

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Vol. 408

PRETORIA, 24 JUNE
JUNIE 1999

No. 20247

GOVERNMENT NOTICE

DEPARTMENT OF EDUCATION

No. 819

24 June 1999

HIGHER EDUCATION ACT, 1997 STATUTE OF THE UNIVERSITY OF ZULULAND

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

SCHEDULE

To introduce a new Statute for the University of Zululand to give effect to any law relating to the University; and to promote the effective management of the University in respect of matters not expressly prescribed by any law.

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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), has the meaning so assigned, and unless the context otherwise indicates-

“academic employee” means any person appointed to a teaching or research post at the University and any other employee designated as such by the council;

“academic year” means that portion of a calendar year approved by the council on the recommendation of the senate, for the academic activities of the University;

“administrative employee” means any person appointed to perform an administrative or academic support function, including professional employees in library and information technology services and technical employees;

“convocation” means the convocation of the University;

“council” means the council of the University;

“due notice” means notice that has been given if a written notification has been dispatched by registered post to the last address registered, with the registrar, of the person concerned at the commencement of the period of notice required;

“employee other than academic employee” means any person appointed to a post other than a teaching or research post at the University and includes an administrative employee;

“expulsion” means the permanent expulsion of a student from the University and a hostel of the University;

“institutional forum” means the body contemplated in section 31 of the Higher Education Act;

“management” means the executive management of the University consisting of the rector, the vice-rectors and the registrar;

"recognised union" means the employee organisation recognised by the University and registered in accordance with the Labour Relations Act, 1995 (Act No. 66 of 1995);

"registrar" means the registrar of the University appointed as such by the council;

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

"semester" means one-half of the academic year of the University;

"student" means a person registered as either a full-time or a part-time student at the University;

"suspension" means the temporary expulsion of a student from the University and a residence of the University

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

GENERAL PROVISIONS

General provisions

2. (1) Whenever, in terms of a provision of this Statute, a quorum or a majority of votes for any purpose is required to be a certain numerical fraction and it happens in any particular case that the consequent quorum or majority would not be an integral number, the next greater number must be held for purposes of such a provision to constitute the required quorum or majority.

(2) An accidental failure or omission to give notice in terms of a provision of this Statute to any person entitled to receive such notice or to send the minutes of any meeting to any person entitled to receive such minutes does not invalidate the proceedings in respect of which such notice is given or minutes are sent.

CHANCELLOR

Functions, term of office and removal from office

3. (1) The chancellor is the titular head of the University and must confer all degrees and award all diplomas, certificates and other distinctions on behalf of the University.

(2) The chancellor holds office for a period of four years, or until he or she tenders his or her resignation in writing to the council, or for any other reason vacates his or her office before the expiry of his or her term of office.

(3) The chancellor may be removed from office by resolution of at least two-thirds of the total number of members of the council present at the meeting on account of misconduct, incapacity to carry out his or her official functions, or on account of any other reason which the council may deem justifiable.

(4) The resolution contemplated in subparagraph (3) may not be passed without providing the chancellor a reasonable opportunity to speak in his or her defence.

(5) A retiring chancellor is eligible for re-election, but only for a second term of four years.

Election

4. (1) The chairperson of the council or, in his or her absence, the rector must determine the date on which a meeting of the council must be held for the purpose of electing a chancellor, provided that such meeting must be held within 90 days after the office of chancellor becomes vacant.

(2) At least 40 days before the date contemplated in subparagraph (1), the secretary to the council must give due notice to every member of the council of the date, place and time of the meeting contemplated in subparagraph (1) and must invite members of the council to submit nominations for the office of chancellor on a form approved by the rector, provided that any member is at liberty to supplement the information on the approved form by submission of additional information.

(3) Any member of the council has the right to nominate a person, with his or her consent, for the office of chancellor, provided that such nomination is seconded, in writing, by another member of the council.

(4) The completed nominations must reach the secretary to the council at least 21 days before the date of the meeting contemplated in subparagraph (1).

(5) At least seven days before the date of the meeting contemplated in subparagraph (1), the secretary to the council must give due notice to every member of the council of the names and backgrounds of the duly nominated candidates.

(6)(a) The chancellor must be elected to the office of chancellor at a meeting of the council by a majority of the members of the council holding office on the date of the meeting; and

(b) the election of the chancellor must be by secret ballot.

(7) For the purpose of electing a chancellor, the chairperson of the council has a deliberative vote only.

(8) Each member of the council has only one vote during each ballot, provided that there must be a series of ballots if no candidate gains a majority of votes contemplated in subparagraph 6(a) in the first ballot.

(9) In each successive round of voting, the candidate who gains the least support in the previous ballot is eliminated as candidate.

(10) After the council has elected a chancellor, the chairperson of the council must announce the name of the new chancellor.

Vacancy by effluxion of time

5. At least 60 days before the office of chancellor becomes vacant owing to the expiry of the term of office of the chancellor contemplated in paragraph 3(2), the secretary to the council must give due notice thereof to every member of the council and the council must, as soon as possible, elect a new chancellor in accordance with the provisions of paragraph 4.

Casual vacancy

6. If the office of chancellor becomes vacant for any reason other than effluxion of time, the council must, as soon as possible, elect a new chancellor in accordance with the provisions of paragraph 4.

RECTOR

Appointment

7. (1) The rector is appointed for a period of five years, provided that this term may be renewed for a further period of five years.

(2) When the post of rector becomes vacant, the vacancy must be advertised in at least three major newspapers, in which applications must be invited from suitably qualified applicants.

(3) On the closing date for applications contemplated in subparagraph (2), the secretary to the council must compile a list of the applicants.

(4) A short-listing committee consisting of two representatives of the council, one of whom must be the chairperson of the council or his or her nominee, two representatives of the senate, two representatives of the institutional forum and two representatives of the students must meet to compile a short list of applicants.

(5) The short list must consist of not more than five candidates.

(6) On the date determined by the secretary to the council, the council must meet to interview the candidates.

(7) The council must invite the following persons to advise it on the suitable candidate for appointment as rector-

- (a) two vice-chancellors attached to other public higher education institutions;
- (b) another person not attached to the University; and
- (c) one member of the institutional forum.

(8) After the interviews have been held, voting by the council must take place.

(9) Voting must be by secret ballot and only members of the council are entitled to vote.

(10) The candidate who gains the absolute majority of the votes must be appointed rector.

(11) If there is no candidate with an absolute majority, voting must be repeated until a candidate emerges with an absolute majority.

Functions of rector

8. The rector is the chief executive and accounting officer of the University.

COUNCIL

Functions and composition of council

9. (1) The council governs the University in terms of section 27 of the Higher Education Act and this Statute.

(2) The council consists of-

- (a) the rector;
- (b) not more than two vice-rectors, designated by the council;
- (c) the administrative heads of the main campus and the Durban-Umlazi campus of the University;
- (d) three members of the senate, elected by the senate in the manner contemplated in paragraph 31, one of whom must represent the Durban-Umlazi campus;
- (e) one academic employee, other than members of the senate, elected by the academic employees in the manner contemplated in paragraph 29(1);

- (f) one employee other than an academic employee elected by the non-academic employees in the manner contemplated in paragraph 29(2);
- (g) two members of the students' representative council, one of whom must represent the Durban-Umlazi campus, elected by the students' representative council in the manner contemplated in paragraph 32;
- (h) not more than two persons co-opted by the council on account of their experience and expertise;
- (i) five persons appointed by the Minister;
- (j) three persons elected by the convocation in the manner contemplated in paragraph 54;
- (k) one person appointed by each of the three local authorities within the boundaries of which the campuses of the University are situated;
- (l) two persons elected by the University of Zululand Foundation to represent the donors of the University;
- (m) one person appointed by the Premier of the Province of KwaZulu-Natal; and
- (n) not more than five persons elected or designated by such body or bodies as determined by Statute.

(3) The persons referred to in subsection 2(h), (i), (j), (k), (l), (m) and (n) must not be employees or full-time undergraduate students of the University.

(4) A member of the council, other than a member contemplated in subparagraphs (2)(a), (b), (c) and (g), holds office for a period of four years unless he or she submits his or her resignation in writing to the council or vacates his or her office for any other reason before the expiry of such period.

(5) The term of office of members contemplated in subparagraph (2)(g) is for a period of one year.

(6) Should members cease to be members of the constituency, which the persons represent, their membership of the council must also cease.

Election of chairperson and vice-chairperson

10. (1) The council must elect a chairperson and vice-chairperson from among its members, who must each hold office for a period of four years, or for such shorter period as he or she may be a member of the council.

