



UNIVERSITY
OF
JOHANNESBURG

POLICY: NOMINATIONS AND ELECTIONS

Document Number	9P/9.3.2.2
Custodian	Registrar
Responsible Division	Office of the Registrar
Status	Approved
Approved by	Senate via the Senate VC Circular
Date of Approval	23 April 2007
Amendments	
Dates of Amendments	30 October 2015
Review Date	October 2018

RELATED DOCUMENTS

<p style="text-align: center;">UJ Documents</p> <p>(e.g. Policies, Regulations, Guidelines, Contracts)</p> <ul style="list-style-type: none"> • Institutional Statute University of Johannesburg March 2012 • UJ Strategic Objectives • UJ Vision, Mission and Values • UJ Conditions of Employment 	<p style="text-align: center;">Other</p> <p>(e.g. laws, DoE and HEQC, directives, external guidelines)</p> <ul style="list-style-type: none"> • Constitution of the Republic of South Africa, Act 108 of 1996 • Higher Education Act 101 of 1997 as
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	<p>amended</p> <ul style="list-style-type: none"> • King Report III <u>1 September 2009</u> • Labour Relations Act 66 of 1995 (as amended) • Basic Conditions of Employment Act 75 of 1997 (as amended)
<p>Divisions, Constituents and/or Individuals affected by the policy</p>	<p>Statutory Committees All other committee structures All UJ employees</p>
<p>Website Address</p>	<p>INTRANET</p>

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POLICY: NOMINATIONS AND ELECTIONS

1. PREAMBLE

The University of Johannesburg is committed to national transformation imperatives and the fostering of a culture of transparency, accountability responsibility, fairness and social responsibility as advocated in the King Report on Corporate Governance for South Africa 2009. The University's Policy on Nominations and Elections is based on the provisions of the Constitution of the Republic of South Africa (Act no. 108 of 1996), the Code of Corporate Practices and Conduct and the Code of Ethical Behaviour and Practice as set out in the King III Report. In the Nominations and Election Policy, the University strives to comply with the principles of corporate governance regarding fair, reliable and trustworthy nominations and elections.

2. PURPOSE

The purpose of this policy is to:

- 2.1 establish a framework and clear set of directives, guidelines and procedures for the nominations or elections of representatives on Statutory committees (Council, Senate, Institutional Forum and their committees) and the placing of short-listed candidates for senior positions in an order of preference.
- 2.2 provide policy directives on the drafting of ballot papers with respect to nominations and elections in paper format and on the e-Ballot system;
- 2.3 provide policy directives regarding security issues affecting elections;
- 2.4 provide policy directions regarding timeframes for elections;
- 2.5 provide policy directives regarding the verification of election results;
- 2.6 provide policy directives regarding the storage of election results.

3. PRINCIPLES AND VALUES UNDERPINNING THE POLICY

- 3.1 General accepted principles of corporate governance.
- 3.2 Optimal participation of stakeholders in the nomination and election processes.
- 3.3 Reliability and authenticity of the outcome/results.

4. SCOPE OF THE POLICY

This policy applies to all elections of representatives on committees or bodies/structures (excluding SRC elections).

5. DEFINITIONS

'Employee' means an academic, research or professional or support employee of the University.

- 5.1 **“Academic employee”** means an employee appointed as a Professor, Associate Professor, Senior Lecturer, Lecturer or Academic Researcher assigned to a Faculty within the University to teach and/or to do research.
- 5.2 **“Professional or support employee”** means an employee who is not assigned to a Faculty to teach or to do research.
- 5.3 **“Permanent employee”** means all employees other than on contract or temporarily.
- 5.4 **“Nominee”** means the person who is nominated.
- 5.5 **“Nominator”** means the person who is nominating the nominee.
- 5.6 **“e-Ballot”** means nominations and ballots within the e-ballot (electronic system).

