



## **Rules for the Nomination, Election, Designation and Appointment of Council Members**

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## Corporate and Information Governance Services

# RULES FOR THE NOMINATION, ELECTION, DESIGNATION AND APPOINTMENT OF COUNCIL MEMBERS

### Preamble

Against the background of the dream to be an internationally recognised university in Africa, distinguished for engaged scholarship, social responsiveness and an ethic of care, the Council of the North-West University (NWU) has, in accordance with the provisions of the Statute of the NWU adopted these rules for the nomination, election, designation and appointment of council members on 17 June 2021.

### 1 Interpretation and application

These rules must be interpreted and applied in a manner consistent with the –

- 1.1 Constitution of the Republic of South Africa, 1996;
- 1.2 Higher Education Act, 101 of 1997 (“the Act”); and
- 1.3 Statute of the North-West University (2017)(“the Statute”).

### 2 Policy statement

- 2.1 It is the policy of the North-West University (NWU) to provide for a consistent set of guidelines and rules to manage the procedures for the nomination, election, designation and appointment of council members in accordance with the provisions of the Statute.
- 2.2 The Selection of persons for the nomination, election, designation and appointment must be done with the sensitivity for the need to achieve an appropriate balance in the composition of council regarding race, gender, disability as well as knowledge and experience relevant to the objectives and covenants of the multi-campus nature of the NWU.
- 2.3 The council has the authority to determine the requisite skills and diversity targets to ensure that due sensitivity to race, gender and disabilities is reflected in the membership of council and its committees and must put measures in place to ensure transparent, inclusive and pro-active processes towards realising skills and diversity in membership.

### 3 General

- 3.1 The Council Executive Committee (Exco) serves as a council membership committee, and the Registrar is the electoral officer for the election of the member contemplated in para 4(1)(c) to (f) and (h) to (j) of the Statute, who may require the support of the NWU Corporate Information and Governance Services for the execution of all processes concerning the documentation, nomination, and administration needed for the nomination, election, designation and appointment of council members.
- 3.2 Where a nomination for membership of the council is required, such nomination must be submitted in writing in the format, and must be accompanied by documentary motivation and proof, as prescribed by the Registrar, and be submitted on or before the time and date determined by the Registrar.
- 3.3 No person who nominates a candidate for election, designation, or appointment as a member of Council may sign the nomination form of more than one nominee, whether as proposal or seconder.
- 3.4 The process of nomination, election and designation of members of council must be fully audited by NWU Internal Audit before the outcome is submitted to the Exco for evaluation and consideration of conflicting interests, approval of the process and announcement of the outcome to the council.

#### **4 Election of council members by the Senate**

- 4.1 In the event of a vacancy in the membership of a member of Council contemplated in para 4(1)(c) of the Statute by the effluxion of time, the Registrar notifies all members of Senate in time for the filling of the vacancy at the last ordinary meeting of Senate before the expiry of the term of office.
- 4.2 In the event of such vacancy occurring before the expiry of the term of office, the Registrar notifies all members of Senate in time for the filling of the vacancy at the next ordinary or extraordinary meeting of Senate.
- 4.3 In the notification of the Registrar, all members of Senate are invited to nominate suitably qualified members on a nomination form prescribed by the Registrar, to be signed by two members of Senate, and the nominee.
- 4.4 A nomination form must be submitted to the Registrar on or before a date determined by the Registrar, accompanied by an abbreviated curriculum vitae, written acceptance of the nomination, and a statement not exceeding 50 words by the nominee regarding his or her objectives if elected.
- 4.5 The Registrar announces, as soon as possible after the closing date, the names of all persons who were validly nominated.
- 4.6 Under the supervision of the Registrar, the members present in a quorate meeting elect the required number of members from among the nominees by a clear majority and by secret ballot taken according to an electoral system predetermined by the meeting.
- 4.7 In the event that the number of valid nominations received equals or is less than, the number of vacancies, the nominee or nominees are deemed to have been duly elected.

