
[CONSTITUTION]

Proclamation 2 of 2017

PROCLAMATION

by

HIS EXCELLENCY THE HONOURABLE ROBERT GABRIEL MUGABE, G.C.Z.M., President of Zimbabwe and Commander-in-Chief of the Defence Forces of Zimbabwe.

WHEREAS it is provided by section 110(1) of the Constitution that “The President has the powers conferred by this Constitution and by any Act of Parliament or other law”, including the common law relating to the prerogative powers of the President:

NOW, THEREFORE, under and by virtue of the prerogative powers vested in the President as afore said, I, in the exercise of such powers in the sphere of defence and national security, do hereby—

(a) declare that the Zimbabwe National Defence University be established; and

(b) set out in the Schedule hereeto the terms of the Charter which I have granted to the said University.

Given under my hand and the Public Seal of Zimbabwe at Harare this eighth day of February, in the year of Our Lord two thousand and seventeen.

R. G. MUGABE,
President.

By Command of the President.

SCHEDULE

CHARTER OF THE ZIMBABWE NATIONAL DEFENCE UNIVERSITY

PREAMBLE

I, ROBERT GABRIEL MUGABE G.C.Z.M., President of the Republic of Zimbabwe and Commander-in-Chief of the Defence Forces of Zimbabwe:
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HEEDFUL of the Zimbabwe Defence Forces’ Constitutional mandate to protect Zimbabwe, its people, its national security and its territorial integrity; and

MINDFUL that the defence forces and the other national professional security services are in the forefront of safeguarding Zimbabwe’s national sovereignty and integrity; and

COGNISANT, accordingly, of the need to maintain the defence forces and the other national professional security services in a fit state of preparedness at all time; and

RECOGNISING that the National Defence College was established as a unit of the Zimbabwe Defence Forces in terms of section 5 of the Defence Act [Chapter 11:02] with the object of improving the professional skills and qualifications of the defence forces and the other national professional security services in line with international best practices in the domain of national defence and security services; and

DESIROUS of enhancing the status, prestige and autonomy of the National Defence College by re-designating it as a University:

NOW, THEREFORE, under and by virtue of the prerogative powers vested in the President in the sphere of national defence and security, I do by this Charter establish the Zimbabwe National Defence University as follows:

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Article 1
Title of University Charter
This Charter may be cited as the Charter of the Zimbabwe National Defence University.

Article 2
Definitions
(1) In this Charter—
“academic staff” means all persons employed, whether full time, permanently or on short-term contracts by the University as professors, lecturers of any class, course co-coordinators, course developers, tutors or persons engaged in research;
“administrative staff” means all persons employed by the University who are categorised in terms of the Statutes as members of the administrative staff;
“Bursar”, means the person holding office as Bursar of the University in terms of Article 21;
“chairperson of department” means a person appointed in terms of the Statutes to be chairperson of a teaching department or head of an institute;
“Chairperson” means the Chairperson of the University Council;
“Chancellor” means the President of the Republic of Zimbabwe in his or her capacity as Chancellor of the University in terms of Article 8;
“Dean” means a person holding office as Dean in terms of the Statutes;
“Defence Act” means the Defence Act [Chapter 11:02] or any other law that may be substituted for the same;
“Defence Council” means the Defence Council as constituted in terms of section 13 of the Defence Act [Chapter 11:02];
“department” means a teaching department referred to in Statute 16;
“director” means a person holding office as director in terms of the Statutes;
“faculty” means a faculty of the University established in terms of the Statutes;
“faculty board” means a faculty board established in terms of the Statutes;
“Information Technology Specialist” means a person holding office as such in terms of Article 23;
“institute” means an institute established in terms of the Statutes;
“Librarian” means a person holding office as Librarian of the University in terms of Article 22;
“Minister” means the Minister responsible for Defence;
“National Defence College” means a unit of the Zimbabwe Defence Forces established in terms of section 5 of the Defence Act;
“National Defence College Transformation Board” means the Board appointed by the Minister in terms of Article 39;
“non-academic staff” means all persons employed by the University who are not members of the academic staff;
“participant” means any person registered to study at the University Centres of Excellence;
“Principal Deans” means—
(a) the person holding office as head of the Centre for Defence and Security Studies; and
(b) the person holding office as head of the Institute for Strategic Research and Analysis;
“Pro-Vice Chancellor” means a person holding office as Pro Vice-Chancellor in terms of Article 10;
“Registrar” means the person holding office as Registrar of the University in terms of Article 20;
“Research Centre” means a research centre established in terms of the Statutes;
“Regulations” means regulations made by the Senate in terms of Article 35;
“Senate” means the University Senate established in terms of Article 17;
“senior administrative staff” means the Registrar, the Bursar, Librarian, the Information Technology Specialist and such other members of staff as the University Council from time to time determine;
“senior directing staff” means all persons employed by the University who are teaching staff at the Centre for Defence and Security Studies;
“Statutes” means the Statutes of the University set out in the Schedule as amended from time to time or replaced in terms of Article 34;
“staff” means academic staff, administrative staff, technical staff and workers;
“student” means any member of the body of students consisting of both military and civilian personnel registered to study at the Zimbabwe National Defence University;
“Student Disciplinary Committee” means a disciplinary committee established in terms of Article 29;
“Students’ Representative Council” means any association of students recognised by the University Council as the Students’ Representative Council;
“technical staff” means all persons employed by the University who are categorised in terms of the Statutes as members of the technical staff or technical workers;
“transition period” means the period from the date of issuance of this Charter to the date when the Council concludes its first plenary meeting after it is fully constituted in terms of Article 11;
“Transformation Board” means the National Defence College Transformation Board which was constituted for the purposes of transforming the National Defence College into the Zimbabwe National Defence University;
“transformation period” means the first five year period from the date of issuance of this Charter;
“University” means the Zimbabwe National Defence University established by this Charter;
“University Council” means the University Council established in terms of Article 11;
“Vice Chancellor and Commandant” means the person holding the office of the Vice Chancellor and Commandant of the University in terms of Article 9;
“Zimbabwe National Security Council” means the Zimbabwe National Security Council referred to in the Zimbabwe National Security Council Act (No. 2 of 2009);
“workers” means all persons employed by the University who are categorised in terms of the Statutes as workers.
Article 3
Establishment of University

(1) There is hereby established a University to be known as the Zimbabwe National Defence University.

(2) The University shall be a body corporate with perpetual succession and shall be capable of suing and being sued in its corporate name and, subject to this Charter, of performing all acts that bodies corporate may by law perform.

(3) Service as a member of the staff of the University by military personnel belonging to the Zimbabwe Defence Forces shall be deemed to be service with the Zimbabwe Defence Forces.

(4) Attendance as a student at the University by any military personnel belonging to the Zimbabwe Defence Forces shall be deemed to be service with the Zimbabwe Defence Forces.

(5) The University shall be one of the research organs of the Zimbabwe National Security Council.

Article 4
Mandate, Vision, Mission, Values and Motto of University

(1) Mandate To be the leading national defence and security institution grounded in Zimbabwean national interests and values, that provides quality programmes fostering continuous research and innovation to respond comprehensively to challenges within the realm of the global defence and security matrix.

