Stellenbosch
UNIVERSITY
IYUNIVESITHI
UNIVERSITEIT

UMTHETHO

WEYUNIVESITHI YASESTELLENBOSCH

2019

forward together
sonke siya phambili
saam vorentoe

16 Eye Thupha 2019

UMTHETHO

WEYUNIVESITHI YASESTELLENBOSCH

16 EyeThupha 2019

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INTSHAYELELO

[Le ntshayelelo ichaza umxholo walo Mthetho, kodwa ayenzi nxalenye yoMthetho.]

1. UMthetho lo ungumgaqosiseko weYunivesithi yaseStellenbosch. UMthetho ubonelela ngezakhelo ezisisiseko nangeenkqubo ekuqhutywa ngazo nekulandelwa ngazo imigqaliselo, iingqiqo kunye nemithethosiseko ekuqhutywa ngayo yiYunivesithi. Uhlanganisa amacandelo ahlukeneyo enza iYunivesithi, kwaye umisela isikhokelo sokuthatha izigqibo kunye nokwenza imisebenzi yolawulo neyezifundo. UMthetho uchaza ukwenziwa, amandla, kunye nemisebenzi yezigqeba ezahlukeneyo ezisekwe nguMthetho, kunye nokunyulwa okanye ukuchongwa, kunye namandla wamagosa asezikhundleni adalwe nguMthetho. Ngamafutshane, uMthetho ubonelela ngesakhelo esisebenzayo seli ziko ekuqhutywa ngaso ulawulo lweYunivesithi.

2. UMthetho uxhomekeke kuMgaqosiseko weRiphabhlikhi yoMzantsi Afrika, 1996, kwaye umele ungqinelane nomthetho wemfundo ephakamileyo iHigher Education Act, 1997. UMthetho uluxwebhu olusisiseko lweYunivesithi. Yonke imithetho, imigaqonkqubo okanye ezinye izixhobo ezenziwe zizigqeba zeYunivesithi nangamagosa karhulumente ziphantsi koMthetho.

3. Njengomgaqosiseko weYunivesithi, uMthetho ugxile ekwakheni eli ziko lale Yunivesithi, kwaye awuboneleli ngazo zonke iinkcukacha malunga nolawulo lweYunivesithi. Icandelo 32(1)(b) lomthetho wemfundo ephakamileyo iHigher Education Act, 1997, liyayixhasa le ndlela yokusebenza ngokuthi libonelele ngokwenziwa kwemithetho yeziko ukuze imiba engqalileyo yoMthetho isebenze. Sele ikhona eminye yemigaqo yeziko, kodwa iinkcukacha ezithe vetshe ngemithetho yeziko ziza kufumaneka ngexesha elifanelekileyo kuMthetho.

4. Ngako oko, indlela yokwenza eqhelekileyo kuMthetho kukucebisana neYunivesithi, okanye nesigqeba esithile okanye namagosa karhulumente, okanye igunya *elifanelekileyo* lokwenza into. Ngamanye amazwi,, oku kunikezela *ngoxanduva* lokugqibela wamandla okanye umsebenziwesigqeba

esithile okanye kwigosa elithile, kodwa akuyichazi indlela aza kusetyenziswa ngayo loo magunya okanye olo xanduva, kungachazi nokuba aza kusetyenziswa ngubani. Kuwo wonke lo Mthetho, kucingelwa ukuba ulwabiwo lwamandla nemisebenzi ludla ngokwenziwa ngamagosa karhulumente kunabona bantu banoxanduva lokuthatha izigqibo. Ukuxhasa le ndlela yokusebenza, uMthetho ubonelela ngolwabiwo lwamandla nemisebenzi gabalala, ngaphandle kokuba kuchaziwe ukuba kuyathintelwa oko ngulo Mthetho okanye ngumthetho wemfundo ephakamileyo iHigher Education Act, 1997. Kule meko, uMthetho uluxwebhu olunokuguquka nolwengqiqo yesiqhelo eyamkela iinkqubo ezinefuthe ekuthatheni isigqibo ngokunjalo neenkqubo ezifumaneka kwizinto ezinkulu gabalala.

5. Njengoko kuchazwe ngokucacileyo kwiMbulambethe kwisolotya 5, uMthetho usekelwe kwimithethosiseko ethile ebalulekileyo. Izigqeba zolawulo kunye namagosa akwizikhundla eziphezulu asebenza ngokwemithethosiseko yomelo ngokwedemokhrasi kunye nolawulo oluthathela kulo uxanduva. UMthetho umisela isikhokelo sokusebenzisa amandla okuthath’ izigqibo, kwaye uqinisekisa ukuba amandla nemisebenzi yenziwa ngokusemthethweni nangendlela enefuthe, ngokomoya wedemokhrasi ngokunjalo nangenjongo yoMthetho. UMthetho uyayibophelela iYunivesithi ekubeni ivuleleke, kwintsulungeko, ekuphenduleni nasekubeni nolawulo olunoxanduva nakulawulo kwaye uqulathe iingqinisekiso nolingano olwahlukileyo ukuqinisekisa oku.

6. Ngokwengqiqo yoqulunqo, kukholeleka ukuba uMthetho uluxwebhu lwengqiqo nolufumanekayo, oluqulunqwe ngolwimi nangohlobo olucacileyo nolulula ukuluqonda, luchanekile kwaye lusemthethweni ngayo yonke imiba efanelekileyo ekulo. Kukholeleka ukuba lo Mthetho uluxwebhu olucacileyo, olucwangciswe kakuhle nolunefuthe kwaye lwenzelwe ukusebenzela le Yunivesithi njengoko lusamkela amathuba aphambi kwayo. Lo Mthetho uza kukhuthaza ubunkokheli obulungileyo, obunokuziphatha ngendlela, olunoxanduva, olunolawulo olululo nempatho eyiyokwaye uza kubophelela uluntu lweYunivesithi ekuzingeleni kwayo ugqweso kwizifundo nakulawulo oluxhanyulwa luluntu lweYunivesithi luphela.

IMBULAMBETHE

NJENGOKO IYUNIVESITHI YASESTELLENBOSCH

* isungulwe ngokufanelekileyo ngokomthetho iHigher Education Act, 1997;
* inokwenza umthetho weziko ngokwecandelo 32(1)(a) loMthetho ukunika ifuthe kwimiba engacaciswanga nguMthetho;

KWAYE NANJENGOKO IYUNIVESITHI YASESTELLENBOSCH

* iqhutywa ziimpawu zentsulungeko eziphantsi koMgaqosiseko, ingakumbi isidima somntu, ukulingana nenkululeko;

* izingela intembeko kwimfundo ephakamileyo, kwinkululeko yemfundo ephakamileyo nakwinkululeko yophando lwenzululwazi, uxanduva, ukuthwal' uxanduva, indlela yokuziphatha esesikweni, ukuba nobulungisa kunye nokunyaniseka;

* ikhuthaza ukusebenzisana kweentlanga ezahlukeneyo ngokuthi ikhuthaze ukunyamezelana nokuhlonipha izimvo ezahlukeneyo kunye neenkolo ukuqinisekisa indawo efanelekileyo yokufundela, yokudala okutsha, uphando kunye nokuhlangana koluntu;

KWAYE NANJENGOKO IYUNIVESITHI YASESTELLENBOSCH

* izibophelele ekubeni yeyona Yunivesithi yase-Afrika eyaziwayo kwihlabathi, ebaluleke ngenkxasomali yokufunda, ukugqwesa kwimfundo ephakamileyo, ukusabela kwintlalo kunye nendlela yokuziphatha ekunakekeleni abasebenzi kunye nabafundi;

* ijolise ekubeni kuzuze uluntu ngokugqwesa kwimfundo yokudala nasekufundiseni, ngokunjalo nakuphando lokuhlahlindlela;

* izibophelele kuphuhliso loludwe olubanzi lwemfundo ephakamileyo, ubuchule, uhlangano neenkqubo jikelele zokusombulula iimfunozoluntu;

* iyayilandelela impilo yabasebenzi bayo, eyabafundi ngokunjalo neyoluntu ngokubanzi ngokunxulumana kuboniswane, yakhe ubuchule nolawulo olukholisayo;

NGAKO OKO, KE NGOKU, IBHUNGA LEYUNIVESITHI YASESTELLENBOSCH LENZA UMTHETHO WEZIKO, NGOLU HLOBO:

ISAHLUKO 1
IZIKO

Igama leYunivesithi

1. Igama leYunivesithi lithi Stellenbosch University ngesiNgesi, “Universiteit Stellenbosch” ngesiBhulu lize lithi “iYunivesithi yaseStellenbosch” ngesiXhosa.

Apho ihleli khona iYunivesithi

2. Idolophu ehleli kuyo iYunivesithi yidolophu yaseStellenbosch. IYunivesithi ingayenzela nakwenzinye iindawo imisebenzi yayo ngokokugunyaziswa libhunga, kodwa uMphathiswa ufanele akuvume ukuqhutywa kwayo nayiphi na imisebenzi yayo yokufundisa ngaphandle kwidolophu yaseStellenbosch njengoko kuchaziwe kwicandelo 65A(2) loMthetho.

UMthetho weYunivesithi

3. IYunivesithi iliziko elisemthethweni elinamalungelo nemisebenzi njengoko kuchaziwe kwicandelo 20(4) loMthetho.

Isikhokelo, utoliko nosetyenziso

4. Lo Mthetho, ukunye nemigaqo yeziko, usisikhokelo sokulawula nolawulo lweYunivesithi ngokoMgaqosiseko noMthetho, kwaye umele utolikwe kwaye uzalisekiswe ngokuvumelana noMgaqosiseko kunye noMthetho.

Imithethosiseko

5. Ukulawula kunye nolawulo lweYunivesithi ngokwalo Mthetho lufanele luyithobele le mithethosiseko ilandelayo:

(a) umelo, ubandakanyeko kunye nokuthath’ inxaxheba;

(b) imithetho yokuziphatha ekwizinga eliphezulu;

(c) ukwenziwa komsebenzi okusekelwe kwiziphumo;

(d) ukusetyenziswa kwezibonelelo ngendlela enobuchule, enefuthe negcinekayo;

(e) iyayilandelela impilo yoluntu lweYunivesithi noluntu ngokubanzi

olubonelelwa ngeenkonzo yiYunivesithi; kunye

(f) noxanduva, ukunyaniseka kunye nokuthwal' uxanduva.

ISAHLUKO 2
ULAWULO

IBHUNGA

Usungulo nobunjo

6. Kukho iBhunga leYunivesithi elenziwa:

(a) yinqununu yeYunivesithi;

(b) lelinye lamasekela-nqununu weYunivesithi, elimele litshintshe rhoqo ngonyaka wekhalenda ngendlela egunyazise ngayo inqununu yeYunivesithi;

(c) negosa lokusebenza eliyintloko;

(d) abantu abathathu abonyulwe kwizintlu zalo liBhunga loQingqomithetho;

(e) umntu omnye owonyulwe kwizintlu zalo ngabasebenzi abasisigxina bemfundo ephakamileyo abangengawo amalungu weBhunga loQingqomithetho;

(f) umntu omnye owonyulwe kwizintlu zalo ngabasebenzi abasisigxina bolawulo nabenkxaso;

(g) abantu ababini abonyulwe kwizintlu zabo yiSRC;

(h) abantu abayakutsho kwisihlanu abaqeshwe nguMphathiswa;

(i) umntu omnye ogunyaziswe yiNkulumbuso yeNtshona Koloni;

(j) umntu omnye ogunyaziswe liBhunga likaMasipala waseStellenbosch;

(k) abantu abathathu abonyulwe kwizintlu zalo yiNtlanganiso;

(l) abantu abathathu abonyulwe ngabaxhasi ngemali; kunye

(m) nabantu ababini abaqeshiwe liBhunga ngenxa yobungcali babo.

Okufunekayo kumalungu

7. Ukongeza kokufunekayo kwicandelo 27(5B) no-(6) loMthetho:

(a) ilungu leBhunga kufuneka libengumntu onolwazi namava afanelekileyo weenjongo nalawulo lweYunivesithi;

(b) izigqeba ezifanelekileyo namagosa asebenzayo zifanele ziqinisekise ukuba amalungu onyuliwe, abelw' umsebenzi kwaye atyunjelwa kwiBhunga amelwe ngokubhekiselele kubuhlanga, isini kunye nokukhubazela;

(c) akukho mntu oneminyaka engama-70 okanye ngaphezulu ubudala onokonyulwa, abelw' umsebenzi okanye aqeshwe njengelungu leBbhunga, kodwa ilungu elithi lifike kwiminyaka engama-70 emva kokuba lonyuliwe, ligunyazisiwe okanye liqeshiwe lingaqhubeka ngokusebenza lide liphele ixesha lalo;

(d) akukho mntu unokusebenza kwiBhunga kwizikhundla ezingaphezulu kwesinye;

(e) akukho mntu ekubhekiselelwe kuye kwi 6(h), (i), (j), (k), (l) okanye (m) omele ukuba ngumqeshwa okanye umfundi weYunivesithi; kwaye

(f) akukho lungu leBhunga elinokuba lilungu leBhunga lelinye iziko lemfundo ephakamileyo okanye liqeshwe isigxina kwisikhundla solawulo lweqoqo lolawulo esikumgangatho olinganayo nowesentloko yezifundo ezithile eYunivesithi okanye ngaphezulu kwelo ziko lemfundo.

Amaxesha okuba sesikhundleni kwamalungu

8. (1) Ixesha lokubamba isikhundla eofisini kwelungu ekubhekiselelwe kulo kwisolotya 6(a) okanye (c) liqhubeke kangangoko loo mntu eseseofisini.

(2) Ixesha lokubamba isikhundla eofisini kwelungu ekubhekiselelwe kulo kwisolotya 6(b) ngunyaka omnye.

(3) Ixesha lokubamba isikhundla eofisini kwelungu ekubhekiselelwe kulo kwisolotya 6(d), (e) okanye (f) yiminyaka emibini.

(4) Ixesha lokubamba isikhundla eofisini lelungu labafundi ekubhekiselelwe kulo kwisolotya 6(g) ngunyaka omnye, elihambelana nexesha leSRC yabo.

(5) Ixesha lokubamba isikhundla eofisini lawo onke amanye amalungu yiminyaka emine.

(6) Ixesha lokubamba isikhundla eofisini kwelungu ekubhekiselelwe kulo kumasolotya (2), (3), (4) okanye (5) liqala ngomhla ilungu liqala ukusebenza eofisini kude kube ngumhla wokuphelelwa kwexesha.