- (2) Nominations for the chairperson or vice-chairperson of the council must be given in writing to the secretary to the council on a date determined by him or her.
- (3) Each nomination must be signed by at least three members of the council and countersigned by the nominee to denote his or her acceptance of the nomination.
- (4) The rector must act for the duration of the election of a chairperson as acting chairperson.
- (5) If more than one candidate is nominated for one of the offices, voting is by secret ballot.
- (6) A candidate may only be elected to the office of chairperson or vice-chairperson by a majority of the members present.
- (7) If no candidate receives a majority of votes, successive rounds of voting are held.
- (8) In each successive round of voting, the candidate receiving the least votes in the previous round of voting is eliminated as a candidate.
- (9) If a vacancy occurs in the office of the chairperson or the vice-chairperson for any reason, the provisions of subparagraphs (1) to (8) apply with the necessary changes to the filling of such vacancy.
- (10) The person elected in terms of subparagraph (9) holds office for the unexpired term of office of his or her predecessor, provided he or she does not exceed his or her own term of office as a member of the council.
- (11) If the chairperson is absent from any meeting of the council, the vice-chairperson must preside at such meeting.
- (12) While the vice-chairperson acts as chairperson, he or she is vested with all the powers and performs all the functions of the chairperson.
- (13) Whenever both the chairperson and vice-chairperson are absent from a meeting of the council, the members present must elect a person from among themselves to preside at the meeting.
- (14) The chairperson or the vice-chairperson of the council must not be an employee or student of the University.

Secretary to council

11. (1) The council must elect a secretary to the council from among its members by means of a secret ballot and a majority of members present at an ordinary meeting of the council.

- (2) The secretary must hold office for four years, or for such shorter period as he or she may be a member of the council.
- (3) The secretary may be re-elected at the expiration of his or her term of office.
- (4) The secretary must –
 - (a) act as secretary to all committees and joint committees of the council;
 - (b) keep the minutes of meetings of the council and its committees, and distribute copies of the minutes together with the agenda and notices for the next meeting of the council and its committees, as the case may be; and
 - (c) keep a register of resolutions adopted by the council, and another of resolutions adopted by its executive committee.
- (5) The council may designate any employee to assist the secretary or to act in his or her place.

Number of meetings of council

12. The chairperson must convene a meeting of the council at least twice in each semester at the seat of the University, or at such other place as he or she may determine.

Quorum for and procedure at meetings of council

13. (1) Except as otherwise provided in this Statute, all acts or matters authorised or required to be done or decided by the council and all matters that may come before it for consideration must be done or decided by a majority of the members present at such meeting, provided that the number of members present at such meetings must be not less than one-half plus one of the total number of members holding office on the date of a meeting.

(2) The council may invite persons who are not members of the council to attend meetings, provided that such persons may take part in the discussion, but may not vote.

Notice of meetings of council

14. At least seven days before the date determined by the council for an ordinary meeting, the secretary must give due notice in writing to each member of all matters to be dealt with at such a meeting, stating the time and place of such meeting.

Notice of motion

15. (1) Notice of any motion for consideration must be in writing and must be lodged with the secretary at least 21 days before the date of an ordinary meeting, provided that any matter of an urgent nature may, without prior notice, with the leave of the chairperson and a majority of the members present, be considered at such meeting.

(2) Except as approved by a majority of members who actually hold office at the time of voting, no motion which has been rejected by the council must be placed before it again within a period of six calendar months from the date of such rejection.

Amendment or rescission of previous resolution

16. A motion to amend or rescind a previous resolution of the council must be carried by at least two-thirds of the members holding office on the date of voting.

Minutes of meetings

17. The first act of an ordinary meeting, after it has been constituted, must be to read and confirm by the signature of the chairperson the minutes of the last preceding ordinary meetings and of any special meeting held subsequently, provided that the meeting may take the minutes as read if a copy thereof was previously sent to every member of the council, provided further that objections to the minutes of a meeting must be raised and dealt with before confirmation of the minutes.

Register of resolutions of council

18. The secretary to the council must keep a complete register of council resolutions adopted in terms of this Statute and all members of the council must have access to such register.

Discussion of motions

19. (1) A member of the council may not, without leave of the meeting, speak more than once on a motion or any amendment thereof, but the proposer of any motion or an amendment has the right of reply.

(2) A motion or amendment must be seconded, and, if it is so directed by the chairperson, be in writing, and no motion or amendment may be withdrawn without the consent of the proposer, the seconder and the meeting.

Voting

20. (1) Subject to the provisions of paragraph 4(7), the chairperson has a deliberative vote on every matter and, in the event of an equality of votes, also a casting vote.

(2) If it is so decided by the meeting, the number of members voting for or against any motion must be recorded and at the request of any member the chairperson must direct that the vote of such member be recorded.

(3) Where at least two-thirds of all the members of the council have reached agreement on a matter referred to them by letter or by telefax by the chairperson without convening a meeting, and have conveyed their resolution by letter or telefax, such resolution is equivalent to a resolution of the council and must be recorded in the minutes of the following ordinary meeting.

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

(5) No member of the council may participate in the discussion of, or vote on a matter in which he or she has a direct or indirect pecuniary, financial or other material interest, unless he or she first discloses the extent of his or her interest and obtains the permission of the meeting to participate in the discussion or vote on the matter or both.

(6) If a member of the council without the permission of the council participates in the proceedings of the council in connection with the matter in which the member does have a direct or indirect pecuniary, financial or other material interest, voting by members of the council is invalid.

Ruling by chairperson

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

Drafting, amending or repealing of Statute or Rule

22. A motion to draft, amend or repeal a Statute or Rule must be adopted by at least two-thirds of the members holding office on the date of the meeting.

Extraordinary meetings of council

23. (1) An extraordinary meeting may be called by the chairperson at any time and must be called by him or her at the written request of at least five members, the object of the meeting being stated in the request.

(2) At least seven days' notice of an extraordinary meeting must be given.

(3) Except as approved by such meeting, no business other than that for which the meeting has been convened may be transacted at such meeting.

Emergency meetings of council

24. (1) An emergency meeting may be called by the chairperson at any time after due consultation with the rector, provided that members must be given at least 24 hours' notice of such meeting, provided further that notice may be given in any manner deemed expedient in the circumstances.

(2) Members must be advised of the object of the meeting and no business other than that of which notice has been given to the members may be transacted at such meeting.

Executive committee of council

25. (1) The council must establish a committee known as the executive committee, and the provisions of paragraphs 13 to 24 apply with the necessary changes to the meetings of such committee.

(2) The executive committee consists of-

(a) the chairperson of the council;

(b) the rector and vice-rectors;

(c) three members of the council, one of whom should be a representative of the senate on the council and two of whom should not be employees; and

(d) such other members as the council may decide, provided that at least 60 per cent of the members must be persons who are not employed by or students of the University.

(3) The committee must-

(a) act on behalf of the council in an emergency with subsequent reporting to the council;

- (b) finalise appointments and promotions in all existing posts up to and including the rank of professor or its equivalent except in those cases delegated to the rector;
- (c) finalise all applications for long or study leave on behalf of the council where substitutes are required;
- (d) investigate, deal with and come to a finding in staff disciplinary cases without the right of imposing penalties;
- (e) finalise applications for early retirement;
- (f) confirm or extend probationary periods except in cases leading to ultimate discharge;
- (g) finalise personnel disciplinary cases with the exception of imposing a penalty;
- (h) define policy in regard to the allocation of bursaries and loans to students;
- (i) consider all recommendations of the senate and committees before submitting them to the council with its recommendations for a decision except matters of urgency determined by the rector or the designated vice-rector in the absence of the rector;
- (j) refer any matter arising from the minutes of meetings contemplated in subparagraph (i) back to the senate or any committee;
- (k) refer any matter which it deems necessary in the interest of the University to the senate or any committee;
- (l) scrutinise the University budget on behalf of the council;
- (m) finalise applications for recognition by student societies;
- (n) award the annual travel and research grants of the council;
- (o) act as Board of Trustees for the Staff Group Life Insurance Scheme; and
- (p) deal with any other matter delegated by the council from time to time.

Vacancy by effluxion of time

26. At least three months before the expiry of the term of office of any member of the council, the secretary must give notice in writing to whoever appointed or elected such member, so that such person or body may fill the vacancy.

