

CONSTITUTION OF THE CONVOCATION OF THE UNIVERSITY OF THE FREE STATE

Draft – August 2016b

1. PREAMBLE

The Convocation of the University of the Free State (UFS), in recognition of the important role it has to play in the life of the UFS, region and South Africa, commits itself to the Mission Statement of the UFS. The Convocation of the UFS recognises the important statutory role it has to play in providing its members with an official forum (platform) to participate in university affairs and to pass resolutions pertaining to university matters.

2. NAME

The name of the body shall be the Convocation of the University of the Free State (hereinafter "the Convocation").

3. AIMS and PURPOSE

The aims and purpose of the Convocation are to:

- 3.1 Represent the interests of its Alma Mater and to promote, protect, exercise and maintain the rights and responsibilities of the aforementioned.
- 3.2 Take an interest in matters pertaining to the governance, administration and academic interests of the UFS and to make recommendations to the Council of the UFS in this regard.
- 3.3 Help foster and maintain a positive image of the University as a whole, to instil respect for the UFS, and to promote the institution's community and business interests.
- 3.4 Actively foster a spirit of belonging among alumni by keeping open the channels of communication with members.
- 3.5 Create in alumni a sense of responsibility, obligation and accountability towards the community in general and their Alma Mater in particular.
- 3.6 See to it that members meet at least once every five years.
- 3.7 Hold additional and special meetings, as needed.

4. MEMBERSHIP

The members comprise: all persons who had obtained a formal qualification, as well as all permanent academic staff members.

5. EXECUTIVE COMMITTEE

5.1 The management of the business of the Convocation and its functioning shall be vested in the Executive Committee (**hereinafter referred to as the ExCom**). The ExCom shall, with due consideration of diversity and representation, consist of:

5.1.1 The President of the Convocation (ex officio Chairperson).

5.1.2 The Vice-President of the Convocation, who acts on behalf of and in the absence of the President.

5.1.3 The Registrar: Governance and Policy (ex officio) who serves as Secretary to the Convocation.

5.1.4 The Rector (ex officio) or, in the absence of the Rector, a Vice-Rector nominated by the Rector.

5.1.5 A representative of the Council (ex officio), appointed by the Council from among its members.

5.1.6 Five persons elected by the Convocation by postal and/or electronic ballot from among the members of the Convocation.

5.1.7 Two members from the Senate (ex officio), appointed by the Senate from among its members who are also members of the Convocation.

5.1.8 The ExCom shall have the right to co-opt any member/s of the Convocation. Such co-opted member/s shall have full voting rights and shall not serve for a period exceeding the term of the current ExCom.

5.2 The ExCom exercises the following powers and fulfils the following functions:

5.2.1 It constitutes subcommittees and may appoint any member of the Convocation to any subcommittee.

5.2.2 It administers the affairs of the Convocation.

5.2.3 It discusses and expresses the opinion of the Convocation (on behalf of the Convocation) about any matters relating to the UFS or the Convocation, including matters referred to it by the Council.

- 5.2.4 It administers the funds allocated to it by the Council from time to time, or received from any other source within the account structures of the UFS.
- 5.2.5 It sees to it that proper records are kept of the proceedings of the Convocation and the ExCom of the Convocation, as well as proper records of income and expenditure.
- 5.2.6 It replaces any office bearers in any relevant category in the ExCom should there be vacancies.
- 5.2.7 It generally performs any act on behalf of the Convocation to promote the interests of the University.

