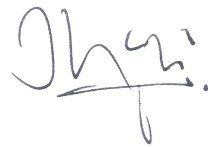




UNIVERSITY OF SEYCHELLES

CHARTER

Made this **second day** of **May 2017** by the
Minister for Education and Human
Resource Development, on the
recommendation of the Tertiary Education
Commission in accordance with section
8(2) of the Tertiary Education Act, 2011.



Mr. JOEL MORGAN
Minister for Education & Human Resource
Development

Provenance

The Charter of the University of Seychelles is endorsed by the University Council and, on the recommendation of the Tertiary Education Commission, duly submitted to the Minister for Education and Human Resource Development for approval (in accordance with section 8(2) of the Tertiary Education Act, 2011).

Preamble

The University of Seychelles (UniSey) was formed in 2009, offering high-quality, innovative and market-oriented professional, undergraduate, postgraduate and research programmes.

Vision: A recognised knowledge hub in the Indian Ocean, delivering solutions to the challenges of the 21st century and to be the university of choice for local, regional and international students.

Mission: To advance knowledge, fostering excellence in teaching, learning and research; to foster an atmosphere of discovery, creativity and innovation; and to build the human resource capacity required to help Seychelles achieve its development goals.

Values: The following core values define the character of the university and are the foundation for future development:

- (a) **Respect:** UniSey fosters a culture of respect for every person in the university community, as well as intellectual property rights.
- (b) **Tolerance:** UniSey nurtures a climate of tolerance of beliefs for the individual and for the culture of others.
- (c) **Academic Freedom:** UniSey asserts that teachers and researchers shall be fully independent and free to express themselves in the course of their research and teaching activities, within the limits of the university's fundamental values of tolerance and respect.
- (d) **Transparency:** UniSey encourages intellectual openness, honesty, professional ethics and transparent communication within the university community.
- (e) **Team Spirit:** UniSey promotes a team spirit within the university community, where the faculty, staff and students work together for a common vision. UniSey also works closely with its partner institutions to maintain the highest possible standards.

- (f) **Quality:** UniSey uses its resources in striving for excellence, and is consistently aiming for outcomes that are of the highest quality rather than simply satisfactory.
- (g) **Innovation:** UniSey promotes creativity, innovation and entrepreneurial spirit for growth and development.

Adherence to these values will encourage the university to aspire to achieve new goals. Institutional actions have proven to be more authentic and purposeful when institutional values are evident and tangibly manifested in university actions and relationships. By living its values, UniSey will enjoy a clearer vision, fostering a stronger sense of unity and cohesiveness, and creating a unique and thriving environment for the university community.

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1. Interpretation

In this Charter, unless the context otherwise requires –

- (a) “Academic staff” means professors, lecturers and other academic staff of the university;
- (b) “Act” means the Tertiary Education Act (Act 12 of 2011);
- (c) “Chancellor” means the Chancellor of the University appointed in accordance with section 20 (2) of the Act;
- (d) “Charter” means this Charter;
- (e) “Commission” means the “Tertiary Education Commission” established under section 3(1) of the Act;
- (f) “Council” means the Governing Board of the University;
- (g) “Financial year” means any period of twelve months beginning on 1st January in any year;
- (h) “Learner” means a person registered by the University for the purpose of obtaining a qualification or part qualification from the University;
- (i) “Minister” means the Minister responsible for Education and Human Resource Development and “Ministry” is construed accordingly;
- (j) “Rules” mean rules made under Clause 30;
- (k) “University” means the University of Seychelles, referred to in Clause 2 of this Charter;
- (l) “Statute” means statutes made under Clause 30;
- (m) “University” has the meaning given to it by Section 2 of the Act;
- (n) “Vice- Chancellor” means the Vice-Chancellor of the University appointed in accordance with section 22 (1) of the Act.