(2) Vision To be the nation’s defence and security hub fostering integrative and conscious nation-building.

(3) Mission To strategically develop, through research and multi-disciplinary programmes, patriotic individuals, institutions and communities who are alert and conscious in the face of national, regional and global challenges and threats, and to act as a national think-tank for the great nation of Zimbabwe.

(4) Values Zimbabwe First, Pan-Africanism, Unhu/Ubuntu, Leadership, Strategic Thinking, Knowledge-Driven and Liberation Ethos.

(5) Motto Beyond Military Horizons.

Article 5
Objects and powers of University

(1) The objects of the University are to—

(a) be the national strategic and premier institution of higher learning for defence and security that fosters the achievement of national interest objectives through Government ministries, departments and institutions;
(b) provide higher education and training in national policy and strategy formulation for military and civilian leaders to better address national and international security challenges;

(c) nurture and preserve the spirit of unity and patriotism in pursuit of the sustainable moral, social and economic growth of the nation of Zimbabwe;

(d) inculcate excellence in research, innovation, training and leadership development;

(e) input into the Zimbabwe National Security Council outcomes of research on issues of national defence and security.

(2) For the achievement of its objects, the University shall have the following powers—

(a) to foster its research and think-tank outcomes in pursuance of national interests;

(b) to make provision for research, to provide courses of instruction, and to take such other steps as may appear necessary or desirable for the advancement and dissemination of knowledge;

(c) to hold examinations and to confer degrees, including honorary degrees, diplomas, certificates and other awards, upon persons who have followed courses of study approved by the Senate and additionally, or alternatively, have satisfied such other requirements as may be determined by the Senate;

(d) to provide opportunities for staff and students, and such other persons as the University may approve, to engage in productive activity in the fields of defence and security and any other fields in which the Institute may from time to time be engaged;

(e) to promote research with emphasis on defence and security, and technological and developmental projects, with particular reference to the security needs of Zimbabwe;

(f) to institute professorships, lectureships, research fellowships, staff development fellowships and other posts and offices, and to make appointments thereto;

(g) to institute and award fellowships, scholarships, bursaries, prize medals, exhibitions, and other distinctions, awards and forms of assistance consistent with its objects;

(h) to erect, equip and maintain laboratories, workshops, offices, halls of residence, lecture halls, libraries, museums and other buildings and structures required for the purposes of the University;

(i) to provide and maintain sports fields and other recreational facilities for its students and members of staff;

(j) to demand and receive such fees as may from time to time be prescribed by or in terms of the Statutes;
(k) to enter into such contracts and to establish such trusts and to appoint such staff as the Institute may require;

(l) to establish pension, superannuation or provident or other credit fund schemes for the benefit of its staff or any section thereof, and to enter into arrangements with the Government or any organisation or person for the operation of such schemes;

(m) to acquire any property, movable or immovable, and to take, accept and hold any property which may become vested in it by way of purchase, exchange, grant, donation, lease, testamentary disposition or otherwise;

(n) to sell, mortgage, let on hire, exchange, donate or otherwise dispose of any property held by it;

(o) to invest in land or securities such funds as may be vested in it for the purpose of endowment, whether for general or specific purposes, or such other funds as may not be immediately required for current expenditure.

Article 6

Membership of the University

(1) The University shall consist of—

(a) the Chancellor; and

(b) a Vice Chancellor and Commandant; and

(c) one or more Pro Vice-Chancellors; and

(d) members of the University Council; and

(e) members of the Senate; and

(f) members of the staff, the Registrar, Bursar, Librarian and the Information Technology Specialist; and

(g) students and participants; and

(h) the Convocation.

(2) All appointments and admissions to the membership of the University shall be guided by the principle of parity of participation and representation between the sexes.

Article 7

Prohibition against discrimination

(1) No test of religion or political belief, race, ethnic origin, nationality or gender shall be imposed upon or be required of any person in order to entitle him or her to be admitted as a member of staff or as a student of the University or to hold any office therein or exercise any privilege thereof.

(2) Nothing in sub-Article (1) shall be construed as preventing the University from giving preference to citizens or residents of Zimbabwe when making appointments or promotions or when admitting students.
Article 8

Chancellor

(1) The President of Zimbabwe shall be the Chancellor of the University.

(2) The Chancellor shall have the right—

(a) to preside over any assembly or meeting held by or under the authority of the University; and

(b) on the recommendation of the University Council and the Senate, to confer degrees, diplomas and other awards and distinctions of the University and to withdraw or restore any such awards.

Article 9

Vice Chancellor and Commandant

(1) The process of considering the appointment of a Vice-Chancellor and Commandant shall begin with interviews of applicants by a joint committee of the University Council and the Senate in order to choose the successful candidate to recommend to the Chancellor.

(2) The Vice-Chancellor and Commandant shall be appointed by the Chancellor after consultation with the University Council, the Defence Forces Service Commission and the Minister, and shall hold office for such a period as is provided for in his or her contract of employment, and may be eligible for re-appointment.

(3) Subject to the general control of the University Council, the Vice Chancellor and Commandant shall be the chief academic and administrative officer of the University, with general responsibility to the University Council for maintaining and promoting the efficiency, effectiveness and good order of the University.

(4) Subject to sub-Articles (5) and (6), the Vice Chancellor and Commandant may—

(a) suspend from duty any member of staff of the University;

(b) subject to sub-Article (6), prohibit the admission of a student or any person to the University;

(c) prohibit, indefinitely or for such period as he or she may specify, any student or group of from attending any classes;

(d) prohibit any student or group of students or group of persons from entering or remaining on such part or parts of the University campus as he or she may specify;

(e) expel or suspend, indefinitely, or for such a period as he or she may specify, any student or group of students;

(f) dissolve or suspend, indefinitely or for such period as he or she may specify, the Students' Representative Council or any of its committees or organs;
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(h) impose any other penalty or give any other order in respect of—
   (i) a member of staff, which is recommended by the Staff Disciplinary Committee in terms of Article 28(7);
   (ii) a student, which is recommended by the Student Disciplinary Committee in terms of Article 29(6).

(5) The Vice Chancellor and Commandant shall not expel a student for misconduct unless the Student Disciplinary Committee in terms of Article 29 has found the student guilty of misconduct.

(6) Any action taken by the Vice Chancellor and Commandant in terms of sub-Article (4) shall be subject to ratification by the University Council.

Article 10

Pro Vice-Chancellors

(1) One or more Pro Vice-Chancellors may be appointed by the University Council with the approval of the Minister and in accordance with the Statutes.

(2) A Pro Vice-Chancellor shall assist the Vice-Chancellor and Commandant in the performance of his or her functions and, shall have such functions as may be specified in the Statutes.

