

Cape Peninsula University of Technology

Convocation Constitution

(approved on 23 November 2024)

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1. DEFINITIONS

1.1 In this Constitution, unless clearly inconsistent with or otherwise indicated by the context:

1.1.1 any reference to the singular includes the plural and *vice versa*, any reference to natural persons includes legal persons (corporate or unincorporated) and *vice versa* and any reference to a gender includes the other gender;

1.1.2 headings and the use of bold typeface are to be ignored;

1.1.3 a reference to a recital, clause, sub-clause, paragraph, sub-paragraph, schedule or appendix is, unless indicated to the contrary, a reference to a recital, clause, sub-clause, paragraph, sub-paragraph, schedule or appendix of this Constitution;

1.1.4 where any term is defined within the context of any particular clause or sub-clause, the term so defined shall, unless it appears clearly from such clause or sub-clause that such term has limited application to the relevant clause or sub-clause only, bear the meaning ascribed to it for all purposes in terms of this Constitution;

1.1.5 words and phrases, the definitions of which are contained or referred to in the Higher Education Act 101 of 1997 as amended or as may be amended from time to time (the “Act”) and the Institutional Statute framed and in force as contemplated in section 32 of the Act namely The Institutional Statute of the Cape Peninsula University of Technology published in Government Gazette no. 46382 of 20 May 2022 (the “Statute”), shall be construed as having the meanings thereby attributed to them unless otherwise indicated in this Constitution.

“Academic Employees”	Any person appointed to teach and to do research at the University and any other Employee designated as such by the Council of the University.
“Alumnus” or “Alumni”	As the context may indicate either in the singular or plural, means a Student who being a Graduate of the University or a Diplomat of the University awarded his or her qualification.
“Employee”	Excluding Academic Employees is any person defined in the Basic Conditions of Employment Act 97 of 1995 as amended who is as a permanent-, temporary or on a fixed term Employee of the University.
“Act”	The Higher Education Act 101 of 1997 as amended or as may be amended from time to time.
“Convex”	Executive Committee of the Convocation as nominated and elected in terms of clause 19 of this Constitution.
“Convocation”	Known as the Convocation of the Cape Peninsula University of Technology and being the

“Convocation Chapter”	Convocation of the University as contemplated in section 26(2)(g) of the Act and clauses 68 to 74 of the Statute.
	Means a micro structure of the Convocation demarcated on a provincial, municipal, or international basis or a combination of provinces or municipalities as outlined in clause 26 of this Constitution.
“Constitution”	This document and any amendments thereto from time to time.
“Council”	The Council of the University as contemplated in Section 27 of the Act and clauses 34 to 47 of the Statute.
“Degree”	A degree of the University conferred upon a Student at a congregation on completion of the work prescribed for the Degree by the Senate.
“Deputy Vice-Chancellor”	The person appointed in terms of clause 12 of the Statute.
“Diploma”	A diploma of the University awarded to a Student at a congregation on completion of the work prescribed for the diploma by the Senate.

“Diplomate of the University”	A person to whom the University has awarded a Diploma.
“Graduate of the University”	A person upon whom the University has conferred a Degree.
“Hybrid”	In relation to meetings means a meeting which is a combination of a traditional in-person, face-to-face meeting, and a remote meeting, held over a the University’s approved virtual platform or electronic conference call platform.
“Institutional Forum”	The body contemplated in section 31 of the Act and clauses 56 to 60 of the Statute.
“Institutional Rules”	Includes the University’s Election Rules as well as any Rules made by the Council in terms of section 32 of the Act and clause 2.32 of the Statute;
“Member”	Includes the reference “Member(s) of the Convocation” or “Convocation Member” being a member of the Convocation, a person in terms of clause 19 of this Constitution.
“Motion”	

	<p>A formal request made by a Member of the Convocation or the Convex for a desired decision or determination at a meeting of the Members of the Convocation or the Convex as the case may be.</p>
"Office Bearer"	<p>A functionary provided for in the Act or determined by the Council and includes the President, the Secretary and Members of the Convex as outlined in this Constitution.</p>
"Policy(cies)"	<p>Any policy guideline or a collection thereof adopted by the University from time to time in line with the University's Policy Development Framework.</p>
"President"	<p>The person appointed in terms of clause 70 of the Statute as nominated and elected in terms of clauses 11 and 12 of this Constitution and once elected shall serve as the 1 (one) elected member of Council in terms of clause 35 of the Statute.</p>
"Registrar"	<p>The person contemplated in section 26(4)(b) of the Act and clauses 16 and 70 of the Statute, who serves as the Secretary of the Convocation and in</p>

