

Government Notice

DEPARTMENT OF EDUCATION

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

RHODES UNIVERSITY STATUTE

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

SCHEDULE

The Statute, subject to section 33 of the Higher Education Act, 1997 (Act 101 of 1997), as amended, gives effect to any matter not expressly prescribed by the Higher Education Act.

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DEFINITIONS

Definitions

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

“**academic staff**” means the full-time professors, associate professors, senior lecturers, lecturers, junior lecturers, instructors, senior instructors and researchers employed by the University except in section 13(1)(e) and 23(1)(g) in which instances professors, heads and acting heads of departments or associated institutes are excluded;

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

“**administrative and support staff**” means all staff employed by the University other than the academic staff;

“**associated institute**” means an institute recognized by the council as such;

“**certificate**” means a certificate of the University awarded to a student on completion of the work prescribed for the certificate by the senate;

“**chancellor**” means the person contemplated in paragraph 4;

“**convocation**” means the convocation of the University contemplated in section 37;

“**council**” means the council of the University contemplated in section 12;

“**days**” includes Saturdays, Sundays and Public Holidays;

“**degree**” means a degree of the University conferred upon a student on completion of the work prescribed for the degree by the senate;

“**diploma**” means a diploma of the University awarded to a student on completion of the work prescribed for the diploma by the senate;

“**entity**” means any organization, forum or body and includes an organizational structure provided for in the Act or determined by the council;

“**executive management**” means the principal, vice-principal or vice-principals of the University and such other persons as determined by statute;

“**faculty**” means a faculty established in terms of section 29;

“**functions**” includes powers and duties and vice versa;

“**institutional forum**” means the institutional forum contemplated in section 32;

“**Minister**” means the Minister of Education;

“**month**” means calendar month;

“**professor**” means an academic employee who has been given the title of professor by the University but does not include emeritus or associate professor;

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

“**seat of the University**” for the purposes of paragraph 2 of this Statute and section 65A of the

Act means the physical location of the University set out in the notice contemplated in section 20(1), 21(1) or 23(1) of the Act;

“**senate**” means the senate of the University contemplated in section 22;

“**senior management**” means the principal, the vice-principal or vice-principals, the registrar or the registrars, the deans of faculties and the administrative positions equivalent to the positions of the deans of faculties.

“**SRC**” means the students’ representative council of the University contemplated in paragraph ;

“**student**” means a person registered as a student of the University;

“**the University**” means Rhodes University;

Name, seat and powers of University

Constitution of University

UNIVERSITY

Name, seat and powers of University

2. (1) The name of the University is Rhodes University.
- (2) The seat of the University is Grahamstown.
- (3) The University is a juristic person, as contemplated in section 20(4) of the Act.
- (4) Notwithstanding subparagraph (3), the University may not, without the concurrence of the Minister, dispose of or alienate in any manner, any immovable property acquired with the financial assistance of the State or grant to any person any real right therein or servitude thereto.
- (5) The University may confer degrees and honorary degrees and award diplomas and certificates in its own name as contemplated in section 65B and 65C of the Act.

Constitution of University

3. (1) The University consists of-
 - (a) the chancellor;
 - (b) the council;
 - (c) the senate;
 - (d) the principal, within the meaning of section 30 of the Act;
 - (e) the vice-principal or the vice-principals;
 - (f) the registrar;
 - (g) the SRC;
 - (h) the institutional forum;
 - (i) the convocation;
 - (j) the faculties, the department and such other academic structures of the University as may be determined by the council;
 - (k) the academic staff of the University;
 - (l) the administrative and support staff of the University;
 - (m) the students of the University;
 - (n) such other offices, bodies or structures as may be established by the council.
- (2) No vacancy in any of the offices contemplated in subparagraph (1) nor any deficiency in the numbers or defect in the composition of the bodies or structures

contemplated in subparagraph (1) impairs or affects the existence of the University as a juristic person or any function conferred by the Act or this Statute upon the University.

CHANCELLOR

Functions of chancellor

4. (1) The chancellor is the titular head of the University.
- (2) The chancellor, or in his or her absence the person appointed to act on behalf of the chancellor, confers all degrees and awards all diplomas and certificates in the name of the University.
- (3) The chancellor performs such other functions as assigned to him or her by the council.

