THE UNIVERSITY OF CAPE TOWN

Institutional Statute

Institutional Rules

Related Legislation & Code of Conduct

As at July 2016
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UNIVERSITY OF CAPE TOWN

1. INTRODUCTION

Public and private higher education institutions in South Africa are regulated by the Higher Education Act, No 101 of 1997 as amended. This Act and the regulations published under this Act are available at the website of the Department of Higher Education and Training. This Act requires each public higher education institution to have its own institutional statute, the provisions of which augment and must be consistent with the provisions of the Act. This Act also allows the University Council to adopt institutional rules and lays down the procedures the University Council must follow when adopting such rules.

This booklet contains UCT’s institutional statute and the institutional rules that the University Council has adopted. For all other institutional rules and policies, refer to
b) http://www.uct.ac.za/about/policies

It also reproduces two measures which have a direct bearing on the work of the University.

It does not reproduce the following measures which are of importance to the work of the University: these measures may be found on the web-sites of HESA, the DHET, the CHE and SAQA.

b) The unrepealed section of the Universities Act, 1955 and Joint Statute and Joint Regulations published under it.
c) The legislation and regulations for the South African Qualifications Authority (SAQA), the National Qualifications Framework (NQF), or the Higher Education Qualifications Sub-Framework (HEQF) which is a sub-framework of the NQF.
d) The large number of non-university-specific measures which affect the University directly or indirectly: this range from safety laws and regulations to measures that deal with constitutional values (PAIA and PAJA) to employment law.

It does however include

(i) Council’s Code of Conduct, adopted in terms of the Act; and
(ii) Council’s policy on disclosures of interests and on conflicts of interest.

Registrar
2 STATUTE OF THE UNIVERSITY OF CAPE TOWN

(As published under Government Notice 1199 of 20 September 2002,
and as amended by
Government Notice 259 of 26 February 2004,
Government Notice 476 of 20 May 2005,
Government Notice 748 of 27 August 2010, and
Government Notice 408 of 23 May 2012

PREAMBLE

Whereas it is desirable for the University of Cape Town to be a world-class African university; to educate its students; to address the challenges facing society; and to equip people with life-long skills;

And whereas it is necessary to provide for the regulation of the University of Cape Town in the manner that the Higher Education Act, 1997 (Act No. 101 of 1997), requires;

THE COUNCIL OF THE UNIVERSITY OF CAPE TOWN HAS MADE THIS STATUTE.
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DEFINITIONS

1. Definitions
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 to it, and, unless the context otherwise indicates –
“academic staff” means any person appointed by the council to a teaching or research position at the University and includes the professors, associate professors, senior lecturers, lecturers, and assistant lecturers, and such categories of research officer as council may designate;
“Act” means the Higher Education Act, 1997 (Act No. 101 of 1997);
“appointments committee” means the appointments committee contemplated in paragraph 45 of this Statute;” (added February 2004)
“certificate” means a certificate of the University awarded to a student on completion of the work prescribed for the certificate by the senate;
“convocation” means the convocation contemplated in paragraphs 37 to 42;
“council” means the council contemplated in paragraphs 12 to 21;
“degree” means a degree of the University conferred upon a student at a congregation on completion on the work prescribed for the degree by the senate;
“deputy vice-chancellor” means a person appointed in terms of paragraphs 10 and 11;
“diploma” means a diploma of the University awarded to a student at a congregation on completion of the work prescribed for the diploma by the senate;
“donor” means a person who, before the commencement of this Statute was a donor entitled to elect members of the council and any other person who satisfies the requirements as determined by the Rules;
“examination” means any test or assessment, including any written, oral, practical or clinical test or assessment where the result obtained contributes to, or constitutes, the result for a course;
“faculty and department” means a faculty or department contemplated in paragraph 43;
“graduate” means a person upon whom a degree has been conferred, and
“graduate of the University” means a person upon whom the University has conferred a degree;
“institutional forum” means the institutional forum contemplated in paragraphs 29 to 34;
“Minister” means the Minister of Education;
“officer of the University” means a member of the staff of the University designated as such by the council;
“postgraduate student”, for the purposes of appointments to the council, the senate and the institutional forum, means a person registered as a student for a degree of master or of doctor of the University;
“professional, administrative, support and service staff” means the staff appointed at the University in the libraries, information and communication technology services, and in academic, administrative, support and service departments who are not academic staff;
“professor” means a person appointed as a professor or as a distinguished professor by the council after consultation with the senate, but does not include an emeritus, adjunct, associate or honorary professor;
“recognised staff body” means any body organised by and among staff to represent the staff, or a section of the staff, including a trade union, recognised for this purpose by the council;
“registrar” means the officer contemplated in paragraphs 55 and 56;
“Rules” means any rules made by the council in terms of section 32 of the Act;
“seat of the University” means the seat contemplated in paragraph 2 of this Statute and in section 65A of the Act;
“senate” means the senate contemplated in paragraphs 22 to 28;
“senior management of the University” for the purposes of this Statute and section 31 of the Act, means the vice-chancellor, deputy vice-chancellors, deans, executive directors and the registrar;
“SRC” means the SRC contemplated in paragraph 44 of this Statute and in section 35 of the Act; (amended February 2004)
“staff” means any person appointed at the University to a position by the council, whether part-time or full-time, permanent, temporary or fixed-term contract, remunerated or honorary;
“student” means a person currently registered at the University for a programme of study leading to a degree, diploma or certificate, or as an occasional student, or as a postdoctoral fellow;
(Definition of student parliament deleted February 2004)
“trustee of the UCT Foundation” means a person holding office as a trustee of the UCT Foundation;
“UCT Foundation” means the trust registered under this name to raise and hold funds for the University;
“University” means the University of Cape Town; and
“vice-chancellor” means the vice-chancellor contemplated in paragraphs 7 to 9 of this Statute and in section 30 of the Act.

UNIVERSITY

2. Name, status and physical location of University
(1) The name of the University is the University of Cape Town.
(2) The University is a juristic person and, subject to the Act is capable of performing such acts as juristic persons may perform.
(3) Notwithstanding subparagraph (2) the University may not, without the concurrence of the Minister, dispose of or alienate in any manner any immovable property or grant any real right therein or servitude thereto.
(4) The seat of the University is upon the portions of the Groote Schuur Estates that were transferred to and vested in the State under the Rhodes’ Will (Groote Schuur Devolution) Act, 1910 (Act No. 9 of 1910), and granted to the University.
(5) The activities of the University are principally administered at its seat and in Cape Town.
3. **Constitution of University**
   (1) The University consists of –
   (a) the chancellor;
   (b) the vice-chancellor;
   (c) the deputy vice-chancellors;
   (d) the council;
   (e) the senate;
   (f) the institutional forum;
   (g) the SRC;
   (h) the convocation;
   (i) the students; and
   (j) the staff.

   (2) No vacancy in any of the offices contemplated in subparagraph (1) nor any vacancy or deficiency in the numbers or defect in the composition of the bodies contemplated in subparagraph (1) impairs or affects the existence of the University as a juristic person or any function or powers conferred upon the body or the University by this Statute or by the Act.

4. **Functions of chancellor**
   (1) The chancellor is the titular head of the University.
   (2) The chancellor, or in his or her absence the person appointed to act on behalf of the chancellor, presides at all congregations of the University and, in the name of the University, confers all degrees and awards all diplomas and certificates.

5. **Election of chancellor**
   (1) The chancellor is elected by an electoral college.
   (2) The registrar must constitute the electoral college at least three months before the start of the term of office or whenever the office is vacant.
   (3) The electoral college consists of -
   (a) the president of convocation;
   (b) twenty-one members elected by the graduates, and holders of diplomas and certificates, from their number, in the manner subparagraph (5) prescribes;
   (c) six members elected by the academic staff from their number, in the manner subparagraph (6) prescribes;
   (d) six members elected by the professional, administrative support and service staff from their number, in the manner subparagraph (7) prescribes; and
   (e) six students elected by the SRC.

   (4) The procedure for nominating candidates for election as chancellor is as follows -
   (a) The registrar must publish a notice in such manner as the council from time to time decides inviting nominations.
   (b) Each nomination must be in writing, and must –
i. be signed by at least 20 and not more than 30 people each of whom must be a member of the convocation or a member of staff or a student;

ii. be accompanied by the written acceptance of his or her nomination by the nominee, and by a statement by him or her, not exceeding 200 words, summarising his or her curriculum vitae and candidature; and

iii. be received by the registrar by the date he or she specifies in the notice or by such later date as may be condoned by the council.

(5) The procedure whereby the graduates and holders of diplomas and certificates elect 21 of their number to be members of the electoral college is as follows –

(a) The registrar must publish a notice in the manner the council decides inviting nominations.

(b) Each nomination must be in writing and must –

(i) be signed by six people each of whom must be a graduate, or the holder of a diploma or certificate;

(ii) be accompanied by the written acceptance of his or her nomination by the nominee, and by a statement by him or her, not exceeding 200 words, summarising his or her curriculum vitae; and

(iii) be received by the registrar by the date he or she specifies in the notice.

(c) If the registrar receives 21 or fewer nominations he or she must declare those nominated to be duly elected.

(d) If the registrar receives more than 21 nominations, he or she must hold a ballot of the graduates and holders of diplomas and certificates, after publishing the statements of the candidates for election, the method of taking of the ballot to be decided by the council from time to time.

(e) If the registrar receives fewer than 21 nominations, he or she must repeat the process in (a), (b) and (c) to make up the number to 21.

(6) The procedure whereby the academic staff elect six of their number to be members of the electoral college is as follows -

(a) The registrar must publish a notice in the manner the council decides inviting nominations.

(b) Each nomination must be in writing and must -

(i) be signed by six members of the academic staff;

(ii) be for a member of the academic staff;

(iii) be accompanied by the written acceptance of his or her nomination by the nominee, and by a statement by him or her, not exceeding 200 words, summarising his or her curriculum vitae; and

(iv) be received by the registrar by the date he or she specifies in the notice.

(c) If the registrar receives six or fewer nominations he or she must declare those nominated elected.
(d) If the registrar receives more than six nominations, he or she must hold a ballot of the academic staff, the method of taking of the ballot to be decided by the council from time to time.

(e) If the registrar receives fewer than six nominations, he or she must repeat the process in (a), (b) and (c) to make up the number to six.

(7) The procedure whereby the professional, administrative, support and service staff elect six of their number to be members of the electoral college is as follows -

(a) The registrar must publish a notice in the manner the council decides inviting nominations.

(b) Each nomination must be in writing and must -

(i) be signed by six members of these staff;

(ii) be for a member of these staff;

(iii) be accompanied by the written acceptance of his or her nomination by the nominee, and by a statement by him or her, not exceeding 200 words, summarising his or her curriculum vitae; and

(iv) be received by the registrar by the date he or she specifies in the notice.

(c) If the registrar receives six nominations he or she must declare those nominated elected.

(d) If the registrar receives more than six nominations, he or she must hold a ballot of these staff, the method of taking of the ballot to be decided by the council from time to time.

(e) If the registrar receives fewer than six nominations, he or she must repeat the process in (a), (b) and (c) to make up the number to six.

(8) The term of office of the -

(a) members of the electoral college elected by the SRC is a period of 12 months from the date on which it is first convened;

(b) other members of the electoral college is a period of three years from the date on which it is first convened.

(9) If a student vacancy occurs within 12 months, and the electoral college needs to meet, the registrar must invite the SRC to fill any vacancy in the category of members elected by the SRC.

(10) If any other vacancy occurs in the membership of the electoral college and the electoral college needs to meet, the registrar must -

(a) declare the person who obtained the next number of votes in the original ballot concerned to be elected to fill the vacancy; or

(b) if the vacancy is in the category elected by graduates and holders of diplomas and certificates and if there is no such person, hold a ballot to fill the vacancy only if there are three or more vacancies, in which case the ballot must be held to fill all the vacancies; or

(c) if the vacancy is in any other category and if there is no such person, hold a ballot to fill any such vacancy;
(11) The electoral college must elect the chancellor by ballot, from the nominated candidates after the registrar has given to the electoral college the statements of the candidates for the office of chancellor.

(12) To be elected, a candidate must win a majority of the votes cast.

(13) If no candidate wins a majority of the votes cast in a ballot, the candidate obtaining the least votes falls away, and a further ballot or further ballots must be held until a candidate wins a majority of votes, if two or more candidates obtain the lowest number of votes, a ballot must be held to decide which of these falls away.

(14) The electoral college determines its own procedure except that -
   (a) the president of convocation, or failing the president the vice-chancellor, or, failing both, a member of the electoral college elected by the electoral college presides at its meetings; and
   (b) the quorum is 32.

(15) A person is not eligible for nomination for election as chancellor, or to hold or continue to hold office as chancellor, or for nomination for election to, or to be or continue to be a member of the electoral college if he or she -
   (a) is, or becomes, insolvent; or
   (b) is declared to be of unsound mind by a court of the Republic; or
   (c) is, subsequent to his or her election, convicted of an offence and sentenced to a term of imprisonment without the option of a fine by a court of the Republic.

6. Term of office of chancellor
   (1) The chancellor holds office for 10 years, or until he or she resigns, or dies, or until he or she ceases to qualify to hold office in terms of paragraph 5(15).

   (2) If the chancellor is absent, or if the office is vacant, the vice-chancellor, or in his or her absence the acting vice-chancellor or a deputy vice-chancellor nominated by him or her, or failing them, such other person as the council may designate for the purpose, acts for the chancellor.

   (3) Should a vacancy occur for whatever reason, the chancellor next elected holds office for 10 years, or until he or she resigns, or dies, or until he or she ceases to qualify to hold office in terms of paragraph 5(15).

VICE-CHANCELLOR

7. Functions of vice-chancellor
   (1) The vice-chancellor is the chief executive officer of the University.

   (2) The vice-chancellor may delegate any of the powers assigned or delegated to him or her by the council or the senate to any officer of the University, except where the council or the senate decides otherwise.

   (3) The vice-chancellor is by virtue of his or her office a member of –
   (a) each committee of the senate; and
8. **Appointment of vice-chancellor**
The council appoints the vice-chancellor after consulting the senate and the institutional forum.

9. **Termination of office of vice-chancellor**
(1) The vice-chancellor holds office for such period and upon such terms as the council decides.
(2) The appointment may be terminated during the period of office by six months’ notice on either side.
(3) Any resolution of the council to give notice must be taken at a meeting of the council by a majority consisting of not less than half the membership of the council.
(4) If the office of the vice-chancellor becomes vacant, the council must –
   (a) after consulting the senate and the institutional forum appoint an acting vice-chancellor to hold office until such time as a new vice-chancellor takes up his or her appointment; and
   (b) after consulting the senate and the institutional forum, appoint a successor.

**DEPUTY VICE-CHANCELLORS**

10. **Appointment of deputy vice-chancellors**
The council may appoint up to four deputy vice-chancellors, after consulting the senate and the institutional forum.

11. **Functions of deputy vice-chancellors**
(1) The deputy vice-chancellors’ functions are determined by the council.
(2) Each deputy vice-chancellor is by virtue of his or her office a member of each committee of the senate.

**COUNCIL**

12. **Functions of council**
(1) The council governs the University in terms of the Act and this Statute.
(2) Without derogating from the generality of subparagraph (1), the council
   (a) must administer all property of the University;
   (b) appoints all staff of the University, but, in the case of academic staff of the University, it may do so only after consultation with the senate;
   (c) must, subject to the policy determined by the Minister, with the concurrence of the senate, determine the language policy of the University;
   (d) must, after consultation with the SRC, establish a structure to advise on the policy for student support services within the University;
(e) must, after consultation with the senate, determine the admissions policy of the University;
(f) must consult the institutional forum as required by the Act;
(g) may make, rescind or amend a Statute in terms of the Act.

(3) The council may –
(a) establish committees of the council;
(b) appoint persons who are and persons who are not members of the council as members of such committees; and
(c) terminate the membership of any person it has appointed to any committee.

(4) The council may delegate or assign any of its powers and functions to –
(a) a committee of the council;
(b) a member of the council; or
(c) any officer of the University;
except those powers and functions specified in subparagraph (5).

(5) The council may not delegate or assign any of the following powers and functions –
(a) the appointment of the vice-chancellor or of any deputy vice-chancellor;
(b) the approval of the annual operating and capital expenditure budgets;
(c) the adoption of the annual financial statements and annual report;
(d) the determination of the fees to be paid by students;
(e) the making or approval of the Statute;
(f) the approval of a loan or an overdraft;
(g) the decision to embark on the construction of a permanent building or other immovable infrastructural development;
(h) the purchase of immovable property, or entering into a long-term lease of immovable property; or
(i) the establishment or disestablishment of faculties or departments.

(6) The council remains responsible for the exercise and performance of any function delegated or assigned in terms of subparagraph (4).

13. Composition of council
(1) The council consists of –
(a) the vice-chancellor;
(b) the deputy vice-chancellors;
(c) three members of the senate elected by the senate;
(d) one member of the academic staff elected by the academic staff;
(e) one member of the professional, administrative, support and service staff elected by the professional, administrative, support and service staff;
(f) two students elected by the SRC, one of whom must be a postgraduate student;
(g) three persons appointed by the Minister;
(h) one person appointed by the Premier of the Western Cape;
(i) one person appointed by the City Council of Cape Town;
(j) six persons elected by the convocation;
(k) two persons elected by donors; and
(l) deleted by GN 259 of 2004.
(m) five persons appointed by the appointments committee.
(n) Deleted by GN 259 of 2004

(2) At least 60 per cent of the members of the council must be people who
are not staff or students.
(3) No staff other than staff appointed in an honorary capacity, and no
student may be elected or hold an appointment under subparagraphs
(1)(g) to (1)(m).
(4) A person elected, or appointed under subparagraphs (1)(g) to (1)(m)
who becomes a student or a staff member, other than a staff member
appointed in an honorary capacity, forthwith ceases to be a member of
the council.

(Amended paragraph 13 substituted February 2004)

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

15. Term of office of council members
(1) The vice-chancellor and deputy vice-chancellors remain members of
the council for as long as they occupy their posts.
(2) The term of office of the students elected by the SRC is twelve
months, from 1 November to 31 October next.
(Amended sub-paragraph inserted August 2010)
(3) The term of office of the remaining members is four years, from 1 July
to 30 June four years later, as determined by the Rules, and the term of
office of any member elected or appointed after the start of the four-
year term of office is for the balance of that four-year term of office.
(Amended paragraph 15 substituted February 2004)

16. Termination of membership and filling of vacancies
(1) A member of the council vacates his or her position on the council if
he or she –
(a) resigns;
(b) dies;
(c) is absent from three consecutive ordinary meetings of the
    council without leave;
(d) is, or becomes, insolvent;
(e) is declared to be of unsound mind by a court of the Republic;
(f) is removed from an office of trust by a court of the Republic, or
    is convicted of an offence and sentenced to a term of
    imprisonment without the option of a fine by a court of the
    Republic; or
(g) is otherwise disqualified in terms of the Rules.
(2) In the event of a vacancy through death or otherwise, the registrar must
forthwith notify the authority or body that appointed or elected the
member, requesting the authority or body to appoint or elect a successor.

(2A) Notwithstanding the provisions of (2) above, any vacancy in the Council in respect of a member who held office in terms of paragraph 13(1)(j), 13(1)(k) or 13(m) must be filled for the balance of that member’s term of office by the appointments committee. (added February 2004)

(3) The successor holds office for the unexpired term of office of the predecessor.

(4) If 75 per cent or more of the members of the council resign at a meeting of the council, it is deemed that the council has resigned.

(5) If the council resigns as contemplated in subparagraph (4), a new council must be constituted in terms of paragraphs 13 and 14.

17. Office-bearers of council

(1) The council must elect a chairperson and a deputy chairperson from among the members of the council who are neither staff nor students.

(2) The term of office of the chairperson and of the deputy chairperson is four years which runs concurrently with the term of office of the members who serve a four-year term, until the start of the meeting of the council elected to serve for the following four-year term.

(3) The registrar is the secretary of the council.

(4) The registrar must invite the council to elect a chairperson and a deputy chairperson at the first meeting of the new council.

(5) A retiring office-bearer is eligible for re-election, if he or she is still a member of the council.

(6) If a vacancy occurs in the office of chairperson or deputy chairperson within the term of office, the registrar must invite the council at its next ordinary meeting to fill the vacancy for the unexpired period of the term of office.

(7) The chairperson presides at all meetings of the council at which he or she is present.

(8) The deputy chairperson presides at meetings of the council in the absence of the chairperson.

(9) If both the chairperson and the deputy chairperson are absent, the council elects a chairperson for the meeting concerned from those members present who are neither staff nor students.

COUNCIL MEETINGS

18. Ordinary meetings

The ordinary meetings of the council must be held when and where the council decides, and at least four ordinary meetings must be held each year.

(Amended paragraph inserted August 2010)

19. Special meetings

(1) Special meetings must be held -

(a) when called by the chairperson; and

(b) when a written request, for a special meeting, stating the object of the meeting, is received by the registrar from at least five members of the council.
(2) At least three days notice must be given of a special meeting, unless, in the opinion of the chairperson, there is an emergency that warrants a shorter period of notice.

(3) No matters other than those for which the meeting has been called may be dealt with at a special meeting.

20. **Quorum and procedure at council meetings**

(1) The quorum at an ordinary meeting of the council is 13.

(2) The quorum at a special meeting of the council is half of the total membership of the council.

(3) The registrar must issue a written notice to each member of the council at least three days before each ordinary meeting of the council setting out the place, date and time of the meeting, and the agenda for the meeting, but the council may, if the chairperson so rules, or a majority of the total membership of the council agrees, consider any urgent matter of which notice has not yet been given.

(4) At each ordinary meeting the council must -

(a) confirm the minutes of the last ordinary meeting, and the minutes of any special meeting held since then, with or without amendment, the minutes to be taken as read if copies have been sent to members prior to the meeting; and

(b) deal with the business of which notice has been given and any other business which a majority of the total membership of the council agrees to consider.

(5) The council decides its own rules of debate but -

(a) every motion, and every amendment proposed must be seconded and must, if the chairperson requires this, be in writing and a motion or amendment that is not seconded falls away;

(b) except where the Act or this Statute requires a different procedure, each question must be decided by the majority of votes of the members present and voting, and unless the meeting decides otherwise voting must be by show of hands;

(c) the chairperson has a deliberative vote on each question and also has a casting vote in the case of an equality in the number of votes;

(d) the number of members voting for and the number of members voting against any proposal must be entered in the minutes;

(e) where any member asks for this, his or her vote for or against a proposal must be entered in the minutes;

(f) a motion to make, amend or rescind this Statute may not be considered unless due notice has been given as specified in subparagraph (3);

(g) a motion to rescind a resolution of the council within 12 months after it was passed requires -

(i) a majority of two thirds of the members present and voting or failing that;

(ii) a simple majority of the members present and voting at two consecutive ordinary meetings of the council; and
(h) the ruling of the chairperson on any question of order or procedure is binding unless immediately challenged by a member, in which case the chairperson must submit his or her ruling without discussion to the meeting, which decision is final and binding.

21. Financial and other interests of council members

(1) Any member of the council or a committee of the council who has a direct or indirect financial or personal interest in any matter to be discussed at a meeting must, before or during such meeting, declare such interest, and comply with such other rules and policies as the council may adopt.

(2) After such declaration such member of the council or a committee of the council must excuse himself or herself from the meeting and any subsequent meeting at which the matter is to be discussed, and is not entitled to receive papers relating to the matter.

SENATE

22. Functions of senate

(1) The senate is accountable to the council for the academic and research functions of the University.

(2) Without derogating from the generality of subparagraph (1) the senate –

(a) must organise and control the teaching, curricula, syllabuses, examinations and research of the University;

(b) makes the rules for examinations and must ensure that all examinations are conducted in accordance with these rules;

(c) makes rules prescribing the requirements for each degree, diploma and certificate, and decides who has complied with these requirements;

(d) appoints examiners for all examinations;

(e) decides the conditions for the award of prizes, scholarships and bursaries, where applicable in accord with the terms of the relevant bequest, deed, or gift; and

(f) determines the people to whom such prizes, scholarships and bursaries are to be awarded.

(3) The senate –

(a) must carry out such other functions as the council assigns to it;

(b) must submit to the council such reports on its work as may be required by the council; and

(c) makes recommendations to the council on matters referred to it by the council and on any other matter affecting the University as it considers necessary.

(4) The senate may by resolution –

(a) establish committees of the senate;

(b) appoint to any such committee both members of the senate and persons who are not members of the senate;

(c) disestablish any committee it has established; and...
(d) terminate the membership of a committee of any person it has appointed to any committee.

(5) The senate may delegate or assign any of its functions to –
(a) a committee of the senate;
(b) a member of the senate; or
(c) any officer of the University,
provided that it may not delegate or assign a function delegated to it by the council without the council’s agreement.

(6) The senate remains responsible for the performance of any function delegated or assigned in terms of subparagraph (5).

23. **Composition of senate**
(1) The senate consists of –
(a) the vice-chancellor;
(b) the deputy vice-chancellors;
(c) the deans and acting deans, and the deputy deans and acting deans of faculties;
(d) the heads and acting heads of academic departments;
(e) the professors;
(f) twelve members of the academic staff elected by the academic staff;
(g) four members of the professional, administrative, support and service staff elected by these staff;
(h) six students elected by the SRC of whom at least two must be postgraduate students, and at least one of whom must be a member of the SRC;
(i) two members of the council elected by the council; and
(j) not more than thirty-five persons co-opted by the senate, provided that if more than ten are co-opted they must be drawn from the academic staff in such a way as to better reflect in the senate the diversity of the academic staff. (Subparagraph substituted February 2004)

24. **Election of members of senate**
The manner in which members of the senate are elected is as determined by the Rules.

25. **Term of office of senate members**
(1) The term of office of the students elected by the SRC is two calendar years as determined by the Rules.

26. **Office-bearers of senate**
(1) The vice-chancellor is the chairperson of the senate.
(2) In the absence of the vice-chancellor the acting vice-chancellor presides, failing the acting vice-chancellor, the meeting elects a chairperson for the meeting.

(3) The registrar is the secretary of the senate.

27. Quorum and procedure at senate meetings

(1) The quorum for meetings of the senate is one third of the membership, the members on leave at the date of any meeting not counting, for this purpose, among those present nor in the membership.

(2) Ordinary meetings must be held when and where senate decides and there must be at least two ordinary meetings of the senate each year.

(3) Any two members of the senate may place a motion on the agenda for a meeting of the senate by giving notice to the registrar at least seven days before the date of the meeting, and the registrar must include any such motion in the agenda.

(4) The registrar must issue a notice to each member of the senate at least five days before the date of each ordinary meeting of the senate, setting out the place, date and time of the meeting, and the agenda for the meeting, but the senate may by a three quarters majority of the members present and voting agree to consider any urgent matter of which notice has not been given.

(5) Special meetings must be held –
   (a) when called by the chairperson; or
   (b) when a written request for a special meeting, stating the object of the meeting, is received by the registrar from at least 30 members of the senate.

(6) The registrar must give at least three days’ notice to each member of each special meeting of the senate, setting out the place, date and time of the meeting, and the agenda for the meeting.

(7) No other business may be dealt with at a special meeting, but –
   (a) the senate may by a three-quarters majority of the members present and voting agree to consider any urgent matter of which notice has not been given; and
   (b) the chairperson may dispense with the period of notice, where in his or her opinion there is an emergency.

(8) At each ordinary meeting the senate must –
   (a) confirm the minutes of the last ordinary meeting, and the minutes of any special meeting held since then, with or without amendment, the minutes to be taken as read if copies have been sent to members at least five days prior to the meeting; and
   (b) deal with the business of which notice has been given and any other business which a three-quarters majority of those present and voting agrees to consider.

(9) The senate decides its own rules of debate, but –
   (a) every motion and every amendment proposed must be seconded, and must, if the chairperson requires this, be in writing, a motion or amendment that is not seconded falls away;
(b) except where the Act or this Statute requires a different procedure, each question is decided by the majority of votes of the members present and voting, and unless the meeting decides otherwise voting is by show of hands;

(c) the chairperson has a deliberative vote on each question and also has a casting vote in the case of an equality in the number of votes;

(d) the number of members voting for and the number of members voting against any proposal must be entered in the minutes;

(e) where any member asks for this, his or her vote for or against a proposal must be entered in the minutes;

(f) a member may not speak more than once to any motion, or to any amendment, unless the senate allows him or her to do so, but the members moving and seconding a motion or an amendment have the right to reply to the debate before a vote is taken;

(g) a member who believes that a question has been sufficiently discussed may move “that the question now be put” and if this is seconded –

(i) and if the chairperson also believes that the question has been sufficiently discussed, the chairperson must put to the senate the motion “that the question now be put” which if carried closes the debate, except that the proposer and the seconder do not lose their right to reply to the debate;

(ii) and if the chairperson does not believe that the question has been sufficiently discussed, the chairperson must disallow the motion, but has the right to put it as soon as he or she believes that the question has been sufficiently discussed in which case he or she must put to the senate the motion “that the question now be put” which if carried closes the debate, except that the proposer and the seconder do not lose their right to reply to the debate;

(h) an amendment must be put before the motion or amendment to which it refers and when there are two or more amendments they are put in the order the chairperson decides;

(i) a motion to rescind a resolution of the senate within 12 months after it was passed requires –

1. a majority of two thirds of the members present and voting at a meeting of the senate; or

2. a simple majority of the members present and voting at two consecutive ordinary meetings of the senate, and

(j) the ruling of the chairperson on any question of order or procedure is binding unless immediately challenged by a member, in which case the chairperson must submit his or her ruling without discussion to the meeting which decision is final and binding.
28. **Boards of faculties**

(1) For each faculty there is a committee of the senate known as a faculty board.

(2) The composition of each faculty board is as decided by the senate from time to time, but in –

(a) each faculty other than the Faculty of Health Sciences the composition of the faculty board must include –

(i) the professors in the faculty;

(ii) the heads of departments in the faculty;

(iii) the permanent full-time associate professors, senior lecturers, lecturers and assistant lecturers in the faculty; and

(iv) student representatives.

