No. 27872 GOVERNMENT GAZETTE, 8 AUGUST 2005

GOVERNMENT NOTICE
GOEWERMENTSKENNISGEWING

DEPARTMENT OF EDUCATION
DEPARTEMENT VAN ONDERWYS

No. 795 **8 August 2005**

HIGHER EDUCATION ACT, 1997 (Act No 101 of 1997)

STATUTE OF THE NORTH WEST UNIVERSITY

The council of the North West University 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), as amended, which is, in terms of the provisions of the said Act, hereby published with the approval of the Minister of Education and which comes into operation on the date of its publication.

SCHEDULE

To introduce a Statute for the North West University to give effect to the Higher Education Act, 1997 (Act No. 101 of 1997), as amended, and to promote the effective management of the University in respect of matters not expressly prescribed by any law.

PREAMBLE

WHEREAS THERE IS A UNIVERSITY WITH ITS SEAT AT POTCHEFSTROOM -

that has come into being through the merger of the Potchefstroom University for Christian Higher Education and the University of North-West and the incorporation of the staff and students of the Sebokeng Campus of the Vista University, by a Notice of Merger and a Notice of Incorporation issued by the Minister of Education in terms of Sections 23(1) and 24 of the Higher Education Act, 1997 (Act No. 101 of 1997), as amended;

AND WHEREAS BOTH FORMER UNIVERSITIES

- became part of the single co-ordinated higher education system of the Republic of South Africa after 1994;
- were committed to the successful restructuring of the higher education system in South Africa;
- were committed to upholding the values contained in the Constitution;

AND WHEREAS THIS NORTH WEST UNIVERSITY BELIEVES IN THE DESIRABILITY OF

OVERCOMING the apartheid-induced divide between a historically white and a historically black institution;

PROMOTING an equitable staff and student body;

ENABLING the development and provision of a wider and comprehensive range of vocational, professional and general programmes in line with regional and national needs;

BUILDING administrative, management, governance, academic and research capacity;

ENHANCING sustainability; and

ENSURING effective management of the University,

NOW THE NORTH WEST UNIVERSITY

- is a unitary multi-campus institution;
- has a single set of policies, systems and standards;
- is driven by a single set of constitutionally based values, especially human dignity, equality and freedom;
- has a vision and mission to promote unity in diversity by inculcating tolerance and respect for all perspectives and belief systems thus ensuring a suitable environment for education, learning, research, and community service;
- develops its own corporate brand name and identity; and
- develops a unique institutional culture and ethos based on the unity and value system of the University.

THEREFORE THE COUNCIL OF THE NORTH WEST UNIVERSITY MAKES policy and sets in place, rules, procedures and mechanisms to ensure the effective management of the University through this Statute.

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CHAPTER 1

DEFINITION AND INTERPRETATION

Definitions

1. In this Statute, unless the context otherwise indicates -

(i) "academic staff" means any staff member appointed as a professor, senior lecturer, lecturer or junior lecturer, or otherwise designated as such by the council, mainly to perform tasks concerning the teaching-learning, research and implementation of expertise core tasks of the University; (ii - A & S)

(ii) "Act" means the Higher Education Act, 1997 (Act No. 101 of 1997), as amended; [(xxxii (A); xx (S)]

(iii) "alumni" means all persons who have obtained degrees or diplomas from the University or its predecessors; [(iii (A); i (S)]

(iv) "campus" means, subject to section 64A of the Act, a place where permanent staff and full-time students gather or reside and engage in teaching-learning or research; [(xiii (A); xii (S)]

(v) "campus rector" means the head of a specified campus of the University contemplated in paragraph 57; [(xv (A); xxiv (S)]

(vi) "campus registrar" means the registrar of a specified campus of the University as contemplated in paragraph 63; [(xiv (A); xxiii (S)]

(vii) "campus SRC" means a committee of students of a specified campus of the University as contemplated in paragraph 30(2); [(xvii (A); xxx (S)]

(viii) "campus vice-rector" means the vice-rector of a specified campus of the University as contemplated in paragraph 61; [(xvi (A); xxvii (S)]

(ix) "Constitution" means the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996), as amended; [(xi (A); xxi (S)]

(x) "convocation" means a structure established in terms of section 26(2(g)) of the Act, being the body of alumni of the University contemplated in paragraphs 33 and 34; [(xviii (A); xv (S)]

(xi) "council" means the council established in terms of section 26(2)(a) of the Act and composed in terms of section 27(4) of the Act and paragraph 4; [(xxii (A); xiii (S)]

(xii) "dean" means a person appointed in terms of paragraphs 65 and 66; [(vi (A); viii (S)]

(xiii) "director" means a person appointed in terms of paragraphs 59, 63 or 67, to perform specific managerial, administrative and supervisory functions in an academic or support division of the University, at the institutional or campus level and in a specific category in accordance with the staff policy of the University; [(vii (A); xix (S)]

(xiv) "donor" means any person, including an individual or group of corporate social investors, who makes a significant financial or in kind

contribution to the advancement of the mission of the University, and who is recognised as such by the council; [(xxvii (A); xxviii (S)]

(xv) "faculty" means a planned cluster of learning programmes, qualifications, curricula or modules, so clustered for the purposes of effective management and enhancement of the quality of the academic programmes of the University, and includes the personnel appointed to perform the tasks pertaining to the work in the faculty; [(viii (A); xvi (S)]

(xvi) "faculty board" means a faculty board or other committee established in terms of paragraph 21; [(ix (A); vii (S)]

(xvii) "forum" means the institutional forum of the University established by the council in terms of section 26(2(f)) of the Act and contemplated in paragraph 24; [(x (A); x (S)]

(xviii) Institutional SRC ("ISRC") means the structure established by the council in terms of section 26(2(e)) of the Act and paragraph 29; [(xii (A); xxxi (S)]

(xix) "management" means the staff members of the University indicated in paragraphs 69 and 71; [(iv (A); vi (S)]

(xx) "management committee" means the committee at an institutional or campus level indicated in paragraphs 70 and 72 and means, for the purpose of sections 31(1)(a)(iii) and 31(2)(a) of the Act, senior management as well as management as determined by the council; [(v (A); xiv (S)]

(xxi) "qualifications" means, subject to applicable quality assurance laws, the degrees, diplomas and certificates that have been approved, accredited and registered for the University or have been decided by the University to offer and confer; [(xix (A); ix (S)]

(xxii) "registrar" means the staff member appointed by the council in terms of section 26(4(b)) of the Act and indicated in paragraph 59; [(xxiv (A); xxii (S)]

(xxiii) "Rules" means the institutional rules promulgated by the University council in terms of section 32(1)*(b)* of the Act; [(xxiii (A); xvii (S)]

(xxiv) "senate" means the structure established in terms of section 26(2(b)) of the Act and indicated in paragraph 11; [(xxv (A); xxix (S)]

(xxv) "senior management" means, for the purpose of section 31(1)(a)(iii) of the Act, the members of the management committee in terms of paragraph 70(1); [(xxvi (A); v (S)]

(xxvi) "staff" means the employees of the University contemplated in paragraph 73, whether appointed on a permanent, temporary or term basis, and includes academic staff (subparagraph (i)) and support staff (subparagraph (xxviii)); [(xxi (A); iv (S)]

(xxvii) "student" means a learner registered for a programme of the University leading to the attainment of a qualification; [(xxviii (A); xviii (S)]

(xxviii) "support staff" means all staff other than academic staff (i); [(xx (A); iii (S)]

(xxix) "University" means the North West University, and this name must be translated, where applicable, and used for official and unofficial purposes in line with the multi-lingual language policy of the University; [(xxix (A); xxxii (S)]

(xxx) "vice-chancellor" means the person contemplated in paragraph 48, who is the principal of the University as meant in section 26(2)(c) of the Act; [(xxx (A); xxvi (S)]

(xxxi) "vice-principal" means the person contemplated in paragraph 55; [(i (A); xxv (S)]

(xxxii) "workplace forum" means a workplace forum established in terms of section 80 of the Labour Relations Act, 1995 (Act No. 66 of 1995), as amended; [(xxxi (A); xi (S)]

Interpretation and application

2. This Statute is interpreted and applied in the spirit of and subject to the provisions of the Constitution and the Act.