Article 11

University Council

(1) Subject to this Act and general directions as to policy given by the Minister and the Government, the executive authority of the University shall be vested in the University Council which shall consist of—
   (a) the Chancellor, the Vice-Chancellor and Commandant and the Pro-Vice-Chancellors; and
   (b) the Chairperson of the Civil Service Commission; and
   (c) the Secretary for Defence; and
   (d) the Secretary for the Ministry responsible for higher and tertiary education; and
   (e) the Secretary for the Ministry responsible for foreign affairs; and
   (f) the Secretary for the Ministry responsible for finance; and
   (g) the Secretary for the Ministry responsible for justice; and
   (h) the Commander Defence Forces; and
   (i) the Commander Zimbabwe National Army; and
   (j) the Commander of the Air Force of Zimbabwe; and
   (k) the Commissioner-General of the Zimbabwe Republic Police; and
   (l) the Commissioner General of the Zimbabwe Prisons and Correctional Services; and
   (m) the Director General of the Intelligence Services; and
(n) the Chief of Staff Joint Operations and Plans (Zimbabwe Defence Forces Headquarters); and

(o) two persons who are members of the academic and technical staff who are appointed by the Senate; and

(p) one person who is a distinguished academic appointed by the University Council on the recommendation of Senate; and

(q) one person approved by the Vice-Chancellor and Commandant and elected by administrative staff from amongst their number; and

(r) one person appointed by the Minister who is a former Vice-Chancellor of a State University; and

(s) one person appointed by the Minister who shall be a legal practitioner registered as such in terms of the Legal Practitioners Act [Chapter 27:07]; and

(t) one person appointed by the Minister who shall be an accountant registered under the Public Accountants and Auditors Act [Chapter 27:12] (No. 13 of 1995); and

(u) one person elected by the Convocation; and

(v) five persons who are members of the Transformation Board, appointed by the Minister for the duration of the transformation period; and

(w) the following members appointed by the Minister—

(i) a two-star General from the Air Force of Zimbabwe; and

(ii) a two-star General from the Zimbabwe National army; and

(x) the following ex officio members—

(i) the Principal Dean, Centre for Defence and Security Studies;

(ii) the Principal Dean, Institute for Strategic Research and Analysis;

(iii) the Commandant, Zimbabwe Staff College;

(iv) the Commandant, Zimbabwe Military Academy;

(v) the Commandant, School of Flying Training; and

(y) four persons appointed by the Minister as he or she deems necessary, whether or not they are members of the Defence Forces.

(2) Any ex officio member may be represented by a delegate authorised by him or her for that purpose in writing.

(3) In appointing the members of the University Council, the Minister shall endeavour to secure that at least half the appointed members of the Council are women.
Article 12

Functions of University Council

(1) Subject to this Charter and the Statutes, the University Council shall —

(a) with the approval of the Minister, appoint the Pro-Vice-Chancellors and the Registrar;

(b) appoint the Bursar, the Librarian, the Information Technology Specialist, the academic staff, the administrative staff and other employees of the University:

Provided that the University Council may delegate its duties under this paragraph to such committee as may be prescribed in the Statutes;

(c) on the recommendation of the Senate, institute professorships and other academic offices and abolish or hold in abeyance any offices;

(d) receive and, if the University Council considers it proper to do so, give effect to reports and recommendations from the Senate on those matters upon which Senate is authorised or required by this Charter or the Statutes to make reports and recommendations;

(e) cause to be prepared annually a statement of income and expenditure of the University during the previous financial year and of the assets and liabilities of the University on the last day of each year;

(f) submit statements of income and expenditure referred to above to audit by an auditor appointed by the University Council, and shall publish such statements and auditor’s reports thereon;

(g) cause to be prepared annual estimates of income and expenditure for the following financial year;

(h) cause to be prepared and made available to the Minister and to key stakeholders as specified by the Minister, a report on the activities of the University during each year;

(i) cause to be prepared any proposed amendments, repeals or replacements of the Statutes.

(2) Without limitation on any other powers conferred on the University Council by this Charter, the Council shall have the following powers—

(a) to receive recommendations from the Senate for conferment, withdrawal or restoration of degrees, including honorary degrees and diplomas, certificates and other awards and of the University and, if approved, to submit them to the Chancellor;

(b) to administer the property of the University and to control its affairs and functions;

(c) to delegate any of its functions to the Executive Committee or to any other committee or officer of the University;
(d) to do such other acts as it considers necessary for the proper administration of the University and the achievement of its objects.

**Article 13**

**Disqualification for appointment as University Council member**

The Minister shall not appoint a person as a member of the University Council and no person shall be qualified to hold office as a member of Council who—

(a) is not a citizen of Zimbabwe or permanently resident in Zimbabwe; or

(b) has, in terms of any law in force in any country—
   (i) been adjudged or otherwise declared insolvent or bankrupt and has not been rehabilitated or discharged; or
   (ii) made an assignment to, or arrangement or composition with, his or her creditors which has not been rescinded or set aside; or

(c) has, within the period of five years immediately preceding the date of his or her proposed appointment, been sentenced to a term of imprisonment of or exceeding six months, whether or not any portion has been suspended, imposed without the option of a fine in any country, and has not received a free pardon; or

(d) is a Member of Parliament of Zimbabwe; or

(e) is of unsound mind.

**Article 14**

**Vacation of office by University Council Members**

An appointed member of the University Council shall vacate office and his or her office shall become vacant—

(a) after giving the Minister such period of notice of his or her intention to resign as may be fixed in his or her conditions of appointment or, if no such period has been fixed, after the expiry of one month or after the expiry of such other period of notice as he or she and the Minister may agree; or

(b) on the date he or she begins to serve a sentence of imprisonment, the term of which is not less than six months, whether or not any portion has been suspended, imposed without the option of a fine in any country; or

(c) if he or she becomes disqualified in terms of Article 13 (a) or (b) to hold office as a member; or

(d) if he or she is absent without the permission of the University Council from three consecutive meetings of the Council of which he or she was given due notice.
Article 15

Chairperson and Vice-Chairperson of University Council

(1) The University Council shall be chaired by a member of the Council appointed by the Chancellor, and the Vice-Chairperson shall be the Commander Zimbabwe Defence Forces.

(2) The Chairperson and Vice-Chairperson shall both hold office for such period and subject to such terms and conditions as are prescribed in the Statutes.

(3) At all meetings of the University Council where the Chairperson is not present, the Vice-Chairperson shall act as Chairperson.

(4) At all meetings of the University Council where the Chairperson and the Vice-Chairperson are not present, the members shall elect one of their members to preside at the meeting as Chairperson.

Article 16

Executive Committee of University Council

(1) There shall be a principal committee of the University Council to be known as Executive Committee.

(2) The Executive Committee shall consist of—
(a) the Chairperson and Vice-Chairperson of the University Council; and
(b) the Vice Chancellor and Commandant and every Pro-Vice-Chancellor; and
(c) ten (10) members of the University Council of whom—
   (i) four (4) shall be appointed by the Minister; and
   (ii) three (3) shall be appointed by University Council; and
   (iii) three (3) shall be appointed by the Senate.

(3) The Chairperson and Vice-Chairperson of the University Council shall be the Chairperson and the Vice-Chairperson respectively of the Executive Committee.

(4) The Executive Committee shall exercise such of the functions of the University Council as the Council may delegate to it.

(5) Any delegation of functions by the University Council may be made absolutely or subject to conditions and may be amended or withdrawn at any time.