6. ANNOUNCEMENT OF A NOMINATION OR ELECTION

- 6.1 All stakeholders must be informed by internal mail or email, depending on the composition of the group, at least five working days prior to the meeting.
- 6.2 Agendas of meetings are deemed as preliminary notice of such a nomination or election.
- 6.3 The following information must be included in the nomination or election letter:
 - 6.3.1 the position that must be filled;
 - 6.3.2 the date, time and venue of the meeting;
 - 6.3.3 the date and time of the opening and closing of the e-Ballot;
 - 6.3.4 all applicable policy and/or Statute stipulations.

7. VOTERS ROLL

- 7.1 A voters roll, consisting of all the names, identity numbers, employee numbers and email addresses of the employees eligible to vote at a specific election, must be prepared in advance.
- 7.2 The Human Resources Division, Heads of Faculty Boards, and/or University Secretariat must validate authenticity of the voters roll.
- 7.3 Permanent full-time employees are eligible to vote.
- 7.4 Employees appointed on a fixed-term contract of at least three years are eligible to vote if approved by the Council.
- 7.5 Only employees on the voters roll will be issued with nomination letters and ballot papers either in hard copy or electronically via the e-Ballot system.

8. NOMINATIONS

- 8.1 A nomination letter will be issued to an individual when his/her name appears on the voters roll after signing the voters roll.
- 8.2 Nominations will be collected at the meeting or electronically via e-Ballot and displayed in alphabetical order on the ballot paper.

9. MINIMUM ATTENDANCE TO CONDUCT AN ELECTION

- 9.1 With respect to elections conducted in paper format, at least 50% plus one of the eligible voters must be in attendance to confirm a quorum before an election can be conducted, except where the quorum requirements are specified differently in the Institutional Statute of UJ or the Charter of a particular committee.
- 9.2 With respect to elections conducted electronically through e-Ballot, all eligible voters receive a notification of an election and an invitation to cast their votes

together with the URL to the web address where votes may be cast, in order to comply with the minimum quorum requirements. It is understood that an eligible voter who fails to cast a vote by the closing date and time of the election may be construed as having abstained.

10. BALLOTS

10.1 The following methods of ballots may be used:

10.1.1 Majority vote

Usually the plain majority ruling will apply. A committee may decide to request an absolute majority (50% plus one of the eligible attendees or in electronic format as described in 9.2).

10.1.2 Preferential voting

- (a) Preferential and majority voting could also be conducted via the e-Ballot programme.
- (b) Access to the programme is strictly controlled and monitored by the Corporate Governance Office and is password and login protected. Preferential voting must be applied at Senate meetings to elect representatives on statutory committees of the University, unless the Senate decides otherwise.
- (c) Preferential voting must be applied when faculty representatives are elected to serve on selection committees, and for the appointment of Executive Deans, Executive Directors and members of the MEC unless otherwise specified in Policies, Charters or processes;
- (d) Other committees have discretionary authority to use the majority or preferential voting either in paper or electronically.

11. ELECTIONS

11.1 Depending on the format of the election, either a paper ballot paper is issued to an eligible voter or the voter receives an email notification with a link to the e-Ballot platform.

11.1 Only one ballot paper may be issued per employee.

11.2 The names of eligible voters are provided at the meeting before voting or as an electronic nomination via the e-Ballot system to the voters on the roll.

11.3 Ballot papers will be collected at the meeting or in electronic format by the Corporate Governance Office.

11.4 The Corporate Governance Officer and one other independent employee must conduct the election process for verification purposes.

11.5 Only voters attending the meeting may vote if the vote is in paper format.

11.6 If voting takes place via the e-Ballot system, all the votes of eligible voters will be taken into consideration. The voters will be uploaded on the e-Ballot system by their employee numbers after verification of the voters roll by Human Resources, University Secretariat or Heads of Faculty Administration.

11.7 The number of votes per voter will depend on the available positions/vacancies. A single ballot will be issued for numerous votes in this case.