CHAPTER 2

GOVERNANCE STRUCTURES AND OTHER STRUCTURES OF UNIVERSITY

COUNCIL

Functions

3. (1) The council governs the University in terms of Chapter 4 of the Act, the Regulations and Policies issued in terms of the Act, the Statute and the Rules, including, at a minimum, the adoption of purpose and value statements as well as strategic plans, determination of policy, making the Statute, the Rules, the processes, the delegations of authority, the monitoring of operational performance and management, and establishing committees and, together with the senate, joint committees, to ensure that the University achieves its purpose and values.

(2) The council, subject to the policy determined by the Minister, with the concurrence of the senate, in terms of section 27(2) of the Act determines the language policy of the University, which must be flexible and functional and must redress language imbalances of the past, promote multilingualism, access, integration and a sense of belonging, publishes it and makes it available on request.

(3) The council, after consultation with the ISRC, establishes the structure in accordance with the Rules and section 27(3) of the Act and, to advise the council concerning the rendering of student support services in the University.

(4) The council has the power to make and require members to adhere to a code of conduct and to suspend, take disciplinary action or terminate a member's membership.

(5) As employer, the council has the power to delegate the authority to appoint staff members as is contemplated in paragraph 73 and as determined in paragraphs 62(1), 64(1), 65(1) and 67(1), provided that no one is authorised to appoint a person reporting directly to such person.

Composition and membership

4. (1) In order to give effect to section 27 of the Act, specifically that at least 60% of the members of council must not be employed by or be students of the University, and that members must be persons with knowledge and experience relevant to the University and must participate in the deliberations of the council in the best interests of the University, provided that due sensitivity to race and gender be observed and that no person serves on the council in more than one capacity, the council consists of -

(a) the vice-chancellor

(b) the vice-principal;

(c) four persons elected by the senate from among its ranks, in accordance with paragraph 10;

(d) two persons elected by the academic staff from among their ranks, in accordance with the Rules;

(e) two persons designated by the workplace forum from among its ranks and, if a workplace forum has not been recognised, such person designated by the support staff of the University from among their ranks, in accordance with the Rules;

(f) two students elected by the ISRC, in accordance with the ISRC constitution;

(g) four persons appointed by the Minister of Education;

(h) four persons elected by the donors of the University, in accordance with paragraph 41;

(i) four persons designated by the convocation of the University from their ranks in accordance with paragraph 38;

(j) four persons designated from the ranks of the University's community leaders in accordance with the Rules;

(k) two members appointed by the council from outside the University for their specific expertise.

(2) The term of office of members contemplated in subparagraph (1)(c), (d), (e), (g), (h), (i), (j) and (k) is three years from the date of their election, designation or appointment, provided that a certain number of members must retire annually, which persons or categories of persons are determined by the council in accordance with the Rules.

(3) The term of office of members contemplated in subparagraph 1(f) is no longer than one year.

(4) A person whose membership has lapsed through the effluxion of time is eligible for re-election, re-designation or re-appointment.

(5) Membership of the council terminates if the member concerned -

(a) resigns in writing with the chairperson of the council;

(b) is absent from three consecutive ordinary meetings of the council without prior apology for absence having been made to and accepted by the council;

(c) is declared insolvent by a court of law;

(d) is convicted by a court of law of an offence which, in the opinion of the council, is of such a serious nature that it is not desirable that such membership should continue;

(e) becomes incapable of performing the duties of a member of the council,

(f) is a member in terms of paragraph 4(1)(c), (d), (e), (i), (f), (h), or (i) and ceases to be a member of the body which had designated or elected the person; or

(g) is found guilty of unbecoming or disorderly conduct in a disciplinary action taken against the member by the council.

(6) At least three months before expiry of the term of office of a member, or when membership of a member of the council is terminated for any reason before expiry of the term of office concerned, the secretary to the council gives notice in writing of the vacancy to the council and to the body or person who appointed, elected or designated the member.

(7) A new member of the council, elected in a vacancy coming about before expiry of the term of office concerned, is elected or designated for a new full term of the relevant office.

Chairperson and deputy chairperson

5. (1) The council elects by secret ballot a chairperson and deputy chairperson from among the ranks of the members contemplated in paragraph 4(1)(g) to (k).

(2) The chairperson and deputy chairperson hold their respective offices for a period of three years.

(3) When the office of chairperson or deputy chairperson becomes vacant by effluxion of time, the secretary to the council gives notice thereof at the

penultimate meeting of the council during the term of office concerned, and the council elects a successor at the subsequent ordinary meeting.

(4) If the office of chairperson or deputy chairperson becomes vacant for any reason other than effluxion of time, the secretary to the council notifies each member of the council thereof in writing, and the council elects a successor at its next meeting.

Executive committee and other committees of council

6. (1) There must be an executive committee of the council consisting of the chairperson of the council as chairperson of the executive committee, the deputy chairperson of the council, the vice-chancellor, the vice-principal and two other members of the council who are not staff or students of the University.

(2) Three other members of the council are nominated as alternate members for any of the members of the executive committee of the council and in the absence of such members the alternate members officiate as members of the executive committee of the council.

(3) The executive committee of council may dispose of urgent business on behalf of the council, but all business so disposed of must be ratified or reviewed at the first ensuing meeting of the council.

(4) The council may establish such other committees as may be necessary for council to perform its functions, and may establish joint committees with senate or such other structures within the University as council finds appropriate.

Meetings

7. (1) The council meets at least once per semester at a place and time determined by the council.

(2) At least 14 days before the date determined for an ordinary meeting, the secretary to the council notifies each member in writing of the time when and the place where the meeting is to be held and of details of all matters to be dealt with at the meeting.

(3) The chairperson may at any time convene an extraordinary meeting, and must convene such meeting at the request of at least five members stating the purpose of the meeting.

(4) An institutional director or campus rector who has no seat on the council in terms of this Statute may, at the request of the vice-chancellor and the agreement of the Chairperson, attend the meetings of the council in an advisory capacity.

Quorum

8. (1) The quorum for a meeting is one half plus one of all the members of the council.

(2) If, for any meeting, there is no quorum, the meeting is adjourned to a date not more than seven days later, at which meeting the members present constitute a quorum.

Procedure at meetings

9. (1) An ordinary meeting, after being constituted and opened, commences with the reading and confirmation, by signature of the chairperson, of the minutes of the previous ordinary meeting and the minutes of all subsequent extraordinary meetings.

(2) Any objection to the minutes is raised and disposed of before the minutes are confirmed.

(3) The minutes may be regarded as read if a copy of the draft minutes was previously sent to each member.

(4) The number of votes in favour of or against any proposal is not recorded in the minutes unless the meeting so decides.

(5) Notwithstanding subparagraph (4), at the request of a member the chairperson may direct that the vote of such member be recorded.

(6) No matters other than those stated in the notice of an extraordinary meeting are dealt with at such meeting, unless all the members present consent thereto.

(7) Notice of any motion for consideration must be in writing and must be lodged with the secretary to the council at least five days before the date on which the secretary to the council is required to give notice of the meeting.

(8) No motion or any amendment thereto arising in the course of a meeting is dealt with unless it has been seconded, and if the chairperson so directs, such motion or amendment must be submitted in writing.

(9) No valid motion may be withdrawn except by leave of the meeting.

(10) A member may not, except by leave of the meeting, speak more than once on any motion or amendment thereto, but the mover of a motion may exercise the right to reply.

(11) Any member may move that a subject under discussion be dealt with in committee and, if seconded, such motion is put to the vote without being discussed.

(12) If the motion contemplated in subparagraph (11) is adopted, the council goes into committee forthwith, whereupon any member is entitled to speak on the subject under discussion more than once.