The University of Seychelles

2. The University

- (a) The university was established by the Seychelles University Foundation on 17th September 2009;
- (b) it was registered and licenced by the Government of Seychelles in exercise of the powers under Section 15 of the Education Act 2004, and to be known as the University of Seychelles; and
- (c) it was duly recognised under the Tertiary Education Act that was passed in 2011.

The university's governance structure has been developed to hold true to the ethos, principles and requirements of good governance in tertiary education. We have a duty to conduct our affairs in a responsible and transparent way, and to take into account the requirements of our funding bodies. Public accountability is derived from the strategic governance exercised by the University Council, comprising a majority of external members, by the quality assurance framework of the Seychelles Qualifications Authority, and it is subject also to an accountability framework of the Tertiary Education Commission.

3. Location of University

The main campus of the university shall be located in the Anse Royale District.

4. Legal Status of University

The university is a legal entity having perpetual succession and

- (a) shall have a seal;
- (b) may sue and be sued; and
- (c) subject to the provisions of the Act, has the functions and powers given to it by this Charter.

5. Relationship to Ministry

Subject to sections 5(4) and 9(1) of the Act, the university shall be responsible to the Chancellor and the Council and such reports will be made available to the Minister in the performance of its functions.

6. Objects of the University

The objects of the university are to:

- (a) advance knowledge through teaching, scholarly research and scientific investigation;
- (b) promote learning in its student body and in society generally;

- (c) promote the cultural and social life of society while fostering and respecting the diversity of the university's traditions;
- (d) foster a capacity for independent critical thinking amongst its learners;
- (e) promote the official languages of the State, with special regard to the preservation, promotion and use of the Creole language and the preservation and promotion of the distinctive culture of Seychelles;
- (f) support and contribute to the realisation of the national economic, social and cultural development;
- (g) educate, train and retrain high-level professional, technical and managerial personnel;
- (h) promote the highest standards in, and quality of, teaching and research;
- (i) disseminate the outcomes of its research in the general community;
- (j) promote and facilitate lifelong learning; and
- (k) promote gender balance and equality of opportunity among learners and employees of the University.

7. Functions of the University

The functions of the university are to:

- (a) develop/formulate learning programmes across an appropriate range of subjects conforming to the guidelines for subject areas provided by recognised authorities;
- (b) offer and deliver learning programmes referred to in paragraph (a) to learners enrolled at the university;
- (c) develop basic applied research relevant to Seychelles, the region and globally, and, in that respect, consult representatives of business and industries;
- (d) select and conduct appropriate research activities;
- (e) award qualifications and academic titles; and
- (f) publish academic and other literature.

8. Powers of the University

In carrying out its objects, and in the performance of its functions, the university may, subject to the provisions of the Act:

- (a) establish its own procedures for delivering learning programmes;
- (b) determine its own organisational structure, internal rules, the number of academic staff, research workers and administrative and other employees, their rights and duties and their terms and conditions of employment in compliance with the relevant laws;
- (c) elect governance bodies;
- (d) enrol and, where required, dismiss learners;

- (e) establish forms of co-operation with local and foreign enterprises and other organisations;
- (f) manage, use and dispose of its property;
- (g) keep data on enrolment, records of achievements, awards made to learners and other relevant matters;
- (h) charge fees; and
- (i) award qualifications and academic titles.

9. Promotion of equality of opportunity

The university shall, in the attainment of its objects, the performance of its functions and the exercise of its powers, promote equality of opportunity among learners and its employees.

10. Areas of study and modalities of the learning programmes offered

10.1 The university shall offer learning programmes in an appropriate range of subjects. It may award certificates, diplomas, advanced diplomas, and shall confer awards at undergraduate and postgraduate level.

10.2 The learning programmes shall be offered by full-time, part-time or distance mode. and shall be open to both local and international learners.

11. Procedures for developing, offering and discontinuing learning programmes

11.1 Procedures must be in place to regulate the initiation and closure of programmes. These procedures will be monitored and managed through the Quality Assurance Office.