12. VALIDATION

- 12.1 The Corporate Governance Officer oversees that the processes and procedures are in compliance with the Institutional Statute of the University of Johannesburg and the relevant Charters and Policies.
- 12.2 The Registrar acts as electoral officer of statutory committees. (This function may be delegated to the Corporate Governance Officer of the University.)
- 12.3 The Registrar has overall accountability and responsibility for the election process and must verify the election results before announcing the outcome/result(s).

13. ELECTION OF THE CHANCELLOR

- 13.1 The Chancellor is elected by Council and appointed at a Council meeting.
- 13.2 The Chairperson of the Council, or, in the absence of the Chairperson, the Vice-Chancellor and Principal determine the date, time and venue for a meeting of the Council to elect a Chancellor.
- 13.3 The election date must be a date before the date on which the Chancellor's term of office expires or, in the case of a vacancy for any other reason, at the latest within sixty days of the date on which the vacancy occurred.
- 13.4 The Secretary of the Council gives the Council members a minimum of thirty-five days' written notice of the intended election meeting.
- 13.5 The Secretary of the Council invites Council members, employees and students of the University, and members of the Convocation and Alumni Association to submit nominations for the Office of the Chancellor.
- 13.6 Nominations must reach the Council Secretary at least twenty days before the date of the Council's election meeting.
- 13.7 Nominations must be made on an official nomination form of the University and must be signed by the proposer and seconded by at least three other members from the proposer's constituency contemplated in Section 35(2)(6) of the Higher Education Act 101 of 1997 (as amended).
- 13.8 Nominations must include the written consent of the nominee and her/his curriculum vitae.
- 13.9 A special meeting of the Institutional Forum must be held within five days after the closing date of nominations to consider the nominations and to advise the Council.
- 13.10 At least ten days before the Council's meeting for the election of a Chancellor, the Secretary informs the Council members in writing of the names of the nominated candidates, as well as of the advice of the Institutional Forum.
- 13.11 The Council may add names to the list of nominated candidates.
- 13.12 The election occurs by way of secret ballot.
- 13.13 A candidate is elected by a majority of the members present as prescribed in the Charter for Council.
- 13.14 If no candidate receives a majority of votes, successive ballots are held, and in each successive ballot the candidate receiving the fewest votes is eliminated as a candidate.
- 13.15 In the event of multiple candidates and the absence of a majority vote, the candidate with the least number of votes in a ballot or subsequent ballots will be eliminated until a majority is obtained.
- 13.16 The Council Chairperson announces the name of the elected Chancellor immediately after the election.

14. DECLARATION OF CONFLICT OF INTEREST

The declaration of conflict of interest will form part of the attendance register to be signed by all members in attendance at all the statutory committees.

15. RETENTION OF DOCUMENTATION

All documentation relating to a particular election process (including the nomination letters, ballot papers and result sheets) are stored for 12 months at the Office of the Corporate Governance Officer. The final results will be stored in the Electronic Document and Records management system.

16. PROXY VOTES

- 16.1 A proxy refers either to the person appointed to represent another at a meeting or to the written instrument (e.g. for voting purposes) by which the person is appointed.
- 16.2 No proxy provision is made for the representation of a member or for voting purposes at any statutory governance structure or committee meeting.

17. ANNOUNCEMENT OF ELECTION RESULTS

- 17.1 The announcement of results is published by the Registrar as soon as the electronic processing is completed and verified by the Corporate Governance Officer. The normal time limit must not exceed three working days.
- 17.3 Only the name of the elected person should be published. The actual number of votes is not published but information is available at the Corporate Governance Office.
- 17.4 The announcement of the election results of the newly elected Chancellor will be made by the Council Chairperson immediately after election as described in Paragraph 13 above.

18. DEVIATION FROM THIS POLICY

Deviation from this policy must be approved by the Registrar.

This Policy was approved by SENEX on 23 April 2007.

This amended Policy was approved by Senate via the Senate VC Circular on 30 October 2015.