(7) Umntu ophelelwe lixesha lokubamba isikhundla eofisini usenokuphinda onyulwe okanye aqeshwe kwakhona, kodwa akukho mntu unokusebenza ixesha elingaphaya kwamaxesha amathathu elandelelana ekweso sikhundla.

Izithuba zomsebenzi

9. (1) Ubulungu beBhunga buphela phambi komhla wokuphelelwa kwexesha lokubamba isikhundla eofisini ukuba ilungu:

(a) lizibeka phants' iintambo ngembalelwano eya kumgcinincwadi zerejista;

(b) liyasishiya isithuba salo, kwimeko yelungu ekubhekiselwe kulo kwisolotya 6(a), (b) or (c);

(c) liyayeka ukuba ngumqeshwa weYunivesithi, kwimeko yelungu ekubhekiselelwe kulo kwisolotya 6(d), (e) okanye (f);

(d) liyayeka ukubhaliswa njengomfundi weYunivesithi, kwimeko yelungu ekubhekiselelwe kulo kwisolotya 6(g);

(e) liyayeka ukuba lilungu lesigqeba elabel' umsebenzi okanye elonyule ilungu, kwimeko yelungu ekubhekiselelwe kulo kwisolotya 6(d), (e), (f),
(g) okanye (j);

(f) libhalisa njengomfundi weYunivesithi okanye liba ngumqeshwa weYunivesithi, kwimeko yelungu ekubhekiselelwe kulo kwisolotya 6(h), (i), (j), (k), (l) okanye (m);

(g) alibikho iintlanganiso zeBhunga zibe ntathu zilandelelana ngaphandle kokwenza isingxengxezo sangaphambili esenziwa kumgcinincwadi zerejista;

(h) lifunyenwe linetyala lokophula umgaqo wokuziphatha kwamalungu kwiinkqubo zoluleko ezikhokelela ekuphelisweni kobulungu;

(i) alikwazi ngokupheleleyo ukuqhubeka ngokwenza imisebenzi yelungu leBhunga, njengoko kumiselwe liBhunga;

(j) liba lilungu leBhunga lelinye iziko lemfundo ephakamileyo, okanye liqeshwe isigxina kwisikhundla solawulo lweqoqo lolawulo esikumgangatho olinganayo nowesentloko yezifundo ezithile eYunivesithi okanye ngaphezulu lelo ziko;

(k) libhengezwa njengelingenakho ukuwahlawula amatyala, okwethutyana okanye isigxina, yinkundla yomthetho; okanye

(l) lifunyaniswe linetyala lokuphul' umthetho laze lagwetyelwa etrongweni ngaphandle komdliwo, kodwa lo mntu akhathathwa njengogwetyiweyo de kumiselwe isibheno sokugwetywa, okanye kuphele ixesha lesibheno.

(2) Xa kuphela okanye kupheliswa ixesha lobulungu ngaso nasiphi na isizathu phambi kokuphela kwexesha lokubamba isikhundla eofisini, umgcinincwadi zerejista ufanele alazise ngembalelwano iBhunga okanye igosa lesigqeba elonyule, laqesha okanye label' umsebenzi ilungu.

(3) Ekufumaneni kwalo isaziso esisuka kumgcinincwadi zerejista kwigosa lokusebenza okanye kwisigqeba limele ligcwalise isithuba somsebenzi ngokuhambelana nesolotya 6 kunye nemigaqo.

(4) Umntu oba lilungu leBhunga ngokwecandelo lesolotyana (3) usebenza lonke ixesha aliqashelweyo elichazwe kwisolotya 8, ngaphandle kwemeko yomntu ekubhekiselelwe kuye kwisolotya 6(g) oxesha lakhe lihambelana nexesha leSRC.

Amandla, uxanduva nemisebenzi

10. (1) IBhunga lilawula iYunivesithi ngokuhambelana noMgaqosiseko, uMthetho, lo Mthetho kunye nemigaqo.

(2) IBhunga linoxanduva lokubek' iliso jikelele ngokubhekiselele kwimfundo ephakamileyo nakwimiba yokusebenza.

(3) IBhunga:

(a) lingenza izilungiso kulo Mthetho;

(b) lingayenza okanye liyivume imigaqo kunye nemigaqonkqubo yeYunivesithi;

(c) lingawenza okanye liwavume amaqhinga okusebenza ngokunjalo nezicwangciso zeYunivesithi;

(d) kufuneka lakhel' umkhanya indlela yokusebenza kunye nolawulo;

(e) kufuneka libek' esweni ulawulo lomngcipheko;

(f) lingasungula, lichithe okanye lakhe ngokutsha amacandelo wemfundo ephakamileyo, kuquka iifakhalthi namasebe, ngokokucebisa kweBhunga loQingqomithetho;

(g) lingasungula, lichithe okanye lakhe ngokutsha amanye amacandelo ngokokucebisa kwenqununu yeYunivesithi kunye, apho ahlangana kakhulu nemisebenzi yemfundo ephakamileyo okanye yophando yeYunivesithi, iBhunga loQingqomithetho;

(h) kufuneka liqeshe abasebenzi beYunivesithi, ngokuxhomekeke kwicandelo 34(2) loMthetho, kwaye ligunyazise imiba enxulumene nabasebenzi abachazwe kwicandelo 34(3) loMthetho;

(i) ngokuxhomekeke kwicandelo 40(3) loMthetho, lingathenga ipropathi engafudusekiyo yeYunivesithi, lingene kwisivumelwano sokurenta ipropathi engafudusekiyo yeYunivesithi ixesha elide, kwaye ligunyazise ukwakhiwa kwesakhiwo esisisigxina okanye kuphuhliswe esinye isibonelelo esisisigxina esingafudusekiyo;

(j) ngokuxhomekeke kwicandelo 20(5) loMthetho, lingasiphelisa isivumelwano sepropathi engafudusekiyo yeYunivesithi okanye inike nabani na ixesha elide lokurenta , ilungelo elihamba neso naloo propathi, okanye ilungelo elincinci elihamba naloo propathi;

(k) ngokuxhomekeke kwicandelo 40(3) loMthetho, lingangena kwisivumelwano semalimboleko okanye seovadrafti yeYunivesithi; kwaye

(l) lingasebenzisa amanye amandla kwaye lenze nawuphi na umsebenzi onikezelwe liBhunga ngokwalo Mthetho, lo Mthetho kunye nemigaqo.

(4) IBhunga:

(a) emva kokucebisana neBhunga loQingqomithetho, lifanele limisele umgaqonkqubo wolwamkelo weYunivesithi ngokuhambelana necandelo 37(1), (2) kunye (3) loMthetho kwaye, ngokuvunywa liBhunga loQingqomithetho, lingenza imisebenzi enxulumene nolwamkelo ecaciswe kwicandelo 37(4) loMthetho;

(b) ngokuvumelana neBhunga loQingqomithetho, lifanele limisele umgaqonkqubo weelwimi weYunivesithi ngokuhambelana necandelo 27(2) loMthetho; kwaye

(c) emva kokucebisana neSRC, lifanele libonelele kwaye lisungule isigqeba esifanelekileyo sokucebisa kumgaqonkqubo weelwimi ukwenzela iinkonzo zokuxhasa abafundi ngaphakathi eYunivesithi

ngokuhambelana necandelo 27(3) loMthetho.

(5) IBhunga:

(a) lingatyumba ikomiti eyenziwa ngamalungu weBhunga, okanye amalungu weBhunga kunye nabanye abantu abanolwazi namava afanelekileyo, ekuyincediseni ekwenzeni imisebenzi yalo;

(b) lifanele lityumbe naziphi na iikomiti ezifunwayo yimigaqo okanye yimigaqonkqubo yeYunivesithi; kwaye

(c) lingatyumba abantu abanolwazi namava afanelekileyo elinokubuza kubo kwaye libanike ingxelo ngawo nawuphi na umba onxulumene neYunivesithi.

(6) Ngokuxhomekeke kwicandelo 68(2) loMthetho, isolotyana (7) kunye nesolotya 63 lalo Mthetho, amandla okanye imisebenzi yalo iBhunga lingawabela naliphi na icandelo, umqeshwa okanye isigqeba seYunivesithi, kodwa iBhunga lihlala linoxanduva kwaye liphendule ngokusebenzisa kwalo amandla nokwenza kwalo imisebenzi eligunyaziswe yona.

(7) IBhunga lingangawagunyazisi la mandla nale misebenzi ilandelayo:

(a) ukwenziwa kwezilungiso zalo Mthetho;

(b) ukwenziwa kwemigaqo yeziko;

(c) ukuvunywa kwamaqhinga okusebenza nezicwangciso zeYunivesithi, ukuba sele kugunyazisiwe ukwenziwa kwamaqhinga okusebenza nezicwangciso;

(d) ukuqeshwa kwenqununu yeYunivesithi, amasekela-nqununu weYunivesithi kunye negosa lokusebenza eliyintloko, kunye nokugxothwa kwenqununu yeYunivesithi, isekela-nqununu yeYunivesithi, igosa lokusebenza eliyintloko, umgcinincwadi zerejista kunye nentloko yezifundo ezithile eYunivesithi;

(e) ukusungulwa nokuchithwa kweefakhalthi;

(f) ukwenziwa okanye ukulungiswa kwemiqathango jikelele yokuqeshwa okanye imimiselo yeenkonzo zabasebenzi;

(g) ukuvunywa kohlahlomali lonyaka kunye neengxelo zezemali zeYunivesithi;

(h) ukumiselwa kwemirhumo yabafundi; kunye

(i) nemiba ekubhekiselelwe kuyo kumasolotya (2), (3)(d), (e), (i) no-

(k), (4) kunye no-(5).

Umgaqo wokuziphatha nemimiselo kunye neenkqubo zokuchaza uchaphazeleko

11. (1) ngokuhambelana necandelo 27(7E)(a) loMthetho, nasemva kokucebisana neForam yeZiko, iBhunga lifanele lamkele, kwaye emva kokwamkela, lingawulungisa umthetho wokuziphatha wawo onke amalungu weBhunga okanye weekomiti zeBhunga, bonke abantu abazimasa iintlanganiso zeBhunga okanye ezo komiti, nabo bonke abantu abasebenzisa amandla nemisebenzi egunyaziswe liBhunga.

(2) IBhunga lifanele limisele kwaye, emva kokumisela, lingayilungisa imigaqo kunye neenkqubo ngokuhambelana necandelo 27(7E)(b) loMthetho ukwenzela isibhengezo sonyaka esenziwa ngawo onke amalungu weBhunga okanye iikomiti zeBhunga, nabo bonke abantu abasebenzisa amandla nemisebenzi egunyaziswe liBhunga, ukwenzela iinjongo zezemali zalo okanye indima yentembeko, kunye neenjongo zezemali zalo okanye indima yentembeko yamalungu yeentsapho zawo.

Usihlalo kunye nosekela sihlalo

12. (1) IBhunga lifanele lonyule usihlalo-nosekela sihlalo kumalungu ekubhekiselelwe kuwo kwisolotya 6(h), (i), (j), (k), (l) no-(m).

(2) Ukutyunjwa kosihlalo okanye usekela-sihlalo kufuneka kubhalwe, kungeniswe kumgcinincwadi zerejista phambi kokuqala kwentlanganiso, kufuneka kutyikitywe ngamalungu amabini weBhunga kwaye kufuneka kukhatshwe sisibhengezo esityikityiweyo ngulowo utyunjiweyo ebonisa ukwamkela kwakhe ukutyunjwa.

(3) Ukonyulwa kosihlalo okanye usekela sihlalo, inkqubo ihamba ngolu hlobo lulandelayo:

(a) ukuba kutyunjwe umgqatswa omnye kuphela, usihlalo wentlanganiso kufuneka ambhengeze loo mntu njengowonyuliweyo;

(b) ukuba kutyunjwe abagqatswa abangaphezu komgqatswa omnye, kuvotwa ngokuyimfihlo kwaye usihlalo wentlanganiso kufuneka ambhengeze umgqatswa njengowonyuliweyo ofumene iivoti ezininzi zamalungu akhoyo navotileyo, ilungu ngalinye livota kubekanye;

kwaye

(c) ukuba akukho mgqatswa ufumana iivoti ezininzi, umgqatswa onelona nani liphantsi leevoti uyakhutshwa, kuze kuqhutyekwe kufotelwe abagqatswa abashiyekileyo. Le nkqubo kufuneka iphindaphindwe kude kubekho umgqatswa ofumana isininzi seevoti. Ukuba kushiyeke abagqatswa ababini emva kokuba kuvotwe kabini kwaye kusekho ukulingana kweevoti, usihlalo wentlanganiso kufuneka naye avote.

(4) Ngokuxhomekeke ekupheliseni kwabo ubulungu beBhunga ngokuthi kuphele ixesha labo leofisi njengamalungu, usihlalo kunye nosekela sihlalo bahlala kwii-ofisi zabo kangangeminyaka emine, kwaye basenokuphinda bonyulwe, kodwa abanakuhlala kwii-ofisi zabo amaxesha okusebenza agqithisileyo kwamathathu elandelelana.

(5) Xa iofisi kasihlalo okanye ekasekela sihlalo ingabi namntu ngenxa yaso nasiphi na isizathu, umgcinincwadi zerejista kufuneka azise ngembalelwano ilungu ngalinye leBhunga, kwaye iBhunga kufuneka lonyule usihlalo okanye usekela-sihlalo kwintlanganiso yalo yesiqhelo.

(6) Usihlalo kunye nosekela-sihlalo basebenzisa amandla baze benze imisebenzi echazwe kulo Mthetho nakwimigaqo, okanye egunyaziswe kubo liBhunga.

Iintlanganiso

13. (1) IBhunga lifanele libambe iintlanganiso ezimbini zesiqhelo ubuncinane kwisimesta nganye.

(2) Usihlalo:

(a) usenokubiza intlanganiso eyongezelelweyo nangeliphi na ixesha; kwaye

(b) kufuneka abize intlanganiso eyongezelelweyo ngesicelo esibhaliweyo samalungu weBhunga amathandathu okanye ngaphezulu.

(3) Injongo yentlanganiso eyongezelelweyo ifanele icaciswe ngokucacileyo kwisaziso sentlanganiso kwaye awukho omnye umsebenzi ekumele uqhutywe entlanganisweni.

(4) Umgcinincwadi zerejista kufuneka anike amalungu weBhunga isaziso esivakalayo sentlanganiso nganye.

(5) Usihlalo okanye, xa engekho usihlalo, usekela-sihlalo, uchophela intlanganiso yeBhunga. Ukuba bobabini abekho, kufuneka unobhala acele amalungu akhoyo ukuba anyule kumalungu ekubhekiselelwe kuwo kwisolotya 6(h), (i), (j), (k), (l) no-(m) usihlalo waloo ntlanganiso ngokuphakamisa izandla.