Term of office of chancellor

5. (1) The chancellor holds office for a period of seven years, provided that the term of office may be extended for a further term of no more than seven years in terms of paragraph 6(2).
- (2) The chancellor may resign at any time.
- (3) Should a vacancy occur for whatever reason, the chancellor next elected holds office for a period of seven years, provided that the term of office may be extended for a further term of no more than seven years in terms of paragraph 6(2).

Election of chancellor

6. (1) The advertising of the post, the invitation for nomination of candidates, the search for suitable candidates, the criteria for the short-listing of candidates and the interviewing, if any, and appointment processes are in the manner determined by the council.
- (2) The council may, after consultation with the senate and with the institutional forum, extend the term of office of the chancellor by a further period of no more than seven years.

PRINCIPAL

Functions of principal

7. (1) The principal is the chief executive officer of the University.
- (2) The principal is responsible for the day-to-day management and administration of the University and has all the powers necessary to perform these functions.
- (3) The principal reports to the council.
- (4) By way of his or her office the principal is a member of all the committees of the council and the senate.
- (5) The council may assign additional functions, and grant additional powers and privileges to the principal.

Appointment of principal

8. Subject to section 31(1) of the Act, the advertising of the post, the invitation for nomination of candidates, the search for suitable candidates, the criteria for the short-listing of candidates and the interviewing and appointment processes are in the manner determined by

the council.

Term of office of principal

9. The principal is appointed by the council for such period as agreed upon in his or her contract.

VICE-PRINCIPAL

Functions of vice-principal

- 10.** (1) The vice-principal, or vice-principals, perform the duties delegated to them by the principal.
- (2) The vice-principal appointed pro-vice-chancellor performs the functions of the vice-chancellor in the absence of the vice-chancellor.

Appointment of vice-principal

11. The advertising of the post of vice-principal, or vice-principals, the invitation for nomination of candidates, the search for suitable candidates, the criteria for the short-listing of candidates and the interviewing and appointment processes are in the manner determined by the council.

COUNCIL

Functions of council

- 12.** (1) Subject to the Act and this Statute the council governs the University.
- (2) Without derogating from the generality of subparagraph (1), the council –
- (a) makes Rules for the University;
 - (b) establishes the council committees and determines the composition and functions of each committee;
 - (c) establishes, in consultation with the senate, joint committees of the council and the senate to perform functions which are common to the council and the senate;
 - (d) appoints all employees of the University, but, in the case of academic staff of the University, it may do so only after consultation with the senate;
 - (e) determines the student admission policy of the institution, after consultation with the senate;
 - (f) determines, with the approval of the senate, the entrance requirements in respect of particular higher education programmes, the number of students who may be admitted for a particular higher education programme and the manner of their selection, and the minimum requirements for readmission to study at the University;
 - (g) may, with the approval of the senate, refuse admission to a student who fails to satisfy the minimum requirements for readmission; and
 - (h) determines and provides student support services after consultation with the SRC.
- (3) Without derogating from the generality of subparagraph (1), the council –
- (a) makes the institutional Statute and any amendments thereto;
 - (b) appoints the senior management, as defined, of the University;

- (c) determines the conditions of service, the disciplinary provisions and the privileges and functions of its employees, and may, in the manner set out in the disciplinary Rules, suspend or dismiss any employee of the University;
 - (d) may order an employee whom it has suspended to refrain from being on the premises under the control of the University and to refrain from participating in any of the University's activities or issue such other conditions as it may deem necessary;
 - (e) determines the language policy of the University, after consultation with the senate;
 - (f) determines, after consultation with the senate, which academic structures are required and the function of each structure, in order to ensure efficient governance;
 - (g) determines tuition fees, accommodation fees and any other fees payable by students as well as accommodation fees payable by employees;
 - (h) approves the annual budget of the University;
 - (i) may conclude a loan or overdraft agreement, subject to the proviso that the approval of the Minister is required whenever the aggregate of existing borrowings plus the new contemplated borrowing exceeds five per cent of the average income of the University received during the two years immediately preceding such agreement;
 - (j) may enter into an agreement for the construction of a permanent building or other immovable infra-structural development, the purchasing of immovable property, subject to the proviso that the approval of the Minister is required if the value of such development or property exceeds five per cent of the average income of the University received during the two years immediately preceding the agreement.
- (4) Subject to section 68 of the Act, the council may delegate any of the functions referred to in subparagraph (2), but the council may not delegate any of the functions referred to in subparagraph (3).
- (5) The council is not divested of responsibility for the performance of any function delegated or assigned under subparagraph (4).