(b) the Faculty of Health Sciences the composition of the faculty board must include -

(i) the professors in the faculty;

(ii) the heads of departments in the faculty;

(iii) members elected by the full-time and part-time associate professors, senior lecturers, lecturers and assistant lecturers in the faculty;

(iv) and student representatives.

(9) The dean of the faculty is the chairperson of his or her faculty board and presides at all meetings of the faculty board at which he or she is present.

(10) In the absence of the dean, the acting dean presides, and in the absence of both the faculty board must elect a member to preside at that meeting.

(11) The faculty board -

(a) is responsible to the senate for organising and controlling the teaching, curricula, syllabuses, examinations and research of the faculty;

(b) must make proposals to the senate for rules prescribing the requirements for each degree, diploma and certificate offered in the faculty, including the requirements for admission and readmission;

(c) must advise the dean of the faculty on policy for resource allocation in the faculty;

(d) must carry out such functions as the senate delegates or assigns to it;

(e) is accountable to the senate for its work; and

(f) may by resolution establish committees of the faculty, and may appoint as members of such committees any people whether they are members of the faculty board or not.

(6) The procedures at meetings of faculty boards are as decided by the senate from time to time.

(6A) The quorum of a faculty board is as decided by senate from time to time but may not be less than one third of the total membership of the faculty board where the total membership is reduced by –
(a) the number of those who are on approved leave at the date of the meeting; and
(b) the number of those who have missed the last three ordinary meetings of the Board prior to the meeting in question.

(New sub-paragraphs (6) and (6A) inserted, February 2004)

(7) Ordinary meetings are held on the dates decided by the senate.

(8) Special meetings must be held -
(a) when called by the dean; or
(b) when a written request for a special meeting, stating the object of the meeting, is received by the dean from at least 10 members of the faculty board.

(9) The faculty board decides its own rules of debate.

(10) The ruling of the chairperson on any question of order or procedure is binding unless immediately challenged by a member, in which case the chairperson must submit his or her ruling without discussion to the meeting which decision is then final and binding.

INSTITUTIONAL FORUM

29. Functions of institutional forum
The institutional forum must advise the council on issues affecting the University as required by the Act.

30. Composition of institutional forum
(1) The institutional forum consists of –
(a) 10 members and alternate members elected or appointed by the council, the senate and the vice-chancellor in the manner determined by the Rules;
(b) 10 members and alternate members elected by the recognised staff bodies in the manner determined by the Rules; and
(c) 10 members and alternate members elected by the SRC in the manner determined by the Rules.

(2) The council must strive to provide fair and equitable opportunities to all members of the institutional forum to prepare for, and participate in, meetings of the institutional forum.

31. Election of members of institutional forum
The manner in which the members of the institutional forum are elected is determined by the Rules.

32. Term of office of members of institutional forum
(1) The term of office of the members elected by the SRC is one calendar year.

(2) The term of office of the members elected by the recognised staff bodies is two years.

(3) The term of office of the members appointed by the vice-chancellor is for such periods as the vice-chancellor decides.
(4) The term of office of the other members is three years co-incident with the four-year terms of office of members of the council and of the senate serving four-year terms of office.

33. **Office-bearers of institutional forum**
   (1) The institutional forum must elect three co-chairpersons, one from the members elected or appointed by the council, the senate and the vice-chancellor, one from the members elected by recognised staff bodies, and one from the members elected by the SRC.
   (2) The co-chairpersons preside at meetings in rotation.
   (3) In the absence of the co-chairperson scheduled to preside, the next co-chairperson in the order of rotation presides.
   (4) In the absence of all co-chairpersons, a member elected by those present presides.
   (5) The co-chairpersons hold office for such term of office as the institutional forum decides.
   (6) A person ceases to be a co-chairperson if he or she ceases to be a member of the institutional forum or resigns from the office of co-chairperson.
   (7) If a vacancy occurs in any office of co-chairperson, the institutional forum must fill the vacancy from the group from which the existing co-chairperson was elected, for the unexpired period of his or her term of office.

34. **Quorum and procedure at meetings of institutional forum**
   (1) The quorum at meeting of the institutional forum is 18 members, including at least four members, or alternate members, appointed in terms of each of –
       (a) paragraph 30(1)(a);
       (b) paragraph 30(1)(b);
       (c) paragraph 30(1)(c).
   (2) An alternate member may attend any meeting of the institutional forum but may only participate in the deliberations of, and any voting in, the institutional forum if the substantive member to whom he or she is an alternate is absent.
   (3) The institutional forum determines its own procedures subject to the following -
       (a) ordinary meetings must be held when and where the institutional forum decides, but there must be at least two ordinary meetings of the institutional forum each year;
       (b) special meetings must be held –
           (i) when called by the three co-chairpersons; or
           (ii) when a written request for a special meeting, stating the object of the meeting, is received by the registrar from at least six members of the institutional forum.
       (c) The ruling of the chairperson on any question of order or procedure is binding unless immediately challenged by a member, in which case the chairperson must submit his or her
ruling without discussion to the meeting which decision is final and binding.

**JOINT COMMITTEES**

35. **Joint committees**
   (1) The council, the senate or the institutional forum may, by resolution of each body concerned, establish joint committees, and appoint people to be members of them.
   (2) In addition to their members the council, the senate or the institutional forum, may each agree to appoint any other person to a joint committee.
   (3) Any joint committee may be disestablished by the council and the membership of any person appointed to a joint committee may be terminated by the body which appointed him or her.
   (4) The council may delegate or assign to a joint committee any of its powers and functions, other than those specified in paragraph 12(5), but remains responsible for the performance of those powers and functions.
   (5) The senate may delegate or assign to a joint committee any of its functions, but remains responsible for the performance of those functions.
   (6) The institutional forum may delegate or assign to a joint committee any of its functions, but remains responsible for the performance of those functions.

36. **Composition of council, senate, institutional forum, committees and joint committees**
   Any person or body appointing a person, or nominating a candidate for election to the council, the senate, the institutional forum or a committee or a joint committee must have regard to the historic under-representation of women, in particular black women, and black people in general on such bodies and the need to redress that.

**CONVOCATION**

37. **Functions of convocation**
   The convocation may discuss and state its opinion upon any matter relating to the University, including any matter referred to it by the council, the senate or the institutional forum.

38. **Composition of convocation**
   The convocation consists of -
   (a) the graduates and all holders of diplomas and certificates of the University;
   (b) the vice-chancellor, the deputy vice-chancellors and the academic staff; and
   (c) those former professors and associate professors elected by the senate to be emeritus professors or emeritus associate professors.
39. **Roll of convocation**
   (1) The registrar must keep the roll of convocation.
   (2) Every member of convocation must notify the registrar of his or her address and of any change of address.

40. **President of convocation**
   (1) There must be a president of the convocation who –
       (a) is elected by the convocation from its members at an annual general meeting;
       (b) holds office until the close of the second annual general meeting thereafter; and
       (c) presides at all meetings of the convocation at which he or she is present.
   (2) If a vacancy occurs in the office of the president of the convocation, the vice-chancellor acts until the next annual general meeting which must elect a president to hold office until the close of the second annual general meeting thereafter.

41. **Meetings of convocation**
   (1) There must be an annual general meeting of the convocation.
   (2) Special general meetings of the convocation –
       (a) may be called by the president at his or her own instance; or
       (b) must be called by the president, or in his or her absence by the registrar, when a written request for a special meeting, stating the object of the meeting, is received by the president, or the registrar, from at least 300 members of the convocation.
   (3) The registrar must give notice in a form to be decided by the president of the date, time and place of the annual general meeting of the convocation to each member of the convocation at least 10 weeks before the date of the meeting and must include in this notice –
       (a) the date by which notices of motion to be considered at the meeting must be received by him or her; and
       (b) details as to when and how the agenda for the meeting is to be published, the form and the manner of publication to be decided by the president, or failing the president, by the vice-chancellor.
   (4) The registrar must give notice of the date, time and place of any special general meeting at least five days before the date of the meeting in the form and manner decided by the president, or failing the president by the vice-chancellor; this must include –
       (a) a prominent notice in at least one Cape Town daily newspaper; and
       (b) a notice on the University’s home page on the World Wide Web.

42. **Quorum and procedure at meetings of convocation**
    The procedure at a meeting of the convocation is decided by the meeting, but -
    (a) the quorum at an annual general meeting is 30;
(b) the quorum at a special general meeting is 100;
(c) at the annual general meeting the convocation must -
   (i) confirm the minutes of the last annual general meeting and of any special general meeting held since then, with or without amendment; and
   (ii) deal with the business of which notice has been given, and any other business which a three-quarters majority of those present agrees to consider.
(d) at a special general meeting the convocation must deal with the business, and only the business, of which notice has been given;
(e) in the absence of the president, the meeting must elect a member to preside for that meeting;
(f) no member may, without the permission of the meeting, speak more than once to any motion or to any amendment, except that the proposer and seconder of any motion or any amendment must have the right of reply to the debate on the motion or the amendment as the case may be;
(g) the chairperson has a deliberative vote on each question and also has a casting vote in the case of an equality of votes; and
(h) the ruling of the chairperson on any question of order or procedure is binding unless immediately challenged by a member, in which case the chairperson must submit his or her ruling without discussion to the meeting which decision is final and binding.

FACULTIES AND DEPARTMENTS

43. Faculties and departments
(1) The council may, with the concurrence of the senate, establish or disestablish faculties.
(2) The council may, with the concurrence of the senate, establish or disestablish departments.

SRC

44. SRC
(1) There is an SRC, which represents all students within the University.
(2) The SRC consists of between fifteen and twenty students as prescribed in the SRC constitution elected in a general election in the second term of each year in which every student who has been registered for at least one term is entitled to vote.
   (Amended paragraph 44(2) substituted 23 May 2012)
(3) The SRC functions in terms of a constitution approved by the Council as a set of institutional rules, which determines the manner of election, the term of office, the functions and the privileges of the SRC.

45. The appointments committee of council
(1) The appointments committee must make appointments to the Council as provided for in paragraph 13(1)(m) and fill vacancies on the council as provided for in paragraph 16(2A).
(2) The appointments committee consists of –
   (a) the chairperson of the council, or failing the chairperson the deputy
       chairperson, or failing both a member of the council who is neither a
       staff member nor a student, chosen by the council;
   (b) the chairperson of the trustees of the UCT Foundation;
   (c) a trustee of the UCT Foundation who is neither a staff member nor
       a student, chosen by the trustees;
   (d) a person who is neither a staff member nor a student, chosen by
       organised labour in NEDLAC;
   (e) the vice-chancellor;
   (f) a dean chosen by the deans of faculties from their number; and
   (g) the president of the SRC.

REGISTRATION OF STUDENTS, GRANTING OF CREDITS AND
EXEMPTIONS AND AWARDING OF QUALIFICATIONS

46. Period of registration as student
A student must register and once registered remains registered until the day
before the start of the next academic year, or until he or she graduates or is
awarded a diploma or certificate, or is expelled, or for such shorter period as
council decides, whichever is the shortest.

47. Award of credits and exemptions
(1) Subject to subparagraphs (2), (3) and (4) the senate may –
   (a) grant credit for a course prescribed for a degree, diploma or
       certificate to a student who has completed a course or courses
       or other work which the senate considers equivalent at another
       university or elsewhere;
   (b) grant exemption from a course prescribed for a degree, diploma
       or certificate to a student who has completed a course or courses
       or work which the senate considers equivalent at another
       university or elsewhere; and
   (c) accept as part of the period of attendance and registration
       prescribed for a degree, (other than an honours bachelor),
       diploma or certificate, a period or periods of attendance and
       registration, at another university or elsewhere.

(2) The senate may not grant credit for more than half of the courses
prescribed for the degree, diploma or certificate in question in respect
of a course, or courses, or other work completed at another university,
or elsewhere.

(3) A candidate for a degree, diploma or certificate must attend at and be
registered as a student of the University -
   (a) for a one year programme, for a full academic year;
   (b) for a three year programme, for at least two academic years one
       of which must be the final year;
   (c) for a four year programme, for at least the final two years; and
   (d) for a five or six year programme, for at least three academic
       years including the final two years.
The combined periods of attendance and registration at the University and at another university or elsewhere accepted by the senate for this purpose must be not less than the minimum period prescribed by the senate for the degree, diploma or certificate in question.

The senate may -

(a) grant credit for a course prescribed for a degree, diploma or certificate to a student who has completed the course, or an equivalent course, while registered at the University for another degree, diploma or certificate; and

(b) accept, as part of the period of registration prescribed for the degree, diploma or certificate, all or part of a period of attendance at the University while registered for another degree, diploma or certificate, provided that where the degree, or degrees, diploma or diplomas, certificate or certificates concerned has or have been conferred or awarded the senate may not -

(i) grant credit for more than half of the prescribed courses except to the extent that it grants credit for courses previously completed over and above the requirements prescribed for the completed degree, diploma or certificate; or

(ii) accept as part of the prescribed period of attendance and registration -

(aa) for a one year programme, any period;

(bb) for a three year programme, more than one and a half years;

(cc) for a four year programme, more than two years; or

(dd) for a five or six year programme, more than three years.

48. Admission as candidates for degrees of master or doctor

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

(a) if it is satisfied that the person is qualified to undertake the proposed line of study or research or both; and

(b) who is a graduate of the University or another institution; or

(c) who has attained a level of competence which in senate’s opinion is adequate for the purpose of postgraduate study or research or both in the proposed line of study or research or both.

49. Degrees, diplomas and certificates by examination

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

(2) Except as is provided by paragraph 50 no degree may be conferred upon, and no diploma or certificate may be awarded to, any person who has not –
(a) been registered as a student of the University for the period and under the conditions which the senate prescribes; and

(b) completed the courses and passed in the examinations prescribed by the senate.

50. **Honorary degrees**

(1) The University may confer an honorary degree of doctor upon any person –

(a) by resolution of the senate and the council on the grounds of his or her distinguished contribution to learning; or

(b) by resolution of the council on any other grounds.

(Amended by Government Notice 748 of August 2010)

(2) A proposal that the University confer an honorary degree of doctor –

(a) must be in writing and must be received by the registrar by the date decided from time to time by the council;

(b) for consideration by the senate and the council must be made by a member of the senate or a member of the council;

(c) for consideration by the council must be made by a member of the council;

(d) must state the degree proposed and the grounds on which the proposal is made; and

(e) must be referred by the registrar to the joint honorary degrees committee of the senate and the council, which must in turn make a recommendation to the senate and the council, or the council, as the case may be.

(Amended by Government Notice 748 of August 2010)

(3) The procedures that the senate and the council follow in dealing with a proposal that the University confer an honorary degree must be decided by the senate and the council respectively, but –

(a) all voting on a proposal in either body must be by secret ballot, and voting on a proposal in senate must be by secret postal ballot;

(Amended paragraph 50(3)(a) substituted 23 May 2012)

(b) a resolution of the senate to confer an honorary degree requires a vote of a majority in favour of the members of the senate voting in the ballot;

(Amended by Government Notice No 476 of 2005)

(c) the members of the senate who do not vote and who are on leave on the date the ballot is taken do not count, for this purpose, in the membership of the senate; and

(d) a resolution of the council to confer an honorary degree requires a vote of a majority in favour of the membership of the council.

(4) The award of an honorary degree to a person does not entitle that person to practise any profession.

51. **Conferment of degrees and award of diplomas and certificates**

(1) Degrees are conferred, and diplomas and certificates are awarded at a congregation.

(2) Congregations are held at times and places decided by the council after consultation with the senate, and the procedures at a congregation,
including the procedures for the presentation of those who have qualified for degrees, diplomas and certificates, the award of diplomas and certificates and the conferment of degrees in a person’s absence are as decided by the council after consultation with the senate.

(3) A person is not entitled to any privilege conferred by any degree before he or she has been admitted to such a degree, or to any privilege conferred by any diploma or certificate before he or she has been awarded such a diploma or certificate, at a congregation.

52. **Tests of religion, culture, belief or opinion**
No test of religion, culture, belief or opinion may be imposed on any person as a condition of that person becoming or continuing to be a student or staff member of the University, or of holding any degree, diploma or certificate of the University, or of holding any office, receiving any emolument or exercising any privilege in the University, nor may any preference be given to, or advantage be withheld from, any person on the grounds of that person’s religion, culture, belief or opinion.

**DISCIPLINARY MEASURES AND PROCEDURES**

53. **Discipline**
Every student must comply with all Rules.

54. **Disciplinary measures and procedures**
Every student is subject to the disciplinary measures and procedures determined by Rules.

**REGISTRAR**

55. **Appointment of registrar**
The council appoints the registrar who holds office for the period and upon the terms the council decides.

56. **Functions of registrar**
The registrar -
(a) is secretary of the council, the senate and the convocation;
(b) may delegate or assign any function provided for in this statute to a member of staff but remains responsible for the performance of any function he or she delegates or assigns; and
(c) performs such other functions as the vice-chancellor may from time to time decide.

**GENERAL AND TRANSITIONAL PROVISIONS**

57. **Issue of notices**
The inadvertent failure or omission to give notice as prescribed in this Statute to any person entitled to receive it, or the non-receipt of such notice by any person, does not invalidate the proceedings.
58. **Numerical fractions**
   Where a numerical fraction of a number is prescribed in this Statute and where this is not an integral number, the next higher integral number must be taken to be the prescribed number.

59. **Procedures where there is no quorum**
   Where a meeting of the council, the senate, or the institutional forum is called in the manner this Statute requires, and there is no quorum, the chairperson (or in the case of the institutional forum any two co-chairpersons) may adjourn the meeting to a date not less than seven days later and require the registrar to give notice of the time and venue of the adjourned meeting to all members of the body concerned and if this is done the members present at the start of the adjourned meeting constitute a quorum despite any provision to the contrary.

60. **Persons in office**
   Persons holding office under the University of Cape Town (Private) Act 1999 are deemed to hold office under the corresponding provisions of this Statute, unless this is inconsistent with the Act or this Statute.

61. **General and transitional provisions**
   
   (1) Anything done under any provision of the University of Cape Town (Private) Act, 1999, before this Statute came into operation, is deemed to have been done under the corresponding provision of this Statute.
   
   (2) The council, the senate and the institutional forum which existed at the commencement of this Statute continue to exist in so far as they are consistent with the provisions of the Act and this Statute.
   
   (3) The existing regulations promulgated in terms of the Universities Act, 1955 (Act No. 61 of 1955), which were in force at the commencement of the Higher Education Act, 1997 (Act No. 101 of 1997) continue to apply until replaced.

62. **Further transitional provisions**
   
   (1) The terms of office of all members of the council, other than those who hold office ex officio, who hold office at the date of publication of this notice are deemed to come to an end on 30 June 2004; and

   (2) The registrar must cause elections to be held, and invite the appointing authorities to make appointments, in order that the new council constituted in terms of the new provisions takes office on 1 July 2004.
3 INSTITUTIONAL RULES MADE BY THE UNIVERSITY COUNCIL IN TERMS OF
THE HIGHER EDUCATION ACT, No 101 of 1997

3.1 RULES FOR THE ELECTION AND APPOINTMENT OF MEMBERS OF COUNCIL

1. Terms of office

Where members of council serve a four-year term of office the terms of office are for the
periods 1 July 2004 to 30 June 2008 and subsequent four-year periods; and members
appointed, or elected after the start of any four-year term serve for the balance of that four-
year term.

2. Members of senate elected by senate to be members of council

(a) The three members of the senate elected by the senate to be members of council
must be members of the academic staff.

(b) The senate must elect one person from the members of the senate elected in terms of
paragraph 23(f) or the members co-opted from the academic staff in such a way as to
better reflect in the Senate the diversity of the academic staff in terms of paragraph
23(j) of the Statute. If this person subsequently becomes a member of senate in some
other capacity he or she may continue as a member until the end of his or her term of
office.

(c) The senate must elect the other two members to be members of council from all the
members of senate who are members of the academic staff, including the members of
senate elected in terms of paragraph 23(f).

(d) The members of the senate must be elected by ballot at least two weeks before
their term of office begins. The senate must decide the way in which this ballot is to be
taken.

(e) A member of the senate chosen to be a member of the council is eligible for re-election.

(f) A person elected by the senate to be a member of the council ceases to be a member of
council under this section -

(i) if he or she ceases to be a member of the senate;

(ii) if he or she takes up appointment as vice-chancellor or as a deputy vice-
chancellor in a substantive or an acting capacity;

(ii) for any period during which he or she is suspended from the staff;
or

(iv) if he or she vacates his or her position in terms of the provisions of paragraph
16 of the Statute.
(g) If during his or her term of office a member of the senate elected by the senate to
be a member of the council is granted leave for a period of six months or longer, the
senate must elect some other member of the senate to be a member of the council for
the period of the leave which falls within his or her term of office if this is longer than
three months.

3. Member of the academic staff elected by the academic staff to be a member of the
council

(a) Every full-time and every permanently appointed member of the academic staff, other
than the Vice-Chancellor, is entitled to take part in this election; the academic staff are
defined in the Statute, and include academic staff on the joint establishment of the
university and of the province whether on the university payroll or the province’s
payroll, and staff appointed in the categories of research officer.

(b) The registrar must call for nominations for election by the academic staff of one
member of council by notice to each member of the academic staff at least two
months before the start of each term of office.

(c) Nominations must be in writing and must be received by the registrar by the date he or
she specifies in the notice.

(d) Six members of the academic staff must sign each nomination.

(e) Each nomination must be accompanied by the written acceptance of nomination by the
nominee, and by a statement by him or her, not exceeding two hundred words,
summarising his or her curriculum vitae and candidature.

(f) If the registrar receives only one nomination, he or she must declare that person
elected. If the registrar receives more than one nomination, he or she must hold a ballot
of the members of the academic staff after publishing the statements of the candidates
for election, the method of taking the ballot to be decided by the council form time to
time.

(g) A retiring member is eligible for re-election.

(h) A person elected by the academic staff to be a member of the council ceases to be a
member of the council –

   (i) if he or she takes up appointment as vice-chancellor, or as a deputy vice-
       chancellor, in a substantive or an acting capacity;

   (ii) if he or she ceases to be a member of the academic staff;
(iii) for any period during which he or she is suspended from the academic staff; or

(iv) if he or she vacates his or her position in terms of the provisions of paragraph 16 of the Statute.

(i) If a vacancy occurs the registrar must call for nominations and hold a ballot to fill the vacancy for the unexpired period of the term of office if this is longer than three months.

(j) If during his or her term of office a member of the council elected by the academic staff is granted leave for a period of six months or longer, the registrar must call for nominations and hold a ballot to fill the temporary vacancy for the period of the leave granted which falls within the unexpired period of the term of office if this is longer than three months.

4. Member of the professional, administrative, support and service staff elected by these staff to be a member of the council.

(a) Every full-time and every permanently appointed member of the professional, administrative, support and service staff, other than the registrar, is entitled to take part in the election.

(b) The members of the professional, administrative, support and service staff must elect one of their number to be a member of the council.

(c) The registrar must call for nominations for election by notice at least two months before the start of each term of office to each member of the professional, administrative support and service staff.

(d) Nominations must be in writing and must be received by the registrar by the date he or she specifies in the notice.

(e) Six members of the staff defined in (a) must sign each nomination.

(f) Each nomination must be accompanied by the written acceptance of nomination by the nominee, and by a statement by him or her, not exceeding two hundred words, summarising his or her curriculum vitae and candidature.

(g) If the registrar receives one only nomination he or she must declare him or her elected. If the registrar receives more than one nomination, he or she must hold a ballot of the staff concerned after publishing the statements of the candidates for election, the method of taking the ballot to be decided by the council from time to time.
(h) A retiring member is eligible for re-election.

(i) A person elected by the professional, administrative, support and service staff to be a member of the council ceases to be a member of the council -

(i) if he or she takes up appointment as registrar in a substantive or an acting capacity;

(ii) if he or she ceases to be a member of the professional, administrative, support and service staff;

(iii) for any period during which he or she is suspended from the professional, administrative, support service staff; or

(iv) if he or she vacates his or her position in terms of the provisions of paragraph 16 of the Statute.

(j) If a vacancy occurs during the member’s term of office, the registrar must call for nominations and hold a ballot to fill the vacancy for the unexpired period of the term of office if this is longer than three months.

(k) If during his or her term of office a member of the council chosen by the professional, administrative, support and service staff is granted leave for a period of six months or longer, the registrar must call for nominations and hold a ballot to fill the temporary vacancy for the period of leave granted which falls within the unexpired period of the term of office if this is longer than three months.

5. **Members of the council elected by the students’ representative council**

(a) The term of office of the two members of council elected by the students' representative council is for twelve months from 1 November to 31 October next. *(Institutional Rule amended to follow the amended para 15(2) of the Institutional Statute.)*

(b) The registrar must invite the students’ representative council to elect students to fill the vacancy at least two months before the start of each term of office, and must state whenever the appointment of a postgraduate student is mandatory.
(c) A person chosen by the students’ representative council under this subsection ceases to be a member of council –

(i) if he or she ceases to be a student;

(ii) for any period during which he or she is suspended from the University; or

(iii) if he or she vacates his or her position in terms of the provisions of paragraph 16 of the Statute.

(d) If a vacancy occurs during the term of office of a member appointed under this subsection, the registrar must invite the students’ representative council to fill the vacancy for the unexpired period of the term of office.

6. **Members of the council elected by the convocation**

(a) The registrar must call for nominations for election as members of council by the convocation by notice to each member of the convocation at least sixteen weeks before the start of each term of office.

(b) Nominations must be in writing and must be received by the registrar by the date he or she specifies in the notice.

(c) Six members of the convocation must sign each nomination.

(d) Each nomination must be accompanied by the written acceptance of nomination by the nominee, confirmation by the nominee that he or she will be able to attend meetings in Cape Town, and a statement by him or her, not longer than two hundred words, summarising his or her curriculum vitae and candidature.

(e) If the registrar receives six or fewer nominations, he or she must declare those nominated to be duly elected. If the registrar receives more than six nominations, he or she must hold a ballot of the members of the convocation, after publishing the statements made by the candidates for election, the method of publication and the method of taking the ballot to be decided by the council.

(f) A retiring member is eligible for re-election.

(g) If a vacancy occurs during the term of office, the registrar must convene a meeting of the Appointments Committee and invite it to fill the vacancy for the unexpired period of office.
7. **Members of the council elected by donors**

(a) Each of the following is a donor for the purpose of the Statute -

(i) every natural person who was a member of the constituency of donors prior to 1 January 1997;

(ii) every natural person who up to the end of the calendar year preceding the year of the election has given R5 000 or more to the University; and

(iii) every corporate body, partnership, unincorporated association or trust which has given R25 000 or more to the University in the ten calendar years preceding the year of the election.

(b) The registrar must call for nominations for election by the donors of two persons to be members of council by notice to each donor at least two months before the start of each term of office.

(c) Nominations must be in writing and must be received by the registrar by the date he or she specifies in the notice.

(d) Three donors must sign each nomination.

(e) Each nomination must be accompanied by the written confirmation by the nominee that he or she accepts nomination, confirmation by the nominee that he or she will be able to attend meetings in Cape Town, and a statement by him or her not exceeding two hundred words, summarising his or her curriculum vitae and candidature.

(f) If the registrar receives two or fewer nominations, he or she must declare those nominated to be duly elected. If the registrar receives more than two nominations he or she must hold a ballot of the donors after publishing the statements of the candidates, the method of taking the ballot to be determined by the council from time to time.

(g) A retiring member is eligible for re-election.

(h) If a vacancy occurs during the term of office the registrar must convene a meeting of the Appointments Committee and invite it to fill the vacancy for the unexpired period of office if this is longer than six months.

8. **Members of council appointed by the appointments committee of council**

(a) The appointments committee consists of –
(i) the chairperson of the council, or failing the chairperson the deputy chairperson, or failing the deputy chairperson a member of council who is neither an employee nor a student, chosen by council;

(ii) the chairperson of the trustees of the University of Cape Town Foundation;

(iii) a trustee of the University of Cape Town Foundation who is neither an employee nor a student, chosen by the trustees;

(iv) a person who is neither an employee nor a student, chosen by organised labour in NEDLAC;

(iv) the vice-chancellor;

(v) a dean, chosen by the deans of faculties from their number; and

(vi) the president of the SRC,

provided that no member of the appointments committee may be a candidate for appointment to the council by the appointments committee.

(b) The term of office of the members of the appointments committee other than those whose membership is ex officio, is for a calendar year.

(c) The quorum is four, provided that at least two are neither staff nor students.

(d) The appointments committee must take reasonable steps to identify people who, because of their experience and/or expertise will be able to contribute to the work of the council, and must ensure, as far as it is able, a mix of diversity and expertise. In doing so it must have regard to the historic under-representation of women, in particular of black women, and of black people on the council.

(e) The appointments committee makes appointments and fills vacancies as required by the Statute.
3.2 RULES ON THE ELECTION OF MEMBERS OF SENATE

1. Terms of office

Where members of senate serve a four-year term of office –

(a) the terms of office are for the periods 1 July 2004 to 30 June 2008 and subsequent four-year periods; and

(b) members appointed, elected or co-opted after the start of any four-year term serve for the balance of that four-year term.

2. Members of senate elected by the academic staff who are not members of senate

(a) The registrar must call for nominations for election of twelve members of the academic staff who are not members of senate to be members of senate by notice to each of the members of the academic staff who are not members of the senate at least two months before the start of each term of office.

(b) Nominations must be in writing and must be received by the registrar by the date he or she specifies in the notice.

(c) Each nomination must be signed by six members of the academic staff who are not members of the senate.

(d) Each nomination must be accompanied by the written acceptance of nomination by the nominee, and by a statement by him or her, not exceeding two hundred words, summarising his or her curriculum vitae and candidature.

(e) If the registrar receives twelve or fewer nominations, he or she must declare the nominees to be duly elected. If the registrar receives more than twelve nominations, he or she must hold a ballot of the members of the academic staff who are not members of the senate after publishing the statements of the candidates for election, the method of taking the ballot to be decided by the council from time to time.

(f) A retiring member is eligible for re-election.

