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GENERAL NOTICE

Notice 678 of 1999

DEPARTMENT OF EDUCATION

HIGHER EDUCATION ACT, 1997

AMENDMENT OF THE STATUTE OF THE UNIVERSITY OF THE WESTERN CAPE

The council of the University of the Western Cape has made this Statute set out in the Schedule hereto, in accordance with section 32 of the Higher Education Act, 1997 (Act No. 101 of 1997), which is, in terms of the provisions of section 33 of the said Act, hereby published with the approval of the Minister of Education and which comes into operation on the date of this publication.

SCHEDULE

1. *In this Schedule the expression "the Statute" means the Statute of the University of the Western Cape promulgated by Government Notice No. R. 1300 of 15 June 1990, as amended by Government Notice No. R. 335 of 3 March 1995.*
2. *The following is hereby substituted for paragraph I of the Statute:*

"CHAPTER I

DEFINITIONS

Definitions

1. In this Statute, unless the context otherwise indicates, any word or expression to which a meaning has been assigned by the Higher Education Act, 1997 (Act No. 101 of 1997), has the same meaning and -

"**academic employees**" means those persons employed by the University primarily to teach or do research and include the rector, the vice-rector or vice-rectors, as the case may be, and the deans;

"**Higher Education Act**" means the Higher Education Act, 1997 (Act No. 101 of 1997);

"**management**" means those persons included in the definition of senior management as well as those non-academic employees of the University designated by the council as managers;

"**non-academic employees**" means those employees of the University who are not academic employees;

"**Private Act**" means the University of the Western Cape (Private) Act;

"**registrar**" means the registrar of the University, or if more than one registrar has been appointed, the registrar designated by the council;

"**Rules**" means the institutional rules of the University made in terms of section 32 of the Higher Education Act;

"**senior management**" means the rector; the vice-rector or vice-rectors, as the case may be; the registrar or registrars, as the case may be, the executive director or executive directors, as the case may be, and the deans;

"**University**" means the University of the Western Cape."

3. *The following paragraphs are hereby substituted for paragraphs 4.1 up to and including paragraph 16 of the Statute:*

"CHAPTER III

SENIOR MANAGEMENT

Rector

Selection and appointment

- 4.1** The rector is selected by the council from the names of candidates put forward to the council by the senate and the institutional forum.
- 4.2** The procedure regarding the advertisement of the vacancy, recruitment of candidates and interviewing of candidates is determined by the council after consultation with the senate and the institutional forum.
- 4.3** The senate and the institutional forum must, independently from each other, submit to the council a maximum of three names of candidates whom, in order of priority, they consider to be persons fit and proper for appointment as rector.
- 4.4** If the senate or the institutional forum is of the opinion that none of the candidates are persons fit and proper for appointment as rector, they must advise the council accordingly whereupon the council may allow such further period it deems fit for re-advertisement of the vacancy and for recruitment.
- 4.5** Voting in the council is by ballot and the candidate receiving a majority of the votes of the members of the council holding office at the date of the meeting is declared by the chairperson to be the duly appointed rector.
- 4.6** If no candidate receives a majority of votes, the candidate who has received the lowest number of votes is eliminated and the voting process is repeated until one of the candidates receives a majority of votes.
- 4.7** Voting in the senate and the institutional forum to determine the candidates whose names are to be put forward to the council, takes place, in the manner provided for in paragraphs 4.5 and 4.6.

Term of office

- 5.1** The period of office of the rector is five years, but council may after such period has elapsed, and after having consulted with the senate and after having obtained the advice of the institutional forum, extend such period of office for such further period it deems fit, provided that -
- 5.1.1** the rector may resign at any time giving six month's notice to the council, unless the council, after consultation with the senate and after having obtained the advice from the institutional forum, dispenses with such period; and
- 5.1.2** his or her appointment may be terminated at any time by the council, after having consulted with the senate and after having obtained advice from the institutional forum, by a resolution passed at a meeting of the council by a majority vote consisting of not less than three quarters of the number of members present at the meeting and not less than half of the members holding office at the date of the meeting.