(6) Ikhoram yentlanganiso yeBhunga sisiqingatha senani lamalungu akhoyo elinomvo ngaphezulu.

(7) Ukuba ngaso nasiphi na isizathu akukho khoram kwisiqingatha seyure yexesha ebelimiselwe intlanganiso, usihlalo waloo ntlanganiso kufuneka ayirhoxisele elinye ixesha, okanye ixesha nomhla, elingadlulanga kwiintsuku ezili-14 emva koko, ekuzakuthi kuyo amalungu akhoyo enze inani elifikelelayo kwikhoram.

(8) IBhunga lifanele lenze isigqibo ngesininzi seevoti zamalungu akhoyo, ilungu ngalinye livota kubekanye. Kwimeko yokulingana kweevoti, usihlalo usenokuvota, ngaphandle kwakulonyulo, apho kusebenza khona inkqubo ekwisolotya 12(3), ade umgqatswa, okanye inani elichaziweyo labagqatswa, afumane isininzi seevoti.

(9) IBhunga lifanele limisele iinkqubo zeentlanganiso zalo kunye neentlanganiso zeekomiti zalo ngokuhambelana nemigaqo.

(10) Usihlalo angamema nawuphi na umntu ukuba azimase intlanganiso yeBhunga, kodwa loo mntu akanakho ukuvota nakowuphi na umba.

Ukonyulelwa kwamalungu eBhunga kwiBhunga loQingqomithetho

14. IBhunga lifanele lonyulele amalungu amabini angengabo abasebenzi okanye angengabo abafundi beYunivesithi kwiBhunga loQingqomithetho ngokuhambelana nemigaqo.

Ikomiti yeQoqo lolawulo yeBhunga

15. (1) Kukho ikomiti yeQoqo lolawulo yeBhunga eyenziwa:

(a) ngusihlalo weBhunga, ongusihlalo wekomiti yeQoqo lolawulo;

(b) ngusekela sihlalo weBhunga, ongusekela sihlalo wekomiti yeQoqo lolawulo;

(c) yinqununu yeYunivesithi, enokugunyazisa isekela-nqununu leYunivesithi okanye igosa lokusebenza eliyintloko ukuba lizimase intlanganiso ethile egameni layo; kunye

(d) ngamanye amalungu amathathu weBhunga, amabini kuwo angangabi ngabasebenzi okanye abafundi beYunivesithi, onyulwe liBhunga ngokuhambelana nemigaqo.

(2) Ikomiti yeQoqo lolawulo ifanele imisele iinkqubo zeentlanganiso zayo ngokuhambelana nemigaqo.

(3) Ikhoram yentlanganiso yekomiti yeQoqo lolawulo ngamalungu amathathu, amabini kuwo angangabi ngabasebenzi okanye abafundi beYunivesithi.

(4) Ikomiti yeQoqo lolawulo ingathi:

(a) ilicebise iBhunga ngawo nawuphi na umba ekubhekiselelwe kuwo kwisolotya 10, kuquka nengxelo yekomiti yeBhunga, ngaphandle kweKomiti yeZidanga zokuNik' imbeko;

(b) iqubisane nawo nawuphi na umba ongxamisekileyo egameni leBhunga, kodwa kufuneka inike ingxelo kwiBhunga kwintlanganiso elandelayo, kwaye iBhunga, ukuba kuyenzeka, lingasirhoxisa okanye lilungise nasiphi na isigqibo esingomba ongxamisekileyo esithathwe yikomiti yeQoqo lolawulo kwaye ithathe nawaphi na amanyathelo athe kratya ngokuhlangene naloo mba ungxamisekileyo ewubona ufanelekile; kwaye

(c) ingaqubisana nawo nawuphi umba egunyaziswe wona liBhunga.

IBHUNGA LOQINGQOMITHETHO

Usungulo nobunjo

16. (1) Kukho iBhunga loQingqomithetho elenziwa:

(a) yinqununu yeYunivesithi;

(b) ngamasekela-nqununu weYunivesithi;

(c) negosa lokusebenza eliyintloko;

(d) abantu ababini abonyulwe kwizintlu zabo liBhunga abangengabo abasebenzi okanye abafundi beYunivesithi;

(e) intloko yezifundo ezithile eYunivesithi nawo nawaphi na amasekela-ntloko wezifundo ezithile eYunivesithi wefakhalthi nganye;

(f) oonjingalwazi beYunivesithi;

(g) abantu abahlanu abonyulwe kwizintlu zabo ngoonjingalwazi abancedisayo;

(h) abantu abahlanu abonyulwe kwizintlu zabo ngabasebenzi bemfundo ephakamileyo abangengabo oonjingalwazi okanye oonjingalwazi abancedisayo;

(i) naye nawuphi na omnye umntu oyintloko yesebe lemfundo ephakamileyo;

(j) abantu abathathu abowonyulwe kwizintlu zalo ngabasebenzi abasisigxina bolawulo nabenkxaso;

(k) abantu abane abonyulwe kwizintlu zalo yiSRC;

(l) umntu omnye owonyulwe kwizintlu zalo liBhunga leMicimbi yeMfundo ephakamileyo; kunye

(m) nabo nabaphi na abasebenzi obengezelelweyo okanye bemfundo ephakamileyo abanokuqeshwa liBhunga loQingqomithetho ngenxa yobungcali babo.

(2) Izigqeba ezifanelekileyo namagosa asebenzayo zifanele ziqinisekise ukuba amalungu onyuliwe, abelw' umsebenzi kwaye atyunjelwa kwiBhunga amelwe ngokubhekiselele kubuhlanga, isini kunye nokukhubazela.

Amaxesha okuba sesikhundleni kwamalungu

17. (1) Ixesha lokubamba isikhundla eofisini kwelungu ekubhekiselelwe kulo kwisolotya 16(1)(a), (b), (c), (e),

(f) okanye (i) liqhubeke kangangoko loo mntu eseseofisini.

(2) Ixesha lokubamba isikhundla eofisini kwelungu ekubhekiselelwe kulo

kwisolotya 16(1)(d), (g), (h) okanye (j) yiminyaka emine.

(3) Ixesha lokubamba isikhundla eofisini kwelungu ekubhekiselelwe kulo kwisolotya 16(1)(k) okanye (l) liqhubeke kangangoko loo mntu eseseofisini kumbutho ofanelekileyo wabafundi.

(4) Ixesha lokubamba isikhundla eofisini kwelungu ekubhekiselelwe kulo kwisolotya 16(1)(m) limiselwa liBhunga loQingqomithetho ngexesha lokuqeshwa kwalo.

(5) Ixesha lokubamba isikhundla eofisini kwelungu ekubhekiselelwe kulo kumasolotya (2), (3) okanye (4) liqala ngomhla ilungu liqala ukusebenza eofisini kude kube ngumhla wokuphelelwa kwexesha.

(6) Umntu ekubhekiselelwe kuye kumasolotya (2), (3) okanye (4) ophelelwe lixesha lokubamba isikhundla eofisini usenokuphinda onyulwe okanye aqeshwe kwakhona, kodwa akukho mntu unokusebenza ixesha elingaphaya kwamaxesha amathathu elandelelana.

Izithuba zomsebenzi

18. (1) Ubulungu beBhunga loQingqomithetho buphela phambi komhla wokuphelelwa kwexesha lokubamba isikhundla eofisini ukuba ilungu:

(a) lizibeka phants' iintambo ngembalelwano eya kumgcinincwadi zerejista;

(b) liyasishiya isithuba salo, kwimeko yelungu ekubhekiselwe kulo kwisolotya 16(1)(a), (b), (c), (e), (f) or (i);

(c) liyayeka ukuba ngumqeshwa weYunivesithi, kwimeko yelungu ekubhekiselelwe kulo kwisolotya 16(1)(g), (h), (i), (j) okanye (m);

(d) liyayeka ukuba ngumfundi weYunivesithi, kwimeko yelungu ekubhekiselelwe kulo kwisolotya 16(k) okanye (l);

(e) liyayeka ukuba lilungu lesigqeba okanye lodidi lwabantu abonyule ilungu, kwimeko yelungu ekubhekiselelwe kulo kwisolotya 16(1)(d), (g), (h), (j), (k) okanye (l);

(f) alibikho iintlanganiso zeBhunga loQingqomithetho zibe ntathu zilandelelana ngaphandle kokwenza isingxengxezo sangaphambili esenziwa kumgcinincwadi zerejista;

(g) lifunyaniswe linetyala lokuphul' umthetho wokuziphatha ochazwe kwisolotya 11(1) okanye kumthetho wokuziphatha okwimigaqo,

okanye likwinkqubo yoluleko eYunivesithi, kwaye iBhunga loQingqomithetho limisela ukuba akufanelekanga ukuqhubeka ngobulungu kwiBhunga loQingqomithetho;

(h) alikwazi ngokupheleleyo ukuqhubeka ngokwenza imisebenzi yelungu leBhunga loQingqomithetho, njengoko kumiselwe liBhunga loQingqomithetho;

(i) libhengezwa njengelingenakho ukuwahlawula amatyala, okwethutyana okanye isigxina, yinkundla yomthetho; okanye

(j) lifunyaniswe linetyala lokwaphul' umthetho laze lagwetyelwa etrongweni ngaphandle komdliwo, kodwa lo mntu akhathathwa njengogwetyiweyo de kumiselwe isibheno zokugwetywa, okanye kuphele ixesha lesibheno.

(2) Xa buphela ubulungu belungu okanye bupheliswa ngenxa yaso nasiphi na isizathu phambi kwexesha lokuphelelwa kwexesha lokubamba isikhundla eofisini, umgcinincwadi zerejista kufuneka anike isaziso ngembalelwano iBhunga loQingqomithetho kwaye ukuba kufanelekile kwisigqeba esonyule ilungu.

(3) Ekufumaneni kwalo isaziso esisuka kumgcinincwadi zerejista, kwigosa lokusebenza okanye kwisigqeba limele ligcwalise isithuba somsebenzi ngokuhambelana nesolotya 16 kunye nemigaqo.

(4) Umntu oba lilungu leBhunga ngokwecandelo lesolotyana (3) usebenza lonke ixesha aliqashelweyo elichazwe kwisolotya 17, ngaphandle kwemeko yomntu ekubhekiselelwe kuye kwisolotya 16(k) okanye (1) oxesha lakhe lihambelana nexesha leSRC.

Amandla nemisebenzi

19. (1) IBhunga loQingqomithetho linoxanduva, kwaye liphendula kwiBhunga, malunga nemfundo ephakamileyo ngokunjalo nemisebenzi yophando yeYunivesithi.

(2) IBhunga loQingqomithetho lenza imithetho yemisebenzi yenkxaso yokufunda, ukufundisa, uphando nemfundo ephakamileyo eYunivesithi, lize lenze izindululo kwiBhunga ngokuhambisana nemigaqonkqubo emayela nemiba yemfundo ephakamileyo.

(3) IBhunga loQingqomithetho lisebenzisa amandla kwaye lenze imisebenzi ekubhekiselelwe kuyo nguMthetho, lo Mthetho kunye nemigaqo, kuquka nawo nawaphi na amandla, imisebenzi egunyaziswe yona liBhunga, kwaye:

(a) lifanele licebise iBhunga kumgaqonkqubo wolwamkelo weYunivesithi ngokuhambelana necandelo 37(1) no-(3) loMthetho;

(b) limele livume nayo nayiphi na imisebenzi enxulumene nolwamkelo ecaciswe kwicandelo 37(4) loMthetho, elinqwenela ukuyenza iBhunga;

(c) limele livumelane nomgaqonkqubo weelwimi weYunivesithi ngokuhambelana necandelo 27(2) loMthetho;

(d) limele limisele, ngokuvuma kweBhunga, imiqathango yokufumana iziqinisekiso zemfundo, itahthe isigqibo sokuba ngowuphi umntu oyithobeleyo imiqathango, lize lingenise amagama kwiBhunga;

(e) limele lenze imigaqo yeemviwo, kwaye lilawule kananjalo lizihlole iimviwo;

(f) limele lenze iinkqubo zemigaqo yemfundo ephakamileyo, emva kokucebisana neebhodi zefakhalthi ezifanelekileyo;

(g) lingenza izindululo kwiBhunga ekusunguleni, ekuchitheni okanye lakhe ngokutsha amacandelo wemfundo ephakamileyo, kuquka iifakhalthi namasebe, kunye namanye amacandelo namasebe ahlangeneyo nemfundo ephakamileyo kunye nemisebenzi yophando yeYunivesithi;

(h) limele likuvume ukubunjwa kweeebhodi zefakhalthi ngokuhambelana nesolotya 23(2);

(i) limele lenze izindululo kwiBhunga ngokuqeshwa kweentloko zezifundo ezithile zeefakhalthi zeYunivesithi;

(j) lingamisela iikomiti ezenziwa ngamalungu weBhunga loQingqomithetho, okanye ngamalungu weBhunga loQingqomithetho kunye nabanye abantu abanolwazi namava afanelekileyo, ukuze bancedise iBhunga loQingqomithetho ekwenzeni imisebenzi yalo;

(k) lifanele lityumbe naziphi na iikomiti ezifunwayo yimigaqo okanye yimigaqonkqubo yeYunivesithi; kwaye

(l) ngokuxhomekeke kwisolotya 63 lalo Mthetho, lingagunyazisa nawo nawaphi na amandla okanye imisebenzi yalo kwikomiti, kwicandelo okanye kumsebenzi weYunivesithi, kodwa iBhunga loQingqomithetho lihlala linoxanduva kwaye liphendule ngokusebenzisa kwalo amandla nokwenza kwalo imisebenzi eligunyaziswe yona.

Usihlalo kunye neentlanganiso

20. (1) Inqununu yeYunivesithi ingusihlalo weBhunga loQingqomithetho.

(2) Ukuba inqununu ayikho yeYunivesithi, isekela-nqununu yeYunivesithi elityunjwe yinqununu yeYunivesithi lichophela loo ntlanganiso, ukuba awekho amasekela-nqununu, kufuneka unobhala acele amalungu akhoyo ukuba anyule usihlalo waloo ntlanganiso kwizintlu zawo ngokuphakamisa izandla.

(3) IBhunga loQingqomithetho lifanele libambe iintlanganiso ezimbini zesiqhelo ubuncinane kwisimesta nganye.

(4) Usihlalo:

(a) usenokubiza intlanganiso eyongezelelweyo nangeliphi na ixesha; kwaye

(b) ufanele akwenze oko ngesicelo sembalelwano yekota enye okanye ngaphezulu samalungu weBhunga loQingqomithetho.