6. THE PRESIDENT AND VICE-PRESIDENT OF THE CONVOCATION

- 6.1 The President and Vice-President of the Convocation is elected by the Convocation from among its own members in the manner set out in paragraph 9.
- 6.2 A member of the Convocation is eligible for election to the office of President if s/he has been a member of the Convocation for at least 10 years.
- 6.3 The President and Vice-President holds office for five years from the conclusion of the voting procedure at which he or she was elected.
- 6.4 A person may not be elected to the office of President or Vice-President more than two terms. The two terms of office may be consecutive.
- 6.5 A vote of no confidence in the President may be proposed by any member of the ExCom at any meeting of the ExCom. The President must receive twenty-one days' written notice of the intention to hold such a vote. If two-thirds of the members of the ExCom vote in favour of the motion, it constitutes a vote of no confidence and the President must vacate his/her office immediately.
- 6.6 If the President vacates his/her office before the expiry of his/her term of office, the Vice-President of the Convocation acts as President until the vacancy is filled, as set out in paragraph 9*.

*The Statute of 2010 stipulates "*Should the office of president become vacant, the Rector and Vice-Chancellor or any other senior university official designated by the Rector and Vice-Chancellor acts as president until a successor is elected at the following meeting of the convocation.*" This needs to be corrected in the new Statute making provision for a Vice-President.

7. THE SECRETARY TO THE CONVOCATION AND MEMBERSHIP OF THE CONVOCATION

- 7.1** The Registrar: Governance and Policy** is ex officio the Secretary, unless the Rector designates another staff member to serve as the Secretary to the Convocation.
- 7.2** The Secretary to the Convocation keeps the Convocation Roll containing the names of the members of the Convocation, and every member must register his/her address with the Secretary to the Convocation and notify the Secretary to the Convocation of any change of address.
- 7.3** The Convocation Roll is *prima facie* proof that any person whose name appears on it is entitled to the rights and privileges of a duly registered member of the Convocation.
- 7.4** Any member of the Convocation is entitled to inspect the Convocation Roll.
- 7.5** If a person's name does not appear on the Convocation Roll, s/he is not entitled to any of the rights and privileges of membership. A person entitled to membership may request the ExCom to amend the Roll to reflect his/her name. The ExCom must then amend the Roll if it is satisfied that there has been an omission.

8. RULES GOVERNING THE EXCOM

- 8.1** All ExCom members, with the exception of ex officio members, shall be elected as set out in the procedure below and shall hold office for a period not exceeding five years.
- 8.2** Persons elected to the ExCom (paragraphs 5.1.1, 5.1.2, 5.1.6) are elected by the Convocation via electronic or postal ballot in the following manner:
- 8.2.1** The Secretary to the Convocation determines a closing date for nominations and sends out notices calling for the nomination of persons to fill the vacant posts.
- 8.2.2** The notices are advertised in an appropriate university publication and e-mailed to members of the Convocation, at least nine weeks before the closing date.
- 8.2.3** Nominations in writing, together with the written acceptance of such nominations, must be lodged with the Secretary to the Convocation by the closing date, and each nomination must be signed by at least four members.

**Correct wording in Statute.

- 8.2.4** If there are only enough nominations to fill the vacant posts, the Secretary to the Convocation declares the nominees to be immediately elected or, if appropriate, with effect from the date on which the vacancies occur.
- 8.2.5** If more than one person has been nominated for a vacancy, the Secretary to the Convocation uses the ExCom-approved format of the voting form, which must include a description of each candidate of not more than 200 words, together with a motivation by each candidate of not more than 200 words.
- 8.2.6** Notice must be given in an appropriate university publication and e-mailed to members by the Secretary to the Convocation, together with details of the voting website, at least 30 days before the closing date.
- 8.2.7** Members must be informed of the option of voting for a candidate using a postal ballot.
- 8.2.8** The Secretary to the Convocation acts as returning officer at all elections.
- 8.2.9** The returning officer may be assisted by two or more scrutinisers appointed by the outgoing President, or, if not possible, the Vice-President, or the Rector, or, in the absence of the Rector, the acting Rector.
- 8.2.10** At the conclusion of the election, the returning officer must announce the result within 48 hours of the election.
- 8.2.11** Successful candidates are elected from the date of the election, or, if appropriate, with effect from the date on which the relevant vacancies occur.
- 8.3** The members of the ExCom to be appointed in terms of paragraphs 5.1.5 and 5.1.7 must be appointed in the manner determined by the body that appoints such members. The term of these members is one year, but they may be re-appointed by the bodies.