Vacating of office by members of council

27. (1) The office of a member of the council becomes vacant if a member-
- (a) dies;
 - (b) resigns from office by writing under his or her hand addressed to the chairperson of the council;
 - (c) is absent from three consecutive meetings of the council without apology for absence from the meetings having been made and such apologies having been accepted by the council;
 - (d) is declared insolvent by a court of law;
 - (e) is convicted of an offence and is sentenced to imprisonment without the option of a fine;
 - (f) is convicted of an offence involving dishonesty; or
 - (g) becomes a continued treatment patient in an institution for mental health.

(2) Membership of the council automatically terminates in the event of a member of the council, either vacating or being transferred for whatsoever reason from the constituency, for which he or she was elected, appointed or designated to another constituency.

(3) The membership of a council member who is not an employee or a student of the University immediately terminates should such a member be appointed as an employee of the University.

(4) Subject to the disciplinary procedure of the University, if an employee or a student member is dismissed, suspended, expelled, demoted, or his or her services are terminated for whatever reason by the University, the membership of such member must automatically terminate.

Casual vacancies

28. If any member dies or resigns or vacates office for any other reason than effluxion of time, the secretary must give notice in writing to whoever appointed or elected such member, so that such person or body may fill the vacancy.

Election of representatives of employees on council

29. (1) The academic employees of the University must elect one representative to represent them on the council.

- (a) The representative must be an academic other than a member of the senate.
 - (b) The election must take place by secret ballot at a meeting of the academic employees convened by the secretary for that purpose and the candidate who obtains the majority of votes is duly elected.
 - (c) Candidates for election must be nominated and nominations must reach the secretary at least 14 days before the date of the election, and no person must be elected unless he or she has been nominated in writing by two members of the academic employees and the nominee has consented to such nomination in writing.
 - (d) Nominations must be invited by the secretary to the council as soon as there is a vacancy either by effluxion of time or because the representative has vacated his or her office.
- (2) The employees other than academic employees of the University must elect one representative to represent them on the council.
- (a) The election must take place by secret ballot at a meeting of employees other than the academic employees convened by the secretary to the council for that purpose, and the candidate who obtains a majority of the votes is duly elected.
 - (b) Candidates for election must be duly nominated in writing by at least two employees who are not academic employees, and the nominations must reach the secretary to the council at least 14 days before the date of the election.
 - (c) No person must be regarded as duly nominated unless he or she has been nominated by members in writing, and he or she has consented to such nomination in writing.

Designation of representatives of certain bodies as members of council

30. Subject to the provisions of paragraph 9(2)(n), the following bodies must designate or elect a representative on the council-

- (a) one person elected by the principals in the region to represent pre-tertiary institutions, provided that if there is no organisation of principals the council may designate a specific principal to be the representative;

- (b) one person elected by the rectors of colleges of education in the region which are either affiliated to or have a close relationship with the University, provided that if there is no organisation of rectors the council may designate a specific rector to be on the council;
- (c) two persons representing parents of the students elected by parents at a meeting convened for that purpose, provided that if a person stops being a parent of a student before the expiry of four years, a new representative must be elected for the remainder of the period; and
- (d) one representative designated by the Department of Education of the Mpumalanga Province.

Representatives of senate on council

31. (1) When it becomes necessary for the senate to elect its representatives as members to the council as contemplated in section 27(4)(d) of the Higher Education Act, such representatives are elected by secret ballot and a majority of the members of the senate present at an ordinary meeting of the senate.

(2) No person may be elected unless he or she has been nominated in writing by two members, and he or she has confirmed by his or her signature that he or she accepts the nomination.

(3) The signed nomination contemplated in subparagraph (2) must reach the secretary to the senate at least 14 days before the date of the meeting.

(4) If a member referred to in subparagraph (1) for any reason vacates his or her office, the provisions of subparagraphs (1) to (3) apply.

Representatives of students on council

32. (1) Whenever it is necessary for students to be elected as members of the council as contemplated in section 27(4)(f) of the Higher Education Act, the secretary to the council notifies the president of the students' representative council accordingly.

(2) The students' representative council must elect two of its members to the council by means of a secret ballot and a majority of the members present at an ordinary meeting of the students' representative council.

(3) The president of the students' representative council submits the names of the members elected to the secretary to the council.

SENATE

Composition of senate

33. The members of the senate referred to in section 28(2) of the Higher Education Act are-

- (a) the rector;
- (b) the vice-rector or vice-rectors;
- (c) not more than two members of the council elected by the council;
- (d) the professors;
- (e) the senior lecturers who are heads of departments;
- (f) one lecturer from each faculty, elected by the faculties from time to time and designated by the council after consultation with the senate;
- (g) the University librarian;
- (h) the directors of centres, institutes or units which have an academic function;
- (i) such other members of the administrative employees, not exceeding three in number, as the council may from time to time on the recommendation of the senate designate for the purpose; and
- (j) three students elected by the students' representative council, one of whom must represent the Durban-Umlazi Campus.

Terms of office of members of senate

34. (1) The members of the senate referred to in paragraph 33(c) hold office for the period during which they are members of the council.

(2) Professors and senior lecturers who are members of the senate and referred to in paragraphs 33(d) and (e), directors of centres referred to in paragraph 33(h) and the University librarian referred to in paragraph 33(g) hold office as long as they are employed in that capacity.

(3) The term of office of members contemplated in paragraph 33(j) is for a period of one year.

Functions of senate

35. (1) The functions of the senate include-

- (a) the superintendence and regulation of the instruction in the various faculties, departments, lectures and classes of the University; and
 - (b) the organisation and control of the curricula and examinations of the University.
- (2) The senate must from time to time submit to the council-
 - (a) reports on the work of the senate;
 - (b) such recommendations regarding matters of importance to the University as it may deem expedient, including financial affairs; and
 - (c) recommendations regarding matters referred to it by the council.
- (3) The senate is empowered to-
 - (a) determine, subject to the approval of the council, the conditions on which degrees, diplomas or certificates are obtained and to decide which persons have satisfied the said conditions;
 - (b) superintend and control all examinations conducted by the University in accordance with such Rules as may be recommended from time to time by the senate to the council for this purpose and made by the council;
 - (c) appoint internal examiners for examinations and recommend to the council the external examiners and moderators to be appointed for the University's examinations;
 - (d) recommend to the council which departments there should be in the various faculties of the University and who should be designated head of each department;
 - (e) decide which professors and lecturers are to be members of each of the boards of faculty of the University referred to in paragraph 44;
 - (f) decide, after consultation with the board of the faculty concerned, which person should be appointed dean of such faculty for a period of two years in accordance with the Rules as made by the council, provided that should a casual vacancy occur for any reason, it must be filled in terms of this subparagraph for the unexpired portion of the term of office of the dean who has vacated the office, provided further that only a professor who is a member of the senate and head of a department may be appointed dean of a faculty;

- (g) recommend to the council conditions for the award and tenure of scholarships or prizes at the disposal of the University, and to recommend to the council the persons to whom such scholarships or prizes should be awarded from time to time;
- (h) determine from time to time to what extent a holder of any scholarship has complied with the conditions on which such scholarship was awarded;
- (i) make recommendations to the council on the establishment and control of institutes and centres, and to make arrangements for the work of research officers;
- (j) take, subject to the provisions of the Statute and Rules, such measures as may be necessary for the proper exercise of its powers and discharge of its duties;
- (k) recommend to the council the establishment of an academic society at the University;
- (l) recommend to the council the revocation of a degree or other qualification obtained in an improper manner;
- (m) decide which portions of separate academic years during which a student attended a course are deemed to be equivalent to an academic year; and
- (n) discuss and recommend the annual budget to the council.

Representatives of students on senate

36. (1) Whenever it is necessary for students to be elected as members of the senate, as contemplated in section 28(2)(f) of the Higher Education Act and paragraph 33(j) of the Statute, the secretary to the senate notifies the president of the students' representative council accordingly.

(2) The students' representative council must elect three of its members to the senate by means of a secret ballot and a majority of the members present at an ordinary meeting of the students' representative council.

(3) The president of the students' representative council submits the names of the members elected to the secretary to the senate.

(4) If a member contemplated in subparagraph (1) for any reason vacates his or her office, the provisions in subparagraphs (1) to (3) apply.

Representatives of council on senate

37. (1) Whenever it is necessary for the council to elect its representatives as members to the senate, as contemplated in paragraph 33(c) of the Statute and in section 28(2)(e) of the Higher Education Act, such representatives are elected by secret ballot and a majority of the members of the council present at an ordinary meeting of the council.

(2) No person may be elected unless he or she has been nominated in writing by two members and he or she has confirmed by his or her signature that he or she accepts the nomination.

(3) The signed nominations contemplated in subparagraph (2) must reach the secretary to the council at least 14 days before the date of the meeting.