(6) A delegation of any function by the University Council shall not prevent the Council from itself exercising that function.

(7) Half members of the Executive Committee shall constitute a quorum.
Article 17

Senate

The Academic Authority of the University shall be vested in the Senate, which shall consist of—

(a) the Vice Chancellor and Commandant who shall be the Chairperson, every Pro Vice-Chancellor, Deans, Principal Deans, the Chairpersons of the Departments, the Librarian, the Information Technology Specialist (if one is appointed under Article 23) and all full Professors; and

(b) one member of the permanent teaching staff from each faculty elected annually by such staff; and

(c) six (6) students elected annually by the Students' Representative Council:

Provided that such students shall not be entitled to attend deliberations of the Senate on matters which are considered by the Chairperson of the Senate to be confidential in nature.

(2) If any faculty or the Students' Representative Council fails or declines to conduct an election in terms of sub-Article (1) (b) or (c) within a reasonable time after being called upon to do so, the Minister after consultation with the University Council, may appoint any suitably qualified person to fill the vacancy.

(3) Article 11 (2) and (3) shall apply, with such changes as may be necessary, to the Senate as they apply to the University Council.

Article 18

Functions of Senate

The functions of Senate shall be—

(a) to facilitate the advancement of knowledge, mainly by research activities;

(b) to formulate and carry out the academic policy of the University;

(c) to maintain quality assurance regarding the academic content and standard of any course of study offered by any faculty or Institute in respect of a degree, diploma, certificate or award of the University:

Provided that the Senate shall pay due regard to the standards set for accredited degree-awarding institutions under the Zimbabwe Council for Higher Education Act [Chapter 25:27];

(d) to regulate the programmes, subjects and courses of study and the examinations held by the University;

(e) to regulate the admissions of students to the University;

(f) to recommend to the Chancellor, through the University Council, the conferment of degrees (including honorary degrees), diplomas,
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certificates and other awards and distinctions of the University and the withdrawal and restoration of such awards;

(g) to appoint examiners for examinations conducted by the University;

(h) to cause to be prepared the budget required to carry out the academic work of the University and to submit it to the University Council;

(i) subject to the approval and direction of the University Council to formulate, modify and revise the organisation of faculties, department, centres and other units;

(j) to recommend to the University Council the institution, abolition or holding in abeyance of professional chairs and other academic offices;

(k) without derogation from the powers of the University Council, to propose changes to the Statutes;

(l) to make any regulations it is authorised to make by or in terms of this Charter;

(m) to appoint committees, which may include persons who are not members of the Senate, to exercise any of the functions of the Senate other than the power to make regulations;

(n) to make periodic reports on its activities to the University Council and to report on any matter referred to it by the University Council;

(o) to do such other acts as the University Council may authorise or direct it to do.

Article 19

Academic Board

(1) There shall be a principal committee of the Senate to be known as the Academic Board.

(2) The Academic Board shall consist of—

(a) the Vice Chancellor and Commandant, who shall be the Chairperson; and

(b) the Pro Vice-Chancellors; and

(c) two full professors of the University, elected annually by the Senate; and

(d) all Deans of Faculties and Centres; and

(e) the Librarian; and

(f) the Information Technology Specialist (if one is appointed under Article 23).

(3) The Academic Board shall exercise such functions of the Senate as the Senate may delegate, with the approval of the University Council.
(4) Any delegation of function by the Senate may be made absolutely or subject to conditions and may be amended or withdrawn at any time.

(5) A delegation of any function by the Senate under sub-Article (3) shall not prevent the Senate from itself exercising the function.

Article 20
Registrar

(1) There shall be a Registrar of the University who shall be appointed by the University Council as provided in the Statutes.

(2) Subject to the directions of the Vice Chancellor and Commandant, the Registrar shall be responsible for the general administration of the University, and shall perform such other functions as may be specified in the Statutes.

(3) The Registrar, or a member of his or her staff whom he or she may authorise to act for him or her, shall be Secretary of the University Council and the Senate and their principal committees.

Article 21
Bursar

(1) There shall be a Bursar of the University who shall be appointed by the University Council as provided in the Statutes.

(2) Subject to the directions of the University Council, the Bursar shall act as the accountant of the University and shall be responsible to the Vice Chancellor and Commandant for safeguarding the University funds and, in accordance with the general directions of the Vice Chancellor and Commandant, for authorising its investments and expenditure.

(3) The Bursar shall perform such additional functions as may be specified in the Statutes.

Article 22
Librarian

(1) There shall be a Librarian of the University who shall be appointed by the University Council as provided in the Statutes.

(2) Subject to the direction of the Senate and the Vice Chancellor and Commandant, the Librarian shall be responsible for the administration and safeguarding of the libraries of the University.

Article 23
Information Technology Specialist

(1) The University Council may, in accordance with the Statutes, appoint an Information Technology Specialist.
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(2) Subject to the direction of the Senate and the Vice Chancellor and Commandant, the Information Technology Specialist shall be responsible for—

(a) the management, development, designing, upgrading, administration and oversight of the security and integrity of the University’s computer and information technology hardware, networks, systems, software and databases;

(b) technical support and training in information technology for the University’s staff;

(c) evaluating the adequacy of existing information technology systems in use by the University in the light of emerging technologies;

(d) working with external partners, including consultants, agencies and vendors, to design and implement the most appropriate information technology systems for the University.

Article 24
Convocation

(1) The Convocation of the University shall consist of all persons whose names appear on the Convocation Roll maintained by the Registrar.

(2) The Vice Chancellor and Commandant and Pro Vice-Chancellors, Lecturers, Heads of Departments and Institutes, the Registrar, the Librarian, Information Technology Specialist and the Bursar shall be ex officio members of the Convocation.

(3) All graduates of the University who signify in writing addressed to the Registrar that they desire to be members of the Convocation and who inform the Registrar of their addresses shall be entitled to have their names entered in the Convocation Roll.

(4) The Vice Chancellor and Commandant or such other person as he or she may appoint shall be Chairperson of meetings of the Convocation.

(5) Meetings of the Convocation shall be held at such times and places as the University Council shall direct.

(6) The Convocation may deal with any matters relating to the University which may be referred to it by the University Council.

Article 25
Terms and conditions of service of staff

(1) Terms and conditions of service for each category of staff employed by the University including the Vice Chancellor and Commandant and every Pro Vice-Chancellor shall be determined by the University Council in terms of this Charter, and such terms and conditions shall provide that—

(a) any person so employed can resign from his or her employment on giving such notice in writing to the Registrar as may be fixed in such terms and conditions;

(b) any person so employed shall, subject to any exception that may be provided for in special cases, retire from his or her office at such
time or in such circumstances as may be fixed in such terms and conditions;

(c) no summary termination of the employment of any person so employed shall take place except for good cause and in the event of any such termination the person concerned shall have a right of appeal to the University Council, whose decision shall be final.

(2) For the avoidance of doubt it is hereby declared that the termination of the appointment of any person as Dean or Head or Chairperson of a department shall not affect any other rights or duties relating to the contract of employment of the person concerned and such contract shall, save for any such termination, remain binding on the University and the person concerned.