Composition of council

- 13.** (1) The council, as contemplated in section 27 of the Act, consists of –
- (a) The principal;
 - (b) not more than two vice-principals;
 - (c) five persons appointed by the Minister;
 - (d) four members of the senate elected by the senate;
 - (e) one member of the academic staff elected by the academic staff;
 - (f) two members of the administrative and support staff elected by the administrative and support staff;
 - (g) two persons appointed by the Makana Municipality;
 - (h) one person elected by the board of governors of the Rhodes University Foundation;
 - (i) the president of the SRC and another student elected annually by the SRC;
 - (j) six persons appointed by the council with a broad spectrum of competencies in the fields of education, business, finance, law, marketing,

- information technology and human resource management;
- (k) not more than four persons co-opted by the council.
- (2) At least sixty per cent of the members of the council must be persons who are not employed by, or students of the University and regard must be had to the racial and gender representation on the council.
- (3) The council members must have knowledge and experience relevant to the objects and governance of the institution.
- (4) Except as provided in subparagraphs (1)(a), (b), (d), (e), (f) and (i) –
- (a) no student or employee of the University and no other person in receipt of regular remuneration from the University is eligible for appointment or nomination for election as a member of the council;
- (b) a member of council who becomes a student or an employee of the University or who enters into a contract with the University in terms of which he or she is to receive regular remuneration from the University must forthwith vacate his or her seat on the council.

Election of council members

- 14.** The manner in which members of the council are elected is as determined by the Rules.

Term of office of members of council

- 15.** (1) The principal and the vice-principal, or vice principals, remain members of the council for as long as they occupy their posts.
- (2) The term of office of the student members of the council elected by the SRC is one year, provided that membership ceases when a student ceases to be a registered student.
- (3) The term of office of the remaining members is four years, as determined by the Rules, and the term of office of any member elected, appointed or co-opted after the start of the four year term of office is for the balance of that four-year term of office.
- (4) A member may serve more than one term of office as a council member.

Termination of membership and filling of vacancies

- 16.** (1) A member of the council vacates his or her position on the council if he or she -
- (a) tenders a written resignation;
- (b) is absent from three consecutive ordinary meetings of the council without leave;
- (c) is absent from the ordinary meetings of the council for a whole calendar year;
- (d) is, or becomes, an insolvent;
- (e) is declared to be of unsound mind by a court of the Republic; or
- (f) is convicted of an offence and sentenced to a term of imprisonment without the option of a fine by a court of the Republic.
- (2) In the event of a vacancy through death or otherwise, the registrar must forthwith notify the Minister or entity that appointed or elected the member, requesting the Minister or entity to appoint or elect a successor.
- (3) If 75% or more of the members of the council resign at a meeting of the council, it is deemed that the council has resigned.
- (4) If the council resigns as contemplated in subparagraph (3) a new council must be constituted in terms of this Statute.

Election of chairperson and vice-chairperson of council and term of office

- 17.** (1) The registrar must invite the council to elect a chairperson and a vice-chairperson at the first meeting of the new council.
- (2) A majority of all members present elects the chairperson and the vice-chairperson.
- (3) The chairperson and vice-chairperson of the council must not be elected from members contemplated in paragraph 13(1)(a), (b), (d), (e), (f) or (i).
- (4) The chairperson and the vice-chairperson of council hold office for two years but are eligible for re-election.
- (5) If a vacancy in the office of the chairperson and the vice-chairperson occurs during the term of office, the registrar must invite the council at its next ordinary meeting to fill the vacancy for the unexpired period of the term of office.
- (6) The chairperson presides at all meetings of the council at which he or she is present.
- (7) The vice-chairperson presides at any meeting at which the chairperson is absent.
- (8) If neither the chairperson nor the vice-chairperson is present at a meeting, the registrar must invite members present to elect a member to preside at that meeting.

Secretary to the council

- 18.** (1) The secretary to the council is the registrar as contemplated in section 26(4)(b) of the Act.
- (2) The secretary acts as an electoral officer.
- (3) The secretary attends all meetings and keeps all relevant documents of the council.