11.2 In developing new programmes, evidence must be provided that it will:

- (a) respond to community needs or market issues; and/or
- (b) respond to one or more needs of the country; and/or
- (c) respond to regional and international trends;
- (d) have sufficient market demand;
- (e) have long-term sustainability; and
- (f) have a competitive fee to balance the development and delivery cost.

11.3 Senate will be the final arbiter to decide whether a programme should be included in the university's portfolio. Following Senate approval 'in principle', the Quality Assurance Office will duly arrange for a validation procedure. No programme may be

started without completion of this process and validation of the proposed programme.

- 11.4 A programme may be discontinued if it is determined by the Faculty that there is no longer a viable demand, or on the recommendation of the Director of Quality Assurance if there are critical issues surrounding its quality. The decision to discontinue must be referred first to Faculty Board and then to Senate.

12. Fees

- 12.1 The university reserves the right to charge fees.
- 12.2 The structure and procedure for charging such fees shall be provided for in the Statutes of the university.

13. Rights and interests of learners

- 13.1 The university recognises the rights and interests of learners and in particular the rights and interests specified in sections 34 (admission of learners), 35 (learners' rights), 37 (representation of learners) and 38 (protection of learners' interests) of the Act and commits itself to the protection of such rights and interests by putting in place the necessary mechanisms.
- 13.2 In order to ensure compliance with the provisions of the Act specified in the preceding paragraph, the following matters shall be provided for by the Statutes of the university:
- (a) the conditions governing the admission of learners to the university;
 - (b) the procedure to discontinue and renew studies with the university;
 - (c) the procedure for retaking examinations, courses or programmes;
 - (d) the procedure for learners to seek and obtain information from the university on matters of concern;
 - (e) the power of a body representing learners to request reconsideration of decisions taken by the university on issues affecting learners or to appeal against such decisions and the procedure for making such requests or appeals;
 - (f) alternative arrangements to be made by the university in the event that the university ceases to provide a learning programme and the procedure for making such arrangements.

14. Duties of learners

The university takes cognizance of the duties and responsibilities of learners and in particular the duties and responsibilities specified in sections 36 of the Act, and shall use all reasonable endeavours to ensure that:

- (a) learners fulfil their duties and responsibilities;
- (b) comply with provisions of the Act and any other law; and
- (c) observe this Charter and any Statutes and Rules made thereunder, and any other regulations of the University.

Governing Bodies and Officers of the University

15. Chancellor

15.1 The university shall have a Chancellor who shall be the head of the university.

15.2 The Chancellor shall be appointed by the Council and in appointing a person as Chancellor due consideration be given to the person's position, public standing, knowledge and experience.

15.3 The Chancellor shall

- (a) give such advice to the university as the Chancellor may deem necessary for the promotion and the realisation of the objectives of the university;
- (b) exercise such other powers and perform such other functions as may be conferred on or vested in the Chancellor by or under any law and the charter;
- (c) preside at the meetings of the University Council, or nominate a person to so preside whenever the Chancellor is absent.

16. University Council: Appointment, Functions and Constitution

16.1 There shall be a University Council which shall be appointed by the Chancellor of the University.

16.2 Members of the University Council will be appointed for a term of three years, renewable (subject to review) for a maximum of a further three years.

16.3 The membership of the University Council shall comprise:

- i. The Chancellor (Chairperson) or a person from within the Council, appointed by the Chancellor to exercise this role
- ii. One member representing the Government
- iii. Three eminent persons in the economic, industrial and social spheres of the country
- iv. Three overseas/international members representing universities and other organisations of international repute
- v. The Vice-Chancellor
- vi. The Registrar
- vii. One representative of the Senate
- viii. One academic staff member not appointed to the Senate
- ix. One support staff member