	this Constitution referred to either as the “Registrar” or as the “Secretary”.
”Secretary”	The Registrar who serves as Secretary of the Convocation in terms of clause 16.1 of the Statute.
“Senate”	The body of the University as contemplated in section 28 of the Act and clauses 48 to 54 of the Statute.
“Stakeholders”	Means the Convocation, the Senate and the Council of the University.
“Statute”	The Institutional Statute framed and in force as contemplated in section 32 of the Act namely, The Institutional Statute of the Cape Peninsula University of Technology published in Government Gazette no. 46382 of 20 May 2022.
“Student”	A person currently registered at the University for a Programme of study leading to a Degree, Diploma or Certificate or as an occasional student who is registered for non-degree purposes.
“University”	Means the Cape Peninsula University of Technology (“CPUT”).

“Vice-Chancellor”

The person contemplated in section 30 of the Act and clause 8 of the Statute.

2. NAME AND STATUS OF THE CONVOCATION

- 2.1 This Constitution is subject to the provisions of the Act and the Statute. The Convocation and its Members are bound additionally by the Institutional Rules of the University and its prevailing Policies, as may be adopted by the University from time to time, in the execution of the Convocation’s functions and objectives as more fully outlined in this Constitution.
- 2.2 The Convocation is recognised as a structure of the University in terms of clause 68 of the Statute.

3. MISSION

- 3.1 The Convocation, recognising the vital role it has to play in the life of the University as an institution, commits itself to subject to the provisions of the Act, the Statute, Institutional Rules and the University’s prevailing Policies to promote the interests of the University in pursuit of the principles, functions and objectives outlined in this Constitution.
- 3.2 The Convocation supports and enhances the University’s vision and mission by maintaining and expanding positive relationships with its Members and utilising and maximising their expertise, goodwill, and influence in support of the University.

4. GOVERNANCE AND PRINCIPLES

- 4.1 The policies, functioning and actions of the Convocation shall be based on the following principles:
- a) Freedom of expression;
 - b) Democratic decision-making;
 - c) Non-discrimination;
 - d) Non-political party alignment;
 - e) Responsibility and accountability;
 - f) Multi-cultural cooperation and
 - g) Any other principle enshrined in the Bill of Rights of the Constitution of the Republic of South Africa (Act 108 of 1996).
- 4.2 The Convex, which includes Office Bearers, shall be guided by the following governance principles in the performance of all functions, actions and decisions and shall:
- 4.2.1 Each be fully acquainted with the provisions of the Act, the Statute, the Institutional Rules, the University's prevailing Policies and this Constitution;
 - 4.2.2 Act in good faith and the best interests of the Convocation and the University at all times;
 - 4.2.3 Act ethically beyond mere legal compliance and with the relevant competency of the role, principles, knowledge and skills required of the Office Bearer's position;
 - 4.2.4 Act transparently regarding their actions and decisions, avoiding conflicts of interest and, where a conflict of interest arises, disclosing such conflict to their fellow Members of the Convex;
 - 4.2.5 Ensure that, where applicable and appropriate, all Stakeholders are consulted before making decisions that may affect any external third-party Stakeholders;

- 4.2.6 Act and fulfil its functions in alignment with the University's core purpose, strategy, performance and sustainable development and with due consideration of both risks and opportunities, which are all inseparable elements of the value creation process and;
- 4.2.7 Ensure that all communications and reports issued by the Convocation enable Stakeholders to make informed assessments of the University's performance and its short, medium, and long-term prospects.

5. OBJECTIVES OF THE CONVOCATION

5.1 The objectives of the Convocation are:

- 5.1.1 To promote, protect, and maintain the best interests of the Convocation and preserve its rights.
- 5.1.2 To foster an interest in and promote respect for the University.
- 5.1.3 To promote or challenge any law or regulation or proposed law or regulation that affects the interests of education.
- 5.1.4 To do all such activities as are deemed to be in the interest of the Convocation and its Members and consistent with the principles, governance principles, functions and objectives of the Convocation and this Constitution.
- 5.1.5 To raise funds, specifically for University educational projects and programmes.
- 5.1.6 To promote the furtherance and support technological developments and innovations at the University and to embrace technology in the broadest sense.

5.1.7 Maintain a database of Members in order to enhance communication and information dissemination among Members of the Convocation and to form the voters' roll for the election of the University's Council Members.

