supervisor(s), examiners and assessor (if any) with written feedback on the result (the outcome) of the examination. If there was a dispute between the examiners, a motivation for the final result should be provided.

⁵⁵ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.7.14.

⁵⁶ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.7.16.3.

33.7.3. The final report from the non-examining chairperson (together with the reports from the examiners and assessor (if any)) and the final decision of the Faculty Board are filed by the Research Committee for record purposes.

33.7.4. Students are referred to paragraph 6.10 of the Calendar 2022 (Part 1 General) *Postgraduate Qualifications* regarding the electronic submission of a master copy of the dissertation on SUNScholar after examination and before graduation. The last day for such electronic submission of doctoral dissertations for March and December graduation ceremonies is annually determined in the University's almanac which can be accessed [here](#).

34. DOCTORATE DISPUTES⁵⁷

34.1. Firstly, before this paragraph 34 applies, the non-examining chairperson should have made an attempt in accordance with paragraph 33.3.9 in order for the examiners to possibly reach consensus on the conferment or non-conferment of the degree. If such preliminary discussions are successful in reaching unanimity, there is no dispute and paragraph 33.4 above should be followed *mutatis mutandis* if there is unanimity that the degree should be conferred, or paragraph 33.5 above should be followed *mutatis mutandis* if there is unanimity that the degree should not be conferred.

34.2. If such preliminary discussions referred to in paragraph 34.1 above are not successful in reaching unanimity, an opportunity will be created by the non-examining chairperson for the examiner(s) to reach unanimity regarding the conferment or non-conferment of the degree in a process of deliberation at the oral (see paragraph 35 below) and of the candidate making changes or improvements as recommended by the examiners prior to the oral, in order to resolve the dispute. If the candidate effects the changes or improvements, the improved dissertation is then returned to the examiners for re-evaluation sufficiently in advance of the oral so that the examiners have adequate time to review the changes or improvements.⁵⁸ It should, for example, be determined how the examiner(s) can be satisfied to amend a (c) to an (a) or a (b) in order to reach unanimity that the degree should be conferred.

⁵⁷ Based on Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.8.

⁵⁸ Based on Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.7.5.

- 34.3. The initial dispute among the examiners could be resolved at the oral in one of two ways (see also paragraph 35.10 below in this regard):
- 34.3.1. Should the examiners after the process contemplated in paragraph 34.2 above reach unanimity that the **degree should be conferred**, paragraph 33.4 above should be followed *mutatis mutandis*, except that there is no need for another oral to take place. The examiner(s) who change(s) his or her or their decision (e.g. during the deliberations at the oral) is/are not requested to complete part A of the report again or to amend his or her or their previous report(s), but the final report summarising the findings of the examination panel which must be submitted by the non-examining chairperson to the departmental chairperson and to the Research Committee (in terms of paragraph 33.4.5 above) must include the details of the dispute resolution process which was followed and the final outcome if such differs from the result on the reports initially completed by the examiners.
- 34.3.2. Should the examiners after the process contemplated in paragraph 34.2 above reach unanimity that the **degree should not be conferred**, paragraph 33.5 above should be followed *mutatis mutandis*. The examiner(s) who change(s) his or her or their decision (e.g. during the deliberations at the oral) is/are not requested to complete part A of the report again or to amend his or her or their previous report(s), but the final report summarising the findings of the examination panel which must be submitted by the non-examining chairperson to the departmental chairperson and to the Research Committee (in terms of paragraph 33.5.3 above) must include the details of the dispute resolution process which was followed and the final outcome if such differs from the result on the reports initially completed by the examiners.
- 34.4. If unanimity could not be reached after the processes contemplated above (including if one or more of the examiners refused to participate in the dispute resolution process) the non-examining chairperson needs to approach the external assessor (see paragraph 30 above for the appointment of an assessor). It may be required that the assessor must first be appointed, if not already appointed in terms of paragraph 30 above.

- 34.5. The non-examining chairperson sends a report with a summary of the preceding examination process to the assessor, together with the following (in electronic version or as hard copies, as requested by the assessor):⁵⁹
- 34.5.1. The appointment letter (Form I) with the instructions for assessment including deadlines for the submission of the assessor report, the human resources form and the bank account form;
 - 34.5.2. The doctoral dissertation;
 - 34.5.3. The anonymised reports from the examiners;
 - 34.5.4. A summary of the proceedings of the oral examination; and
 - 34.5.5. The candidate's point of view (a written response by the candidate to the anonymised reports from the examiners and the report of the non-examining chairperson).
- 34.6. The task of the external assessor is not to serve as additional examiner. The assessor is required to work through the items listed above in paragraph 34.5 and to consider the criticism of the examiners factually.⁶⁰ The assessor may request an oral irrespective of whether an oral has taken place by the examiners in the examination process preceding the appointment of the assessor. The purpose of such an oral is to assist the assessor in the task of indicating how the dispute must be handled. An oral must take place by the assessor if an oral has not taken place by the examiners and if the assessor concludes that the degree should be conferred (see paragraphs 35.8.3 and 35.11 below).
- 34.7. The report of the external assessor, which indicate how the dispute must be dealt with, is made available to the non-examining chairperson.⁶¹
- 34.8. A final report summarising the findings of the examination panel and the external assessor is submitted by the non-examining chairperson to the departmental chairperson and to the Research Committee,⁶² via the chairperson of the Research Committee. The report of the external assessor is also submitted to the Research Committee via the Dean's Office for consideration.⁶³

⁵⁹ Based on Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.8.4.

⁶⁰ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.8.4.

⁶¹ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.8.5.

⁶² Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.7.14.

⁶³ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.8.6.

- 34.9. The Research Committee makes a recommendation to the Faculty Board.⁶⁴ The Faculty Board's decision is included in the Recommendation Report to the EC(S) and Senate.⁶⁵ If the assessor does not recommend the acceptance of the dissertation then the decision is reported to the Faculty Board and Senate. This decision is final and there is no further dispute settlement remedy available.
- 34.10. In the interests of transparency, the reports of the examiners and assessor should be made available to the members of the Faculty Board upon their request before the Faculty Board decides on the result.
- 34.11. After the final decision on the conferment of the relevant doctorate has been made, the non-examining chairperson informs the examiners and assessor of Senate's decision.⁶⁶ Paragraph 33.7 in respect of finalisation shall apply *mutatis mutandis*.
- 34.12. The chairperson of the Research Committee (who may delegate this duty to the non-examining chairperson) must make sure that the assessor submits the human resources form and the bank account form and that these completed forms are submitted to the office of the Dean in order for payment to be processed to the assessor.

35. ORALS (DOCTORATES)

- 35.1. The examining of doctoral dissertations comprises two complementary processes: firstly, the independent assessment of the dissertation by each examiner in the form of examiners' reports (consisting of part A and B) and secondly an oral examination, where there is an engagement with the candidate. An oral examination is an integral part of the examination process.⁶⁷
- 35.2. The oral examination is facilitated by and takes place under the supervision of the non-examining chairperson, who is in possession of all the examiners' reports and recommendations.⁶⁸

⁶⁴ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.8.6.

⁶⁵ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.8.6.

⁶⁶ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.8.7.

⁶⁷ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.7.3.

⁶⁸ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.7.8.

- 35.3. The candidate must be physically present at the oral examination, unless alternative arrangements have been made with the prior written approval from the chairperson of the Research Committee. Such alternative arrangements must be made by the non-examining chairperson, if necessary with assistance from the candidate and/or the supervisor(s), to the satisfaction of the chairperson of the Research Committee.
- 35.4. The supervisor(s) attend(s) the oral examination as (an) observer(s) and take(s) no part in the discussion. The supervisor(s) may attend the oral virtually by way of telephone, Skype, or similar virtual meeting software. A valid oral examination can be conducted in the absence of the supervisor(s), but it is desirable that the supervisor(s) is/are present, at least virtually.
- 35.5. Where an oral examination is conducted, it may bear upon the dissertation, and upon such dissertation-related areas as have been agreed upon beforehand.
- 35.6. The supervisor(s) may decide to disclose anonymised parts of the reports from the examiners to the candidate before the oral to enable the candidate to prepare for the oral examination.
- 35.7. External examiners may be brought to Stellenbosch, at the University's expense, from within the borders of South Africa for the purpose of the oral examination, but are not transported to Stellenbosch at University expense from beyond South Africa's borders, unless a department is prepared to pay such costs.⁶⁹ It is preferred that at least examiners who are based in the Western Cape travel to Stellenbosch for the oral. However, the oral can take place by way of telephone, Skype, or similar virtual meeting software to accommodate participation in the oral for examiners who are not able to attend the oral in person.⁷⁰ This paragraph applies to an oral conducted by the assessor as well.
- 35.8. An oral examination takes place:
- 35.8.1. By all three **examiners** if the provisional outcome as determined by the non-examining chairperson is that there is unanimity among the examiners

⁶⁹ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.7.7.