(g) A person chosen by the academic staff to be a member of the senate ceases to be a member of the senate under this section –

(i) if he or she becomes a member of the senate in another capacity; or
(ii) if he or she ceases to be a member of the academic staff; or

(iii) for any period during which he or she is suspended from the academic staff.

(h) If a vacancy occurs the registrar must call for nominations and hold a ballot to fill the vacancy for the unexpired period of the term of office if this is longer than six months.

(i) If during his or her term of office a member of the senate chosen in terms of this subsection is granted leave for a period of six months or longer, the registrar, upon being notified of this by the member, must call for nominations and hold a ballot to fill the temporary vacancy for the period of leave granted which falls within the unexpired period of the term of office if this is longer than six months.

3. **Members of the senate elected by the professional, administrative, support and service staff**

(a) The professional, administrative, support and service staff other than the registrar must elect four of their number to be members of the senate.

(b) The registrar must call for nominations for election by notice to each member of the professional, administrative, support and service staff at least two months before the start of each term of office.

(c) Nominations must be in writing and must be received by the registrar by the date he or she specifies in the notice.

(d) Each nomination must be signed by six members of the professional, administrative, support and service staff.

(e) Each nomination must be accompanied by the written acceptance of nomination by the nominee, and by a statement by him or her, not exceeding two hundred words, summarising his or her curriculum vitae and candidature.

(f) If the registrar receives four or fewer nominations, he or she must declare the nominees to be duly elected. If the registrar receives more than four nominations, he or she must hold a ballot of the members of the professional administrative, support and service staff after publishing the statements of the candidates for election, the method of taking the ballot to be decided by council from time to time.

(g) A retiring member is eligible for re-election.
(h) A person elected to be a member of senate in terms of this section ceases to be a member of senate -

(i) if he or she ceases to be a member of the professional, administrative, support
and service staff; or

(ii) for any period during which he or she is suspended from the staff.

(i) If a vacancy occurs the registrar must call for nominations and hold a ballot to fill
the vacancy for the unexpired period of the term of office if this is longer than six
months.

(j) If during his or her term of office the member is granted leave for a period of six
months or longer, the registrar, upon being notified of this by the member, must call
for nominations and hold a ballot to fill the temporary vacancy for the period of leave
 granted which falls within the unexpired period of the term of office if this is longer
than six months.

4. Members of the senate elected by the council

(a) The council must elect two of its number to be members of the senate.

(b) The registrar must invite the council to choose two of its members to be
members of the senate at the first meeting of the new council.

(c) A person chosen to be a member of the senate under this subsection ceases to be a
member of the senate if he or she ceases to be a member of the council.

(d) If a vacancy occurs during the term of office the registrar shall invite the
council to fill the vacancy for the unexpired period of office if this is longer than six
months.

5. Members of the senate elected by the students’ representative council

(a) The students’ representative council must elect six students to be members of the
senate at least two of whom must be postgraduate students, and at least one of whom
must be a member of the students’ representative council.

(b) The term of office of three of the first set of members of senate six elected by the
students' representative council was from 15 June 1999 to 31 December 1999, and
of the other three was from 15 June 1999 to 31 December 2000. The terms of
office of successive sets of students are two calendar years.

(c) The registrar must invite the students’ representative council to make appointments
under this subsection at least two months before the start of each term of office.
(d) A person chosen to be a member of the senate under this section ceases to be a member of the senate –

(i) if he or she ceases to be a student; or

(ii) for any period during which he or she is suspended as a student.

(e) If a vacancy occurs during a term of office, the registrar must invite the students’ representative council to fill the vacancy for the unexpired period of office.

6. **Members co-opted by the senate**

(a) A person co-opted to be a member of senate because he or she holds a specified office, and who ceases to hold that office, ceases to be a member of senate.

(b) The senate must determine the term of office for each person co-opted to be a member of the senate, and may set different terms of office for different people it co-opts.
3.3 RULES ON THE ELECTION AND APPOINTMENT OF THE INSTITUTIONAL FORUM

1. Members and alternate members elected by the council and by the senate, and appointed by the vice-chancellor

   (a) The council must elect from its number three members, and one general alternate member, the senate must elect from its number three members, and one general alternate member, and the vice-chancellor must appoint two executive officers and two deans to be members, of the institutional forum.

   (b) A person elected -

      (i) by the council ceases to be a member or alternate member of the institutional forum if he or she resigns from the institutional forum or ceases to be a member of the council; and

      (ii) by the senate ceases to be a member or alternate member of the institutional forum if he or she resigns from the institutional forum or ceases to be a member of the senate.

   (c) The members and alternate members elected by the council or the senate serve a four-year term of office where –

      (i) the terms of office are for the periods 1 July 2004 to 30 June 2008 and subsequent four-year periods; and

      (ii) members elected after the start of any four-year term serve for the balance of that four-year term.

   (d) The members appointed by the vice-chancellor serve such terms of offices the vice-chancellor decides.

   (e) If a vacancy occurs during the term of office, the council or the senate or the vice-chancellor, as the case may be, must fill the vacancy for the unexpired period of the term of office.

2. Members elected by recognised staff bodies

   (a) The staff bodies must choose ten members of staff to be members, and may appoint up to ten members of staff to be alternate members of the institutional forum, as follows -

      (i) If there are three, or less than three, staff bodies each having fifteen per cent or more of the total permanent and full-time staff of the University as members at the start of the period of office any such staff body must appoint two members and one alternate member.
(ii) If there are more than three staff bodies each of which has fifteen per cent or more of the total permanent and full-time staff of the University as members at the start of the period of office –

• any staff body having twenty per cent or more must appoint two members and one alternate member; and

• any staff body which has ten per cent or more (but fewer than twenty per cent) of the total permanent and full-time staff of the University as members at the start of the period of office must appoint one member and one alternate member.

(iii) The remainder, if any, of the ten places must be filled in the following way -

• if there are as many or fewer remaining staff bodies as there are remaining places, each of these staff bodies must elect one member;

• if there are more remaining staff bodies than there are remaining places, these staff bodies must fill these places by agreement among themselves, and where they fail to agree each staff body must nominate one candidate, and the places must be filled by drawing by lot as many names from those nominated as there are remaining places; and

• if there are fewer remaining staff bodies than there are remaining places, the place or places left after each staff body has made an appointment must be filled by the staff bodies with the largest membership, in order, appointing one additional member.

(iv) A staff body may count for the purposes of this section only those members who belong to no other staff body, plus those who belong to other staff bodies but for this purpose choose this one as the body to represent them.

(v) A person appointed under this subsection ceases to be a member, or alternate member, of the institutional forum –

• if he or she resigns from the institutional forum; or

• if having been elected by the staff, or appointed by the vice- chancellor, he or she ceases to be a member of staff; or

• if the staff body that appointed him or her ceases to be a recognised staff body; or

• for any period during which he or she is suspended from the University
(vi) The term of office of the members appointed by staff bodies is for two years where—

- the terms of office are for the periods 1 July 1999 to 30 June 2001 and subsequent two-year periods; and

- members appointed after the start of any two-year term serve for the balance of the two-year term.

(vii) If a vacancy occurs during the term of office, the staff body or bodies concerned must fill the vacancy for the unexpired period of the term of office.

3. **Members elected by the students’ representative council**

(a) The students’ representative council must elect ten students, and may elect up to ten specific or general alternate members, to be members and alternate members of the institutional forum.

(b) At least three of the ten members must be postgraduate students and at least one of the alternate members must be a postgraduate student.

(c) A person chosen under this section ceases to be a member of the institutional forum—

(i) if he or she resigns from the institutional forum; or

(ii) if he or she ceases to be a student; or

(iii) for any period during which he or she is suspended from the University.

(d) The term of office of members appointed by the students’ representative council is one calendar year.

(e) If a vacancy occurs during the term of office, the students’ representative council must fill the vacancy for the unexpired period of the term of office.
UNIVERSITY OF CAPE TOWN

3.4 CONSTITUTION OF THE STUDENTS’ REPRESENTATIVE COUNCIL

Approved by University Council, 18
June 2016

Preamble

We, the students of the University of Cape Town, acknowledge our historical context within the African continent, South Africa and the Western Cape and resolve to unite in the pursuit of a university and society based on equality, social justice and democracy.

We therefore proclaim the Students’ Representative Council (SRC) of the University of Cape Town as the primary governing body on all issues of student governance whose role shall be to:

Promote the vision and mission statement of the University of Cape Town;

Affirm and promote the right of students to embark on the acquisition, dissemination and advancement of knowledge and academic excellence;

Promote and protect the principles entrenched in the Bill of Rights of the Constitution of the Republic of South Africa;

Uphold principles of transparency, accountability, responsiveness, fairness and participation in the student community;

Articulate the aspirations of students within the University co-operative governance structures including the Council, Senate, Institutional Forum and University Committees; and

Strive for social redress, increased access and active transformation within the University of Cape Town and the broader society.

In performing their role, the elected representatives must collectively and individually exercise appropriate care, diligence and respect for the authority of this constitution.

In adopting this constitution for Student Governance at the University of Cape Town, we affirm the principles, values and provisions of the Higher Education Act (101 of 1997) as amended, and the Statute of the University of Cape Town.
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Definitions

(1) “Absolute majority” means a majority of the total membership or, in the case of a body that does not have a fixed membership, a majority of those present when the vote is taken.


(3) “Assessor members” refers to students, staff or external experts invited by the Student Governance Court for specific matters or issues.

(4) “Council” means the Council of the University of Cape Town.

(5) “Election Regulations” are the regulations that govern the elections of the SRC and Faculty Councils as approved by Council.

(6) “House Committees” include Executive Committees or Residence Associations where they perform the function set out in section 65.

(7) “Poll” as in the Election Regulations means 25% of all undergraduate students registered in the current year for a higher certificate, diploma, advanced diploma or a bachelor’s degree (including students registered for the LLB degree) or a postgraduate diploma or an honours degree, who are eligible to vote (but excluding all students registered for a certificate, diploma or degree by distance mode).

(8) “Residences Committee” refers to the USAC committee responsible for advising USAC and Council on policy and funding related to the residences.

(9) “Simple majority” means a majority of the members present and voting, excluding those who abstain.

(10) “Sports Council” refers to the USAC committee responsible for advising USAC on policy and funding related to student sport.

(11) “Statute” means the Institutional Statute of the University promulgated under the Act.

(12) “Student” means a person registered as a student of the University.

(13) “Student governance legislation” means all the constitutions, standing rules, codes of conduct and any other document that regulates the functioning of student structures.

(14) “Student Societies and Organisations Committee” (SSOC) refers to the USAC committee responsible for advising USAC on policy and funding related to societies and student organisations.
(15) “University Student Affairs Committee” (USAC) means the Council committee responsible for advising Council on policy in the area of student development and services.
Chapter 1 Overview of Student Governance

Name

1. The name of the body shall be the Students’ Representative Council of the University of Cape Town, hereinafter referred to as the SRC.

Legal Status and Indemnity

2. Subject to the provisions of the Constitution of the Republic of South Africa, the Higher Education Act, the Statute and the authority of the Council, this constitution binds the SRC, student structures and all students of UCT.

3. The SRC is not a juristic person and is not the bearer of its own rights except insofar as it exists as a structure according to the provisions of the Act, with powers delegated to it by the Council. This provision applies to all student structures.

4. The constitution of the SRC has no legal force and effect unless such constitution and amendments thereto have been approved by the Council.

5. Members of the SRC must declare any conflicts of interest and must at least recuse themselves from discussions and decisions related to any conflict of interest.

6. Every member of the SRC is indemnified from all costs, losses and expenses which they may incur or become liable for by reason of any act or omission in discharging of their duties, unless the loss in question is caused by their own gross negligence, dishonesty and/or intentional conduct.

Structures of Student Governance

The following are the structures of Student Governance as defined in the chapters which follow:

7. The SRC is the highest decision making structure of student governance and has the following substructures:

7.1. the SRC Standing Committees;

7.2. the SRC Sub-Councils; and

7.3. any other Sub-Committees it wishes to establish.

8. the Student Parliament;

9. the Student Governance Court;

10. the Constitutional Committee;

11. the Undergraduate Faculty Councils;

12. the Postgraduate Faculty Councils;
13. the Residence House Committees;
14. the Day House Committees;
15. the Societies;
16. the Sport Codes; and
17. the Development Agencies.

Chapter 2 SRC

Composition of the SRC

18. The SRC consists of 15 registered students elected annually in the manner prescribed in the Election Regulations.

SRC Term of Office

19. The SRC holds office from 1 November after the SRC elections until 31 October in the following year.

Termination of Membership

20. A member of the SRC ceases to hold office if and when:
   20.1. they cease to be a student of the University;
   20.2. they tender their resignation in writing and such resignation is accepted by the SRC; or
   20.3. their membership is terminated as a sanction by the Student Governance Court or the University Student Disciplinary Tribunal.

Functions, powers and duties of the SRC

21. Subject to the provisions of this constitution, the SRC:
   21.1. makes representations on behalf of students, in particular to the Council, Senate, Institutional Forum, and other bodies and officers of the University;
   21.2. transparently administers, in the interests of students, of the University such funds and assets as may be allocated to it from time to time by the Council, or as may be received by it from any other source;
   21.3. makes recommendations to the SSOC for the recognition of or withdrawal of recognition of any student society or organisation;
   21.4. convenes meetings of students;
   21.5. conducts referenda to ascertain student opinion;
21.6. affiliates to bodies and organisations outside the University and represents students in such structures;

21.7. administers the use of premises provided by the University for promoting student activities;

21.8. publishes progress reports to the student body and the Council once a semester or more frequently if so decided, which reports must include policy decisions and positions taken in university committees;

21.9. initiates, undertakes or stimulates discussion, debate and action or makes views known on matters of general concern or likely to be of interest to or affect students or a group of students;

21.10. deploys students to university committees;

21.11. proposes amendments to this constitution;

21.12. establishes sub-committees, working groups or task teams as may be deemed necessary; and

21.13. provides progress reports to Student Parliament on recommendations made to the SRC and/or the implementation of binding decisions of the Student Parliament.

Meetings of the SRC

22. Meetings of the SRC take place from time to time in the manner prescribed in the standing rules.

23. Meetings of the SRC are open to students as observers or to address the SRC on a particular matter. Requests to attend meetings must be made in writing to the SRC Secretary-General. The SRC may decline the request to allow for sensitive or confidential matters to be discussed behind closed doors.

24. 50% +1 of the members of the SRC shall constitute a quorum. This quorum must be maintained throughout the duration of the meeting for it to remain quorate.

25. In the event that a meeting is not quorate or loses a quorum, the remaining members may decide to postpone or continue the meeting. Should the meeting continue, a chairperson’s circular must be sent to all members and sufficient time must be allowed for objections to be received to proposed decisions. Should an objection be received, the matter must be discussed at the next meeting. In the absence of an objection, the proposed decision is deemed approved.

26. A SRC decision may be reviewed by or appealed to the Student Parliament, the Student Governance Court or the Constitutional Committee subject to the roles and responsibilities prescribed for these structures in their standing rules.
Chapter 3 SRC Presidency

Composition of the SRC Presidency

27. The SRC Presidency consists of the following SRC members:

27.1. President;

27.2. Vice President;

27.3. Secretary-General;

27.4. Deputy Secretary-General; and

27.5. Treasurer-General.

Functions, duties and powers of the SRC Presidency

28. Subject to the provisions of this constitution, the SRC Presidency may:

28.1. convene meetings of the SRC;

28.2. deal with any matter of urgency;

28.3. act as the executive and administrative committee of the SRC; and

28.4. execute any mandate delegated to it by the SRC.

Meetings of the SRC Presidency

29. Meetings of the SRC Presidency take place from time to time in the manner prescribed in the standing rules.

30. 50% +1 of the members of the SRC Presidency constitute a quorum. This quorum must be maintained throughout the duration of the meeting for it to remain quorate.

31. In the event that a meeting is not quorate or loses quorum, members may decide to postpone or continue the meeting. Should the meeting continue, a chairperson’s circular must be circulated to all members and sufficient time must be allowed for objections to be received to proposed decisions. Should an objection be received, the matter must be discussed at the next meeting. In the absence of an objection the proposed decision is deemed approved.

Chapter 4 SRC Standing Committees
SRC Standing Committees

32. The SRC must constitute the following standing committees, whose composition, functions and duties must be prescribed in standing rules:

32.1. the Finance Committee;

32.2. the Vacation Committee.

Chapter 5 SRC Sub-Councils

Constituting SRC Sub-Councils

33. The SRC must constitute sub-councils to represent:

33.1. undergraduate students in faculties, designated the Undergraduate Academic Sub-Council (UASC) for undergraduate students;

33.2. postgraduate students in faculties, designated the Postgraduate Academic Sub-Council (PASC) for postgraduate students;

33.3. students in residences, designated the Residences Sub-Council;

33.4. students in societies and day houses, designated the Societies and Day Houses Sub-Council;

33.5. students in sports codes, designated the Sports Sub-Council; and

33.6. students in development agencies, designated the Development Agencies Sub-Council (DASC).

Composition of Sub-Councils

34. The composition of each sub-council is determined in accordance with the provisions of its own standing rules.

Chairperson, Vice-Chairperson and Secretary of a Sub-Council

35. Each sub-council is chaired by the SRC member with the relevant portfolio.

36. Each sub-council must elect a vice-chairperson and a secretary from among its members.

Powers and duties of Sub-Councils

37. A sub-council is accountable to the SRC and responsible to its constituency.

38. A sub-council:

38.1. must aim to represent the interests of its constituency;
38.2. must perform duties in the manner prescribed in its standing rules;
38.3. must submit minutes of its meetings and an annual report to the SRC;
38.4. must communicate matters affecting students within its respective constituency to the SRC;
38.5. may make representations and/or presentations on particular matters to the SRC;
38.6. may make representations and/or presentations on particular matters to the Student Parliament;
38.7. must deploy representatives to the Student Parliament in the manner prescribed in the standing rules;
38.8. must administer funds and assets raised for its own affairs in accordance with its standing rules and approved budget; and
38.9. must collate and submit organisational and financial reports from all recognised student structures under its jurisdiction to the SRC once a semester.

Chapter 6 Student Parliament

Function

39. The Student Parliament:

39.1. is independent of the other student governance structures and subject to this constitution and its standing rules;
39.2. is the collective voice of the UCT student community;
39.3. holds the SRC and its sub structures accountable and plays an oversight role in the interests of students; and
39.4. is the forum of debate and discussion on issues affecting students and makes recommendations and/or decisions that bind the SRC, in pursuit of its mandate to serve students with integrity.

Composition

40. The Student Parliament consists of the following, as determined in the Student Parliament standing rules:

40.1. the members of the Students’ Representative Council;
40.2. members of the Postgraduate Academic Sub-Council appointed by it;
40.3. members of the Undergraduate Academic Sub-Council appointed by it;
40.4. members of the Residences Sub-Council appointed by it;
40.5. members of the Societies and Day Houses Sub-Council appointed by it;
40.6. members of the Sports Sub-Council appointed by it;
40.7. members of the Development Agencies Sub-Council appointed by it;
40.8. members of the International Students Forum appointed by it; and
40.9. the Student Parliament Management Committee (SPMC).

Student Parliament Term of Office

41. The Student Parliament holds office from 1 November until 31 October in the following year.

Roles and Responsibilities

42. The Student Parliament serves to keep the SRC and its sub-structures accountable and transparent and rooted in the principles and values of this constitution.

43. Decisions taken by two-thirds of the full membership of the Student Parliament bind the SRC.

44. The Student Parliament may require any student structure described in this constitution to make submissions before the Student Parliament or one of its sub-committees.

45. The Student Parliament is responsible for appointing the members of the Student Governance Court and the Constitutional Committee.

Composition of the Student Parliament Management Committee

46. The SPMC consists of:

46.1. The Speaker, Deputy Speaker and the Convenor;

46.2. the SRC Secretary-General; and

46.3. a second member of the SRC appointed by the SRC who serves as the Secretary of the SPMC.

Election of the Speaker, Deputy Speaker and the Convenor

47. The election of the Speaker, Deputy Speaker and Convenor of Student Parliament takes place in the third term of the year in which its term commences.

Meetings of the Student Parliament
48. Meetings of the Student Parliament are governed by its standing rules.

49. Any student may attend the meetings of Student Parliament as observers, subject to the standing rules of Student Parliament.

50. Ordinary Meetings

50.1. Ordinary meetings of the Student Parliament must be held at least once a quarter.

50.2. The Speaker must give at least seven days’ notice of the date, time, venue and provisional agenda of such a meeting, to all its members and to the student body in general.

50.3. The Speaker must invite members of the Student Parliament to submit agenda items for the meeting at least two weeks before giving notice of a meeting.

51. Extraordinary Meetings

51.1. An extraordinary meeting of the Student Parliament must be held if and when

51.1.1. the Speaker in consultation with the SRC calls such a meeting; or

51.1.2. a sub-council of the SRC submits a written request to the Speaker for such a meeting, accompanied by a written motivation for the matters to be considered at the meeting.

51.2. Notice of the date, time, venue and agenda of an extraordinary meeting must be given to all members of the Parliament at least twenty-four hours before such a meeting.

52. The quorum for the Student Parliament is 50% + 1 of the members. This quorum must be maintained throughout the duration of the meeting for it to remain quorate.

53. In the event that a meeting is not quorate or loses quorum, members may decide to postpone or continue the meeting. Should the meeting continue, a chairperson’s circular must be circulated to all members and sufficient time must be allowed for objections to be received to proposed decisions. Should an objection be received, the matter must be discussed at the next meeting. In the absence of an objection the proposed decision is deemed approved.

Amendments to the Student Parliament Standing Rules

54. Amendments to the standing rules of Student Parliament must be adopted by two-thirds of the full membership of the Student Parliament and submitted to the Constitutional Committee for approval.
Chapter 7 Student Governance Court

Function

55. The Student Governance Court:

55.1. is independent of the other student governance structures and subject only to this constitution and its standing rules, which the Court must apply impartially and without fear, favour or prejudice; and

55.2. presides over disciplinary matters lodged against student structures and/or members of student structures who have allegedly contravened any rule contained in the student governance legislation or who are accused of misconduct in their capacity as student leaders.

Composition

56. The Student Governance Court consists of:

56.1. Five students, of whom at least two students must be registered in the Law Faculty, appointed by Student Parliament in the third term; and

56.2. Assessor members who may be appointed for particular matters for their expert knowledge and who do not have voting rights in determining the outcome of a matter.

57. Once appointed to the Student Governance Court, members are ineligible to stand for election in any other student governance structure or serve in any leadership position in such structure

Chairperson of Student Governance Court

58. The Student Governance Court must elect a chairperson from among its members.

Student Governance Court Term of Office

59. The Student Governance Court holds office from 1 November until 31 October in the following year.

Roles and Responsibilities

60. The Student Governance Court must:

60.1. act in a lawful, reasonable and procedurally fair manner;

60.2. exercise all other powers, duties and functions as properly entrusted or assigned to it as prescribed in its standing rules;
60.3. protect the anonymity of a complainant where this is requested by the complainant and it is considered appropriate and feasible to do so; and

60.4. receive any complaints, acknowledge complaints and deal with complaints and/or conduct hearings expeditiously, and in the manner prescribed in its standing rules.

61. Complaints must be submitted to the Student Governance Court in writing along with any evidence in support of the complaint.

62. Should relevant new evidence come to light after the Student Governance Court has made a decision, the matter may be reopened for consideration by the Student Governance Court.

63. An appeal against any decision of the Student Governance Court lies to the University Student Disciplinary Tribunal.

Amendments to the Student Governance Court Standing Rules

64. Amendments to the standing rules of Student Governance Court must be submitted to the Constitutional Committee for approval.
Chapter 8 Residence House Committees, Day House Committees, Faculty Councils, Societies, Sports Codes and Development Agencies

Residence House Committees

65. A Residence House Committee is a student structure elected by students in a relevant residence, which, in accordance with its own constitution, provides sports, social, academic, cultural, and community outreach activities and opportunities, and addresses any other needs of students in that particular residence.

66. Residence House Committees are subject to this constitution as well as the University’s rules and policies and the rules and policies of the Residence Committee.

67. A Residence House Committee must be elected in a manner that complies with the principles outlined in the Preamble of this constitution and in accordance with the provisions of the constitution of that residence.

68. The constitution of a Residence House Committee must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution and recommend appropriate changes to the Residences Committee for approval.

Day House Committees

69. A Day House, and its Day House Committee is a student structure registered with the SRC which, in accordance with its own constitution, provides sports, social, academic, cultural, and community outreach activities and opportunities, and addresses other needs of students in that particular Day House.

70. Day Students House Committees are subject to this constitution as well as the University’s rules and policies and the rules and policies of the Societies and Student Organisations Committee.

71. Day Houses may be required to submit regular financial reports to the SRC through the Societies Sub-Council.

72. A Day House Committee must be elected in a manner that complies with the principles outlined in the Preamble of this constitution and in accordance with the provisions of the constitution of that Day House.

73. The constitution of a Day House Committee must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution and recommend appropriate changes to the Student Societies and Organisations Committee for approval.
Undergraduate Faculty Councils

74. An undergraduate faculty council is a student structure elected by undergraduate students registered in the relevant faculty and provides for community outreach and addresses the academic needs and any other needs of students in that particular faculty.

75. Undergraduate faculty council are subject to this constitution as well as the University’s rules and policies and the rules and policies of the Societies and Student Organisations Committee.

76. An undergraduate faculty council is responsible for ensuring that there is a functioning system of class representatives.

77. The constitution of an undergraduate faculty council must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution and recommend appropriate changes to the Student Societies and Organisations Committee for approval.

Postgraduate Faculty Councils

78. A postgraduate faculty council is a student structure elected by postgraduate students registered in the relevant faculty and provides for community outreach and addresses the academic needs and any other needs of postgraduate students in that particular faculty.

79. Postgraduate Faculty Councils are subject to this constitution as well as the University’s rules and policies and the rules and policies of the Societies and Student Organisations Committee.

80. The constitution of a postgraduate faculty council must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution and recommend appropriate changes to the Student Societies and Organisations Committee for approval.

Societies

81. A society is a student structure registered with the Student Societies and Organisations Committee, which, has a specific purpose in relation to social, political, religious, academic, cultural, community outreach or any other needs of students who join as members.

82. Societies are subject to this constitution as well as the University’s rules and policies and the rules and policies of the Societies and Student Organisations Committee.

83. A society must elect an executive committee.

84. The constitution of a society must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution before submission to the Societies and Organisations Committee for approval.
Sports Codes

85. A sports code is a student structure registered with the Sports Council and affiliated to the Students’ Sports Union, which has a specific purpose in relation to sports and any other needs of students who join as members.

86. Sports Codes are subject to this constitution as well as the University’s rules and policies and the rules and policies of the Sports Council.

87. A sports code must elect an executive committee.

88. The constitution of a sports code must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution and recommend appropriate changes to the Sports Council for approval.

Development Agencies

89. A development agency is a student structure registered by the Student Societies and Organisations Committee, which:

89.1. aims to serve the community in general and the diverse student body through delivery of a regular service or product; and

89.2. operates in line with the standing rules of the Development Agencies Sub-Council.

90. A development agency is subject to this constitution as well as the University’s rules and policies and the rules and policies of the Societies and Student Organisations Committee.

91. In the event that a development agency has a management committee or non-executive board:

91.1. the SRC is entitled to nominate student representatives to that management committee or non-executive board as provided in the organisation’s constitution; and

91.2. accountability to the SRC is exercised through this management committee or non-executive board.

92. The constitution of a development agency must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution and may recommend changes to the Student Societies and Organisations Committee for approval.

93. The SRC, or any other student governance structure, must not limit the editorial and content independence of media development agencies, in accordance with Section 16 of the Constitution of the Republic of South Africa.
Chapter 9 Constitutional Committee

Function

94. The Constitutional Committee:

94.1. is independent of the other student governance structures and subject only to this constitution and its standing rules;

94.2. is the custodian of all student governance legislation; and

94.3. is the final authority in interpreting student governance legislation.

Composition

95. The Constitutional Committee consists of:

95.1. Five students, of whom at least two students must be registered in the law faculty, appointed by Student Parliament in the third term of the year in which its term of office commences.

96. Once appointed to the Constitutional Committee, members are ineligible to stand for election in any other student governance structure or serve in any leadership position in such structure.

Chairperson and Secretary of Constitutional Committee

97. The Constitutional Committee must elect a chairperson and a secretary from among its members.

Constitutional Committee Term of Office

98. The Constitutional Committee holds office from 1 November until 31 October in the following year.

Roles and Responsibilities

99. The Constitutional Committee is responsible for making recommendations on the approval and amendment of the constitutions of all student structures, before submission to the relevant student structures or university committees for final approval.

100. The Constitutional Committee is responsible for considering and approving the standing rules of all Sub-councils.

101. The Constitutional Committee is responsible for ensuring constitutional alignment of all student structures to the SRC Constitution, including the values and principles outlined in the preamble of the SRC Constitution.
102. The Constitutional Committee may provide student organisations with pro-forma constitutions drafted by it.

**Amendments to the SRC Constitution**

103. This constitution should be reviewed, and if necessary amended, on a five yearly basis unless there are extraordinary circumstances that require urgent amendments to be made.

104. The process for amending the SRC constitution is as follows:

104.1. Any student may submit proposals for such amendment to the Secretary-General of the SRC.

104.2. The SRC must refer proposed amendments to the Constitutional Committee for its consideration.

104.3. The Constitutional Committee must submit its recommendations to the Student Parliament for its consideration and decision.

104.4. The Student Parliament must submit its recommendations to the University Student Affairs Committee for its consideration and decision.

104.5. The University Student Affairs Committee must submit its recommendations to the Council for its approval.

**Interpretation**

105. The Constitutional Committee must provide interpretations of all student governance legislation should the meaning of the legislation be unclear and may make a binding ruling where there is a dispute over interpretation.

**Standing Rules**

106. The SRC may create or amend SRC standing rules to regulate its activities and submit these to the Constitutional Committee for its approval.