#### **5 Election of council members by the academic employees of the NWU**

- 5.1 A person falling within the definition of "Academic employee" in para 1 of the statute is entitled to vote in the election of council members in the category contemplated in para 4(1)(d) of the statute.
- 5.2 In the event of a vacancy occurring in this category by the effluxion of time, the Registrar notifies all academic employees entitled to vote of the expiry of the term of office in order to have the vacancy filled in good time.
- 5.3 In the event of such vacancy occurring before the expiry of the term of office, the Registrar notifies all academic employees entitled to vote in this category in order to have the vacancy filled as soon as possible.
- 5.4 In the notification of the Registrar all persons entitled to vote in this category are invited to nominate suitably qualified academic employees on a nomination form prescribed by the Registrar to be signed by two academic employees, and the nominee.
- 5.5 A nomination form must be submitted to the Registrar on or before the date determined by the Registrar, accompanied by an abbreviated curriculum vitae, written acceptance of the nomination, and a statement not exceeding 50 words by the nominee regarding his or her objectives if elected.
- 5.6 The Registrar announces, as soon as possible after the closing date, the names of all persons who were validly nominated.
- 5.7 Under the supervision of the Registrar, academic employees entitled to vote elect, by a clear majority and by secret ballot taken according to an electronic electoral system determined by the Registrar, the required number of members from among the nominees.
- 5.8 In the event that the number of valid nominations received equals or is less than, the number of vacancies, the nominee or nominees are deemed to have been duly elected.

#### **6 Election of council members by the support employees of the NWU**

- 6.1 A person falling within the definition of "support employee" in para 1 of the statute is entitled to vote in the election of council members in the category contemplated in para 4(1)(e) of the statute.
- 6.2 In the event of a vacancy occurring in this category by the effluxion of time, the Registrar notifies all support employees entitled to vote in this category of the expiry of the term of office in order to have the vacancy filled in good time.
- 6.3 In the event of such vacancy occurring before the expiry of a term of office, the Registrar notifies all support employees entitled to vote in this category in order to have the vacancy filled as soon as possible.

- 6.4 In the notification of the Registrar all persons entitled to vote in this category are invited to nominate suitably qualified support employees on a nomination form prescribed by the Registrar to be signed by two support employees, and the nominee.
- 6.5 A nomination form must be submitted to the Registrar on or before a date determined by the Registrar, accompanied by an abbreviated curriculum vitae, written acceptance of the nomination and a statement not exceeding 50 words by the nominee regarding his/her objectives if elected.
- 6.6 The Registrar announces, as soon as possible after the closing date, the names of all persons who were validly nominated.
- 6.7 Under the supervision of the Registrar, the support employees entitled to vote elect, by a clear majority and by secret ballot taken according to an electronic electoral system determined by the Registrar, the required number of members from among the nominees.
- 6.8 In the event that the number of valid nominations received, equals or is less than the number of vacancies, the nominee or nominees are deemed to have been duly elected.

## **7 Designation of council members by the SRC**

- 7.1 Following the annual designation of the members of the SRC in terms of para 26(2) of the Statute and the designation of its office-bearers contemplated in para 28(1) of the Statute, the Registrar notifies the chairperson and of the SRC in writing that the SRC is required in terms of para 27(2) of the Statute to designate, as soon as possible, three of its members to serve on the Council during the term of office of the SRC.
- 7.2 The chairperson of the SRC is required to cause, in accordance with the provisions of the SRC Constitution, the designation of three members contemplated in 7.1 and to provide the Registrar with the names of the designees.
- 7.3 A designated member of the SRC serves as a member of the Council for one year, but if such member ceases to be a member of the SRC prior to the completion of the term, another member must forthwith be designated by the SRC to serve as a member of Council for the remainder of the term.

## **8 Election of council members by the Convocation**

- 8.1 In the event of a vacancy in the membership of a member of Council contemplated in para 4(1)(i) of the Statute by the effluxion of time, the Registrar notifies, in a suitable manner and at least three months prior to the expiry of the term of office, each member of the Convocation who is entitled to vote of the vacancy.
- 8.2 In the event of such vacancy occurring before the expiry date of the term of office, the Registrar notifies each member of the Convocation entitled to vote in order to have the vacancy filled as soon as possible.
- 8.3 In the notification of the Registrar, all persons entitled to vote in this category are invited to nominate suitably qualified members of the convocation on a nomination form prescribed by and obtainable from the Registrar to be signed by two members of the Convocation entitled to vote, and the nominee.
- 8.4 In compliance to section 27(6) of the Higher Education Act, no persons who are employed by the University or enrolled as students of the University, may be nominated in this category.
- 8.5 A nomination form must be submitted to the Registrar on or before a date determined by the Registrar, accompanied by an abbreviated curriculum vitae, written acceptance of the nomination and a statement by the nominee not exceeding 50 words regarding his or her objectives if elected.
- 8.6 The Registrar announces, as soon as possible after the closing date, the names of all persons who were validly nominated.
- 8.7 Under the supervision of the Registrar, the members of the Convocation entitled to vote elect, by a clear majority and by secret ballot taken according to an electronic electoral system determined by the Registrar, the required number of members from among the nominees.
- 8.8 The President of the Convocation may appoint two members of the Convocation to assist the Registrar in the validation of the outcome of the election.
- 8.9 In the event that the number of valid nominations received, equals or is less than the number of vacancies, the nominee or nominees are deemed to have been duly elected.