(13) A member of the council may not take part in the discussion of or vote on any matter in which the member has a direct financial or other interest, unless the member first discloses the nature and extent of the interest and obtains the leave of the meeting to take part in the discussion or to vote.

(14) All matters are decided by a majority of the votes cast.

(15) The chairperson has an ordinary vote, but must in addition exercise a casting vote in the event of an equality of votes on any matter.

(16) The chairperson or the meeting may decide that voting must be by secret ballot, provided that voting for persons must always be by secret ballot.

(17) The ruling of the chairperson on any point of order is binding and cannot be challenged, but a point of order, clarification or information may be raised against any other member, in which instance the ruling of the chairperson is binding unless immediately challenged by a member, in which further case the ruling is put to the meeting for determination without it being discussed, and the decision of the meeting is final.

(18) When a majority of the members of the council reaches agreement on a matter referred to them by letter or electronic means by or on behalf of the chairperson, without convening a meeting, and at least two thirds of the members have confirmed by letter or electronic means that they were involved in the process to reach such resolution, such resolution is equivalent to a resolution of the council and must be recorded in the minutes of the next meeting.

(19) The views of a member who is unable to attend a meeting may be submitted in writing but may not count as a vote of such member.

(20) Subject to paragraph 7(4), meetings of the council are attended solely by council members, but may be attended by persons invited by the chairperson with the permission of the council from time to time.

(21) Anyone attending a meeting who, after having been requested to refrain from disrespectful or disorderly conduct that could reasonably be expected to disrupt the meeting, continues to disobey a ruling from the chairperson, must be requested to leave the meeting and, if that person does not leave the meeting immediately, such person must be removed from the meeting and, in the case of a member, may be dealt with in terms of paragraph 4(5).

Member of council in senate

10. (1) The council elects, in accordance with the provisions of the Rules, from among its ranks a person who is not in the employ of the University to serve as a member of the senate for a period of two years.

(2) When a vacancy occurs in this office by effluxion of time or otherwise, the secretary to the council gives written notice thereof to each member of the council.

(3) In the event of a vacancy that occurs by effluxion of time, the council elects at its last ordinary meeting before expiry of such term of office a member to fill the vacancy.

(4) In the event of a vacancy that occurs before expiry of the term of office, the council at its next meeting elects another member for a period of two years.

SENATE AND SENATE STANDING COMMITTEES

Functions

11. (1) Subject to the provisions of section 28 of the Act and this Statute the senate is responsible for regulating all teaching, learning, research, and

academic support functions of the University and for the determination of policy and rules concerning all academic matters.

(2) The senate must advise the council on the formation and reconfiguration of faculties of the University, to ensure administrative and academic coherence, efficiency and sustainable quality.

(3) Any function of the senate may by resolution be entrusted to any member or committee of the senate, including any senate standing committee established by the senate in terms of paragraph 17.

(4) Rules with regard to the matters contemplated in subparagraphs (1) and (3) may not be made without the consent of the senate.

Composition and membership

12. (1) To give effect to section 28 of the Act, the senate consists of -

(a) the vice-chancellor;

(b) the vice-principal;

(c) the campus rectors;

(d) the institutional registrar;

(e) the institutional directors(s) responsible for research support, human resources and student affairs;

(f) the deans;

(g) thirty three academic staff members elected by the academic staff in the faculties in accordance with the Rules;

(h) two non-academic staff members elected by the non-academic employees in accordance with the Rules;

(i) four students designated by the ISRC in accordance with the Rules;

(j) the chairperson of Council or his or her delegate and one other council member elected by the council in accordance with paragraph 10;

(k) not more than four persons, who have the institutional responsibility for research, academic support and library and information services respectively;

(l) eight academic staff members co-opted by the senate upon the advice of the senate standing committees, in accordance with the Rules, to improve representation in terms of the more junior ranks, race and gender.

(2) No person, except the persons contemplated in subparagraphs (1)(f) and (g), as decided from time to time by a faculty, may serve in the senate in more than one capacity.

(3) Membership of the senate terminates if the member concerned -

(a) resigns in writing with the chairperson of the senate;

(b) is absent from three consecutive ordinary meetings of the senate without prior apology for absence having been made to and accepted by the senate;

(c) is declared insolvent by a court of law;

(d) is convicted by a court of law of an offence which, in the opinion of the senate, is of such a serious nature that it is not desirable that such membership should continue;

(e) becomes incapable of performing the duties of a member of the senate, or

(f) is a member in terms of paragraph (1)(g) to (j), and ceases to be a member of the body which had designated or elected the person; or

(g) is found guilty of unbecoming or disorderly conduct in a disciplinary action taken against the member by the senate, and the membership is terminated.

(4) The vice-chancellor is the chairperson of the senate, and in the absence of the vice-chancellor, the vice-principal officiates as chairperson.

(5) In the absence of both the vice-chancellor and the vice-principal, the senate elects a chairperson for the meeting from among its ranks.

Meetings

13. (1) The senate meets at least once every semester at a place and time determined by the senate.

(2) The secretary to the senate forwards to each member a written notice stating the time and place of the meeting and the matters to be dealt with at the meeting, at least seven days before an ordinary meeting is held.

(3) The chairperson may at any time convene an extraordinary meeting of the senate for a specific purpose and such an extraordinary meeting must be convened at the written request of at least one third of all the members of the senate.

(4) The chairperson has an ordinary and a casting vote, and every other member has only one vote.

(5) Only members of the senate attend senate meetings, provided that the vice-chancellor may, with the permission of the senate, invite other persons to attend a meeting or meetings of the senate as observers from time to time.

Quorum

14. (1) The quorum for a meeting is one half plus one of all the members of the senate.

(2) If, for any meeting, there is no quorum, the meeting is adjourned to a date not more than seven days later, at which meeting the members present constitute a quorum.

Procedure at meetings

15. (1) The provisions of paragraph 9 apply with the necessary changes to meetings of the senate.

(2) For the provision, amendment or repeal of Rules in respect of which the senate has authority, written notice at least 14 days before the meeting concerned and a majority vote of three-quarters of the members present at the meeting is required.

(3) The senate may propose Rules regarding programmes, qualifications, curricula, modules or examinations to the council only after the advice or opinion of the senate standing committee or committees concerned has been obtained.

Members of senate in council

16. (1) At any ordinary meeting the senate elects by secret ballot from among its own ranks the four persons as members of the council contemplated in paragraph 4(1)(c).

(2) When a vacancy occurs by effluxion of time or otherwise, the secretary to the senate notifies all members of the senate thereof.

(3) Nomination of a candidate takes place in writing, signed by at least two members of the senate, and is submitted to the secretary to the senate within ten days after notice of the vacancy has been given.

(4) In the event of a vacancy occurring by effluxion of time, the senate at the last ordinary meeting before the expiry of the term of office concerned elects a member to fill the vacancy.

(5) A member who retires by effluxion of time is eligible for re-election for a second term.

(6) In the event of a vacancy occurring before expiry of the term of office, the senate elects a new member for a full new term at the next meeting.

Senate standing committees

17. There are senate standing committees, established by the senate, to perform generic tasks given to it by senate, and specifically to regulate all teaching, learning, research, and academic support functions of the University on the campuses falling under the authority of such senate standing committees, in accordance with the policy and procedures concerning all academic matters and related student affairs of the University, that senate may from time to time decide upon.

Composition and membership

18. (1) The senate standing committees are constituted in accordance with the Rules.

(2) The relevant campus rector officiates as the chairperson of a campus senate standing committee.

Meetings

19. The provisions of paragraphs 13, 14 and 15 apply with the necessary changes to the meetings of the senate standing committees.

Executive committee of senate

20. (1) The executive committee of senate consists of the vice-chancellor, the vice-principal, the chairperson of council or the member of the council contemplated in paragraph 10, the campus rectors, deans of the faculties, one member of senate designated in terms of paragraph 16(1), the chairperson of the ISRC and the institutional registrar.

(2) The vice-chancellor may invite other members of the institutional management committee to attend a meeting of the executive committee as advisors.