Functions

- 6.1** The rector is the vice-chancellor of the University and, in the absence of the chancellor or at his or her request, exercises and performs the functions of the chancellor.
- 6.2** The rector is the University's chief executive officer and is by virtue of his or her office a member of all committees and joint committees of the council and the senate.
- 6.3** The rector, in accordance with the directives and policies of the council and senate exercises general supervision over the University.

Absence of rector or appointment of rector pending

7.1 If the rector is absent for a period of more than one month or while the appointment of a rector is pending, the council, after consultation with the senate and after having obtained the advice of the institutional forum, appoints the vice-rector, or, if more than one vice-rector has been appointed one of the vice-rectors as acting rector.

7.2 If the rector is absent for a period of less than one month, the council, after consultation with the rector, appoints the vice-rector, or, if more than one vice-rector has been appointed, one of the vice-rectors as acting rector.

Vice-rector or vice-rectors

Selection and appointment

8. The provisions of paragraph 4.1 to 4.6 apply, with the necessary changes, to the selection and appointment of a vice-rector.

Functions

9. The functions of a vice-rector are determined by the council.

Term of office

10. The provisions of paragraph 5 apply, with the necessary changes, to the term of office of a vice-rector.

Absence of vice-rector or appointment of vice-rector pending

11. If the rector, after consultation with the executive committee of the senate, deems it necessary, the council may, on the recommendation of the senate and after having obtained the advice of the institutional forum, appoint a dean or a professor of the University as acting vice-rector during the absence of a vice-rector or while the appointment of a vice-rector is pending.

Registrar or registrars and executive director or executive directors

Functions

12.1 The registrar, or, if more than one registrar has been appointed, the registrars and the executive director, or if more than one executive director has been appointed, the executive directors, support the rector in managing and controlling the University.

12.2 A registrar and an executive director attend to the portfolios allocated to them by the council.

Selection and appointment

13. Subject to the provisions of paragraph 1 6B.3.3, the appointment of a registrar or an executive director takes place in accordance with the procedure decided upon by the council.

Term of office

14. The term of office of a registrar and an executive director is determined by the council on his or her appointment.

Deans

Functions

15. The functions of the deans are determined by the council.

Selection and appointment

16. Subject to the provisions of paragraph 16B.3.3, the appointment of deans takes place in

accordance with the procedure decided upon by the council.

Term of office

16A. The term of office of a dean is determined by the council on his or her appointment.

CHAPTER IV

UNIVERSITY GOVERNANCE

Council

Functions

16B.1 Subject to the provisions of the Higher Education Act the Private Act and this Statute, the control, governance and executive authority of the University is vested in the council of the University.

16B.2 The council has particular responsibility for-

16B.2.1 strategic governance;

16B.2.2 financial governance;

16B.2.3 staff matters;

16B.2.4 staff end student discipline; and

16B.2.5 the language and admission policies of the University.

16B.3 The council receives and considers written advice from the institutional forum before taking decisions on the following matters

16B.3.1 the implementation of the national higher education policy;

16B.3.2 policy regarding race, gender, disability and employment equity;

16B.3.3 the election or appointment of persons to senior management positions;

16B.3.4 codes of general conduct as well as procedures for mediation and dispute resolution; and

16B.3.5 the establishment of an institutional culture to promote human rights and a positive academic environment.

16B.4 The council is responsible for-

16B.4.1 the keeping of proper accounting records of the assets, liabilities, income, expenditure and other financial transactions of the University and its substructures; and

16B.4.2 the submission of reports, financial and otherwise, to the Minister of Education required in terms of the Higher Education Act.