Article 26
Appointment and grading of staff

(1) The appointment of the Vice Chancellor and Commandant, Pro Vice-Chancellors, Registrar, Bursar, Librarian and Information Technology Specialist shall be made by the University Council on the basis of recommendations from Board of Selection established by the Council.

(2) There shall be an Academic Appointments Board consisting of—

(a) the Vice Chancellor and Commandant or his or her nominee as chairperson; and

(b) two members appointed by the University Council; and

(c) one member appointed by the Senate; and

(d) three persons co-opted by the Vice Chancellor and Commandant after consultation with the Senate to membership for each matter being considered having regard to the nature of that matter; and

(e) where it appears to the Vice Chancellor and Commandant that the matter to be considered particularly concerns a certain department, the Chairperson of that department to which the University Council shall delegate its duty of making appointments to the academic staff.

(3) The University Council shall establish Boards of Selection to which it shall delegate its duty of appointing administrative staff and employees.

(4) The University Council shall establish a Grading Committee to which it shall delegate its duty of determining all matters relating to points of entry in salary scales by academic staff, and employees.

Article 27
Promotion of staff

(1) Every promotion of a person to post of academic staff shall be effected by an Academic Staff Promotions Committee consisting of—
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(a) the Vice Chancellor and Commandant or his or her nominee who shall be the Chairperson; and
(b) every Pro Vice-Chancellor; and
(c) four members of the University Council who are not members of staff of the University, appointed by the Council; and
(d) at least three full professors of the University appointed by Senate once every three years.

(2) The promotion of a person to a post or grade which does not fall within the academic staff shall be effected by a Non-Academic Promotions Committee appointed by the University Council and consisting of—
(a) the Vice Chancellor and Commandant who shall be the Chairperson; and
(b) the Registrar; and
(c) one representative of each category of staff prescribed in the Statutes; and
(d) one representative of the faculty where the person to be promoted works.

(3) For the avoidance of doubt it is declared that, in relation to military personnel serving as members of the staff of the University, nothing in this Charter shall affect the promotion of Zimbabwe Defence Forces members in accordance with the rank structure of the Zimbabwe Defence Forces.

Article 28

Staff Disciplinary Committee

(1) There shall be a Staff Disciplinary Committee, which consists of the following members appointed by the Vice-Chancellor and Commandant—
(a) a Pro Vice-Chancellor or his or her nominee, who shall be chairperson; and
(b) a senior member of the academic or administrative staff; and
(c) a member of the academic or administrative staff of similar status to the person charged; and
(d) a member of the University Council; and
(e) a registered legal practitioner of at least five years’ standing who does not hold any post at the University, and who is nominated annually by the University Council.

(2) One member referred to in sub-Article (1) (b) or (c) shall belong to the same department or faculty as that to which the person belongs.

(3) Three members of the Staff Disciplinary Committee shall form a quorum.

(4) All matters to be decided at any meetings of the Staff Disciplinary Committee shall be decided by a simple majority and in the event of an equality
of votes, the chairperson or person presiding shall have a casting vote in addition to his or her deliberate vote.

(5) The functions of the Staff Disciplinary Committee shall be to investigate any breach of the statutes, regulations or ordinances or any other misconduct on the part of any member of the academic or administrative staff and, subject to sub-Article (7), to recommend to the Vice Chancellor and Commandant the punishment to be imposed on or order to be made in respect of a member if it finds him or her guilty of such misconduct.

(6) A person charged with misconduct referred to in sub-Article (5) shall have a right of audience and the right to be legally represented before the Staff Disciplinary Committee.

(7) Where the Staff Disciplinary Committee has found a person guilty of misconduct referred in sub-Article (5), the Committee shall recommend to the Vice Chancellor and Commandant any one or more of the following—

(a) that the person's employment be terminated;
(b) that the person pay a fine to the University not exceeding an amount to be determined by the University from time to time;
(c) that the person be demoted;
(d) that the person be censured or reprimanded;
(e) such other penalty or order as may be provided for by or in terms of the Statutes.

(8) Despite this Article, members of the Zimbabwe Defence Forces who serve as members of the staff of the University shall remain subject to disciplinary provisions of the Defence Act:

Provided that the Vice-Chancellor and Commandant on the advice of the Judge Advocate General may notify the Staff Disciplinary Committee in writing that, given the circumstances of the case, it is more appropriate for such member to be disciplined under this Article, in which event this Article shall apply.

Article 29

Student Disciplinary Committee

(1) There shall be a Student Disciplinary Committee which shall consist of the following members appointed by the Vice Chancellor and Commandant—

(a) the Senior Proctor who shall be Chairperson; and
(b) four members of the Academic Staff; and
(c) one student nominated by the Student Representative Council; and
(d) a registered legal practitioner of at least five years standing who does not hold any post at the University and who is nominated annually by the Senate.

(2) Five members of the Student Disciplinary Committee shall form a quorum.
(3) All matters to be decided at any meeting of the Student Disciplinary Committee shall be decided by a simple majority and, in the event of an equality of votes, the Chairperson or person presiding shall have a casting vote in addition to his or her deliberate vote.

(4) The functions of the Student Disciplinary Committee shall be to investigate any breach of a Statute, Regulation or Ordinance or other misconduct on the part if any student and, subject to sub-Article (6), to recommend to the Vice Chancellor and Commandant the punishment to be imposed on the student if it finds him or her guilty of such misconduct.

(5) A student charged with misconduct referred to in sub-article (4) shall have a right of audience and to be legally represented before the Student Disciplinary Committee.

(6) Where the Student Disciplinary Committee has found a student guilty of misconduct referred to in sub-Article (4), the Committee shall recommend to the Vice Chancellor and Commandant the imposition upon the student of any one or more of the following punishments—

(a) expulsion or suspension from the University;
(b) the withdrawal of any academic or University privilege, benefit, right or facility other than to follow courses of instruction and present himself or herself for examination;
(c) the imposition of a fine appropriate to the offence committed, which shall be paid to the University;
(d) a censure or reprimand;
(e) such other penalty as may be provided for by or in terms of the Statutes.

(8) Despite this Article, members of the Zimbabwe Defence Forces who attend the University as students shall remain subject to disciplinary provisions of the Defence Act:

Provided that the commanding officer of a member of the Zimbabwe Defence Forces who attends the University as a student may notify the Staff Disciplinary Committee in writing that, given the circumstances of the case, it is more appropriate for such member to be disciplined under this Article, in which event this Article shall apply.

Article 30

Funds of University

(1) The University Funds shall consist of—

(a) an endowment fund established for the purposes of Article 5(2)(o); and

(b) monies appropriated by Parliament through the Minister for the achievement of the objectives of the University; and
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(c) monies received by the University by virtue of the regulations made in terms of this Charter; and
(d) income from commercial investments; and
(e) donations, contributions received by the University; and
(f) monies obtained by means of loans raised by the University with the approval of the Minister in consultation with the Minister responsible for finance; and
(g) fees, levies and other income accruing to the University from registration, tuition or any other services provided by the University; and
(h) such other monies as may vest in or accrue to the University whether in the course of its operations or otherwise.

(2) The University shall employ its funds to defray expenses in connection with the fulfilment of its objects.