⁷⁰ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.7.6.

that the degree should be conferred (see paragraph 33.4 above and paragraph 35.9 below);

OR

35.8.2. By all three **examiners** if the provisional outcome as determined by the non-examining chairperson is that there is a dispute (neither unanimity among the examiners that the degree should be conferred nor unanimity that the degree should not be conferred) (see paragraphs 33.6 and 34 above and paragraph 35.10 below);

AND/OR

35.8.3. By the **assessor** (should the assessor want an oral) irrespective of whether an oral has taken place by the examiners in the examination process preceding the appointment of the assessor. The purpose of such an oral is to assist the assessor in the task of indicating how the dispute must be handled. An oral must take place by the assessor if an oral has not taken place by the examiners and if the assessor concludes that the degree should be conferred (see paragraph 34.7 above and paragraph 35.11 below).

35.9. An oral in terms of paragraph 35.8.1 (if the provisional outcome as determined by the non-examining chairperson is that there is unanimity among the examiners that the degree should be conferred) must be conducted by the three examiners.⁷¹ Such an oral takes place in the following sessions:

SESSION 1

35.9.1. The candidate, the supervisor(s), the non-examining chair and the examiners are present in the first session.

35.9.2. The purpose of this session is:

35.9.2.1. to provide the candidate with an opportunity to briefly address the examiners on the main implications and contributions of the study by way of a short introduction of preferably no longer than 10 minutes; the presentation may be open to the public and

⁷¹ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.7.6.

general questions may be posed to the candidate at the end of his or her presentation, after which the general public may be excused;⁷²

- 35.9.2.2. to provide for the formal examination process once the general public has been excused; during the formal examination process only the members of the examination panel, the supervisor(s) in an observational capacity, and the candidate remain, and the unattached non-examining chairperson facilitates the candidate's examination by the examiners, which may take the form of the examiners asking the candidate questions, discussing or clarifying issues raised in the written reports or other issues which might arise during the oral;⁷³ and
 - 35.9.2.3. to serve as a forum for the examiners to discuss their required revisions or material revisions (if any) with the candidate.
- 35.9.3. The candidate and supervisor(s) are excused at the end of session 1.

SESSION 2

- 35.9.4. A final decision is made by the examiners during the second session. Such a final decision should be the unanimous conferment of the degree (in other words the provisional unanimous conferment of the degree as indicated on the reports from the examiners or as agreed upon during the preliminary discussions is confirmed by the examiners). Paragraph 33.4 above applies *mutatis mutandis* for the remainder of the examination process. The unanimous conferment of the degree may only be made subject to the candidate effecting any outstanding revisions or material revisions that were required in the examiners' reports. During the oral, the examiners may recommend, but not require, that further revisions should be effected.
- 35.9.5. Examiners may only deviate from the unanimous conferment of the degree at the oral if there was a recommendation of unanimous conferment in terms of their reports or in terms of the preliminary discussions if exceptional and new information relating to the academic integrity of the work comes to light.

⁷² Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.7.9.

⁷³ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* paragraphs 6.7.10 and 6.7.11.

SESSION 3

35.9.6. The candidate and supervisor(s) rejoin the examiners and non-examining chairperson for the third session where the final decision of the examiners is communicated to the candidate by the non-examining chairperson.

35.9.7. Further arrangements (such as timing) are then also made regarding the required revisions or material revisions (if any) to be completed by the candidate.

35.10. An oral in terms of paragraph 35.8.2 (if the provisional outcome as determined by the non-examining chairperson is that there is a dispute) takes place in the following sessions:

SESSION 1

35.10.1. The candidate, the supervisor(s), the non-examining chair and the examiners are present in the first session.

35.10.2. The purpose of this session is:

35.10.2.1. to provide the candidate with an opportunity to briefly address the examiners on the main implications and contributions of the study by way of a short introduction of preferably no longer than 10 minutes; the presentation may be open to the public and general questions may be posed to the candidate at the end of his or her presentation, after which the general public may be excused;⁷⁴

35.10.2.2. to provide for the formal examination process once the general public has been excused; during the formal examination process only the members of the examination panel, the supervisor(s) in an observational capacity, and the candidate remain, and the unattached non-examining chairperson facilitates the candidate's examination by the examiners, which may take the form of the examiner's asking the candidate questions, discussing or clarifying issues raised in the written reports or other issues which might arise during the oral;⁷⁵

35.10.2.3. to serve as a forum for the examiners to discuss their required revisions or material revisions with the candidate which could

⁷⁴ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* para 6.7.9.

⁷⁵ Calendar 2022 (Part 1 General) *Postgraduate Qualifications* paragraphs 6.7.10 and 6.7.11.

change the provisional outcome of a dispute from the examiners' reports to a unanimous conferment of the degree at the oral; and

35.10.2.4. to resolve the dispute among the examiners.

35.10.3. The candidate and supervisor(s) are excused at the end of session 1.

SESSION 2

35.10.4. A final decision is made by the examiners during the second session, which must be one of the following:

35.10.4.1. The **unanimous conferment** of the degree (in other words the initial dispute among the examiners is resolved if the examiners are unanimously in agreement after the first session of the oral that the degree may be conferred). Paragraph 33.4 above applies *mutatis mutandis* for the remainder of the examination process.

35.10.4.2. The **unanimous non-conferment** of the degree (in other words the initial dispute among the examiners is resolved if the examiners are unanimously in agreement after the first session of the oral that the degree may not be conferred). Paragraph 33.5 above applies *mutatis mutandis* for the remainder of the examination process.

35.10.4.3. The **absence of unanimity**, in which case there is still a **dispute**. Paragraph 34.4 above and further applies, and which would require the appointment of an assessor.

SESSION 3

35.10.5. The candidate and supervisor(s) rejoin the examiners and non-examining chairperson for the third session where the final decision of the examiners is communicated to the candidate by the non-examining chairperson.

35.10.6. Further arrangements (such as timing) are then also made regarding the candidate effecting outstanding revisions, as well as effecting any further recommended revisions.

35.11. An oral in terms of paragraph 35.8.3 (which is conducted by the assessor) has no strict sessions but takes place upon the direction of the assessor. The candidate, the supervisor(s), the non-examining chair and the assessor are present at such an oral.

35.12. The non-examining chairperson reports to the departmental chairperson and to the Research Committee regarding the outcome of the oral examination in the report submitted to the latter via the chairperson of the Research Committee.

PART E: GENERAL

36. OWNERSHIP OF RESEARCH AND PUBLICATION OF MASTER'S THESES AND DOCTORAL DISSERTATIONS

- 36.1. To the extent applicable in the field of research in law, the current policy ("Innovus Policy in respect of Exploitation of Intellectual Property") relating to the ownership of intellectual property created within the normal course and scope of studies at the University can be accessed [here](#).
- 36.2. It is the responsibility of master's and doctoral students to familiarise themselves with and to abide by the provisions in the Calendar 2022 (Part 1 General) *Postgraduate Qualifications* regarding the publication of master's theses found in para 5.10 and the provisions for doctoral dissertations found in para 6.12.
- 36.3. The publication of results or part of a thesis or dissertation in a recognised law journal must take place in conjunction with the relevant supervisor(s), with the name of the University, the relevant department and Faculty being stated.

37. PROCEDURE FOR SENSITIVE MASTER'S THESES AND DOCTORAL DISSERTATIONS

- 37.1. Provisions are in place relating to circumstances under which research results cannot be made known to the public due to commercial confidentiality or security interests and relating to the procedure applicable in such circumstances
- 37.2. It is the responsibility of master's and doctoral students to familiarise themselves with and to abide by these provisions in the Calendar 2022 (Part 1 General) *Postgraduate Qualifications* regarding the procedure for sensitive master's theses found in para 5.9 and the provisions for doctoral dissertations found in para 6.13.

PART F: FORMS

- 38. FORM A: LETTER TO EXTERNAL SUPERVISORS**
- 39. FORM B: ANTICIPATED SUBMISSION OF A MASTER'S THESIS FOR EXAMINATION**
- 40. FORM C: ANTICIPATED SUBMISSION OF A DOCTORAL DISSERTATION FOR EXAMINATION**
- 41. FORM D: PERMISSION FOR SUBMISSION FOR EXAMINATION OF MASTER'S THESIS AND PLAGIARISM CHECK CONFIRMATION**
- 42. FORM E: PERMISSION FOR SUBMISSION FOR EXAMINATION OF DOCTORAL DISSERTATION AND PLAGIARISM CHECK CONFIRMATION**
- 43. FORM F: SUBMISSION OF HARD COPY/IES OF MASTER'S THESIS OR DOCTORAL DISSERTATION FOR EXAMINATION – DECLARATION BY CANDIDATE**
- 44. FORM G: INSTRUCTIONS TO EXAMINERS FOR THE EXAMINATION OF A MASTER'S THESIS, INCLUDING EXAMINER'S REPORT**
- 45. FORM H: INSTRUCTIONS TO EXAMINERS FOR THE EXAMINATION OF A DOCTORAL DISSERTATION, INCLUDING EXAMINER'S REPORT**
- 46. FORM I: INSTRUCTIONS TO ASSESSOR FOR THE ASSESSMENT OF A DOCTORAL DISSERTATION, INCLUDING ASSESSOR'S REPORT**

**47. FORM J: APPROVAL FROM SUPERVISOR(S) FOR SHORT-PROCEDURE
REGISTRATION**

PART G: ANNEXURES

48. ANNEXURE 1 – STUDENT-SUPERVISOR AGREEMENT

FACULTY OF LAW, STELLENBOSCH UNIVERSITY

SUPERVISOR(S)-STUDENT ANNUAL PROGRESS AGREEMENT

This agreement is entered into between

[STUDENT'S NAME AND STUDENT NUMBER] (the "student") of

[STUDENT'S ADDRESS]

and

[SUPERVISOR'S NAME]

and

[CO-SUPERVISOR'S NAME] (the "supervisor(s)")

1 Introduction

1.1 The student is registered as an LLM by thesis or LLD student in the Faculty of Law at Stellenbosch University, under the supervision of the supervisor(s). The parties have agreed to enter into this agreement to develop a sound and productive working relationship.