Composition

16C.1 The council of the University consists of-

16C.1.1 the rector and the vice-rector, or if more than one vice-rector has been appointed, the vice-rectors;

16C.1.2 five persons appointed by the Minister;

16C.1.3 two members of the senate, elected by the senate;

16C.1.4 two academic employees, not being members in terms of paragraph 16C.1.3, elected in the manner provided for in paragraphs 16G.7 to 16G.12, by the academic employees;

16C.1.5 two non-academic employees, not being members in terms of paragraph 16C.1.3, elected in the manner provided for in paragraph 16G.13, by the non-academic employees;

16C.1.6 two registered students of the University, not being members in terms of paragraph 16C.1.3, elected by the students' representative council;

16C.1.7 two persons elected from among their number by persons who, according to the provisions of this Statute, are donors by virtue of donations made to the University;

16C.1.8 one member of the Cape Metropolitan Council, elected by such council;

16C.1.9 one member of the City of Tygerberg Council, elected by such council;

16C.1.10 two persons, elected by the convocation from among its number;

- 16C.1.11** one member of organised business in the Western Cape Province, elected by such organisation, provided that if more than one such organisation exists, the council may determine which of such organisations may elect such person;
- 16C.1.12** one member of organised business in the Republic of South Africa, elected by such organisation, provided that if more than one such organisation exists, the council may determine which of such organisations may elect such person;
- 16C.1.13** one member of organised labour in the Western Cape Province, elected by such organisation, provided that if more than one such organisation exists, the council may determine which of such organisations may elect such person;
- 16C.1.14** one member of organised labour in the Republic of South Africa, elected by such organisation, provided that if more than one such organisation exists, the council may determine which of such organisations may elect such person;
- 16C.1.15** one member of a national civic organisation, elected by such organisation, provided that if more than one such organisation exists, the council may determine which of such organisations may elect such person;
- 16C.1.16** one person designated by the Premier of the Western Cape Province; and
- 16C.1.17** a minimum of four and a maximum of eight additional persons as may be determined in terms of paragraph 16G.

16C.2 Members contemplated in paragraphs 16C.1.2 and 16C.1.7 to 16C.1.17, may not be persons who are employees or students of the University.

16C.3 The members of the council must-

16C.3.1 be persons with knowledge and experience relevant to the objects and governance of the University; and

16C.3.2 participate in the deliberations of the council in the best interests of the University.

Term of office and allowances

16D.1 The period of office of members of the council is as follows

16D.1.1 members contemplated in paragraphs 16C.1.2 to 16C.1.5 and 16C.1.7 to 16C.1.16, three years;

16D.1.2 members contemplated in paragraph 16C.1.6, one year;

16D.1.3 members contemplated in paragraph 16C.1.17, a minimum of one year and a maximum of three years; and

16D.1.4 all other members for as long as they hold the particular office; unless, before the expiry of such period, a member of the council submits his or her resignation in writing to the council or vacates his or her office for any other reason.

16D.2 A casual vacancy on the council caused by the death of, or the vacation of his or her office by a member must, with due regard to the provisions of paragraph 16C.1, be filled for the unexpired portion of the period of office of such member.

16D.3 The council may decide to pay an allowance to office bearers and members of the council or a committee of the council and may determine the amount of such allowance.

Chairperson, vice-chairperson and secretary

16E.1 The council must elect one of its members as chairperson and one of its members as vice-chairperson, provided that the chairperson may not be an employee or a student of the University.

16E.2 In the absence of the chairperson, or on his or her request, the vice-chairperson performs the functions of the chairperson.

16E.3 Whenever both the chairperson and vice-chairperson are absent from a meeting of the council, the members present must elect a person from among themselves to preside at that meeting;

16E.4 The council must elect one of its members as secretary, provided that the secretary to the council may request a member of staff to assist him or her in the carrying out of his or her duties.

16E.5 The chairperson, the vice-chairperson and the secretary hold office for the duration of their respective terms of office as members of the council.

Vacation of offices

16F.1 A member of the council, other than the rector and any vice-rector, vacates his or her office if he or she

16F.1.1 is absent from two consecutive ordinary meetings of the council without the leave of the council;

16F.1.2 becomes insolvent;

16F.1.3 is convicted of an offense and is sentenced to imprisonment without the option of a fine; or

16F.1.4 accepts a permanent appointment to a post on the establishment of the University, except in the case of a member contemplated in subparagraph 16C.1.3, 16C.1.4 and 16C.1.5.