(3) Monies not immediately required by the University may be invested in such a manner as the University after consultation with the Minister considers appropriate.

(4) The University may invest any portion of its monies in such manner as the Minister with the concurrence of the Minister responsible for finance may approve.

Article 31

Finance Committee

(1) Subject to this Act, there shall be a Finance Committee of the University Council consisting of—
(a) the Chairperson of the University Council, who shall be Chairperson; and
(b) the Vice Chancellor and Commandant; and
(c) all Pro Vice-Chancellors; and
(d) three persons appointed by the University Council from among its members who are not members of the University staff; and
(e) two persons appointed by the Senate from among its members; and
(f) the Bursar, who shall be secretary of the Finance Committee; and
(g) the Registrar; and
(h) a representative of the Deans of faculties appointed by the University Council.

(2) The functions of the Finance Committee shall be as provided in the Statutes.

Article 32

Accounts of University

(1) The University Council shall ensure that proper accounts and other records relating to such accounts are kept in respect of all the University's
activities, funds and property, including such particular accounts and records as the Minister may direct.

(2) As soon as possible after the end of each financial year, the University Council shall prepare and submit to the Minister a statement of accounts in respect of the financial year or in the respect of such other period as the Minister may direct.

Article 33
Service of process

Any writ or other process, notice or document may be served on the University, University Council or Senate by serving the same on the Registrar.

Article 34
Statutes

(1) Subject to this Charter, the University shall be administered in accordance with the Statutes.

(2) With approval of the Minister the University Council may amend, supplement, repeal or replace the Statutes set out in the Schedule in order to prescribe all matters which, in terms of this Charter, are required or permitted to be prescribed in Statutes or which, in the opinion of the Council, are necessary or convenient to be so prescribed for carrying out or giving effect to this Charter or for the proper administration of the University.

(3) Subject to this Charter, Statutes made under sub-Article (2) may provide for—

(a) the appointment, conditions of service and functions of the Vice Chancellor and Commandant, the Pro Vice-Chancellors, the Registrar, the Bursar, the Librarian, the Information Technology Specialist and all other members of staff and the categorisation of such members of staff;

(b) the election or appointment of persons to committees of the University Council and the Senate;

(c) the terms of office of members of the University Council and its committees, other than ex officio members thereof;

(d) the terms of office and conditions of service of the Chairperson and Vice Chairperson of the University Council;

(e) the convening of meetings of the University Council, the Senate and the Convocation and of committees of the Council and the Senate, the quorum at such meetings and the procedure to be adopted thereat;

(f) the terms of office of members of the Academic Appointments Board, and the Non-Academic Staff Promotions Committee, the Academic Staff Promotions Committee, Finance Committee, and Convocation;

(g) the persons who may enter into contracts and sign documents on behalf of the University, and the procedure to be followed in relation to transactions entered into by or on behalf of the University;
(h) the establishment and organisation of faculties, departments and centres;
(i) the functions of Deans of Faculties, Chairpersons of Departments and Deans of Centres;
(j) the holding of Convocations of the University for the purpose of conferring degrees, diplomas, certificates and other honours and awards;
(k) the seal of the University and its use and custody;
(l) the academic year of the University;
(m) the discipline of members of staff and students and the procedures to be adopted in respect thereof;
(n) fees and charges to be paid for anything done by any person in terms of this Charter;
(o) empowering any person specified in the Statutes to make ordinances or rules in respect of any matter referred to in paragraphs (a) to (n).

Article 35
Regulations

(1) Subject to this Charter and the Statutes and with the approval of the University Council, the Senate may make regulations prescribing any matter which, in the opinion of the Senate, is appropriate to be prescribed for the better carrying out of the Senate’s functions.

(2) Regulations may provide for—
(a) teaching registered students of the University, whether generally or in relation to specific subjects;
(b) progress reports to be submitted by members of the Academic Staff;
(c) schemes of study and research and the conditions subject to which such schemes may be embarked upon or continued;
(d) the design and development of teaching subjects;
(e) degree programmes and structures;
(f) the use of the libraries of the University;
(g) the development, production, storage and dispatch of course materials;
(h) the conduct and supervision of examinations;
(i) the award of degrees, diplomas, certificates and other academic honours and awards, other than honorary degrees, honours and awards.

(3) The Senate may, at any time, amend or repeal any regulations for good and substantive reasons.
Article 36
Validity of decisions of University Council, Senate, Convocation, Boards and Committees

No decision or act of the University Council, Senate, Convocation or any Board or Committee established by or in terms of this Act shall be invalid solely on the ground that—

(a) the University Council, Senate, Convocation, Board or Committee, as the case may be, consisted of fewer that the number of members for which provision is made by or in terms of this Charter; or

(b) a disqualified person acted as a member of the University Council, Senate, Convocation, Board or Committee, as the case may be, if duly qualified members who took the decision or did or authorised the act constituted a quorum of membership of the Council, Senate, Convocation, Board or Committee.

Article 37
Amendment of Charter

(1) The Defence Council is responsible for reviewing this Charter periodically and making any proposals for amending this Charter (other than the Statutes) in accordance with this Article.

(2) A proposal to amend this Charter, that is to say to add to, supplement, vary or omit anything from this Charter, shall be made by the Defence Council, either acting on its own initiative or at the request of the University Council.

(3) If the Defence Council on its own initiative proposes to amend this Charter, it shall make its proposal and the particulars of the proposed amendment known to the University Council in writing, and solicit from the University Council its views on the proposal.

(4) The University Council may request the Defence Council to consider its proposal to amend this Charter, in which event it shall communicate the request and the particulars of the requested amendment to the Defence Council in writing, and the Defence Council shall endeavour to respond promptly to the request.

(5) The Defence Council shall transmit to the President through the Minister any proposed amendment of this Charter which, acting on its own initiative or at the request of the University Council, the Defence Council has endorsed as a necessary or desirable amendment.

(6) Upon receiving from the Defence Council any proposal to amend this Charter, the President may accept, reject or accept conditionally the proposal, and shall notify the Defence Council accordingly in writing.

(7) If the President accepts any proposal to amend this Charter, whether conditionally or unconditionally, the amendment shall become effective on the date that the President notifies the Defence Council accordingly in accordance with sub-article (5).
(8) The Defence Council may, for public information, publish by way of a general notice in the *Gazette* and in such other manner as it deems fit any amendment of this Charter that the President has accepted.

(9) This Article does not apply to a proposed change to this Charter that is required merely to correct a clerical, textual or typographical error.

**Article 38**

**Surrender of Charter**

(1) The Defence Council, acting on its own initiative or at the request of the University Council, may propose the dissolution of the University, whether absolutely or in anticipation of its transformation into a statutory university or other type of entity, in which event—

(a) the proposal to dissolve the University shall be dealt with as if it is a proposal to amend the Charter in accordance with Article 37; and

(b) upon the President accepting the proposal for the dissolution of the University, the Defence Council shall—

(i) surrender this Charter to the President; and

(ii) wind up or otherwise deal with the affairs of the University in such manner as the Defence Council considers fit:

Provided that all remaining funds (which remain once the debts of the University have been paid in full) together with the proceeds from the sale of any assets belonging to the University, shall be paid into the Consolidated Revenue Fund.