Meetings of council

- 19.** (1) The quorum at an ordinary meeting of the council is eight.
- (2) The quorum at a special meeting of the council is half of the total membership of the council.
- (3) Ordinary meetings are held when and where the council decides, but there must be at least five ordinary meetings of the council each year.
- (4) Any member may place a motion on the agenda of a meeting of the council by giving written notice to the secretary of the council at least seven days before the date of the meeting, and the secretary must include such motion in the agenda.
- (5) The secretary must issue a written notice to each member of the council at least two days before each ordinary meeting of the council setting out the place, date and time of the meeting, and the agenda for the meeting.
- (6) Notwithstanding subparagraph (5) the council may, by a majority of the total membership of the council, agree to consider any urgent matter of which notice has not been given.
- (7) Special meetings must be held -
- (a) when called by the chairperson; and
 - (b) when a written request for a special meeting is received by the secretary from at least three members of the council, the object of the meeting being stated in the request.
- (8) The secretary must give at least seven days notice in writing to each member of each special meeting of the council, setting out the place, date and time of the meeting and the agenda for the meeting and no other business may be dealt with at the meeting

except that -

- (a) the council may by a majority of the total membership of the council agree to consider any urgent matter of which notice has not been given; and
 - (b) an emergency meeting may be called by the chairperson at any time after giving not less than 24 hours notice.
- (9) At each ordinary meeting the council must as the first act after being constituted confirm the minutes of the last preceding ordinary meeting, and the minutes of any special meeting held since then, with or without amendment.
- (10) The minutes may be taken as read if copies have been sent to members prior to the meeting.
- (11) All objections to the minutes must be raised and decided before such confirmation.
- (12) At each ordinary meeting the council must deal with the business of which notice has been given and any other business which a majority of the total membership of the council agrees to consider.
- (13) The council decides its own rules of debate.

Conflict of interest of council members

20. (1) A member of council may not have a conflict of interest with the University.
- (2) A member of council who has a direct or indirect financial, personal or other interest in any matter to be discussed at a meeting and which entails or may entail a conflict or possible conflict of interest must, before or during such meeting, declare the interest.
- (3) Any person may, in writing, inform the chairperson of a meeting, before a meeting, of a conflict or possible conflict of interest of a council member of which such person may be aware.
- (4) The member is obliged to excuse him or herself from the meeting during the discussion of the matter and the voting thereon.

Drafting, amending or rescinding of Statute

21. (1) No motion to draft, amend or rescind a statute or a rule is of force and effect unless adopted by at least 75 per cent of all members present at the meeting, provided that such meeting is constituted by at least one half plus one of the total number of members.
- (2) Any motion to draft, amend or rescind a statute or a rule must be in accordance with the provisions of section 32(2) of the Act.

SENATE

Functions of senate

22. (1) Subject to the Act, the senate is accountable to the council for the teaching, learning, research and academic functions of the University and all other functions delegated or assigned to it by the council.
- (2) Without derogating from the generality of subparagraph (1) the organisation and superintendence of instruction and examinations, and of lectures and classes, vest in the senate and the senate –
- (a) if delegated to do so by resolution of council, may make or amend any Rule relating to the curriculum for, or the obtaining of, any degree, diploma, certificate or other qualification, but may do so only after consulting the

relevant faculty board;

- (b) if delegated to do so by resolution of the council, may make or amend any Rule relating to the manner in which students are to be examined;
- (c) determines what standard of proficiency is required to be attained in any mode of assessment that may be used in order to satisfy the requirements for the obtaining of each degree, diploma, certificate or other qualification;
- (d) advise the council on disciplinary measure and Rules concerning students;
- (e) may make recommendations to the council regarding the faculty to which each academic department, school or other academic structure belongs;
- (f) may make recommendations to the council regarding the establishment and disestablishment of faculties, academic departments, schools and other academic structures;
- (g) determines, in accordance with any relevant deed or gift, and after consultation with the principal, the conditions applicable to any scholarships and other academic prizes;
- (h) determines the persons to whom scholarships and academic prizes are awarded;
- (i) may establish committees to perform any of its functions, may appoint persons who are not members of the senate as members of such committees and may for this purpose deem a single person to be a committee;
- (j) determines the functions of its committees as well as the procedure of meetings of these committees;
- (k) may make standing orders on procedures and delegation of powers for the better carrying out of its functions;
- (l) may delegate its functions; and
- (m) must take note of any action taken by a committee in exercising its delegated powers or functions when such committee reports its actions to the next meeting of the senate.