107. The SRC must make standing rules for:

107.1. SRC meetings and mass meetings;

107.2. SRC portfolios;

107.3. SRC Standing Committees; and

107.4. SRC Sub-Councils.

**Amendments to the Constitutional Committee Standing Rules**

108. Amendments to the standing rules of the Constitutional Committee must be submitted to the Student Parliament for approval.
Chapter 10 Mass Meetings

Purpose of a Mass Meeting

109. Mass meetings may be convened:

109.1. to create an opportunity for the SRC to account to the student body for its work and progress on student related policy;

109.2. to create an opportunity for debate on issues concerning the student body;

109.3. for the SRC to engage students on matters over which the SRC has jurisdiction; or

109.4. for any other matter deemed appropriate by the SRC.

Convening a Mass Meeting

110. The SRC Secretary-General must convene a mass meeting or emergency mass meeting at the request of the SRC or a group of students in accordance with 113.

111. The SRC must convene at least one mass meeting per semester.

112. An emergency mass meeting may be called by the SRC should an urgent matter affecting students arise.

113. Students may request a mass meeting through a petition signed by at least five hundred students and handed over to the SRC Secretary-General. The Secretary-General must, after receiving this petition, inform the SRC and convene such a meeting within two weeks of the petition having been received.

114. Notice of the date, time, venue and agenda of a mass meeting must be given to all students through email, noticeboards and social media at least seven university days before such a meeting by the SRC Secretary-General. In the event of an emergency mass meeting, a twenty-four-hour notice period is required.

Chairperson, Quorum and Resolutions of a Mass Meeting

115. The Vice President or nominee of the SRC serves as the Chairperson of any mass meetings.

116. Attendance at mass meetings is compulsory for all SRC members.

117. The SRC Secretary-General or their nominee is responsible for taking minutes of such a meeting and making the minutes publicly available.

118. A resolution taken by the majority of those present at a mass meeting of at least 500 students must be tabled at the next meeting of the SRC.

119. A resolution taken by at least two-thirds of a mass meeting of at least 1000 students is binding on the SRC.
Chapter 11 SRC Elections

120. SRC elections must take place annually in the manner prescribed in the Election Regulations.

Chapter 12 Vacancies

121. If one or more vacancies arise in the membership of the SRC for whatever reason the SRC must:

121.1. declare the student, or students who obtained the next highest number of votes in the immediately previous election to be a member or members to fill the vacancy or vacancies; or

121.2. ask the Election Commission to hold a by-election to fill the vacancy or vacancies; provided that if asked to hold a by-election the Election Commission must do so within four weeks (excluding weeks falling in examination or exam consolidation periods or vacations) of being asked to do so; and provided further that no by-election need be held after 1 June in any year unless there are ten or more vacancies to be filled; or

121.3. co-opt a student, or students, to fill the vacancy or vacancies provided that such co-option is endorsed by the Constitutional Committee and an absolute majority of the Student Parliament.

122. Portfolio reassignment may occur:

122.1. when mutually agreeing portfolios submit a proposal to the SRC Secretary-General to be tabled at the following general SRC meeting and the proposal is ratified by a two-thirds majority of voting SRC members and endorsed by Student Parliament; or

122.2. as a result of a vacancy and such reassignment is supported by two-thirds majority of voting SRC members.

Chapter 13: Interim SRC

123. An SRC election is invalid if the poll of 25% is not achieved.

124. Where an election is invalid because of an inadequate poll, the Election Commission must submit a report on the election to the Student Parliament and USAC. USAC must, having regard to the poll obtained and the views of the Student Parliament, make a recommendation to the Council as to whether to
recognise the 15 members who received the most votes as an Interim SRC or take some other appropriate action to constitute an SRC or an interim SRC.

125. Should Council decide to establish an interim SRC, the interim SRC has the powers, rights and obligations of an SRC except that:

125.1. it may not propose amendments to the SRC constitution; and

125.2. it will be bound by a simple majority of the Student Parliament at a meeting of the Student Parliament at which there is a quorum.
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4 DEFINITIONS

(1) “Absolute majority” means a majority of the total membership.
(3) “Affiliated” organisation or group means one that is controlled, accountable to or in some way linked to another body or organisation.
(4) “Ballot” –
   a. “valid ballot” means a ballot that meets the requirements of sections 127 and 132 and is counted toward the individual candidates and the poll.
   b. “invalid ballot” means a ballot that is defective in terms of sections 127 and 132 and is not counted toward the individual candidates and the poll.
   c. “spoilt ballot” means a ballot that is not counted toward the individual candidates but is counted toward the poll.
(5) “Candidate Support Team” means students who are appointed by candidates to assist candidates in their campaigns.
(6) “CEO” means Chief Electoral Officer.
(7) “Council” means the University of Cape Town Council.
(9) “DSA” means the Department of Student Affairs.
(10) “ED:DSA” means the Executive Director of the Department of Student Affairs.
(11) “Election Appeals Committee” (the Committee) is an independent committee established in accordance with these rules to receive appeals from decisions of the Election Commission.
(12) The “Election Commission” (the Commission) is the independent body set up in terms of these rules to oversee and govern the SRC and Faculty Council elections.
(13) The “Election Complaints Panel” (the Panel) is a subcommittee of the Election Commission and receives complaints and objections and presents the merits of the complaint or objection to the Election Commission.
(14) The “Election Operations Office” is the administrative arm of the Elections Commission and implements the decisions of the Election Commission.
(15) “Faculty Council” (FC) means the student representative body of a particular Faculty.
(16) “First-Past-the-Post Electoral System” is the system where the highest polling individuals are deemed elected. In the UCT SRC context, these are the top seventeen (17) individuals who are elected to the SRC.
(17) “IEC” means the Independent Electoral Commission of South Africa established by the Constitution of the Republic of South Africa.
(18) “PASC” means the Postgraduate Academic Sub-Council of the Students’ Representative Council.
(19) “PASS” means professional, administrative support and service staff.
(20) “Question and Answer” session is a meeting in which candidates address potential voters.
(21) “Regulations” means these Election Regulations and includes the annexures, codes, and protocols of these Regulations.
(22) “SAMC” means the Student Assembly Management Committee.
(23) “Simple majority” means a majority of the members present and voting.
(24) “SRC” means the Students’ Representative Council.
(25) “Statute” means the Institutional Statute of the University promulgated under the Act.

(26) “Student Assembly” means an assembly of all the student sub-structures at the University as set out in the SRC Constitution.

(27) “Student” means a person registered as a student at the University.

(28) “Third Parties” means an individual or company who is neither a student nor an employee of the University but with whom the University has concluded a contractual arrangement, as defined in Handbook 3, General Rules and Policies.

(29) “UASC” means the Undergraduate Academic Sub-Council of the Students’ Representative Council.

(30) “UCT” means the University of Cape Town.

(31) “University days” are the weekdays during term time.

(32) “USAC” means the University Student Affairs Committee, () responsible for advising Council on policy in the area of student development and services.

(33) “USDT” is the University Student Discipline Tribunal as set out in Handbook 3, General Rules and Policies.
10  CHAPTER 1: SRC ELECTION STRUCTURES

ELECTION COMMISSION

10.1.1 Function
1. The Election Commission is an independent and impartial body, constituted annually, that must exercise its powers and perform its duties without fear, favour or prejudice. The Commission shall oversee and govern SRC and Faculty Council elections or by-elections and must carry out the responsibilities and duties assigned to it in terms of these Regulations to ensure that the election process is free and fair.

10.1.2 Composition
2. The Election Commission consists of –
   (a) two academic staff members nominated by the Nominations Committee of Senate, one of whom must be Chairperson as per section 4;
   (b) three members of DSA staff nominated by the ED:DSA; one of whom must be the CEO and another who must be secretary as per sections 5 and 6;
   (c) two students nominated by the SRC, one of whom must be a member of the SRC Constitutional Committee;
   (d) two students nominated by the SAMC;
   (e) one student from a Faculty Council, nominated by a joint sitting of the UASC and PASC.
3. The Election Commission may invite a representative of the IEC to participate in meetings in a non-voting and advisory capacity.

10.1.3 Chair, CEO and Secretary appointed from the members of the Election Commission
4. Chairperson: an academic staff member nominated by the Nominations Committee of Senate;
5. CEO: a member of DSA staff nominated by the ED:DSA;
6. Secretary: a member of DSA staff nominated by the ED:DSA who is not CEO.

10.1.4 Conflict of Interest
7. To maintain the independence and impartiality of the Election Commission –
   (a) No member of the SRC, SAMC, UASC or PASC may participate in the appointment of a Commission member if that member is standing for election or assisting in the campaign of a student standing for election.
   (b) No member of the Commission may stand for election or assist in the campaigning of a student standing for election.
   (c) Members of the Commission must resign if a conflict of interest exists.
   (d) The Commission must be the judge of whether or not such conflict of interest exists.
Any Commission member, who has attended a meeting of the Commission and resigned, is not eligible to stand for election and may not assist in the campaigning for a student standing for election in that year.

10.1.5 Quorum

8. The quorum of the Commission is six members, including at least three students and at least three staff members.

10.1.6 Voting

9. The Commission should make decisions based on consensus. Failing this, a decision may be made by voting.

10. Each member of the Commission including the chairperson has one vote.

11. The chairperson of the Commission must cast a deciding vote when there is a tie of votes.

12. The member of the IEC may participate in Commission meetings, but shall not vote.

10.1.7 Powers and duties

13. The Election Commission must –
   (a) oversee all rules and regulations pertaining to the election process;
   (b) interpret all rules, codes and the Election Regulations so as to preserve the integrity of the election process;
   (c) be the sole authority to give instructions on all aspects of voting;
   (d) determine and publish protocols relating to Electronic Voting procedures and Question and Answer sessions;
   (e) determine and publish further rules, codes and protocols as is deemed necessary;
   (f) supervise the Election Operations Office and the Election Complaints Panel;
   (g) determine the Election Timetable in accordance with Annexure 2 at its first sitting;
   (h) publicise the Election Timetable;
   (i) consult with and assist UCT’s Disability Service to ensure disabled students participate in and access all aspects of the election process;
   (j) promote voter education;
   (k) arrange publicity for the entire election process;
   (l) provide instructions on voting and vote-counting;
   (m) co-ordinate the nomination process;
   (n) provide briefing documents to student advisors;
   (o) monitor the conduct of candidates and voters;
   (p) announce the results and the poll of the elections;
   (q) publish regular reports;
   (r) consider complaints or objections regarding election irregularities and impose sanctions as necessary.

14. The Election Commission may –
   (1) enact any special rules governing the election process that do not conflict with the SRC Constitution, Election Regulations, or other UCT rules and policies;
   (2) adopt such additional measures as it deems necessary and appropriate to ensure a free and fair election;
   (3) require that the Election Complaints Panel investigates election irregularities and duly constitutes the Election Complaints Panel to perform such investigations;
(4) recommend amendments to the Election Regulations and Annexures.

15. The formal correspondence of the Election Commission, Election Operations Office and the Election Complaints Panel must be communicated by the CEO to the relevant stakeholders.

ELECTION OPERATIONS OFFICE

10.1.8 Function

16. The Election Operations Office is the administrative branch of the Election Commission. Members of the Election Operations Office are accountable collectively and individually to the Commission for the exercise of their powers and performance of their functions. Members of the Election Operations Office must act in accordance with these Regulations.

10.1.9 Composition

17. As soon as possible after the constituting of the Election Commission, the Election Operations Office must be established. This office consists of –
   (1) the CEO as the head of the Election Operations Office;
   (2) three election officers appointed by the ED:DSA, who are not members of the Commission;
   (3) such Election Assistants and persons as the CEO may consider necessary to enable the Commission to exercise its powers and perform its duties and functions effectively.

10.1.10 Powers and duties

18. The CEO and the Election Operations Office must –
   (1) advertise that nominations are open;
   (2) prepare and verify all nomination forms;
   (3) compile and publish a complete list of nominees and allow for a 24 hour objection period;
   (4) present the verified nomination forms to the Election Commission for validation after the 24 hour objection period;
   (5) compile and publish the campaign plans and budgets of candidates;
   (6) arrange meetings with candidates as required;
   (7) arrange opportunities for candidates to interact with students in the form of Question and Answer sessions and any other official events pertaining to the elections;
   (8) compile and print the manifesto booklet which shall include the manifesto, photograph, curriculum vitae, affiliation, year of study and academic programme of each candidate;
   (9) allow a limited time for candidates to view the manifesto booklet before printing;
   (10) ensure that election publications carrying relevant information about candidates are distributed prior to elections;
   (11) liaise with campus media about the election process;
   (12) provide media in the form of pamphlets and posters to candidates;
   (13) make recommendations to the Commission for the efficient running of the election;
present a full report on the election operations to the Commission as soon as reasonably possible after the election; exercise all other powers, duties and functions as properly entrusted or assigned to it by the Commission.

ELECTION COMPLAINTS PANEL

10.1.11Function
19. The Election Complaints Panel is a subcommittee of the Election Commission. Members of the Panel are accountable collectively and individually to the Commission for the exercise of powers and performance of their functions. Members of the Panel must act in accordance with these Regulations.

10.1.12Composition
20. The Election Complaints Panel must be appointed by the Election Commission and must consist of the following members of the Election Commission –
   (1) two students;
   (2) one academic staff member who will be the chairperson and is not the chairperson of the Commission;
   (3) one DSA staff member who will be the Secretary.

10.1.13Powers and duties
21. The Election Complaints Panel must –
   (1) act in a lawful, reasonable and procedurally fair manner;
   (2) protect the anonymity of a complainant where it is requested by the complainant and it is considered appropriate to do so;
   (3) exercise all other powers, duties and functions as properly entrusted or assigned to it by the Commission.

10.1.14Complaints and objections procedure
22. Complaints and objections must be submitted to the Election Complaints Panel in writing within 24 hours of the complainant or objector gaining knowledge of the election irregularity occurring or provisional results being published, along with any evidence in support of the complaint or objection.

23. The Election Complaints Panel must –
   (1) receive any complaints and objections that arise during the election process;
   (2) acknowledge all complaints and objections within 24 hours;
   (3) request a written response from all relevant parties to the complaint or objection;
   (4) determine and present the merits of the complaint and objection to the Election Commission.

24. The Election Commission must –
   (1) decide on the merits of the complaint or objection;
   (2) inform all parties of its decision with regards to the complaint or objection, including its reasons;
   (3) publish the decision and the reasons for the decision;
   (4) publish all complaints and objections once they are resolved;
(5) at the end of the election process, publish a summary of all complaints and objections, with any commentary or recommendations that it deems necessary and appropriate.

25. Should new evidence come to light after the Election Commission has made a decision, the decision may be reopened for consideration by the Election Commission.

26. An appeal against any decision of the Election Commission must be to the Election Appeals Committee and shall be made within 24 hours of the decision of the Election Commission being published.

27. The appellant must inform the Election Commission of the appeal.

ELECTION APPEALS COMMITTEE

10.1.15 Function

28. The Election Appeals Committee is an independent and impartial body that must adjudicate appeals against decisions of the Election Commission.

10.1.16 Composition

29. The Election Appeals Committee must be established at the same time as the Election Commission is constituted.

30. The Election Appeals Committee consists of –
   (1) two students elected by at least two thirds of a simple majority at the first quorate sitting of Student Assembly;
   (2) an academic staff member appointed by the Nominations Committee of Senate;
   (3) a member of the PASS staff nominated by the ED:DSA.

31. No member of the Election Appeals Committee may be a member of the Election Commission, stand for election or assist in the campaigning of a student standing for election.

10.1.17 Chair and Secretary appointed from the members of the Election Appeals Committee

32. Chairperson: the academic staff member appointed by the Nominations Committee of Senate;

33. Secretary: the member of the PASS staff nominated by the ED:DSA.

10.1.18 Quorum

34. The quorum of the Election Appeals Committee is three members.

10.1.19 Voting

35. Each member of the Election Appeals Committee has one vote and the ruling of the majority of the members will be the ruling of the Committee.

36. Where the votes are tied, the appeal will automatically be referred to the Director of the Office of the Vice Chancellor and adjudicated in accordance with section 39(8).
10.1.20 Powers and duties

37. The Election Appeals Committee must –
   (1) act in a lawful, reasonable and procedurally fair manner;
   (2) receive, consider and determine any appeal against an Election Commission decision.

38. The Election Appeals Committee may summon any person to make written submissions or appear before it to give evidence.

10.1.21 Appeals procedure

39. Appeals must proceed in the following manner –
   (1) Appeals must be submitted to the Election Appeals Committee in writing within 24 hours of the publication of an Election Commission decision.
   (2) The Committee must acknowledge all appeals within 24 hours.
   (3) The appellant should submit all supporting evidence with the appeal.
   (4) Parties to the appeal will be given the opportunity to respond.
   (5) The Committee must adjudicate the appeal within five university days.
   (6) The Committee must inform all parties and publish its decision.
   (7) An appeal against any ruling given by the Committee must be submitted to the Director of the Office of the Vice Chancellor within 24 hours of the ruling being published.
   (8) The Vice-Chancellor must nominate an appropriately qualified and suitably experienced expert who must adjudicate the appeal within ten university days.

11 CHAPTER 2: PREPARATION FOR ELECTIONS

11.1.1 Election Timetable

40. The dates of the Faculty Council and SRC Elections must be determined by the Election Commission at its first sitting in accordance with Annexure 2.
41. The Election Timetable must be published by the Election Commission.
42. The SRC election must be held over a period of ten consecutive university days in the second semester of each academic year, the first five of which must be for campaigning only and the second five of which must be for campaigning and voting.
43. Faculty Council elections must be held over a period of five consecutive university days in the second semester of each academic year, the first two of which must be for campaigning only and the following three of which must be for campaigning and voting.

11.1.2 Eligibility for voting in or standing for elections

44. A student must be registered at UCT for at least one complete semester in order to be eligible to vote or stand in the SRC elections.

45. A student must be registered in the Faculty for at least one complete semester in order to be eligible to vote or stand in the elections of that Faculty Council.
12 CHAPTER 3: ELECTION PROCESS

12.1.1 Nominations

46. Each nominee must complete and deliver the forms contemplated in section 47 to the Election Operations Office before the close of nominations as specified in accordance with Annexure 2.

47. Forms to be completed by nominees include:
   (a) Nomination form provided in Annexure 4A or 4B;
   (b) Candidate support team registration form provided in Annexure 5;
   (c) Campaign plan and budget provided in Annexure 6A or 6B;
   (d) Candidate’s code of conduct declaration provided in Annexure 7.

48. A nominator may not nominate more than three candidates for election and may not withdraw his/her nomination once the nomination form has been lodged.

49. No nomination forms will be accepted after the date and time for closing of official nomination subject to section 56.

50. A nominee may not withdraw from the election after the nominations have been validated.

12.1.2 Verification, objection and validation

51. The Election Operations Office must verify all nomination forms by:
   (a) confirming that nominees and nominators are registered students; and
   (b) requesting the USDT to confirm that a nominee or nominees have no sentences prohibiting the nominee or nominees from holding student office.

52. The Election Operations Office must prepare a list of nominees together with their photographs for publication.

53. Objections to nominations must be lodged with the CEO within 24 hours of publication of the list of nominees.

54. The CEO must present all verified nominations and any objections to nominations to the Election Commission for validation.

55. A candidate nomination form must be made available for viewing on request by any registered student.

12.1.3 Extending the nomination period

56. If by the last day of the nomination period, the number of nominations received is equal to or less than the number of members to be elected to the SRC or Faculty Council at that election, then –
   (1) The Commission must extend the period of nomination for up to ten university days to ensure that there are sufficient nominees for an election;
   (2) Should the number of nominations still be equal to or less than the number of available positions after the period contemplated in subsection (1), the Commission must revise the Election time frame such that an election must occur. Such revisions must be ratified by Student Assembly and recommended by USAC for approval to Council.

12.1.4 Candidates’ rights and responsibilities

57. Candidates have the right to information regarding the election to be distributed to them fairly and equally.
58. Candidates are fully responsible for –
   (1) all of the actions taken on a candidate’s behalf, whether by the candidate, the
candidate’s support team or affiliated organisations;
   (2) understanding the regulations and communicating them to candidate support
   teams and affiliated organisations;
   (3) approaching the CEO if the meaning of any provision of these Regulations is not
   understood.

59. Candidates are required to –
   (1) arrange for the design of their own posters and pamphlets;
   (2) print and distribute their own media, provided these have been authorised by the
   Election Operations Office;
   (3) attend all meetings or workshops arranged by the Commission;
   (4) communicate all campaign plans and budgets to the Commission;
   (5) communicate changes to campaign plans to the CEO in accordance with section
   78;
   (6) register candidate support teams with the Commission as provided in Annexure
   5;
   (7) adhere to all deadlines set by the Commission;
   (8) provide any relevant information as requested by the Commission;
   (9) provide the Commission with a campaign spending report and receipts or proof
   of expenditure on or before the last day of voting.

12.1.5 Groups for the purpose of election

60. Candidates may form groups for the purpose of the election, provided that they
register their group with the Election Commission.

61. Any group or student organisation that participates in the election process must
register itself (name, logo, slogan, sign or symbol which the group or student
organisation will use) when nomination forms are submitted. These names, logos,
slogans, signs and symbols will be used to define a group or student organisation.

12.1.6 External and third party involvement

62. External organisations, external persons and third-parties are prohibited from
assisting in campaigns or attempting to influence the outcome of an election.

63. Student groups or organisations and candidates may not ask for assistance from
external organisations, external persons or third parties and must take reasonable
steps to prevent external organisations, external persons or third parties from
campaigning on their behalf or otherwise influencing the outcome of an election.

64. Student organisations, groups or candidates may not host events with external
organisations, external persons or third parties during campaigning.

12.1.7 Voters’ conduct

65. All students entitled to vote may vote for candidates in the elections.

66. Voters are required to vote once by paper or electronic ballot in accordance with
section 105.

67. A voter must cast his/her own ballot and may not request any person (except where
authorised by the Election Commission) to cast a ballot on his/her behalf.
68. The CEO or his/her duly appointed assistants may require that any intending voter produce his/her student registration card.

CAMPAIGNING

12.1.8 Definition

69. Campaigning is any organised effort, process, or publication which seeks to influence the decision of the voter. This includes but is not limited to distribution of posters and flyers, word of mouth, email, electronic social networks, sms and online messaging services. Additional campaigning activities may be defined by the Election Commission from time to time.

12.1.9 Rules

70. Campaigning must commence at the time and date specified by the Election Commission in the Election Timetable.

71. The election material of candidates may not be displayed or distributed within the voting station boundary or in computer labs.

72. The Election Commission may draw up guidelines for the conduct of candidates’ campaigns. Any breach of these regulations may be subject to sanctions specified in section 169.

12.1.10 Electronic platforms and social media

73. A group or a candidate or a group’s or a candidate’s support team may not contact students through any university-sponsored, created, or managed social networking group for the purpose of campaigning. Prohibited communication servers include –

   (1) any mailing lists created or used by the University;
   (2) any mailing list created or used by a UCT society or organisation;
   (3) UCT social networking accounts, pages, websites or groups;
   (4) such other platforms as the Election Commission may declare to be prohibited.

74. No candidate, and no member of a group’s, or a candidate’s support team who is currently or has previously held a student governance position at the University may use any facilities or communication methods available to him or her by virtue of such position and not to other students, for the purpose of campaigning.

75. Candidates may campaign on electronic social networks subject to the Code of Ethics for Student Publications and General University Rules of Conduct for Students.

76. All rules regarding campaigning apply to campaigning on electronic platforms and through social networks.

12.1.11 Campaign plans and updates

77. Campaign plans must include but are not limited to –
   (a) all media;
   (b) events and activities;
   (c) places for campaigning;
   (d) use of banners;
   (e) t-shirts and other use of clothing for the purposes of campaigning;
   (f) online campaigning strategy;
(g) any other means of promoting candidates;
(h) such other plans as outlined by the Commission.

78. All changes to campaign plans must be communicated to the CEO with reasons for changes –
(a) within 24 hours of the scheduled change;
(b) immediately where an unforeseen departure from campaign plans occurs.

12.1.12 Campaign spending and donations

79. The Election Commission must set a fair monetary limit for election expenditure which must be communicated to all candidates.

80. Candidates must submit their campaign budgets as provided in Annexure 6A and 6B by the time and date specified in the Election Timetable.

81. A candidate may not spend more on his/her campaign than the maximum amount set by the Election Commission, whether this expenditure is incurred personally or on behalf of the candidate by others and/or by student organisations.

82. The value of items, including but not limited to gazebos, banners, t-shirts and other clothing used in campaigning, will be assigned a market value taking into account the rate of depreciation over the item’s lifespan.

83. Overspending is a contravention under these regulations and candidates, groups and their campaign teams may be subject to sanctions in section 169.

84. Materials received free of charge or at low cost must be assessed by the Election Commission and will be assigned a value comparable to their current market value and will be debited against the candidate’s campaign budget accordingly.

85. Where the Election Commission finds that a candidate’s budget is understated, the candidate must immediately withdraw the goods from his/her campaign and may be subject to sanctions specified in section 169.

86. Records of campaign expenditure and associated receipts must be kept and submitted to the Election Commission in the form of a spending report.

87. All candidates must submit campaign spending reports on or before the last day of voting.

88. Any candidate who fails to submit proof of expenditure or a campaign spending report to the Election Commission may be subject to sanctions specified in section 169.

89. Candidates who submit fraudulent campaign spending reports will be subject to sanctions as contemplated in section 169.

12.1.13 Question and Answer Sessions

90. The Election Operations Office must arrange for Question and Answer Sessions to take place in the first five days of campaigning. The Commission must finalise the format and number of Question and Answer Sessions by creating a Question and Answer Session Protocol.

91. Access to Question and Answer sessions must be limited to UCT students and staff.
12.1.14 Restrictions on campaigning

92. Candidates may not display banners until the Elections Commission has assessed the value of the banner, taking into account content, size and location.

93. Candidates are prohibited from campaigning in computer labs.

94. Candidates must adhere to the University’s general rules and policies on posters. Any candidate or support team member found in violation must remove the poster or posters and is subject to sanctions laid out in section 169.

95. Candidates are prohibited from distributing media that have not been authorised by the Election Operations Office.

96. No person may tamper with, deface or unlawfully remove or destroy the posters or any other election materials of a group or candidate.

97. No candidate may make use of stickers, chalk, graffiti or any other forms of defacement in his or her campaigning.

98. No candidate or support team may offer any inducement or reward to another person.

99. A candidate may criticise another candidate’s campaign but must never do so in a manner that is false, defamatory or that amounts to hate speech.

12.1.15 Electoral Voting System

100. The Electoral Voting System must be that of First-Past-the-Post in which candidates may choose to run independently or as a group.

12.1.16 Poll

101. For the purposes of the poll students are divided into three categories:

   A: All undergraduate students registered in the current year for a higher certificate, diploma, advanced diploma or a bachelor’s degree (including students registered for the LLB degree) or a postgraduate diploma or an honours degrees, who are eligible to vote (but excluding all students registered for a certificate, diploma or degree by distance mode).

   B: All occasional students including all semester study abroad students and all students registered for a certificate, diploma or degree by distance-mode, who are eligible to vote. (See Article 2.2 of the Constitution and Section 44 of these regulations.)

   C: All students registered for master’s or doctoral qualifications, who are eligible to vote.

An SRC election shall be invalid if fewer than 25 per cent of the students in category A vote in the election.

102. The Election Commission must announce the percentage poll obtained in each of
categories A, B and C.

103. By-elections shall be conducted subject to these regulations provided that a by-election shall be declared invalid if fewer than 15% of the students in category A vote in the by-election.

104. If fewer than

(a) 25% of the students in Category A vote in an election the Election Commission shall submit a report on the election to the Student Assembly and USAC. USAC shall, having regard to the poll obtained and the views of the Student Assembly make a recommendation to the Council as to whether to recognise the 17 members who received the most votes as an Interim SRC or take some other action to constitute an SRC or an interim SRC; or

(b) 15% of the students in Category A vote in a by-election the Election Commission shall submit a report on the by-election to the SRC. The SRC shall then deal with the vacancy as provided for in the SRC constitution other than by way of a by-election.

12.1.17 Methods of voting

105. The Election Commission must make provisions for voting –

(a) by paper ballot at a voting station; or

(b) by electronic ballot online.

GENERAL VOTING PRACTICE

12.1.18 Voting

106. The Election Commission must announce the number of candidates, the number of places to be filled and the number of candidates for which a voter may vote.

107. A voter may vote for up to 10 candidates in a SRC General Election, in accordance with the principle that two thirds of the positions to be filled determines the maximum number of votes a voter may cast.

108. A voter may vote for fewer than the number of candidates for which he/she is entitled to vote.

12.1.19 Electronic and paper ballots

109. Only electronic or paper ballots supplied by the Election Commission may be used for voting.

110. The Commission must —

(1) determine the design of the electronic and paper ballots to be used in an election;

(2) determine the manner in which the electronic and paper ballots must be accounted for.

111. Ballots must include the –

(a) preferred name and surname of the candidate;

(b) number of the candidate;

(c) photograph of the candidate;

(d) logo, slogan or information about the candidate of no more than 15 characters.
112. The name of the candidates must appear in alphabetical order on the electronic and paper ballots.

12.1.20 Attendance at Vote Counting

113. The following persons, as determined by the Election Commission may attend vote-counting:
   (1) members of the Election Commission;
   (2) members of the Election Operations Office;
   (3) such other persons appointed by the Election Commission for the purpose of vote-counting.

114. The following persons may apply to the Election Commission for permission to attend vote-counting with observer status –
   (1) members of the SRC or Faculty Councils who are not candidates standing for election;
   (2) one member of a candidate’s support team or his/her campaign manager.

115. The Election Commission must provide guidelines for conduct for those attending the vote-counting.

PAPER-BASED VOTING

12.1.21 Voting stations

116. The number and location of voting stations must be determined and published by the Election Commission.

117. Before voting stations open, the Election Operations Office must demarcate the voting station boundary by displaying visible signs, markers or tape along the whole line of the boundary, or at sufficient points along that line, to ensure that the boundary is clearly identifiable by any person present at that voting station.

