

## **Unisa welcomes the High Court's decision to dismiss an application to review its Convocation rules**

The University of South Africa (Unisa) welcomes the decision of the Pretoria High Court held on Thursday, the 24 October 2024, which ultimately dismissed an application to review and set aside the university's Convocation rules.

The applicant, Mr Simamkele Xani, had earlier brought two applications in this regard – one to interdict the holding of the Unisa Convocation AGM set for 11-12 December 2023 (PART A) and the other, for the court to review and set aside the university's decision to add additional criteria for a candidate to be eligible for nomination and election to the leadership of the Convocation (PART B).

Flowing from the interdict granted as per PART A of the application last year, the court proceeded to hear arguments for PART B of the application yesterday.

The court subsequently dismissed the application to review and set aside the university's decision to amend its criteria with COSTS against Xani, for the following reasons:

- He failed to prove to the court that the university has amended the Institutional Statute.
- The court found that the applicant's claim is baseless and without merit as no evidence was adduced to show any transgression of the Higher Education Act 101 of 1997.
- He further failed to prove that there was any violation of the Constitution of the Republic of South Africa.

The university also argued in court that since the issuing of a new notice for the Convocation on 28-29 June 2024, Xani proceeded to enter the Convocation elections and subsequently lost. Thus, the matter is rendered moot.

**/Ends.**