5.1.8 To support the University's vision in the broadest sense, including, without limitation, to support innovation and technology adoption as enablers to furthering the University's activities, educational projects and programmes.

6. FUNCTIONS OF THE CONVOCATION

6.1 In terms of clause 68 of the Statute, the Convocation may discuss and state its opinion on any matter relating to the University.

6.2 In addition to clause 6.1 above, the Convocation shall discuss such matters as may have been referred to it by the Council, Senate and Institutional Forum during the period since the previous meeting of the Convocation or such matters pertaining to the University as may have come to the attention of the President of the Convocation of a prior meeting.

6.3 The Convocation is accountable to its own Members as well as to the Council.

7. COMPOSITION OF THE CONVOCATION

7.1 The fact that the name of a person appears on the Convocation roll is *prima facie* proof of them being a Member of the Convocation and of them being entitled to vote.

7.2 The names of new Graduates and Diplomats of the University are deemed to have been inscribed in the Convocation roll after Degrees or Diplomas have

been awarded. Members so registered shall communicate (in writing) any changes to their addresses or related contact details to the Secretary.

7.3 The Convocation therefore consists of:

7.3.1 The Vice-Chancellor, the Deputy Vice-Chancellors, the Registrar (i.e. the Secretary), former and present Academic Employees as set out in clause 7.3.2 below, and all persons who are or become Graduates or Diplomats of the University.

7.3.2 Academic Employees on the permanent staff of the University, professors emeriti, and other retired Academic Employees who have been permanently employed by the University in continuous employment for no less than 10 (ten) years immediately prior to retirement.

8. CONVOCATION ROLL

8.1 Subject to clause 7 above of this Constitution and in line with clause 69.4 of the Statute, the Secretary keeps the roll of the Convocation. Every Member of the Convocation is solely responsible for notifying the Secretary (in writing) of their address or related contact details and any changes of address or related contact details as and when applicable.

9. SECRETARY OF THE CONVOCATION

9.1 In terms of clauses 70.3 and 16 of the Statute, the Registrar acts as Secretary of the Convocation, provided that he or she may designate one or more of the Employees of the University to assist him or her in the performance of his or her duties or to take his or her place as Secretary in his or her absence, but

shall remain responsible for the performance of any function he or she delegates or so assigns.

10. ROLE OF THE REGISTRAR (THE “SECRETARY”)

- 10.1 In terms of clause 16 of the Statute, the Registrar is the Secretary of the Council, the Senate and the Convocation.
- 10.2 The Registrar manages the portfolio allocated by him or her by the Vice-Chancellor and may delegate or assign any function provided for in the Statute to an Employee but remains responsible for the performance of any function he or she delegates or assigned.
- 10.3 The Registrar acts as the electoral officer in relation to the Council, Senate, Convocation and the Convex.
- 10.4 As soon as possible after a meeting of the Convocation, the Registrar shall send to the chairperson of the Council (elected in terms of clause 39 of the Statute) for the Council’s information, and the Vice-Chancellor as chairperson of the Senate (In terms of clause 52 of the Statute), for the Senate’s information, and electronically to Members of the Convocation on the Convocation roll database a copy of all resolutions passed by the Convocation and a statement on any other matters on which the Convocation passed decisions.

11. PRESIDENT OF THE CONVOCATION

- 11.1 In terms of clause 70 of the Statute, the Convocation, at its first meeting, elects from its Members a President to act as the chairperson at all its meetings and shall hold office for a period of 3 (three) years from the meeting at which he or she is elected. The President shall act as chairperson of all meetings that follow from the date he or she has been elected.

- 11.2 Once elected as contemplated in clause 11.1 above, the President of the Convocation shall also serve on the Council in terms of clause 35 of the Statute.
- 11.3 Whenever the President's term of office lapses in terms of clause 11.1 above or where the office of the President becomes vacant, then his or her term as a member of Council shall also end. In this event, the Vice-Chancellor shall act and serve as President until a successor is elected at the following meeting of the Convocation, subject to the provisions of clause 13.7 below.
- 11.4 Where the Vice-Chancellor acts and serves as President of Convocation, all provisions in this Constitution pertaining to the office, duties and functions of the President shall apply mutatis mutandis.

