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GOVERNMENT NOTICES

DEPARTMENT OF NATIONAL EDUCATION**No. 13****4 January 2002****HIGHER EDUCATION ACT, 1997 (ACT No. 101 OF 1997)****MERGER OF PUBLIC HIGHER EDUCATION INSTITUTIONS****THE UNIVERSITY OF SOUTH AFRICA AND THE TECHNIKON S A**

I, Professor Kader Asmal, MP, Minister of Education, in accordance with section 23(1) of the Higher Education Act, 1997 (Act No. 101 of 1997), and after consulting the Council on Higher Education, hereby merge the University of South Africa and the Technikon S A into a single public higher education institution. The date of the establishment of the new institution, the type and name of the new institution, the physical location and official address of the new institution, the composition of the interim council and the transitional arrangements required to ensure the effective implementation of the merger process are set out in the Schedule hereto



Professor Kader Asmal, MP
Minister of Education

SCHEDULE

The date of the establishment of the new institution

1 February 2002

The type and name of the new institution

A dedicated distance higher education institution to be known as the Open Learning University of South Africa.

The physical location and official address of the new institution

The physical location of the merged institution will be that of the main campuses of the University of South Africa and Technikon S A respectively, i.e. Preller Street, Nieu Muckleneuk, Pretoria and Corner of Christiaan de Wet Road & Pioneer Avenue, Florida, South Africa.

The postal address is:

Open Learning University of South Africa
PO Box 392
0003
South Africa

or

Open Learning University of South Africa
Private Bag X6
Florida
1710
South Africa

Establishment of Interim Council

An interim council is established for a period not exceeding six months, to perform the functions relating to governance, except the function to make the institutional statute.

The Interim Council must in particular -

- appoint an interim body to manage the day-to-day activities of the institution;
- ensure that a council is constituted in terms of the standard institutional statute
- ensure the establishment of such other structures as may be determined in the standard institutional statute

The composition of the interim council

Chairperson and 4 members (four members must be appointed from nominations received from the higher education institutions concerned).

As no nominations were received from the Council of the University of South Africa, the Minister requests that the Interim Council consider co-option from the existing Council of the University of South Africa. Any co-opted member shall have no voting rights.

The Chairperson shall be:
Dr N M Phosa

The four members shall be:
Dr M R Kgaphola
Mr L Mali
Mr N Nyoka
Dr P Pillay

The transitional arrangements

The two institutions are merged as going concerns.

All assets which vested in University of South Africa and the Technikon S A immediately prior to 1 February 2002 vest in the Open Learning University of South Africa on 1 February 2002.

Existing agreements of employment between University of South Africa and the Technikon S A and their employees, on 1 February 2002, shall be deemed to be agreements entered into between those employees and the Open Learning University of South Africa and shall continue to exist subject to applicable labour laws. The affected employees shall be deemed to have served continuously under the same employer without interruption.

Until such time as a new senate and a new institutional forum are established in terms of the institutional statute, the membership of the existing bodies shall be combined to fulfil the functions and duties of the two bodies.

The two merging higher education institutions' rolls of convocation are combined to establish a single roll of members of convocation for the Open Learning University of South Africa from which roll the office-bearers of convocation shall be elected in terms of the standard institutional statute. Until such election the existing office-bearers shall jointly fulfil their respective duties and functions.


The Students' Representative Councils of the two merging institutions shall continue to co-exist as separate entities until such time as elections for a single Students' Representative Council can be held in terms of the standard institutional statute. In the interim period the respective roles, functions and duties of the two Students' Representative Councils shall be determined by the interim council.

No. 14

4 January 2002

HIGHER EDUCATION ACT, 1997 (ACT No. 101 OF 1997)**MERGER OF PUBLIC HIGHER EDUCATION INSTITUTIONS****THE TECHNIKON NATAL AND THE M L SULTAN TECHNIKON**

I, Professor Kader Asmal, MP, Minister of Education, in accordance with section 23(1) of the Higher Education Act, 1997 (Act No. 101 of 1997), and after consulting the Council on Higher Education, hereby merge the Technikon Natal and the M L Sultan Technikon into a single public higher education institution. The date of the establishment of the new institution, the type and name of the new institution, the physical location and official address of the new institution, the composition of the interim council and the transitional arrangements required to ensure the effective implementation of the merger process are set out in the Schedule hereto



Professor Kader Asmal, MP
Minister of Education

SCHEDULE

The date of the establishment of the new institution

1 April 2002

The type and name of the new institution

A technikon to be known as the Durban Institute of Technology.