118. The voting station boundary must be a two metre radius around the ballot box.

119. Each voting station must be staffed and monitored for the duration of the election by at least one election assistant, who must be a competent and impartial person appointed by the Election Operations Office.

120. No campaign material, apart from the official manifesto booklet, may be displayed within the voting station boundary.

121. Only Election Commission notices may be displayed within the voting station boundary.

12.1.22 Voting on paper ballots

122. Voting must take place at such hours and venues as may be fixed by the Election Commission.

123. No person may tamper or interfere with ballot boxes, papers and/or any other election materials or generally in the voting process.

124. Neither a candidate nor a candidate’s support team member may collect or handle ballot boxes and papers.

125. Neither a candidate nor a candidate’s support team member may be within the voting station boundary during voting week, except to cast their own votes.

126. A voter must vote for a candidate by marking the ballot paper in accordance with instructions provided by the Election Commission from time to time.
12.1.23 Vote counting of paper ballots

127. The decisions about whether a vote is valid, invalid or spoilt must be determined by the Election Commission, using the following guidelines –

(1) A paper ballot must contain a voter’s student number, date of birth and no more than 10 votes to be valid.

(2) A paper ballot must be regarded as invalid where -
   (a) the paper ballot is not supplied by the Election Commission;
   (b) the paper ballot has been defaced or marked in such a way that it is not reasonably possible to decipher or to determine the voter’s choice;
   (c) the requirements of subsection (1) are invalid or cannot be verified;

(3) If a voter has voted more than once and for the same candidates on each occasion, then one paper ballot may be regarded as valid and the remainder invalid.

(4) If a voter has voted more than once, but the votes cast are different, then one paper ballot may be regarded as valid but spoilt and the remainder as invalid. The spoilt ballot will count towards the poll but the individual votes towards the candidates will not be counted.

ELECTRONIC VOTING

12.1.24 Electronic voting system requirements

128. The Commission must ensure that the electronic voting system meets the requirements of unimpeachable security, a clear and identifiable audit trail and these regulations specified in this document.

129. The Commission must determine and publish a protocol to give effect to section 128.

12.1.25 Electronic voting

130. Neither a candidate nor a candidate’s support team may provide, request, induce or coerce a voter to use portable electronic and digital devices or computers on which to cast a vote.

131. No campaign material, apart from Election Commission notices, may be displayed within computer labs.

12.1.26 Electronic vote counting

132. The decisions about whether a vote is valid, invalid or spoilt must be determined by the Election Commission, using the following guidelines –

(a) An electronic ballot must have been accessed by a voter’s username and password and contain no more than 10 votes to be valid.

(b) If a voter has voted both electronically and by paper ballot for the same candidates, then one ballot may be regarded as valid and the remainder invalid.

(c) If a voter has voted both electronically and by paper ballot, but the votes cast are different, then one ballot may be regarded as valid but spoilt and the remainder as invalid. The spoilt ballot will count toward the poll but the individual votes toward the candidates will not be counted.
RESULTS AND REPORTING

12.1.27 Determination and declaration of results

133. The Commission must determine and declare the result of an election by adding together the results received from all paper ballots and electronic votes.

134. The first 15 candidates who obtain the highest number of votes will be deemed elected.

135. In the event of a tie in the votes, the candidates tying will participate in a run-off election consistent with these regulations.

136. The Commission must declare and publish provisional results, percentage poll and a campaign spending report as soon as is reasonably possible after vote counting has concluded.

137. The Commission must allow for a 24 hour objection period after provisional results and the campaign spending report have been published.

138. Election results must be declared final after 24 hours of the declaration of provisional results or as soon as is reasonably possible, after outstanding election processes have been concluded.

12.1.28 Reporting

139. The Election Commission must publish the following reports –

   (1) A Complaints Summary Report of all complaints and objections received, investigated and concluded by the Commission.

   (2) A Campaign Spending Report detailing the campaign expenditure of all candidates released with the provisional results.

   (3) An Election Report on the entire election process must be published no later than one month after the declaration of final results.

   (4) The Commission must submit recommendations to the relevant committees no later than one month after the declaration of final results.

CONSTITUTING MEETING

12.1.29 The constituting meeting of the SRC and Faculty Councils

140. Prior to the constituting meeting, the chairperson of the Election Commission or such person as appointed by the Election Commission must outline the procedures of the meeting.

141. The constituting meeting of the SRC-elect or Faculty Council-elect must be called by the chairperson of the Election Commission or such person as appointed by the Election Commission, within 10 university days of the final declaration of the results.

142. The chairperson of the Election Commission or such person as appointed by the Election Commission shall preside at the constituting meeting until all portfolios are allocated.
13 CHAPTER 4: DISCIPLINE

13.1.1 Reporting contraventions

Any irregularity in connection with nominations, voting, or in the conduct of candidates, or generally in the election, must be reported to the Election Commission, through the Election Complaints Panel, which must take steps as it deems necessary. These may include any of the sanctions listed in section 169.

CODE OF CONDUCT

13.1.2 Purpose of the Code

The purpose of the Code of Conduct (the Code) is to promote conditions that are conducive to free and fair elections, including—

1. tolerance of democratic activity; and
2. free campaigning and open public debate.

13.1.3 Electoral Code of Conduct and other Codes

The Code of Conduct must be subscribed to by every group or candidate by signing Annexure 7 before that group or candidate is allowed to stand in an election;

In order to promote free, fair and orderly elections, the Commission may determine and issue any other code.

The Commission may change or replace a code issued in terms of section 146.

A code issued, or a change to, or replacement of the codes contemplated in section 146 and section 147 must be published by the Commission.

A Code derives its authority from these Regulations and must be in line with these Regulations, the SRC Constitution and any other University policy.

The Election Commission must create additional codes of conduct to promote and ensure free and fair elections for the following persons –

1. Election Commission Members;
2. Election Officers;
3. Election Assistants;
4. Candidates;
5. Candidate Support Teams;
6. Voters;
7. Vote Counters; and
8. Observers.

13.1.4 Promotion of the Code

Every candidate and group/organisation bound by this Code must—

1. promote the purpose of the Code when participating in an election; and
2. promote and support efforts in terms of these Regulations to educate voters.

13.1.5 Compliance

Every candidate and group/organisation must—
(1) comply with this Code;
(2) instruct and take all reasonable steps to ensure—
   (a) a group, its candidates, candidate support teams and members comply with this Code and any applicable Regulations; or
   (b) a candidate and his or her candidate support-team complies with this Code and any applicable Regulations.

13.1.6 Public comment

153. Every group/organisation and every candidate must accord the right to others to—
   (1) freely express their beliefs and opinions;
   (2) challenge and debate the beliefs and opinions of others;
   (3) erect banners and posters in accordance with these Regulations;
   (4) canvass support for a group or candidate;
   (5) recruit members for a group.

13.1.7 Relationship with Election Commission

154. Every group/organisation and every candidate must—
   (1) recognise the authority of the Commission in the conduct of an election;
   (2) give effect to any lawful direction, instruction or order of the Commission, or a member, employee or officer of the Commission, or the CEO;
   (3) establish and maintain effective lines of communication with the Commission; and
   (4) co-operate in any enquiry of the Election Complaints Panel.

13.1.8 Prohibited conduct

155. No group/organisation or candidate may—
   (1) use language or act in a way that may provoke—
      (a) violence during an election; or
      (b) the intimidation of candidates, members of groups, representatives or supporters of groups or candidates, or voters;
   (2) publish false or defamatory allegations in connection with an election in respect of—
      (a) a group, its candidates, representatives or members; or
      (b) a candidate or that candidate’s representatives;
   (3) plagiarise the symbols, colours or acronyms of other groups/organisations; or
   (4) discriminate on the grounds of race, ethnicity, sex, gender, sexual orientation, class or religion in connection with an election or election activity.

156. No person may—
   (1) offer any inducement or reward to another person—
      (a) to join or not to join a group or organisation;
      (b) to attend or not to attend a Question and Answer Sessions, or other election events;
      (c) to vote or not to vote, or to vote or not to vote in any particular way; or
      (d) to refuse a nomination as a candidate or to withdraw as a candidate; or
   (2) unreasonably prevent any other person access to voters for the purpose of voter education, collecting signatures, recruiting members, raising funds or canvassing support for a group or candidate;
   (3) deface or unlawfully remove or destroy the posters or any other election materials of a group or candidate; or
(4) abuse a position of power, privilege or influence, including parental, patriarchal, traditional, educational or employment authority to influence the conduct or outcome of an election.

13.1.9 Conduct at voting stations

157. No candidate or group may within the boundaries of a voting station—
(1) display or distribute any posters or pamphlets;
(2) be present unless that person is casting his or her own vote;
(3) attempt to induce, influence or persuade a person to vote or not to vote for a particular group or candidate; or
(4) attempt to induce, influence or persuade a person not to vote.

13.1.10 Undue influence

158. No person may—
(a) compel or unlawfully persuade any person
   (1) to vote or not to vote;
   (2) to vote or not to vote for any group/organisation or candidate;
   (3) to support or not to support any group/organisation or candidate; or
   (4) to attend and participate in, or not to attend and participate in, any election event;
(b) interfere with the independence or impartiality of the Commission, any member, officer or assistant of the Commission, the CEO, or the Appeals Committee;
(c) advantage, or promise to advantage, a person in exchange for that person not performing a function in terms of these Regulations;
(d) prevent any of the following persons from gaining reasonable access to voters, whether in a public or private place—
   (1) Any representative of a group/organisation or of a candidate;
   (2) any candidate in an election;
   (3) any member, employee or officer of the Commission;
   (4) the CEO; or
(e) unlawfully prevent the holding of any political meeting, march, demonstration or other event.

13.1.11 Fraud and impersonation

159. No person—
(a) who is not entitled to vote in an election or at a voting station, may vote in that election;
(b) may impersonate—
   (1) a representative of a group/organisation or of a candidate;
   (2) a candidate in an election;
   (3) a member, officer or assistant of the Commission;
   (4) the CEO;

13.1.12 Infringement of secrecy

160. No person may interfere with a voter’s right to secrecy while casting a vote.

161. Except as permitted in terms of these Regulations, no person may disclose any information about voting or the counting of votes;

13.1.13 Prohibitions concerning voting and election materials

162. Except as permitted in terms of this Regulation, no person may—
(a) print, manufacture or supply any voting or election material;
(b) remove or conceal any voting or election material;
(c) damage or destroy any voting or election material; or
(d) use any voting or election material for a purpose other than an election purpose.

163. The Election Commission must authorise
(a) the printing, manufacture or supply of any voting or election material;
(b) the removal or destruction of any voting or election material.

13.1.14 Prohibitions concerning banners and posters during election
164. From the date on which an election is called to the date the result of the election is determined and declared in terms of Annexure 2, no person may deface or unlawfully remove any banner or poster published by a group/organisation or candidate.

13.1.15 Obstruction of, or non-compliance with, directions of Commission, CEO and other officers
165. No person may refuse or fail to give effect to a lawful direction, instruction or order of the Commission, or a member, employee or officer of the Commission, the CEO or the Appeals Committee.

166. A person may not obstruct or hinder the Commission or Appeals Committee in the exercise of its powers or the performance of its duties.

SANCTIONS

13.1.16 Authority to impose sanctions
167. The power and responsibility for containing the immediate effects of misconduct and imposing punishment where appropriate rests with the Election Commission, the Election Appeals Committee and the Vice-Chancellor’s nominee.

168. The sanctions contemplated in section 169 are in addition to the sanctions provided for in the Rules on Disciplinary Jurisdiction and Procedures (the DJP rules) in Handbook 3: General Rules and Policies.

13.1.17 Sanctions
169. Sanctions that may be imposed for contravention of these Regulations are –
(a) a reprimand;
(b) an oral warning, which may take the form of an informal or formal discussion of the problem;
(c) a written warning, which will take the form of a letter written by the relevant authority and copied to the relevant parties where applicable;
(d) reduced campaign time;
(e) reduced campaign spending;
(f) exclusion from the use of the area where the misconduct occurred;
(g) exclusion from the use of a particular facility;
(h) a fine determined by the Election Commission;
(i) community service;
(j) disqualification.
170. The Election Commission, the Election Appeals Committee or the nominee of the Vice Chancellor may refer
(a) matters covered by RCS6.1 and RCS6.2 to be dealt with by the University Student Disciplinary Tribunal in accordance with the DJP rules set out in Handbook 3: General Rules and Policies; or
(b) any relevant matter to an affiliated organisation or committee for internal disciplinary measures.

RCS6.1 states:
A Student shall not engage in any electoral misconduct. Such misconduct includes:
(a) a breach of the Election Regulations which regulate elections;
(b) a breach of regulations contained in the Candidates’ Code of Conduct relating to SRC Elections;
(c) behaviour which constitutes a manipulation of electoral rules, voters and electoral administration.

RCS6.2 states:
The term ‘office bearer’ in RCS 14.2 includes a campaign manager in a student election.

14 CHAPTER 5: FACULTY COUNCIL ELECTIONS

171. The roles and responsibilities of the Election Commission extend to the supervision and oversight of Faculty Council Elections as per section 1.

172. All sections of these regulations apply to Faculty Council elections with the exception of –

14.1.1 Verification, Objection and Validation

(1) Section 51, which must read:
The Election Operations Office must verify all nomination forms by:
(a) confirming that nominees and nominators are registered students in the faculty in which the specified faculty council election is taking place; and
(b) requesting the USDT to confirm that a nominee or nominees have no sentences prohibiting the nominee or nominees from holding student office.

Extending the nomination period

(2) Section 56 (2), which must read:
Should the number of nominations still be equal to or less than the number
of available positions after the period contemplated in subsection (1), the Commission must consider declaring a Faculty Council elected without contest, after this declaration has been ratified by UASC or PASC.

14.1.2 Question and Answer Sessions

(3) Section 90, which must read:
The Election Operations Office must arrange for a question and answer session to take place in each Faculty in the first two days of campaigning.

14.1.3 Poll requirement

(4) Section 101, which must read:
There is no poll requirement.
(5) Sections 103 and 104 do not apply.

14.1.4 Voting

(6) Section 107, which must read:
A voter may vote for up to two thirds of the positions to be filled in that Faculty Council.

14.1.5 Results

(7) Section 135, which must read:
In the event of a tie in the votes for the final position to be filled in any election, the members of the incumbent Faculty Council (excluding those who are standing for election) must constitute an electoral college, which must decide by means of a vote which candidate shall be elected.

14.1.6 Vacancies in the Faculty Council

173. Vacancies in the Faculty Council may be filled by a by-election, co-option or another method deemed appropriate by the Faculty Council, with the endorsement of the UASC and PASC.

14.1.7 Faculty Council Election Codes and Protocols

174. The Election Commission is empowered to create further rules, codes and protocols where necessary to strengthen the Faculty Council elections process.

15 CHAPTER 6: AMENDMENTS

15.1.1 Amendments to the Election Regulations

175. Amendments to the Election Regulation must be as follows –
(a) Any member of the University may submit proposals to the Commission.
(b) The Commission must submit recommendations to the SRC Constitutional Committee for its consideration.
(c) The SRC Constitutional Committee must submit its recommendations to the SRC for its consideration.
(d) The SRC must submit its recommendations to the Student Assembly for its consideration.
(e) The Student Assembly must submit its recommendations to the University Student Affairs Committee for its consideration.
(f) The University Student Affairs Committee must submit its recommendations to the Council for its approval.

15.1.2 Annexures

176. The Election Commission may not amend annexures on matters of substance but annexures may be cosmetically changed or added to in a manner consistent with these Regulations.

15.1.3 Other amendments

177. Additional codes of conduct or protocols and documents prescribed by these Regulations may be amended by the Commission.
## ANNEXURE 1A: ELECTION COMMISSION MEMBERSHIP

### TABLE

<table>
<thead>
<tr>
<th>Status</th>
<th>Independent Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td>Composition</td>
<td>Two (2) academic staff members nominated by Senate Nominations Committee.</td>
</tr>
<tr>
<td></td>
<td>Three (3) DSA staff members nominated by the ED: DSA</td>
</tr>
<tr>
<td></td>
<td>One (1) student nominated by the SRC</td>
</tr>
<tr>
<td></td>
<td>One (1) student member of the SRC Constitutional Committee, nominated by the SRC</td>
</tr>
<tr>
<td></td>
<td>Two (2) students nominated by the SAMC</td>
</tr>
<tr>
<td></td>
<td>One (1) student from a faculty council, nominated by a joint sitting of UASC and PASC</td>
</tr>
<tr>
<td>By Invitation</td>
<td>A representative of the IEC, who sits in an advisory, non-voting capacity</td>
</tr>
<tr>
<td>Chair</td>
<td>An academic staff member nominated by the Senate Nominations Committee</td>
</tr>
<tr>
<td>CEO</td>
<td>A DSA staff member, nominated by the ED: DSA</td>
</tr>
<tr>
<td>Secretary</td>
<td>A DSA staff member, nominated by the ED: DSA</td>
</tr>
<tr>
<td>Total Number of Members</td>
<td>Ten (10) excluding the representative of the IEC</td>
</tr>
<tr>
<td>Quorum</td>
<td>Six (6) members, including at least three (3) students and three (3) staff members</td>
</tr>
<tr>
<td>Voting</td>
<td>Decision-making is by consensus. Failing this, a decision may be made by voting. Each member, including the Chair has a vote. The Chair has a deciding vote in the case of a tie.</td>
</tr>
<tr>
<td>Membership Rule</td>
<td>No member of the Election Commission may stand for election or assist in the campaigning of a student standing for election.</td>
</tr>
<tr>
<td>Terms of Office</td>
<td>Constituted annually for the election period</td>
</tr>
</tbody>
</table>
# ANNEXURE 1B: ELECTION COMPLAINTS PANEL MEMBERSHIP TABLE

## MEMBERSHIP: ELECTION COMPLAINTS PANEL

<table>
<thead>
<tr>
<th>Status</th>
<th>Subcommittee of the Election Commission</th>
<th>Names</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Composition</strong></td>
<td>One (1) academic staff member from the Election Commission</td>
<td></td>
</tr>
<tr>
<td></td>
<td>One (1) DSA staff member from the Election Commission</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Two (2) students from the Election Commission</td>
<td></td>
</tr>
<tr>
<td><strong>Chair</strong></td>
<td>The academic staff member</td>
<td></td>
</tr>
<tr>
<td><strong>Secretary</strong></td>
<td>The DSA staff member</td>
<td></td>
</tr>
<tr>
<td><strong>Total Number of Members</strong></td>
<td>Four (4) members</td>
<td></td>
</tr>
<tr>
<td><strong>Quorum</strong></td>
<td>None</td>
<td></td>
</tr>
<tr>
<td><strong>Voting</strong></td>
<td>Not applicable.</td>
<td></td>
</tr>
<tr>
<td><strong>Terms of Office</strong></td>
<td>Constituted annually by the Election Commission from its members for the election period</td>
<td></td>
</tr>
</tbody>
</table>
### ANNEXURE 1C: ELECTION APPEALS COMMITTEE MEMBERSHIP TABLE

<table>
<thead>
<tr>
<th>Status</th>
<th>Independent Committee</th>
<th>Names</th>
</tr>
</thead>
<tbody>
<tr>
<td>Composition</td>
<td>One (1) academic staff member nominated by Senate Nominations Committee.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>One (1) PASS staff member nominated by the ED: DSA</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Two (2) students elected by at least two-thirds of a simple majority at the first quorate sitting of Student Assembly</td>
<td></td>
</tr>
<tr>
<td>Chair</td>
<td>The academic staff member nominated by the Senate Nominations Committee</td>
<td></td>
</tr>
<tr>
<td>Secretary</td>
<td>The PASS staff member, nominated by the ED: DSA</td>
<td></td>
</tr>
<tr>
<td>Membership</td>
<td>No member of the Election Appeals Committee may be a member of the Election Commission, stand for election or assist in the campaigning of a student standing for election.</td>
<td>Rule</td>
</tr>
<tr>
<td>Total Number</td>
<td>Four (4) members</td>
<td></td>
</tr>
<tr>
<td>of Members</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quorum</td>
<td>Three (3) members</td>
<td></td>
</tr>
<tr>
<td>Voting</td>
<td>Decision-making is by voting. Each member, including the Chair has a vote. In the event of a tie, the appeal will automatically be referred to the Director of the Office of the Vice-Chancellor</td>
<td></td>
</tr>
<tr>
<td>Terms of Office</td>
<td>Constituted annually for the election period</td>
<td></td>
</tr>
</tbody>
</table>
### ANNEXURE 2: ELECTION TIMETABLE

<table>
<thead>
<tr>
<th>No</th>
<th>Activity</th>
<th>Details</th>
<th>Duration (Guideline)</th>
<th>SRC dates</th>
<th>Faculty Council dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Publication of the Election Timetable</td>
<td>• University-wide • Brief/ inform faculties</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Appoint Election Officers</td>
<td>By ED: DSA or nominee</td>
<td>n/a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Determine and publish protocols and codes as required</td>
<td>Election Commission determination of values of campaign items</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Question and Answers</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Electronic Voting</td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>Code of Conduct for Election Commission members</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Code of Conduct for Election Officers</td>
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<tr>
<td></td>
<td></td>
<td>Code of Conduct for Election Assistants</td>
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<tr>
<td></td>
<td></td>
<td>Code of Conduct for Vote Counters and Observers</td>
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<td></td>
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<tr>
<td></td>
<td></td>
<td>Procedures for constituting meetings</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Election Publicity</td>
<td>Advertising of key dates and election activities on all campuses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Appointments by CEO or nominee</td>
<td>Election Assistants</td>
<td>n/a</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Q&amp;A chairpersons</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Decide and Publish number and location of voting stations</td>
<td>By Election Commission</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Information Sessions and workshops by the Election Operations Office</td>
<td>Sessions for potential candidates</td>
<td>1 hour</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>(Add further rows if required)</td>
<td>Campaign plan and budget info session</td>
<td>1 hour</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Voter Info Sessions</td>
<td>1 hour</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Election Assistant training</td>
<td>3-6 hours</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Q&amp;A Chairs training</td>
<td>2-4 hours</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Opening of Nomination period by CEO</td>
<td>• Brief student advisors</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Availability of forms:</td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>• Nominations</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>• Candidate Support</td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>• Team Registration</td>
<td></td>
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<td></td>
<td>• Campaign Plan and Budget</td>
<td></td>
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<td></td>
<td>• Code of Conduct declaration</td>
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<tr>
<td>9.</td>
<td>Close of Nomination period</td>
<td>Submission of forms (above) and:</td>
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<td></td>
<td></td>
<td>• Digital photo</td>
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<td></td>
<td></td>
<td>• Manifesto</td>
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<td></td>
<td></td>
<td>• Logo/Slogan/Info</td>
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<td>• CV</td>
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<td></td>
<td>• Poster &amp; pamphlet designs</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>10.</td>
<td>Verification by Election Operations Office</td>
<td>• Office checks if all nominees and nominators are</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>Activity</td>
<td>Details</td>
<td>Duration (Guideline)</td>
<td>SRC dates</td>
<td>Faculty Council dates</td>
</tr>
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<td></td>
<td></td>
<td>registered students&lt;br&gt;• CEO checks with USDT if nominees have sentences preventing student office</td>
<td></td>
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<tr>
<td>11</td>
<td>Publish list of nominees</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>12</td>
<td>Objection to nominations</td>
<td></td>
<td>24 hours</td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Validation of nominations by Election Commission&lt;br&gt;</td>
<td>• Election Commission considers verification and objections&lt;br&gt;• Election Committee formally approves lists of nominations</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Candidates’ Workshop</td>
<td></td>
<td>2-6 hours</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Publish Campaign Plans and Budget</td>
<td>Election Operations Office to publish before campaigning starts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Candidates allowed to view draft manifesto booklet before printing</td>
<td></td>
<td>24 hours</td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Campaigning</td>
<td>Campaigning starts&lt;br&gt;Requirements&lt;br&gt;• Election Operations Office releases manifesto booklet&lt;br&gt;• Election Operations Office releases print media&lt;br&gt;• Candidates distribute print media and start online media</td>
<td>10 days</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>SRC Election Launch</td>
<td>Upper Campus, meridian</td>
<td>1-2 hours</td>
<td>Monday</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Questions and Answer sessions</td>
<td>Residence, evening&lt;br&gt;Campus, meridian&lt;br&gt;Residence, evening&lt;br&gt;Campus, meridian&lt;br&gt;Residence, evening&lt;br&gt;Campus, meridian&lt;br&gt;Residence, evening&lt;br&gt;Campus, meridian&lt;br&gt;Residence, evening</td>
<td>Monday&lt;br&gt;Tuesday&lt;br&gt;Tuesday&lt;br&gt;Wed.&lt;br&gt;Wed.&lt;br&gt;Thursday&lt;br&gt;Thursday&lt;br&gt;Friday&lt;br&gt;Friday</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Voting</td>
<td>Voting opens&lt;br&gt;Voting closes</td>
<td>5 days</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>Candidates’ campaign spending reports</td>
<td>• Candidates submit campaign expenditure and receipts</td>
<td>(last day of voting)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Vote Counting</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Election Commission Campaign Spending Report</td>
<td>• Election Commission compiles and publishes a comprehensive Campaign Spending report, based on its analysis of information submitted by candidates</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>24</td>
<td>Publish Provisional Results and percentage poll attained</td>
<td></td>
<td></td>
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<tr>
<td>No</td>
<td>Activity</td>
<td>Details</td>
<td>Duration (Guideline)</td>
<td>SRC dates</td>
<td>Faculty Council dates</td>
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</tr>
<tr>
<td>25.</td>
<td>Objections to Campaign spending report and provisional results</td>
<td>Concurrent objection period</td>
<td>24 hours</td>
<td></td>
<td></td>
</tr>
<tr>
<td>26.</td>
<td>Declaration of Final results</td>
<td></td>
<td></td>
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<tr>
<td>27.</td>
<td>Other Reports</td>
<td>Complaints Summary Report</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Election Commission Report, including recommendations</td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td>Election Operations Office report</td>
<td></td>
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<tr>
<td>28.</td>
<td>Constituting Meetings</td>
<td>SRC</td>
<td>n/a</td>
<td>n/a</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Commerce</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Engineering and Built Environment</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Health Sciences</td>
<td></td>
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<td>Humanities</td>
<td></td>
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<td></td>
<td></td>
<td>Law</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>Science</td>
<td></td>
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</tr>
</tbody>
</table>

**Approved by the Election Commission**

Date:________________________
Signed:________________________
Chairperson
ANNEXURE 3: GUIDELINE TO CONTRAVENTIONS AND SANCTIONS

This Annexure is a guide to the imposition of the sanctions that may be issued. Not all contraventions of the Regulations are covered in the table. Mitigating and aggravating circumstances and the nature of the contravention must be considered when a sanction or combinations of sanctions are issued.

<table>
<thead>
<tr>
<th>Sanction</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Verbal warning or reprimand</td>
<td>For any minor contravention having little impact on the integrity of the election.</td>
</tr>
<tr>
<td>Written warning</td>
<td>For any contravention having little impact on the integrity of the election.</td>
</tr>
<tr>
<td>Reduced campaign time</td>
<td>For any contravention relating to campaigning or the Question and Answer sessions, including (but not limited to) early campaigning, prohibited conduct relating to campaigning, failing to submit campaign plans and seeking and receiving assistance from external or third parties.</td>
</tr>
<tr>
<td>Reduced campaign spending</td>
<td>For any contravention relating to the management of a campaign, including (but not limited to) early campaigning, prohibited conduct relating to campaigning, failing to submit campaign plans and seeking and receiving assistance from external or third parties.</td>
</tr>
<tr>
<td>Fine</td>
<td>For any contravention, as a punitive measure and/or to cover costs incurred by the Elections Commission in addressing misconduct of the candidate.</td>
</tr>
<tr>
<td>Disqualification from voting</td>
<td>For any serious contravention of these Regulations by a voter.</td>
</tr>
</tbody>
</table>
| Disqualification from standing for election | For any of the following contraventions:  
  - Undermining the electoral process  
  - A serious and blatant violation of any rule  
  - Repeat contraventions  
  - Undue influence  
  - Fraud  
  - Failure to declare major campaign plans  
  - Failure to submit campaign spending report  
  - Failure to abide by rulings of the Election Commissions or any appeals structure |
**ANNEXURE 4A: NOMINATION FORM FOR SRC ELECTIONS**

**Nominee’s Details**

<table>
<thead>
<tr>
<th>Name and Surname of nominee:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student number of nominee:</td>
</tr>
<tr>
<td>Date of birth:</td>
</tr>
<tr>
<td>Faculty in which the nominee is registered:</td>
</tr>
<tr>
<td>Academic Programme for which the nominee is registered:</td>
</tr>
<tr>
<td>Year of study:</td>
</tr>
<tr>
<td>Cellphone Number:</td>
</tr>
<tr>
<td>Email Address:</td>
</tr>
<tr>
<td>Nominee’s affiliation (if any):</td>
</tr>
<tr>
<td>Name of student advisor in the faculty consulted by the nominee:</td>
</tr>
</tbody>
</table>

**This nomination form must be submitted together with:**

(a) an email to which is attached:
   a. a recent digital photograph of the nominee;
   b. the nominee’s manifesto of not more than 250 words;
   c. the nominee’s logo, slogan or information of not more than 15 characters, which will appear on the ballot paper;
   d. the nominee’s curriculum vitae, which must include the qualification for which the nominee is registered and his or academic year of study;
   e. the nominee’s poster and pamphlet designs;
(b) the nominee’s or group’s campaign plan;
(c) the unaffiliated nominee’s campaign budget in accordance with Annexure 6A;
   OR
(d) the group’s campaign budget in accordance with Annexure 6B;
(e) a completed Candidate’s support team registration form provided for in Annexure 5 (if any);
(f) a signed Candidates’ Code of Conduct Declaration provided in Annexure 7.
**Signatures of Nominators**

Nominators must be students eligible to vote and may not nominate more than three students. No fewer than 20 and no more than 30 nominators should complete the table below.