(3) The vice-chancellor is the chairperson of the executive committee of the senate and in the absence of the vice-chancellor the vice-principal officiates as chairperson.

(4) If both the vice-chancellor and the vice-principal are absent from a meeting, the executive committee elects from among its ranks a chairperson for the meeting concerned.

(5) When the senate is not in session, the executive committee may exercise any power or function of the senate.

(6) The executive committee reports all its proceedings to the senate and all actions taken by the executive committee on behalf of the senate, excluding decisions pertaining to staff matters, must be confirmed or reviewed at the next ensuing meeting of the senate.

(7) The quorum for a meeting of the executive committee is one half plus one of all the members thereof.

(8) If, for any meeting, there is no quorum, the meeting is adjourned to a date not more than seven days later, at which meeting the members present constitutes a quorum.

FACULTY BOARDS

Composition and meetings

21. (1) For each faculty there is a faculty board or other suitable committee, consisting of the dean and such other persons, including a student or students, as are appointed by the senate upon the recommendation of the members of the faculty and the senate standing committee, in terms of the Rules.

(2) The dean of a faculty is the chairperson of the faculty board.

(3) In the absence of the dean the members of the faculty board present elect from among their ranks a chairperson for the meeting concerned.

(4) The faculty board holds ordinary meetings at the times determined by the senate standing committee.

(5) A dean may convene an extraordinary meeting of the faculty board, and must do so at the written request of at least one third of the members of the faculty board.

(6) The quorum for a meeting is one half plus one of all the members of the faculty board.

(7) If, for any meeting, there is no quorum, the meeting is adjourned to a date not more than seven days later, at which meeting the members present constitute a quorum.

(8) Subparagraphs (2), (3), (4), (5), (6) and (7) apply with the necessary changes to committees established in terms of subparagraph (1).

Activities and functions

22. A faculty board advises the dean in respect of all teaching, learning, research, academic support and student matters pertaining to a faculty, in line with the policies and rules determined by the senate and applied by the senate standing committee for that campus.

DIVISIONS AND COMMITTEES

Establishment of divisions and committees

23. For the execution of academic activities of the University anywhere the council may, upon the recommendation of the vice-chancellor and after consultation with the senate, establish such divisions, standing and other committees, as may be deemed necessary for the management of the activities of the University.

FORUM

Name and composition

24. (1) There is an institutional forum as contemplated in section 31 of the Act, known as the forum of the North West University, composed of –

(a) one member of the council designated from among the persons contemplated in paragraph 31(1)(g) to (k);

(b) the vice-chancellor or another member of the institutional management committee, designated by the vice-chancellor;

(c) three members of the senate elected from among its ranks for a term of three years.;

(d) three members of the permanent academic staff of the University, designated for a term of three years in accordance with the provisions of the Rules;

(e) four members in total, designated in terms of the Rules by the trade unions with which the University has entered into an agreement of recognition, designated from the ranks of the staff of the University by the members of the trade unions for a term of three years;

(f) three persons from the members of the support staff of the University, who have been elected for a term of three years in accordance with the provisions of the Rules;

(g) six students of the University, designated by the students of the University in accordance with the Rules, each for a term of one year;

(h) four persons in total, representing civic society from the different localities where the University has campuses, nominated in consultation with the relevant local authorities for a period of three years in accordance with the Rules.

(i) two persons designated by the president of the convocation for a term of three years; and

(j) not more than two members co-opted, from time to time, by the forum for specialised tasks in conjunction with the functions meant in paragraph 25(1)(a)-(g).

(2) The chairperson, deputy chairperson and an executive committee composed of the chairperson, the deputy chairperson and the secretary is elected annually at the first meeting of a particular year from among the members contemplated in subparagraph (1)(c) to (j).

(3) The members contemplated in subparagraph (1)(c) to (j) must be designated with sensitivity for -

(a) gender and race, and

(b) the nature of the University, including the existence of more than one campus of the University.

(4) A person may serve on the forum for an undetermined number of consecutive terms.

(5) Membership of the forum terminates if the member concerned

(a) resigns in writing with the chairperson of the forum;

(b) is absent from three consecutive ordinary meetings of the forum without prior apology for absence from the meetings having been made to and accepted by the forum;

(c) is declared insolvent by a court of law;

(d) is convicted by a court of law of an offence which, in the sole opinion of the forum, is of such a serious nature that it is not desirable that such membership should continue;

(e) becomes incapable of performing the duties of a member of the forum; or

(f) ceases to be a member of the body which had designated or elected the person.

Functions

25. (1) The forum advises the council on -

(a) the implementation of the Act and national higher education policy;

(b) the selection of candidates for appointment as vice-chancellor, and members of the institutional management committee as determined in paragraphs 1(xx) and 70, in accordance with the Rules;

(c) policy on race and gender equity;

(d) codes of conduct;

(e) the formulation of policy on mediation and dispute resolution procedures;

(f) the management of cultural diversity on the campuses; and

(g) the encouragement and development of an institutional culture which promotes tolerance and respect for basic human rights, and which creates a suitable environment for teaching, learning, research and study.

(2) Subject to subparagraph (1) the forum performs such activities as the forum may be given from time to time by the council.

(3) The forum meets at least four times per year, at a time and place determined by the forum in terms of its rules.

Committees and substructures

26. (1) The forum may establish substructures, technical and standing committees chaired by a member of the forum on which stakeholders who are not members of the forum may be co-opted.

(2) The forum's substructures, technical and standing committees function under the control and in support of the activities of the forum.

Rules of forum

27. (1) The forum adopts its rules with the support of two thirds of all the members.

(2) The council grants recognition to the rules of the forum by approving them and having them included in the Rules.

Administration and operating costs

28. (1) The council must make reasonable provision for the secretarial and administrative services required by the forum.

(2) The council must annually provide a reasonable amount required for the running of the forum, according to a budget submitted by the forum.

ISRC AND CAMPUS SRCs

Recognition and constitution

29. (1) The ISRC is established by the council by approving, taking into consideration the advice of the senate, the constitution and rules of the ISRC.

(2) The ISRC established in terms of subparagraph (1) is composed and must function in accordance with the constitution and rules of the ISRC.

(3) The constitution of the ISRC may be amended by the council at the request of the ISRC, after consideration of the advice of the senate.

(4) The ISRC established in terms of subparagraph (1) will have its seat where the seat of the North West University is established.

(5) A campus SRC is established by the ISRC by approving the house rules of the relevant campus SRC, after considering the advice of the relevant campus senate standing committee.

(6) A campus SRC established in terms of subparagraph (5) must be composed and must function in accordance with the applicable campus SRC rules.

(7) The chairperson of a campus SRC must submit the rules of such campus SRC and any proposed amendment thereof to the ISRC together with the advice of the relevant campus senate standing committee, after consultation with the campus rector and the vice-chancellor.

Activities and functions

30. (1) The ISRC is accountable to the vice-chancellor and council for the governance of organised student life within the University, and to achieve this it:

(a) develops policy and sets standards for the management of student activities on the campuses of the University, and obtains acceptance thereof by the senate and the council of the University;

(b) recognises campus SRCs, monitors their compliance with the policies and standards set by the council for organised student life and advises the relevant campus rectors and vice-chancellor in respect thereof;

(c) provides financial support and levers facilities for the campus SRCs to achieve their mandates;

(d) assists the campus SRCs to get access to additional funding to render proper services to the students on their campuses, wherever possible;

(e) gives advice to the campus SRCs on their functioning and advises the relevant campus rectors and informs the relevant campus senate standing committees on such functioning;

(f) confers colours and honours for outstanding performance in the sphere of organised student life, in accordance with the Rules;

(g) liaises with student representative councils of other institutions of higher education to promote the common interest of students within organised student life; and

(h) designates members to present the viewpoints of students in the council, the senate, the forum and other structures of the University as is provided for in this Statute and the Rules.