9. ELECTION OF THE PRESIDENT AND VICE-PRESIDENT OF THE CONVOCATION

The President and Vice-President of the Convocation are elected by the Convocation via electronic or postal ballot in the following manner:

- 9.1** The Secretary to the Convocation determines a closing date for the election and sends out notices calling for nominations for the election of a new President and/or Vice-President.

- 9.2** The notices are advertised in an appropriate UFS publication and e-mailed to members of the Convocation, at least nine weeks before the closing date.
- 9.3** Nominations in writing, together with the written acceptance of such nominations, must be lodged with the Secretary to the Convocation by the closing date, and each nomination must be signed by at least four members.
- 9.4** If only one person has been nominated, the Secretary to the Convocation declares that person to be immediately elected, or, if appropriate, with effect from the date on which the vacancy occurs.
- 9.5** If more than one person has been nominated, the Secretary to the Convocation uses the ExCom-approved format of the voting form, which must include a description of each candidate of not more than 200 words, together with a motivation by each candidate of not more than 200 words.
- 9.6** Notice must be given in an appropriate UFS publication and e-mailed to members on the Convocation Roll by the Secretary to the Convocation, together with details of the electronic voting website, at least 30 days before the closing date.
- 9.7** Members must be informed of the option of voting for a candidate using a postal ballot.
- 9.8** The Secretary to the Convocation acts as returning officer at all elections.
- 9.9** The returning officer may be assisted by two or more scrutinisers appointed by the outgoing President, or, if not possible, the Rector, or, in the absence of the Rector, the acting Rector.
- 9.10** At the conclusion of the election, the returning officer must announce the result, within 48 hours of the election.
- 9.11** A successful candidate is elected from the date of the election, preferably synchronous with the five-year term, or, if appropriate, with effect from the date on which the relevant vacancy occurs.

10. ELECTION OF A REPRESENTATIVE TO COUNCIL

- 10.1** The Convocation will, in accordance with the provisions of the Statute, elect a representative from its members, in accordance with the process described in paragraph 9.

11. MEETINGS OF THE CONVOCATION

- 11.1** Meetings of the Convocation take place at least once every two years.
- 11.2** No business other than the stated object of the meeting may be dealt with without the consent of the Chairperson.

- 11.3** An amendment to a specific motion stated in the requisition may be moved at such a meeting only with the consent of the Chairperson of the meeting and the proposer(s) of such motion.
- 11.4** Notice of every meeting of the Convocation, with a statement of the business to be tabled at the meeting, must be published by the Secretary to the Convocation in such newspaper or newspapers or other media as the ExCom determines, at least 14 days before the date appointed for the holding of such a meeting.
- 11.5** The members present at a meeting represent a quorum***.
- 11.6** Copies of all resolutions of the Convocation and a statement on such other matters as the Convocation may decide, duly certified by the Chairperson, are sent to the Chairpersons of the Council and Senate by the Secretary to the Convocation.

12. FINANCES

- 12.1** No subscription shall be payable to the Convocation.
- 12.2** The organising committee for any activity of the Convocation may raise funds and/or charge a meeting fee to cover the costs of each such event.
- 12.3** The Convocation will not independently hold funds and its income and expenditure will be managed as an entity within the accounting system of the UFS.

13. AMENDMENTS TO THIS CONSTITUTION

This constitution may be amended by a motion carried by two-thirds of the members present at a general meeting. At discretion of the President or Secretary, the latter may call for an electronic referendum supported by hard copy votes submitted manually or by other appropriate confidential means that involve at least 20% of the members.

14. LIAISING WITH OTHER BODIES

The Convocation may establish links with relevant UFS bodies in order to avoid conflicts of interest or activity clashes.

***It is requested that the new Statute be modified.