

Extract from Institutional Statute: Functions and powers of Council

4. (1) The council governs the University in accordance with the applicable provisions of the Act, the policies and regulations issued in terms of the Act as well as the Statute and Rules of the University.
- (2) The council must perform its governance role in compliance with generally accepted governance principles.
- (3) Without derogating from the generality of subparagraph (1), the council –
 - (a) adopts the vision, mission and value statements of the University;
 - (b) approves policies and strategic plans of the University at institutional level;
 - (c) monitors the implementation of structures and policies approved by the council;
 - (d) identifies and monitors the risks relevant to the business of the University;
 - (e) ensures that the University complies with all relevant laws and regulations;
 - (f) makes the institutional Statute and any amendments thereto with the approval of the Minister as well as Rules for the University;
 - (g) establishes the committees of the council and, after consultation with the senate, joint committees of the council and the senate;
 - (h) adopts its own rules, including the code of conduct for members of the council, in terms of which it conducts its activities;
 - (i) determines, with the concurrence of the senate –
 - (i) the language policy of the University, subject to paragraph 32(1)(f);
 - (ii) the entrance requirements in respect of particular academic programmes;
 - (iii) the number of students who may be admitted for particular academic programmes; and
 - (iv) the minimum requirements for readmission to study at the University;
 - (j) determines, after consultation with the senate –
 - (i) the admission policy of the University; and
 - (ii) the academic structures of the University;
 - (k) establishes, after consultation with the students' representative council, a structure to advise the council on the rendering of student support services;
 - (l) approves, after consultation with the students' representative council –
 - (i) the tuition fees, accommodation fees and any other fees payable by the students;
 - (ii) the constitution of the students' representative council; and
 - (iii) the privileges of the students' representative council;
 - (m) determines, after consultation with the senate and the students' representative council, the disciplinary measures and disciplinary procedures applicable to the students;
 - (n) appoints the employees of the University, subject to sections 31(1)(a)(iii) and 34(2) of the Act;
 - (o) determines the conditions of service, disciplinary provisions, functions and privileges of the employees of the University subject to the applicable labour law;
 - (p) approves the annual budget of the University;
 - (q) provides the Minister with such information as the Minister prescribes in terms of section 41 of the Act;
 - (r) considers the advice of the institutional forum on the matters contemplated in section 31(1)(a) of the Act;
 - (s) may, subject to section 68(2) of the Act and on such conditions as it may determine, delegate any of its functions to the other internal structures, the vice-chancellor or any other employee of the University; and
 - (t) must act with care, skill, diligence and in good faith in the best interest of the University.

Extract from Higher Education Act: Section 68: Delegation of Powers

- (2) The council of a public higher education institution may, on such conditions as it may determine, delegate any of its powers under this Act or delegated to it, except the power to –
 - (a) make an institutional statute;
 - (b) enter into an agreement contemplated in section 40 (2) (i.e. loan or overdraft agreement);
 - (c) perform an action contemplated in section 40 (3) (i.e. construction of permanent building or other infrastructural development, purchasing of immovable property, long-term lease of immovable property).