(2) A campus SRC-

(a) manages organised student life on the campus concerned in order to assist in the realisation of the vision of the University with regard to the academic, cultural, sports, residence and other relevant fields;

(b) is accountable for the management functions contemplated in subparagraph (a) and may for this purpose be vested with the power to dispose of any particular matter;

(c) may at the campus level register or extend patronage to other student bodies and exercise control over such bodies; and

(d) maintains discipline over students in accordance with the relevant prescripts contained in this Statute, the Rules and the constitution of the ISRC.

Composition and membership of student representative councils

31. (1) The ISRC consists of members of the different campus SRCs, designated by these campus SRCs in terms of the Rules

(2) The chairperson and other office-bearers of the ISRC must be designated from among its members in the manner determined by the Rules.

(3) Decision-making by the ISRC is by consensus, in terms of the Rules.

(4) Campus SRCs are composed and elected annually on the various campuses in accordance with the ISRC constitution and applicable campus SRC rules.

(5) Should a vacancy arise in the ISRC or a campus SRC, it is filled in accordance with the provisions of the ISRC constitution and the applicable campus SRC rules.

Termination of membership of ISRC or campus SRC

32. Membership of the ISRC or a campus SRC terminates if the member concerned:

(1) resigns in writing with the chairperson of the ISRC or campus SRC concerned;

(2) has been absent from three consecutive ordinary meetings of the ISRC or campus SRC without prior apology for absence having been made to and accepted by the ISRC or campus SRC;

(3) is declared insolvent by a court of law;

(4) is convicted by a court of law of an offence which, in the opinion of the council, after consultation with the ISRC or relevant campus SRC, is of such a serious nature that it is not desirable that such membership should continue;

(5) becomes incapable of performing the official duties of a member of the ISRC or the campus SRC concerned; or

(6) is a member by virtue of the person's membership of a sub-student council or patroned committee of a campus SRC and ceases to be a member

of the sub-student council or patroned committee which had designated or elected the person; or

(7) is found guilty of unbecoming or disorderly conduct in a disciplinary action taken against the member by the ISRC or campus SRC, and the membership is terminated;

(8) ceases to be a student of the University.

CONVOCATION AND ALUMNI ASSOCIATION

Purpose and structure of convocation

33. (1) The convocation links the members of the convocation on a life-long basis to the University, to the ongoing mutual benefit of the University, such members and future members of the convocation.

(2) The convocation may establish its own structures in accordance with its constitution or enter into suitable structural arrangements with other bodies within or outside the University, to achieve its aims.

Objectives of convocation

34. (1) The convocation's major objective is to establish and further develop mutually beneficial relationships between the University and its alumni so as to promote the welfare of the University and future convocation members.

(2) Other objectives are:

(a) To designate members to the council in accordance with paragraph 38.

(b) To work closely with and give support to other University structures focusing on promoting professional, educational, social and other relationships between alumni and the University, and between groups of alumni among themselves;

(c) To meet and discuss any matter within the sphere of competence of the University and transmit any resolution to the University governing authorities or the wider public;

(d) To maintain a database of members in order to enhance communication and information dissemination between members and the University, and to form the voters' roll for the election of council members.

Membership and right to vote

35. (1) Every graduate of the University or its predecessors is eligible for membership of the convocation, to be nominated to become a member of the council and to vote in an election of council members in accordance with paragraph 38.

(2) Every diplomate and permanent staff member, present or past, of the University or its predecessors is eligible for membership of the convocation in terms of subparagraph (3).

(3) The convocation may define types of membership other than that meant in subparagraph (1) and determine, in the constitution of the

convocation, the rights and privileges pertaining to such other types of membership.

(4) A member of the convocation is entitled to take part in the proceedings and activities of the convocation and to vote in an election if:

(a) the member's personal particulars, valid postal address and such other communication channels determined from time to time in terms of the rules have been furnished to the secretary to the convocation;

(b) the member has deposited the prescribed membership fee, as determined by the council on the recommendation of the convocation, into an account of the North-West University Convocation; and

(c) the member has the right or privilege to participate in the specific proceeding, activity or election in terms of that member's type of membership, as it is reflected in the convocation roll.

(5) When an election is to take place, the convocation roll is closed from the last date on which ballot papers are sent out up to and including the day of the election.

President and executive committee

36. (1) The convocation elects from among its ranks at a general meeting a president of the convocation, who holds office for a term of three years from the closing of the meeting at which the election takes place.

(2) If no meeting of the convocation is held in the third year of the president's term of office, such term of office is extended until after the conclusion of the next meeting of the convocation.

(3) The president is chairperson of all meetings of the convocation.

(4) The convocation elects from among its ranks at a general meeting a vice-president and, subject to paragraph 59(2), such other officials to its executive committee as are determined by the constitution of the convocation.

(5) The president may from time to time recommend that the convocation establish committees and appoint members to such committees, as may be expedient to carry out specific activities of the convocation.

Meetings

37. (1) A general meeting must be convened by the president at least once every three years at the seat of the University or such other place determined by the president, taking into account the multi-campus nature of the University.

(2) The types of meetings, rules of convening, quorum requirements, agendas and meeting procedures for meetings of the convocation and the executive committee of the convocation must be determined by the constitution of the convocation.

(3) Joint meetings of the convocation and any other University structure responsible for liaison of individual alumni or groups of alumni may be held at any time in consultation with the executive committee of the North West University Alumni Association.

(4) A meeting of the convocation may discuss any matter affecting the University, including matters which the council refers to the convocation for advice, and may convey the opinion of the meeting to the council.

(5) A copy of the resolutions of the convocation, and a notification of such other matters as may be determined by the convocation, duly certified by the president and the secretary, must be forwarded to the chairperson of the council for the information of the council and to the vice-chancellor for the information of the senate.

Election of members of council

38. (1) When the convocation has to elect a member of the council, the secretary notifies the president of this and gives notice in any suitable manner, to each member who is entitled to vote that written nominations of eligible persons in accordance with paragraph 35(1) are required for the vacancy on the prescribed form obtainable from the secretary, and that every nomination is to be signed by at least five members who are entitled to vote as well as by the nominee.

(2) In the event of a vacancy by effluxion of time, notice is given at least three months before the expiry of the term of office in accordance with subparagraph (1).

(3) Nominations must be submitted to the secretary within six weeks of the date of the notice.

(4) If the number of nominees does not exceed the number of persons to be elected, the nominees are immediately declared duly elected.

(5) If more persons are nominated than the number to be elected, the secretary as soon as practicable after the closing date for nominations, mails or makes available in any other suitable manner a ballot paper with the names of the candidates in alphabetical order to every member who is entitled to vote.

(6) Ballot papers must be returned to reach the secretary on or before the date specified on the ballot paper, which may not be earlier than 21 days after the date of issue of the ballot paper.

(7) A ballot paper that has not been completed in accordance with the instructions appearing thereon or that reaches the secretary after the specified date is invalid.

(8) At an election the secretary officiates as electoral officer, assisted by two scrutineers appointed by the president.

North-West University Alumni Association

Recognition, constitution and membership

39. (1) The council of the University may grant recognition to an association of alumni of the University, referred to as the North West University Alumni Association established by the convocation in terms of paragraph 33.

(2) Every person who has obtained a degree or diploma from the University or its predecessors is a member of the North West University Alumni Association and, in order to retain such membership, must properly inform the secretary to the association of any change of address.

(3) The spouse of a member of the North West University Alumni Association and an individual donor of the University who has not obtained a degree or diploma from the University may upon application in accordance with the provisions of the constitution of the North West University Alumni Association acquire associate membership.

(4) An associate member has the same rights and privileges as other members.

(5) The North West University Alumni Association may establish or recognise different chapters of its alumni along regional, professional, historical, academic or residential cohort lines, sport, social or cultural groupings, or clustered in any other way that may best enable the North West University Alumni Association to ensure that the various categories of alumni are properly catered for by the University.

(6) Every cluster of alumni that has been recognised as such by the North-West University Alumni Association may have its own arrangements to ensure that the University and its alumni can maintain their contact to the mutual benefit of the University and the alumni.