Appointment of additional members

16G.1 Nominations for persons to be appointed as additional members of the council in terms of the provisions of paragraph 16C.1.17 must be submitted to the registrar at least two weeks before the meeting of the council.

16G.2 Nominations in writing may be submitted by any person or body having an interest in the University and must contain the nominee's full particulars as well as his or her written acceptance of the nomination.

16G.3 At the meeting of the council all the nominations must be scrutinised with a view to determining the expertise or representation of particular interests each of the nominees may bring to the council.

16G.4 Decisions as to the number of additional members to be appointed, are taken by an ordinary majority vote of members of the council present at the meeting.

16G.5 Decisions as to which of the nominees are to be appointed to the council as additional members and as to their respective periods of office, are taken by an ordinary majority vote of the council members holding office at the date of the meeting.

16G.6 Voting takes place by ballot and nominees receiving the highest number of votes is deemed to be duly appointed members of the council.

16G.7 In order for the academic employees of the University to elect members of the council in terms of paragraph 16C.1.4, the registrar must invite, by way of a notice in writing which must be mailed to their campus addresses, such employees to nominate, within a period of at least 14 days, a maximum of two academic employees to serve as members of the council.

16G.8 Each nomination must be in writing and signed by two academic employees and countersigned by the nominee to signify his or her acceptance of such nomination.

16G.9 If on the expiry of the period referred to in paragraph 16G.7, the number of persons nominated does not exceed the number of vacancies, the registrar must immediately declare such person or persons duly elected.

16G.10 In the event of more persons be nominated than the number of vacancies, the registrar must, within a period of 14 calendar days after the period referred to in paragraph 16G.7, mail to each academic employee a printed ballot paper, in the form determined by the council, bearing the names of the duly nominated candidates in alphabetical order and informing academic employees of the date by which completed ballot papers must reach the registrar's office.

16G.11 The registrar acts as returning officer and he or she may be assisted by one or more members of his or her staff.

16G.12 The candidates, equal to the number of vacancies existing, who received the highest number of votes must be declared to be duly elected by the registrar.

16G.13 The election of non-academic employees to serve as members of the council in terms of paragraph 16C.1.5, takes place, with the necessary changes, in the manner provided for in paragraphs 16G.7 to 16G.12.

Meetings of council

16H.1 At least two ordinary meetings of the council must be held each semester.

16H.2 At least ten days before the date set for an ordinary meeting, the secretary to the council must notify each member in writing of the time and place of the meeting as well as of the matters to be considered at the meeting.

16H.3 The chairperson of the council may, with the prior authorisation of the council, and must at the request in writing by at least ten members of the council, call a special meeting.

16H.4 For a special meeting at least three days written notice must be given to every member of the council and in such notice the secretary must state the time and place of the meeting and the business for which the meeting is called.

Agenda of ordinary meetings of council

16I.1 Save as provided for in the proviso to paragraph 16I.2, the council may at a meeting deal only with those matters which appear on the agenda and of which notice has been given to members.

16I.2 Any member of the council who desires to have a matter placed on the agenda must notify the secretary accordingly in writing at least three days before the date on which the secretary must give notice of the meeting, provided that, with the consent of at least two-thirds of the members present at a meeting, any member may at an ordinary meeting table a motion of an urgent nature without prior notice.

16I.3 A matter on the agenda may not be withdrawn or removed from it without the approval of a majority of members present.

Quorum at meetings of council

16J. At all meetings of the council one more than half the number of members envisaged in paragraphs 16C.1.1 to 16C. 1.16 constitutes a quorum.

Procedure at meetings of council

16K.1 When an ordinary meeting of the council has been constituted, the minutes of the previous meeting, and of any special meetings held subsequent thereto, must be read and confirmed under the signature of the chairperson.

16K.2 The meeting may take the minutes as read if a copy thereof has been forwarded to each member at least ten days before the meeting.

16K.3 Any objections to the minutes must be raised and dealt with before the confirmation thereof.

16K.4 A motion, or any amendment thereof, must be seconded and, if the chairperson so directs, must be in writing.

16K.5 No motion may be withdrawn without the consent of the meeting.