(5) Injongo yentlanganiso eyongezelelweyo ifanele icaciswe ngokucacileyo kwaye awukho omnye umsebenzi ekumele uqhutywe entlanganisweni.

(6) Umgcinincwadi zerejista kufuneka anike amalungu weBhunga loQingqomithetho isaziso esivakalayo sentlanganiso nganye.

(7) Ikhoram yentlanganiso yeBhunga loQingqomithetho isisinye kwisithathu samalungu akhoyo.

(8) Ukuba ngaso nasiphi na isizathu akukho khoram kwisiqingatha seyure yexesha ebelimiselwe intlanganiso, usihlalo waloo ntlanganiso kufuneka ayirhoxisele elinye ixesha, okanye ixesha nomhla, elingadlulanga kwiintsuku ezintlanu emva koko, ekuzakuthi kuyo amalungu akhoyo enze inani elifikelelayo kwikhoram.

(9) IBhunga loQingqomithetho lifanele lithathe isigqibo ngesininzi seevoti zamalungu akhoyo navotayo, ilungu ngalinye livota kubekanye.

Kwimeko yokulingana kweevoti, usihlalo usenokuvota, ngaphandle kwakulonyulo, apho kusebenza khona inkqubo ekwisolotya 12(3), ade umgqatswa, okanye inani elichaziweyo labagqatswa, afumane isininzi seevoti.

(10) IBhunga lifanele limisele iinkqubo zeentlanganiso zalo kunye neentlanganiso zeekomiti zalo ngokuhambelana nemigaqo.

(11) Usihlalo angamema nawuphi na umntu ukuba azimase intlanganiso yeBhunga loQingqomithetho, kodwa loo mntu akanakho ukuvota nakowuphi na umba.

Ukonyulelwa kwamalungu eBhunga loQingqomithetho kwiBhunga

21. IBhunga lifanele lonyulele amalungu amathathu akwizintlu zalo kwiBhunga ngokuhambelana nemigaqo.

Ikomiti yeQoqo lolawulo yeBhunga loQingqomithetho

22. (1) Kukho ikomiti yeQoqo lolawulo yeBhunga loQingqomithetho eyenziwa:

(a) yinqununu yeYunivesithi, ongusihlalo wekomiti yeQoqo lolawulo;

(b) ngamasekela-nqununu weYunivesithi;

(c) igosa lokusebenza eliyintloko; kunye

(d) neentloko zezifundo ezithile zeeFakhalthi zeYunivesithi.

(2) Ikomiti yeQoqo lolawulo ifanele imisele iinkqubo zeentlanganiso zayo ngokuhambelana nemigaqo.

(3) Ikhoram yentlanganiso yeQoqo lolawulo sisiqingatha senani lamalungu akhoyo elinomvo ngaphezulu, ekumele noko ukuba amalungu amathathu abe ngaweqela lolawulo lenqununu yeYunivesithi.

(4) Ikomiti yeQoqo lolawulo ingathi:

(a) icebise iBhunga loQingqomithetho ngawo nawuphi na umba ekubhekiselelwe kuwo kwisolotya 19;

(b) ingenza izindululo kwiBhunga loQingqomithetho malunga neengxelo zeekomiti zeBhunga loQingqomithetho;

(c) iqubisane nawo nawuphi na umba ongxamisekileyo egameni leBhunga loQingqomithetho, kodwa kufuneka inike ingxelo kwiBhunga loQingqomithetho kwintlanganiso elandelayo, kwaye iBhunga loQingqomithetho, ukuba kuyenzeka, lingasirhoxisa okanye lilungise nasiphi na isigqibo esingomba ongxamisekileyo esithathwe

yikomiti yeQoqo lolawulo kwaye ithathe nawaphi na amanyathelo athe kratya ngokuhlangene naloo mba ungxamisekileyo ewubona ufanelekile; kwaye

(d) ingaqubisana nawo nawuphi umba egunyaziswe wona liBhunga loQingqomithetho.

IIBHODI ZEFAKHALTHI

Usungulo nobunjo

23. (1) IBhunga loQingqomithetho lifanele lisungule ukhala ojongene nendlela esebenza ngayo ifakhalthi nganye yeBhunga loQingqomithetho eyaziwa ngokuba yibhodi yefakhalthi.

(2) Ibhodi yefakhalthi ingamisela indlela emayibunjwe ngayo, oko kuxhomekeke ekuvunyweni liBhunga loQingqomithetho ngokwesolotya 19(3)(h), kodwa ibhodi yefakhalthi:

(a) ingaquka abasebenzi okanye abafundi abasisigxina;

(b) iifanele ibandakanye bonke abasebenzi bemfundo ephakamileyo (lilonke oonjingalwazi, oonjingalwazi abancedisayo, iilektshara eziphezulu, iilektshara kunye neelektshara ezisezantsi), ngokuxhomekeke kwisolotyana (3);

(c) lifanele libonelele ngokumela ulawulo nabasebenzi bokuxhasa kunye nabafundi; kwaye

(d) lifanele limele ifakhalthi ngokubhekiselele kubuhlanga, isini kunye nokhubazeko.

(3) Ukuba ukunyanzelwa kokuthathelwa ingqalelo kwenza kubenzima ukubandakanya bonke abasebenzi bemfundo ephakamileyo njengoko kuchaziwe kwisolotyana (2)(b), ibhodi yefakhalthi ingathi makumelwe naluphi udidi olukhankanyiweyo ngamalungu walo onyulwe kwizintlu zabo.

Amandla nemisebenzi

24. Ibhodi yefakhalthi:

(a) inoxanduva, kwaye ifanele yenze izindululo kwiBhunga loQingqomithetho ngokuhambelana neenkqubo zemfundo ephakamileyo kunye nemisebenzi kwifakhalthi;

(b) ifanele yenze izindululo kwiBhunga loQingqomithetho zokwenza imigaqo esebenzayo kwifakhalthi;

(c) kufuneka yazise iBhunga loQingqomithetho malunga nokuba

ingaba abagqatswa abenza isidanga sobugqirha bayahambisana nemimiselo echaziweyo kunye nokufunekayo;

(d) Imele icebise iBhunga loQingqomithetho kuwo nawuphi na umba, ize yenze nawuphi na umsebenzi, elithi iBhunga loQingqomithetho liwudlulisele kwibhodi yefakhalthi;

(e) Ifanele isebenzise nawaphi na amandla okanye yenze nawuphi na umsebenzi eyabelwe wona liBhunga loQingqomithetho; kwaye

(f) Ingayicebisa intloko yezifundo ezithile eYunivesithi okanye iBhunga loQingqomithetho nakowuphi na umba onxulumene nefakhalthi.

Iintlanganiso

25. (1) Intlanganiso yebhodi yefakhalthi ifanele ibanjwe phambi kwentlanganiso yesiqhelo nganye yeBhunga loQingqomithetho.

(2) Intloko yezifundo ezithile eYunivesithi:

(a) isenokubiza intlanganiso eyongezelelweyo nangeliphi na ixesha; kwaye

(b) ifanele ikwenze oko ngesicelo sembalelwano yekota enye okanye ngaphezulu samalungu webhodi yefakhalthi.

(3) Injongo yentlanganiso eyongezelelweyo ifanele icaciswe ngokucacileyo kwaye awukho omnye umsebenzi ekumele uqhutywe entlanganisweni.

(4) Intloko yezifundo ezithile eYunivesithi ichophela intlanganiso yebhodi yefakhalthi.

(5) Ukuba ayikho intloko yezifundo ezithile eYunivesithi, isekela-ntloko yezifundo ezithile eYunivesithi, okanye ukuba kukho amasekela-ntloko yezifundo ezithile eYunivesithi angaphezu kwelinye, elinye lawo elityunjwe yintloko yezifundo ezithile eYunivesithi, lichophela intlanganiso.

(6) Ukuba ayikho intloko yezifundo ezithile eYunivesithi kunye nesekela layo okanye onke amasekela-ntloko yezifundo ezithile eYunivesithi, unobhala kufuneka acele amalungu akhoyo ukuba onyule usihlalo waloo ntlanganiso kwizintlu zawo ngokuphakamisa izandla.

(7) Ikhoram yentlanganiso yebhodi yefakhalthi isisinye kwisithathu samalungu akhoyo.

(8) Ukuba ngaso nasiphi na isizathu akufikelelwa kwikhoram emva kwesiqingatha seyure kwixesha ebelimiselwe intlanganiso, usihlalo waloo ntlanganiso ufanele usihlalo walo ntlanganiso kufuneka ayirhoxisele elinye ixesha, okanye ixesha nomhla, elingadlulanga kwiintsuku ezintlanu zokusebenza emva koko, ekuzakuthi kuyo amalungu akhoyo enze inani elifikelelayo kwikhoram.

(9) Ibhodi yefakhalthi ifanele ithathe isigqibo ngesininzi seevoti zamalungu akhoyo navotayo, ilungu ngalinye livota kubekanye. Kwimeko yokulingana kweevoti, usihlalo usenokuvota, ngaphandle kwakulonyulo, apho kusebenza khona inkqubo ekwisolotya 12(3), ade umgqatswa, okanye inani elichaziweyo labagqatswa, afumane isininzi seevoti.

(10) Ibhodi yefakhalthi ifanele imisele iinkqubo zeentlanganiso zayo ngokuhambelana nemigaqo.

(11) Usihlalo angamema nawuphi na umntu ukuba azimase intlanganiso yebhodi yefakhalthi, kodwa loo mntu akanakho ukuvota nakowuphi na umba.

IBHUNGA LOKUMELA ABAFUNDI

Usungulo nobunjo

26. (1) Kukho iBhunga lokuMela aBafundi (SRC) elimele iimfuno zoluntu lwabantu kwaye lisebenza ngokwemigaqo yeziko abayibiza abafundi ngokuba nguMgaqosiseko waBafundi.

(2) UMgaqosiseko waBafundi ufanele uvunywe liBhunga, kwaye ufanele ukuba uchaze, ngokuxhomekeke kulo Mthetho, kubulungu, kubunjo nakwindlela yokonyulwa kweSRC, amandla, imisebenzi kunye namalungelo weSRC, ngokunjalo neenkqubo zolonyulo lwamagosa asezikhundleni weSRC kunye nezilungiso zoMgaqosiseko waBafundi.

(3) Ulonyulo lwamalungu weSRC lufanele lubanjwe nyaka ngamnye, kwaye ilungu lisebenza iSRC ekhoyo kude kusungulwe iSRC elandelayo, kodwa lisenokonyulwa ixesha elingaphezulu kwexesha elinye.

(4) Ukuba alugqitywanga ulonyulo lwamalungu weSRC ngexesha elimisiweyo, okanye ayisungulwanga kakuhle iSRC emva kolonyulo,

ubulungu beSRC buphelelwa xa kusungulwe iSRC yethutyana okanye kwenziwe amanye amalungiselelo afanelekileyo ngokwesolotya 28.

(5) Inqununu yeYunivesithi ingayiphelisa iSRC ukuba inqununu yeYunivesithi iyibona ingasebenzi iSRC, kodwa:

(a) Phambi kokuba yenze njalo, inqununu yeYunivesithi kufuneka inike iSRC ithuba elaneleyo lokuba ingenise izizathu ezibhaliweyo zokuba kutheni kumele ingapheliswa; kwaye

(b) ukuba, emva kokuthathela ingqalelo olo melo, inqununu yeYunivesithi ingathatha isigqibo sokuyiphelisa iSRC, inqununu yeYunivesithi ifanele ikwenze oko ngembalelwano, ichaze izizathu zeso sigqibo.

Amandla nemisebenzi

27. I-SRC:

(a) yonyula abantu bokusebenza kwiBhunga ngokwesolotya 6(g), iBhunga loQingqomithetho ngokwesolotya 16(1)(k), iForam yeZiko ngokwesolotya 29(2)(c)(i), naso nasiphi na isigqeba okanye iforam yeYunivesithi apho lufuneka khona umelo lweSRC ngokwemigaqo;

(b) imela uluntu lwabafundi kwizigqeba zabafundi kuzwelonke nakwihlabathi;

(c) isebenzisa amandla ize yenze imisebenzi enikezelwe yona nguMgaqosiseko waBafundi; kwaye iyawulandela

(d) ize ivumelane kwaye yakhel’ umkhanya uthotyelo loMgaqosiseko waBafundi.

Ukuqhubeka kwemisebenzi

28. (1) I-SRC yethutyana ifanele ityunjwe yinqununu yeYunivesithi ukuze isebenzise amandla kwaye yenze imisebenzi yeSRC ukuba:

(a) akukho lonyulwa lwamalungu weSRC lwenzekayo ngexesha elimisiweyo;

(b) lukhona ulonyulo kodwa aluwuthobeli uMgaqosiseko waBafundi;

(c) ayisungulwa ngokufanelekileyo iSRC emva kolonyulo;

(d) izibeka phantsi iintambo iSRC; okanye

(e) iphelisiwe iSRC ngokwesolotya 26(5).

(2) I-SRC yethutyana ifanele ithathelwe indawo yiSRC eyonyulwe ngokufanelekileyo ngokukhawuleza kangangoko kunokwenzeka.

IFORAM YEZIKO

Usungulo nobunjo

29. (1) Kukho iForam yeZiko enamalungu angama-23, enziwa ngabameli abasuka kwicandelo ngalinye kula alandelayo – ulawulo nokulawula, abasebenzi, abafundi, kunye noluntu.

(2) Amacandelo wamalungu weForam yeZiko enziwe ngolu hlobo lulandelayo:

(a) *Icandelo lolawulo nokulawula*:

(i) umntu omnye owonyulwe kwizintlu zalo liBhunga;

(ii) abantu ababini abonyulwe kwizintlu zalo liBhunga loQingqomithetho;

(iii) umgcinincwadi zerejista ogunyaziswe ngumgcinincwadi zerejista;

(iv) umlawuli ophezulu onoxanduva lobudlelwane boluntu okanye umntu owabelw' umsebenzi ngumlawuli ophezulu; kunye

(v) nomlawuli onoxanduva lobulungisa kwezengqesho okanye umntu owabelw' umsebenzi ngumlawuli.

(b) *Icandelo labasebenzi*:

(i) abantu ababini abonyulwe kwizintlu zabo ngabasebenzi bemfundo ephakamileyo abangengabo oonjingalwazi;

(ii) abantu ababini abonyulwe kwizintlu zalo ziingcali nabasebenzi bokuxhasa kulawulo;

(iii) umntu omnye owonyuliwe kwizintlu zalo ngabasebenzi bokuxhasa ubuchule; kunye

(iv) nomntu omnye owonyulwe kwizintlu zalo ngabasebenzi abakumanqanaba ezikhundla ali-14 ukuya 19, ngaphandle kwengcali nabasebenzi bokuxhasa kulawulo, kunye nabasebenzi bokuxhasa kubuchule.