DONORS

Recognition and list

40. (1) The council recognises as donors persons who have during the preceding two years donated amounts to the University considered by the council to be significant, or who have made other significant contributions to promote the mission of the University.

(2) Individual donors or groups of donors may from time to time be consulted by or offer advice to the vice-chancellor on any matter pertaining to the University, and may towards that end establish a board of donors of not more than ten members designated by the donors from among their ranks in accordance with the provisions of the Rules and three members designated by the council from the ranks of the University.

(3) The board of donors elects a chairperson from among their own ranks.

(4) The board of donors designates a secretary, who need not be a donor.

(5) The secretary to the board of donors maintains an official list of the donors of the University on which the name and postal address of every donor recognised by the council are recorded.

(6) At any given time the list of donors of the University serves as conclusive proof of the names and addresses of persons who are entitled to take part in the designation of a member of the council as contemplated in paragraph 4(1)(h).

Election of member of council

41. (1) When the donors have to elect a member of the council, the institutional registrar gives written notice to the chairperson of the board of donors that such member has to be elected.

(2) In the case of a vacancy occurring by effluxion of time, notice in terms of subparagraph (1) must be given not less than three months before the expiry of the term of office.

(3) The board of donors elects the persons contemplated in paragraph 31(1)(h) within 30 days after notice of the vacancy was given in terms of subparagraph (1).

CHAPTER 3

OFFICE BEARERS OF UNIVERSITY

CHANCELLOR

Official duties

42. The chancellor is the titular head of the University and confers all degrees in the name of the University.

Prerequisites

43. A candidate for the office of chancellor must be a fit and proper person and capable of representing the University.

Election

44. (1) A candidate for the office of chancellor may be nominated by any person from the categories of persons represented in the forum, on the prescribed nomination form for proposing a candidate for the chancellorship of the University, provided that no person may sign on more than one nomination form, whether in the capacity of the proposer or as a seconder.

(2) A nomination form must be signed by the proposer and at least five seconders, as well as the nominee, and must be submitted to the secretary to the council, who compiles a list of all the nominations received, and puts that list before a special committee of council composed in the manner determined by the council for that purpose.

(3) The council committee places not more than three nominations from the list to the council for decision.

(4) The council may add names to the list of nominations put before the council in terms of subparagraph (3).

(5) At least ten days before the meeting at which the election will take place, the secretary to the council informs every member of the council of all nominations received in terms of subparagraphs (2), (3) and (4).

(6) The chancellor is elected in a secret ballot by a majority of votes of members of the council present at an ordinary meeting or at a meeting specially convened for that purpose.

Term of office

45. (1) The term of office of the chancellor is five years, except when the incumbent dies, resigns from office or is discharged before the term of office has expired.

(2) An incumbent chancellor is eligible for re-election only for a second term.

Vacation of office

46. The council may discharge the chancellor from office by a vote with a majority of two thirds of all the members of the council.

Filling of vacancy

47. (1) At least four weeks before the office of chancellor becomes vacant by effluxion of time, the secretary to the council informs every member of the council thereof, and the council elects a new chancellor as soon as possible in accordance with paragraph 44.

(2) If the office of chancellor becomes vacant as a result of death, resignation or discharge, the secretary to the council informs every member of the council of the vacancy, and the council elects a new chancellor in accordance with paragraph 44 as soon as practicable.

VICE-CHANCELLOR

Official duties

48. (1) The vice-chancellor is the chief executive and accounting officer responsible for the management and administration of the University.

(2) The vice-chancellor may by virtue of that office exercise any official duty of the chancellor when the office of chancellor is vacant or if the chancellor is absent.

(3) The vice-chancellor may delegate any of the duties, functions and powers attached to the office to a member of the institutional management committee or to any other suitable person.

(4) With regard to the responsibilities attached to the office, the vice-chancellor is accountable to the council.

(5) The vice-chancellor in official capacity is a member of all committees of the council and the senate.

Prerequisites

49. The candidate for the office of vice-chancellor must be a fit and proper person capable of representing the University.

Appointment

50. (1) The vice-chancellor is appointed by the council after the procedure as prescribed in the Rules concerning consultation with the senate and the forum, as well as the evaluation as determined in the Rules have been followed.

(2) If the council is not unanimous about the appointment, a secret ballot is held, the outcome of which is determined by a majority of the members present.

Term of office

51. The term of office of the vice-chancellor is determined by the council after consultation with the incumbent and is fixed contractually, and must not be less than three years and not more than seven years.

Vacation of office

52. (1) The term of office of the vice-chancellor terminates before its expiry if the incumbent dies, resigns from office or is discharged from office.

(2) A vice-chancellor whose term of office expires by effluxion of time, may be appointed for one further term.

(3) The council may discharge the vice-chancellor from office by a vote with a majority of two thirds of all the members of the council.

Filling of vacancy

53. (1) At least three months before the office of vice-chancellor becomes vacant by effluxion of time, the secretary to the council notifies the members of the council, the senate and the forum accordingly.

(2) If the office of vice-chancellor becomes vacant through death, resignation or discharge, the secretary to the council notifies the members of the council, the senate and the forum of the vacancy, and the council appoints a new vice-chancellor in terms of paragraph 50 as soon as practicable.

Acting vice-chancellor

54. (1) In the absence of the vice-chancellor or while the office of vice-chancellor is vacant, the vice-principal officiates as acting vice-chancellor.

(2) If the vice-principal cannot officiate as acting vice-chancellor, another person appointed thereto in terms of paragraph 56 officiates as acting vice-chancellor.

(3) An acting vice-chancellor has the same responsibilities, powers and functions as the vice-chancellor and is accountable to the vice-chancellor, where applicable, and council.

(4) An acting vice-chancellor stops officiating as vice-chancellor as soon as the appointed vice-chancellor takes up the responsibilities of the office.

VICE-PRINCIPAL

Official duties

55. (1) There is a vice-principal of the University as contemplated in section 26(2)(d) of the Act who has to act as vice-chancellor in the absence of the vice-chancellor or while the office of the vice-chancellor is vacant.

(2) The vice-chancellor may assign specific responsibilities and managerial, administrative and supervisory duties to the vice-principal.

Appointment, term of office, vacation of office and filling of vacancies

56. The council appoints the vice-principal of the University after the procedure as prescribed in the Rules concerning consultation with the vice-chancellor, the senate and the forum, as well as the evaluation as determined in the Rules have been followed.

CAMPUS RECTORS

Official duties

57. (1) There is a campus rector as the head for each campus and for any further situation as the council may determine, to whom the vice-chancellor may entrust specific managerial, administrative and supervisory functions.

(2) A campus rector is accountable to the vice-chancellor or a person designated for that purpose by the vice-chancellor.

Appointment, term of office, vacation of office and filling of vacancies

58. (1) The campus rectors are appointed by the council after the procedure as prescribed in the Rules concerning consultation with the vice-chancellor, the senate (taking account of the advice of the relevant campus senate standing committee) and the forum, as well as the evaluation as determined in the Rules have been followed.

(2) The term of office of a campus rector is determined by the council after consultation with the incumbent and is fixed contractually.

(3) The term of office of a campus rector terminates before its expiry if the incumbent dies, resigns from office or is discharged from office.

(4) The council may discharge a campus rector from office by a vote with a majority of two thirds of all the members of the council.

(5) At least three months before the office of a campus rector becomes vacant by effluxion of time, the secretary to the council notifies the members of the council, the senate and the forum accordingly and the council appoints a new rector for that campus in accordance with subparagraph (1).

(6) If the office of a campus rector becomes vacant as the result of death, resignation or discharge, the secretary to the council notifies the members of the council, the senate and the forum of the vacancy, and the council appoints a new campus rector of that campus in accordance with subparagraph (1) as soon as is practicable.

INSTITUTIONAL REGISTRAR AND INSTITUTIONAL DIRECTORS

Official duties

59. (1) There must be an institutional registrar to whom the council may assign particular responsibilities and duties and to whom the vice-chancellor may entrust specific managerial, administrative and supervisory functions.