<table>
<thead>
<tr>
<th>Name and surname</th>
<th>Student number</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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<td>29</td>
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<tr>
<td>30</td>
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</tr>
</tbody>
</table>
Declaration

1. **By the student advisor**

I certify that the nominee ________________________(name) has discussed with me his/her intention to stand for election of the SRC, and that I have discussed with him/her the implications of taking office as a member of the SRC (and potentially an office bearer of the SRC) for his/her academic career, having regard to his/her academic record.

Signed______________________
Dated______________________

2. **By the nominee**

I, _________________________, accept nomination as a nominee for election to the SRC, have submitted the digital material required of me, enclosed the registration form of my support team, campaign plan and budget, and declare that the above information, including all material submitted, are true and accurate.

I accept that I may not withdraw as a candidate once this nomination form has been validated by the Election Commission. Furthermore, I confirm that I am a registered student at the University of Cape Town and have been for at least one complete semester.

Signed______________________
Dated______________________
ANNEXURE 4B: NOMINATION FORM FOR FACULTY COUNCIL ELECTIONS

Nominee’s Details

<table>
<thead>
<tr>
<th>Name and Surname of nominee:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Student number of nominee:</td>
<td></td>
</tr>
<tr>
<td>Date of birth:</td>
<td></td>
</tr>
<tr>
<td>Faculty in which the nominee is registered:</td>
<td></td>
</tr>
<tr>
<td>Academic Programme for which the nominee is registered:</td>
<td></td>
</tr>
<tr>
<td>Year of study:</td>
<td></td>
</tr>
<tr>
<td>Cell phone Number:</td>
<td></td>
</tr>
<tr>
<td>Email Address:</td>
<td></td>
</tr>
<tr>
<td>Name of student advisor in the faculty consulted by the nominee:</td>
<td></td>
</tr>
</tbody>
</table>

This nomination form must be submitted together with:

(a) an email to which is attached:
   a. a recent digital photograph of the nominee;
   b. the nominee’s manifesto of not more than 250 words;
   c. the nominee’s logo, slogan or information of not more than 15 characters, which will appear on the ballot paper;
   d. the nominee’s curriculum vitae, which must include the qualification for which the nominee is registered and his/her academic year of study;
   e. the nominee’s poster and pamphlet designs;
(b) the nominee’s campaign plan;
(c) the nominee’s campaign budget in accordance with Annexure 6A;
(d) a completed Candidate’s support team registration form provided for in Annexure 5 (if any);
(e) a signed Candidates’ Code of Conduct Declaration provided in Annexure 7.
**Signatures of Nominators**

Nominators must be students eligible to vote and may not nominate more than three students. No fewer than 10 and no more than 15 nominators should complete the table below.

<table>
<thead>
<tr>
<th>Name and surname</th>
<th>Student number</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
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<tr>
<td>15</td>
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</tr>
</tbody>
</table>
Declaration

1. **By the student advisor**
   I certify that the nominee ________________________(name) has discussed with me his/her intention to stand for election of the Faculty Council, and that I have discussed with him/her the implications of taking office as a member of the Faculty Council (and potentially an office bearer of the Faculty Council) for his/her academic career, having regard to his/her academic record.

   
   Signed______________________  Dated______________________

2. **By the nominee**
   I, _____________________, accept nomination as a nominee for election to the Faculty Council, have submitted the digital material required of me, enclosed the registration form of my support team, campaign plan and budget, and declare that the above information, including all materials submitted, is true and accurate.

   I accept that I may not withdraw as a candidate once this nomination form has been validated by the Election Commission. Furthermore, I confirm that I am a registered student in the Faculty of _______________________ at the University of Cape Town and have been for at least one complete semester.

   
   Signed______________________  Dated______________________
ANNEXURE 5 CANDIDATE SUPPORT TEAM REGISTRATION FORM

Name of Candidate ____________________________________________

and/or

Name of Group ______________________________________________

Campaign Manager’s Details

<table>
<thead>
<tr>
<th>Name and Surname</th>
<th>Student number</th>
<th>Date of birth</th>
<th>Cell phone Number</th>
<th>Email Address</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

Candidate Support Team Details

<table>
<thead>
<tr>
<th>Name and Surname</th>
<th>Student number</th>
<th>Email Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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</tbody>
</table>

(Add further rows if necessary)
Declaration

1. **By the Campaign Manager**

I ___________________ undertake to abide by all the rules and procedures set out by the Election Commission and subscribe to the attached code of conduct.

Signed____________________ Dated____________________

2. **By the candidate support team members**

We, as the candidate support team, undertake to abide by all the rules and procedures set out by the Election Commission and subscribe to the attached code of conduct.

<table>
<thead>
<tr>
<th>Name and surname</th>
<th>Date</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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</tbody>
</table>

(Add further rows if necessary)

3. **By the nominee**

I,_______________, declare that the above details are accurate.

Signed____________________ Dated____________________
# ANNEXURE 6A: CAMPAIGN PLAN AND BUDGET FOR UNAFFILIATED NOMINEE

## Campaign Plan

<table>
<thead>
<tr>
<th>Activity</th>
<th>Details (e.g., size, quantity)</th>
<th>Date</th>
<th>Time</th>
<th>Venue</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Use of Media</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>Posters:</td>
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<td></td>
<td>Pamphlets:</td>
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<tr>
<td></td>
<td>Banners:</td>
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</tr>
<tr>
<td>2 T-shirts</td>
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<tr>
<td>3 Online/ social media</td>
<td>Facebook:</td>
<td></td>
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<tr>
<td></td>
<td>Twitter:</td>
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</tr>
<tr>
<td>4 Other</td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

(Add further rows if necessary)
Campaign Budget

The Election Commission of __________ (year) has declared the maximum monetary limit per candidate to be no more than R_____________ (amount).

Revenue

A: Contributions in cash

1. Contribution by the nominee  R __________________________
2. Contributions by other students (if any)

<table>
<thead>
<tr>
<th>Name and Surname</th>
<th>Student number</th>
<th>Amount contributed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>R</td>
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<tr>
<td>2</td>
<td></td>
<td>R</td>
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<tr>
<td>3</td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td>R</td>
</tr>
</tbody>
</table>

(add further rows if necessary)

B: Contributions in kind

1. Contributions in kind by nominee:

<table>
<thead>
<tr>
<th>Item contributed by nominee</th>
<th>Value</th>
<th>*Assessed Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>2</td>
<td>R</td>
<td>R</td>
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<tr>
<td>3</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>4</td>
<td>R</td>
<td>R</td>
</tr>
</tbody>
</table>

(add further rows if necessary)

2. Contributions in kind by other students (if any)

<table>
<thead>
<tr>
<th>Name and surname</th>
<th>Student number</th>
<th>Item</th>
<th>Value</th>
<th>*Assessed Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>R</td>
<td>R</td>
<td></td>
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<tr>
<td>2</td>
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<td>R</td>
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<td>4</td>
<td></td>
<td>R</td>
<td>R</td>
<td></td>
</tr>
</tbody>
</table>

(Add further rows if necessary)

* Assessed value will be the price or market value for any consumable (eg. T-Shirt, pamphlets); or a value given by the Election Commission where the contribution is not a consumable.

TOTAL CONTRIBUTIONS (IN CASH AND IN KIND)

R_________________________
### Proposed Expenditure

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Media</td>
<td>R</td>
</tr>
<tr>
<td>Events &amp; Activities</td>
<td>R</td>
</tr>
<tr>
<td>Banners</td>
<td>R</td>
</tr>
<tr>
<td>Clothing</td>
<td>R</td>
</tr>
</tbody>
</table>

**Other**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>R</td>
</tr>
<tr>
<td>B</td>
<td>R</td>
</tr>
<tr>
<td>C</td>
<td>R</td>
</tr>
<tr>
<td>D</td>
<td>R</td>
</tr>
<tr>
<td>E</td>
<td>R</td>
</tr>
</tbody>
</table>

*(add further lines if necessary)*

Total: R……………………

---

### Declaration

I _____________________________ (name of nominee) declare that the above information is accurate. I undertake to

1. Submit a revised campaign plan and/or budget to the Election Commission should there be any change; and
2. Register any additional revenue or goods in kind or expenditure with the Election Commission within 48 hours of receiving the revenue or goods in kind or incurring the expenditure.

Signed _________________ Date________________________
ANNEXURE 6B: CAMPAIGN BUDGET FOR AFFILIATED NOMINEES

Name of Group

<table>
<thead>
<tr>
<th>Name of nominees affiliated to the group (add rows if necessary)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name and Surname</td>
</tr>
<tr>
<td>--------------------</td>
</tr>
<tr>
<td>1</td>
</tr>
<tr>
<td>2</td>
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<tr>
<td>3</td>
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<tr>
<td>9</td>
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<tr>
<td>10</td>
</tr>
<tr>
<td>11</td>
</tr>
</tbody>
</table>

Campaign Manager/ Representative

Name and surname: __________________________________________
Student number: __________________________________________
Signature: ________________________________________________

Campaign Plan

<table>
<thead>
<tr>
<th>Activity</th>
<th>Details (e.g. size, quantity)</th>
<th>Date</th>
<th>Time</th>
<th>Venue</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Use of Media</td>
<td>Posters:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pamphlets:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Banners:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 T-shirts</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 Online/social media</td>
<td>Facebook:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Twitter:</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>4 Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(Add further rows if necessary)
Campaign Budget

The Election Commission of ____________ (year) has declared the maximum monetary limit per candidate to be no more than R_____________ (amount).

Revenue

A: Contributions in Cash

1. Contribution by the nominees

<table>
<thead>
<tr>
<th>Name and Surname</th>
<th>Student number</th>
<th>Amount contributed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td>R</td>
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<tr>
<td>3</td>
<td></td>
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<tr>
<td>4</td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>5</td>
<td></td>
<td>R</td>
</tr>
</tbody>
</table>

(Add further rows if necessary)

2. Contributions by other students (if any)

<table>
<thead>
<tr>
<th>Name and Surname</th>
<th>Student number</th>
<th>Amount contributed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td>R</td>
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<tr>
<td>3</td>
<td></td>
<td>R</td>
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<tr>
<td>4</td>
<td></td>
<td>R</td>
</tr>
<tr>
<td>5</td>
<td></td>
<td>R</td>
</tr>
</tbody>
</table>

(Add further rows if necessary)

Total contributions in cash R________________________

B: Contributions in kind

1. Contributions in kind by nominees:

<table>
<thead>
<tr>
<th>Name and surname</th>
<th>Student number</th>
<th>Item</th>
<th>Value</th>
<th>*Assessed Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td>R</td>
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<tr>
<td>5</td>
<td></td>
<td></td>
<td>R</td>
<td>R</td>
</tr>
</tbody>
</table>

(Add rows if necessary)

2. Contributions in kind by other students (if any)

<table>
<thead>
<tr>
<th>Name and surname</th>
<th>Student number</th>
<th>Item</th>
<th>Value</th>
<th>*Assessed Value</th>
</tr>
</thead>
</table>
* Assessed value will be the price or market value for any consumable (eg. T-shirt, pamphlets); or a value given by the Election Commission where the contribution is not a consumable (eg. a gazebo).

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
</tbody>
</table>

**Total contributions in kind**

R_________________________

**TOTAL CONTRIBUTIONS (IN CASH AND IN KIND)**

R_________________________

### Proposed Expenditure

**Expenditure**

<table>
<thead>
<tr>
<th>Media</th>
<th>R</th>
</tr>
</thead>
<tbody>
<tr>
<td>Events &amp; Activities</td>
<td>R</td>
</tr>
<tr>
<td>Banners</td>
<td>R</td>
</tr>
<tr>
<td>Clothing</td>
<td>R</td>
</tr>
<tr>
<td>Other</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>R</td>
</tr>
<tr>
<td>B</td>
<td>R</td>
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<tr>
<td>C</td>
<td>R</td>
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<tr>
<td>D</td>
<td>R</td>
</tr>
<tr>
<td>E</td>
<td>R</td>
</tr>
</tbody>
</table>

(Add further lines if necessary)

**Total**  
R …………………………
**Declaration**

We, as affiliated nominees, declare that the above information is accurate and we agree that ______________________ (name of campaign manager/representative) will act for all of us and will:

1. Submit a revised campaign plan and/or budget to the Election Commission should there be any changes;
2. Register any additional revenue or goods in kind or expenditure with the Election Commission within 48 hours of receiving the revenue or goods in kind or incurring the expenditure.

<table>
<thead>
<tr>
<th>Name and Surname of nominees</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
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<tr>
<td>11</td>
<td></td>
</tr>
</tbody>
</table>

I ________________________, as campaign manager/representative for this group, certify that I have read and understood this campaign budget.

Signed ____________________ Date ____________________
ANNEXURE 7: SRC AND FACULTY COUNCIL ELECTION: CANDIDATE’S CODE OF CONDUCT DECLARATION

To be read in conjunction with the SRC Constitution and the Election Regulations.

I, ______________________, have read and understood the contents of the Election Regulations and undertake to approach the Chief Electoral Officer should I require further clarity. I have read, understood and agree to abide by the Code of Conduct as set out in Chapter 4 of the Election Regulations. I pledge to promote a free and fair election and to uphold the spirit and object of the Election Regulations.

Signed _________________________ Date____________________________

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3.6 RULES ON DISCIPLINARY JURISDICTION AND PROCEDURES

Definitions

Authorised member is an employee of the University who is empowered to issue instructions to students in respect of a particular function of the University, and includes:

(a) The Vice-Chancellor, Deputy Vice-Chancellors and the Registrar in respect of any function of the University;
(b) Any person authorised by the Vice-Chancellor, a Deputy Vice-Chancellor or the Registrar;
(c) Deans, head of departments, and staff of academic departments in respect of the work of academic departments and faculties;
(d) Heads of professional, administrative support and service departments, or their nominees, in respect of the work of their departments.

Complainant is for the purposes of Disciplinary Jurisdiction and Procedures, a person alleging rape, sexual assault and sexual harassment by a student.

Day is a calendar day.

Expulsion is the immediate termination of registration and the prohibition of further registration imposed upon a student.

Jurisdiction The Tribunals provided for in the Rules on Disciplinary Jurisdiction and Procedures have jurisdiction over:

(a) all students; and
(b) any former student in respect of any breach of the student code that took place, or is alleged to have taken place while the former student was a student.

Without limiting the generality of this rule, or the powers of tribunals under these rules on jurisdiction, a tribunal shall have the power to withdraw a qualification (degree, diploma or certificate) or result from a former student where the tribunal finds that the qualification has been improperly obtained.

No-contact order is a protective measure issued in terms of these rules prohibiting the person against whom the order is issued from contact with one or more named person(s) either directly or indirectly.

Proctor is a person with a legal qualification and/or relevant experience who presides over a matter in the University Tribunal and is appointed by the University Council for such period as the Council may decide.

Residences Committee is the Residences Committee of Council.

Right to be assisted means an entitlement to engage a person of his or her choice to advise and assist him or her during a hearing before a Tribunal. Such a person is not permitted to represent a student so assisted.

Right to be represented means an entitlement to engage a person of his or her choice to act on his or her behalf in any matter before a Tribunal.

Rustication is the temporary dismissal of a student from the University or the temporary removal of a student from a student housing unit.

Rusticated student means a student rusticated in terms of these rules, who remains subject to these rules and to such conditions as may be attached to the rustication for the period of rustication.

Senior Proctor is a person with a legal qualification or experience, appointed by the Vice-Chancellor for such periods as the Vice-Chancellor may decide.

Student for the purposes of the DJP and RCS rules is a person who:

(a) has been admitted as a student; or
(b) is registered as a student, or is attending classes prior to registering as a student; or
(c) is a postdoctoral research fellow; or
(d) is a member of a University sports club or society (other than a person who is a staff member but not a student);

and remains a student until the first day of the academic year in the following calendar year, unless before that date he or she is expelled; or cancels his or her registration; or graduates and has not been accepted for a further course of study in the following semester or year.

Student code means the Rules on Conduct for Students, and all University rules.

Student housing means any housing or residence provided by the University for students, including student housing units, self-catering student housing units, houses and flats.

Student housing unit means a residence, provided by the University for housing students.

Unit Committee is a committee comprising elected student representatives and the warden of a particular student housing unit generally known as a House Committee.

University is the University of Cape Town

University community means all registered students, all other members of the University, all staff and all persons rendering services at the University.

University rules include: Rules on Disciplinary Jurisdiction and Procedures; Rules on Conduct for Students; Rules on Computer Software Copyright and Licensing; Rules relating to Meetings held on Campus or under the Aegis of the University; Rules on the Use of University Venues; Traffic Rules; The Code of Ethics for Student Publications; Library Rules; and Residences Rules, and such other rules as the Council may make from time to time.

Warden is a person in whom the authority of Council and the Residences Committee rests for the
administration of a student housing unit.

Year is a calendar year.

Breach of Student Code

DJP1.1 An allegation of a breach of the Student Code other than such allegations as contemplated in DJP1.2 must be reported direct to the Vice-Chancellor or nominee.

DJP1.2 An allegation of a breach of the Student Code by a student in a student housing unit must be reported to the warden.
(a) Where the allegation is of serious assault, behaviour of a potentially injurious nature, or serious harassment or where, in the opinion of the warden this referral is warranted, the warden must report the matter to the Vice-Chancellor.
(b) In all other circumstances, the warden must refer the matter to the applicable student housing tribunal.

DJP1.3 The Vice-Chancellor may delegate any function assigned to him or her in terms of these rules to any member of the University staff.

DJP1.4 The Vice-Chancellor may refer any alleged breach of the Student Code to an appropriate tribunal.

DJP1.5 The Vice-Chancellor may refer a matter for a further investigation to an appropriate tribunal and must determine the membership, powers and terms of reference of the tribunal.

DJP1.6 The Vice-Chancellor may at any time, withdraw any matter from any tribunal and may at his or her discretion:
(a) refer the matter to another tribunal; or
(b) elect not to continue with the matter; or
(c) refer the matter to the South African Police Services.

DJP1.7 The authority instituting a charge before any tribunal may, subject to any Rules of Procedure set in terms of DJP2.2, attach a certificate allowing the student so charged to admit guilt, to pay a fine if provided for, and/or to render community service.

The Tribunal in general

DJP2.1 Any tribunal to which a matter has been referred, or a competent appeal made, must proceed to decide the matter, or the appeal, in terms of these rules.

DJP2.2 A tribunal hearing a matter must determine rules of procedure, except where the Tribunal of Appeal has laid down generally applicable rules of procedure, which will be binding upon all tribunals constituted in terms of these rules.

DJP2.3 The burden of proof in all tribunals is upon the University.

DJP2.4 The standard of proof in all tribunals is on a balance of probabilities.

Powers of suspension and no-contact orders

DJP3.1 If a member of the University staff or a student has reason to believe that:
(a) the continued presence or participation in the activities of the University by a student against whom there is an allegation of a breach of the Student Code is likely to pose a threat to the maintenance of good order within the University; or
(b) there are grounds for a non-contact order against a student in order to protect a complainant in a sexual harassment or sexual offences case;
he and she must report the matter to the Vice-Chancellor.

DJP3.2 If the Vice-Chancellor has reason to believe that the matter justifies the execution of a suspension order he or she may make a provisional order prohibiting the student from:
(a) attending lectures and classes; and/or
(b) participating in specified activities of the University; and/or
(c) entering the precincts of the University or any such part thereof as may be indicated by him or her; and/or
(d) residing in a student housing unit; and/or
(e) making contact, directly or indirectly, with one or more than one specified person/s while on campus; as may be appropriate for the elimination of a particular threat to good order and for a period not exceeding 72 hours.

DJP3.3 The Vice-Chancellor may impose any further conditions at the time of issuing the preliminary order or at any time.

Page 120
thereafter. DJP3.4 A suspension in terms of DJP3.2 is provisional. The student so suspended is entitled to a hearing before the Vice-Chancellor (or nominee) within 72 hours of such provisional order being service on the student. The Vice-Chancellor (or nominee) must convene the hearing. After hearing the representations (if any) of the provisionally suspended student, or at the expiry of the 72 hour period, the Vice-Chancellor (or nominee) may:

(a) make the provisional order final; or
(b) make an amended final order; or
(c) withdraw the provisional order in its entirety.

A provisionally suspended student who is unable to attend the hearing may make written representations to the Vice-Chancellor (or nominee).

The failure of the provisionally suspended student to attend the hearing or make representations shall not preclude the Vice-Chancellor (or nominee) from making such order, as she or he deems appropriate.

DJP3.5 The Vice-Chancellor may, at any time during the operation of the suspension order, vary or revoke the suspension order in part or in whole.

DJP3.6 Where the Vice-Chancellor acts in terms of DJP3.4 or 3.5 in making an order, he or she must inform the student that the student is entitled to appeal to the University Tribunal constituted by a proctor sitting with assessors for a reconsideration of the order.

DJP3.7 The maximum period of operation of any order is 100 days provided that:

(a) any such order will be discharged upon the acquittal of the student or the implementation of any sentence imposed upon the student by any Tribunal in respect of charges arising out of the allegations upon which the suspension order is based; and
(b) the noting of an appeal will not suspend an order pending the outcome of the appeal.

DJP3.8 Notwithstanding the above 100-day limitation, the period of operation may be extended by the Vice-Chancellor if the student against whom the order has been is an accused in a criminal trial in a State court and if the criminal trial has not been concluded at the expiry of the 100-day period, until a finding and sentence has been delivered in the court or until any appeal process related to such finding and/or sentence in the court has been concluded.

DJP3.9 In the case of an appeal to the University Tribunal constituted by a proctor sitting with assessors, the Vice-Chancellor must submit to that tribunal his or her reasons for believing that the continued presence of or participation in activities by that student is likely to pose a threat to the maintenance of good order, and the Tribunal has the power to confirm, amend or set aside the order or an extension of such an order.

DJP3.10 If the Vice-Chancellor (or nominee) has reason to believe that grounds exist for a no contact-order against a student in order to protect a complainant acting in terms of the sexual harassment and sexual offences policies, he or she:

(a) may issue a provisional no-contact order that prohibits the student from making contact with the named person(s) for a period not exceeding 72 hours; and
(b) must allow the student subject to the no contact-order to be heard within 72 hours of such provisional no contact-order being served on him or her.

The Vice-Chancellor (or nominee) must convene the hearing. After hearing representations (if any) from the student subject to the provisional no-contact order, but within the 72 hour period the Vice-Chancellor (or nominee) may:

(a) make the provisional no contact-order final or;
(b) make an amended final no contact-order;
(c) withdraw the provisional no contact-order in its entirety.

A provisional no-contact order may be made despite no allegation of a breach of the rules of conduct for students. A student subject to a provisional no contact-order who is unable to attend 72 hour hearing, may take written representations to the Vice-Chancellor (or nominee). The
failure of a student to attend or to make representations shall not preclude the Vice-Chancellor (or nominee) from making such order as she or he deems appropriate.

DJP3.11 Unless the Vice-Chancellor determines otherwise when issuing a no-contact order, the order shall constitute an absolute prohibition from making contact, directly or indirectly, with the named person(s) in any way including but not limited to contact in person, by mail, by telephone, through electronic media or by or through any other medium or person.

DJP3.12 The provisions of DJP3.5 to 3.9 apply mutatis mutandis to no-contact orders, save that the maximum period of a no-contact order is six months.

The Student Housing Tribunals

DJP4.1 A student housing tribunal is:
(a) the tribunal constituted in terms of the approved constitution of the applicable student housing unit and has jurisdiction in that unit; or
(b) a tribunal constituted by a student housing proctor being a person appointed by the Vice-Chancellor, and has jurisdiction in all student housing units.

DJP4.2 A student housing tribunal must hear all matters referred to it by the warden of such student housing unit or by the Vice-Chancellor.

DJP4.3 Upon conviction, this tribunal may refer the matter to the University Tribunal constituted by a proctor sitting without assessors for sentencing, or may impose any of the following sentences in respect of any one conviction:
(a) a reprimand;
(b) a fine of up to R1000.00
(c) community service of up to 80 hours;
(d) a prohibition against holding office in that student housing unit for a period not exceeding one year;
(e) the payment of a sum of money as to permit compensation for damage caused by the student;
(f) rustication from the student housing unit in respect of which the tribunal has jurisdiction;
(g) expulsion from the student housing unit in respect of which the tribunal has jurisdiction.

DJP4.4 Any sentence imposed in terms of DJP4.3 may:
(a) be suspended for any period of time up to a maximum of one year;
(b) may be a combination of any of the sentences listed in DJP4.3; and/or
(c) at the request of the Vice-Chancellor or a warden, be reviewed by the Senior Proctor, who may, if he or she is of the view that the sentence is inappropriately harsh or lenient, refer the charges for re-trial by the University Tribunal sitting without assessors in accordance with DJP5.3.

DJP4.5 A student aggrieved by a conviction or sentence imposed by a student housing tribunal is entitled to have the matter re-tried by the University Tribunal as constituted in terms of DJP5.3.

DJP4.6 Where a conviction has been imposed by a student housing tribunal and the matter has been referred to the University Tribunal as constituted in terms of DJP5.3 for sentencing, a right of appeal exists to the University Tribunal constituted by a proctor sitting with assessors.

DJP4.7 The presiding officer of this tribunal may at any time, on his or her own initiative or at the request of the accused, summon any witness.

DJP4.8 The proceedings of any such tribunal must be in private, save that the tribunal may agree to admit observers upon application. The tribunal may order that the final conviction and sentence and the name of the student found guilty of an offence and, if appropriate, the reasons for judgement, be promulgated on the student housing unit’s notice boards or be communicated to any interested person or body.

DJP4.9 No right to representation is permitted to any student summoned to appear before this tribunal. However, the accused student has the right to be assisted by any member of the University of his or her choice, and where exclusion from residence is a possible sanction, to apply to the University Tribunal for the right to legal representation.
representation and that Tribunal has a discretion to grant such application, taking into account:
(a) the nature of the charges brought;
(b) the degree of factual or legal complexity attendant upon considering them;
(c) the potential seriousness of the consequences of an adverse finding;
(d) the availability of suitable representatives among the University’s student or staff body;
(e) the fact of a student’s right of appeal to the USDT; and
(f) any other relevant factor.
Where the right to legal representation is granted, and a date or dates has/have been set, having regard to this, the non-availability of a particular legal representative shall not be a ground for an application for postponement.

DJP4.10
The presiding officer must keep a suitable record of the proceedings.

The University Student Discipline Tribunal

DJP5.1
The University Student Discipline Tribunal (the University Tribunal) must be presided over by a proctor.

DJP5.2
A proctor:
(a) hears the matter with two assessors where the Senior Proctor, or in his or her absence the Vice-Chancellor’s nominee, considers that the breach of conduct is serious enough to warrant a sentence allowed by DJP5.12; and
(b) hears all other matters without assessors.

DJP5.3
The University Tribunal constituted by a proctor sitting without assessors has:
(a) a jurisdiction of first instance;
(b) a jurisdiction to rehear a student housing matter referred to it in terms of DJP4.5; and
(c) a jurisdiction to impose a sentence in a student housing matter referred to it in terms of DJP4.3.

DJP5.4
The University Tribunal constituted by a proctor sitting with assessors has:
(a) a jurisdiction of first instance;
(b) a jurisdiction to hear appeals against decisions of the University Tribunal in terms DJP5.3(a) or DJP5.3(c); and
(c) a jurisdiction to hear appeals against suspension orders imposed by the Vice-Chancellor or by his or her nominee.

DJP5.5
Where a proctor is to sit with assessors, the Senior Proctor, or his or her nominee, must select one assessor drawn from a list of not less than six names provided by the Vice-Chancellor and the other from a list of not less than six names provided by the SRC.

DJP5.6
When a proctor sits with assessors, a verdict may be reached by a majority. If, for any reason, an assessor is unable to assume or continue with his or her duties as an assessor, a proctor has an ordinary and a deciding vote on matters of verdict. If both assessors are unable to continue with their duties as assessors, the matter must be heard afresh.

DJP5.7
A proctor must pass sentence on his or her own but must consult the assessors.

DJP5.8
Where a proctor is unable to continue with his or her duties as proctor, the case in progress must be heard afresh.

DJP5.9
A student whose conduct is the subject of charge before the University Tribunal is entitled to be represented by another student or staff member of the University.

A student may apply to the University Tribunal for the right to legal representation and the Tribunal has a discretion to grant such application, taking into account:
(a) the nature of the charges brought;
(b) the degree of factual or legal complexity attendant upon considering them;
(c) the potential seriousness of the consequences of an adverse finding;
(d) the availability of suitable representatives among the University’s student or staff body; and
(e) any other relevant factor.

An application may not be refused where an adverse finding could lead to expulsion.

Where the right to legal representation is granted:
(i) the University shall give the student adequate opportunity to obtain legal representation; and
(ii) the University shall set a date or dates for the matter.

Having regard to this and having done so the non-availability of a particular legal representative shall not be a ground for an application for postponement.

**NOTE:** Where this right is granted and where the student is unable to afford a lawyer, the University will use its best endeavours to facilitate representation by a qualified staff member, candidate attorney or a lawyer willing to take the case pro bono.

DJP5.10 A record of proceedings must be kept to the satisfaction of the Senior Proctor.

DJP5.11 A proctor may impose any one or any combination of the following sentences in respect of any one conviction:
(a) a reprimand;
(b) a fine of up to R1000.00;
(c) community service of up to 100 hours;
(d) a prohibition against holding office in any University Committee or recognised University Student body for a period not exceeding one year;
(e) the payment of a sum of money as compensation for damage caused by the student;
(f) rustication from the student housing unit or the student housing system;
(g) expulsion from the student housing unit or the student housing system;
(h) rustication from the University for up to twelve months;
(i) a prohibition against parking on campus for up to one year;
(j) a prohibition against making use of specified University facilities for up to twelve months;
(k) a no-contact order for a period of no more than twelve months;
(l) attendance at a specified form of remedial treatment.