x. President of the Student Council

16.4 The functions of the University Council are to:

- (a) work with the Vice-Chancellor and Senate to prepare the long-term Strategic Plan for the University, reviewable and subject to modification on an annual basis, and approve the same;
- (b) consider and approve (or otherwise) recommendations on learning programmes, programmes related to research and the development thereof, as well as on structural changes necessary for the implementation of such programmes;
- (c) preside over the process of nomination, appointment and removal from office of the Vice-Chancellor and the Registrar, according to the provisions of the Charter;
- (d) approve the Annual Report of the Vice-Chancellor;
- (e) approve the annual income and expenditure forecasts;
- (f) support the further development of the university, with specific regard to resources and fund-raising;
- (g) evaluate the activities of the university, ensuring it contributes to the economic, social and cultural development of Seychelles;
- (h) make known the results of the evaluation of the activities of the university referred to in paragraph (g), and publish a summary of the same in the Annual Report;
- (i) regulate the finances and investment of funds, property and all other administrative affairs of the university including intellectual property and agreements with industry;
- (j) regulate learning programmes and examinations, and oversee the awarding of degrees, including honorary degrees and other qualifications;
- (k) establish committees as it deems fit for the purpose of assisting it to perform its functions;
- (l) recommend changes to Statutes, Regulations and Policies;
- (m) act as the highest body of appeal for students and staff, after all other internal procedures have been exhausted.

The University Council shall have the right to obtain from the university and its officers all the information and assistance it needs to exercise its functions.

17. Vice-Chancellor

- 17.1 The University Council shall appoint a Vice-Chancellor of the University who shall be the Chief Executive Officer of the University.
- 17.2 The Vice-Chancellor shall be appointed for a term not exceeding five years.
- 17.3 If the office of Vice-Chancellor becomes vacant, the University Council may appoint a person to perform the functions of Vice-Chancellor until a permanent appointment is made.
- 17.4 The Vice-Chancellor shall be responsible for:
- (a) managing and directing the university in its academic, administrative, financial, personnel and other activities;
 - (b) employing, and exercising disciplinary control over, the employees of the university;
 - (c) approving the internal procedures and regulations of the university related to administration and academic matters;
 - (d) the registration and, where deemed necessary, the dismissal of learners;
 - (e) the financial control of the university, and the proper management, use and disposal of its property;
 - (f) the conduct of academic activities, research and social or other activities of the university;
 - (g) submitting to the University Council and the Senate and the Tertiary Education Commission an annual report on the activities of the university and an annual report on its income and expenditure;
 - (h) making arrangements for the award of university qualifications and other distinctions;
 - (i) summoning the University Council, Senate and Faculty Boards;
 - (j) ensuring that any elections required by the Charter are held accordingly;
 - (k) performing other functions assigned to the Vice-Chancellor by law and the Charter; and
 - (l) discharging such other functions as the University Council may from time to time determine.

- 17.5 The Vice-Chancellor may delegate any function referred to in sub-Clause 17.4 to any other officer on the condition that the officer shall be answerable to the Vice-Chancellor for the performance of those functions.
- 17.6 With the approval of the Council, the Vice-Chancellor may wish to appoint designated senior management positions.
- 17.7 In performing his or her functions the Vice-Chancellor shall be subject to such policies as may be determined from time to time by the University Council and shall be answerable to the University Council for the efficient and effective management of the university and for the due performance of those functions.

18. University Senate

- 18.1 The Senate shall be the body responsible for the academic governance of the university and shall be appointed by a combination of *ex officio* posts and by election of the remaining posts.
- 18.2 The Senate shall consist of the following members:
- (a) the Vice-Chancellor, who shall be the *ex officio* Chairperson;
 - (b) Deans of the Faculties or their representatives nominated by the Vice-Chancellor;
 - (c) Registrar;
 - (d) An academic staff representative of each Faculty, elected from within the relevant Faculty;
 - (e) student representatives who shall comprise not less than 10 percent of the total membership of the Senate;
 - (f) the Librarian;
 - (g) the Head of IT Services;
 - (h) the Head of Quality Assurance;
 - (i) the HR Manager;
 - (j) the Director of each Research Institute; and
 - (k) other members as may be determined necessary by the Senate.
- 18.3 Subject to the Charter, the Senate shall perform the following functions:
- (a) adopt and submit the Charter and amendments thereof to the University Council for approval;
 - (b) approve, on the advice of the Vice-Chancellor, the appointment of the Deans of Faculties and other officers of the University provided for in the Charter;