(2) The institutional registrar is the secretary to the council, secretary to the senate and secretary to the convocation and as such may participate in the discussions of the council, senate and convocation, but may not vote in the council.

(3) There are one or more institutional directors to whom the vice-chancellor may entrust specific managerial, administrative and supervisory functions.

(4) With regard to the responsibilities attached to their office, the institutional registrar and every institutional director is accountable to the vice-chancellor, to ensure through appropriate policies, standards, Rules and procedures that sufficient coherence and synergy is maintained throughout the University and all its campuses and activities, to attain the goals agreed to for the University.

Appointment

60. (1) The institutional registrar and every institutional director are appointed by resolution of the majority of the council, after the procedure as determined in the Rules concerning consultation with the vice-chancellor, the senate and the forum, as well as the evaluation as determined in the Rules have been followed, provided that such appointment takes place within the relevant budget and in accordance with the staffing policies of the University.

(2) During the temporary absence of the institutional registrar or an institutional director the vice-chancellor designates another suitable person to perform the functions attached to the office.

CAMPUS VICE-RECTORS

Official duties

61. (1) There may be a maximum of two campus vice-rectors per campus to whom the relevant campus rector may assign particular responsibilities and duties, including specific managerial, administrative and supervisory functions, with respect to that campus.

(2) With regard to the responsibilities attached to the office, a campus vice-rector is accountable to the relevant campus rector.

Appointment

62. (1) A campus vice-rector is appointed by the Vice-Chancellor after the consultation and evaluation procedure involving the relevant campus rector, campus senate standing committee and campus members of the forum as determined in the Rules have been followed, provided that such appointment takes place within the relevant budget and in accordance with the staffing policies of the university.

(2) In the temporary absence of a campus vice-rector the vice-chancellor after consultation with the relevant campus rector designates another suitable person to perform the functions attached to the office.

CAMPUS REGISTRARS AND CAMPUS DIRECTORS

Official duties

63. (1) There may be a campus registrar and one or more campus directors per campus to whom a campus rector may entrust specific managerial, administrative and supervisory functions with respect to support functions performed at that campus.

(2) With regard to the responsibilities attached to the office, the campus registrar and a campus director is accountable to the relevant campus rector, to perform their respective duties in accordance with the policies and rules, established, overseen and coordinated by the applicable members of the institutional management committee.

Appointment

64. (1) A campus registrar and campus directors are appointed by the Vice-Chancellor after the consultation and evaluation procedure involving the campus rector, campus senate standing committee and the campus members of the forum as determined in the Rules have been followed, provided that such appointment takes place within the relevant budget and in accordance with the staffing policies of the university.

(2) In the temporary absence of the campus registrar or a campus director the vice-chancellor after consultation with the relevant campus rector designates another suitable person to perform the functions attached to the office.

DEANS

Deans

65. (1) A campus rector may appoint a dean in every faculty on the relevant campus after the consultation and evaluation procedure as determined in the Rules have been followed, involving the campus vice-rector, if such has been appointed, the relevant faculty board, the campus senate standing committee and the campus members of the forum, provided that, if no campus vice-rector has been appointed, the vice-chancellor must appoint such dean upon the advice of the campus rector in addition to the structures referred to above, and further provided that such appointment takes place within the relevant budget and in accordance with the staffing policies of the university.

(2) During the temporary absence of a dean the relevant campus rector after consultation with the relevant faculty board in consultation with a vice-rector of that campus, or, in the case where no vice-rector has been appointed, in consultation with the vice-chancellor designates another suitable person to perform the functions attached to the office.

Responsibility

66. (1) A dean officiates as the executive head of the faculty and is responsible for the management and administration of the faculty,

(2) With regard to the responsibilities attached to the office, a dean is accountable to the relevant campus rector, or where no campus rector has been appointed, to the person designated by the vice-chancellor in terms of paragraph 48(3).

ACADEMIC DIRECTORS

Academic directors

67. (1) An academic director, who is responsible for the management and administration of such academic division, may be appointed by the campus rector in each of the academic divisions of a campus after the consultation and evaluation procedure involving the relevant dean, faculty board and vice-rector where applicable, as determined in the Rules have been followed, provided that such appointment takes place within the relevant budget and in accordance with the staffing policies of the University.

(2) During the temporary absence of an academic director the dean designates another suitable person to perform the functions attached to the office.

Responsibility

68. (1) An academic director is, with regard to the responsibilities attached to the office, accountable to the relevant dean.

(2) Where no dean has been appointed, an academic director is accountable to another person designated by the relevant campus rector.

INSTITUTIONAL MANAGEMENT COMMITTEE

Functions

69. The institutional management committee assists the vice-chancellor in the planning and execution of the management, administration and supervision of the University, in accordance with the existing policies and Rules.

Composition and meetings

70. (1) The institutional management committee is chaired by the vice-chancellor and includes the vice-principal, the campus rectors, the institutional registrar, and the institutional directors.

(2) Any staff member of the University may from time to time be co-opted by the vice-chancellor as a member of the institutional management committee for a particular purpose or meeting.

(3) The vice-chancellor convenes the meetings and determines the business thereof.

CAMPUS MANAGEMENT COMMITTEES

Functions

71. A campus management committee assists a campus rector in the planning and execution of the management, administration and supervision of a campus of the University, in accordance with the policies and rules

established, overseen and coordinated by the institutional management committee and its applicable members.

Composition and meetings

72. (1) A campus management committee consists of the campus rector, the vice-rector or vice-rectors, the campus registrar and such other members of that campus as the campus management committee may determine from time to time.

(2) Any staff member of the University may from time to time be co-opted as a member of a campus management committee for a particular purpose or meeting.

(3) A campus rector convenes the meetings, determines the business and chairs a campus management committee.

CHAPTER 4

STAFF

Appointment

73. (1) The council or its delegate in terms of paragraph 3(5) appoints staff in accordance with the staffing policy of the University and the terms of conditions of the relevant service contracts as academic or support staff, provided that an academic staff member is appointed only after consultation with the senate, the relevant campus rector, the dean or the academic director on a permanent, term or temporary basis.

(2) The academic staff may also be appointed on a term basis in emeritus, honorary, extraordinary or accredited capacity.

Remuneration

74. The salaries and any other forms of remuneration of the staff are determined by the council in accordance with the provisions of the remuneration policy of the University, as amended from time to time.

Evaluation

75. The staff are subject to continual performance appraisal in terms of the policies and procedures of the University.

Discipline

76. (1) The staff are subject to the discipline of the council in respect of all forms of misconduct or neglect of duty as contained in the Rules published in the applicable disciplinary procedures and codes.

(2) The discipline of the council is exercised in accordance with relevant legislation, and according to the policy and procedures laid down from time to time by the council.

Trade unions

77. (1) The council may enter into recognition agreements with trade unions, whereby recognition is granted to such trade unions with a view to consultations and negotiations on service benefits and related matters in accordance with the relevant labour legislation.

(2) The council may, for as long as the trade union or trade unions concerned enjoy sufficient support at the workplace concerned, implement the agreements on service benefits reached through the above-mentioned negotiations for all staff at such workplace.

CHAPTER 5

STUDENTS AND QUALIFICATIONS

STUDENTS

Admission and registration

78. (1) A person is registered as a student of the University only if such person satisfies the requirements legally determined for admission to study at the University and published in the Rules.

(2) A student is registered for one academic year or for such shorter period as may be determined by the council in general or in any particular case.

(3) After the expiry of an academic year or the period contemplated in subparagraph (2), a student, in order to continue with studies at the University, must again register as a student of the University and must pay the fees prescribed from time to time by the council in respect of the renewed registration.

(4) The senate may determine the minimum number of students who may be registered for a study programme and also prescribe selection tests or a particular standard of academic competence as further admission requirements for studies at the University.

(5) The council may set conditions for the renewal of the registration of a student and may refuse to allow the registration of such a student unless such conditions are met.