(2) The dissolution of the University is subject to any applicable statutory provisions or other legal requirement relating to the cessation of the University’s operation, including as an employer or contractor.

**Article 39**

**University a successor to the National Defence College**

The University is a successor to the National Defence College, and shall in addition comprise but not limited to the following existing entities as faculties, departments, institutes, centres or affiliates of the University—

(a) the Zimbabwe Staff College;

(b) the Zimbabwe Military Academy;

(c) the Zimbabwe School of Military Engineering;

(d) the School of Logistics;

(e) the Ordnance Technical Training School;

(f) the Electrical and Mechanical Training School;

(g) the School of Signals;

(h) the School of Academic and Staff Training;
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(i) the School of Flying Training;
(j) the School of Technical Training;
(k) the School of Military Intelligence.

Article 40

National Defence College Transformation Board

(1) The National Defence College Transformation Board shall exercise all the functions of the Council until such date as the Council is fully constituted in terms of Article 11.

(2) The Minister shall nominate five members of the National Defence Transformation Board to hold office in the University Council for the duration of the transformation period.

(3) On the date that the University Council is fully constituted in terms of Article 11, the National Defence College Transformation Board shall sit in the first three meetings of the Council.

(4) The National Defence College Transformation Board shall be dissolved, and the membership thereof shall be vacated, on the day that the third meeting of the Council referred to in sub-Article (3) is concluded.

Article 41

Role of Zimbabwe Council for Higher Education

The provisions of the Zimbabwe Council for Higher Education Act [Chapter 25:27], regarding setting of standards and accreditation shall apply to the University subject to any direction of the Defence Council.

Schedule (Articles 2 and 34)

Statutes of University

Arrangement of Statutes

Statute
1. Appointment of Pro-Vice-Chancellors.
2. Length of appointment of members of University Council.
3. Casual vacancies in University Council.
4. Meetings and quorum of University Council.
5. Resolutions by circulation among members of University Council.
6. Meetings and quorum of Senate.
7. Convocation.
8. Faculties or institutes.
9. Deans or directors.
Statute

10. Functions of deans or directors.
11. Evaluation of performance of deans or directors.
12. Termination of appointment of deans or directors.
13. Composition of faculty or institute boards.
14. Functions of faculty or institute boards.
15. Meetings of faculty or institute boards.
16. Teaching departments.
17. Institutes and centres.
18. Appointment of Registrar, Bursar, Librarian and Information Technology Specialist.
22. University seal.
23. Ordinances.
24. Arrangements with other Universities, affiliated bodies, etc.

Appointment of Pro-Vice Chancellors

1. (1) For the purpose of considering appointments to the office of Pro Vice Chancellor, there shall be a joint committee of the University Council and the Senate consisting of—

(a) the chairperson of the University Council, who shall be chairperson of the joint committee; and
(b) the Vice-Chairperson of the University Council; and
(c) the Vice-Chancellor and Commandant; and
(d) two persons appointed by the University Council from among its members who are not members of the Senate; and
(e) three persons appointed by the Senate from among its members.

(2) The joint committee constituted by this Statute shall consider each applicant for appointment to a vacancy in the office of Pro-Vice-Chancellor and shall make recommendations thereon to the University Council, and the Council, after considering the joint committee's recommendation, shall make the appointment concerned with the approval of the Minister.

(3) A Pro-Vice-Chancellor shall hold office for three years from the date of his or her appointment and, subject to subsection (2) and the approval of the Minister, shall be eligible for re-appointment.
Length of appointment of members of University Council

2. (1) Members of the University Council, other than ex officio members, shall hold office for three years, and shall be eligible for re-appointment or re-election, as the case may be:

(2) Any member of the University Council, other than an ex officio member, may resign his or her membership at any time by notice in writing addressed to the Registrar.

Casual vacancies in University Council

3. Any casual vacancy occurring among the appointed or elected members of the University Council shall be filled as soon as possible by the person or body which appointed or elected the member whose place has become vacant, and the person so appointed or elected shall hold office for the remainder of the period for which the person whose place he or she fills was appointed or elected.

Meetings and quorum of University Council

4. (1) The University Council shall meet at least three times a year.

(2) The quorum of the University Council shall be one-half of the members holding office at the time of the meeting.

Resolutions by circulation among members of University Council

5. A resolution proposed by the Executive Committee of the University Council, other than for the purpose of making a Statute, which is on its authority circulated by the Registrar to all members of the Council and which receives the written agreement of not less than two thirds of such members shall, upon receipt of such agreement by the Registrar, have the same force and effect as a resolution passed at a meeting of the Council.

Meetings and quorum of Senate

6. (1) The Senate shall meet at least three times a year.

(2) The quorum of the Senate shall be one-half of the members holding office at the time of the meeting.

(3) The Vice-Chancellor and Commandant or, in his or her absence, a Pro-Vice-Chancellor, shall be chairperson of the Senate.

Convocation

7. There shall be no quorum for meetings of the Convocation, the proceedings of which shall be regulated by the chairperson, subject to any general or special direction of the University Council.

Faculties or institutes or centres

8. The University shall include such faculties or institutes as may from time to time be established by the University Council.
Deans or directors

9. (1) There shall be a dean of each faculty or director of each institute, who shall be appointed by a selection board appointed by the University Council and chaired by the Vice-Chancellor and Commandant or a Pro-Vice-Chancellor.

(2) A dean or director shall hold office for four years and, on the expiry of his or her term of office, shall be eligible for re-appointment.

Functions of deans or directors

10. (1) A dean or director shall be responsible to the Vice-Chancellor and Commandant for—

(a) the character and quality of his or her faculty’s or institute’s academic programmes and teaching; and

(b) the proper direction, control and management of the staff, property, equipment and finances of his or her faculty or institute; and

(c) contributing to the evolution and maintenance of a conducive environment for learning at the University.

(2) Without limiting subsection (1), a dean’s or director’s functions include—

(a) the planning and control of his or her faculty’s or institute’s budget; and

(b) implementing the policies and objectives of the University and his or her faculty or institute; and

(c) developing and maintaining relations with alumni of his or her faculty or institute and with other organisations and persons, with a view to enriching the academic programmes offered by his or her faculty; and

(d) soliciting funds and other assistance to support programmes and projects of his or her faculty or institute; and

(e) co-operating with other faculties or institutes, agencies and centres to further the programmes and projects of his or her faculty or institute; and

(f) performing such other functions as may be prescribed by the regulations or ordinance.

Evaluation of performance of deans or directors

11. The performance of every dean or director shall be evaluated annually by a committee appointed by the Vice-Chancellor and Commandant and consisting of senior academic staff and administrative staff.

Termination of appointment of deans or directors

12. (1) A dean or director may resign his or her office by giving the Vice-Chancellor and Commandant three months’ written notice or such longer or shorter notice as he or she and the Vice-Chancellor and Commandant may agree.
(2) Subject to subsection (3), the Vice-Chancellor may suspend or terminate the appointment of a person as dean or director—

(a) on the recommendation of a committee referred to in Statute 11; or

(b) for other good cause.