16K.6 Save as otherwise provided for in this Statute, a resolution of the majority of the members present at the meeting is deemed to be a resolution of the council, provided that in the case of an equality of votes, the chairperson has a casting vote in addition to his or her deliberative vote.

16K.7 The number of members voting for and against a motion must be recorded in the minutes.

16K.8 At the request of a member, the chairperson must direct that the vote of such member be recorded in the minutes.

16K.9 The opinion of a member who is unable to attend the meeting in person must, if it has been put in writing, be laid before the meeting, but, save as provided for in Chapter XI of this Statute, may not count as such member's vote.

16K.10 Without the consent of the chairperson no member may speak more than once to a motion or an amendment thereto, but the mover of the motion or amendment may reply to any discussion thereon.

16K.11 The ruling of the chairperson on any question of order or procedure at meetings for which no provision is made in the Private Act or this Statute, is final, unless immediately challenged by a member, upon which the matter must be put before the meeting, without any further discussion, for a final decision.

16K.12 The secretary to the council must keep minutes of the proceedings at all meetings of the council.

Executive committee of council

16L.1 At its first ordinary meeting the council must establish an executive committee consisting of-

16L.1.1 the chairperson of the council, who is the chairperson;

16L.1.2 the vice-chairperson of the council;

16L.1.3 the secretary to the council;

16L.1.4 the rector;

16L.1.5 the vice-rector, or if more than one vice-rector has been appointed, a vice rector designated by the council;

16L.1.6 one of the representatives of the senate on the council, designated by the senate for that purpose;

16L.1.7 one person being a member of the council in terms of paragraph 16C.1.4;

16L.1.8 one person being a member of the council in terms of paragraph 16C.1.5;

16L.1.9 one person being a member of the council in terms of paragraph 16C.1.6; and

16L.1.10 if the council so decides, a maximum of two other members of the council elected from its own ranks.

16L.2 The time, place and agenda for meetings are determined by the chairperson after consultation with the vice-chairperson and the rector.

16L.3 At all meetings of the executive committee of the council one more than half of the members constitutes a quorum.

Attendance of council meetings by non-members

16M. A person who is not a member of the council may, on the invitation of the chairperson of the council on behalf of the council, attend any meeting of the council and may, on the invitation of the chairperson, address the council on any matter, provided that such person has no vote.

Committees of council

16N.1 The council may, subject to the provisions of paragraph 16L.1, establish committees, consisting of members of the council and, if the council so decides, other persons, to perform any of its functions.

16N.2 The council may establish joint committees consisting of members of the council and senate and, if the council so decides, of other persons, to perform any of their respective functions.

16N.3 The council is not divested of the responsibility for the performance of any function delegated or assigned to any of its committees and may alter or set aside decisions of such committees.

Senate

Functions

16O.1 Subject to the provisions of the Higher Education Act, the Private Act and this Statute, the senate is responsible, and accountable to the council, for the general academic and research

functions of the University.

16O.2 Subject to the provisions of paragraphs 16B.1 and 16B.2 of this Statute, the functions of the senate include-

16O.2.1 the superintendence and regulation of instruction and research in the various faculties, academic departments, centres, institutes, lectures and classes of the University;

16O.2.2 the organisation and control of the curricula, syllabi and examinations of the University; and

16O.2.3 the performance of such other functions as may be delegated or assigned to it by the council.

Composition

16P.1 The senate of the University consists of-

16P.1.1 the rector;

16P.1.2 the vice-rector, or if more than one vice-rector has been appointed, the vice-rectors;

16P.1.3 two members of the council elected by the council;

16P.1.4 the deans;

16P.1.5 the registrar, or if more than one registrar has been appointed, the registrars;

16P.1.6 the executive director, or if more than one executive director has been appointed, the executive directors;

16P.1.7 such visiting, extraordinary and honorary professors attached to the University as decided upon by the council on the recommendation of the senate;

16P.1.8 the directors of the different schools, centres and institutes of the University;

16P.1.9 the chairpersons of the different academic departments or similar academic structures;