(c) *Icandelo labafundi*:

(i) abantu ababini abonyulwe kwizintlu zabo yiSRC;

(ii) umntu omnye owonyulwe kwizintlu zalo yiSRC yaseTygerberg;

(iii) umntu omnye owonyulwe kwizintlu zalo yiKomiti yeSithozela;

(iv) umntu omnye owonyulwe kwizintlu zalo liBhunga loLuntu; kunye

(v) nomntu omnye owonyulie kwizintlu zalo liBhunga leMicimbi yeMfundo ephakamileyo.

(d) *Icandelo loluntu*:

(i) umntu omnye, osenokungabi ngumqeshwa okanye umfundi weYunivesithi, owonyulwe kwizintlu zalo yintlanganiso; kunye

(ii) nabantu abane, abasenokungabi ngabasebenzi beYunivesithi, ngamnye kubo wabelw' umsebenzi ngummeli wesigqeba soluntu, njengoko bechongwe yiForam yeZiko ngokwezindululo zomlawuli ophezulu onoxanduva lobudlelwane boluntu.

Amaxesha okubamba isikhundla eofisini

30. (1) Ixesha lokubamba isikhundla eofisini lelungu, ngaphandle kwelungu elonyulwe sisigqeba sabafundi, yiminyaka emithathu, kwaye akukho lungu elinokusebenza ngaphezulu kweminyaka emibini ilandelelana.

(2) Asingawo onke amalungu anokonyulwa okanye abelw' umsebenzi kunyaka omnye.

(3) Ixesha lokubamba isikhundla eofisini lelungu elonyulwe sisigqeba sabafundi ngunyaka omnye ohambelana nexesha lesigqeba sabafundi esikhoyo.

Amandla nemisebenzi

31. (1) IForam yeZiko kufuneka:

(a) icebise iBhunga:

(i) ekufezekisweni koMthetho kunye nomgaqonkqubo weelwimi kwimfundo ephakamileyo;

(ii) kwimigaqonkqubo engobuhlanga nokulingana ngokwesini;

(iii) kulonyulo labagqatswa ukwenzela izikhundla eziphezulu zolawulo;

(iv) kwimithetho yokuziphatha, iinkqubo zoxolelwaniso kunye

nesisombululo sempikiswano;

(v) ekukhuthazeni inkcubeko yeziko ekhuthaza unyamezelwano nentlonipho yamalungelo wabantu ize yenze indawo yokufundela, ukufundisa kunye nophando efanelekileyo; kunye

(vi) nawo nawuphi na omnye umba omiselwe liBhunga; kwaye

(b) lenza nawuphi na omnye umsebenzi omiselwe liBhunga.

(2) IBhunga lisenokuthatha isigqibo kwimiba ekubhekiselelwe kuyo kumasolotya (1)(a) kuphela emva kokuthathel' ingqalelo icebiso elinikwe yiForam yeZiko, kwaye lifanele linike izizathu ezibhaliweyo ukuba alamkelekanga icebiso.

Oosihlalo kunye neentlanganiso

32. (1) Rhoqo kwiminyaka emithathu, iForam yeZiko, entlanganisweni, ifanele yonyule usihlalo kunye nosekela-sihlalo kwizintlu zayo, kodwa abanakuyisebenzela ixesha leminyaka engaphezulu kwemibini ilandelelana.

(2) Malunga neenjongo zolonyulo, usihlalo ophumayo okanye, ukuba akekho usihlalo ophumayo, usekela sihlalo ophumayo okanye elinye ilungu leForam yeZiko elonyulwe ngamalungu akhoyo ngokuthi aphakamise izandla, libambela njengosihlalo wentlanganiso kude konyulwe usihlalo.

(3) Ukutyunjwa kosihlalo okanye usekela sihlalo kufanele kubhalwe, kufanele kungeniswe kumgcinincwadi zerejista phambi kwentlanganiso, kutyikitywe ngamalungu amabini weForam yeZiko kwaye kufanele kukhatshwe sisibhengezo esityikitywe ngumtyunjwa esamkela ukutyunjwa.

(4) Kulonyulo lukasihlalo okanye lwesekela sihlalo, kusebenza inkqubo ekwisolotya 12(3), ade umgqatswa afumane isininzi seevoti.

(5) Kulandelwa le nkqubo inye kulonyulo lukasekela sihlalo, ngaphandle kwento yokokuba imisebenzi kasihlalo entlanganisweni yenziwa ngusihlalo omtsha osanda konyulwa.

(6) IForam yeZiko imele idibane ngemihla emiselwe ngumgcinincwadi zerejista, omele anike amalungu isaziso esivakalayo sentlanganiso nganye.

(7) Usihlalo:

(a) isenokubiza intlanganiso eyongezelelweyo nangeliphi na ixesha;

kwaye

(b) ifanele ikwenze oko ngesicelo sembalelwano yekota enye okanye ngaphezulu samalungu weForam yeZiko.

(8) Injongo yentlanganiso eyongezelelweyo ifanele icaciswe ngokucacileyo kwaye awukho omnye umsebenzi ekumele uqhutywe entlanganisweni.

(9) Ukuba abekho entlanganisweni bobabini oosihlalo kunye namasekela wabo, unobhala kufuneka acele amalungu akhoyo ukuba onyule usihlalo waloo ntlanganiso kwizintlu zawo ngokuphakamisa izandla.

(10) Ikhoram yentlanganiso isisiqingatha senani lamalungu akhoyo nelinomvo ngaphezulu.

(11) Ukuba ngaso nasiphi na isizathu akufikelelwa kwikhoram emva kwesiqingatha seyure kwixesha ebelimiselwe ukuqala kwentlanganiso, usihlalo waloo ntlanganiso ufanele ayirhoxisele elinye ixesha, okanye ixesha nomhla, elingadlulanga kwiintsuku ezintlanu emva koko, ekuzakuthi kuyo amalungu akhoyo enze inani elifikelelayo kwikhoram.

(12) IForam yeZiko iifanele ithathe isigqibo ngesininzi seevoti zamalungu akhoyo navotayo, ilungu ngalinye livota kubekanye. Kwimeko yokulingana kweevoti, usihlalo usenokuvota, ngaphandle kwakulonyulo, apho kusebenza khona inkqubo ekwisolotya 12(3), ade umgqatswa, okanye inani elichaziweyo labagqatswa, afumane isininzi zeevoti.

(13) IForam yeZiko ifanele imisele iinkqubo zeentlanganiso zayo ngokuhambelana nemigaqo.

(14) Usihlalo angamema nawuphi na umntu ukuba azimase intlanganiso yeForam yeZiko, kodwa loo mntu akanakho ukuvota nakowuphi na umba.

Ikomiti yeQoqo lolawulo yeForam yeZiko

33. (1) Ikomiti yeQoqo lolawulo yeForam yeZiko yenziwa:

(a) ngusihlalo nosekela-sihlalo; kwaye

(b) konyulwa umntu omnye rhoqo kwiminyaka emithathu licandelo ngalinye ekubhekiselelwe kulo kwisolotya 29(2) ngokuhambelana nemigaqo, ngaphandle kwakwimeko yecandelo labafundi apho kufuneka konyulwe khona umntu omnye rhoqo ngonyaka.

(2) Ikomiti yeQoqo lolawulo ifanele imisele iinkqubo zeentlanganiso zayo ngokuhambelana nemigaqo.

(3) Ikhoram yentlanganiso yekomiti yeQoqo lolawulo isisiqingatha senani lamalungu akhoyo nelinomvo ngaphezulu.

(4) Ikomiti yeQoqo lolawulo ingathi:

(a) icebise iForam yeZiko ngawo nawuphi na umba ekubhekiselelwe kuwo kwisolotya 31(1);

(b) iqubisane nawo nawuphi na umba ongxamisekileyo egameni leForam yeZiko, kodwa kufuneka inike ingxelo kwiForam kwintlanganiso yayo elandelayo, kwaye iForam, ukuba kuyenzeka, ingasirhoxisa okanye ilungise nasiphi na isigqibo esingomba ongxamisekileyo esithathwe yikomiti yeQoqo lolawulo kwaye ithathe nawaphi na amanyathelo athe kratya ngokuhlangene naloo mba ungxamisekileyo ewubona ufanelekile; kwaye

(c) ingaqubisana nawo nawuphi umba egunyaziswe wona yiForam yeZiko.

IQELA LOLAWULO LENQUNUNU YEYUNIVESITHI

Ubunjo kunye nemisebenzi

34. (1) Iqela lolawulo lenqununu yeYunivesithi lifanele lincedise inqununu yeYunivesithi kulawulo lweYunivesithi, kwaye lenziwa:

(a) yinqununu yeYunivesithi;

(b) ngamasekela-nqununu weYunivesithi;

(c) negosa lokusebenza eliyintloko;

(d) ngumgcinincwadi zerejista; kunye

(e) naye nawuphi na umntu otyunjwe yinqununu yeYunivesithi.

(2) Iqela lolawulo lenqununu yeYunivesithi limele label' umsebenzi kumalungu wekomiti yolawulo jikelele ekubhekiselelwe kuyo kwisolotya 35(d), kwaye lingatyumba ezinye iikomiti ukuxhasa iqela lolawulo lenqununu yeYunivesithi ekwenzeni imisebenzi yalo.

IKOMITI YOLAWULO JIKELELE

Ubunjo kunye nemisebenzi

35. Ikomiti yolawulo jikelele icebisa iqela lolawulo lenqununu yeYunivesithi kwimiba echaphazela ukulawula nolawulo lweYunivesithi, kwaye ibunjwe:

(a) liqela lolawulo lenqununu yeYunivesithi;

(b) ziintloko zezifundo ezithile eYunivesithi;

(c) ngabalawuli abaziintloko kunye nabalawuli abaphezulu; kunye

(d) nabo nabaphi na abantu ababel' umsebenzi liqela lolawulo lenqununu yeYunivesithi.

ISAHLUKO 3
AMAGOSA ASEZIKHUNDLENI

INGQONYELA YEYUNIVESITHI

Iwonga

36. Ingqonyela yeYunivesithi iyintloko yeYunivesithi nje ngegama lodwa.

Okufunekayo

37. Ingqonyela yeYunivesithi:

(a) ifanele ukuba ibeligosa elineziqinisekiso zemfundo namava ayifaneleyo iofisi yeso sikhundla; kwaye

(b) ayinakuba ngumqeshwa okanye umfundi weYunivesithi, ilungu lebhunga lelinye iziko lemfundo ephakamileyo okanye iqeshwe isigxina kwisikhundla solawulo lweqoqo lolawulo esikumgangatho olinganayo nowesentloko yezifundo ezithile eYunivesithi okanye ngaphezulu kwelo ziko.

Ulonyulo

38. (1) Ingqonyela yeYunivesithi yonyulwa ngabonyuli abenziwa ngamalungu weBhunga nangamalungu wekomiti yeQoqo loLawulo lweBhunga loQingqomithetho.

(2) Umgcinincwadi zerejista ufanele anike isaziso esivakalayo kwimidiya nakwamanye amajel' eendaba xa kufuneka konyulwe ingqonyela yeYunivesithi, acacise umhla wolonyulo, aze abize amalungu weNtlanganiso ukuze kutyunjwe abagqatswa abafanelekileyo ngomhla wamanqam.

(3) Utyunjo lufanele lubhalwe, lungeniswe kumgcinincwadi zerejista kwiiveki ezintathu ubuncinane phambi kolonyulo, kwaye lufanele lutyikitywe ngamalungu entlanganiso angama-20 ubuncinane lukhatshwe sisibhengezo esityikitywe ngumtyunjwa esamkela ukutyunjwa.

(4) Abonyuli bathathela ingqalelo utyumbo olwenziwe entlanganisweni

echotshelwe ngusihlalo weBhunga okanye, xa engekho usihlalo, iba ngusekela sihlalo. Ukuba abekho bobabini, amalungu ashiyekileyo abonyuli lifanele lonyule usihlalo kwizintlu zalo ngokuphakamisa izandla.

(5) Ikhoram yentlanganiso yabonyuli isisiqingatha senani lamalungu wabo nelinomvo ngaphezulu.

(6) Ukuba kutyunjwe abagqatswa abangaphezu komgqatswa omnye, kusetyenziswa inkqubo ekwisolotya 12(3), ade umgqatswa afumane isininzi seevoti.

(7) Ukuba kutyunjwe umgqatswa omnye kuphela, kuvotwa ngokuyimfihlo kwaye umgqatswa kufuneka afumane isininzi seevoti zamalungu akhoyo navotileyo, ilungu ngalinye livota kubekanye. Ukuba umgqatswa akasifumani isininzi seevoti, kufanele kuvotwe ngokutsha ngokuhambelana neli solotya.

Ixesha lokubamba isikhundla eofisini

39. (1) Ixesha lokubamba isikhundla eofisini lengqonyela yeYunivesithi yiminyaka emihlanu, kwaye ingqonyela yeYunivesithi ingaphinda yonyulelwe elinye ixesha kwakhona amaxesha elandelelana.

(2) IBhunga lingayigxotha ingqonyela yeYunivesithi eofisini ngesininzi sawo onke amalungu enza isibini kwisithathu weBhunga kwimihlaba yokwaphula umthetho, ngokungaziphathi kakuhle okanye ngokungakwazi ukuwenza umsebenzi wayo.

(3) Isithuba somsebenzi kwiofisi yengqonyela yeYunivesithi sifanele sigcwaliswe ngokuhambelana nesolotya 38, loo mntu onyulelwe ixesha elipheleleyo.

INQUNUNU YEYUNIVESITHI NOSEKELA-NGQONYELA YEYUNIVESITHI

Imisebenzi kunye nokuba noxanduva

40. (1) Inqununu yeYunivesithi iyinqununu yeYunivesithi njengoko kuchaziwe kwicandelo 30 loMthetho, kwaye ingusekela-ngqonyela yeYunivesithi.

(2) Inqununu yeYunivesithi iligosa eliyintloko yeqoqo lesigqeba

nomgcinimali weYunivesithi, inoxanduva lokulawula nolawulo lweYunivesithi kwaye iphendula kwiBhunga.