## **9 Election of council members by the Board of Donors**

- 9.1 A person whose name appears in the official list of donors of the NWU maintained by the Registrar in terms of para 35(2) and (6) of the statute, is entitled to nominate persons for election as members of council contemplated in para 4(1)(h) of the statute.
- 9.2 In the event of such vacancy occurring in this category by the effluxion of time, the Registrar notifies all donors of the expiry of the term of office in order to have the vacancy filled in good time.
- 9.3 In the event of such vacancy occurring before the expiry of the term of office, the Registrar notifies all donors in order to have the vacancy filled as soon as possible.
- 9.4 In the notification of the Registrar, all donors are invited to nominate suitably qualified designated representatives of donors on a nomination form prescribed by the Registrar to be signed by two donors, and a nominee.
- 9.5 A nomination form must be submitted to the Registrar on or before a date determined by the Registrar, accompanied by an abbreviated curriculum vitae, written acceptance of the nomination and a statement not exceeding 50 words by the nominee regarding his or her objectives if elected.
- 9.6 The Registrar announces, as soon as possible after the closing date, the names of all persons who were validly nominated to the Chairperson of the Board of Donors.
- 9.7 Under the supervision of the Registrar, the Board of Donors elect the required number of members from among the nominees by a clear majority and by secret ballot taken according to an electoral system determined by the Registrar in consultation with the Board.
- 9.8 In the event that the number of valid nominations received equals or is less than, the number of vacancies, the nominee or nominees are deemed to Have been duly elected.

## **10 Designation of Council members from among community leaders**

- 10.1 For the purposes of the designation of the members of Council contemplated in para 4(1)(j) of the Statute, "community leaders" Means leaders in the communities where the NWU performs its functions.
- 10.2 In the event of a vacancy occurring in this category, whether by the effluxion of time, or before the expiry of the term of office of a member of Council in this category, the Registrar invites the members of faculty boards, campus structures involved in directly surrounding communities, and the university management committee to nominate community leaders qualified to serve as members of council in accordance with the provisions of section 27(7) of the Act and para 4(2) of the Statute.
- 10.3 Nominations are submitted on a nomination form prescribed by the Registrar to be signed by two employees of the NWU, and the nominee.
- 10.4 A nomination form must be submitted to the Registrar on or before a date determined by the Registrar, accompanied by a motivation of the nomination, an abbreviated curriculum vitae, and a written acceptance of the nomination.
- 10.5 On an appropriate date, the Registrar convenes a selection panel composed of the chairperson of council, the Vice-Chancellor, and one member of council designated by the Council from each of the categories provided for in para 4(1)(c), 4(1)(d), 4(1)(e), 4(1)(h) and 4(1)(i) of the Statute.
- 10.6 The selection panel composes a short list of at least one more than the number of vacancies to be filled for presentation to the Council.
- 10.7 Council elects, by secret ballot, the person or persons to be designated as Council members in this category.

## **11 Appointment of council members for specific expertise**

- 11.1 For the purposes of the appointment of members of Council contemplated in para 4(1)(k) of the statute, “specific expertise” means knowledge and experience in the field required for effective governance as identified by the Council by resolution taken on the advice of Exco if a vacancy occurs in this category.
- 11.2 When a vacancy occurs in this category, whether by the effluxion of time, or before the expiry of the term of office of a member of Council in this category, the Registrar informs the members of Council in good time.
- 11.3 Exco causes the identification of suitably qualified persons to be undertaken in accordance with the resolution contemplated in 11.1.
- 11.4 After consideration of persons identified as suitably qualified, Exco recommends such a person or persons to be appointed by Council by means of a secret ballot.

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