The physical location and official address of the new institution

The physical location of the merged institution will be:

79 Mansfield Road

Berea

Durban

4001

The official address of the merged institution will be:

Durban Institute of Technology

P O Box 953 or 1334

Durban

4000

Establishment of Interim Council

An interim council is established for a period not exceeding six months, to perform the functions relating to governance, except the function to make the institutional statute.

The Interim Council must in particular -

- appoint an interim body to manage the day-to-day activities of the institution;
- ensure that a council is constituted in terms of the standard institutional statute
- ensure the establishment of such other structures as may be determined in the standard institutional statute

The composition of the interim council

Chairperson and 4 members (four members must be appointed from nominations received from the higher education institutions concerned).

The Chairperson shall be: Justice T S Jali

The four members shall be:

Bishop R Phillip

Mr M Madanjit

Ms B Davis

Dr M Mokoape

The transitional arrangements

The two institutions are merged as going concerns.

All assets which vested in Technikon Natal and M L Sultan Technikon immediately prior to 1 April 2002 vest in the Durban Institute of Technology on 1 February 2002.

Existing agreements of employment between Technikon Natal and M L Sultan Technikon and their employees, on 1 February 2002, shall be deemed to be

agreements entered into between those employees and the Durban Institute of Technology and shall continue to exist subject to applicable labour laws. The affected employees shall be deemed to have served continuously under the same employer without interruption.

Until such time as a new senate and a new institutional forum are established in terms of the institutional statute, the membership of the existing bodies shall be combined to fulfil the functions and duties of the two bodies.

The two merging higher education institutions' rolls of convocation are combined to establish a single roll of members of convocation for the Durban Institute of Technology from which roll the office-bearers of convocation shall be elected in terms of the standard institutional statute. Until such election the existing office-bearers shall jointly fulfil their respective duties and functions.

The Students' Representative Councils of the two merging institutions shall continue to co-exist as separate entities until such time as elections for a single Students' Representative Council can be held in terms of the standard institutional statute. In the interim period the respective roles, functions and duties of the two Students' Representative Councils shall be determined by the interim council.

No. 15

4 January 2002

HIGHER EDUCATION ACT, 1997 (ACT No. 101 OF 1997)**MERGER OF A SUBDIVISION OF A PUBLIC HIGHER EDUCATION
INSTITUTION WITH ANOTHER PUBLIC HIGHER EDUCATION
INSTITUTION****THE MERGING OF THE DISTANCE EDUCATION CENTRE
(VUDEC), A SUBDIVISION OF THE UNIVERSITY OF VISTA, WITH
THE OPEN LEARNING UNIVERSITY OF SOUTH AFRICA**

I, Professor Kader Asmal, MP, Minister of Education, in accordance with section 24(1) of the Higher Education Act, 1997 (Act No. 101 of 1997), and after consulting the Council on Higher Education, hereby merge the distance education centre (VUDEC), a subdivision of the University of Vista, with Open Learning University of South Africa. The date of the merger and the transitional arrangements required to ensure the effective implementation of the merger process are set out in the Schedule hereto



**Professor Kader Asmal, MP
Minister of Education**

SCHEDULE

The date of the merger

1 February 2002

The transitional arrangements

The distance education centre (VUDEC), a subdivision of the University of Vista, is merged with Open Learning University of South Africa as a going concern.

The assets, liabilities, rights and obligations of the subdivision devolve upon the Open Learning University of South Africa.

Existing agreements of employment the University of Vista and its employees must on 1 February 2002 be deemed to be agreements entered into between those employees and the Open Learning University of South Africa and must continue to exist subject to applicable labour laws and those employees must be deemed to have served continuously under the same employer without interruption.