(4) If a member referred to in subparagraph (1) for any reason vacates his or her office, the provisions in subparagraphs (1) to (3) apply.

Election of chairperson and vice-chairperson

38. The provisions of paragraph 10(1) to (13) relating to the election of a chairperson and a vice-chairperson by the council apply, with the necessary changes, to the election of a chairperson and a vice-chairperson by the senate.

Secretary to senate

39. (1) The senate must elect a secretary to the senate from among its members by means of a secret ballot and a majority of members present at an ordinary meeting of the senate.

(2) The secretary must hold office for four years, or for such shorter period as he or she may be a member of the senate.

(3) The secretary may be re-elected at the expiration of his or her term of office.

(4) The secretary to the senate must –

- (a) act as secretary to all committees and joint committees of the senate;
- (b) keep the minutes of meetings of the senate and its committees and distribute copies of the minutes together with the agenda and notices for the next meeting of the senate; and
- (c) keep a register of resolutions adopted by the senate and another of resolutions adopted by its executive committee.

- (5) The council may designate on the recommendation of the senate an employee to assist the secretary to the senate or to act in his or her place.

Number of meetings of senate

40. The chairperson must convene a meeting of the senate at least twice in each semester at the seat of the University, or at such other place as may be determined by the executive committee of the senate.

Quorum and procedure at meetings of senate

41. (1) One-third of the members of the senate holding office on the date of a meeting constitutes a quorum.

(2) In the absence of the chairperson or the vice-chairperson at any meeting of the senate, the members present must elect one of their number to preside at such meeting.

(3) A written notice must be issued by the secretary to each member of the senate at least three working days before an ordinary meeting, setting forth the time, date and place of such meeting and the matters to be dealt with.

(4) (a) An extraordinary meeting may be called by the chairperson at any time and must be called by him or her at the request in writing of at least one-fifth of the members of the senate holding office, the object of the meeting being stated in the request.

(b) Not less than 24 hours' notice must be given of such meeting.

(c) Except as approved by the meeting, no business other than that of which notice was given may be transacted at such meeting.

(5) (a) The first act of an ordinary meeting, after it has been constituted, must be to read and confirm by the signature of the chairperson the minutes of the last preceding ordinary meeting and of any extraordinary meeting held subsequently, provided that any objection to the minutes must be raised and resolved before such confirmation.

(b) The meeting may take the minutes as read if a copy thereof was previously sent to each member.

(6) A member may not, without the leave of the meeting, speak more than once to a motion or any amendment thereof, but the proposer of any motion or an amendment has the right of reply.

- (7) (a) Except as otherwise provided in this Statute, all matters must be decided by a majority of votes of the members present and voting.
- (b) The chairperson must have a deliberative vote on every matter and, in the case of an equality of votes, also a casting vote.
- (c) Whenever the chairperson so rules, voting must take place by secret ballot.

(8) If it is so decided by the meeting, the number of members voting for or against any motion must be recorded in the minutes, and at the request of any member, the chairperson must direct that the vote of such member be recorded.

(9) A motion or an amendment must be seconded and, if it is so directed by the chairperson, be in writing, and no motion or amendment may be withdrawn without the consent of the meeting.

(10) The ruling of the chairperson on any matter of order or 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.

(11) Notice of any motion to make, or rescind a Statute or Rule, or to amend or rescind a previous resolution of the senate, must be given at a meeting previous to that at which it is to be moved, provided that no such notice is required if the proposal to make, amend or rescind a Statute or Rule or to amend or rescind a previous resolution of the senate, has been made by a committee of the senate and if the minutes of the meeting of the committee at which the proposal was made were issued in time to have been received by the members of the senate at least three working days before the meeting at which it is to be discussed.

Executive committee of senate

42. (1) The senate may by resolution establish a committee known as the executive committee, and the provisions of paragraph 41 apply with the necessary changes to the meetings of such committee.

(2) The executive committee of the senate consists of-

- (a) the rector;
- (b) the vice-rectors;
- (c) the deans of the faculties;
- (d) the senate's representatives on the council;
- (e) the secretary to the senate.

(3) The chairperson of the senate, and in his or her absence the vice-chairperson, acts as chairperson of the committee.

(4) The executive committee must meet on the dates appearing in the University calendar or on such other dates as are determined by the secretary to the senate.

(5) The executive committee of the senate is empowered to-

- (a) act on behalf of the senate in cases of urgency with subsequent reporting to the senate;
- (b) advise the rector concerning the suspension of classes;
- (c) make recommendations to the council about long or study leave of academic employees where substitutes are required;
- (d) consider and co-ordinate all recommendations and resolutions from committees of the senate for submission to the senate with its own recommendations;
- (e) refer any recommendation or resolution from committees of the senate in terms of subparagraph (d) back to any committee;
- (f) recommend to the senate who should be appointed as external examiners;
- (g) finalise the academic time-table in terms of powers delegated by the senate;
- (h) recommend subject groupings to the senate;
- (i) make recommendations to the planning committee concerning academic and financial planning of the University;
- (j) co-ordinate the annual reports of the senate committees;
- (k) make recommendations to the senate on academic Rules;
- (l) finalise the award of the senate's overseas research and travel grants;
- (m) finalise the award of bursaries and prizes as delegated by the senate and the council; and
- (n) scrutinise the minutes of the boards of faculty.

Boards of faculty

43. The senate must establish committees to regulate the activities of the various faculties of the University, and the following provisions must apply to such committees, hereinafter called boards of faculty-

- (a) members of the faculty are designated by the senate as members of the board of faculty;
- (b) a board of faculty ordinarily meets at such times and places as determined by the senate;
- (c) an extraordinary meeting of a board of faculty, of which not less than 24 hours' notice must be given, may be called by the dean at any time at his or her own instance, and must be called by him or her at the written request of at least three members of the board of faculty;
- (d) the times and places of extraordinary meetings are determined by the dean in consultation with the secretary to the senate;
- (e) one-third of the members of the board of faculty constitutes a quorum at a meeting, provided that during the University vacations, three members constitute a quorum, provided further that resolutions passed at meetings during the University vacation must be confirmed at the next ordinary meeting of the board of faculty;
- (f) in the absence of the dean or vice-dean from a meeting of a board of faculty, the members present must elect a chairperson for that meeting from among their number.

Functions of boards of faculty

44. (1) A board of faculty must make recommendations to the senate on the syllabuses, courses of study and examinations so far as the departments of the faculty are concerned and upon such other matters that concern the faculty and such matters as the senate may refer to it.

(2) A board of faculty must report to the senate the names of candidates whom it considers to have satisfied the conditions prescribed for the degrees, diplomas or certificates in the faculty.

Joint committees of council and senate

45. (1) Except as otherwise provided in this Statute, all acts, matters or things authorised or required to be done or decided by joint committees of the council and the senate established under section 29 of the Higher Education Act, and all matters that may come before them, must be done or decided by a majority of the members present at any

meeting, provided that the number present at any meeting must not be less than one-half plus one of the members appointed to the committee concerned.

(2) The provisions of paragraphs 12 to 18 apply, with the necessary changes, to meetings of joint committees.

Vacating of office by members of senate

46. The provisions of paragraph 27 relating to the vacating of office by members of the council apply, with the necessary changes, to vacating of office by members of the senate.

CONVOCATION

Election of secretary and roll of convocation

47. (1) The convocation must elect a secretary to the convocation from among its members by means of a secret ballot and a majority of members present at an ordinary meeting of the convocation.

(2) The council may appoint an employee of the University to assist the secretary or to act in his or her place.

(3) The secretary of convocation must keep the roll of the convocation and a member must be required to register his or her name and address with the secretary and notify him or her of any change of address.

(4) The roll of the convocation is evidence that a person whose name appears therein at the time of an election by the convocation is entitled to vote thereat, and that a person whose name does not appear therein is not so entitled.

President and vice-president of convocation

48. (1) The president and the vice-president of the convocation must be elected by the convocation from among its own members at an annual meeting and must hold office from the close of the meeting at which they are appointed until the close of the second annual meeting thereafter.

(2) In case of death or resignation of a president, the vice-president must act as president until a successor has been elected at the next meeting of the convocation to hold office for the unexpired term of office of his or her predecessor.

Election of president and vice-president of convocation

49. The provisions of paragraph 10 relating to the election of a chairperson and a vice-chairperson by the council apply, with the necessary changes, to the election of a president and a vice-president of the convocation.

Annual meetings of convocation

50. (1) The convocation must hold an annual meeting which must be convened by the secretary.

(2) The secretary must give due notice of such meeting to every member at least eight weeks before such meeting.