16P.1.10 four representatives of the professors and associate professors, not being directors of schools, centres and institutes or chairpersons of academic departments, for each faculty, elected by the professors and associate professors of such faculty;

16P.1.11 sixteen academic employees, not being members of the senate in terms of paragraphs 16P.1.4 and 16P.1.7 to 16P.1.10, elected, in the manner provided for in paragraph 16S.7, provided that each one of the faculties must be represented by at least one person attached to the teaching or research staff of such faculty;

16P.1.12 eight non-academic employees, elected, in the manner provided for in paragraph 16S.7;

16P.1.13 sixteen registered students of the University elected by the students' representative council, provided that-

16P.1.13.1 each one of the faculties must be represented by at least one student registered in such faculty;

16P.1.13.2 at least one must be a part-time student; and

16P.1.13.3 at least one must be a post-graduate student;

16P.1.14 the University librarian; and

16P.1.15 such persons, but not more than eight in number, as the council, on the recommendation of the senate, may decide upon.

16P.2 The provisions of paragraph 16C.3 apply, with the necessary changes, to members of the senate.

Term of office and allowances

16Q.1 The period of office of members of the senate is as follows-

16Q.1.1 members contemplated in paragraphs 16P.1.3, 16P.1.7, 16P.1.10 to 16P.1.12 and 16P.1.15, two years;

16Q.1.2 members contemplated in paragraph 16P.1.13, one year; and

16Q.1.3 all other members for as long as they hold the particular office; unless, before the expiry of such period, a member submits his or her resignation in writing to senate or vacates his or her office for any other reason.

16Q.2 A casual vacancy in the senate caused by the death of, or the vacation of his or her office

by a member must, with due regard to the provisions of paragraph 16P. 1, be filled for the unexpired portion of the period of office of such member.

16Q.3 The council may decide to pay an allowance to members of the senate, not being students or persons in the employ of the University, and may determine the amount of such allowance.

Chairperson, vice-chairperson and secretary

16R.1 The senate must elect one of its members as chairperson and one of its members as vice chairperson, provided that such persons must be members of senior management or members of the council, provided further that such persons must be academic employees of the University.

16R.2 In the absence of the chairperson, or on his or her request, the vice-chairperson performs the functions of the chairperson.

16R.3 The senate must elect one of its members as secretary; provided that the secretary to senate may request a member of staff to assist him or her in the carrying out of his or her duties.

16R.4 The chairperson, the vice-chairperson and the secretary hold office for a period of two calendar years.

Appointment of additional members

16S.1 The appointment of persons as additional members of the senate in terms of the provisions of paragraph 16P.1.15 is made by the council on the recommendation of the senate.

16S.2 Nominations for additional persons to be appointed as additional members of the senate must be submitted to the registrar at least two weeks before the meeting of the senate.

16S.3 Nominations may be submitted by any person or body having an interest in the academic activities of the University and must contain the nominee's full particulars as well as his or her written acceptance of the nomination.

16S.4 At the meeting of the senate all nominations must be scrutinised with a view to determining the academic expertise or representation of particular interests each of the nominees may bring to senate.

16S.5 Decisions as to which of the nominees are to be recommended to the council to be appointed as additional members of the senate, are taken by an ordinary majority vote of the members of the senate present at the meeting.

16S.6 Voting takes place by ballot and the nominees receiving the highest number of votes are deemed to be duly recommended to the council for appointment as additional members.

16S.7 The election of academic employees and non-academic employees to serve as members of the senate in terms of paragraphs 16P.1.11 and 16P.1.12, takes place, with the necessary changes, in the manner provided for in paragraphs 16G.7 to 16G.13.

Meetings of senate

16T.1 At all meetings of the senate one more than half of the total number of members constitutes a quorum, provided that members of the senate who are in the employ of the University and who are on approved leave, is deemed not to be members of the senate for the purpose of constituting a quorum.

16T.2 At least two ordinary meetings of the senate must be held each semester.

16T.3 At least five days before the date set for an ordinary meeting the secretary of the senate must notify each member in writing of the time and place of the meeting as well as of the matters to be considered at the meeting.