1.2 This agreement does not derogate from the provisions of the Faculty of Law's current *Postgraduate Guide*, the University's *General Calendar* or the *Law Calendar*. In the event of any ambiguity or conflict arising between, on the one hand, the terms of this Agreement and, on the other hand, those of the *Postgraduate Guide*, the *General Calendar* or the *Law*

Calendar, the terms of the *Postgraduate Guide*, the *General Calendar* or the *Law Calendar* shall prevail. Accordingly, the student should be familiar with the provisions of the *Postgraduate Guide*, the *General Calendar* and the *Law Calendar*. Paragraph 12 (“Relationship between student and supervisor(s)”), paragraph 13 (“Complaints on feedback”), paragraph 14 (“Annual reporting”) and paragraph 19 (“Continuation of registration”) of the *Postgraduate Guide* are of particular importance in the context of this agreement.

- 1.3 As LLD students and their supervisor(s) are required to report annually on the progress made for purposes of continued registration (see paragraph 19 of the *Postgraduate Guide* and the related rules in the *Law Calendar*), this progress agreement will play an important role in that regard.

2 Progress meetings

- 2.1 The student shall arrange regular meetings with the supervisor(s) concerning the student’s progress with his or her studies, which meetings shall be at intervals of 90 calendar days unless agreed otherwise, in which case the period shall be _____ [INSERT PERIOD, e.g., 2 months, but this period may not exceed 6 months]. Should a scheduled meeting not take place, for whatsoever reason, the student shall arrange an alternative time with the supervisor(s) as soon as possible after the scheduled meeting. [Note: for these purposes, a meeting has to take place in person, or, if the circumstances necessitate, electronically]
- 2.2 In addition, the student may request additional (*ad hoc*) meetings with the supervisor(s) concerning the particular study, if necessary.
- 2.3 The student shall keep a written record of each progress meeting (whether it is a regular, or *ad hoc*, meeting), summarising the key points discussed at the meeting, in the form of “meeting minutes” (which can be short notes made at the meeting). The meeting minutes, together with other forms of communication, such as e-mail correspondence between the student and supervisor(s) when submitting work to the supervisor(s) or receiving written feedback from the supervisor(s), constitute the “progress minutes”. The progress minutes shall be kept for at least 5 years following the completion, or termination, of the study.

3 Anticipated progress of study

- 3.1 The student will progress with studies to the standard reasonably required by the supervisor(s) and in accordance with an annual schedule agreed to by the parties. This schedule must contain a work programme which has been compiled by the student, in collaboration with the supervisor(s), for the academic year, and must be submitted by 1 March to the secretary of the Research Committee. However, where the schedule has already been submitted as part of the reporting required by paragraph 19.5 of the *Postgraduate Guide for LLD students*, it will not be required to submit a schedule again. The schedule should contain as specific an indication of the time to be spent on each phase of the study as possible. Depending on the year of study, the work programme can relate to the deadline for the submission of a project proposal/protocol, the deadline for the completion of a literary survey, or the deadline for the completion of specific chapters.
- 3.2 If, for any reason, the student fails to progress with the studies at the rate required, or to the required standard, that fact (and the reasons for such failure) must be recorded in the meeting minutes of the first meeting with the supervisor(s) in which that becomes apparent. During such meeting, the student and the supervisor(s) shall agree on how the lack of progress will be addressed, which agreement shall similarly be recorded in the meeting minutes.

4 Submission of work to supervisor(s), feedback and revision

- 4.1 Unless special circumstances exist (and which circumstances have been communicated to the student), the supervisor shall provide feedback to the student on written work submitted to the supervisor(s) within 30 calendar days of submission of the work to the supervisor(s). If a student is dissatisfied with the quality of feedback or is of the opinion that unreasonable delays exist in the provision of feedback from his or her supervisor(s), paragraph 13 of the *Postgraduate Guide* should be consulted.
- 4.2 Where written work has been submitted by the student, the details of such submission and the general nature of the feedback given to the student by the supervisors(s) must be recorded in the first set of meeting minutes following such events, unless the details of the submission and the feedback already form part of the progress minutes due to, for example, e-mail correspondence (see 2.3 above).

5 Postgraduate Training Programme

The student undertakes to complete the Faculty of Law Postgraduate Training Programme during the first year of registration.

The signatures below serve to confirm that all parties agree to the roles and responsibilities as set out in this agreement:

STUDENT'S SIGNATURE AND _____
STUDENT'S NAME

SUPERVISOR'S SIGNATURE AND _____
SUPERVISOR'S NAME

CO-SUPERVISOR'S SIGNATURE AND _____
CO-SUPERVISOR'S NAME

DATE

49. ANNEXURE 2 – SUMMARY OF DUTIES OF AN ASSESSMENT PANEL FOR A MASTER'S EXAMINATION

1. The members of the assessment panel will be copied in an e-mail sent by the chairperson of the Research Committee to the examiners when the thesis is submitted to the examiners for examinations (see paragraph 24.3).
2. As the reports come in from the examiners, they will be forwarded to the supervisor(s) by the chairperson of the Research Committee (copying the members of the assessment panel in the correspondence) (see paragraph 31.3.7).
3. Once all the reports have been received from the examiners:
 - 3.1 The assessment panel requests the supervisor(s) to submit (a) supervisor's report(s). The supervisor's report(s) may be circulated among the examiners (see paragraphs 31.3.10 and 31.4).
 - 3.2 The assessment panel may circulate the reports from the examiners among the examiners. It is not required that the reports are anonymised but it is important to wait until all the reports have been received before the reports are circulated among the examiners (see paragraph 31.3.9).
4. The assessment panel makes a determination regarding the **outcome** of the examination (whether the degree should be conferred or not be conferred) in light of the examiners' reports, as well as the supervisor's report and any further elucidation provided by the supervisor(s). This may involve discussions with the examiners and dispute resolution between the examiners, including an oral (see paragraphs 31.5, 31.10 and 32).
5. A **mark** is determined by the assessment panel in light of the examiners' reports, as well as the supervisor's report and any further elucidation provided by the supervisor(s). This may involve discussions with the examiners and dispute resolution between the examiners, including an oral (see paragraphs 31.6, 31.10 and 32).
6. If there is a possible dispute in terms of the outcome and/or the mark (as defined in paragraph 32), the role of the assessment panel is to enter into a discussion with the examiners. It should be determined whether a dispute among the examiners can be avoided if an examiner wants to reconsider his or her recommendation after being

presented with the report of the other examiner and the report(s) from the supervisor(s) (see paragraphs 31.5.3 and 31.6.3).

7. If there is **unanimity that the degree may be conferred** (no examiner selecting category (c) or (d)), but where one or more of the examiners require that revisions or material revisions must be completed, the role of the assessment panel is as follows, in consultation with the examiners:
 - 7.1 Distinguish between required revisions or material revisions in order for the degree to be awarded and recommendations that are more in the nature of suggestions for improvement of the thesis or to be taken into account in future work, but which the candidate is not required to effect in order for the degree to be awarded.
 - 7.2 Distinguish between those revisions that need to be effected to the satisfaction of the supervisor(s) (category (a)) and those revisions that need to be effected to the satisfaction of the examiners (category (b)) (also see 8 below).
8. If there is unanimity that the degree may be conferred (no examiner selecting category (c) or (d)) but at least one examiner selecting **category (b)** (which requires material revisions to the satisfaction of the examiner(s), as agreed upon by the examination panel): When circulating the reports among the examiners or during any discussions with the examiners, the assessment panel should inform the examiners of this category being chosen by one or more of the examiners. If one or more of the examiners insists on category (b), the examiners are required to compile an agreed list of required material revisions that the candidate should effect in order for the degree to be conferred – these should be formulated as specifically and clearly as possible. It must also be agreed upon by the examination panel who the examiner(s) is/are going to be who want(s) to see the thesis again after the revisions have been made.
9. The assessment panel sends an interim report to the chairperson of the Research Committee (see paragraph 31.9).
10. The oral examination takes place, which is facilitated by and takes place under the supervision of the assessment panel, if required and if it has not taken place in terms of the dispute resolution process (see paragraph 31.10).