(3) Notice of any motion or matter for discussion at a meeting must be given to the secretary in writing one month before the date determined for such meeting.

Extraordinary meetings of convocation

51. Extraordinary meetings of the convocation may be called by the president at any time and must be called by the secretary on receipt of a written request signed by at least 100 members stating, in the form of specific motions, the matters to be considered at such meeting, and must be convened within two months of receipt of such request.

Notice of meetings except annual meeting

52. The secretary must give due notice of a meeting of the convocation, except the annual meeting, to each member at least 14 days before the day determined for such meeting, stating the date, place and time and the business to be dealt with at such meeting.

Quorum and procedure at meetings of convocation

53. (1) One hundred members form a quorum, but if a meeting is adjourned owing to the lack of a quorum, a special meeting must be convened subsequently, at which the members present must form a quorum.

(2) Notwithstanding the absence of a quorum at an annual meeting, the meeting may proceed to the election of office-bearers and to other formal business, provided that no motions may be put to such meeting.

(3) The first act of each meeting after its constitution by the reading of the notice calling such meeting must be to read and confirm by the signature of the president the

minutes of the last preceding ordinary meeting and of any other meetings held subsequently, provided that any objections to the minutes must be raised and dealt with before such confirmation.

(4) A member may not without the leave of the meeting speak more than once to a motion or any amendment thereof, but the proposer of any motion or an amendment must have the right of reply.

(5) All matters must be decided by a majority of votes of the members present and voting.

(6) The president has a deliberative vote on every matter and, in the case of an equality of votes, also a casting vote.

(7) If it is so decided by the meeting, the number of members voting for or against any motion must be recorded in the minutes, and at the request of any member the president must direct that the vote of such member be recorded.

(8) A motion or amendment must be seconded, and, if it is so directed by the president, be in writing and no motion or amendment may be withdrawn without the consent of the meeting.

(9) The president may allow any motion of which due notice has not been given in terms of paragraph 52 to be discussed and action to be taken thereon, provided that it is unopposed.

(10) The ruling of the president on any matter of order or procedure is binding unless immediately challenged by a member, in which case it must be submitted without discussion to the meeting, whose decision is final.

Representatives on council

54. Whenever it becomes necessary for the convocation to elect a member to the council as contemplated in paragraph 9(2)(j), the vacancy must be filled by the convocation in the following manner-

- (a) in the case of a casual vacancy on the council which must be filled by the convocation, the secretary to the convocation must post a written notice to every member of the convocation within 30 days from the occurrence of such vacancy, inviting the written nomination of a person to be elected to fill such vacancy, which nomination must be signed by at least five members and by the nominee to indicate his or her acceptance of the nomination;

- (b) in the case of a vacancy occurring by effluxion of time, the secretary to the convocation must post a notice to every member of the convocation at least three months before the expiry of the term of office of such member, inviting the nomination in writing of a person to be elected as a member of the council, which nomination must be signed by at least five members and by the nominee to indicate his or her acceptance of the nomination;
- (c) nominations must be lodged with the secretary to the convocation within six weeks of the date of the notice, and the names of the persons nominated must be published by the secretary to the convocation three times in at least one daily newspaper published in Zulu and one published in English;
- (d) if the number of persons nominated does not exceed the number of vacancies, the persons so nominated must be considered duly elected and the secretary to the convocation must announce the names of the members;
- (e) if the number of persons nominated exceeds the number of vacancies, the secretary to the convocation must as soon as is feasible after the publication of the names of the persons nominated, post to every member a printed voting paper containing the names of the candidates arranged in alphabetical order, which voting paper must be returned by a voter in the special envelope provided for this purpose so as to reach the secretary to the convocation not later than a date specified on the voting paper, which date must not be earlier than 21 days after the date of issue thereof;
- (f) any voting paper which is not completed in accordance with the instructions thereon is invalid; and
- (g) the secretary to the convocation must act as returning officer and must be assisted by two scrutineers appointed by the president, or, in his absence, by the rector.

Submission of resolutions to council and senate

55. A copy of all resolutions of the convocation and a statement of all other matters the convocation may decide upon, duly certified by the president and by the secretary, must be sent to the chairperson of the council for the information of the council, and to the chairperson of the senate for the information of the senate.

DONORS

Representatives of donors on council

56. (1) A person who donates to the University, a donation of not less than R500 or more than one donation of not less than R500 in total, which donation or donations, as the case may be, is accepted by the council, is a member of the donors as referred to in paragraph 9(2)(f), and is entitled to be elected as a member of the council as contemplated in that subparagraph.

(2) The provisions of paragraph 54 apply, with the necessary changes, to the election of a member of the council contemplated in paragraph 9(2)(f) by the University of Zululand Foundation.

INSTITUTIONAL FORUM

Membership

57. (1) The institutional forum of the University as contemplated in section 31(2) of the Higher Education Act consists of-

- (a) two representatives of the management;
- (b) two representatives of the council;
- (c) two representatives of the senate;
- (d) two representatives of academic employees;
- (e) two representatives of employees other than academic employees;
- (f) two representatives of women employed at the University;
- (g) two representatives of students; and
- (h) two representative of the recognised union.

(2) The representatives contemplated in subparagraph (1) must be elected by the various constituencies at a general meeting or at a meeting convened for that purpose.

(3) Representatives on the institutional forum must comply with requirements imposed by the functions they have to perform, and no person is competent to be a member of the institutional forum if he or she has been found guilty of misconduct.

(4) The term of office of members of the institutional forum is two years.

(5) A member of the institutional forum must vacate office if he or she-

- (a) resigns;

- (b) is absent from three consecutive meetings of the institutional forum without a valid excuse;
 - (c) is insolvent;
 - (d) is incapable of performing his or her functions;
 - (e) is found guilty of misconduct; or
 - (f) is convicted of an offence and is sentenced to imprisonment without the option of a fine.
- (6) If a vacancy occurs, the secretary to the institutional forum must request the constituency concerned to elect a replacement to hold office for the remainder of the term.

Election of chairperson and vice-chairperson

58. The provisions of paragraph 10(1) to (13) relating to the election of a chairperson and a vice-chairperson by the council apply, with the necessary changes, to the election of a chairperson and a vice-chairperson by the institutional forum.

Secretary to institutional forum

59. The provisions of paragraph 39 relating to the secretary to the senate apply, with the necessary changes, to the secretary to the institutional forum.

Number of meetings of institutional forum

60. The chairperson must convene a meeting of the institutional forum at least twice in each semester at the seat of the University or at such other place as he or she may determine.

Quorum and procedure at meetings of institutional forum

61. (1) A quorum consists of half of the total number of members plus one holding office on the date of a meeting.

(2) In the absence of the chairperson and the vice-chairperson at any meeting of the institutional forum, the members present must elect one of their number to preside at such meeting.

(3) A written notice must be issued by the secretary to each member of the institutional forum at least three days before any ordinary meeting, setting forth the time, date and place of such meeting and the matters to be dealt with.

- (4) (a) An extraordinary meeting may be called by the chairperson at any time and must be called by him or her at the request in writing of at least one-fifth of the members of the institutional forum holding office, the object of the meeting being stated in the request;
- (b) not less than 24 hours' notice must be given of such meeting; and
- (c) except as approved by the meeting, no business other than that of which notice was given must be transacted at such meeting.
- (5) (a) The first act of an ordinary meeting, after it has been constituted, is to read and confirm by the signature of the chairperson the minutes of the last preceding ordinary meeting and of any extraordinary meeting held subsequently, provided that any objection to the minutes must be raised and dealt with before such confirmation; and
- (b) the meeting may take the minutes as read if a copy thereof was previously sent to each member.
- (6) A member may not, without the leave of the meeting, speak more than once to a motion or any amendment thereof, but the proposer of any motion or an amendment has the right of reply.
- (7) (a) Except as otherwise provided in this Statute, all matters must be decided by a majority of votes of the members present and voting;
- (b) the chairperson has a deliberative vote on every matter and, in the case of an equality of votes also a casting vote; and
- (c) whenever the chairperson so rules, voting must take place by secret ballot.
- (8) If it is so decided by the meeting, the number of members voting for or against any motion must be recorded in the minutes, and at the request of any member, the chairperson must direct that the vote of such member be recorded.
- (9) A motion or an amendment must be seconded and, if it is so directed by the chairperson, be in writing, and no motion or amendment must be withdrawn without the consent of the meeting.
- (10) The ruling of the chairperson on any matter of order or 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.

Executive committee of institutional forum

62. (1) The institutional forum must appoint a committee known as the executive committee, and the provisions of paragraph 61 apply, with the necessary changes, to the meetings of such committee.