12. ELECTION OF PRESIDENT

- 12.1 According to clause 35 of the Statute, 1 (one) person from Convocation is elected to serve on the Council. The President of the Convocation will be the 1 (one) person.
- 12.2 Whenever the Convocation is required to elect a President who will also be the person elected to serve on the Council in terms of clause 35 read with clause 73 of the Statute, the Registrar shall invite Members of the Convocation in writing (i.e. distributed electronically, have one publication in a national newspaper, the University's website and the University's official social media pages) to nominate for election as the President of Convocation as well as the Member of the Council. Each such nomination shall be subject to the University's Election Rules and be accompanied by written motivation supporting such nomination.
- 12.3 Each nomination, signed by not less than 5 (five) Members of the Convocation and countersigned by the Member so nominated to signify his or her

acceptance of such nomination and shall be lodged with the Registrar no less than 1 (one) month before the date for such election.

- 12.4 Objections to nominations shall be made in writing to the Secretary, detailing the reasons for the objection clearly. Depending on the nature and scope of the objection, the Secretary shall, subject to the Institutional Rules and Policies, uphold the objection and remove the person in question's nomination for purposes of further consideration or report it to the relevant University structure as may be required. Alternatively, shall disregard it (with written reasons for so doing) and proceed with the nomination. Subject 12.5, 12.6 and 12.7 of this Constitution, where there is no objection to the nomination or if there was an objection but the Secretary has disregarded it, a majority vote by the Members of the Convocation in favour of the appointment shall elect the President.
- 12.5 Upon considering a nominated Member for the office of President, the Convocation may consider the level of knowledge, skills, and experience required by the position and whether the nominee meets said requirements in relation to meeting the Convocation's objectives.
- 12.6 The President of the Convocation may not be an Employee, Academic Employee or a Student of the University.
- 12.7 A Member of the Convocation is eligible for election to the office of the President provided he/she Graduated or has been awarded a Diploma at least (first qualification) either at CPUT/PENTECH or CAPE TECH at least 10 (ten) years ago; is not at the time of the nomination a Student and has not been a Student for a continuous period of at least 5 (five) years from the date of nomination; and further provided he/she has been a Member of the Convocation for at least 10 (ten) years.
- 12.8 Elections shall be conducted via an electronic platform (or any other method determined by the Registrar) to afford all Members of the Convocation the opportunity to participate in the election process.

- 12.9 Upon the President's election, the terms and conditions of his office shall be recorded in a formal letter of appointment.
- 12.10 A successful candidate is elected from the date of the election as the President as well as the member to Council.

13. DUTIES OF THE PRESIDENT

- 13.1 The President shall preside over and act as chairperson of the Convocation meetings, including the Convex, which are annual and extraordinary meetings, as the case may be.
- 13.2 The President shall serve the Members of Convocation as a member of the Council and shall do so diligently and to the best of his or her ability at all times.
- 13.3 The President shall be competent to represent the Convocation and perform any other duties required by this Constitution or act upon decisions taken at the meetings of the Convocation, which are the annual and extraordinary meetings or by the Convex.
- 13.4 The President and Registrar, the latter with the former's authorisation, shall be responsible for drafting press releases and/or statements and disseminating them for publication.
- 13.5 The President should compile the Annual General Report and be accountable and report to the Members of the Convocation.
- 13.6 Should the President, for any reason, vacate his or her office prior to the expiry of his or her term of office, subject to 13.6 below, the Vice-Chancellor acts as President until a successor is elected at the following meeting of the Convocation in terms of clause 70 of Statute.

- 13.7 The Vice-Chancellor shall act as the acting President of the Convocation until an election of a new President has occurred in terms of clause 12 above. In the case of and for the purpose of election of a new President, the Vice-Chancellor shall, in consultation with and together with the Convex not later than 6 (six) months, call for a special meeting or Annual General Meeting (“AGM”) for purposes of electing a new President.

14. MEETINGS OF THE CONVOCATION

- 14.1 The President or, if the office of the President is vacant, the Vice-Chancellor shall convene the Annual General Meeting of the Convocation. It shall be held as a Hybrid meeting at a time to be determined by the Convex. Notice of such meeting shall be given at least 4 (four) weeks prior to the date of the meeting.
- 14.2 Any Member of the Convocation desiring to table any matter or Motion must, at least 2 (two) weeks before the meeting, forward a statement in writing to the Secretary or the President, setting forth in the form of a Motion the subject proposed for consideration.
- 14.3 The President shall convene an extraordinary meeting of the Convocation, which shall be a Hybrid meeting, and if the office of the President is vacant, the Vice-Chancellor, upon written request of at least 25 (twenty five) Members of the Convocation containing the matters for consideration in the form of separate Motions.
- 14.4 An extraordinary meeting shall be held within 2 (two) months after receipt of the request to call the meeting as outlined in clause 14.3 above.