11. The assessment panel submits a final report on the outcome of the examination and the mark to be awarded to the chairperson of the Research Committee (see paragraph 31.11).
12. The assessment panel should follow up with the examiners and collect from them the human resources form and bank account form (which can be scanned and e-mail) in order for payment to be processed. These forms must be sent to the secretary of the Research Committee (see paragraph 31.12.1).
13. Once approved by the Faculty Board and Senate, the assessment panel provides the student, supervisor(s) and examiners with written feedback on the result (the outcome and the mark) of the examination. If there was a dispute between the two examiners, a motivation for the final result should be provided (see paragraph 31.12).

50. ANNEXURE 3 – SUMMARY OF DUTIES OF NON-EXAMINING CHAIRPERSON (NEC) FOR A DOCTORAL EXAMINATION

1. The NEC will be copied in an e-mail sent by the chairperson of the Research Committee to the examiners when the dissertation is submitted to the examiners for examinations (see paragraph 24.3).
2. As the reports come in from the examiners, they will be forwarded to the supervisor(s) by the chairperson of the Research Committee (copying the non-examining chairperson in the correspondence) (see paragraph 33.3.6).
3. Once all the reports have been received from the examiners, the NEC circulates the reports from the examiners among the examiners. It is not required that the reports are anonymised but it is important to wait until all the reports have been received before the reports are circulated among the examiners (see paragraph 33.3.8).
4. Should at least one examiner, but not all the examiners, select category (c) (that the degree should not be conferred), the non-examining chairperson should facilitate a preliminary discussion among the examiners to determine whether unanimity can be reached regarding the conferment or non-conferment of the degree before the oral takes place (see paragraph 33.3.9). In essence, it should be determined whether the

examiner(s) who selected category (c) want(s) to reconsider his or her or their recommendation(s) after being presented with the reports of the other examiners .

5. The provisional outcome from part A of the three examiners' reports (or subsequent to any preliminary discussions by the non-examining chairperson with the examiners) is determined by the non-examining chairperson in accordance with paragraph 33.3.10, and the steps in accordance with each outcome are followed (see paragraphs 33.4, 33.5 and 33.6).
6. If there is **unanimity that the degree may be conferred** (no examiner selecting category (c)), but where one or more of the examiners require that revisions or material revisions must be completed, the role of the NEC is as follows, in consultation with the examiners:
 - 6.1. Distinguish between required revisions or material revisions in order for the degree to be awarded and recommendations that are more in the nature of suggestions for improvement of the dissertation or to be taken into account in future work, but which the candidate is not required to effect in order for the degree to be awarded.
 - 6.2. Distinguish between those revisions that need to be effected to the satisfaction of the supervisor(s) (category (a)) and those revisions that need to be effected to the satisfaction of the examiners (category (b)) (also see 7. below). If the majority of the examiners selected category (a) and only one examiner selected category (b), it should be determined whether the examiner who selected category (b) would be satisfied if the revisions are effected to the satisfaction of the supervisor(s).
7. If there is unanimity that the degree may be conferred (no examiner selecting category (c)) but at least one examiner selecting **category (b)** (which requires material revisions to the satisfaction of the examiner(s), as agreed upon by the examination panel): When circulating the reports among the examiners or during the preliminary discussion, the NEC should inform the examiners of this category being chosen by one or more of the examiners. If one or more of the examiners insists on category (b), the examiners are required to compile an agreed list of required material revisions that the candidate should effect in order for the degree to be conferred – these should be formulated as specifically and clearly as possible. It must also be agreed upon by the examination panel who the examiner(s) is/are going to be who want(s) to see the dissertation again after the revisions have been made.

8. It is preferred that the examiners agree on the changes to be made prior to the oral so that the oral finalises the examination process.
9. The NEC determines the availability of the examiners, supervisor(s) and student for the oral, which takes place in accordance with paragraph 35. An oral does not take place if there is unanimity that the degree should not be conferred.
10. The NEC should draft an e-mail inviting all the members of the Faculty to the oral (which can be distributed by the Dean's secretary). The e-mail should contain details of the candidate, the dissertation title and the details of supervisor(s) as well as the time, date and place of the oral.
11. The NEC should follow up with the examiners and collect from them the human resources form and bank account form (which can be scanned and e-mail) in order for payment to be processed. These forms must be sent to the secretary of the Research Committee (see paragraph 33.7.1).
12. A report is submitted by the NEC to the chairperson of the Research Committee (see paragraphs 33.4.5, 33.5.3 or 34.8 depending on the outcome of the examination).
13. Once approved by the Faculty Board and Senate, the non-examining chairperson provides the student, supervisor(s), examiners and assessor (if any) with written feedback on the result (the outcome) of the examination. If there was a dispute between the examiners or the assessor, a motivation for the final result should be provided (see paragraph 33.7).

APPOINTMENT AS EXTERNAL (CO-) SUPERVISOR (MASTER'S DEGREE OR DOCTORAL DEGREE)

We hereby confirm your appointment by the Faculty Board as an external supervisor / co-supervisor [mark appropriate one] for the following study:

Title, initial(s) and surname of candidate		Student number of candidate	
Department		Degree	
Name and institution of supervisor		Name and institution of co-supervisor	
Approved title			

We attach a copy of the Faculty of Law Postgraduate Guide, which serves as a road map for all processes involving master's theses and doctoral dissertations at the Faculty. Some of the important information concerning the roles of supervisors of master's theses or doctoral dissertations can be found in the following paragraphs of the Guide (please do not hesitate to contact the internal supervisor for clarity on any of these aspects):

Paragraph 12	Relationship between student and supervisor(s)	Specific responsibilities of supervisors are listed in the yellow block.
Paragraph 14	Annual reporting	Supervisors will be required to report at least annually to the faculty on the student's progress. Sufficient progress is also required for the continued registration of the student.

Paragraph 21	Initiating submission for examination	The supervisors inform the chairperson of the Research Committee of an anticipated submission for examination by completing a form.
Paragraph 22	Plagiarism check	Supervisors must do a plagiarism check and must be satisfied that the results of the check are satisfactory before the thesis / dissertation is submitted for examination.
Paragraph 23	Permission for submission for examination	Supervisors must complete a form indicating that the thesis / dissertation is formally ready for examination.
Paragraphs 28 and 29	Selecting and appointing examiners: master's and doctorates	Supervisor are involved in the process of selecting examiners.
Paragraphs 31 and 32	Examination procedures: <u>master's</u>, including disputes	Supervisor will receive copies of the examiners' reports and will be <u>required to</u> submit a supervisor's report. The supervisors may provide elucidations on the outcome of the examination and the mark. Supervisors are involved with revisions to be made by the candidate and are involved with the oral (should there be an oral). Supervisors may be involved in the dispute resolution process (if any).
Paragraphs 33 and 34	Examination procedures: <u>doctorates</u>, including disputes	Supervisors will receive copies of the examiners' reports and <u>may</u> submit a supervisor's report. Supervisors are involved with revisions to be made by the candidate and are involved with the oral. Supervisors may be involved in the dispute resolution process (if any).

You will be remunerated for your services as external supervisor / co-supervisor by way of an honorarium at the end of the study. Any queries in respect of your remuneration can be directed to the **Faculty Secretary, Mr Shirle Cornelissen**, at 021 808 9312 or at shirle@sun.ac.za. Please also return this signed document back to the Faculty Secretary.

Please do not hesitate to contact us should you have any questions. We appreciate your interest in this study and we look forward to working with you.

Signatory on behalf of the Faculty:		Please indicate your acknowledgement of the above, by signing here and returning the signed copy to the Faculty Secretary:	
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ANTICIPATED SUBMISSION OF A MASTER'S THESIS FOR EXAMINATION

[NOTE: This form should be completed in accordance with Part C and Part D of the postgraduate guide by the supervisor(s) when the candidate informs the supervisor(s) of his/her anticipated submission of the thesis for examination. The supervisor(s) submit(s) the form (once the availability of the examiners has been established by the supervisor(s)) to the departmental chairperson, who then circulates the form in the department. Once the examiners are recommended by the department, the departmental chairperson submits the form to the chairperson of the Research Committee.]

PART 1: DETAILS OF CANDIDATE, SUPERVISOR(S) AND THESIS

Title, initial(s) and surname of candidate		Anticipated date of submission	
Student number of candidate		Degree	
First registration		Department	
Name and institution of supervisor		Name and institution of co-supervisor	
Title of thesis as approved by the Faculty Board			

<p>If a title change is proposed provide new title and motivation, and confirm that the change is not a substantial change in the research problem (refer to para 16 of the Postgraduate Guide)</p>	<p>New title:</p>	<p>Motivation:</p>	<p>Confirmation:</p>
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PART 2: SUGGESTED EXAMINERS

The department suggests the following two examiners for the examination of this thesis, all of which have indicated their availability to act as examiners:

EXAMINER 1

<p>Title, initial(s) and surname</p>			
<p>External</p>	<p>Yes / No</p>		
<p>Institution and designation (if external)</p>			
<p>Tel</p>		<p>E-mail</p>	
<p>Motivation for nomination</p>			

EXAMINER 2

Title, initial(s) and surname			
External	Yes / No		
Institution and designation (if external)			
Tel		E-mail	
Motivation for nomination			

Signature of supervisor		Date	
Signature of co- supervisor (if applicable)		Date	
Signature of departmental chairperson		Date	

ANTICIPATED SUBMISSION OF A DOCTORAL DISSERTATION FOR EXAMINATION

[NOTE: This form should be completed in accordance with Part C and Part D of the postgraduate guide by the supervisor(s) when the candidate informs the supervisor(s) of his/her anticipated submission of the dissertation for examination. The supervisor(s) submit(s) the form (once the availability of the examiners has been established by the supervisor(s)) to the departmental chairperson, who then circulates the form in the department. Once the examiners are recommended by the department, the departmental chairperson submits the form to the chairperson of the Research Committee.]