Ukuqeshwa

41. (1) IBhunga lifanele liqashe inqununu yeYunivesithi, emva kokucebisana neBhunga loQingqomithetho kunye neForam yeZiko kwaye ngokuhambelana neenkqubo ezichazwe kwimigaqo, kwaye lifanele limisele imisebenzi, ukusebenza, amalungelo kunye nemiqathango yokusebenza kwenqununu yeYunivesithi.

(2) Inqununu yeYunivesithi ifanele ibe ligosa elikwaziyo ukuwenza umsebenzi nelineziqinisekiso zemfundo eziyifaneleyo le ofisi.

Ixesha lokubamba isikhundla eofisini

42. (1) Inqununu yeYunivesithi ingaseofisini kangangexesha elimiselwe liBhunga, elingekho ngaphezulu kweminyaka emihlanu, kwaye ingaqeshelwa elinye ixesha kwakhona lilandelelana ngaphandle kokuphinda ifaka isicelo sesi sikhundla kwakho, emva koko loo mntu angaphinda asenze kwakhona isicelo sesi sikhundla.

(2) Iofisi yenqununu yeYunivesithi ayibinamntu ukuba inqununu yeYunivesithi izibeka phants' iintambo ngokubhalela kumgcinincwadi zerejista okanye buyapheliswa ubulungu kwiBhunga loQingqomithetho phantsi kwayo nayiphi na imeko kwezi zichazwe kumasolotya 18(1)(f), (g), (h), (i) okanye (j).

(3) IBhunga lingayigxotha inqununu yeYunivesithi eofisini ngevoti yesininzi sawo onke amalungu enza isibini kwisithathu yeBhunga kwimihlaba yokwaphula umthetho, ngokungaziphathi kakuhle okanye ngokungakwazi ukuwenza umsebenzi wayo, ukugula okanye ukonzakala.

(4) Isithuba sokusebenza kwiofisini yenqununu yeYunivesithi sifanele sigcwaliswe ngokuhambelana nesolotyana 41.

(5) Xa iofisi yenqununu yeYunivesithi ingenamntu usebenza kuyo okanye inqununu yeYunivesithi ingakwazi okwethutyana ukwenza imisebenzi yayo, iBhunga ligunyazisa isekela-nqununu leYunivesithi okanye igosa lokusebenza eliyintloko ukuba libambe njengenqununu yeYunivesithi.

AMASEKELA-NQUNUNU WEYUNIVESITHI KUNYE NAMASEKELA- NGQONYELA WEYUNIVESITHI

Ukuqeshwa, imisebenzi kunye nexesha lokubamba isikhundla eofisini

43. (1) IBhunga lifanele liqeshe isekela-nqununu leYunivesithi elinye ngaphezulu, abangamasekela-nqununu njengoko kuchaziwe kumacandelo 27(4)(b) nelama-28(2)(b) loMthetho, emva kokucebisana neBhunga loQingqomithetho kunye neForam yeZiko ngokuhambelana neenkqubo ezichazwe kwimigaqo, kwaye limele limisele ukusebenza, imisebenzi, amalungelo nemiqathango yokusebenza kwesekela-nqununu yeYunivesithi.

(2) Isekela-nqununu yeYunivesithi likwalisekela-ngqonyela yeYunivesithi.

(3) Isekela-nqununu yeYunivesithi lingaseofisini kangangexesha elimiselwe liBhunga, elingekho ngaphezulu kweminyaka emihlanu, kwaye lingaqeshelwa elinye ixesha kwakhona lilandelelana ngaphandle kokuphinda lifake isicelo sesi sikhundla kwakho, emva koko loo mntu angaphinda asenze kwakhona isicelo sesi sikhundla.

(4) Isekela-nqununu yeYunivesithi linika ingxelo kwinqununu yeYunivesithi kwaye liphendula kwiBhunga.

(5) Iofisi yesekela-nqununu yeYunivesithi ayibanamntu ukuba isekela-nqununu yeYunivesithi lizibeka phants' iintambo ngokubhalela kumgcinincwadi zerejista okanye buyapheliswa ubulungu beBhunga loQingqomithetho buyapheliswa nakweziphi na iimeko ezichazwe kumasolotya 18(1)(f), (g), (h), (i) okanye (j).

(6) IBhunga lingamgxotha usekela-nqununu yeYunivesithi eofisini ngesininzi sawo onke amalungu enza isibini kwisithathu weBhunga kwimihlaba yokwaphula umthetho, ngokungaziphathi kakuhle okanye ngokungakwazi ukuwenza umsebenzi wayo okanye ukugula okanye ukonzakala.

(7) Isithuba sokusebenza kwiofisini yesekela-nqununu yeYunivesithi sifanele sigcwaliswe ngokuhambelana nesolotyana (1).

(8) Xa ingenamntu iofisi yesekela-nqununu yeYunivesithi okanye isekela-nqununu yeYunivesithi lingakwazi okwethutyana ukuwenza umsebenzi

wesekela-nqununu yeYunivesithi, umntu owabelw' umsebenzi yinqununu yeYunivesithi ubambela njengesekela-nqununu yeYunivesithi.

IGOSA LOKUSEBENZA ELIYINTLOKO

Ukuqeshwa, imisebenzi nexesha lokubamba isikhundla eofisini

44. (1) IBhunga lifanele lityumbe igosa lokusebenza eliyintloko emva kokucebisana neBhunga loQingqomithetho kunye neforam yeziko kwaye ngokuhambelana neenkqubo ezichazwe kwimigaqo, kwaye limele limisele imisebenzi, amalungelo athile kunye nemiqathango yokusebenza yegosa lokusebenza eliyintloko.

(2) Igosa lokusebenza eliyintloko lingaseofisini kangangexesha elimiselwe liBhunga, elingekho ngaphaya kweminyaka emihlanu, kwaye ekupheleni kwelo xesha okanye nakweliphi na ixesha elilandelayo lingaqeshwa ngokutsha kangangexesha elingekho ngaphaya kweminyaka emihlanu.

(3) Igosa lokusebenza eliyintloko linik' ingxelo kwiYunivesithi kwaye liphendula kwiBhunga.

(4) Iofisi yegosa lokusebenza eliyintloko ayibinamntu ukuba igosa lokusebenza eliyintloko lizibeka phants' iintambo ngembalelwano eya kumgcinincwadi zerejista okanye ubulungu begosa lokusebenza eliyintloko leBhunga loQingqomithetho buyapheliswa nakweziphi na iimeko ezichazwe kumasolotya 18(1)(f), (g), (h), (i) okanye (j).

(5) IBhunga lingaligxotha igosa lokusebenza eliyintloko eofisini ngevoti yesininzi sawo onke amalungu enza isibini kwisithathu kwiBhunga kwimihlaba yokwaphula umthetho, ngokungaziphathi kakuhle okanye ngokungakwazi ukuwenza umsebenzi wayo okanye ukugula okanye ukonzakala.

(6) Isithuba sokusebenza kwiofisini yegosa lokusebenza eliyintloko sifanele sigcwaliswe ngokuhambelana nesolotyana (1).

(7) Xa ingenamntu iofisi yegosa lokusebenza eliyintloko okanye igosa lokusebenza eliyintloko lingakwazi okwethutyana ukuwenza umsebenzi wegosa lokusebenza eliyintloko, umntu owabelw' umsebenzi yinqununu

yeYunivesithi ubambela njengegosa lokusebenza eliyintloko.

UMGCININCWADI ZEREJISTA

Ukuqeshwa, imisebenzi nexesha lokubamba isikhundla eofisini

45. (1) Umgcinincwadi zerejista unoxanduva lolawulo lwemfundo ephakamileyo yeYunivesithi.

(2) Umgcinincwadi zerejista

(a) ungunobhala weBhunga lize iBhunga loQingqomithetho libe ngoweekomiti zeQoqo lolawulo zeBhunga kunye neBhunga loQingqomithetho;

(b) ubonelela ngeenkonzo zobunobhala kwiForam yeZiko, kwiqela lolawulo lenqununu yeYunivesithi, kwikomiti yolawulo jikelele nakwezinye izigqeba zeziko njengoko kumiselwe liBhunga;

(c) uxhasa ulawulo nokulawula okulungileyo kweYunivesithi; kunye

(d) uqinisekisa uthotyelo loMthetho kunye neminye imithetho esebenzayo, lo Mthetho, kunye nemigaqonkqubo efanelekileyo kunye nemigaqo yeYunivesithi.

(3) Umgcinincwadi zerejista angathath' inxaxheba kwiingxoxo zeBhunga, ezeBhunga loQingqomithetho, ezeForam yeZiko, ezeqela lolawulo lenqununu yeYunivesithi nezekomiti yolawulo jikelele kodwa angavota kuphela kwiForam yeZiko, kwiqela lolawulo lenqununu yeYunivesithi nakwikomiti yolawulo jikelele.

(4) IBhunga lifanele liqashe umgcinincwadi zerejista ngokuhambelana nemigaqo, lifanele limisele imisebenzi, ukusebenza, amalungelo nemiqathango yokusebenza komgcinincwadi zerejista, kwaye lifanele limisele ixesha lokubamba isikhundla eofisini komgcinincwadi zerejista, elingenakuba ngaphezulu kweminyaka emihlanu. Umgcinincwadi zerejista angaqeshwa ngokutsha xa seliza kuphela ixesha lakhe kangangexesha elingenakuba ngaphezulu kweminyaka emihlanu.

(5) Umgcinincwadi zerejista uphendula kwinqununu yeYunivesithi, ngokubhekiselele ekwenzeni imisebenzi nasekusebenzeni ngokubhekiselele kwisigqeba esithile, kweso sigqeba.

(6) Iofisi yomgcinincwadi zerejista ayibinamntu ukuba uzibeka phants' iintambo ngokubhalela kwinqununu yeYunivesithi okanye naziphi na iimeko ezichazwe kumasolotya 18(1)(g), (h),
(i) okanye (j) ezivelayo.

(7) IBhunga lingamgxotha umgcinincwadi zerejista eofisini ngesininzi sawo onke amalungu enza isibini kwisithathu kwiBhunga kwimihlaba yokwaphula umthetho, ngokungaziphathi kakuhle okanye ngokungakwazi ukuwenza umsebenzi wayo okanye ukugula okanye ukonzakala.

(8) Xa ingenamntu iofisi yomgcinincwadi zerejista okanye umgcinincwadi zerejista akakwazi okwethutyana ukuwenza umsebenzi womgcinincwadi zerejista, umntu owabelw' umsebenzi yinqununu yeYunivesithi ubambela njengomgcinincwadi zerejista.

IINTLOKO ZEZIFUNDO EZITHILE EYUNIVESITHI

Ukuqeshwa, imisebenzi kunye nexesha lokubamba isikhundla eofisini

46. (1) IBhunga lifanele lityumbe igosa eliyintloko yezifundo ezithile kwifakhalthi nganye emva kokucebisana nebhodi yefakhalthi ejongene noko kwaye ngokuhambelana neenkqubo ezichazwe kwimigaqo, kwaye limele limisele imisebenzi, amalungelo athile kunye nemiqathango yokusebenza yegosa eliyintloko yezifundo ezithile eYunivesithi.

(2) Intloko yezifundo ezithile eYunivesithi ingaseofisini kangangexesha elimiselwe liBhunga, elingekho ngaphezulu kweminyaka emihlanu, kwaye ingaqeshelwa elinye ixesha kwakhona lilandelelana ngaphandle kokuphinda ifaka isicelo sesi sikhundla kwakho, emva koko loo mntu angaphinda asenze kwakhona isicelo sesi sikhundla.

(3) Intloko yezifundo ezithile eYunivesithi iphendula kwinqununu yeYunivesithi okanye kwisekela-nqununu yeYunivesithi elabelw' umsebenzi yinqununu yeYunivesithi.

(4) Iofisi yentloko yezifundo ezithile eYunivesithi ayibinamntu ukuba intloko yezifundo ezithile eYunivesithi izibeka phants' iintambo ngokubhalela kumgcinincwadi zerejista okanye buyapheliswa ubulungu bentloko yezifundo ezithile eYunivesithi kwiBhunga loQingqomithetho nakweziphi

na iimeko ezichazwe kumasolotya 18(1)(f), (g), (h), (i) okanye (j).

(5) IBhunga lingayigxotha intloko yezifundo ezithile yeYunivesithi eofisini ngesininzi sawo onke amalungu enza isibini kwisithathu kwimihlaba yokwaphula umthetho, ngokungaziphathi kakuhle okanye ngokungakwazi ukuwenza umsebenzi wayo okanye ukugula okanye ukonzakala.

(6) Isithuba sokusebenza kwiofisin yentloko yezifundo ezithile eYunivesithi sifanele sigcwaliswe ngokuhambelana nesolotyana (1).

(7) Xa ingenamntu iofisi yentloko yezifundo ezithile eYunivesithi okanye intloko yezifundo ezithile eYunivesithi ayikwazi okwethutyana ukuwenza umsebenzi wentloko yezifundo ezithile eYunivesithi, umntu owabelw' umsebenzi yinqununu yeYunivesithi ibambela njengentloko yezifundo ezithile eYunivesithi.

(8) Ibhodi nganye inokonyula isekela-intloko yezifundo ezithile eYunivesithi okanye amasekela-ntloko wezifundo ezithile eYunivesithi, ngokuhambelana nemigaqo, kwaye imisele ukusebenza nemisebenzi yawo.

ISAHLUKO 4
UHLANGANO

Ubunjo lweNtlanganiso

47. (1) INtlanganiso yeYunivesithi yenziwa:

(a) ngabo bonke abantu abanikwe isiqinisekiso semfundo kwiNtlanganiso yeYunivesithi;

(b) yinqununu yeYunivesithi, amasekela-nqununu weYunivesithi, igosa lokusebenza eliyintloko kunye nabasebenzi bemfundo ephakamileyo abasisigxina beYunivesithi; kunye

(c) nabasebenzi bemfundo ephakamileyo abasisigxina beYunivesithi abayekayo ukuyisebenzela iYunivesithi ngenxa yokuba, ngokweminyaka, bafikelela kwixesha lokuthath' umhlala phantsi.

(2) Umgcinincwadi zerejista ufanele agcine uluhlu lwamalungu eNtlanganiso ekubhekiselelwe kulo kumasolotya (1). Ilungu lifanele limazise umgcinincwadi zerejista malunga notshintsho lwedilesi.

(3) Uluhlu lwamalungu lububungqina obugcweleyo bobulungu beNtlanganiso, kwaye ngumntu onegama elivelayo kuluhlu lwamalungu kuphela onokuvota.

(4) Ilungu leNtlanganiso lingazibeka phants' iintambo ngokubhalela kumgcinincwadi zerejista.