(3) The senate submits to the council –

- (a) such reports upon its work as may be required by the council;
- (b) recommendations on matters referred to it by the council, and
- (c) recommendations on any other matter affecting the institution as the senate considers useful.

(4) The senate may, in terms of the Rules, cancel the registration of a student in all or one or more of the courses for which the student is registered in that year if in the opinion of the senate the academic achievement of the student is such that the student may not at the end of the year obtain credit in such course or courses, as the case may be.

Composition of senate

- 23.** (1) The senate, subject to the provisions of the Act, consists of –
- (a) the principal;
 - (b) the vice-principal or vice-principals;
 - (c) the professors;
 - (d) the registrar;
 - (e) the University librarian;
 - (f) two members of the council elected by the council;
 - (g) six members of the academic staff elected by the academic staff;

- (h) the heads and acting heads of department;
 - (i) five students elected by the SRC;
 - (j) the heads of associated institutes who are not professors of the University, and
 - (k) members of the administrative and support staff elected by the administrative and support staff.
- (2) The majority of senate members must be academic staff.
 - (3) The manner of election of members is as determined by the Rules.

Term of office of senate members

- 24.** (1) Members appointed in terms of paragraph 23(1) (a), (b), (c), (d) and (e) hold office for as long as they are employed by the University in that capacity.
- (2) The term of office of members elected by the council is two years provided that the council has the power to terminate membership prior to this period.
- (3) The term of office of members of the academic staff elected by the academic staff is one calendar year from the first day of January.
- (4) The term of office of students elected by the SRC is one calendar year from the first day of January.
- (5) Where a member who has been elected dies, resigns or vacates office for any reason including the expiry of his or her term of office, the secretary to the senate must request the entity who elected the member to appoint a successor in the manner determined by the Rules.
- (6) The successor holds office for the unexpired term of office of the predecessor unless the successor is elected because his or her predecessor's term of office has expired.

Chairperson, vice-chairperson and secretary to senate

- 25.** (1) The principal is the chairperson of the senate as contemplated by section 26(4)(a) of the Act.
- (2) The vice-chairperson of the senate is the vice-principal designated the pro-vice-chancellor by the council.
- (3) The secretary of the senate is the registrar.
- (4) The chairperson presides at meetings of the senate and the meetings of the sub-committees of the senate if the senate considers it appropriate for him or her to do so.
- (5) The chairperson performs such other functions as the senate may determine.
- (6) In the absence of the chairperson, the provisions of subparagraph (4) apply to the vice-chairperson.
- (7) The vice-chairperson performs such other functions as the senate may determine.
- (8) The secretary performs those functions assigned to him or her by the senate.
- (9) If both the chairperson and the vice-chairperson are absent, the senate elects from among its members a chairperson for the meeting concerned.

Senate meeting procedure

- 26.** The quorum and procedure for meetings of the senate are determined by the senate.

Committees of senate

- 27.** (1) The senate appoints -

- (a) an executive committee; and
 - (b) such other committees as may be required.
- (2) The composition and functions of the committees are determined by the senate.

Joint committees of council and senate

28. The council, in consultation with the senate, appoints such joint committees of the council and senate as may be necessary for the performance of particular tasks.

BOARDS OF FACULTIES

Functions of boards of faculties

29. For each faculty there is a committee of the senate known as a faculty board to regulate the activities of the faculty.

Composition of boards of faculties

30. (1) The composition of a faculty board is as determined by the senate but must include -

- (a) the principal;
- (b) the vice-principal or vice-principals;
- (c) the heads of departments in the faculty;
- (d) student representatives; and
- (e) other persons, who need not necessarily be members of the senate, appointed by the senate.

(2) The chairperson of a faculty board is designated the dean of the faculty and is appointed by the senate on the recommendation of the faculty board.

(3) The dean of a faculty holds office for three years and his or her duties are as determined by the senate.