- (c) establish the induction programmes for academic staff and learners;
- (d) establish procedures for the recruitment and performance appraisal of academic staff;
- (e) award the titles of Professor and Lecturer as well as university honorary titles in a manner approved by the University Council;
- (f) monitor the quality of learning programmes and training of learners;
- (g) consider and approve learning and research programmes and structural changes necessary for the implementation of such programmes taking into consideration proposals of the University Council;
- (h) arrange for the conduct of examinations and award of degrees and other qualifications;
- (i) submit proposals to the University Council concerning allocation of funds for consultancy and dissemination of information on research carried out by the university;
- (j) consider the Vice-Chancellor's reports, annual income and expenditure estimates and make recommendations to the University Council;
- (k) approve rules and internal procedures of the university and documents regulating the administration of academic affairs;
- (l) establish procedures for quality assurance aimed at improving the quality of education and related services provided by the university; and
- (m) establish committees as it deems fit for the purpose of assisting it to perform its functions.

19. University Faculty Boards

19.1 Each University Faculty shall have a Board which shall be appointed by a combination of *ex officio* posts and by election of the remaining posts.

19.2 The Board of each University Faculty shall be composed as follows:

- (a) the Dean of the Faculty, who shall be the *ex officio* Chairperson of the Board;
- (b) the Heads of all programmes in the Faculty;
- (c) other representatives of programmes of the Faculty elected by and from among the academic staff;
- (d) representatives of programmes of the Faculty elected by and from among the learners;
- (e) any member appointed by the Senate to represent interests outside the Faculty and who, in its opinion can contribute to the good administration of the faculty.

- 19.3 The functions of the Board of a Faculty shall include:
- (a) preparing plans for the development of the Faculty and presenting those plans for approval by the Senate;
 - (b) directing the academic affairs of the Faculty in consultation with the relevant authorities;
 - (c) determining the learning programmes, teaching and research within the Faculty and providing for the administration, publication and diffusion of the academic work of the Faculty.
- 19.4 The Board of a Faculty may regulate its proceedings.
- 19.5 Rules made or recommended by a Faculty Board shall be referred to the Senate for approval.

20. Pro Vice-Chancellors/Deans of Faculty

- 20.1 Each Faculty of the University shall have a Dean who shall be selected according to the University's selection procedures.
- 20.2 The Dean shall be responsible for the appointment of staff and the management of learning programmes and curriculum of the Faculty, and the performance of other functions assigned to the Dean by this Charter.
- 20.3 Where a Dean, in addition to the above functions, assumes cross-university responsibilities, the title of Pro Vice-Chancellor may be designated.

21. Registrar

- 21.1 There shall be a Registrar of the University who shall be appointed with the agreement of the Council, in accordance with normal university appointment procedures.
- 21.2 In certain instances, the duties of a Registrar may be combined with those of another senior post.
- 21.3 The Registrar (whether as a separate post-holder or in combination with other duties) shall be responsible to the Vice-Chancellor for:
- (a) the custodianship of the records and such other property of the university as prescribed in the Charter and Statutes;
 - (b) conducting official correspondence on behalf of the university;

- (c) issuing notices for convening meetings of the authorities of the university and of the committees of those authorities;
- (d) keeping minutes of all meetings referred to in paragraph (c);
- (e) making arrangements for and supervising the examinations conducted by the university;
- (f) representing the university, as directed by the Vice-Chancellor, in all legal proceedings by or against the university, signing powers of attorney and doing all other things relating to such proceedings;
- (g) entering into agreements, signing documents and authenticating records on behalf of the university;
- (h) holding in special custody records, books and documents and the common seal of the university;
- (i) safeguarding and maintaining campuses, buildings, gardens, vehicles, equipment and other properties of the university.