16T.4 The chairperson of the senate may, with the prior authorisation of the senate, and must at the request in writing by at least fifty members of the senate, call a special meeting.

16T.5 For a special meeting at least two days written notice must be given to every member of the

senate and in such notice the secretary must state the time and place of the meeting and the business for which the meeting is called.

16T.6 The provisions of paragraphs 16I and 16K apply, with the necessary changes to meetings of the senate.

Executive committee of senate

16U.1. The senate must establish an executive committee consisting of-

- 16U.1.1** the chairperson of the senate, who shall be the chairperson;
- 16U.1.2** the rector;
- 16U.1.3** the vice-rector, or if more than one vice-rector has been appointed, the vice rectors;
- 16U.1.4** the registrar, or if more than one registrar has been appointed, the registrars;
- 16U.1.5** the executive director, or if more than one executive director has been appointed, the executive directors
- 16U.1.6** the deans;
- 16U.1.7** one person being a member of the senate in terms of paragraph 16P.1.11;
- 16U.1.8** one person being a member of the senate in terms of paragraph 16P.1.12;
- 16U.1.9** one person being a member of the senate in terms of paragraph 16P.1.13;
- 16U.1.10** a maximum of two other members of the senate elected from its own number; and
- 16U.1.11** the vice-chairperson of the senate, if he or she is not already a member in terms of paragraphs 16U.1.2 to 16U.1.8 or 16U.1.10.

16U.2 The time, place and agenda for meetings will be determined by the rector.

16U.3 At all meetings of the executive committee of the senate one more than half of the members constitutes a quorum.

Attendance of senate meetings by non-members

16V. A person who is not a member of the senate may, on the invitation of the chairperson of the senate or on behalf of the senate, attend any meeting of the senate and may, on the invitation of the chairperson, address senate on any matter, provided that such person has no vote.

Committees of senate

16W.1 The senate may, subject to the provisions of paragraph 16U.1 establish committees, consisting of members of the senate and, if senate so decides, other persons, to perform any of its functions.

16W.2 The senate is not divested of the responsibility for the performance of any function delegated or assigned to any of its committees and may alter or set aside decisions of such committees.

Institutional forum

Functions

16X. The institutional forum of the University must-

16X.1 advise the council on issues affecting the University, including-

- 16X.1.1** the implementation of the Higher Education Act, 1997 (Act No. 101 of 1997) and state policy on higher education;
- 16X.1.2** policy regarding race, gender, disability and labour equity;
- 16X.1.3** the selection of candidates for senior management positions;
- 16X.1.4** codes of conduct, mediation and dispute resolution procedures;
- 16X.1.5** the fostering of a culture which promotes tolerance and respect for fundamental human rights and creates an appropriate environment for teaching, research and learning at the University; and

16X.2 perform such other functions as may be determined by the council.

Composition

16Y.1 The institutional forum of the University consists of

- 16Y.1.1** three representatives of the management, elected by members of management;
- 16Y.1.2** three representatives of the senate elected by the senate;
- 16Y.1.3** three representatives of the council elected by the council;
- 16Y.1.4** three representatives of the academic employees elected by an organisation representing such employees and recognised by the council as such;
- 16Y.1.5** three representatives of the non-academic employees elected by an organisation representing such employees and recognised by the council as such;
- 16Y.1.6** three representatives of the registered students of the University elected by the students' representative council; and
- 16Y.1.7** a maximum of four persons, not being employees of the University, as determined in terms of the provisions of paragraph 16BB.

16Y.2 The provisions of paragraph 16C.3 apply, with the necessary changes, to members of the institutional forum.

Term of office and allowances

16Z.1 The period of office of members of the institutional forum is as follows-

- 16Z.1.1** members contemplated in paragraph 16Y.1.6, one year; and
- 16Z.1.2** all other members, two years;

unless, before the expiry of such period, a member submits his or her resignation in writing to the institutional forum or vacates his or her office for any other reason.