Meeting procedure of boards of faculties

31. The meeting procedure of boards of faculties is as determined by the Rules.

INSTITUTIONAL FORUM

Functions of the institutional forum

32. (1) The institutional forum advises the council on issues affecting the institution, including -

- (a) the implementation of the Act and the national policy on higher education;
- (b) race and gender equity policies;
- (c) the selection of candidates for senior management positions;
- (d) codes of conduct, mediation and dispute procedures;
- (e) fostering of an institutional culture which promotes tolerance and respect for fundamental human rights and creates an appropriate environment for teaching, research and learning; and
- (f) the language policy of the University.

(2) The institutional forum performs such other functions as determined by the council.

Composition of institutional forum

- 33.** (1) The institutional forum consists of 24 members -
- (a) six members from the governance sector, which includes the executive management, the council and the senate, elected or appointed in the manner determined by the Rules;
 - (b) eight members from the student sector appointed by the SRC in the manner determined by the Rules;
 - (c) eight members from the staff sector elected in the manner determined by the Rules; and
 - (d) two members from the community sector appointed in the manner determined by the Rules.
- (2) The term of office of members is as determined by the Rules.
- (3) Membership of the institutional forum terminates if the member concerned -
- (a) resigns in writing to the secretary to the institutional forum
 - (b) is absent from two consecutive ordinary meetings or the institutional without apology or from three consecutive meetings with apology;
 - (c) ceases to be a member of the body which designated or elected the person.

Chairperson of institutional forum

- 34.** (1) From time to time the institutional forum must elect from among its members a chairperson.
- (2) If the chairperson is absent the first item of business at that meeting is the election of a chairperson.

Quorum and procedure at meetings of institutional forum

- 35.** (1) The quorum at meetings of the institutional forum is one third of the total membership of the institutional forum.
- (2) Once a meeting has been declared quorate, it remains quorate for the duration of the meeting provided that no new matter may be introduced while the membership of the meeting is fewer than one third of the total membership of the institutional forum.
- (3) The institutional forum determines its own meeting procedures.

Committees of institutional forum

- 36.** The institutional forum may establish ad hoc sub-committees chaired by a member of the institutional forum on which stakeholders who are not members of the institutional forum may be co-opted.

CONVOCATION**Functions of convocation**

- 37.** The convocation may provide the council with its opinion on any matter relating to the University, including matters which may be referred to it by the council.

Composition of convocation

- 38.** (1) The convocation consists of -

- (a) the graduates of the University;
 - (b) the principal;
 - (c) vice-principal or vice-principals;
 - (d) academic staff;
 - (e) directors and heads of research institutes which fall under the control of the council;
 - (f) the University librarian;
 - (g) the registrar;
 - (h) the dean of students; and
 - (i) Those former professors and associate professors elected by the senate and council to be emeritus professors or emeritus associate professors.
- (2) The fact that the name of a person appears on the convocation roll is on face value proof of him or her being a member of the convocation, and of him or her being entitled to vote.
- (3) The names of new graduates of the University are deemed to have been inscribed in the convocation roll after degrees have been conferred, but members so registered are required to furnish their addresses to the secretary and to notify him or her of any change of address.

President of convocation

- 39.** (1) The president of convocation is elected by convocation from its members at an annual meeting and holds office until the close of the second annual meeting thereafter.
- (2) The president of convocation presides at all meetings of the convocation at which he or she is present, and in the absence of the president the meeting elects one of its number to preside at that meeting.
- (3) If a vacancy occurs in the office of the president of the convocation, the principal acts until the next annual general meeting which must elect a president to hold office until the close of the second annual general meeting thereafter.

Meetings of convocation

- 40.** (1) Convocation must hold an annual general meeting which is convened by the Secretary.
- (2) Notice of any motion or matter for discussion at an annual general meeting must be given to the secretary in writing at least two months before the meeting.
- (3) Special meetings of convocation may be called by the president at any time and must be called by the secretary within two month of the receipt of a written request for a special meeting, stating the object of the meeting, received from at least one hundred members.
- (4) At least four weeks before an annual general meeting, or seven days before a special meeting, the registrar must give notice of the date, time and place of the meeting, with a statement of the business to be considered, by –
- (a) publishing a notice in newspapers in Grahamstown, East London and Port Elizabeth; and
 - (b) by placing a notice on the University's home page on the world wide web.

