

ANNUAL GENERAL MEETING OF CONVOCATION TO BE HELD ON 06 APRIL 2024

REPORT ON THE ADMINISTRATOR'S DECISION FOR 2023 AGM TO BE NON-ELECTIVE

1. PURPOSE OF THE REPORT

The report's purpose is for the CONVOCATION to be informed of and note the report on the Administrator's decision for the 2023 elective AGM of CONVOCATION to be non-elective.

2. BACKGROUND

During the Consolidated Quarterly Governance Report discussion in June 2023, some Convocation challenges emerged, including that CONVOCATION had failed to hold its AGM in 2022 as a quorum could not be established. The Administrator suggested that the Registrar engages the University of Johannesburg on how Convocation works in their institution.

Following a benchmark exercise, the following was observed and reported in the September 2023 meeting of the GSCEWG:

2.1. It was established that UJ still has a Convocation that is provided for in the UJ Statute and is accountable to the Council. The UJ Convocation Constitution was approved in June 2022. In terms of the Statute and the Convocation Constitution, the Convocation is represented in Council.

2.2. In terms of the UJ Constitution, amongst the roles and objectives of the UJ Convocation are the following:

2.2.1. Debates and states its opinion on any matter relating to the best interests of UJ, including matters referred to it by the Council, the Senate or the Institutional Forum;

2.2.2. Elects representatives to serve on the Council as provided for by and in accordance with the Statute.



2.2.3. The UJ Constitution also stipulates that when the Convocation has advised the Council, a response is required: *“5.12 The Council must consider the advice given by the Convocation and provide written reasons if the advice is not reasonably accepted”*.

2.3. The benchmarking conducted with the University of Johannesburg revealed that its CONVOCATION is organized and operates along similar lines to the MUT CONVOCATION, except in its composition and eligibility criteria to be on the Executive.

2.4. The Governance, Social Cohesion and Ethics Working Group of the Administrator discussed the report and advised that, given that the Term of Office of the current executive of CONVOCATION ends in December 2023, strategies need to be developed to enable that the Executive that gets elected at the next elective Annual General Meeting to take CONVOCATION to greater heights.

2.5. Further, the Working Group recommended that the Administrator be advised to review the current Constitution of the CONVOCATION Constitution to enable Convocation to perform optimally.

2.6. Furthermore, the Working Group recommended that an engagement takes place with CONVEXCO after the meeting of the Administrator that was scheduled on 28 September 2023.

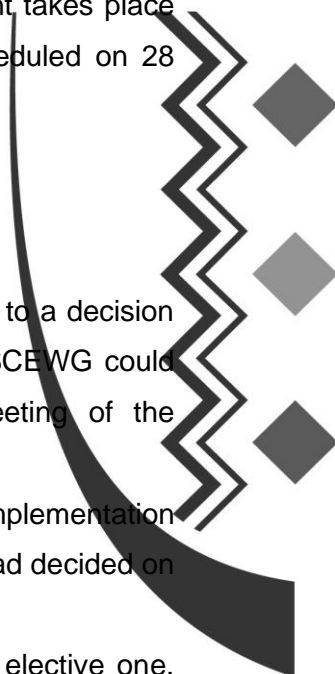
3. DISCUSSION

3.1. The proposed engagement with CONVEXCO which would have led to a decision to review the CONVOCATION Constitution as recommended by the GSCEWG could not take place because the matter was not discussed at the meeting of the Administrator on 28 September 2023.

3.2. In the meantime, events were overtaking this discussion and the implementation of the recommendation of the GSCEWG as the Convocation Executive had decided on a date of 2 December 2023 for the Annual General Meeting.

3.3. As per the Convocation Constitution, the fourth AGM becomes an elective one. The last elections were held on 7 December 2019, meaning that the Term of Office of the current CONVEXCO would end on 6 December 2023 whether elections were held or not. The Registrar had advised CONVEXCO of the latter fact in a formal meeting, which they had accepted.

3.4. The problem that arose is that the Executive Committee of Convocation had decided to proceed with the elective Annual General Meeting.



3.5. In preparation for the elective AGM, a number of “voting slates” started to make rounds on social media revealing that the elections were going to be a high-stakes game.

3.6. It also became apparent that the elections would take place without the Administrator having applied his mind to the amendments to the CONVOCATION Constitution to allow CONVOCATION to operate optimally. One such amendment would be to allow Chairpersons of Alumni Chapters to have a vote in CONVEXCO. Additionally, that the Council representatives be elected by CONVEXCO among members of CONVEXCO. This would remove the practice of having the CONVOCATION elections from being a high-stakes game.

3.7. Given the above, the Administrator took a decision that the upcoming 2023 Convocation AGM would be non-elective.

3.8. The Executive Committee of Convocation (CONVEXCO), being unhappy with the decision, held an emergency meeting on 23 November 2023.

3.9. At the meeting, CONVEXCO made the following resolutions:

3.9.1. CONVEXCO unanimously agreed and resolved to postpone the AGM based on the decision taken by the Administrator to make it a non-elective.

3.9.2. Further to seek an Audience with the Administrator to discuss the following:

3.9.2.1. Extending the term of office of CONVEXCO.

3.9.2.2. Appointing a Task Team to perform the work of CONVEXCO.

3.10. A meeting between the Administrator and CONVEXCO took place in December 2023. The meeting agreed that a legal opinion would be sought on two issues. First, on whether the Administrator can extend the term of Office of CONVEXCO or appoint a Task Team (The legal opinion said NO. The Administrator would not be on sound legal footing). Secondly, can the Administrator review the Constitution of Convocation (the legal opinion said NO. Convocation has to initiate the process).

3.11. Given the legal opinion, the Administrator then took a decision that the Convocation AGM can go ahead. A date of 6 April 2024 was approved for the holding of the AGM.

4. RECOMMENDATIONS

4.1. That CONVOCATION notes the report on the Administrator’s decision to make the 2023 AGM non-elective.

4.2. That CONVOCATION notes that it is the structure which needs to initiate amendments to the CONVOCATION Constitution, and such must be approved by the Administrator/ Council

Dr PP Masala



Registrar

26 March 2024