PART 1: DETAILS OF CANDIDATE, SUPERVISOR(S) AND DISSERTATION

Title, initial(s) and surname of candidate		Anticipated date of submission	
Student number		Degree	
First registration		Department	
Name and institution of supervisor		Name and institution of co-supervisor	
Title of dissertation as approved by the Faculty Board			

<p>If a title change is proposed provide new title and motivation, and confirm that the change is not a substantial change in the research problem (refer to para 16 of the Postgraduate Guide)</p>	<p>New title:</p>	<p>Motivation:</p>	<p>Confirmation:</p>
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PART 2: SUGGESTED EXAMINERS

The internal supervisor or internal co-supervisor (in consultation with the departmental chairperson) suggests the following three examiners for the examination of this dissertation, all of which have indicated their availability to act as examiners:

EXAMINER 1

<p>Title, initial(s) and surname</p>			
<p>External</p>	<p>Yes / No</p>		
<p>Institution and designation (if external)</p>			
<p>Tel</p>		<p>E-mail</p>	
<p>Motivation for nomination</p>			

EXAMINER 2

Title, initial(s) and surname			
External	Yes / No		
Institution and designation (if external)			
Tel		E-mail	
Motivation for nomination			

EXAMINER 3

Title, initial(s) and surname			
External	Yes / No		
Institution and designation (if external)			
Tel		E-mail	
Motivation for nomination			

PART 3: SUGGESTED ASSESSOR

[NOTE: If unanimity on the conferment of the degree cannot be reached by the examiners, an assessor must be appointed by the Faculty Board. It is not compulsory that an assessor is appointed together with the appointment of the examiners, but in order to avoid a delay in resolving the outcome of a doctoral examination should there be a dispute, the assessor may be suggested and appointed in advance. The assessor's role only arises in the event of a dispute. Take note of the requirements in paragraph 30 of the postgraduate guide relating to the academic standing and experience of an assessor.]

ASSESSOR

Title, initial(s) and surname			
Institution and designation			
Tel		E-mail	
Motivation for nomination			

Signature of supervisor		Date	
Signature of co-supervisor (if applicable)		Date	
Signature of departmental chairperson		Date	

PERMISSION FOR SUBMISSION OF MASTER'S THESIS FOR EXAMINATION AND PLAGIARISM CHECK CONFIRMATION

[This form is completed in duplicate, one by the supervisor AND one by the co-supervisor (if applicable). It must be submitted by the supervisor(s) to the chairperson of the Research Committee together with the final electronic copy of the thesis for examination in MS Word and PDF formats. It is essential that the final electronic copy which is submitted for examination is the same copy of the thesis as the one on which a satisfactory plagiarism check was performed.]

DETAILS OF CANDIDATE, SUPERVISOR(S) AND THESIS

Title, initial(s) and surname of candidate			
Student number of candidate		Degree	
First registration		Department	
Name and institution of supervisor		Name and institution of co-supervisor	
Title of thesis as approved by the Faculty Board (fill in new title if a title change was requested and approved by the Faculty Board)			

**PERMISSION FOR SUBMISSION OF MASTER’S THESIS FOR EXAMINATION
AND PLAGIARISM CHECK CONFIRMATION BY SUPERVISOR**

I, the undersigned **SUPERVISOR** hereby give permission in accordance with paragraph 23 of the Postgraduate Guide for the abovementioned candidate to submit his/her master’s thesis for examination.

Tick the appropriate boxes (you must select one box between 1 and 3 and box 4 **MUST** be selected before the thesis can be submitted to the examiners):

1	I confirm that the same electronic version of the thesis as should be submitted to the examiners for examination was submitted to me electronically by the candidate in order to enable me to perform a plagiarism check, which generated a similarity report.
OR	
2	I confirm that the same electronic version of the thesis as should be submitted to the examiners for examination was submitted to me electronically by the candidate and was submitted by me to [insert name of person] in order for the latter to perform a plagiarism check, which generated a similarity report and which was sent to me.
OR	
3	I confirm that I received a similarity report from the co-supervisor.
AND	
4	I confirm that I have checked the result summary of the similarity report and that such report was satisfactory.

Signature supervisor	of		Date	
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**PERMISSION FOR SUBMISSION OF MASTER’S THESIS FOR EXAMINATION
AND PLAGIARISM CHECK CONFIRMATION BY CO-SUPERVISOR (IF
APPLICABLE)**

I, the undersigned **CO-SUPERVISOR** hereby give permission in accordance with paragraph 23 of the Postgraduate Guide for the abovementioned candidate to submit his/her master’s thesis for examination.

Tick the appropriate boxes (you must select one box between 1 and 3 and box 4 **MUST** be selected before the thesis can be submitted to the examiners):

1	I confirm that the same electronic version of the thesis as should be submitted to the examiners for examination was submitted to me electronically by the candidate in order to enable me to perform a plagiarism check, which generated a similarity report.
OR	
2	I confirm that the same electronic version of the thesis as should be submitted to the examiners for examination was submitted to me electronically by the candidate and was submitted by me to [insert name of person] in order for the latter to perform a plagiarism check, which generated a similarity report and which was sent to me.
OR	
3	I confirm that I received a similarity report from the supervisor.
AND	
4	I confirm that I have checked the result summary of the similarity report and that such report was satisfactory.

Signature of co-supervisor (if applicable)		Date	
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PERMISSION FOR SUBMISSION OF DOCTORAL DISSERTATION FOR EXAMINATION AND PLAGIARISM CHECK CONFIRMATION

[This form is completed in duplicate, one by the supervisor AND one by the co-supervisor (if applicable). It must be submitted by the supervisor(s) to the chairperson of the Research Committee together with the final electronic copy of the dissertation for examination in MS Word and PDF formats. It is essential that the final electronic copy which is submitted for examination is the same copy of the dissertation as the one on which a satisfactory plagiarism check was performed.]

DETAILS OF CANDIDATE, SUPERVISOR(S) AND DISSERTATION

Title, initial(s) and surname of candidate			
Student number of candidate		Degree	
First registration		Department	
Name and institution of supervisor		Name and institution of co-supervisor	
Title of dissertation as approved by the Faculty Board (fill in new title if a title change was requested and approved by the Faculty Board)			

**PERMISSION FOR SUBMISSION OF DOCTORAL DISSERTATION FOR
EXAMINATION AND PLAGIARISM CHECK CONFIRMATION BY
SUPERVISOR**

I, the undersigned **SUPERVISOR** hereby give permission in accordance with paragraph 23 of the Postgraduate Guide for the abovementioned candidate to submit his/her doctoral dissertation for examination.

Tick the appropriate boxes (you must select one box between 1 and 3 and box 4 **MUST** be selected before the dissertation can be submitted to the examiners):

1	I confirm that the same electronic version of the dissertation as should be submitted to the examiners for examination was submitted to me electronically by the candidate in order to enable me to perform a plagiarism check, which generated a similarity report.
OR	
2	I confirm that the same electronic version of the dissertation as should be submitted to the examiners for examination was submitted to me electronically by the candidate and was submitted by me to [insert name of person] in order for the latter to perform a plagiarism check, which generated a similarity report and which was sent to me.
OR	
3	I confirm that I received a similarity report from the co-supervisor.
AND	
4	I confirm that I have checked the result summary of the similarity report and that such report was satisfactory.

Signature	of		Date	
supervisor				

**PERMISSION FOR SUBMISSION OF DOCTORAL DISSERTATION FOR
EXAMINATION AND PLAGIARISM CHECK CONFIRMATION BY CO-
SUPERVISOR (IF APPLICABLE)**

I, the undersigned **CO-SUPERVISOR** hereby give permission in accordance with paragraph 23 of the Postgraduate Guide for the abovementioned candidate to submit his/her doctoral dissertation for examination.

Tick the appropriate boxes (you must select one box between 1 and 3 and box 4 **MUST** be selected before the dissertation can be submitted to the examiners):

1	I confirm that the same electronic version of the dissertation as should be submitted to the examiners for examination was submitted to me electronically by the candidate in order to enable me to perform a plagiarism check, which generated a similarity report.
OR	
2	I confirm that the same electronic version of the dissertation as should be submitted to the examiners for examination was submitted to me electronically by the candidate and was submitted by me to [insert name of person] in order for the latter to perform a plagiarism check, which generated a similarity report and which was sent to me.
OR	
3	I confirm that I received a similarity report from the supervisor.
AND	
4	I confirm that I have checked the result summary of the similarity report and that such report was satisfactory.