(2) The executive committee of the institutional forum must be constituted as follows-

- (a) the chairperson;
- (b) the vice-chairperson;
- (c) three other members, one of whom must be a member of the senate;
and
- (d) the secretary to the institutional forum.

REGISTRAR**Registrar**

63. (1) The registrar must act as returning officer at all meetings of the council, the senate, the convocation and the institutional forum.

(2) In the absence of the registrar, his or her powers must be exercised and his or her functions performed by a person designated by the council.

STUDENTS**Registration as student of University**

64. (1) Every person who wants to be a student at the University must register as a student not later than the date determined by the senate.

(2) Registration as a student is valid for one academic year and must be renewed every academic year.

(3) Every person registering as a student at the University must sign the official registration form, thereby binding himself or herself to such conditions and Rules as may be determined by the council.

ADMISSION OF STUDENTS FORMERLY REGISTERED AT ANOTHER UNIVERSITY**Certificate of conduct**

65. Any person formerly enrolled as a student at another university and wishing to be admitted to the University must produce a certificate acceptable to the senate as to his or her conduct at such other university.

Recognition of attendance and examinations at other universities for admission to degree of bachelor

66. The senate may accept, as part of the attendance of a student of the University who qualifies for admission to the degree of bachelor, a period of attendance at any other university approved by the senate for this purpose, and the senate may recommend exemption from examinations of the University in any subject on the grounds of examinations passed by a student in such subject at any university approved by the senate for this purpose, provided that no such student may be admitted to the degree of bachelor unless-

- (a) he or she has attended at the University at least one-half of the courses prescribed for the degree at the University;
- (b) his or her periods of attendance at any other university approved by the senate for this purpose and at the University are together not less than the complete period required by the University for admission to the degree;
- (c) he or she has passed such examinations of the University as may be determined by the senate;
- (d) he or she has paid the prescribed fees; and
- (e) he or she has complied in all other respects with the requirements for the degree.

Admission of graduates in one faculty to degrees in other faculties

67. In the case of a candidate who is a graduate of any faculty of the University, or of any other university approved by the senate for this purpose, the senate may recognise periods of attendance and examinations in any subject as grounds for exemption from attendance and examination in that subject prescribed for a degree in another faculty, provided that no such candidate must be admitted to a degree in such other faculty unless he or she satisfies the requirements laid down in paragraph 66(a), (b), (c), (d) and (e).

DISCIPLINE OF STUDENTS

Misconduct

68. (1) Any person who registers as a student of the University must, after he or she has signed the registration form of the University, be subject to the disciplinary measures and procedures applicable to students as determined by this Statute and the Rules.

(2) A student must render himself or herself liable to disciplinary action if he or she is guilty of misconduct, on or outside the campus of the University, in terms of the provisions of the Statute or the Rules of the University.

(3) A student is guilty of misconduct if he or she-

- (a) violates any Rule of the University or attempts to do so;
- (b) conducts himself or herself in a manner which is or may be detrimental to the good name of the University, or to the maintenance of the order or discipline of the University;
- (c) damages, destroys, uses or wrongfully appropriates property of the University or of any other person or body or attempts to do so;
- (d) furnishes false information to a member of the teaching or administrative staff of the University; or
- (e) possesses or uses or attempts to use a habit-forming drug without a prescription from a registered medical practitioner.

Students' representative council disciplinary committee

69. (1) The council may, subject to this Statute and the Rules, appoint and authorise a students' representative council disciplinary committee to try students for less serious cases of misconduct as determined and set out by the council.

(2) All decisions of the students' representative council disciplinary committee must be subject to confirmation by the rector.

Chief disciplinary officer

70. The rector is the chief disciplinary officer of the University and is empowered, in the event of any infringement of discipline or misconduct by a student, to exercise discipline himself or herself and may-

- (a) if a charge of misconduct against a student is under investigation, immediately suspend the student from the University until the date of his or her hearing;
- (b) after investigation, immediately suspend a student who is resident in a University residence from the residence;
- (c) review, confirm, alter or set aside any finding or sentence imposed by any body set out in this Statute, provided that any finding of the council is final and cannot be confirmed, altered or set aside by the rector;

- (d) instruct any disciplinary body to institute disciplinary action in terms of this Statute; and
 - (e) refer a disciplinary inquiry instituted by any disciplinary body for hearing to another disciplinary body, provided that a disciplinary body may recommend to the rector that an inquiry instituted by it be referred to another disciplinary body for further investigation and hearing.
- (2) The provisions of paragraphs 72 and 73 must apply to inquiries instituted by the rector.
- (3) Subject to the provisions of paragraph 74, the decision of the rector is final.

Disciplinary committee

71. (1) The rector must appoint a disciplinary committee or committees to hear disciplinary cases referred to it by the rector.
- (2) The disciplinary committee must consist of three members of the senate designated by the rector.
- (3) The rector must, for every hearing, appoint one of the members as chairperson.
- (4) The decision of the disciplinary committee must be determined by a majority vote of the members present and every member must cast his or her vote.

Procedure at hearing by disciplinary committee

72. (1) The procedure at a hearing by the disciplinary committee is as follows-
- (a) the registrar must notify a student in writing to appear before the disciplinary committee, setting out sufficient detail about the alleged misconduct to enable the student to reply thereto;
 - (b) the notice must be served on the student at least 48 hours before the time set down for his or her hearing;
 - (c) the notice must specify the place, date and time of the hearing;
 - (d) the notice must call upon the student to file his or her plea or statement in answer to the charge with the registrar at least 24 hours before the time fixed for his or her hearing;
 - (e) a law lecturer or a senior law student of the University may represent a student on a charge of misconduct, and a minor may be assisted at his or her hearing by a parent or guardian;

- (f) the registrar must designate a member of the administrative staff to act as secretary;
- (g) a hearing by the disciplinary committee must be held *in camera*;
- (h) the hearing of a student may be held *in absentia* if he or she fails to appear before the disciplinary committee after having been served with a notice in accordance with subparagraph (b);
- (i) if a student fails to file a plea or statement in accordance with subparagraph (d), the chairperson of the disciplinary committee must call upon the student to plead before the committee;
- (j) the chairperson of the disciplinary committee may submit any documentary evidence at a hearing and call witnesses to substantiate the allegations, and any witness or the student may be questioned by the members of the committee;
- (k) a student who is charged with misconduct may personally or through his or her representative-
 - (i) address the committee at the start of the proceedings to explain the basis of his or her defence;
 - (ii) question any of the witnesses called by the committee;
 - (iii) inspect any document or exhibit submitted as evidence at his or her hearing;
 - (iv) tender evidence himself or herself as regards his or her defence or in mitigation of sentence;
 - (v) call witnesses and submit documentary evidence in support of his or her defence or in mitigation of sentence; and
 - (vi) address the committee in defence or in mitigation of sentence after all evidence has been tendered; and
- (l) the chairperson of the committee must orally inform the student of the committee's decision, which must be immediately confirmed in writing to the student by the registrar.

(2) Subject to the provisions of paragraph 74, the decision of the disciplinary committee is final.

(3) Previous convictions of misconduct may be taken into consideration by the disciplinary committee in passing sentence on a student.

Imposing of penalties by disciplinary committee

73. (1) If the disciplinary committee finds a student guilty of misconduct, it may impose one or more of the following penalties-

- (a) a warning;
- (b) a reprimand;
- (c) a fine not exceeding twice the registration fee payable within such period as the committee may determine;
- (d) suspension;
- (e) suspension of residence privileges;
- (f) expulsion;
- (g) expulsion from a residence;
- (h) a directive to apologise in writing to any person or body in a manner determined by the disciplinary committee;
- (i) payment of an amount to make good any loss, damage or cost caused to the University or any other person or body;
- (j) exclusion from any further participation in any or all tests or examinations of the University;
- (k) a recommendation to the council for the forfeiture of a bursary, loan or student appointment of whatever nature;
- (l) cancellation of the result of a test or examination or of registration in a particular course;
- (m) divestment of the right to bring to or to use a motor vehicle of any kind on the campus; and
- (n) divestment of any right or privilege vested in the student as a registered student of the University.

Appeal against decision by rector or disciplinary committee

74. (1) A student has the right to appeal in writing to the council against a decision given by the rector or the disciplinary committee in the application of the disciplinary provisions of this Statute, and may submit written arguments or explanations of the grounds of his or her appeal to the rector together with the appeal, and any such appeal must be lodged within three days of the notification by the registrar to the student in accordance with paragraph 72(l).