15. MEETING PROCEDURES OF THE CONVOCATION

- 15.1 Meeting procedures shall be in accordance with clause 72 of the Statute.

- 15.2 50 (fifty) Members shall form a quorum at a meeting of the Members of the Convocation.
- 15.3 Should quorum requirements not be met as set out in clause 15.2 of this Constitution, the President shall adjourn, and an extraordinary meeting may be convened with at least 7 (seven) days' notice at which the Members of the Convocation then present shall constitute a quorum. Notice of an extraordinary meeting should be distributed electronically to all Members of the Convocation.
- 15.4 After its Constitution, by reading the notice in terms of which it was convened, a meeting commences with the reading and confirmation, by the signature of the chairperson being the President, of the minutes of the previous ordinary meeting and all subsequent extraordinary meetings.
- 15.5 Any objections to such minutes shall be raised and determined prior to their confirmation.
- 15.6 A Member may not, without the permission of the meeting, speak more than once on a motion or amendment thereof, but the mover of the Motion or amendment may reply.
- 15.7 A majority of the Members of the Convocation present decide all matters.
- 15.8 In addition to his or her ordinary vote, the President has a casting vote in the event of an equality of votes (i.e. a deadlock).
- 15.9 Where a meeting so resolves, the number of votes in favour of or against the Motion shall be recorded in the minutes and at the request of a Member, in that case, the chairperson shall further direct that the vote of such Member be likewise recorded.

- 15.10 A Motion or amendment thereof shall be seconded, and if the President directs, such motion or amendment shall be made in writing.
- 15.11 A Motion or amendment may only be withdrawn with the permission of the meeting. The President may permit the discussion of a matter of which notice was not duly given, provided such discussion is unopposed.
- 15.12 The President's ruling on a point of order of procedure is binding unless immediately challenged by a Member of the Convocation. If challenged, such a ruling shall be submitted without discussion to the meeting, whose decision is final.
- 15.13 A copy of the resolutions of the Convocation and a statement on such other matters as the Convocation may determine, duly certified by the President and Secretary, are submitted to the chairperson of the Council for the information of the Council and to the Vice-Chancellor the information of the Senate.
- 15.14 All Meetings of the Convocation (including the Annual General Meeting or "AGM") shall be convened as a Hybrid meeting.

16. ANNUAL GENERAL MEETING OF THE CONVOCATION

- 16.1 The purposes of the Annual General Meeting shall be:
- a) to receive the President's annual report;
 - b) to receive the Vice-Chancellor's annual report;
 - c) to receive and approve a financial report of the Convocation's financial affairs since the last annual general meeting;
 - d) to elect Convex Members should a vacancy occur within the Convex;
 - e) to review the performance of the President and the Members of the Convex;
 - f) to conduct any other business which may fall into the functions or objectives of the Convocation.

17. EXECUTIVE COMMITTEE OF THE CONVOCATION (THE “CONVEX”)

- 17.1 The Convex supports the realisation of the Convocation's functions and ensures the furtherance of its aims, functions, and objectives.
- 17.2 This Constitution, read with the Statute and Institutional Rules, shall determine all other procedures for holding an election of Officer Bearers.
- 17.3 The Convex shall comprise of the following Members:
 - 17.3.1 The President of the Convocation, who serves as its chairperson and member of the Council;
 - 17.3.2 Vice-Chancellor (ex-officio);
 - 17.3.3 The Deputy Vice-Chancellor dealing with external relations and partnerships;
 - 17.3.4 2 (two) full-time Academic Employees designated by the Convocation;
 - 17.3.5 5 (five) Members elected by the Convocation from amongst its Members who are neither Employees, Academic Employees nor Students of the University;
 - 17.3.6 2 (two) internal Members elected by the Convocation among its Members (who may be either Employees or Students of the University);
 - 17.3.7 Registrar (ex-officio).
- 17.4 In the event of a vacancy that arises after the start of the term of office or where the Convex has not been able to achieve its full membership from the commencement of its term, the Convex may co-opt Members to fill such a vacancy or vacancies, subject to the provisions of clause 19.1 below.