Signature of co-supervisor (if applicable)		Date	
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SUBMISSION OF HARD COPY/IES OF LLM THESIS OR LLD DISSERTATION FOR EXAMINATION – DECLARATION BY CANDIDATE

[NOTE: This declaration must be signed and handed in by a candidate to the chairperson of the Research Committee together with the submission of the hard copy/ies of the LLM thesis/LLD dissertation for examination. The candidate should request the exact number of hard copies that are required to be submitted from the supervisor (this depends on whether all the examiners have requested a hard copy). Please note that the submission of the LLM thesis/LLD dissertation together with this declaration should have been preceded by (i) the supervisor(s) having completed a satisfactory plagiarism check on, for example, Turnitin and (ii) the supervisor(s) having submitted a signed permission to submit form to the chairperson of the Research Committee.]

DETAILS OF CANDIDATE AND SUPERVISOR(S)

Title, initial(s) and surname of candidate		Student number of candidate	
Department		Degree	
Name and institution of supervisor		Name and institution of co-supervisor (if applicable)	

I, the undersigned candidate, hereby declare that the hard copy/ies of the abovementioned LLM thesis/LLD dissertation handed in together with this declaration is the same version as an electronic copy of the thesis/dissertation submitted by me to my supervisor(s) on which my supervisor(s) performed a satisfactory plagiarism check.

Signature of candidate		Date	
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INSTRUCTIONS TO EXAMINERS FOR THE EXAMINATION OF A MASTER'S THESIS

Thank you for accepting the appointment as examiner of a master's thesis from the Faculty of Law, Stellenbosch University. You are one of two examiners on this thesis and you are required to submit an examiner's report (consisting of **PART A** and **PART B**), as explained further below. You are requested to refrain from communicating with the other examiner, the candidate and the supervisor(s) before submitting the abovementioned report. Any queries you may have should be directed to the assessment panel.

A copy of the Faculty's Postgraduate Guide is available on the Faculty's website (<http://blogs.sun.ac.za/law/>). The guide includes all the examination procedures for a master's thesis, but the important information concerning your role as examiner is included in this letter.

You must please complete **PART A** of the examiner's report, in which a specific recommendation must be made regarding the outcome of the examination. The recommendation must be one of the following:

- (a) **The degree may be conferred** upon the candidate, provided that the revision (if any), in accordance with the recommendations of the examiners, is completed to the satisfaction of the supervisor.
- (b) **The degree may be conferred** upon the candidate, provided that a material revision is completed to the satisfaction of the examiner(s), as agreed upon by the examination panel.
- (c) **The degree may not be conferred** upon the candidate but the work may be resubmitted for examination, provided material revisions have been made.
- (d) **The degree may not be conferred** upon the candidate and the work may not be resubmitted for examination.

Category (a) should be selected if you are satisfied that the degree can be conferred on the candidate and that the revisions (if any) are minor or of an editorial/typographical nature which you are satisfied can be entrusted to the supervisor’s oversight. In this case, the revised thesis will not be sent back to you, but the supervisor will ensure and confirm to the assessment panel that the revisions have been made in line with your recommended revisions.

Category (b) should be selected if you are satisfied that the degree can be conferred on the candidate, provided that material revisions are made to the satisfaction of the examiner(s). In this case, the examiner(s) must confirm that they are satisfied with the revisions made by the candidate.

Should any of the examiners select category (b), the examiners will have to enter into a discussion at some stage as the material revisions to be completed have to be agreed upon by the examination panel.

In addition to making a recommendation regarding the outcome of the examination, you are also required to award a percentage mark (0-100) to the thesis on **PART A** of the examiner’s report. The minimum pass mark for a master’s thesis is 50% (this means that the categories of (c) or (d) above cannot be selected if a mark of 50% or more is awarded). For *cum laude*, the minimum pass mark is 75%. The following general guidelines for awarding a mark may be used:

% MARK	GENERAL GUIDELINES FOR AWARDING MARKS
86 – 100	Outstanding thesis. Large parts can be published. One of the very best theses the examiner has seen at master’s level.
75 – 85	Excellent thesis. Deserves a distinction. Meets all requirements excellently and shows extraordinary potential. Parts can be published.
65 – 74	A very good thesis, showing a convincing grasp of what is required in the particular field of study.
55 – 64	A good thesis. Meets the requirements well.
50 – 54	An acceptable thesis. Meets the minimum requirements.

40 – 49	Borderline. Does not meet the minimum requirements, but can be improved in order to pass.
30 – 39	A weak thesis. Does not at all understand the requirements.

You must also please complete and submit **PART B** of the examiner's report, taking into account the following criteria:

- a) Have the study objectives and problems investigated been formulated satisfactorily?
- b) Does the thesis show conversance with and a critical attitude towards related literature?
- c) Is material presented in a clear, systematic and logical manner?
- d) Does the thesis show that the candidate is sufficiently familiar with the relevant research techniques and methods and are research results being interpreted correctly?
- e) Does the candidate show signs of independent, critical thinking and originality?
- f) Does this investigation contribute to the knowledge of or insight in the field of study? Are new aspects in the field of study, if any, clearly identified?
- g) Is the linguistic, stylistic and technical representation of the thesis acceptable?
- h) Is the work acceptable for publication?

A new contribution to knowledge in the field of study is not required for a master's degree, but it serves as a strong recommendation. This, together with the degree of originality shown and other signs of independent, critical thinking are important considerations in determining whether the degree will be awarded *cum laude*.

Kindly make a clear distinction in PART B of the examiner's report between:

- 1 your comments on the thesis;**
- 2 points of criticism of the thesis or views adopted in it;**
- 3 differences of approach or opinion between yourself and the candidate;**
- 4 questions raised or addressed by the thesis that might be explored further in the oral (should there be an oral);**

- 5 questions or issues raised by the thesis that might be taken into consideration in further research or publications by the candidate; and
- 6 points that actually have to be addressed by way of editing or revision of the thesis in order for it to justify awarding the degree.

Only the last of these points, (6), should be indicated as required revisions, on the basis that the degree cannot be awarded unless the revisions are made. In that case it is essential that you set the required revisions out as clearly and specifically as possible, indicating where the revisions should be made, what they should consist of, and the expected extent of the revisions. As noted above, these revisions are either to be made to the satisfaction of the supervisor (category (a)) or to the satisfaction of the examiner(s) (category (b)).

An assessment panel will consider your examiner's report together with the same report from the other examiner and (a) report(s) from the supervisor(s). It may be that there is a possible dispute between the two examiners in terms of the outcome or in terms of the mark. A dispute in terms of the **MARK** is one of a difference of 15 percentage point or more between the marks awarded by the examiners or where the examiners differ on whether or not a distinction should be awarded to the candidate if the average of the two marks is not a distinction. A dispute in terms of the **OUTCOME** is one where the examiners disagree as to whether the degree should be conferred or where the examiners differ on whether the work may be resubmitted for examination. Where there is a possible dispute in terms of the outcome and/or in terms of the mark, the examiners' reports and the supervisor(s) report(s) will be circulated among the examiners and the assessment panel enters into a discussion with the examiners in an attempt to reach consensus on the final outcome or the final mark. If consensus cannot be reached, a further dispute resolution process will follow, which may entail an oral and/or the appointment of an additional examiner.

There is a possibility that the examination of the master's thesis may include an oral. This is however not always required and depends on the outcome of the examination and the mark awarded. The assessment panel will contact you to determine a suitable date and time for the oral (should there be an oral). It is preferred that examiners who are based in the Western Cape travel to Stellenbosch for the oral. However, the oral can take place by of telephonic,

Skype, or other interactive-telematic conferencing mediums to accommodate participation in the oral for examiners who are not able to attend the oral in person.

PLEASE NOTE that all the examiners' reports (consisting of PART A and PART B) will be circulated among the examiners once all the reports have been received by the assessment panel. The examiners' reports (consisting of PART A and PART B) will also be made available to the supervisor(s). Anonymised parts of examiners' reports may be made available by the supervisor(s) to the candidate in preparation for the oral (should there be one) and/or in order to make any of the required revisions or material revisions. Examiners' reports may also be made available to the Research Committee and the Faculty Board.

Examiners' reports (Part A and B) should be sent by e-mail to:

PROF JUANITA PIENAAR
VICE-DEAN FOR RESEARCH & INTERNATIONALISATION
CHAIRPERSON OF THE RESEARCH COMMITTEE
FACULTY OF LAW, STELLENBOSCH UNIVERSITY

E-mail address: jmp@sun.ac.za

Contact number: +27 21 808 3199

Please send us your signed report in PDF format. In order to facilitate anonymised parts of the examiners' reports being made available to the candidate (if necessary), please ensure that Part B of your report is typed (and not handwritten) and also sent to us in MS Word format.