16Z.2 A casual vacancy on the institutional forum caused by the death of, or the vacation of his or her office by a member must, with due regard to the provisions of paragraph 16Y.1, be filled for the unexpired portion of the term of office of such member.

16Z.3 The council may pay an allowance to members of the institutional forum, not being students or persons in the employ of the University, and may determine the amount of such allowance.

Chairperson, vice-chairperson and secretary

16AA.1 The institutional forum must elect one of its members as chairperson and one of its members as vice-chairperson.

16AA.2 The institutional forum must elect one of its members as secretary, provided that the secretary to the institutional forum may request a member of staff to assist him or her in the carrying out of his or her duties.

16AA.3 In the absence of the chairperson, or on his or her request, the vice-chairperson performs the functions of chairperson.

16AA.4 The chairperson, the vice-chairperson and the secretary hold office for a period of one calendar year.

Appointment of additional members

16BB.1 The appointment of persons as additional members of the institutional forum in terms of the provisions of paragraph 16Y.1.7 is made by the council on the recommendation of the institutional forum.

16BB.2 Nominations for additional persons to be appointed as additional members of the institutional forum must be submitted to the registrar at least two weeks before the meeting of the institutional forum.

16BB.3 Nominations in writing may be submitted by any person or body having an interest in the University and must contain the nominee's full particulars as well as his or her written acceptance of the nomination.

16BB.4 At the meeting of the institutional forum all nominations must be scrutinised with a view to determine the expertise or representation of particular interests each of the nominees may bring to the institutional forum.

16BB.5 Decisions as to which of the nominees are to be recommended to the council to be appointed as additional members of the institutional forum, are taken by an ordinary majority vote of the members of the institutional forum holding office at the date of the meeting.

16BB.6 Voting takes place by ballot and the nominees receiving the highest number of votes are deemed to be duly recommended to the council for appointment as additional members.

Meetings of institutional forum

16CC.1 At all meetings of the institutional forum one more than half of the total number of members constitutes a quorum.

16CC.2 At least two ordinary meetings of the institutional forum must be held each semester.

16CC.3 At least five days before the date set for an ordinary meeting the secretary to the institutional forum must notify each member in writing of the time and place of the meeting as well as of the matters to be considered at the meeting.

16CC.4 The chairperson of the institutional forum may, with the prior authorisation of the institutional forum, and must at the request in writing by at least ten members of the institutional forum, call a special meeting.

16CC.5 For a special meeting at least two days written notice must be given to every member of the institutional forum and in such notice the secretary must state the time and place of the meeting and the business for which the meeting is called.

16CC.6 The provisions of paragraphs 16I and 16K apply, with the necessary changes, to meetings of the institutional forum.

Management committee

Functions

16DD.1 Subject to the provisions of paragraphs 16B.1 and 16O.1 of this Statute, the Management Committee controls, manages and administers the University from day to day.

16DD.2 The management committee takes decisions subject to policy and other decisions taken by the council and senate and subject to the statutory provisions governing the University.

16DD.3 In the event of urgency, the management committee may take any decision in the interest of the University, provided that the chairpersons of the council, the senate and the institutional forum are immediately informed of such decisions and the council, senate and the institutional forum are informed of such decisions at the earliest opportunity.

Composition

16EE. The management committee consists of-

16EE.1 the rector;

16EE.2 the vice-rector, or if more than one vice-rector has been appointed, the vice-rectors;

16EE.3 the registrar, or if more than one registrar has been appointed, the registrars;

16EE.4 the executive director, or if more than one executive director has been appointed, the executive directors; and

16EE.5 such other persons as may be determined by the council after consultation with the rector and senate.

Chairperson and secretary

16FF.1 The rector acts as chairperson of the management committee, provided that in his or her absence the rector must appoint the vice-rector or a vice-rector, as the case may be, to act as chairperson.

16FF.2 The registrar or a registrar, as the case may be, acts as secretary to the management committee.

Meetings and procedure at meetings

16GG.1 At all meetings of the management committee one more than half of the members constitutes a quorum.

16GG.2 The management committee determines its own procedure at and frequency of meetings in accordance with accepted norms of fair administrative procedure."