18. MEMBERS OF THE CONVEX

- 18.1 All Members of the Convex shall immediately disclose to the Convex any conflicts of interest, whether perceived or actual, as soon as they arise.
- 18.2 The Members of the Convex elected at the Annual General Meeting of the Convocation shall hold office for 3 (three) years, restricted to a maximum of 2 (two) consecutive terms of office.
- 18.3 If any Members of the Convex elected by the Annual General Meeting of the Convocation vacates office before the expiration of his/her period of office. In that case, the Convex may appoint a Member of the Convocation to fill the vacancy and to hold office for the unexpired portion of such period, provided that not more than 50% (fifty per centum) of vacancies may be filled in this manner. Provided further that if vacancies occur in addition to those vacancies so filled by the Convex, a special meeting of the Convocation shall be convened by the President to elect Members to fill such vacancies.
- 18.4 Any Member of the Convex who is absent from 2 (two) consecutive ordinary meetings of the Convex without a written apology received 24 (twenty four) hours before a meeting shall be deemed to have resigned from the Convex. If a Member tenders an apology for absence for 3 (three) consecutive meetings, he/she is deemed to have resigned.

19. ELECTION OF MEMBERS OF THE CONVEX

19.1 Eligibility:

- 19.1.1 Only Members of the Convocation may participate in and be eligible for nomination and election to the Convex;

19.1.2 In order for a Member to be eligible for nomination and election to the Convex, the Member must have Graduated or been awarded a Diploma at least 5 (five) years ago (first qualification) either at CPUT/PENTECH or CAPE TECH.

19.2 Notice of election and call for nominations:

19.2.1 The Secretary of the Convocation must notify the Convex in writing of an upcoming vacancy 90 (ninety) days before the term of the Member ends or as soon as possible after an unscheduled vacancy arises;

19.2.2 Subject to 19.1 in this Constitution, the Secretary will electronically call for written nominations from Members of the Convocation to elect suitable candidates;

19.2.3 The Secretary must send the call for nominations in time to ensure that the election is held as soon as possible before the vacancy arises or as soon as possible after an unscheduled vacancy arises;

19.2.4 Nominations will be open for 30 (thirty) days after Members have been notified in writing and electronically;

19.2.5 Members must forward nominations to the Secretary;

19.2.6 A Member of the Convocation shall be duly nominated for election to the Convex if duly nominated and seconded by 2 (two) Members of the Convocation. If the nominee is not able to be present at the Annual General Meeting, he/she must indicate in advance his/her acceptance of his/her nomination, in writing, to the Secretary;

19.2.7 No Member may nominate someone more than once whether they propose or second a nomination or are nominated. This means that the same person may not be a proposer and, at the same time, a seconder on the same nomination; the same applies to the person that is being nominated. That Member may also not sign his or her own nomination as a proposer or seconder.

- 19.2.8 A nominated Member must accept the nomination and must include a vision statement in her or his acceptance;
- 19.2.9 A Member of the Convex can be nominated for more than one vacancy on the Convex, but the Member can only be appointed in 1 (one) position;
- 19.2.10 Objections to Nominations shall be made in writing to the Secretary, detailing the reasons for the objection clearly. Depending on the nature and scope of the objection, the Secretary shall, subject to the University's Institutional Rules and Policies, uphold the objection and remove the person in question's nomination for purposes of further consideration or report it to the relevant University structure as may be required. Alternatively, shall disregard it (with written reasons for so doing) and proceed with the nomination. Where there is no objection to the nomination or if there was an objection but the Secretary has disregarded it, a majority vote by the Member of the Convocation in favour of the appointment shall appoint the Member of the Convex;
- 19.2.11 The nominations may be evaluated on their collective knowledge, skills and experience required by the roll on the Convex;
- 19.2.12 A Member of the Convex is appointed to the position for which they have received the most votes;
- 19.2.13 If the Secretary receives only 1 (one) valid nomination (as outlined in clause 19 above) per vacancy, no election will take place. In that case, the Secretary will inform Members of the Convocation that the candidate will serve on the Convex.

19.3 Voting:

- 19.3.1 Voting will take place on an online platform.

19.3.2 Members have 1 (one) day to cast their vote digitally as a once-off. Members can vote online for one candidate per vacancy.

19.3.3 Nobody may vote on behalf of another Member.

19.3.4 By voting online, the Member assumes responsibility for compliance with the Convocation Executive Committee election rules. Transgression of the rules amounts to fraud and is a criminal offence. The Internal Audit function will investigate all cases where fraud is suspected, which may lead to criminal prosecution.

19.4 Appointment:

19.4.1 Upon the election, the terms and conditions of office shall be recorded in a formal letter of appointment.

20. MEETINGS OF THE CONVEX

20.1. Meetings of the Convex shall be held at least 4 (four) times a year and at such other times as may be deemed necessary by the President.