22. Academic staff

- 22.1 The academic staff of the university may include professors, lecturers and other academic posts agreed by Senate.
- 22.2 The academic staff shall undertake research activities while performing their academic duties.
- 22.3 The responsibilities of a professor shall include teaching, preparing, supervising and directing research activities, conducting research and presenting the results of research in peer-reviewed publications.
- 22.4 The responsibilities of a lecturer shall include teaching, research and the supervision of learners engaged in academic or research activities.
- 22.5 The academic staff shall observe the code of ethics of the academic staff of the university, adopted in accordance with the recommendations of the Tertiary Education Commission.

23. Student Council

- 23.1 There is established a Student Council to represent the learner community and to act as the main forum through which learners may express their views.
- 23.2 The Council shall operate under the general direction of the Council, as may be prescribed by the Statutes.

24. Committees for the settlement of disputes

The university will make provision for appropriate procedures, including relevant committees, for the settlement of disputes arising between the institution and its employees or learners, the procedure for the settlement of disputes and the implementation of decisions.

Financial Provisions

25. Estimates of expenditure

Estimates of expenditure of the university will be submitted to the University Council for monitoring and the Commission for review.

26. Annual Reports and Statement of Income and Expenditure

26.1 The Vice-Chancellor shall submit to the University Council and the Senate and the Commission an annual report on the activities of the University and an annual report on its income and expenditure in accordance with section 22(3) (g) of the Act.

26.2 The Senate shall consider the Vice-Chancellor's reports, annual income and expenditure estimates and make recommendations to the University Council in accordance with section 23(3) (j) of the Act.

26.3 The University Council shall approve the annual reports of the Vice-Chancellor and consider the annual income and expenditure forecasts in accordance with section 21(6) (d) of the Act.

26.4 The university shall annually publish a statement of income and expenditure for the preceding year as prescribed in the Statutes in accordance with section 42(2) of the Act.

27. Accounts and audit

27.1 The university shall cause proper books and records of account of its income, expenditure and assets to be kept.

27.2 The University Council shall cause the accounts of the university to be audited annually by an auditor appointed by the University Council, and for that purpose, the accounts of the university shall be submitted to the auditors within a period specified by the Statutes before the end of every financial year, and the auditor shall report on the examination and audit of the accounts of the university to the University Council within a period specified by the Statutes.

28. Funds and resources

The funds and resources of the University may be derived from:

(a) tuition and other fees;

- (b) donations and grants, endowments, gifts and trusts, income from auxiliary activities such as consultancies, research, renting of facilities and resources;
- (c) such other sources as the university may determine, but the source of such funds must not be such as to compromise the integrity of the university or to present a conflict of interest to it.

29. Use and disposal of funds

The funds of the university shall be used and disposed of in accordance with procedures prescribed by the Statutes which shall be in conformity with the objects and functions of the university.

Miscellaneous

30. Appeals

Review of or appeals against decisions of the Chancellor, University Council, Vice-Chancellor, University Senate, University Faculty Board, Dean of Faculty, Registrar or other governance or management bodies or officers of the university which affect employees or learners shall be made in accordance with procedures prescribed by the Statutes.

31. Statutes and rules

The University is required to provide for the making of Statutes governing the exercise of powers and discretions of the university, and their amendment in the Charter is laid down in section 8(4) of the Act. Such Statutes will be approved in the first instance by Senate, prior to referral to the Council for approval. A copy of the Statutes will then be forwarded to the Commission for information.

32. Amendment of the Charter

This Charter may be amended by the recommendation of the Commission and with the authority of the University Council.



University of Seychelles

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