(2) The rector must submit the appeal to the council and may submit to the council an argument or explanation in substantiation of the grounds on which the student concerned was convicted by the rector or the disciplinary committee or on which the penalty was imposed, but the rector or a person who served on the disciplinary committee may not attend the meeting at which the council hears such appeal.

(3) The council may, at the hearing of an appeal, confirm, alter or set aside the conviction by the rector or the disciplinary committee, or confirm, set aside or reduce any penalty imposed by the rector or the disciplinary committee, or refer the matter back to the rector or the disciplinary committee for reconsideration, with or without recommendations.

(4) The decision of the council is final.

Use of library facilities by students

75. The university librarian may summarily debar a student who has infringed any Rule applicable to the library from making use of library facilities for a maximum period of 14 days.

Suspension of student who is late for lecture or who behaves in disorderly manner

76. A member of the teaching staff may summarily suspend a student who is late for a lecture or who behaves in a disorderly manner from attending his or her classes for a maximum of two class periods, provided that, if such member of the teaching staff is not the head of the department, he or she must report such disciplinary action to the head of the department, who may at his or her discretion reduce the period of suspension.

Disciplinary action against minors

77. Before any disciplinary action is taken by the students' representative council's disciplinary committee, the rector or the disciplinary committee against a minor, his or her parents or guardians must be informed wherever possible of the steps that may probably be taken.

Forfeiture of fees paid or payable

78. In all cases of conviction on account of misconduct, the student concerned must forfeit all claims to a refund or rebate of fees paid or payable to the University by reason of any interference with, or interruption or termination of his or her studies at the University,

or by reason of his or her exclusion from a university residence solely as a result of any action against such student in terms of the provisions of this Statute.

FEES PAYABLE BY STUDENTS

Fees

79. (1) The council must determine when the fees payable by students to the University are payable.

(2) A student must not be admitted to an examination unless he or she has paid all fees or any fines imposed by the University, provided that the rector may exempt a student from this provision.

BURSARIES

Bursaries

80. The council must determine how applications for bursaries should be submitted and the conditions for the repayment of bursary loans.

DEGREES, DIPLOMAS AND CERTIFICATES

Degrees

81. The University is empowered to confer the following degrees, subject to the provisions of the Higher Education Act and this Statute-

(a) In the Faculty of Arts

In Arts:

| | |
|---|-----------------|
| Bachelor of Arts | BA |
| Baccalaureus Curationis (Education et Administrationis) | BA Cur (E et A) |
| Honours Bachelor of Arts | BA Hons |
| Master of Arts | MA |
| Master of Arts (Clinical Psychology) | MA |
| Master of Recreation and Tourism | MRT |
| Master of Arts (Social Work) | MA (SW) |
| Doctor of Literature | DLitt |
| Doctor of Philosophy | DPhil |
| Doctor of Philosophy (Community Psychology) | DPhil |
| Doctor of Philosophy (Library & Information Science) | DPhil |

In Communication Science:

| | |
|---|----------------|
| Bachelor of Arts in Communication Science | BA (Comm) |
| Honours Bachelor of Arts in Communication Science | BA(Comm)Hons |
| <i>In Librarianship:</i> | |
| Bachelor of Library & Information Science | B Bibl |
| Honours Bachelor of Library & Information Science | B Bibl Hons |
| Master of Library & Information Science | M Bibl |
| <i>In Social Work:</i> | |
| Bachelor of Arts in Social Work | BA (SW) |
| Honours Bachelor of Arts in Social Work | BA (SW) Hons |
| Master of Arts in Social Work | MA (SW) |
| Doctor of Philosophy | DPhil |
| <i>In Nursing Science:</i> | |
| Bachelor of Nursing Science | B Cur |
| Baccalaureus Curationis (Educationis et Administrationis) | B Cur (E et A) |
| Honours Bachelor of Nursing Science | B Cur Hons |
| Master of Nursing Science | M Cur |
| Doctor of Nursing Science | DPhil |
| <i>In Music:</i> | |
| Bachelor of Music | B Mus |
| Honours Bachelor of Music | B Mus Hons |
| Bachelor of Arts in Music | BA Mus |
| Honours BA Music | BA Mus Hons |
| Master of Music | MA Mus |
| (b) In the Faculty of Law: | |
| Bachelor of Law | B Jur |
| Baccalaureus Procuratoris | B Proc |
| Bachelor of Laws | LL B |
| Bachelor of Laws (Postgraduate) | LL B |
| Master of Laws | LL M |
| Master of Laws (Course work) | LL M |
| Doctor of Laws | LL D |
| (c) In the Faculty of Science and Agriculture: | |
| Bachelor of Home Economics | B Home Econ |
| Bachelor of Science | B Sc |

| | | |
|-----|--|--------------------------|
| | Honours Bachelor of Science | B Sc Hons |
| | Bachelor of Science in Agriculture | B Sc Agric |
| | Honours Bachelor of Science in Agriculture | B Sc Agric Hons |
| | Honours Bachelor of Home Economics | B Home Econ Hons |
| | Master of Science | M Sc |
| | Philosophiae Doctor | PhD |
| (d) | In the Faculty of Theology: | |
| | Bachelor of Theology | B Th |
| | Bachelor of Theology (Arts) | B Th(Art) |
| | Honours Bachelor of Theology | B Th Hons |
| | Master of Theology | M Th |
| | Master of Biblical Studies | MA (BiblicalStudies) |
| | Doctor of Theology | D Th |
| | Doctor of Biblical Studies | D Phil (BiblicalStudies) |
| (e) | In the Faculty of Commerce & Administration: | |
| | <i>In Commerce:</i> | |
| | Bachelor of Commerce | B Com |
| | Honours Bachelor of Commerce | B Com Hons |
| | Master of Commerce | M Com |
| | Doctor of Commerce | D Com |
| | <i>In Administration:</i> | |
| | Bachelor of Administration | B Admin |
| | Honours Bachelor of Administration | B Admin Hons |
| | Master of Administration | M Admin |
| | Doctor of Administration | D Admin |
| (f) | In the Faculty of Education: | |
| | Baccalaureus Paedonomiae | B Paed |
| | Bachelor of Education (Prim) | B Paed |
| | Bachelor of Education (Arts) | B Paed |
| | Bachelor of Education (Comm) | B Paed |
| | Bachelor of Education (Science) | B Paed |
| | Bachelor of Education | B Ed |
| | Bachelor of Education (Ed Psychology) | B Ed |
| | Bachelor of Education (Science) | B Ed |

| | |
|--|------|
| Master of Education | M Ed |
| Master of Education (Ed Psychology) | M Ed |
| Master of Education (Education Management) | M Ed |
| Doctor of Education | D Ed |
| Doctor of Education (Ed Psychology) | PhD |

Diplomas and certificates

82. The University is empowered to award the following diplomas and certificates, subject to the provisions of the Higher Education Act and this Statute-

(a) In the Faculty of Arts:

In Librarianship:

Higher Diploma in Library & Information Science H Dip Bibl

Diploma in School Library Science D SLS

In Social Work:

Higher Diploma in Community Work H Dip Com Org

In Nursing Science:

Diploma in Nursing Administration DNA

Diploma in Nursing Education DNE

Diploma in Community Health Nursing DCHN

Higher Diploma in Recreation and Tourism HDRT

(b) In the Faculty of Commerce & Administration:

Diploma in Public Administration DPA

(c) In the Faculty of Education:

Senior Secondary Teacher's Diploma (Comm) SSTD

Senior Secondary Teacher's Diploma (Arts) SSTD

Senior Secondary Teacher's Diploma (Science) SSTD

University Diploma in Secondary Education UDSE

University Education Diploma UED

University Primary Education Diploma UPED

ADMISSION TO DEGREES, DIPLOMAS AND CERTIFICATES**Minimum period of attendance****83. (1) *Bachelor's degree***

Subject to the provisions of the Higher Education Act and this Statute, no person must be admitted to a bachelor's degree unless he or she has, after the issue of the matriculation certificate or of the certificate of full exemption from the matriculation examination issued by the Matriculation Board, completed the following period of attendance, which is recognised as the minimum for such degree-

- (a) For the degree of Bachelor of Arts or Baccalaureus Curationis (Educationis et Administrationis) or Bachelor of Arts in Social Work, Bachelor of Science, Bachelor of Commerce, Bachelor of Administration, Bachelor of Law or Bachelor of Divinity - at least three academic years.
- (b) For the degree of Bachelor of Library and Information Science, Baccalaureus Procurationis, Bachelor of Laws, Baccalaureus Paedonomiae, Bachelor in Domestic Science or Bachelor of Theology - at least four academic years.
- (c) For the degree of Bachelor of Education - at least five academic years, provided that he or she has either-
 - (i) been admitted, not less than two academic years before the completion of the above-mentioned period of attendance, to the degree of Bachelor of Arts or Bachelor of Science or to another degree accepted by the senate of the University as equivalent thereto;
 - (ii) obtained, not less than one academic year before the completion of the above-mentioned period of attendance, the degree of Bachelor of Arts or Bachelor of Science or another degree, teacher's diploma or certificate accepted by the senate of the University as equivalent thereto.
- (d) For any other bachelor's degree which is not an honours degree - at least three academic years.
- (e) For the honours bachelor's degree - at least one academic year after admission to a bachelor's degree recognised by the senate for this purpose.