EXAMINER'S REPORT PART A – RECOMMENDATION AND MARK
(MASTER'S THESIS)

1. EXAMINER

Title, initial(s) and surname			
Address			
Tel		E-mail	

2. STUDENT (CANDIDATE)

Title, initial(s) and surname			
Degree		Main field of study	
Title of thesis			

3. RECOMMENDATION

NOTE TO EXAMINER: Please mark ONE of the following options.

I have examined the candidate's thesis and recommend that:

	(a) The degree may be conferred upon the candidate, provided that the revision (if any), in accordance with the recommendations of the examiners, is completed to the satisfaction of the <u>supervisor</u> .
	(b) The degree may be conferred upon the candidate, provided that a material revision is completed to the satisfaction of the <u>examiner(s), as agreed upon by the examination panel</u> .
	(c) The degree may not be conferred upon the candidate and the work <u>may</u> be resubmitted for examination, provided material revisions have been made.
	(d) The degree may not be conferred upon the candidate and the work <u>may not</u> be resubmitted for examination.

4. MARK

NOTE TO EXAMINER: Please award a mark (0-100) for the thesis. The minimum pass mark for a master's thesis is 50 (this means that the categories of (c) or (d) above cannot be selected if a mark of 50 or more is awarded). For cum laude, the minimum pass mark is 75.

	Final mark (out of 100)
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Signature		Date	
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EXAMINER'S REPORT PART B – COMMENTS AND REVISIONS

(MASTER'S THESIS)

1. General comments and/or criticism etc.:

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2. List of required revisions or material revisions to be completed in order for the degree to be awarded (if any and to the satisfaction in accordance with category (a) or (b) marked on your **EXAMINER'S REPORT PART A**):

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Signature		Date	
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INSTRUCTIONS TO EXAMINERS FOR THE EXAMINATION OF A DOCTORAL DISSERTATION

Thank you for accepting the appointment as examiner of a doctoral dissertation from the Faculty of Law, Stellenbosch University (“SU”). By accepting the appointment, you undertake to adhere to the timelines of this SU examination process. You are one of three examiners on this dissertation and you are required to submit an examiner’s report (consisting of **PART A** and **PART B**), as explained further below. You are requested to refrain from communicating with the other examiners, the candidate and the supervisor(s) before submitting the abovementioned report. Any queries you may have should be directed to the non-examining chairperson.

A copy of the Faculty’s Postgraduate Guide is available on the Faculty’s website (<http://blogs.sun.ac.za/law/>). The guide includes all the examination procedures for a doctoral dissertations, but the important information concerning your role as examiner is included in this letter.

You must please complete **PART A** of the examiner’s report, in which a specific recommendation must be made. The recommendation must be one of the following:

(a) The degree may be conferred upon the candidate, provided that the revision (if any), in accordance with the recommendations of the examiners, is completed to the satisfaction of the supervisor.

(b) The degree may be conferred upon the candidate, provided that a material revision is completed to the satisfaction of the examiner(s), as agreed upon by the examination panel.

(c) The degree may not be conferred upon the candidate and the work may not be resubmitted for examination.

Category (a) should be selected if you are satisfied that the degree can be conferred on the candidate and that the revisions (if any) are minor or of an editorial/typographical nature which you are satisfied can be entrusted to the supervisor's oversight. In this case, the revised dissertation will not be sent back to you, but the supervisor will ensure and confirm to the non-examining chairperson that the revisions have been made in line with your recommended revisions.

Category (b) should be selected if you are satisfied that the degree can be conferred on the candidate, provided that material revisions are made to the satisfaction of the examiner(s). In this case, the examiner(s) must confirm that they are satisfied with the revisions made by the candidate.

Should any of the examiners select category (b), the examiners will have to enter into a discussion at some stage as the material revisions to be completed have to be agreed upon by the examination panel.

In order for the degree to be awarded to the candidate, the three examiners must unanimously recommend that the degree should be conferred. Should all the examiners agree that the degree may be conferred (that is, any combination of categories (a) and (b), but no one selects (c)), an oral takes place where such unanimous conferment of the degree is confirmed by the examiners and the changes (if any) are required to be made before the degree can be awarded.

Should all the examiners select category (c), i.e. the unanimous recommendation of the examiners is that the degree may not be conferred upon the candidate and that the dissertation may not be resubmitted for examination, the decision is final and no oral or dispute process will follow.

Should one or two examiners select category (c), there is a possible dispute. The examiners' reports and the supervisor(s) report(s) (if any) will be circulated among the examiners and the non-examining chairperson enters into a discussion with the examiners in an attempt to reach consensus on the final outcome. This may further involve an oral to attempt to resolve the

possible dispute and that the candidate makes changes. Accordingly, even if you select category (c), you may still be required to participate in an oral and you may suggest revisions which could change your initial view that *the degree should not be conferred* to a view that *the degree may be conferred*. The aim is to reach unanimity regarding the unanimous conferment or non-conferment of the degree among the examiners.

Should unanimity on the result of the examination process still not be reached after such process, an external assessor must be appointed. The anonymised reports of the examiners will be made available to the assessor.

The non-examining chairperson will contact you to determine a suitable date and time for the oral (should there be an oral). It is preferred that examiners who are based in the Western Cape travel to Stellenbosch for the oral. However, the oral can take place by of telephonic, Skype, or other interactive-telematic conferencing mediums to accommodate participation in the oral for examiners who are not able to attend the oral in person.

You must also please complete and submit **PART B** of the examiner's report, taking into account the following criteria:

- a) Have the motivation and study objective for the specific research been formulated satisfactorily?
- b) Do the research results constitute a meaningful contribution to the knowledge of and insight in the relevant field of study?
- c) Does the dissertation distinguish clearly between own, new contributions to and known results in the relevant field of study?
- d) Is the candidate capable of evaluating the scientific meaning of his/her results and of placing it in context with existing knowledge in the field of study?
- e) Does the candidate show signs of independent, critical thinking and originality?
- f) Does the candidate show that he/she is sufficiently capable of doing independent research?
- g) Does the dissertation show that the candidate is sufficiently familiar with the relevant research techniques and methods?

- h) Does the dissertation show conversance with and a critical attitude towards related literature?
- i) Is the material presented in a clear, systematic and logical manner?
- j) Is the linguistic, stylistic and technical representation of the dissertation acceptable?
- k) Are the research results acceptable for publication?

Kindly make a clear distinction in PART B of the examiner's report between:

- 1 your comments on the dissertation;**
- 2 points of criticism of the dissertation or views adopted in it;**
- 3 differences of approach or opinion between yourself and the candidate;**
- 4 questions raised or addressed by the dissertation that might be explored further in the oral;**
- 5 questions or issues raised by the dissertation that might be taken into consideration in further research or publications by the candidate; and**
- 6 points that actually have to be addressed by way of editing or revision of the dissertation in order for it to justify awarding the degree.**

Only the last of these points, (6), should be indicated as required revisions, on the basis that the degree cannot be awarded unless the revisions are made. In that case it is essential that you set the required revisions out as clearly and specifically as possible, indicating where the revisions should be made, what they should consist of, and the expected extent of the revisions. As noted above, these revisions are either to be made to the satisfaction of the supervisor (category (a)) or to the satisfaction of the examiner(s) (category (b)).

PLEASE NOTE that all the examiners' reports (consisting of PART A and PART B) will be circulated among the examiners once all the reports have been received by the non-examining chairperson. The examiners' reports (consisting of PART A and PART B) will also be made available to the supervisor(s). Anonymised parts of examiners' reports may be made available by the supervisor(s) to the candidate in preparation for the oral and in order to make any of the required revisions or material revisions. Examiners' reports may also be made available to the Research Committee and the Faculty Board.

Examiners' reports (Part A and B) should be sent by e-mail to:

PROF JUANITA PIENAAR

VICE-DEAN FOR RESEARCH & INTERNATIONALISATION

CHAIRPERSON OF THE RESEARCH COMMITTEE

FACULTY OF LAW, STELLENBOSCH UNIVERSITY

E-mail address: jmp@sun.ac.za

Contact number: +27 21 808 3199

Please send us your signed report in PDF format. In order to facilitate anonymised parts of the examiners' reports being made available to the candidate (if necessary), please ensure that Part B of your report is typed (and not handwritten) and also sent to us in MS Word format.

EXAMINER'S REPORT PART A – RECOMMENDATION (DOCTORAL DISSERTATION)

1. EXAMINER

Title, initial(s) and surname			
Address			
Tel		E-mail	

2. STUDENT (CANDIDATE)

Title, initial(s) and surname			
Degree		Main field of study	
Title of dissertation			

3. RECOMMENDATION

NOTE TO EXAMINER: Please mark **ONE** of the following options.

I have examined the candidate's dissertation and recommend that:

	(a) The degree may be conferred upon the candidate, provided that the revision (if any), in accordance with the recommendations of the examiners, is completed to the satisfaction of the <u>supervisor</u> .
	(b) The degree may be conferred upon the candidate, provided that a material revision is completed to the satisfaction of the <u>examiner(s)</u> , as agreed upon by the <u>examination panel</u> .
	(c) The degree may not be conferred upon the candidate and the work may not be resubmitted for examination.