Any agreement lawfully entered into by or on behalf of the subdivision is deemed to have been concluded by the Open Learning University of South Africa.

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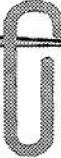
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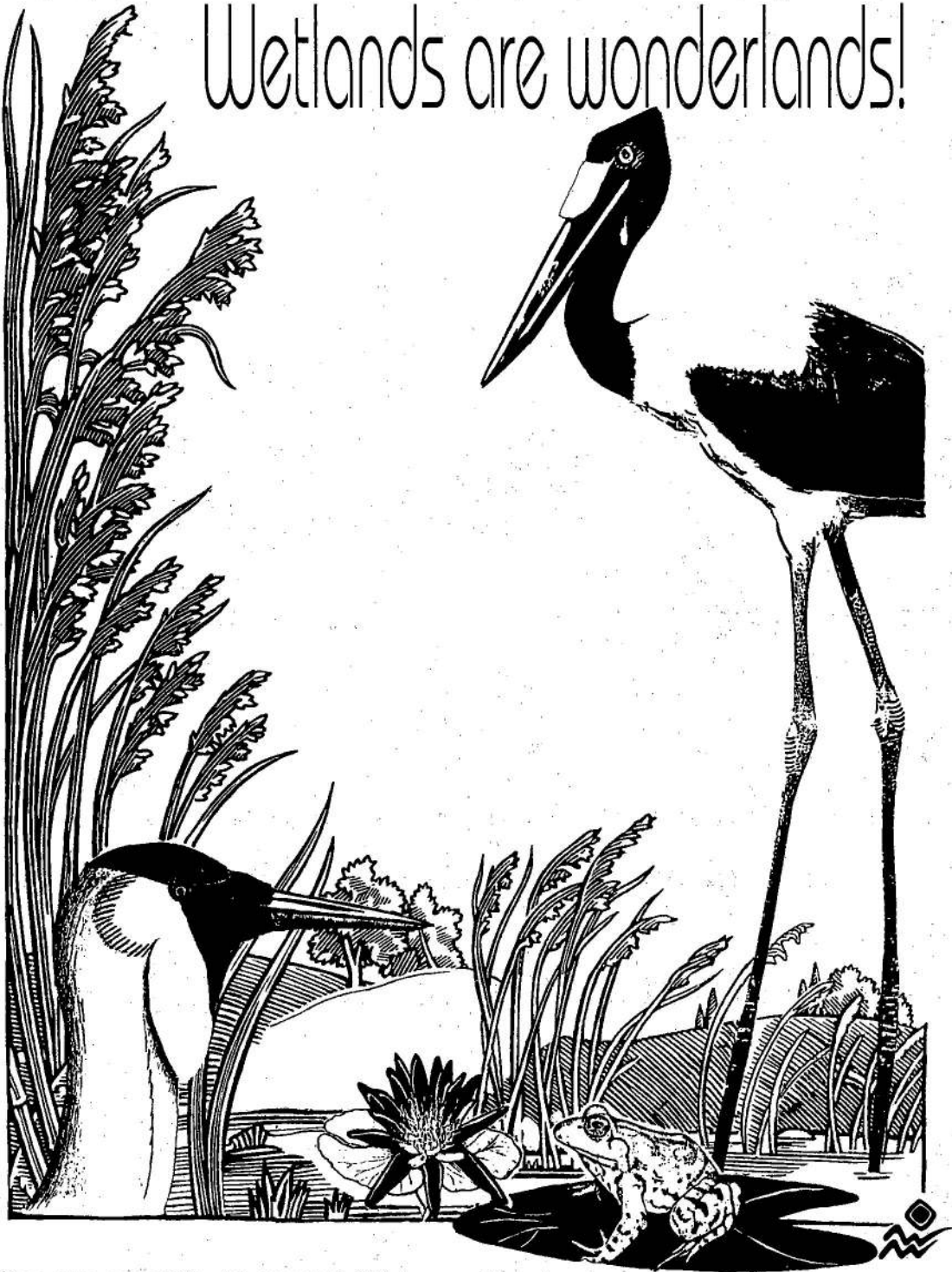
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