(2) *Master's degree*

Subject to the provisions of the Higher Education Act and this Statute, a master's degree must not be conferred on a candidate in any faculty until at least one year after he or she has satisfied the requirements for the honours bachelor's degree or until at least two years after he or she has been admitted to the ordinary bachelor's degree or to equivalent status in the faculty concerned, provided that in the Faculty of Education at least one year must elapse after he or she has been admitted to the degree of Bachelor of Education or to equivalent status.

(3) *Doctor's degree*

Subject to the provisions of the Higher Education Act and of this Statute a doctor's degree must not be conferred on a candidate in any faculty until at least four years after he or she has been admitted to the bachelor's degree or to equivalent status.

(4) *Diplomas and certificates*

Subject to the provisions of the Higher Education Act and of this Statute, no person must be admitted to a diploma unless he or she has completed the applicable minimum period of attendance indicated below for such diploma-

- (a) the Higher Diploma in Community Work - at least one academic year;
- (b) the Higher Diploma in Library Science - at least one academic year;
- (c) the Senior Secondary Teacher's Diploma - at least one academic year;
- (d) the University Education Diploma - at least one academic year;
- (e) the Diploma in Nursing Education - at least two academic years;
- (f) the Diploma in Nursing Administration - at least one academic year;
- (g) all other diplomas - at least three academic years; and
- (h) the post-graduate Diploma in Recreation & Tourism - at least one academic year.

(5) A student must complete a course at the University at least during the following periods-

- (a) in the case of courses for all diplomas awarded in the Faculty of Education - one academic year;
- (b) in the case of courses for the Higher Diploma in Community Work, the Higher Diploma in Library & Information Science - the final academic year; and

- (c) in the case of courses of any other diploma - the final two academic years.

CONFERRING OF DEGREES AND AWARDING OF DIPLOMAS AND CERTIFICATES

Conferring of degrees and awarding of diplomas and certificates

84. (1) For the purpose of conferring degrees and awarding diplomas and certificates, a meeting of the members of the University must be held, to be known as a congregation, to which are invited the members of the council, the members of the senate, the members of the academic staff, the persons upon whom and to whom degrees, diplomas and certificates are to be conferred and awarded and such other persons as the rector may determine.

(2) A congregation must be presided over by the chancellor or, in his or her absence, the rector.

(3) A congregation must be held at least once a year at such time and place as may be determined by the rector on the recommendation of the senate.

(4) The rector must determine at which congregation any graduand may be admitted to a degree.

(5) The procedure for the presentation of graduands, the conferring of degrees, the awarding of diplomas and certificates, academic dress and all other matters regarding congregations not provided for in this Statute must be as determined by the senate with the approval of the council.

(6) No person must be admitted to a degree or diploma, other than an honorary degree, unless the senate certifies that such person has satisfied all the requirements prescribed for such degree or diploma.

EXAMINATIONS

Requirements

85. (1) Except as otherwise provided in the Higher Education Act or this Statute, a candidate for a degree, diploma or certificate must pass an examination of the University in each course taken by him or her for that degree, diploma or certificate.

(2) An examination of the University qualifying a student in any course for a degree, diploma or certificate must be conducted by at least two examiners appointed by the senate, at least one of whom must be an examiner who has not been connected with the preparation of the student for that examination, provided that, in the case of a student

qualifying for an examination in a first course for a degree, diploma or certificate, the senate may waive the requirement that one of the examiners be a person who has not been connected with the preparation of the student for that examination.

(3) The head of the University department in which the course under examination is taught, must be one of the examiners, provided that he or she may delegate his or her responsibility as examiner in any specified case to any members of the staff attached to his or her department with the approval of the senate.

Conduct of examinations

86. An examination of the University must be conducted in accordance with the Rules made by the council.

Admission to examinations

87. (1) A student may present himself or herself for examination in a course only if the senate has received a certificate from the department concerned to the effect that he or she satisfactorily prepared himself or herself for such examination in accordance with the Rules framed by the council, provided that such certificate must be valid for the examination of the semester in which it is issued and, with the approval of the faculty concerned, also for the examination in that course during the next semester or year, provided further that any concession in this connection may only be amended by the senate.

(2) A student for an honours bachelor's degree must not be admitted to an examination in any subject unless he or she has submitted a certificate, to the satisfaction of the senate, from the lecturers in such subject to the effect that he or she has attained a satisfactory standard of proficiency in his or her work in such subject.

(3) A candidate for the degree of master or doctor must not be admitted to the examination unless he or she has submitted a certificate, to the satisfaction of the senate from his or her promoter to the effect that he or she has satisfactorily prepared himself or herself for such examination by attendance of the classes, and the due performance of his or her work, or that he or she, instead of attending classes, has satisfactorily performed such other work as may have been approved by the senate.

HONORARY DEGREES

Honorary degrees

88. (1) A proposal to confer an honorary degree must be submitted in writing to the registrar by a member of the council or the convocation.

(2) Such proposal must be seconded by at least five such members, must be in writing and must reach the registrar before 31 July of each year with a detailed statement indicating the reasons for the proposal.

(3) The registrar must refer such proposal to an honorary degree committee which must consist of the chairperson of the senate, the deans of the faculties, the two representatives of the council on the senate and the three members of the senate on the council.

(4) The names of the persons recommended by the honorary degree committee must be submitted to the senate with a detailed statement indicating the reasons for such recommendation.

(5) The chairperson of the senate must have a deliberative vote on each resolution and, if a candidate requires one vote for a majority, also a casting vote.

(6) At its first meeting after the meeting of the honorary degree committee, the senate must, without discussion, vote by ballot on the person recommended by the honorary degree committee.

(7) A recommendation by the senate for the conferment of an honorary degree must be submitted to the council at its next succeeding meeting.

(8) Voting in the council on the conferment of an honorary degree must be by secret ballot and such an honorary degree must not be conferred unless the majority of the members present are in favour thereof.

STUDENT ORGANISATIONS AND ACTIVITIES

Student organisations and activities

89. Subject to the provisions of the Higher Education Act and this Statute, the council may recognise student organisations and activities at the University on such terms as may be determined by the council, and the council may at any time, after furnishing reasons, withdraw such recognition.

Students' representative council

90. (1) There must be a students' representative council as contemplated in section 35 of the Higher Education Act.

(2) A students' representative council for the University must be elected by the students of the University in accordance with the students' representative council constitution.

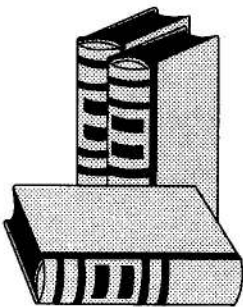
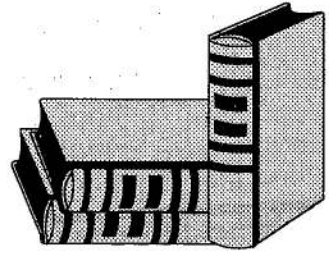
(3) The composition, manner of election, term of office, functions and privileges of the students' representative council must be determined by the constitution of the students' representative council as approved by the council.

Repeal of previous Statute

91. (1) The Statute applicable to the University of Zululand as published under Government Notice No. R. 215 of 8 February 1980, as amended by Government Notice No. R. 264 of 19 February 1982, is hereby repealed with effect from the date on which this Statute comes into operation.

(2) Notwithstanding subparagraph (1), any body of the University which existed immediately prior to the publication of this Statute continues to exist and function in terms of this Statute until the day prior to the day when each new structure, reconstituted in terms of this Statute, becomes functional.

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Departement van Omgewingsake en Toerisme

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Hou Suid-Afrika Skoon



Gooi rommel waar dit hoort

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Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Tel: (012) 334-4507, 334-4511, 334-4509, 334-4515
Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaat Sak X85, Pretoria, 0001
Tel: (012) 334-4507, 334-4511, 334-4509, 334-4515