DJP5.12 A proctor sitting with assessors may impose any one or any combination of the following sentences in respect of any one conviction:
(a) expulsion;
(b) rustication;
(c) a fine of up to R5000.00;
(d) community service of up to 300 hours;
(e) the withdrawal of any degree, diploma, certificate or examination or other result;
(f) the payment of a sum of money as compensation for any damage caused by the student;
(g) any other sentence which may be imposed by a tribunal in terms of DJP5.11 or which the proctor may competently impose by reason of any other rules framed by the University Council.

DJP5.13 1. Any sentence imposed in terms of DJP5.11 or 5.12 may be suspended for any period of time and on any condition.

DJP5.13 2. Where any tribunal (including a student housing tribunal) imposes a sanction but it suspends it on defined conditions that must be met by a specified date; and the Vice-Chancellor, or the Vice-Chancellor’s nominee, believes that the condition(s) has (have) not been met by the specified date, the Vice-Chancellor, or the Vice-Chancellor’s nominee, must
(i) apply in writing to the Senior Proctor (or a Proctor nominated by the Senior Proctor) for the imposition of the suspended sanction with the grounds for the application; and
(ii) simultaneously give notice to the student concerned inviting him or her to make written representations within a period of not more than 72 hours to the
Senior Proctor (or the nominated Proctor) on receipt of which, or after the expiry of the period allowed for a reply, the Senior Proctor (or the nominated Proctor) must within seven days make a determination and (aa) rule that the defined condition(s) have been met; or (bb) rule that the defined condition(s) have not been met and impose the suspended sentence; or (cc) if satisfied that the student concerned has through circumstances beyond his/her control been unable to comply with the relevant condition(s) or for any good and sufficient reason, further extend the suspension of the sanction subject to any existing condition(s).

(c) A decision in terms of this Rule is not subject to appeal.

DJP5.14 A convicted student may appeal:
(a) to the University Tribunal constituted by a proctor sitting with assessors against any verdict and/or any sentence imposed by a Tribunal constituted by a proctor, other than where the proctor has reheard a student housing matter in terms of DJP5.3(b); and
(b) to the University Tribunal of Appeal against any verdict and/or any sentence imposed by a Tribunal constituted by proctor sitting with assessors, other than a decision in respect of a suspension order.

DJP5.15 Where the Vice-Chancellor is of the view that a penalty is inappropriate, he or she may, within two weeks of the imposition of the penalty, apply to the Senior Proctor for permission to appeal against a penalty. This must be done by way of a written submission to the Senior Proctor.

DJP5.16 When the Senior Proctor receives a written submission from the Vice-Chancellor seeking leave to appeal against a penalty, the Senior Proctor must give the student, or students concerned, the opportunity to make written representation to the Senior Proctor about the Vice-Chancellor’s submission. The Senior Proctor must do this by personal notice to the last residential term address notified by the student, or students concerned, to the Registrar. The Senior Proctor must give the student, or students concerned, ten working days in which to file representations in response.

DJP5.17 The Senior Proctor, having considered the record, the submission by the Vice-Chancellor, and any submission by the student or students concerned must decide whether there is a reasonable prospect that the Vice-Chancellor’s appeal will succeed. If so, he or she may grant leave to appeal; if not, he or she must refuse leave to appeal.

DJP5.18 Where the Senior Proctor grants leave to appeal, the appeal must be heard by:
(a) the Tribunal constituted by a proctor sitting with assessors where it is an appeal against a sentence imposed by a Tribunal constituted by a proctor; and
(b) the Tribunal of Appeal where it is an appeal against a sentence imposed by a Tribunal constituted by a proctor sitting with assessors.

Suspension of graduation

DJP5.19 Where a qualifying student (that is, a student who qualifies for the award of a degree, diploma or certificate) has been summoned to face a charge before the University Tribunal, the graduation of that student, or the award of a diploma or certificate to that student, as the case may be, is suspended until the case has been disposed of by the University Tribunal, unless the Vice-Chancellor, on written application by the student, decides otherwise.
Endorsement of record

DJP5.20 While a disciplinary case against a student is pending before a University Tribunal, the student’s academic record must be endorsed to show this fact. When the case is concluded, the endorsement falls away.

Publication of sentence and sanction

DJP5.21 The Registrar must publish in summary form the finding and sanction imposed by a tribunal (including the tribunal of appeal) on campus notice boards.

DJP5.22 A tribunal may order that the Registrar also publish the name of any student against whom a finding has been made.

DJP5.23 The Registrar must not publish under 5.21 or 5.22 until any appeal has been disposed of, or until the time for noting of an appeal has lapsed.

DJP5.24 The Registrar must not publish the name of a minor before notifying the parents or guardian(s) of the minor student.

Application for readmission by an expelled student

DJP6.1 A person expelled in terms of these rules who believes that he or she can show that he or she has rehabilitated himself or herself and that the circumstances generally warrant a suspension of his or her expulsion, may after a period of not less than five years from the date of his or her expulsion, make application to the University Tribunal of Appeal for readmission as a student.

DJP6.2 Any such application must be considered as an application for the suspension of the operation of the sentence; and not as an application for the setting aside of any finding, or the setting aside of any sentence.

DJP6.3 This application must establish to the satisfaction of the Tribunal of Appeal:
(a) remorse;
(b) evidence of rehabilitation; and
(c) that there is no significant risk of the recurrence of the conduct in question

DJP6.4 Any such application must be in writing to the Registrar, and must set out in full the grounds on which the applicant bases his or her case. The Registrar must invite the Vice-Chancellor, or nominee, to file a reply to the application; and must similarly notify any affected third party of the application and invite such third party or parties to file replying submissions. The applicant is/will be entitled to receive any such replying submissions, and to respond to them in writing. Time limits for submissions, replies and responses must be determined by the Senior Proctor.

DJP6.5 The University Tribunal of Appeal may decide the matter on the basis of the papers, and where it considers this necessary, may hold an oral enquiry.

DJP6.6 The University Tribunal of Appeal may:
(a) dismiss the application; or
(b) grant the application with or without conditions, and
(c) impose such conditions on the person’s readmission to the University as it may consider appropriate, including debarring such a person from readmission into a University residence or requiring compulsory involvement in community service.

DJP6.7 If the University Tribunal of Appeal grants an application, the effect of its order will be to suspend the operation of the expulsion, allowing the person to seek readmission, on academic grounds, to one or more courses of study.

DJP6.8 If the University of Tribunal of Appeal dismisses the application, the person may after a further period of two years apply in writing to the Senior Proctor for leave to submit a further application, providing the reasons on which he or she believes the application should be considered. The Senior Proctor’s decision on whether to allow a further application to be heard will be final, and must be communicated in writing with reasons.
The University Tribunal of Appeal

DJP7.1 The University Tribunal of Appeal is composed as follows:

(a) a president who has legal qualifications, appointed by Council;
(b) a person appointed by the SRC;
(c) one member appointed by Senate;
(d) a person chosen by the president from a list of not less than 6 names submitted at the beginning of each year, by the SRC.

DJP7.2 The persons appointed in terms of DJP7.1 (a), (b) and (c) must be appointed together with at least three alternates by the appointing body.

DJP7.3 Three of the members form a quorum.

DJP7.4 In the event of a tie in the voting, the president has a casting as well as a deliberative vote.

DJP7.5 If an appeal is made to the University Tribunal of Appeal it may in its discretion:

(a) uphold the appeal in whole or in part;
(b) dismiss the appeal in whole or in part;
(c) alter the penalty imposed by the Tribunal, and in so doing, it has the same powers impose sentences as the University Tribunal in terms of DJP5.12.

DJP7.6 A student is entitled to legal representation before the University Tribunal of Appeal.

DJP7.7 The University Tribunal of Appeal may prescribe procedures in terms of DJP2.2.

DJP7.8 The University Tribunal of Appeal may set guidelines for sentences and for the equivalence between an amount of a fine and an alternate sentence (for example, hours of community service).

Rules of procedure in respect of University tribunals

DJP8.1 The presiding officer of any tribunal may at any time, on his or her own initiative or at the request of the defendant or the University, summon any witness(es) he or she may think appropriate for the just and speedy conclusion of the matter.

DJP8.2 If an accused student or an appellant is absent at the commencement or at any stage of the hearing of any matter against him or her and has not shown good cause for his or her absence the tribunal may proceed in the absence of the accused or of his or her representative.

DJP8.3 If an accused student hinders or obstructs any tribunal proceedings or fails to obey an instruction by a presiding officer, then the tribunal may order his or her withdrawal from the tribunal and proceed to the conclusion of the matter in his or her absence.

DJP8.4 All matters before the University Tribunal or the University Tribunal of Appeal are open to any member of Council or to any staff member or student upon presentation of his or her student card: Provided that the presiding officer may, upon application from any party to the matter, order the matter, or part thereof:

(a) to be heard in camera; or
(b) to be heard in the presence of specified individuals only.

DJP8.5 The presiding officer of the University Tribunal or the University Tribunal of Appeal may upon application by a parent or guardian of a student appearing before the tribunal, permit the student’s parents or guardians access to the hearing: Provided that, in the case of a student who has obtained the status of majority, the presiding officer must have regard to the student’s opinion.

DJP8.6 The presiding officer is charged with the responsibility of ensuring the rules contained in RCS 16 are observed. In this regard, the following powers are granted to such officers:

(a) The presiding officer of any tribunal is entitled to warn any witness to be truthful.
(b) The presiding officer of any tribunal has summary jurisdiction to fine any student, including the accused, whom he or she finds to be in breach of any rule contained in RCS 16 subject to the right of such student to appeal to the University Tribunal constituted by a proctor sitting with assessors for a maximum fine.
formal re-hearing of the matter within 14 days of such fine being imposed. Any fine imposed in terms of this rule shall not be in excess of R1000.00 per offence.

(c) The presiding officer of any tribunal constituted in terms of these rules has the power to have any person removed from any tribunal should he or she have reason to believe that such person is in breach of any rule contained in RCS 16.

DJP8.7 Any student who wishes to appeal in terms of these rules must file with the Registrar his or her notice of appeal within seven days of his or her conviction and sentence, setting out his or her grounds of appeal.

DJP8.8 The notation of an appeal under these procedures will suspend the execution of any sentence imposed by any disciplinary authority, unless such authority is satisfied that compelling reasons exist for the immediate execution of sentence.

General provisions

DJP9.1 In the event that the president of the SRC or the SRC does not act in terms of the powers or rights vested in him or her/it in terms of these rules, the chairperson of Council is, after granting the SRC an opportunity to explain its case, empowered to direct such departures from these rules as may be necessary to enable the tribunals to discharge their disciplinary functions, provided that such departures are well advertised on the campus.

DJP9.2 In any case of proven breach of discipline or misconduct, the student concerned forfeits all claims to repayment or rebate of fees paid to the University, save that the presiding officer, in his or her discretion, may instruct otherwise.

DJP9.3 Advice on these rules and the procedures contained in them is available to any student on request from the Registrar or his or her nominee(s).

DJP9.4 Procedural Rules approved by the University Tribunal of Appeal must be provided by the University’s representative to any accused student.

Admission of guilt

DJP10.1 The University Tribunal of Appeal may determine which offences may be dealt with by way of an admission of guilt fine and the upper and lower limits of fine in respect of each such offence.

DJP10.2 Instead of an admission of guilt fine, community service may be rendered at the equivalent of a rate per hour as decided by the Tribunal of Appeal.

Criminal convictions

DJP11.1 Where a student is convicted in a State court of a criminal offence, and the facts at issue in a case against that student before any tribunal are the same, the Tribunal may, if the student admits the conviction and the facts to which it relates, take these facts as proven.

DJP11.2 The Tribunal may in any event take such conviction and the facts to which it relates as proven if these have been determined by a court of final jurisdiction.

DJP11.3 In any such case, the tribunal must proceed to hear evidence and argument, if any, on the question of sanction before imposing any sentence.

Exclusion clause

DJP12 Save in exceptional circumstances as a court of competent jurisdiction may determine, no decision in relation to a disciplinary matter made under these rules by any tribunal, nor any suspension order made under these rules may be the subject of any review proceedings, application or action to the ordinary courts, unless all domestic remedies have been fully and finally exhausted.
### 3.7 RULES ON CONDUCT FOR STUDENTS

#### General clauses

**RCS1.1** Any breach by a student of these Rules on Conduct for Students or any other institutional rules framed by the Council is an offence subject to disciplinary action by the University.

**RCS1.2** Nothing in these rules shall be construed as absolving any student from liability for any misconduct in which he or she is personally involved.

**RCS1.3** No student shall wilfully commit any unjustified act or omission which adversely affects the University or any member of the University.

#### Academic conduct

**RCS2.1** A student must refrain from dishonest conduct in any examination, test or in respect of completion and/or submission of any other form of academic assessment. Dishonest conduct includes but is not limited to plagiarism.

**RCS2.2** Without limiting the generality of RCS2.1 as student:

(a) must comply with any instruction of an invigilator of an examination;

(b) must comply with all instructions printed on the cover of the answer book for that examination;

(c) may not communicate or receive information relating to any examination during the examinations;

(d) may not remove or attempt to remove from any examination venue an answer book supplied by the University for the purpose of answering questions in an examination;

(e) may not write an examination under a false name and student number, or the name and student number of another student;

(f) may not be party, to any other person writing the examination for him or her;

(g) may not take into an examination venue, or have or use any unauthorised material while sitting an examination;

(h) may not copy another student’s work during an examination; or

(i) may not allow or assist another student to copy during an examination.

(j) must not help another student to engage in dishonest conduct; or

(k) may not procure for, sell to, or write an assignment for another student.

(l) may not use any academic material of another student, including a former student, to complete course requirements, representing that the work so produced is his or her own.

**RCS2.3** A student may not submit the work of any other person in any examination, test or in respect of the completion and/or submission of any other form of academic assessment without full and proper attribution and acknowledgement.

**NOTE:** Guidance on forms on referencing is available from academic staff, the staff of the UCT Libraries and from the Writing Centre.

**RCS2.4** Where a rule makes an action an offence any attempt to carry out the act is automatically an offence.

**RCS2.5** A student must acquaint himself or herself with the rules relevant to the faculty in which he or she is registered.

**RCS2.6** No student shall make, distribute, reproduce, copy or make use of any material in which copyright resides, without the permission of the author or owner thereof. Included in this definition of material in which copyright resides are
teaching materials, computer software, printed materials and audio or video recordings.

Criminal conduct

RCS3.1 Any criminal offence, in terms of the criminal law of South Africa, committed by a student of the University and which is prejudicial to the University or its staff and students is an offence subject to disciplinary action by the University.

RC3.2 Any student convicted of any criminal offence by a South African court with criminal jurisdiction shall be guilty of an offence in terms of these rules.

Sexual offences and misconduct

RCS4.1 Without limiting the generality of RCS1.1, any breach by a student of the University’s policy on sexual harassment is an offence subject to disciplinary action by the University.

RCS4.2 Without limiting the generality of RCS3.1, any act of sexual assault or rape by a student is an offence subject to disciplinary action by the University.

Conduct relating to the work of the University

RCS5.1 A student must comply with any reasonable instruction of an authorised member of the University.

RCS5.2 A student is required to be acquainted with the section entitled “Proper Channels for Student Complaints”.

RCS5.3 A student must, at all times, have in his or her possession his or her student card and must produce this upon request by any authorised person.

RCS5.4 A student must not supply false information to a University authority.

RCS5.5 A student must not commit acts of forgery, falsification or alteration in respect of documents, records or instruments of identification.

RCS5.6 A student must not make unauthorised use of the name or badge of the University.

RCS5.7 A student must not disobey a Suspension Order or offer or agree to a no-contact order made or issued in terms of the Rules on Disciplinary Jurisdiction and Procedure.

RCS5.8 A student must comply with and is bound by the University’s rules and policies on copyright and on intellectual property.

RCS5.9 A student must observe all ICTS (Information and Technology Service) rules, and in particular may not: share, distribute or sell the IP address/number issued to him or her; abuse or cause wilful damage to any hardware component; or infringe any Internet site’s copyright rule.

ICTS may withdraw internet access from any student who is found to have breached any ICTS rule or policy.

Conduct relating to student bodies

RCS6 A student shall not make unauthorised use of the name or badge of the SRC or any other recognised student body at the University.

RCS6.1 A student shall not engage in any electoral misconduct. Such misconduct includes:

(i) a breach of the Election Regulations which regulate elections;

(ii) a breach of regulations contained in the Candidates’ Code of Conduct relating to SRC Elections;

(iii) behaviour which constitutes a manipulation of electoral rules, voters and electoral administration.

RCS6.2 The term ‘office bearer’ in RCS14.2 includes a campaign manager in a student election.

Conduct in general

RCS7.1 A student must not make unauthorised entry into or use of University facilities.

RCS7.2 A student must not make use of any University facilities for illegal purposes or for purposes detrimental to the University.

RCS7.3 A student must not commit acts of theft or damage in respect of University property or the property of any
person on the University Campus. For the purposes of this rule, the possession of known stolen property shall be deemed to constitute an act of theft.

**RCS7.4** A student may not bring onto the University any explosives or other dangerous weapons except by express permission of the Registrar. “Dangerous weapon” includes, but is not limited to, firearms, knives or daggers, martial arts equipment or switchblades, and a normally harmless instrument designed to resemble a firearm or any other dangerous weapon, or which is used by a student to inflict bodily harm upon any person.

**RCS7.5** A student must not commit the act of sale, distribution, use or possess any illegal drug, as defined by the Drug and Drug Trafficking Act 140 of 1992, on the campus of the University.

**RCS7.6** A student must not act or threaten to act in a manner which interferes with the work or study of any member of staff or student in general and specifically in relation to the person’s race, gender, beliefs or sexual orientation.

**RCS7.7** A student must not abuse or otherwise interfere with any member of the University community in any manner which contributes to the creation of an intimidating, hostile or demeaning environment for staff or students in general and specifically in relation to the person’s race, gender, beliefs or sexual orientation.

**RCS7.8** A student must not prohibit entry or exit from the University campus or any building on the University campus.

**RCS7.9** A student must not obstruct, disrupt or interfere with the teaching, research, administrative, custodial or other functions of the University.

**RCS7.10** A student must not obstruct the movement of any member of the University community.

**RCS7.11** A student must notify the Registrar of any change in his or her term and/or permanent address immediately or within 5 working days of becoming aware of such a change.

**RCS7.12** A student must make use of waste bins provided.

**RCS7.13** A student must not leave litter in any part of the campus (including any building or its grounds and gardens).

**RCS7.14** A student must not, nor must a student body affix any picture, poster or advertisement:
(a) on any noticeboard, without the authority of the designated custodian of the precinct in which the noticeboard is; or
(b) elsewhere on the campus.

**RCS7.15** Where the identity of the person who has affixed any picture, poster or advertisement;
(a) on any noticeboard, without the authority of the designated custodian of the precinct in which the noticeboard is; or
(b) elsewhere on the campus.

**RCS7.16** A student must not take part in any form of initiation.

**RCS7.17** A student may not offer to any member of staff or any student or accept any reward or pecuniary consideration for any unlawful action or inaction benefitting him/her

**RCS7.18** A student must not allow another person to use his or her student card and/or student number.

### Conduct in respect of traffic rules

**RCS8** A student must observe the Traffic Rules

### Conduct relating to student housing

**RCS9.1** A student must obey, all student housing rules including those for the student housing unit in which he or she is a resident. Rules for particular housing units are made available by the House Committees.

**RCS9.2** A student shall not organise or help to organise any gathering, function or party involving the consumption of alcohol in any student housing unit or in the name of any student housing unit without having obtained permission from designated University authorities. These authorities

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are:

(a) in the case of gatherings, functions or parties held in a student housing unit which will be attended by less than 30 members of the unit and guests, the House Committee in consultation with the warden;

(b) in the case of gatherings, functions or parties held in a student housing unit, which will be attended by more than 30 members of the unit and guests, the House Committee and the warden and;

(c) in the case of gatherings, functions or parties held on campus in the name of a student housing unit but not in that student housing unit, the House Committee, the warden and the Director SH & RL or nominee;

(d) in the case of gatherings, functions or parties held off campus in the name of a student housing unit, the House Committee and the Director SH & RL or nominee.

NOTE: The Residences Committee may determine and place annual limits on the number of gatherings, functions and parties involving the consumption of alcohol, which any student housing unit may organise, both on and off the campus.

(a) a function or gathering or party in residence; to the Director SH & RL or nominee seven days before it is due to be held;

(b) a party or function or gathering not in the student housing unit (whether or not on campus); to the Director SH & RL or nominee fifteen days before it is due to be held.

The Director SH & RL or nominee will, when granting approval, specify the conditions under which a function, party or gathering may be held.

RCS9.3 A student must not organise or help to organise, any gathering, function or party in any student housing unit for the financial benefit of any individual without the prior permission of the House Committee.

RCS9.4 A student must not take liquor into, or keep or consume liquor in any student housing unit without the permission of the warden and the House Committee.

RCS9.5 A student must not enter the room of another student without his or her permission, except under the authority of the warden.

RCS9.6 A student may not make such noise as disturbs any other person.

RCS9.7 A student must not sub-let any part of any student housing unit for financial considerations or otherwise.

RCS9.8 A resident student must not have any overnight visitor in his or her room or in any other part of the student housing unit without the consent of the warden.

RCS9.9 A resident student must ensure that his or her visitors comply with domestic rules and all other University rules and shall be responsible for the behaviour of such visitors.

RCS9.10 A student must not be in possession of a key or keys to any part of any student housing unit not issued to him or her by a student housing unit supervisor, a warden or a person authorised by a warden to do so.

RCS9.11 A student may not tamper with electrical installations of any part of the student housing unit.

RCS9.12 A student must not act or threaten to act in any manner which is abusive towards any student or any person employed at a student housing unit and which contributes to the creation of an intimidating hostile or demeaning living, working or study environment for staff or students in general and specifically in relation to the person’s race, gender, beliefs or sexual orientation.

RCS9.13 A student who requires specialised medical treatment must inform the warden of his or her condition before entering the residence.

RCS9.14 A student must not take part in any inter-residence or inter-University raids.

RCS9.15 A student must not bring into the residence any fireworks without the prior permission of the warden.

RCS9.16 A student must not keep, without the prior permission of the warden, a pet of any kind in the residence or its immediate precincts.

RCS9.17 A student must make use of the waste bins provided in the residence. A student must not leave litter in any part of the building, its gardens or its immediate precincts.

RCS9.18 A student:
(a) must not affix any picture or poster in any part of a residence by the use of nails or tape or any other method which likely to cause damage to, or mark, University property;

(b) may affix pictures or posters in his or room (single rooms) or in that part of the residence set aside for his or her personal use (shared accommodation); and

(c) must not affix any picture or poster in any other part of the residence.

RCS9.19 Students must not cook food in any area of the residence other than that allocated for that purpose.

RCS9.20 A student must give to the warden details of the addresses and telephone numbers of his or her parents or guardians or next-of-kin, and must inform the warden immediately of any change to these.

RCS9.21 No student must move or remove any item of furniture belonging to the University or any fixture from its designated location to any other locations within or out of any residence without the express permission of the warden.

RCS9.22 A student resident in a catering residence must not use in his/her room the following electrical appliances; a heater drawing more than 1 kilowatt of electricity, an immersion heater, a sandwich toaster, grilles, toasters, hot plates, microwave ovens, electric frying pans or any other cooking appliance.

RCS9.23 Electric kettles and microwave ovens for the purpose of heating food must only be used in areas designated for this purpose such as kitchenettes, landings etc.

RCS9.24 Only multi plugs which are SABS approved and have built in fuses or trip switches are permitted for use in rooms.

RCS9.25 A student may have in her/his room a refrigerator not exceeding 120 cubic litres.

RCS9.26 A resident student shall observe the ICTS policies and rules of the University at all times.

RCS9.27 A student shall only make use of a network point to which he or she is entitled to.

RCS9.28 A student shall not share, distribute or sell the IP address/number issued to him/her upon application.

RCS9.29 A student shall not abuse or cause wilful damage to any hardware component related to the services of the information technology provided.

RCS9.30 A student shall not infringe any copyright law as defined in the University’s rules of copyright or that pertaining to sites on the Internet.

RCS9.31 The University reserves the right to withdraw at any time, the privilege to the Internet, of any student whom it deems to have violated any of the information and communication technology rules and policies.

**Conduct in cafeterias and student housing dining halls**

RCS10.1 A student must not attempt to take food in a student housing dining hall before the official start of a meal or after the official ending of a meal.

RCS10.1.1 A student must not enter the hall bare-footed.

RCS10.1.2 A student must not enter the dining hall wearing any form of sleepwear apparel.

RCS10.1.3 A student having participated in any sporting activity which results in a build-up of body odour and heavy sweatiness must correct this before entering the dining hall.

RCS10.2 A student must not take, or attempt to take, food in a student housing dining hall unless he or she is entitled to do so.

RCS10.3 A student must not use, or attempt to use, any student housing dining hall card other than his or her own when obtaining a meal.

RCS10.4 A resident student must not attempt to take a meal in a student housing dining hall without handing in his or her dining hall card to the catering supervisor on duty.

RCS10.5 A resident student must not remove non-disposable containers, cutlery or crockery from a dining hall or cafeteria.

RCS10.6 The times at which meals start and end are determined in consultation with the House Committee. A student must not move or remove any item of furniture belonging to the University or any fixture from its designated location to any other locations within or out of any residence without the express permission of the warden.
attempt to have a meal before or after these meal times.

**Rules relating to consumption of alcohol**

RCS11.1 A student must at all times abstain from drunken and disorderly behaviour.

RCS11.2 A student shall not sell, serve or assist any other person to sell or serve liquor on the University campus unless the requirements of the Liquor Act have been met, and permission to sell or serve, as the case may be, has been granted by the Director SH & RL or his or her nominee.

RCS11.3 A student must not willfully cause or attempt to cause another student to be intoxicated on the University campus.

RCS11.4 A student must not have any alcoholic drink at, or bring any alcoholic drink to, any event where the University, or an authorised agent of the University, has prohibited the sale of serving of alcoholic drink.

RCS11.5 A student must not bring any alcoholic drink to an event where permission has been given for the sale of alcoholic drinks.

**Conduct in respect of library rules and micro lab rules**

RCS12.1 A student must obey all “Library Rules”.

RCS12.2 A student must comply with the rules laid down for the use of any micro lab.

**Conduct in respect of rules relating to meetings**

RCS13 No student body or group of students must arrange any meeting on the University campus to which non-University speakers have been invited in contravention of the “Rules relating to meetings on Campus or under the Aegis of the University” and “Rules for use of University venues”.

**Conduct of student bodies**

RCS14.1 Any office bearer of any University society, club or code must comply with any request by the Societies Council, the University Student Development and Services Committee, or a person or persons acting on behalf of either to give an account of the activities of the society, club or code, in regard to any alleged contravention of any rule, governing such activities, set by any competent authority within the University.

RCS14.2 The office-bearers of any recognised University student body must be personally liable for any breach of any University rule committed by members of that body in the name of that body, unless such office-bearers establish that they took all reasonable steps to prevent the breach of such rule(s).

**Rules relating to safety**

RCS15.1 A student on the University Campus must not connect any equipment or appliance to an electrical supply in contravention of normal and reasonable safety standards.

RCS15.2 A student must not use an immersion heater on the University campus.

RCS15.3 A student in a student housing unit must not use any appliance which draws more than one kilowatt of electrical power.

RCS15.4 A student must not interfere with or make unauthorised use of fire protection equipment.

RCS15.5 A student in a student housing unit must only make use of an electric extension cord inside his or her own room.

RCS15.6 A student in a student housing unit must, when leaving a room or going to sleep, switch off any heat-producing electrical appliance such as a heater, stove or iron.

RCS15.7 A student in a student housing unit must not permit a naked flame, such as a gas lamp or candle, to burn in any room in the residence without the prior permission of the warden.

RCS15.8 A student must not interfere with the normal operation of any access control mechanism or installation in any part of the housing unit.
### Conduct in respect of University Tribunals and other disciplinary structures

| RCS16.1 | A student attending any sitting of any disciplinary Tribunal must observe and obey any instruction of the presiding officer of the Tribunal concerned. |
| RCS16.2 | A student present at any tribunal hearing must not, in any circumstances, interfere with or in any manner disrupt or disturb the disciplinary process. |
| RCS16.3 | A student summoned to appear before any Tribunal as a witness or as the accused must be present at all times specified in the summons or as specifically instructed by the presiding officer of any tribunal. |
| RCS16.4 | A student giving evidence before any disciplinary tribunal at the University will be required to be truthful and honest at all times and must not make perjurious statements. |
| RCS16.5 | No student observer in any matter before any disciplinary tribunal must divulge the identities of any person or persons party to such matter in any manner that may constitute publication without the prior permission of the presiding officer. |
| RCS16.6 | A student may not interfere with, threaten or intimidate any person who will be required to appear before a Student Discipline Tribunal to give evidence. |
| RCS16.7 | A student shall comply with an order made by any Student Discipline Tribunal. |

### Student disciplinary records and student transcripts

| RCS17 | Any conviction in a disciplinary matter is recorded, and an individual student’s disciplinary record is permanent. Any transcript of academic record issued to a student is a complete transcript, and includes a statement of conduct. If the student has no disciplinary record, the statement is “conduct satisfactory”. If he or she has one, the Vice-Chancellor or nominee reviews it, together with any submission made by the student, and makes a decision whether or not the record, taken as a whole and in context, allows a statement of “conduct satisfactory” or requires a listing of the transgression(s). Unless a student’s submission provides compelling reasons, or the circumstances do not, in the opinion of the Vice-Chancellor or nominee, require this, academic dishonesty will be endorsed; any record of theft on the campus of UCT or of peer property will be endorsed; and any conviction for violence, especially related to sexual harassment or aggravated by drunkenness, will be endorsed. |
3.8 THE ROLL OF MEMBERS OF THE CONVOCATION

1. The Convocation consists (Para 38 of the Statute) of
   (a) the graduates and all holders of diplomas and certificates of the
       University;
   (b) the vice-chancellor, the deputy vice-chancellors and the academic staff;
       and
   (c) those former professors and associate professors elected by the senate to be
       emeritus professors or emeritus associate professors.