Meeting procedures of convocation

- 41.** (1) Thirty members form a quorum at an annual general meeting, but if a meeting is adjourned owing to the lack of a quorum, a special meeting must be convened, at which the

members present constitute a quorum.

(2) If an annual meeting is not quorate, the meeting may nevertheless elect officers and dispose of other formal matters, but no motions may be put to such meeting.

(3) After its constitution, by reading the notice in terms of which it was convened, a meeting commences with the reading and confirmation, by the signature of the chairperson, of the minutes of the previous ordinary meeting and of all subsequent special meetings.

(4) Any objection to such minutes must be raised and determined prior to their confirmation.

(5) A member may not, without the permission of the meeting, speak more than once on a motion or amendment thereof, but the mover of the motion or amendment may reply.

(6) All matters are decided by the majority of the members present.

(7) In addition to his or her ordinary vote, the chairperson has a casting vote in the event of an equality of votes.

(8) If a meeting so resolves, the number of votes in favour of or against a motion must be recorded in the minutes, and, at the request of a member, the chairperson must further direct that the vote of such member be likewise recorded.

(9) A motion or amendment thereof must be seconded, and if the chairperson so directs, such motion or amendment must be in writing.

(10) A motion or amendment may not be withdrawn without the permission of the meeting.

(11) The chairperson may permit the discussion of a matter of which notice was not duly given, provided such discussion is unopposed.

(12) The ruling of the chairperson on a point of order of procedure is binding, unless immediately challenged by a member, in which event such ruling must be submitted without discussion to the meeting, whose decision is final.

(13) A copy of the resolutions of the convocation, and a statement on such other matters as the convocation may determine, duly certified by the chairperson and the secretary, are submitted to the chairperson of the council for the information of the council and to the principal for the information of the senate.

STUDENT REPRESENTATIVE COUNCIL (SRC)

Functions of SRC

42. (1) The students of the University are represented in matters that may affect such students by the SRC.

(2) The matters contemplated in subparagraph (1) include –

- (a) liaison with the council, the senate, the management, the general public, other institutions, students' representative councils of other institutions, national or international student organizations, unions and news media;
- (b) being the umbrella organization for all students committees, clubs, councils and societies, granting or withdrawing recognition of such student committees, clubs, councils and societies as it deems appropriate;
- (c) the co-ordination and supervision of the use of students' facilities and all matters pertaining thereto, in conjunction with the institution management;
- (d) the convening and conducting of all authorized meetings of the student body and to be the managing body in all general referenda and petitions organized by the students within the Rules;

- (e) the appointment of such office-bearers and establishing of such committees as it deems necessary;
- (f) the organization and promotion of extramural activities among students; keeping account of all moneys paid over to it by the council and any other moneys which may accrue to it in its capacity as representative of the students;
- (g) also to allocate or disburse such funds for use by students, and to make grants to approved student clubs, committees, societies and councils;
- (h) the responsibility for the preservation of order at student functions, and the ensuring of good conduct at other approved meetings of students;
- (i) the co-ordination of student involvement in all community projects initiated by it;
- (j) the responsibility for all student publications;
- (k) the recommendation to the council of Rules to determine the conduct of its affairs;
- (l) the final decision making in all matters falling within its jurisdiction; and
- (m) such additional functions and privileges as may be specifically conferred upon it by the council.

Composition of SRC

- 43.** (1) Only registered students are eligible to serve on the SRC.
(2) The SRC, as contemplated in section 35 of the Act, must be representative of the student body.
(3) The election of SRC members must be democratic and transparent.

Office-bearers of SRC

- 44.** (1) The SRC elects from among its members a president to act as chairperson and a deputy president to act as vice-chairperson.
(2) The functions of other office bearers and the election of such office-bearers are as determined by the SRC.
(3) The composition of the SRC may not be repealed or amended except after consultation with the SRC.

Term of office of SRC members

- 45.** The term of office of the members of the SRC is one year.

Privileges

- 46.** The privileges of members of the SRC are as determined by the council, after consultation with the SRC.

Meetings of SRC

- 47.** The number of meetings, the quorum at a meeting and the meeting procedures are determined by the constitution of the SRC as approved by the council.

SRC committees

- 48.** The SRC may establish such committees as are required.