20.2. The time and place (including a virtual link to the meeting) of such meetings shall be communicated by the Secretary and shall be distributed by him or her electronically.

20.3. Notwithstanding sub-paragraph 20.1, the President shall summon the Convex to meet if he is requested to do so, in writing, by not less than 2 (two) Members of the Convex, the objective of the meeting being stated in such request.

20.4. At least 14 (fourteen) days' notice shall be given for Convex meetings. Notice of the meetings shall be given in writing and distributed electronically to the Members of the Convex.

- 20.5. In any meeting of the Convex, 50% (fifty per centum) plus 1 (one) Member shall form a quorum. If no quorum is present 10 (ten) minutes after the stated time of the meeting, the meeting may be adjourned to a specific date, and at such adjourned meeting, the Convex Members attending and entitled to vote shall form a quorum.
- 20.6. A majority vote of those present shall decide all resolutions of the Convex.
- 20.7. The President shall have a vote on every Motion and a casting vote in the event of a deadlock or an equality of votes.
- 20.8. The President of the Convocation can submit any Motion to the Convex for decision-making on a 'round-robin' basis. A decision is only regarded as binding if signed by a majority of the Members of the Convex.
- 20.9. Any Member of the Convocation shall be entitled to attend the Convex in an observer capacity, provided that such a request is made to the Secretary at least 3 (three) days in advance.

21. POWERS OF THE CONVEX

- 21.1. Apart from any functions or powers which may be conferred upon it by the Convocation by way of resolution provided that the Convex shall have no executive authority within the University, the Convex shall be vested with the following special powers, namely:
- 21.1.1. To undertake fundraising activities and programmes from Members of Convocation or any other source subject to the University's prevailing Policies;
 - 21.1.2. Establish and coordinate projects, including fundraising projects;
 - 21.1.3. To receive and manage such funds as the Council of the University or any other body may make to the Convex for the maintenance of the

- Convocation as an organisation or for any other function, object or purpose of the Convocation;
- 21.1.4. To keep and cause to be kept proper records in relation to the proceedings of the Convocation as well as proper books of accounts and records of the Convocation's income and expenditure;
 - 21.1.5. To coordinate and elect Members to the Council, Senate and Institutional Forum;
 - 21.1.6. Subject to the provisions of clauses 17, 18 and 19 above in this Constitution, to replace any Office Bearer in the Convex should there be a vacancy;
 - 21.1.7. To perform any act in furtherance of the interests of the Convocation and of the University.

22. TERMINATION OF MEMBERSHIP OF THE CONVEX

22.1 A Member of the Convex vacates his or her position if he or she:

- 22.1.1 Resigns;
- 22.1.2 Dies;
- 22.1.3 Is absent from 2 (two) consecutive ordinary meetings of the Convex without written apology; tenders an apology for 3 (three) consecutive meetings, he/she is deemed to have resigned;
- 22.1.5 Is or becomes subject to any provisional or final order for liquidation or sequestration or is made subject to any similar disability;
- 22.1.6 becomes mentally incapacitated, and for this clause, "***mentally incapacitated***" means that a court in whose area the person concerned is domiciled or has immovable property has declared the person incapable of managing his own affairs and has placed him or her under curatorship;
- 22.1.7 any member of the Convex who fails to disclose any conflict of interests to the Convex shall immediately be deemed to have resigned;

- 22.1.8 Is removed from office following a material breach of his or her duties provided that a procedurally and substantively fair procedure was followed;
- 22.1.9 Is removed from an office of trust by a court of the Republic, or that is convicted of any crime involving dishonesty, or is convicted of an offence and sentenced to a term of imprisonment without the option of a fine by a court of the Republic; or
- 22.1.10 Is otherwise disqualified in terms of the Companies Act 71 of 2008 as amended from serving as a director or in terms of the Statute, Institutional Rules or Code of Ethics.

23. APPOINTMENT OF A MEMBER OF THE CONVOCATION TO SERVE ON THE INSTITUTIONAL FORUM

- 23.1 In terms of clause 57 of the Statute, 1 (one) Member of the Convocation who is not a Student, Employee or Council Member, in accordance with the Rules, will be nominated to serve on the Institutional Forum of the University for a period of 3 (three) years.
- 23.2 If a vacancy arises for a Convocation representative to serve on the Institutional Forum due to an appointed incumbent not being able to complete his or her term of office for any reason whatsoever. In that case, a Member of the Convocation may be appointed to the Institutional Forum for the remainder of the previously appointed incumbent's term of office at a special meeting of the Convex.