2. The Statute requires the registrar to keep the roll of convocation, and requires
   every member of convocation to notify the registrar of his or her address and of
   any change of address.

3. Every member of Convocation must notify the registrar of his or her current
   (a) email address; and
   (b) postal address.

4. The last email address of a member of convocation recorded by the registrar shall
   be the address to which the registrar must send all notices that the registrar is
   required to send to members of the convocation; except that where a member of the
   convocation wishes such notices to be sent by mail to his or her postal address he
   or she must notify the registrar in writing of this, in which case notices to that
   member shall be sent to the member’s postal address.

5. Notices to member of Convocation in respect of
   (a) the election of Council members; or
   (b) the election of the chancellor; or
   (c) annual or special general meetings of convocation,
   must be sent by the registrar to the last recorded email address of each member of
   convocation, or, where the member has elected to receive these notices at his or
   her postal address, to the last recorded postal address of the member.

6. Notices to members of convocation in respect of 5 (a), (b) and (c) above must in
   addition be placed on the University’s web-page and published in such other
   manner as Council directs.

Adopted by the Council: 6 August 2008
4. UNIVERSITY OF CAPE TOWN ACT NO 8 OF 1999

[Assented to 14 April, 1999] [Date of commencement: 29 September, 1999]

(English text signed by the President)

GENERAL NOTE

This Act is repealed in its entirety by section 26 of Act No 23 of 2001, except section 3 (4), (5) and (6), which is reproduced below.

________

ACT

To provide a new for governance of the University of Cape Town and to bring it into line with the Higher Education Act, 1997; and to provide for matters connected therewith.

3. Seat of University-

(4) Notwithstanding any provision in the Rhodes' Will (Groote Schuur Devolution) Act, 1910, or in any other law, the University may lease a portion of the Groote Schuur Estates granted to the University to a health authority of a national, provincial or local sphere of government for a hospital to be used as a teaching hospital of the University, and may renew such lease.

(5) A condition for a lease contemplated in subsection (4) is that the staff and students of the University must have access to the hospital for teaching and research in the health professions and health sciences and for incidental purposes on conditions agreed by the University and the health authority.

(6) Notwithstanding any provision of any law and subject to the concurrence of the Minister of Finance, no transfer duty, stamp duty or other money or costs will be payable in respect of any lease granted under subsection (4).
5. FINANCIAL RELATIONS ACT 65 OF 1976

NOTE: The whole of this Act, except sections 27 and 28, was repealed by section 230 (1) of the Constitution of the Republic of South Africa, Act 2000 of 1993, which came into operation on 27 April 1994. Ss.27 and 28 are reproduced below.

[ASSENTED TO 4 MAY 19761] [DATE OF COMMENCEMENT: 14 MAY 19761]

(English text signed by the State President)

as amended by

Financial Relations Amendment Act 31 of 1977
    Health Act 63 of 1977
    Provincial Finance and Audit Amendment Act 27 of 1978
    Financial Relations Amendment Act 55 of 1978
    National Monuments Amendment Act 35 of 1979
    Financial Relations Amendment Act 92 of 1979
    Financial Relations Amendment Act 34 of 1980
    Financial Relations Amendment Act 102 of 1981
    Financial Relations Amendment Act 34 of 1982
    Provincial Affairs Act 88 of 1983
    Republic of South Africa Constitution Act 110 of 1983
    Financial Relations Amendment Act 114 of 1984
    Financial Relations Amendment Act 3 of 1985
    Provincial Government Act 69 of 1986
    Extension of the Public Resorts Ordinance Act (Transvaal) (House Assembly) 105 of 1990
    Provincial Matters Amendment Act 59 of 1991
    Financial Relations Amendment Act 62 of 1991
    Businesses Act 71 of 1991
    Provincial and Local Authority Affairs Amendment Act 134 of 1992
    General Law Second Amendment Act 108 of 1993

27 Teaching and training of students in medicine, surgery, midwifery and dentistry

(1) Notwithstanding anything to the contrary in any other law, professors, lecturers and students at a university or university college may, subject to arrangement between the provincial administration and the council of the university concerned or, in the case of a university college, between the provincial administration and the Secretary acting in consultation with the council of that university college, be granted access to any provincial hospital or similar institution for the purpose of and incidental to practical teaching and training in medicine, surgery, midwifery or dentistry.
(2) Notwithstanding anything to the contrary contained in any law, a provincial administration may by agreement with the council of a university or, in the case of a university college, with the Secretary acting in consultation with the council of that university college, make any member of the staff of a provincial hospital available to such university or university college for the purpose of assisting in the teaching and training of students in medicine, surgery, midwifery or dentistry at such university or university college.

(3) In this section—

(a) 'Secretary means the Secretary for Education and Training and includes any Under-Secretary of the Department of Education and Training, any Director of Education and Training and any Deputy Director of Education and Training; and

(b) 'University College' means a university college as defined in the Extension of University Education Act, 1959 (Act 5 of 1959).

28 Teaching and training of teachers in collaboration with certain colleges

(1) Notwithstanding anything to the contrary contained in any other law, students at any university may, subject to arrangement between a provincial administration and the council of such university as the Minister of National Education may designate from time to time by notice in the Gazette, be granted access to any college, maintained, managed and controlled by such provincial administration, for the purpose of or incidental to the training of such students as teachers in such subjects or courses as the Minister of National Education may from time to time designate by notice in the Gazette.

(2) Notwithstanding anything to the contrary contained in any other law, a provincial administration may by agreement with the council of such university as the Minister of National Education may designate from time to time by notice in the Gazette, make any member of staff of any educational institution, maintained, managed and controlled by such provincial administration, available to such university for the purpose of assisting in the teaching and training of students at such university as teachers in such subjects or courses as the Minister of National Education may designate from time to time by notice in the Gazette.
University of Cape Town

6. The Council Code of conduct

The Council governs the University and must ensure effective management. The Council is constituted and mandated by the Statute and the Higher Education Act, 1997 (Act No. 101 of 1997) as amended. Subject to Senate’s academic authority, the Council has responsibility for the affairs of the University.

The Council also determines the nature and scope of the University’s social responsibilities, protects the institutional autonomy of the University, upholds the academic freedom of its members, and deliberates on the nature and role of the University.

In performing these tasks, the Council commits itself to

- good governance, which includes transparency, responsiveness, and accountability, and preserving institutional autonomy;
- the vision, mission and stated values of the University;
- governing in such a way as to enable the members of the University to realise their full potential as academics, researchers, students, and support staff; and
- acting with the duty of care and skill that is owed to the University of Cape Town.

Council members undertake collectively and individually to

- act always in the best interests of the University as a whole, and accept that this obligation precedes any duty a member may owe to the person or institution that elected or appointed him or her to the Council in all Council matters;
- act in good faith, honestly, truthfully and for proper purpose;
- exercise appropriate care and diligence in decision making;
- be diligent in performing Council responsibilities;
- not improperly use their position as Council members to gain an advantage for themselves or someone else;
- avoid conflicts of interests and comply with Council’s policy on the disclosure of interests and recusal; and
- respect the decisions of the Council.

All Council members should, to the best of their ability and knowledge
• spend as much time as is required to perform their duties (this will normally mean devoting more time over and above that required for attending Council meetings);
• attend and contribute to Council meetings, and meetings of committees of the Council on which they may serve;
• critically read all agenda documents before each meeting;
• critically review all proposals to the Council;
• maintain the confidentiality of confidential matters;
• act in a financially responsible manner; and
• commit themselves to this code both in dealing with Council business and other council members and also in dealing with the UCT community and persons interested in UCT’s work.

 Adopted by Council after consultation with the IF, June 2013 in terms of s.7E of the Higher Education Act, 1997 as amended

 Appendices: A: Mission and Vision Statement B: Statement of Values C: Policy on disclosure of interests and recusal
UNIVERSITY OF CAPE TOWN MISSION AND VISION

UCT aspires to become a premier academic meeting point between South Africa, the rest of Africa and the world. Taking advantage of expanding global networks and our distinct vantage point in Africa, we are committed, through innovative research and scholarship, to grapple with the key issues of our natural and social worlds. We aim to produce graduates whose qualifications are internationally recognised and locally applicable, underpinned by values of engaged citizenship and social justice. UCT will promote diversity and transformation within our institution and beyond, including growing the next generation of academics.

Foundation statement underpinning the mission statement

Our research-led identity is shaped by a commitment to

- academic freedom as the prerequisite to fostering intellectual debate and free enquiry;
- ensuring that research informs all our activities including teaching, learning and service to the community;
- advancing and disseminating knowledge that addresses the key challenges facing society - South African, continental and global;
- protecting "curiosity driven research";
- nurturing and valuing creativity in the sciences and arts including the performing and creative arts; and
- stimulating international linkages of researchers and research groupings.

We strive to provide a superior quality educational experience for undergraduate and postgraduate students through:

- providing an intellectually and socially stimulating environment;
- inspired and dedicated teaching and learning;
- exposure to the excitement of creating new knowledge;
- stimulating the love of lifelong learning;
- the cultivation of competencies for global citizenship;
- supporting programmes that stimulate the social consciousness of students;
- offering access to courses outside the conventional curricula;
- attracting a culturally and internationally diverse community of scholars;
- guaranteeing internationally competitive qualifications;
- offering a rich array of social, cultural, sporting and leadership opportunities; and
- providing an enabling physical and operational environment.

In advancing UCT as an Afropolitan university, we will:

- expand our expertise on Africa and offer it to the world;
- extend our networks on the continent, along with our global connections and partnerships;
- promote student and staff exchanges and collaborative research and postgraduate programmes; and
• engage critically with Africa's intellectuals and world views in teaching and research;
• contribute to strengthening higher education on our continent.

We strive to provide an environment for our diverse student and staff community that:

• promotes a more equitable and non-racial society;
• supports redress in regard to past injustices;
• is affirming and inclusive of all staff and students and promotes diversity in demographics, skills and backgrounds;
• offers individual development opportunities to all staff;
• is welcoming as a meeting space for scholars from Africa and around the world.
A STATEMENT OF VALUES
FOR THE UNIVERSITY OF CAPE TOWN AND ITS MEMBERS

The University is a community of scholars, teachers, students and staff. A community implies the shared acceptance by its members of common values. The concept of values implies not only rights but also obligations, for the community itself and for its individual members.

This statement of values provides a framework that informs and governs what is considered by the University community to be appropriate and acceptable behavior. The statement also serves as the foundation for a range of University policies and guides the management of particular aspects of University life.

As a community, the University commits itself, and expects all its members, to exemplify and uphold these values and to reflect them not only in institutional and personal relationships, but also in all other aspects of University life, including work, sport, recreation, and cultural, intellectual, religious and other activities.

As a values-based community, we aspire to an encompassing ethos which

• promotes academic excellence and the attainment of the institutional goal of becoming a world-class African University;
• preserves what is valuable in the history of the institution and of this country, and responds to the challenges posed by past injustices and unfair discrimination;
• achieves social transformation, empowerment and participative governance;
• affirms and protects the fundamental human rights enshrined in the Constitution; and
• encourages the institution and all its members to accept responsibility for the welfare of the community and for behaving in accordance with these community values.

VALUES

We commit ourselves to

• truth, fairness, consistency, and integrity in both academic and other work, and in all personal and institutional relationships;
• compassion, generosity and concern for the needs and aspirations of others, and in particular for the challenges faced by the less privileged in our society;
• respect and tolerance for cultural, religious, political, and other differences and acknowledgement of the value of diversity in society;
• respect for individual privacy, dignity, and the right to personal choice;
• intellectual honesty, rigour in debate, openness to alternative ideas and respect for other views, beliefs and opinions;
• commitment to high standards, personal fulfilment and the pursuit of excellence;
• the protection and responsible use of the University's assets and resources;
• concern for the personal safety, health and welfare of all members of the community; and
• the protection and conservation of the environment and our natural resources.

**ACTIONS**

In the context of our recent history, we recognize the importance of affirming this *ethos* and promoting these shared values. Accordingly, we undertake collectively and individually

• to promote and protect academic freedom;
• to oppose and take steps to prevent racial, gender or other forms of unfair discrimination, harassment, violence or abuse;
• to actively promote social justice and equity;
• to nurture a culture of learning, which is supportive of students, scholars and teachers;
• to refrain from speech or conduct that demeans or humiliates others;
• to encourage our members to enjoy life; to laugh, to love, to appreciate and take full advantage of the wealth of opportunities available to us in academic endeavour, in making friends, and in social, cultural and sporting activity;
• to advance the principle of open governance and to be fully accountable for our actions, decisions, and the stewardship of the University's resources and mission; and
• to nurture and empower our members.

Council 6 June 2001 and 15 June 2013
Institutional Forum 26 September 2001 and May 2013
7. POLICY ON CONFLICT OF INTERESTS

Policy summary

1. Every member of Council and of a Council committee must make a full declaration of his or her financial interests and fiduciary roles and those of his or her immediate family members on appointment to Council or to the committee concerned. These disclosures must be updated annually.

2. Every staff member must make a full declaration of his or her financial interests and fiduciary roles and those of his or her immediate family members on appointment to the University. These disclosures must be updated annually, and may need to be updated at the start and/or the conclusion of a research project as well.

3. In any situation where a potential conflict of interest may arise, the person involved must withdraw from processes and decisions.

4. A staff member may not conduct business directly or indirectly with the University unless three conditions laid down in the Higher Education Act, Act 101 of 1997 as amended, have been met.

5. Only Council may sanction contracts between UCT and an entity in which a Council member or a staff member has a direct or indirect interest. Delegated authorities fall away in such cases.

6. Every staff member must declare any special relationship(s) with another staff member or an applicant for a post at UCT or a student that may have a bearing on his or her work.

Rationale and purpose

This policy and these procedures are necessary because they promote good governance and objectivity. They are also necessary because the Higher Education Act and UCT’s Institutional Statute require them, and because the public (including research funding agencies) have a legitimate expectation that the University will both conduct and be seen to conduct its affairs (including all research) with integrity and objectivity.

All members of the Council, all members of committees, all other UCT staff members, including academic researchers and in particular members of management, are elected and appointed to serve the interests of the University. This makes us trustees for the benefit of the University and the public the University serves. It results in an obligation to fulfil responsibilities in a manner consistent with this situation. All work and decisions of members of Council, staff, managers and office bearers, is to be made solely on the basis of a desire to promote the best interests of the University.

The University must protect the integrity of the academic process and provide an environment in which all may reach their full potential, and in which all University members may perform at the highest levels of competence, integrity, and security. This *inter alia* requires objectivity in research.
The University recognises that Council members generally will be and staff may be involved in the affairs of other institutions and organisations, or have their own professional or business careers. This can be beneficial to the University, when staff members engage in activities that develop their expertise and experience; however provision must be made to deal with so, too, the potential, or perceived, conflicts of interest that may arise.

The significance and implications of such conflicts, potential or real, vary and include nepotism. At worst, there could be substantial detrimental effects for the University, including litigation, loss of sponsorship, embarrassment and public criticism. On the other hand, circumstances surrounding potential conflict may be so inconsequential, or present such a small risk, that, on striking a balance, the implications of such conflict are wholly outweighed by the potential benefits to be derived.

A staff member is not to be discouraged from accepting an appointment which could bring a conflict of interest into being; however any such appointment/role must be openly disclosed and any resulting conflict appropriately managed, as described in this policy. In the final evaluation, it is the best interests of the University that matter. Council will consider all conflicts of interest with balance, fairness, integrity and transparency.
Policy applicable to

- Council members and members of Council committees;
- All staff of the University (where the University as employer makes deductions for UIF contributions) and all joint staff of UCT/PGWC and UCT/NHLS on University or Provincial/NHLS payrolls. The policy applies on appointment as well as annually when declarations are updated.
- Honorary staff including honorary research staff.
- Students appointed as members of, or assessors in, disciplinary tribunals.

Definitions

*(These definitions are offered as a guide to interpreting the policy, but are not all embracing.)*

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conflict of interest</td>
<td>A conflict between the private interests (financial, fiduciary, personal or other) and the official responsibilities of a person in a position of trust.</td>
</tr>
<tr>
<td></td>
<td>In additional to his or her decision-making role as a Council or committee member, or his or her job at the University, an individual may have financial or fiduciary interest in a professional practice, firm, close corporation, partnership, company, business, trusteeship or other organisation. This interest may give rise to a conflict. So too may the financial or fiduciary interest of a close family member.</td>
</tr>
<tr>
<td>Fiduciary</td>
<td>Relating to or involving a confidence or trust.</td>
</tr>
<tr>
<td>Recuse</td>
<td>To disqualify oneself as a judge in a particular case; to remove oneself from participation to avoid conflict of interest.</td>
</tr>
<tr>
<td>Family and special</td>
<td>Conflict of interest applies both to the individual and his or her immediate family, including spouse, parents, siblings, children or any other relative that resides in the same household as the staff member concerned.</td>
</tr>
<tr>
<td>relationships</td>
<td>Special relationships may include, but are not limited to: current and past friendships, romantic relationships; sexual relationships, kinship; or contractual (i.e. where some form of agreement exists between two parties which may, for example, include nomination of a beneficiary or evidence that the relationship is of a long term nature built upon mutual dependency and trust such as a joint bank account, joint ownership of property, or long term cohabitation); and relationships with a history of serious interpersonal conflict.</td>
</tr>
<tr>
<td>Financial interest</td>
<td><em>Financial</em> interest means anything of monetary value, including but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interests (e.g., shares, share options or other ownership interests); and intellectual property rights (e.g., patents, copyrights and royalties from such rights).</td>
</tr>
<tr>
<td></td>
<td><strong>Exclusions:</strong> The term does not include salary, royalties, or other remuneration from UCT, income from seminars, lectures, or teaching engagements sponsored by public or non-profit entities, income from service on advisory committees or review panels for public or non-profit entities.</td>
</tr>
<tr>
<td></td>
<td><strong>Significance:</strong> Equity interests need not be declared where they are less than <em>five per cent</em> of the equity of the entity.</td>
</tr>
</tbody>
</table>
Policy details

1. Every member of Council and of a Council committee must make a full declaration of his or her business and financial interests and fiduciary roles and those of his or her immediate family members as required by the Higher Education Act (Section 27), UCT’s Institutional Statute, and this policy on appointment to the Council or the Council committee concerned. These disclosures must be updated annually.

1.1. This applies to all members of Council and of any Council committee with or without delegated functions, including the University Student Disciplinary Tribunal, the Appeal Tribunal or any other body charged with a disciplinary function or that of giving rights, permissions and privileges.

1.2. A Council or a Council committee member must withdraw from any meeting where he or she has a direct or indirect financial, personal or other interest in any matter to be discussed at a meeting.

1.3. In addition, a Council and committee member must, in writing, inform the chairperson of a meeting, before the meeting, of a conflict or possible conflict of interest contained in the agenda for that meeting and if confirmed must recuse himself or herself from the meeting for he item.

2. Every staff member must make a full declaration of his or her business and financial interests and fiduciary roles and those of his or her immediate family members on appointment to the University. These disclosures must be updated annually. This must be done in writing. This is required by law (Higher Education Act subsections 34(4), 34(5) and 34(6)).

2.1. In the course of carrying out duties for the University, staff members must notify the University of any conflict- or possible conflict of interest before the University procures any goods or services from the staff member or an organisation within which the staff member holds an interest.

2.2. Should a staff member fail to disclose a conflict of interest, any person may inform Council of a conflict of interest of which that person may be aware.

3. Researchers, especially Principal Investigators (PIs), have special obligations to make full declarations of interest, and if in doubt must consult the office of the Director of the Office of Research Integrity (ORI)

3.1. Investigators must, unless they have already done this as staff, before commencing a research project, declare any business, commercial or financial activities undertaken for significant financial gain that may raise a conflict or a possible conflict of interest with sponsors or entities affected by the research. The research contract may require a new disclosure form and may also require disclosure by all study participants, whether these are staff or not. In such cases the onus is on the PI to ensure that these disclosures are made.

3.2. All financial disclosures must be updated at the start of a research project during the period of the award or research project, either on an annual basis or as new significant financial interests arise.
3.3. The Research Contracts and IP Services Office (RCIPS) and the Office of Research Integrity (ORI) to play a special role in monitoring and managing research-related conflicts of interest by keeping records and reporting to funders on steps taken to manage conflicts of interest.

3.4. When the University carries out sponsored research through sub-grantees, contractors, or collaborators, RCIPS or ORI must take reasonable steps to ensure that investigators working for such entities comply with any applicable conflict of interest requirements, either by requiring those investigators to comply with this policy or by requiring the entities to provide assurances that will enable the University to comply with this policy.

3.5. RCIPS shall certify, when required by a sponsor, that there is a written and enforced administrative process to identify and manage, reduce or eliminate conflicting interests with respect to all research projects for which funding is sought from a sponsor.

3.6. Prior to UCT’s expenditure of any funds awarded by a sponsor, RCIPS or ORI will report to the sponsor the existence of a conflicting interest if there is one (but not the nature of the interest or other details) and assure the sponsor that the interest has been managed, reduced or eliminated in accordance with this policy to protect the research from bias. This will be done within sixty days of the conflict of interest being identified. Any conflict of interest that emerges subsequent to its initial report will be similarly managed and reported.

3.7. Where applicable RCIPS or ORI will ensure compliance with the legal requirements regarding conflicts of interest of any country from which funds are received.

3.8. RCIPS or ORI must report any identified conflicts of interest between a researcher and a research project/research funder, and the steps taken to manage the conflict, to the University Research Committee.

4. In any situation where a potential conflict of interest may arise, the person involved must withdraw from processes and decisions.

4.1. A member of Council a Committee or of staff with a conflict of interest is obliged to recuse himself or herself (immediately withdraw) from the situation which is linked to the conflict, or during the discussion of the matter and the voting thereon.

4.2. Researchers are required to postpone further investigative work where a conflict of interest is identified, pending clearance by RCIPS/ORI.

4.3. Conflicts of interest situations reported to, taken into account or otherwise considered by Council or a Council committee shall be recorded, with adequate particulars, in the minutes of Council or of the committee concerned.

5. A staff member may not conduct business directly or indirectly with the University unless three conditions laid down in the Higher Education Act have been met. In particular a staff member may not in his or her official capacity contract, or propose a contract between himself/herself in his/her private capacity and the University. Only Council may sanction contracts between UCT and an entity in which a Council member or a staff member has a direct or indirect interest.

5.1 Only Council may sanction a staff member’s contract that entails or may entail a conflict of interest with the University.
5.2 Council may do so when the contract meets the following criteria as set out in the Higher Education Act (Section 34 subsection 5):

(i) the goods, products or services in question are unique;
(ii) the supplier is a sole provider; and
(iii) it is in the best interest of the University.

5.3 Each case has to be considered on its merits, with a full record of all the matters considered and the reasons for arriving at the decision in question.

5.4 One outcome of Council’s consideration is that there is in fact no conflict or one of such triviality that it should be disregarded. However, a staff member may only remain in the situation which gave rise to a conflict of interest when Council has made the assessment above and he or she is notified by Council to stay or, having withdrawn, to return.

5.5 Where a committee (or other body) holds Council-delegated power to act, and the committee is of the opinion that a transaction should be entered into notwithstanding a conflict of interest, no final decision shall be taken by the committee. Instead, the decision concerned shall take the form of a recommendation to Council supported by a report fully explaining the conflict concerned, and furnishing reasons for its recommendation, indicating how the conflict of interest shall be managed.

5.6 Where, in the case of a matter dealt with directly by Council, Council reaches a decision to the same effect this shall be recorded in the Minutes of Council.

5.7 Conflicts of interest must be managed in such a way as to reduce or eliminate the conflicts identified. Conditions or restrictions that might be imposed to manage conflicts of interest include, but are not limited to:

(i) Limiting participation in committee discussions to supplying of relevant information without any further participation in the proceedings;
(ii) Public disclosure of significant financial interests;
(iii) Monitoring of processes, decisions and research by independent reviewers; (iv) Modification of processes and research plans;
(iv) Disqualification from participation in all or a portion of processes and research projects
(v) Divestiture of significant financial interests;
(vi) Severance of relationships that create actual or potential conflicts; or
(vii) In the case of tenders, bids, or propositions, ensuring that procedures take all such precautions as may be necessary to ensure that the Council member, committee member or staff member is not accorded any advantages over other competing parties.

6. Every staff member must declare any special relationships with another staff member or a student that may have a bearing on his or her work.

6.1 A staff member who has or had a special relationship to, or with, a student with whom he or she has job-related interaction, shall disclose the relationship to the Head of Department, or senior line manager. The HOD or senior line-manager shall keep a confidential written record of this and report this to the Dean. A Head of Department or senior line-manager
who has a special relationship with a student shall disclose this to the Dean, who shall keep a confidential record of this. A Dean in such a position will disclose this to the Deputy Vice-Chancellor responsible.

6.2. The HOD, senior line-manager, Dean or DVC shall take whatever steps are necessary to ensure that conflicts of interest that arise through special relationships are disclosed and that the academic process is not compromised, that fairness in access to resources, opportunities and/or services is not damaged, and that bias, or perceptions of bias are avoided.

6.3. Steps taken to manage special relationships shall be similar to that of a situation of conflict of interest, where the staff member is required to withdraw from processes and decisions concerning a student. For example, no member of the academic staff may supervise the research of a student with whom he or she has a special relationship.

6.4. A member of staff who has or had any special relationship to, or with, a member of staff or job applicant in the department or section of which he or she is a member shall disclose the relationship to the Head of Department or Dean. In the case of a Head of Department who has a special relationship with a member of staff or job applicant the relationship must be reported to the relevant Dean, Director, Registrar, Deputy Vice-Chancellor, Vice-Chancellor or Council.

6.5. A member of staff who serves on a selection committee, ad hominem promotions committee, or Preliminary Investigating Committee, and has any special relationship to, or with, a member of staff or job applicant who is the subject of discussion of the committee, shall disclose the relationship to the Chair of the committee. A Chair of a committee who has any special relationship to, or with, a member of staff or job applicant who is the subject of discussion of the committee shall disclose the information to the relevant senior authority.

Procedures

7. Procedure for new staff on appointment

7.1 New staff member completes a Disclosure Form which is submitted with other HR forms on appointment.

7.2 HR scans the Disclosure form and stores it digitally (in ImageNow).

7.3 Procurement reviews the forms in digitally (in ImageNow) and lists those entities (companies, CCs, trusts, partnerships) in which a staff member or a Council or Committee member has an interest, and makes this list available.

8. Procedure for Council members and members of Council committees

8.1 The Registrar requires each Council member and each Council committee member to make a full disclosure on appointment, and annually before the first Council committee meeting of each year.

8.2 The Registrar arranges for scans of these and (a) retains them; and (b) makes them available to Procurement; and (c) informs the Chair of Council, relevant Chairs of Committees and the Vice-Chancellor of all declared interests.
8.3 The Registrar maintains the register of declared interests and has it available at all Council meetings.

9. **Procedure for annual update of all declarations**

9.1 Conflicts of Interest Disclosures will be updated annually as part of the HR department’s annual data verification exercise. The ED HR will be accountable for doing this.

9.2 When there has been a change in information, staff must complete and submit a new Disclosure Form.

9.3 Changes to information are routed as per steps 7 above.

10. **Access to conflict of interest declarations**

Disclosure forms in ImageNow are accessed via a secure web interface, after sign on with UCT credentials. Only authorised members of the HR department and Procurement can access these records.
UNIVERSITY OF CAPE TOWN

DISCLOSURE FORM

1. This form must be used to declare your financial and fiduciary interest and those of our immediate family.
2. This form must be completed, signed and returned to the HR Department (staff) or the Registrar (Council members and members of committees).
3. The disclosures sought are required by the Higher Education Act, Council’s Policy, and Council’s Rules on Conflicts of Interest, and the application of those rules to members of Council, Council committees and staff.

Name ……………………………………………….. UCT Staff Number (if staff)

…………………… SA Identity Number (or passport no if not SA Citizen or permanent resident

………………………………………………………………

Department /Council/Committee
Member………………………………………………………………

1. My own holdings and personal or beneficial interests.

Please list all relevant interests. (Only substantial and direct holdings and interests – when of a financial nature – need to be recorded. The holding of shares in a listed company need not be recorded if this constitutes less than 5 % of the issued share capital.)

2. My own fiduciary and other appointments

You must list all relevant appointments together with the company or trust or CC registration number as applicable.

These include

• All directorships of public or private companies;
• all memberships of CCs;
• all trusteeships including family trusts;
• all agencies
• all paid or honorary appointments, and
• all and any salaried appointment or retainer-ship
3. **Beneficial Interests and fiduciary appointments of family members**

Please list all such interests or appointments (see examples in 1 and 2.) of members of your immediate family circle (i.e. parents, siblings, children and any other relative living as part of your household).

(a) **Holdings and beneficial interests of immediate family members:**

<table>
<thead>
<tr>
<th>Name of Company/CC/Trust etc</th>
<th>Position (eg Director)</th>
<th>Company/CC/Trust</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registration no</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(b) **Fiduciary and other appointments of immediate family members:**

<table>
<thead>
<tr>
<th>Name of Company/CC/Trust etc</th>
<th>Position (eg Director)</th>
<th>Company/CC/Trust</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registration no</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(c) **Honorary and paid employment details of immediate family members**
3. **Any other interest, relationship or appointment which may result in a conflict of interests.** (This could include having received or the expectation of receiving or any entitlement to financial or other material benefits - whether gifts, loans, or pensions – from a person or organisation).

(a) In my own case:

(b) In the case of members of my immediate family circle:

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**Declaration**

I have read the policy document and the rules and I hereby declare the under-mentioned interests and relationships. The information I have provided is true and complete. I accept that, notwithstanding having made this disclosure I must make immediate and full disclosure of any actual or perceived conflict of interest on any occasion where such may arise in the course of the performance of my duties to the University. I acknowledge that the Higher Education Act, No 101 of 1997 as amended, prohibits a staff member or a Council member from doing business with the University except in very special circumstances that are defined in the Act and laid down in the policy.

Signature ................................. Date .......................... Name

Department /Council/Committee Member ..............................