(5) Umntu othe wazibeka phants' iintambo angesenza isicelo ngokubhalela umgcinincwadi zerejista ukuze amkelwe ngokutsha njengelungu, kwaye umgcinincwadi zerejista ufanele awudlulisele lo mba kwikomiti yeQoqo lolawulo lweNtlanganiso ukuze ithathe isigqibo.

Iinjongo kunye nemisebenzi

48. (1) Injongo yeNtlanganiso kukukhuthaza ubuntlalontle beYunivesithi ngokugcina ubudlelwane ekuzuza kubo ngokufanayo iYunivesithi kunye namalungu weNtlanganiso, kwaye ingalicebisa iBhunga, kunye neBhunga loQingqomithetho xa kuyimfuneko, ngokubhekiselele koku.

(2) Imisebenzi yeNtlanganiso:

(a) kukonyulela amalungu kwiBhunga akwizintlu zalo kunye neForam yeZiko ngokuhambelana namasolotya 6(k) no-29(2)(d)(i); kunye

(b) nokutyumba abantu ukuze konyulwe ingqonyela yeYunivesithi ngokuhambelana namasolotya 38(2) no-(3).

Ukuthath' inxaxheba kwiintlanganiso nakulonyulo

49. (1) Ukwenzela injongo yentlanganiso yeNtlanganiso kunye nolonyulo olwenziwa yiNtlanganiso yamalungu weBhunga ngokwesolotya 6(k), ngamalungu weForam yeZiko ngokwesolotya 29(2)(d)(i), okanye ngamalungu wekomiti yeQoqo lolawulo weNtlanganiso ngokwesolotya 51(1), umgcinincwadi zerejista ufanele –

(a) abonelele ngothathonxaxheba lwamalungu weNtlanganiso ngokusebenzisa ikhompyutha; kunye

(b) nokuthatha amanyathelo afanelekileyo, ngokusebenzisa izibonelelo ezikhoyo, ukufumana owona mgangatho uphezulu wokuthath' inxaxheba kwamalungu.

(2) Umgcinincwadi zerejista ufanele aququzelele kwaye abek' esweni ulonyulo ekubhekiselelwe kulo kumasolotya (1) ngokuhambelana nemigaqo yeziko.

Iintlanganiso

50. (1) Ngokuxhomekeke kwisolotya 49, ukuhlangana kweNtlanganiso kwenzeka ngokuhambelana nesolotya.

(2) Umongameli okanye, xa engekho umongameli, usekela-mongameli, kufuneka abize ukuhlangana kweNtlanganiso yonyaka.

(3) Umongameli kufuneka abize intlanganiso eyongezelelweyo ngesicelo esibhaliweyo samalungu weBhunga ali-100 okanye ngaphezulu.

(4) Injongo yentlanganiso eyongezelelweyo ifanele icaciswe ngokucacileyo kwaye awukho omnye umsebenzi ekumele uqhutywe entlanganisweni.

(5) Unobhala kufuneka anike isaziso esivakalayo sentlanganiso, kwaye eso saziso kufuneka siquke iajenda, ngokuhambelana neenkqubo ezimiselwe kwimigaqo.

(6) Umongameli okanye, xa engekho umongameli, usekela mongameli,

uchophela uhlangano lweNtlanganiso. Ukuba abekho bobabini, unobhala kufuneka acele amalungu akhoyo ukuba onyule usihlalo waloo ntlanganiso kwizintlu zawo.

(7) Ikhoram yeNtlanganiso ngamalungu angama-250.

(8) Ukuba ngaso nasiphi na isizathu akukho khoram kwisiqingatha seyure yexesha ebelimiselwe intlanganiso, usihlalo waloo ntlanganiso kufuneka ayirhoxisele elinye ixesha kunye nomhla, elingadlulanga kwiintsuku ezili-14 emva koko, ekuzakuthi kuyo amalungu akhoyo enze inani elifikelelayo kwikhoram.

(9) INtlanganiso ifanele ithathe isigqibo ngesininzi seevoti zamalungu akhoyo okanye athath' inxaxheba, ilungu ngalinye livota kubekanye. Kwimeko yokulingana kweevoti, usihlalo angavota.

(10) INtlanganiso ifanele imisele iinkqubo zeentlanganiso zayo ngokuhambelana nemigaqo.

(11) Unobhala ufanele angenise iirekhodi zentlanganiso kumgcinincwadi zerejista.

(12) Umgcinincwadi zerejista kufuneka angenise iingcebiso azifumene kwiNtlanganiso ngokwesolotya 48(1) kwiBhunga, nakwiBhunga loQingqomithetho xa kufanelekile.

Ikomiti yeQoqo lolawulo yeNtlanganiso

51. (1) INtlanganiso kufuneka yonyule umongameli kwizintlu, usekela-mongameli, unobhala, kunye namanye amalungu amabini, enza ikomiti yeQoqo lolawulo yeNtlanganiso.

(2) Ilungu lekomiti yeQoqo lolawulo libamba isikhundla kangangeminyaka emithathu kwaye lingaphinda lonyulwe ngokutsha, kodwa alinakuba seofisini amaxesha angaphezulu kwamathathu elandelelana.

(3) Ilungu le komiti yeQoqo lolawulo liyayishiya iofisi phambi kokuphela kwexesha lokubamba isikhundla eofisini ukuba ilungu:

(a) lizibeka phants' iintambo ngembalelwano eya kumgcinincwadi zerejista;

(b) alibikho kwiintlanganiso zekomiti yeQoqo lolawulo zibe ntathu zilandelelana ngaphandle kokwenza isingxengxezo sangaphambili esenziwa kumgcinincwadi zerejista;

(c) alikwazi ngokupheleleyo ukuqhubeka ngokwenza imisebenzi yelungu lekomiti yeQoqo lolawulo, njengoko kumiselwe ngamanye amalungu wekomiti yeQoqo lolawulo;

(d) libhengezwa njengelingenakho ukuwahlawula amatyala, okwethutyana okanye isigxina, yinkundla yomthetho; okanye

(e) lifunyaniswe linetyala lokuphul' umthetho laze lagwetyelwa etrongweni ngaphandle komdliwo, kodwa lo mntu akhathathwa njengogwetyiweyo de kumiselwe isibheno sokugwetywa, okanye kuphele ixesha lesibheno.

(4) Xa kukho isithuba kwiofisi kamongameli, usekela-mongameli uyabambela njengomongameli kude konyulwe umongameli.

(5) Umntu owonyulelwe ukugcwalisa isithuba kwikomiti yeQoqo lolawulo ubamba isikhundla kude kuphele ixesha leofisi eliyiminyaka emithathu lamanye amalungu wekomiti yeQoqoqo lolawulo, kwaye angaphinda onyulwe ngokutsha, kodwa akanakuba seofisini amaxesha angaphezulu kwamathathu elandelelana.

(6) Ikomiti yeQoqo lolawulo incedisa iNtlanganiso ekuphumeleleni iinjongo zayo kunye nokwenza imisebenzi yayo ekubhekiselelwe kuyo kwisolotya 48 kwaye inika ifuthe kwizigqibo zeNtlanganiso, kwaye ifanele inike ingxelo kwiNtlanganiso kwindibano yayo ezayo.

ISAHLUKO 5
ABAXHASI NGEMALI

Uthathelongqalelo

52. (1) IBhunga lingamthathela ingqalelo umntu okanye iziko njengelungu labonyuli babaxhasi ngemali kangangexesha elimiselwe liBhunga xa umntu okanye iziko lixhasa ngemali kwiYunivesithi elingana nesixamali sexesha elimiselwe kwimigaqo.

(2) Umgcinincwadi zerejista ufanele agcine uluhlu lwamagama needilesi zababaxhasa, kunye negama lomntu oza kuvota egameni leziko elaziwayo phantsi kwesolotyana (1).

Ulonyulo olwenziwa ngabaxhasi ngemali

53. Abonyuli babaxhasi ngemali bafanele bonyulele amalungu kwiBhunga ngokuhambelana nesolotya 6(l) kunye neenkqubo ezimiselwe kwimigaqo.

ISAHLUKO 6
ABASEBENZI

Ukuqeshwa nemiqathango yokusebenza

54. (1) IBhunga lifanele liqeshe abasebenzi bemfundo ephakamileyo, inkxaso yolawulo kunye nobuchule ngokuhambelana nomthetho osebenzisekayo ngokunjalo nemigaqonkqubo yokuqeshwa yeYunivesithi, kwaye lifanele limisele imivuzo kunye nezinye iindlela zokurholisa abasebenzi, kunye neminye imimiselo nemiqathango yokusebenza, kuquka namanyathelo oluleko.

(2) Umqeshwa wemfundo ephakamileyo osisigxina kufuneka aqeshwe emva kokucebisana neBhunga loQingqomithetho.

Imibutho yokumela abasebenzi

55. IBhunga lingakuthathela ingqalelo kwaye lingene kwizivumelwano nommeli omnye okanye ngaphezulu wemibutho yabasebenzi ngokubhekiselele kwimivuzo, imimiselo nemiqathango yokusebenza nakweminye imiba enxulumene noku ngokuhambelana nomthetho wengqesho nomsebenzi.

ISAHLUKO 7

ABAFUNDI

Ulwamkelo nobhaliso

56. (1) Ukuze ube ngumfundi weYunivesithi, kufuneka ukuba umntu amkelwe yiYunivesithi kwaye ufanele ukuba ubhaliselwe imodyuli, okanye inkqubo ekhokelela ekubeni afumane isiqinisekiso semfundo.

(2) IBhunga, ngokuvumelana neBhunga loQingqomithetho, lingathi:

(a) limisele inani eliphezulu labafundi abokubhaliswa eYunivesithi okanye inani eliphezulu labafundi abanokubhaliselwa inkqubo ethile eYunivesithi; kwaye

(b) lichaze, ngokuhambelana nomgaqonkqubo wolwamkelo weYunivesithi, iimvavanyo zolonyulo kanye ukuba nesiqinisekiso esithile esibonisa ukukwazi ukumelana nemfundo ephakamileyo njengento efunwayo ukuze wamkelwe kwinkqubo ethile eYunivesithi.

(3) Umfundi owamkelweyo waze wabhalisa eYunivesithi uyaqhubeka ngokuba ngumfundi weYunivesithi kangangexesha elimiselwe inkqubo leyo yemfundo ephakamileyo, okanye kude kube lelo xesha umfundi okanye iYunivesithi ikuphelisayo oko kufunda kwakhe ngokuhambelana nemigaqo.

(4) Ukuze aqhubeke ngezifundo eYunivesithi, umfundi kufuneka abhalise qho ngonyaka ngokuhambelana nemigaqo.

(5) Umfundi othe waphazamiseka ezifundweni zakhe kangangonyaka ngaphandle kwemvume kufuneka enze isicelo solwamkelo ngokutsha ukuze abhaliswe.

(6) IBhunga, emva kokucebisana neBhunga loQingqomithetho, lingamisela okufunekayo ukuze umfundi amkelwe ngokutsha kwaye lingalwala ulwamkelo ngokutsha ngaphandle kokuba kuzalisekisiwe konke okufunekayo.

(7) Umntu owamkelweyo yiYunivesithi, waze wabonisa iinjongo

zokuhlanganiswa neYunivesithi njengomfundi ngokuthi asebenzise izibonelelo zeYunivesithi okanye ngokuthi athath' inxaxheba kwimisebenzi yeYunivesithi, ufanele alandele imigaqo, nkqu nokuba loo mntu akakabhaliswa njengoko bekulindelekile kwisolotyana (1).

Ululeko

57. (1) IBhunga, emva kokucebisana neBhunga loQingqomithetho kunye neSRC, lifanele lenze imigaqo ngokubhekiselele kululeko lomfundi, kwaye imigaqo imele ichazwe kwiKhowudi yoLuleko lwabafundi.

(2) Inqununu yeYunivesithi inoxanduva lokwaluleka abafundi kwaye imele ingenise ingxelo yonyaka emalunga noluleko lwabafundi kwiBhunga nakwiBhunga loQingqomithetho.

(3) Umfundi ulandela imigaqo yoluleko kunye neenkqubo njengoko zinikwe kwiKhowudi yoLuleko lwabafundi kwaye isetyenziswa ngendlela efanelekileyo ngamagosa achazwe kwiKhowudi.

(4) Ikhowudi yoluleko ikwasebenza nakubani na ovumileyo ukubotshelelwa yikhowudi ngokungathi loo mntu ungumfundi.

ISAHLUKO 8

IZIQINISEKISO ZEMFUNDO NEZIDANGA ZOKUNIK' IMBEKO

Ugunyaziwe weyunivesithi

58. (1) IYunivesithi inganikezela kwaye iwonge ngeziqinisekiso zemfundo ezimiselwe liBhunga ngokwesindululo seBhunga loQingqomithetho, kwaye esivunyiweyo, esamkelweyo nesibhalisiweyo ngokuhambelana noMthetho kunye neminye imithetho enokusetyenziswa, kwaye equlathwe kwimigaqo.

(2) Ngokuxhomekeke kwisolotya 60, akukho siqinisekiso semfundo esinokunikezelwa okanye kuwongwe ngaso kumntu ongakhange:

(a) abhaliswe njengomfundi weYunivesithi kangangexesha elichazwe liBhunga loQingqomithetho kwimigaqo; kwaye

(b) uwugqibile umsebenzi wakwazi ukufumana isiqinisekiso esibonisa ukukwazi ukumelana nomgangatho wemfundo ephakamileyo ofunyaniswa ngokuthi ahlolwe njengoko kufunwa liBhunga loQingqomithetho kwaye kuchaziwe kwimigaqo.

(3) IBhunga loQingqomithetho lingamkhulula umntu ngokwemigaqo yokufunekayo ukuze ufumane isiqinisekiso semfundo ngokubhekiselele ekuzimaseni iiklasi nokubhala iimviwo kwimeko yomfundi osele enesidanga okanye ofumene isiqinisekiso semfundo, okanye ogqibe imodyuli, kwenye ifakhalthi yeYunivesithi okanye kwelinye iziko lemfundo ephakamileyo.

(4) ngokuxhomekeke kwicandelo 65BA loMthetho, iBhunga, ngokuvumelana neBhunga loQingqomithetho, lingasirhoxisa isidanga okanye lirhoxise idiploma, isatifikethi okanye esinye isiqinisekiso semfundo:

(a) esifunyenwe ngokukopa, ngobuqhetseba, ngokunyoba okanye ngayo nayiphi na indlela yobuqhophololo; okanye

(b) esanikezelwa okanye kwawongwa ngaso ngenxa yempazamo

kwicala leYunivesithi, kodwa ukurhoxiswa phantsi kwale meko akufanelanga kwenzeke emva kweminyaka emibini sinikezelwe okanye kuwongwe ngaso isiqinisekiso semfundo.