DISCIPLINE

Discipline at student level

79. (1) A student is subject to the disciplinary provisions stipulated by the council, as applied by the disciplinary bodies which the council tasks with it, in accordance with paragraph 81 and the Rules

(2) The vice-chancellor reports to the senate and the council at least once a year on disciplinary actions taken since the previous such report.

Offences

80. (1) A student whose conduct is detrimental or may be detrimental to the good name, order, discipline or performance of the work of the University or of any part of the University, including any office bearer, supporter, member of staff or student thereof, is guilty of an offence, and may be disciplined for it by the council or another relevant disciplinary body contemplated in paragraph 81.

(2) Dishonest academic conduct and conduct of a student who unreasonably harasses or treats another person or group of persons with hostility or violently are serious offences.

(3) The transgression of any provision of this Statute, or the Rules of the University or the provisions of the constitution or relevant rules of a body within the University, or of a statutory or common-law legal rule may constitute an offence as contemplated in subparagraph (1) above.

Disciplinary bodies

81. (1) The vice-chancellor is the chief disciplinary officer of the University.

(2) The vice-chancellor may delegate this office in writing, with notice to the council and senate, to any other member of the institutional management committee.

(3) The vice-chancellor determines the level contemplated in subparagraph (4) at which pending complaints will be heard and, where applicable, and with the exception of an appeal against a decision made by the vice-chancellor, at which an appeal against any finding or sentence of a disciplinary body must be heard.

(4) The vice-chancellor, after consultation with the senate, the ISRC and the forum and, in accordance with this Statute and the Rules, determines the composition, procedure and authority of disciplinary bodies at different levels to take disciplinary action in respect of infringements contemplated in paragraph 80, and to report to the vice-chancellor on such action taken.

(5) Disciplinary action in respect of infringements contemplated in paragraph 80 must be reported to the senate and the council by the vice-chancellor, in accordance with paragraph 79(2) and the Rules.

Disciplinary procedures

82. (1) A complaint concerning behaviour contemplated in paragraph 80 is reported to the vice-chancellor or his or her delegate to be further dealt with in accordance with the provisions of the Rules.

(2) A student charged with an offence is entitled to a fair trial by the relevant disciplinary body, in accordance with the procedures prescribed in this Statute and the Rules.

Penalties

83. A student who is found guilty of an offence may be sentenced by the relevant disciplinary body to any of the penalties set out in the Rules.

Appeal

84. A student found guilty by a disciplinary body in terms of this Statute may appeal against the conviction or the penalty, or against both the conviction and the penalty to the relevant appeal body, in accordance with the procedure prescribed by the Rules.

QUALIFICATIONS

Requirements

85. The University may confer the degrees, diplomas and certificates on which the council may from time to time decide after consultation with the senate, which have been approved, accredited and registered for the University in accordance with the provisions of the Act, and which are contained in the Rules of the University published in the calendar.

Conferment

86. (1) A meeting of the members of the University, known as the congregation, is convened for the purpose of conferring degrees and diplomas.

(2) A congregation is convened in the manner prescribed by the council, and chaired by the chancellor or the vice-chancellor or, if both are absent, by the vice-principal or a member of the senate.

(3) A congregation is held at least once a year at the time and the place determined by the council.

(4) A degree may not be conferred upon any person unless the senate is satisfied that all the requirements for such a degree have been met.

(5) A person is not entitled to the privileges of a degree until the degree has been conferred at a congregation of the University.

(6) A degree may also be conferred in the absence of a graduate or posthumously.

(7) An official degree certificate is issued to a graduate once only, and this occurs at an official congregation of the University.

(8) Notwithstanding subparagraph (7), if the degree has been conferred in the absence of the graduate, such official certificate may upon written request and after payment of the required amount, be sent to the student by mail.

(9) A person is entitled to the privileges of a diploma as soon as all the requirements of it have been fulfilled to the satisfaction of the senate.

(10) An official diploma certificate is issued once only, and this occurs at an official congregation of the University.

(11) Notwithstanding subparagraph (10), if the diploma has been issued in the absence of a diplomate, such official diploma certificate may upon written request and after payment of the required amount, be sent to the student by mail.

(12) If a student has satisfied the requirements for a degree or diploma and the degree or diploma has not yet been conferred or issued, or if an official degree or diploma certificate has been lost, a document may at the written request of the student and after payment of the required amount, be issued stating that the student has satisfied all the requirements for the degree or diploma and that it will be conferred or issued on a certain date, or that it had already been issued or conferred on a previous date.

(13) An official complete academic record, including a certificate of conduct, or proof of subjects passed, may at any time be issued at a student's written request and after payment of the required amount.

(14) The procedure for the presentation of the persons receiving degrees or diplomas, the conferment of degrees and diplomas in the absence of a student, academic attire and all other matters involving the congregation and for which no provision has been made in this Statute are determined by the vice-chancellor.

(15) Certificates are handed to successful candidates in consultation with the institutional registrar in the formats, on the occasions and in the manner determined for that purpose by the various divisions of the University that are responsible for the presentation of such certificates to candidates who have satisfied the set requirements.

Honorary degrees

87. (1) A proposal for the conferment of an honorary degree is submitted to the vice-chancellor in writing by a member of the council or the senate on or before a date determined by the council on the recommendation of the senate.

(2) The proposal contemplated in subparagraph (1) must be accompanied by a motivation for the proposal in the required format.

(3) The vice-chancellor refers such a proposal to a committee for the conferment of honours, consisting of-

(a) the vice-chancellor or a person nominated by the vice-chancellor;

(b) the chairperson of the council;

(c) two members of the council;

(d) three members of the senate designated by the senate; and

(e) the dean of the relevant faculty in an advisory capacity.

(4) The vice-chancellor is the chairperson of such committee, and in the absence of the vice-chancellor, the vice-principal officiates as chairperson.

(5) A recommendation from the committee for the conferment of an honorary degree, giving the reasons for the recommendation is submitted directly to the senate and thereafter to the council.

(6) If the committee for the conferment of honours does not make a recommendation, no reasons are made known, and neither the senate nor the council discusses the substance of the matter.

(7) At a meeting of the senate and at a meeting of the council a vote on a recommendation of the committee for the conferment of honours is taken only by secret ballot.

(8) No honorary degree is conferred unless the recommendation has been approved by a majority of the members of the senate and the council.

(9) The final decision on the conferment of an honorary degree on the recommendation of the senate and the committee for the conferment of honours rests with the council, which also confirms the official reasons to be stated upon the conferment of the degree.

CHAPTER 6

GENERAL

Rules

88. The Rules are published in the calendar of the University after approval thereof by the council and have legal force.

Transitional provisions

89. (1) Anything done under any provision of the Standard Institutional Statute promulgated by Government Gazette No. 23065, Government Notice No. 377 of 27 March 2002, as corrected by Government Gazette No. 23448, Government Notice No. 724 of 23 May 2002 and amended by Government Gazette No. 25698, Government Notice No. 1647 of 7 November 2003, before this Statute came into operation, is deemed to have been done under the corresponding provision of this Statute.

(2) The council, the senate, the faculty boards, the forum, the ISRC, campus SRCs and the convocation which existed prior to the commencement of this Statute continue to exist and perform the functions which they performed prior to such commencement, but must comply with the provisions of this Statute within 12 months after the commencement of this Statute.

(3) The Rules passed by the council in terms of section 32(1)(b) of the Act existing at the commencement of this Statute continue to apply until replaced.

Amendment of Statute

90. No proposal for the drafting, amendment or repeal of any provision of this Statute may be made without written notice of at least fourteen days, unless a majority of three quarters of the members present at a meeting of the council vote in favour of disposing with such a prior notice.

Repeal of Statutes in place prior to merger

91. (1) The Statute of the Potchefstroomse Universiteit vir Christelike Hoër Onderwys, 1998 published in Government Notice No. R1125 of 9 September 1998 is hereby repealed in its entirety.

(2) The Statute of the University of North-West, 1999 published in Government Notice No. 20225 of 17 June 1999 is hereby repealed in its entirety.