Signature		Date	
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By signing this form, an examiner declares his or her independence in performing the functions of an examiner and that no conflict(s) of interests exist.

EXAMINER'S REPORT PART B – COMMENTS AND REVISIONS
(DOCTORAL DISSERTATION)

1. General comments and/or criticism etc.:

2. List of required revisions or material revisions to be completed in order for the degree to be awarded (if any and to the satisfaction in accordance with category (a) or (b) marked on your **EXAMINER'S REPORT PART A**):

Signature		Date	
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INSTRUCTIONS TO ASSESSOR FOR THE ASSESSMENT OF A DOCTORAL DISSERTATION

Thank you for accepting the appointment as assessor of a doctoral dissertation from the Faculty of Law, Stellenbosch University. You are the only assessor on this dissertation and you are required to submit an assessor's report (consisting of **PART A** and **PART B**), as explained further below. The dissertation has already been examined by three examiners who could not reach unanimity on the conferment or non-conferment of the degree. Hence your appointment as an assessor.

The report of the non-examining chairperson attached hereto summarises the preceding examination process and explains the dispute among the examiners. You are further provided with the following: the doctoral dissertation, the anonymised reports from the three examiners and the candidate's point of view.

You are requested to refrain from communicating with the examiners, the candidate and the supervisor(s) before submitting the abovementioned report. Any queries you may have should be directed to the non-examining chairperson.

A copy of the Faculty's Postgraduate Guide is available on the Faculty's website (<http://blogs.sun.ac.za/law/>). The guide includes all the examination procedures for a doctoral dissertation, including the dispute procedures, but the important information concerning your role as assessor is included in this letter.

Your task as the external assessor is not to serve as an additional examiner. As assessor, you are required to work through the relevant documents provided to you and to consider the criticism of the examiners factually. Your report should indicate how the dispute must be dealt with.

You may request an oral irrespective of whether an oral has taken place by the examiners in the examination process preceding the appointment of the assessor. The purpose of such an oral is to assist you in the task of indicating how the dispute must be handled. An oral must be conducted by the assessor if an oral has not been conducted by the examiners and if the assessor concludes that the degree should be conferred. The non-examining chairperson will contact you to determine a suitable date and time for the oral (should there be an oral by the assessor). It is preferred that an assessor who is based in the Western Cape travels to Stellenbosch for the oral. However, the oral can take place by way of telephone, Skype, or similar virtual meeting software to accommodate participation in the oral for examiners who are not able to attend the oral in person.

Your report may be made available to the non-examining chairperson, the dean, the departmental chairperson, the Research Committee and the Faculty Board. Your report will also be made available to the supervisor(s). Anonymised parts of your report may be made available by the supervisor(s) to the candidate in preparation for the oral (if an oral is required) and in order to make any of the required revisions or material revisions.

The Research Committee will make a recommendation to the Faculty Board and the Faculty Board's decision will be recommended to Senate. If you do not recommend the acceptance of the dissertation then your decision is reported to the Faculty Board and Senate. This decision is final and there is no further dispute settlement remedy available. After the final decision on the conferment of the doctorate has been made, the non-examining chairperson will inform you (as well as the examiners) of Senate's decision.

You must please complete **PART A** of the assessor's report, in which a specific recommendation must be made. The recommendation must be one of the following:

(a) The degree may be conferred upon the candidate, provided that the revision (if any), in accordance with the recommendations of the assessor, is completed to the satisfaction of the supervisor.

(b) The degree may be conferred upon the candidate, provided that a material revision is completed to the satisfaction of the assessor.

(c) The degree may not be conferred upon the candidate and the work may not be resubmitted for examination.

Category (a) should be selected if you are satisfied that the degree can be conferred on the candidate and that the revisions (if any) are minor or of an editorial/typographical nature which you are satisfied can be entrusted to the supervisor's oversight. In this case, the revised dissertation will not be sent back to you, but the supervisor will ensure and confirm to the non-examining chairperson that the revisions have been made in line with your recommended revisions.

Category (b) should be selected if you are satisfied that the degree can be conferred on the candidate, provided that material revisions are made to your satisfaction. In this case, you must confirm that you are satisfied with the revisions made by the candidate.

You must also please complete and submit **PART B** of the assessor's report, taking into account the following criteria:

- a) Have the motivation and study objective for the specific research been formulated satisfactorily?
- b) Do the research results constitute a meaningful contribution to the knowledge of and insight in the relevant field of study?
- c) Does the dissertation distinguish clearly between own, new contributions to and known results in the relevant field of study?
- d) Is the candidate capable of evaluating the scientific meaning of his/her results and of placing it in context with existing knowledge in the field of study?
- e) Does the candidate show signs of independent, critical thinking and originality?
- f) Does the candidate show that he/she is sufficiently capable of doing independent research?
- g) Does the dissertation show that the candidate is sufficiently familiar with the relevant research techniques and methods?
- h) Does the dissertation show conversance with and a critical attitude towards related literature?

- i) Is the material presented in a clear, systematic and logical manner?
- j) Is the linguistic, stylistic and technical representation of the dissertation acceptable?
- k) Are the research results acceptable for publication?

Kindly make a clear distinction in PART B of the assessor's report between:

- 1 your comments on the dissertation;**
- 2 points of criticism of the dissertation or views adopted in it;**
- 3 differences of approach or opinion between yourself and the candidate;**
- 4 questions raised or addressed by the dissertation that might be explored further in the oral (should there be an oral);**
- 5 questions or issues raised by the dissertation that might be taken into consideration in further research or publications by the candidate; and**
- 6 points that actually have to be addressed by way of editing or revision of the dissertation in order for it to justify awarding the degree.**

Only the last of these points, (6), should be indicated as required revisions, on the basis that the degree cannot be awarded unless the revisions are made. In that case it is essential that you set the required revisions out as clearly and specifically as possible, indicating where the revisions should be made, what they should consist of, and the expected extent of the revisions. As noted above, these revisions are either to be made to the satisfaction of the supervisor (category (a)) or to the satisfaction of the assessor (category (b)).

Your report (consisting of PART A and PART B) should be sent by e-mail to:

PROF JUANITA PIENAAR
VICE-DEAN FOR RESEARCH & INTERNATIONALISATION
CHAIRPERSON OF THE RESEARCH COMMITTEE
FACULTY OF LAW, STELLENBOSCH UNIVERSITY

E-mail address: jmp@sun.ac.za

Contact number: +27 21 808 3199

Please send us your signed report in PDF format. In order to facilitate anonymised parts of your assessor's report being made available to the candidate (if necessary), please ensure that Part B of your report is typed (and not handwritten) and also sent to us in MS Word format.

ASSESSOR'S REPORT PART A – RECOMMENDATION (DOCTORAL DISSERTATION)

1. ASSESSOR

Title, initial(s) and surname			
Address			
Tel		E-mail	

2. STUDENT (CANDIDATE)

Title, initial(s) and surname			
Degree		Main field of study	
Title of dissertation			

3. RECOMMENDATION

NOTE TO ASSESSOR: Please mark ONE of the following options.

I have assessed the candidate's dissertation and recommend that:

	(a) The degree may be conferred upon the candidate, provided that the revision (if any), in accordance with the recommendations of the assessor, is completed to the satisfaction of the <u>supervisor</u> .
	(b) The degree may be conferred upon the candidate, provided that a material revision is completed to the satisfaction of the <u>assessor</u> .
	(c) The degree may not be conferred upon the candidate and the work may not be resubmitted for examination.

Signature		Date	
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ASSESSOR'S REPORT PART B – COMMENTS AND REVISIONS
(DOCTORAL DISSERTATION)

1. General comments and/or criticism etc.:

2. List of required revisions or material revisions to be completed in order for the degree to be awarded (if any and to the satisfaction in accordance with category (a) or (b) marked on your **ASSESSMENT REPORT PART A**):

Signature		Date	
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APPROVAL FOR SHORT PROCEDURE REGISTRATION (MASTER'S DEGREE OR DOCTORAL DEGREE)

[Note: A copy of this form must be sent by the supervisor(s) to the secretary of the Research Committee and the candidate must submit a copy of the form to the Faculty Administrator. The Research Committee needs this information in order to ensure that the candidate is included on the Faculty Board agenda. The Faculty Administrator will not be able to register short procedure candidates without this form.]

The undersigned supervisor(s) hereby support short procedure registration for the following candidate:

Title, initial(s) and surname of candidate		Student number of candidate	
Department		Degree	
Name and institution of supervisor		Name and institution of co-supervisor	
Provisional title			

The supervisor(s) acknowledge(s) that (tick all boxes):

1	Short-procedure registration is only possible at the first two Faculty Board meetings of the year.	
2	The requirements of paragraph 10.4 of the Postgraduate Guide will be met (take note of the compulsory research training requirement).	
3	The research proposal must be approved by the Faculty Board within 12 months of being registered in terms of the short procedure (see paragraph 10.5 of the Postgraduate Guide).	

Signature of supervisor:		Signature of co-supervisor (if applicable):	
Date:		Date:	