(3) A dean or director whose appointment has been terminated in terms of subsection (2) may appeal to the University Council within fourteen days of being notified of the suspension or termination, and on any such appeal the Council may confirm, vary or rescind the suspension or termination, as the case may be, or give such other direction in the matter as it thinks appropriate.

**Composition of faculty or institute boards**

13. For each faculty or institute there shall be a faculty or institute board which shall consist—

(a) all the full-time members of the academic staff of the faculty or institute; and

(b) such persons as may be assigned to the faculty board by the Senate; and

(c) two students elected annually by the students in the faculty or institute; and

(d) one member elected annually by and from among the non-academic full-time staff of the faculty or institute.

**Functions of faculty or institute boards**

14. A faculty or institute board shall have the following functions—

(a) to regulate, subject to the approval of the Senate and the dean or director of the faculty, the teaching and study of the subjects assigned to the faculty or institute;

(b) to report through the dean of faculty, to the Senate on any matter specifically relating to the work of the faculty or institute;

(c) to deal with any matter referred or delegated to it by the Senate;

(d) to appoint committees, which may include a minority of persons who are not members of the faculty or institute board, to carry out any of the duties or exercise any of the powers of the board.

**Meetings of faculty or institute boards**

15. (1) The dean of each faculty or director of each institute shall call regular meetings of the faculty or institute board at which matters relating to the policy of the faculty or institute and appointments shall be discussed and recommendations adopted for submission to the appropriate authorities on appointments.

(2) The Vice-Chancellor and Commandant and every Pro-Vice-Chancellor shall be entitled to attend any meeting of a faculty or institute board or any committee thereof.
Teaching departments

16. (1) The teaching departments and their allocation to faculties shall be prescribed by ordinance.

(2) A chairperson of department shall be appointed by the Vice-Chancellor and Commandant, on behalf of the Council, from among the full-time members of the academic staff of the department, after consultation with each member of the academic staff in the department and the dean of the faculty to which the department is allocated.

(3) A chairperson of department shall hold office for a period of three years, or such other period as may be determined by ordinance, and shall be eligible for re-appointment.

(4) A department may be allocated to two or more faculties.

Institutes and centres

17. The University Council, after consultation with the Senate, may establish institutes or centres of learning within or outside the University and shall appoint the head of any such institute or centre and give directions as to its studies and research and administration.

Appointments of Registrar, Bursar, Librarian and Information Technology Specialist

18. (1) For the purpose of considering appointments to the offices of Registrar, Bursar, Librarian and Information Technology Specialist there shall be a joint committee of the University Council and Senate consisting of—

(a) the chairperson of the Council, who shall be the chairperson of the joint committee; and

(b) the vice-chairperson of the Council; and

(c) the Vice-Chancellor and Commandant; and

(d) every Pro-Vice-Chancellor; and

(e) two persons appointed by the Council from amongst its members who are not members of the Senate; and

(f) three persons appointed by the Senate from amongst its members.

(2) The joint committee constituted by this Statute shall consider each applicant to a vacancy in the office of Registrar, Bursar, or Librarian and shall make recommendations, thereon to the Council.

Procedure generally

19. (1) Except as otherwise specifically provided by this Act or these Statutes, in the absence of the chairperson or vice-chairperson at a meeting of a board or committee, the members present shall elect from those present, a chairperson to preside over that meeting.
(2) Except as otherwise specifically provided by this Act or these Statutes, the quorum at any meeting of a board or committee shall be as fixed by the person or authority that appointed the board or committee.

(3) Except as otherwise specifically provided by this Act or these Statutes, each board or committee shall determine and may make rules for the time, place and procedure of its meetings.

(4) The minutes of a meeting of a board or committee shall be laid on the table at the next following meeting of the body that appointed it.

(5) At a meeting of board or committee, in the event of an equality of votes on any matter, the person presiding shall have a casting vote in addition to his or her deliberative vote.

(6) Subsections (3), (4) and (5) shall apply, with such changes as may be necessary, to the University Council and Senate, save that minutes of the Council shall be sent to the Chancellor and the Minister and a report of each meeting of the Senate shall be laid on the table at a meeting of the Council.

Financial procedures

20. (1) The Council shall fix the financial year of the University.

(2) The Council shall, on the recommendation of the Finance Committee, fix the level of fees, levies and other income accruing to the University from registration, tuition or any other services provided by the University.

(3) The Finance Committee shall submit to the University Council, before the beginning of the financial year, draft estimates of income and expenditure, and such estimates, amended as the Council thinks fit, shall be approved by the Council before the beginning of the financial year.

(4) The Council may revise the estimates during the course of the financial year and give directions for the manner in which amendments of expenditure estimates may be made, which directions may make provision for delegating the powers of revision so long as such delegation does not extend to altering the total estimated expenditure.

(5) As soon as practicable after the end of the financial year, a balance sheet and income and expenditure account, with supporting schedules, shall be submitted to the auditors.

(6) The audited accounts, with any comments thereon made by the auditors, shall be submitted to the University Council.

Auditors

21. (1) Subject to subsections (2) and (3), the Council shall, before the beginning of each financial year, appoint auditors who are registered as Public Auditors in terms of the Public Accountants Act and Auditors Act [Chapter27:12].

(2) No person shall be appointed as an auditor in terms of subsection (1) if he or she, or any of his or her partners or employees, holds any other office in the University.
(3) If no appointment of new auditors is made before the beginning of any financial year, the auditors in office shall continue in office.

(4) An auditor appointed in terms of subsection (1) shall be entitled at all reasonable times to require any officer, employee or agent of the University—
   (a) to produce all accounts and other records relating to the financial affairs of the University as may be in the custody of such officer, employee or agent; and
   (b) to provide such information or explanation as, in the opinion of the auditor, is necessary for the purpose of the audit.

University seal

22. (1) There shall be a seal of the University, of such design as may be approved by the Council.

   (2) The seal of the University shall be kept in the custody of the Registrar and, subject to the directions of the Council, shall be affixed to—
      (a) certificates, degrees and diplomas conferred by the University; and
      (b) any documents attested by the signature of the Vice-Chancellor and the Registrar.

Ordinances

23. (1) The University Council may, with the approval of the Minister, make ordinances providing for any matter referred to in section 32(3) (a) to (p) of this Act.

   (2) The Registrar shall publish any ordinance made in terms of subsection (1) in such manner which the University Council considers will best make the ordinance known to the persons whom it applies.

Arrangements with other universities, affiliated bodies, etc.

24. (1) The University Council may make arrangements for membership or affiliation with other organisations with similar objectives and interests.

   (2) The University Council may make arrangements with any other university whereby students of the University may be registered as students of such other university and so enabled to study for, enter the examinations of and be afforded the degrees of such other university.

   (3) The University Council may affiliate to the University other institutions or branches or departments thereof and recognise selected members of the staff thereof as teachers of the University and admit the members thereof to any of the privileges of the University and accept attendances at courses of study in such institutions or branches or departments thereof in place of such part of the attendance at courses of study in the University and upon such terms and conditions and subject to such rules as may from time to time be determined by the Council.