Uhlangano

59. (1) Iziqinisekiso zemfundo zinikezelwe okanye kuwongwe ngazo kwintlanganiso yeYunivesithi, ebizwa ngokuba luhlangano, ekumele ibizwe ngumgcinincwadi zerejista ngexesha, indawo kwaye ngendlela emiselwe kwimigaqo.

(2) Ingqonyela yeYunivesithi okanye, xa ingekho ingqonyela yeYunivesithi, inqununu yeYunivesithi okanye isekela-nqununu yeYunivesithi elityunjwe yinqununu yeYunivesithi, ichophela uhlangano.

(3) Isiqinisekiso semfundo sinokunganikezelwa okanye kungawongwa ngaso ngaphandle kokuba umgcinincwadi zerejista ukuqinisekile oko kwaye lanelisekile iBhunga loQingqomithetho kukuba kufikelelwe kokufunekayo kwisiqinisekiso semfundo.

(4) Umntu akanalungelo lokuba nelungelo elilodwa lwesiqinisekiso semfundo side sibe kunikezelwe okanye kuwongwe ngaso kuhlangano. Ukuba umfundi uyakufezekisa okufunekayo kwemfundo ephakamileyo ukwenzela isidanga okanye isatifikethi sediploma kwaye asikakhutshwa isidanga okanye isatifikethi sediploma yakhe, mgcinincwadi zerejista angakhupha uxwebhu oluchazayo ukuba loo mfundi ukufezekisile okufunekayo kwemfundo ephakamileyo kwesidanga okanye kwediploma kwaye isatifikethi siza kukhutshwa ngokuhambelana nemigaqo.

(5) Isiqinisekiso semfundo singanikezelwa okanye kuwongwe ngaso emntwini ofanelekileyo nokuba akakho umntu waso, okanye emva kokufa kwakhe.

Unikezelo lwezidanga zokunik' imbeko kunye neembasa

60. IBhunga, ngaphandle kovavanyo, linganikezela ngezidanga zembeko zeemastazi nezobugqirha ngokunjalo nangezinye iimbasa zembeko, lingazirhoxisa ezo zidanga zembeko kunye nezo mbasa zokunik' imbeko, ngokuhambelana nemimiselo.

ISAHLUKO 9

UPHANGALALO

Imigaqo

61. Umgcinincwadi zerejista ufanele apapashe imimiselo eyenziwe libhunga ngokwesolotya 10(3)(b), okanye imimiselo eyenziwe lelinye ibhunga ngokwabathunywa phantsi kwesolotya 10(6), ekunyanzelwa ngalo imigaqo eYunivesithi. Umngcinincwadi ufanele ayibeke icace kwincwadi yonyaka yeYunivesithi okanye kwenye indawo indlela okanye uhlobo enokufumaneka ngayo imigaqo yeYunivesithi.

Ifuthe lezithuba zomsebenzi

62. (1) Akukho sithuba somsebenzi kumalungu esigqeba esisungulwe nguMthetho esithothisa ubuchule beso sigqeba ekubeni sisebenzise amandla waso kwaye senze imisebenzi yaso ngokoMthetho.

(2) Isolotyana (1) alikubekeli ecaleni okufunekayo kwekhoram, okanye ubuncinane benani elifunekayo ukuze kuvotelwe ukuthath' isigqibo, okanye okufunekayo kokuthathwa kwamanyathelo afanelekileyo okugcwalisa isithuba somsebenzi kumalungu wesigqeba esisungulwe ngulo Mthetho ngokukhawuleza kangangoko kunokwenzeka.

Ulwabiwo lomsebenzi

63. (1) Isigqeba okanye igosa elisesikhundleni elinikezelwe amandla okanye umsebenzi ngokwalo Mthetho wokoba umsebenzi, ngokwaloo mimiselo okanye imiqathango nanjengoko eso sigqeba okanye igosa elisesikhundleni libona kufanelekile, loo mandla okanye umsebenzi liwunike esinye isigqeba, igosa elisesikhundleni okanye umqeshwa weYunivesithi, ngaphandle kokuba uMthetho uyalunqanda olo lwabiwo lomsebenzi.

(2) Isigqeba okanye igosa elisesikhundleni elinikezelwe amandla okanye umsebenzi ngokwalo Mthetho wokobela isekelagosa loo mandla okanye

umsebenzi kuphela ngokogunyaziso oluqulathwe kugunyaziso ngokwalo okanye ngokwemvume yesigqeba okanye yegosa elisesikhundleni efumaneke kwangaphambili ebelilelona beliqale lanikwa amandla okanye umsebenzi.

(3) Isigqeba okanye igosa elisesikhundleni elabelwe amandla okanye umsebenzi lihlala linoxanduva lokusebenzisa amandla nokwenza imisebenzi elabelwe yona, kwaye lingalurhoxisa ulwabiwo okanye lilungise imimiselo nemiqathango yolwabiwo lomsebenzi nanini na.

(4) Isigqeba okanye igosa elisesikhundleni elinikezelwe amandla okanye umsebenzi ngokwalo Mthetho lifanele, ngendlela nangohlobo oluthile ngamaxesha amiselwe sisigqeba sokwab' umsebenzi okanye igosa elisesikhundleni, sinike ingxelo kwisigqeba sokwab' umsebenzi okanye kwisigqeba okanye igosa elisesikhundleni.

(5) Umgcinincwadi zerejista ayigcine irejista yolwabiwo lomsebenzi iyeyamva nje, eyenziwe phantsi okanye ngokwalo Mthetho. Umngcinincwadi ufanele ayibeke icace kwincwadi yonyaka yeYunivesithi okanye kwenye indawo nendlela olunokufumaneka ngayo ulwabiwo lwemisebenzi.

Amalungiselelo exeshana

64. (1) Isigqeba kunye negosa elisesikhundleni elichazwe kulo Mthetho ebesikhona ngaphambi kokuqalisa kokusebenza kwalo Mthetho, siyaqhubeka ukubakhona okanye ngokuba seofisini, kwaye sisebenzise amandla kwaye senze imisebenzi ebesiyenza ngaphambi kokuqalisa kokusebenza kwalo Mthetho, kodwa bafanele bawuthobele lo Mthetho kwiinyanga ezingama-24 emva kokuqalisa kokusebenza komthetho.

(2) Nantoni na eyenziweyo, eqalisiweyo, ekhutshiweyo okanye esele isenzeka ekumele igqityezelwe kuMthetho wangaphambili ithathwa njengeyenziweyo, eqalisiweyo, ekhutshiweyo okanye esele isenzeka ekumele igqityezelwe phantsi kwamalungiselelo walo Mthetho okanye wemigaqo ahambelana noku.

(3) Imigaqo esetyenziswayo ekuqaliseni kokusebenza koMthetho iyaqhubeka isetyenziswa kude kufakwe eminye endaweni yayo okanye itshitshiswe.

(4) IBhunga lingathatha nawaphi na amanyathelo afanelekileyo

njengomlinganiselo wenguqu ukuqinisekisa uzalisekiso lalo Mthetho olunefuthe.

Ulungiso loMthetho

65. (1) Ngokuxhomekeke kumacandelo 32(2) nelama-33(1) oMthetho, iBhunga lingenza izilungiso kulo Mthetho ngesininzi samalungu walo enza isibini kwisithathu.

(2) Lilungu leBhunga kuphela elinokwenza isilungiso kulo Mthetho. Isindululo sokwenza isilungiso singathiwa thaca ukuba isaziso esibhaliweyo besinikwe onke amalungu weBhunga ngumgcinincwadi zerejista kwiintsuku ezili-14 zekhalenda phambi kwentlanganiso ekuza kwaziswa kuyo isindululo, ngaphandle kokuba isininzi samalungu esisisibini kwisithathu siyakuthintela ukuvotela eso silungiso ngaphandle kokufunwa sisaziso sangaphambili.

Ukutshitshiswa koMthetho

66. UMthetho weYunivesithi yaseStellenbosch okwiSaziso sikaRhulumente esinguNombolo 972 sika-2016 esipapashwe kwiGazethi kaRhulumente enguNombolo 40243 yangomhla we-2 kweyoMsintsi 2016 uyatshitshiswa ukusukela ngomhla ochazwe kwisaziso kwiGazethi kaRhulumente ekubhekiselelwe kuso kwisolotya 69, ngaphandle kobonelelo lwamasolotya 54 nelama-59 ngokubhekiselele kulonyulo olwenziwa yiNtlanganiso, othi uqhubeke ngokuba neenguqu ezifanelekileyo ude ube uyatshintshwa yimigaqo yeziko enokusetyenziswa.

Iinguqulelo ezohlukeneyo zoMthetho

67. Kwimeko apho kukho ukungafani phakathi kweenguqulelo zalo Mthetho, isiNgesi siso esisetyenziswayo.

Iinkcazelo

68. Kulo Mthetho, ngaphandle kokuba umxholo ubonisa ngenye indlela —

"IBhunga leMicimbi yeMfundo ephakamileyo" lithetha isigqeba esisungulwe yiSRC ukukhuthaza imiba yemfundo ephakamileyo

egameni labafundi;

“UMthetho” uthetha umthetho iHigher Education Act, 1997 (uMthetho onguNombolo 101 ka-1997);

“uqeshiwe”, ngokubhekiselele kwilungu lesigqeba, uthetha ukuba uqeshiwe ngokuhambelana neenkqubo zeso sigqeba;

“ingqonyela yeYunivesithi” ithetha igosa elisesikhundleni ekubhekiselelwe kulo kwisolotya 36;

“igosa lokusebenza eliyintloko” lithetha igosa eliphethe iofisi

ekubhekiselelwe kulo kwisolotya 44; “uMgaqosiseko” uthetha

uMgaqosiseko weRiphabhlikhi yoMzantsi Afrika, 1996; “intlanganiso”

ithetha isigqeba sabantu ekubhekiselelwe kuso kwisolotya 47;

“IBhunga” lithetha isigqeba esisungulwe ngesolotya 6;

“intloko yezifundo ezithile eYunivesithi” ithetha igosa elisesikhundleni ekubhekiselelwe kulo kwisolotya 46;

“kwabiw' umsebenzi”, ngokubhekiselele kwilungu lesigqeba, kuthetha ukuba kwabiw' umsebenzi ngokuhambelana neenkqubo zeso sigqeba;

“umxhasi ngemali” uthetha umntu okanye iziko elaziwa ngokwakwisolotya 52;

“wonyuliwe”, ngokubhekiselele kwilungu lesigqeba, kuthetha ukuba wonyulwe sisininzi samalungu esigqeba esifanelekileyo ebekhona aza avota, ngaphandle kokuba kuchazwe ngenye indlela;

“umqeshwa” uthetha umntu ekubhekiselelwe kuye kwisolotya 54;

“ikomiti yeQoqo lolawulo yeBhunga” ithetha ikomiti ekubhekiselelwe kuyo

kwisolotya 15;

“ikomiti yeQoqo lolawulo yeBhunga loQingqomithetho” ithetha ikomiti ekubhekiselelwe kuyo kwisolotya 22;

“ibhodi yefakhalthi” ithetha isigqeba esisungulwe ngokwesolotya 23;

“ikomiti yolawulo jikelele” ithetha ikomiti ekubhekiselelwe kuyo kwisolotya 35;

“IKomiti yeZidanga zokuNik' imbeko” ithetha ikomiti esungulwe ngokwemigaqo yeziko ukucebisa iBhunga ekunikezeleni ngezidanga zokunik' imbeko;

“IForam yeZiko” ithetha isigqeba esisungulwe lisolotya 29;

“imigaqo yeziko” ithetha imigaqo eyenziwe liBhunga ukuze lo Mthetho usebenze ngokwecandelo 32(1)(b) loMthetho;

“UMphathiswa” uthetha ilungu leqoqo lolawulo kuzwelonke elunoxanduva lwemfundo ephakamileyo noqeqesho;

“IKomiti yeSithozela” ithetha ikomiti yabafundi abazintloko beendawo zokuhlala ezahlukeneyo nakumbutho wabafundi wabucala yeYunivesithi;

“isiqinisekiso semfundo” sithetha isiqinisekiso semfundo esibhaliswe ngokusesikweni kwisikhokelwana semfundo ephakamileyo yeSikhokelo seSiqinisekiso seMfundo kuZwelonke esichazwe kwicandelo 7*(b)* elifundwa necandelo 13(1)*(h)* lomthetho iNational Qualifications Framework Act, 2009 (uMthetho onguNombolo 67 ka-2008), kwaye ubandakanya isidanga, idiploma okanye isatifikethi;

“inqununu yeYunivesithi” ithetha igosa elisesikhundleni ekubhekiselelwe kulo kwisolotya 40;

“iqela lolawulo lenqununu yeYunivesithi” lithetha isigqeba ekubhekiselelwe kuso kwisolotya 34;

“Umgcinincwadi zerejista” uthetha igosa elisesikhundleni ekubhekiselelwe kulo kwisolotya 45;

“imigaqo” ithetha imigaqo eyenziwe liBhunga okanye sesinye isigqeba esifanelekileyo ngokwalo Mthetho, kwaye ibandakanya imigaqo yeziko;

“IBhunga loQingqomithetho” lithetha isigqeba esisungulwe lisolotya 16;

“I-SRC” ithetha iBhunga lokuMela aBafundi elisungulwe lisolotya 26, kwaye libandakanya neSRC yethutyana;

“IBhunga loLuntu” lithetha isigqeba esisungulwe ngumgaqosiseko wabafundi ekubhekiselelwe kuwo kwisolotya 26(2) ukumela iimfuno zalo lonke uluntu lwabafundi kunye namalungu walo;

“abasebenzi” bathetha abasebenzi ekubhekiselelwe kubo kwisolotya 54;

“I-SRC yaseTygerberg” (ekukwabhekiselelwa kuyo ngokuba yi-TSR) ithetha ibhunga lokumela abafundi kwikhampasi yaseTygerberg njengoko kucacisiwe kuMgaqosiseko waBafundi;

“Yunivesithi” uthetha iYunivesithi yaseStellenbosch; kwaye

“isekela-nqununu yeYunivesithi” lithetha igosa elisesikhundleni ekubhekiselelwe kulo kwisolotya 43.

Ukuqalisa kokusebenza komthetho

69. Lo Mthetho uza kuqalisa ukusebenza ngomhla ozakube uchazwe kwisaziso esifanelekileyo kwiGazethi kaRhulumente epapashwa nguMphathiswa ngokwecandelo 33(1) loMthetho.