REGISTRAR

Appointment of registrar

49. The council appoints the registrar who holds office for the period and upon the terms the council decides.

Functions of registrar

- 50.** (1) The registrar is the secretary of the council, the senate and the convocation.
 (2) The registrar may delegate or assign any function provided for in this statute to a members of staff but remains responsible for the performance of any function he or she delegates or assigns; and
 (3) The registrar performs such other functions as the principal may from time to time decide.

STUDENTS

Admission and registration of students

51. (1) A person may be permitted by the council to register as a student only if he or she satisfies the legal requirements, if any, for admission to study at the University and, further, satisfies any other requirements for admission that may be determined by the council and laid down in the Rules.

(2) The requirements for admission of a student to faculties are set out in the Rules and may be changed by the council after consultation with the senate.

(3) A student is registered for one year or for such shorter period as the council may determine in general or in a particular case.

(4) In order for a student to renew his or her registration after the expiry of the period contemplated in subparagraph (3), the student is required to comply with any conditions set by the council.

(5) The council may refuse to allow the renewal of registration if a student fails to meet the conditions contemplated in subparagraph (4).

(6) The conditions contemplated in subparagraph (4) may include the payment of outstanding fees.

Admission as candidates for degrees of master or doctor

52. The senate may admit a person as a candidate for the degree of master or doctor -

- (a) if it is satisfied that the person is qualified to undertake the proposed line of study of research or both; and
- (b) who is a graduate of the University or another institution; or
- (c) who has attained a level of competence which in the senate's opinion is adequate for the purpose of postgraduate study or research or both in the proposed line of study or research or both.

Student discipline

53. The disciplinary measures and discipline provisions applicable to the students are set out in the Rules, and may be changed by the council after consultation with the senate and the SRC.

DEGREES, DIPLOMAS AND CERTIFICATES

Degrees, diplomas and certificates by examination

54. (1) The University may, subject to the Act, award diplomas and certificates and confer degrees of bachelor, honours bachelor, master and doctor in any faculty.

(2) Except as provided in paragraph 55, no degree may be conferred and no diploma or certificate may be awarded to any person who has not -

(a) been registered as a student of the University for the period and under the conditions which the senate prescribes; and

(b) except as provided in paragraph 55, completed the courses and passed in the examinations prescribed by the senate.

(3) The provisions and procedures for the award of credits and exemptions in respect of courses required for the award of diplomas and certificates or the conferment of degrees is determined by the senate and set out in the Rules.

Award of honorary degrees

55. The University may confer an honorary degree of master or doctor upon any person by resolution of the senate and council.

Procedure for award of honorary degrees

56. (1) A proposal to confer an honorary degree may be submitted only by a member of the council or a member of the senate.

(2) Such proposal must be in writing to the Registrar and must set out in detail the reasons for the recommendation.

(3) Such proposal is referred to an honorary degree committee consisting of –

(a) the principal as chairman;

(b) the vice-principal or vice-principals;

(c) the chairman of the council;

(d) three other members of the council;

(e) four other members of the senate, one of whom must be a member elected to senate by the academic staff;

(f) the president of the SRC and another student nominated by the SRC, provided that at least one of the student representatives must be a graduate of the University.

(4) The honorary degrees committee submits to the senate and to the council the names of the persons it recommends for honorary degrees, together with a statement of the grounds on which the recommendations are based.

(5) The senate and the council vote on the recommendations of the honorary degrees committee by secret ballot, and no honorary degree is conferred if it is opposed by one-fourth of the members of either body actually in office at the time of voting.

Conferring of degrees and award of certificates and diplomas

57. (1) A meeting of the members of the University, called a congregation, is held for the purpose of conferring degrees and awarding certificates and diplomas.

(2) Congregations are held at times and places decided by the council and are presided over by the chancellor, or, failing him or her, by the vice-chancellor, or, failing him or her, by the pro-vice-chancellor.

(3) The Principal determines at which congregation any graduand may be admitted to a degree.

(4) A person is not entitled to any of the privileges conferred by any degree until he or she has been admitted to such degree at a congregation.

(5) The procedure for the presentation of graduands, the conferring of degrees in absentia, academic dress, and all other matters regarding congregations are determined by the senate.

TRANSITIONAL PROVISIONS

58.