24. SUBMISSION OF RESOLUTIONS

A copy of all formally adopted resolutions of the Convocation and a statement of such other matters as the Convocation or the Convex may, from time to time, decide shall be sent to the chairperson of the Council for the information of the Council.


25. CONVOCAATION CHAPTERS

- 25.1 The Convex may constitute regional Chapters of Convocation (“Convocation Chapter”) where it deems that there are sufficient Members to warrant the formation of such a Chapter.
- 25.2 A Convocation Chapter may be demarcated on a provincial, municipal, or international basis or a combination of provinces or municipalities (the “area”).
- 25.3 The Convex shall approve a Convocation Chapter at a Convex meeting.
- 25.3 A Convocation Chapter shall characterise Convocation’s micro-structure of the Convocation. It shall support and report to the Convex in the realisation of the Convocation's functions to ensure the furtherance of its aims, functions, and objectives as contemplated in this Constitution.
- 25.4 The composition of the Convocation Chapter’s Executive Committee (“Chapter Convex”) shall be constituted as follows:
- 25.4.1 Chairperson (ex-officio Member of Convex) and
- 25.4.2 secretary.
- 25.5 The quorum for the Convocation Chapters’ Annual General Meeting shall be constituted by 25 (twenty five) Members present.
- 25.6 Save as provided in 25.5 above, the procedures for convening and conducting Convocation Chapter meetings, decision-making as well as electing Office Bearers shall be aligned with those of the Convocation and Convex as outlined in this Constitution.
- 25.7 As soon as possible after a meeting of the Convocation Chapter, the secretary (of the Convocation Chapter) shall send to the Secretary of the Convex its information, and electronically to Members of the Chapter Convocation a copy of all resolutions passed by the Convocation Chapter and a statement on any other matters on which the Convocation Chapter passed decisions.

26. AMENDMENTS TO THE CONSTITUTION

Amendments to this Constitution shall be by a simple majority of a duly constituted Annual General Meeting of the Convocation. Motions to that effect must be submitted to the Convocation Officer copying the Registrar 1 (one) month prior to the date of the Annual General Meeting and provide that notice of the proposed alteration of this Constitution was given in the notice calling of the meeting.

Policy Development Framework				
Policy Type(s):	B: Institutional Governance			
Type:	Policy		Guideline	
Tick document category	Procedure		Regulation	√ Plan
CPUT Statute and/or Regulation Reference no. and date:	Cape Peninsula University of Technology Statute, Government Notice No 46382 of 20 May 2022.			
Relevant Legislation and/or Policy, Codes of practice, Professional authorities:	<ul style="list-style-type: none"> • Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996) (The Constitution). • Higher Education Act (No. 101 of 1997) as amended. • Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004). • Protected Disclosures Act, 2000 (Act No. 26 of 2000). • Financial Intelligence Centre Act, 2001 (Act No. 38 of 2001). • National Prosecuting Authority Act, 1998 (Act No. 32 of 1998). • Protection of Personal Information Act, 2013 (Act No. 4 of 2013). • Public Finance Management Act, 1999 (Act No. 1 of 1999). 			
Relevant Institutional Policies/ documents/manuals/ handbooks	<ul style="list-style-type: none"> • Cape Peninsula University of Technology Strategic Plan: Vision 2030. • Ethics Framework. • Whistleblowing Policy. • Gifts, Benefits, and Hospitality Policy. • Conflict of Interest Policy. • Compliance Management Policy. • Compliance Management Program. 			
Policy Reference and Version no.:	The next number in the document index. To be inserted by the Compliance Office.			
Consultation Process To be verified and signed off before approval				
Policy Owner/Sponsor	ED: VC			
Compliance Officers	Convocation supported by the Registrar.			

Certification of Due process: To be verified and signed once approved by the relevant authority		<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: center;">  Vice Chancellor </div> <div style="text-align: right;"> <u>24.01.2025</u> Date </div> </div>			
Approval Date		Commencement Date		Review Date	

REVISION HISTORY: Only applicable to amended or reviewed Policies. Record details of amendments/revision.					
Version No.	Approved/ Rescinded	Date	Approving Authority	Resolution Number/ (Minute number)	Date for next review (start date for review process)
	Approved	23 Nov 2024	Council	8.4	

For office use only	
Policy Group (Broad Policy field)	Governance & Administration
Subject (Policy sub-field)	Governance
Reference Number	1/6/P
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