

IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

CASE NO: 19605/17

In the matter between:

UNIVERSITY OF CAPE TOWN

Applicant

and

ALL THOSE PERSONS

Respondent

PARTICIPATING, OR INTENDING
TO PARTICIPATE, IN UNLAWFUL
CONDUCT AT THE APPLICANT'S
PROPERTIES

NOTICE OF MOTION

BE PLEASED TO TAKE NOTICE THAT the applicant will apply to the above
Honourable Court at 15h45 on 26 October 2017, or so soon as the matter may
be heard for an order in the following terms:

1. Dispensing with the forms and service provided for the Uniform Rules of
Court and directing that this application be heard on an urgent basis in
terms of rule 6(12)(a);

Fairbridges Wertheim Becker
Per: Ms Adela Petersen
Tel: (021) 405 7300

2. That a rule *nisi* be issued calling on the respondent to show cause at 10h00 on 12 December 2017 as to why a final order should not be granted in the following terms:

2.1. Interdicting and restraining the respondent from taking or attempting to take any action that obstructs or frustrates (i) the effective rendering of university services or decision-making processes of the applicant, (ii) the ability of the applicant's employees to do their work, and (iii) students from pursuing their studies, such action to include, but not to be limited, to the following actions:

2.1.1. entering or occupying any of the applicant's properties or buildings other than for the transaction of university business that requires their attendance in the building (including the attendance of lectures, tutorials, and examination venues and for occupying student housing for which they are lawfully registered);

2.1.2. disrupting or interfering with any lectures, tutorials or similar activities, or preventing the continuation of lectures or any other learning or studying activities, including learning activities or studying in any of the applicant's libraries or other facilities, in any manner whatsoever;

2.1.3. preventing any student or member of the applicant's staff from accessing or remaining on any of the applicant's

properties or any building on the properties, or from
accessing any form of transport arranged by the
applicant;

2.1.4. destroying, damaging in any way or defacing any of the
applicant's property;

2.1.5. erecting any form of barricade, preventing access to any
roads, buildings or transport on the applicant's property
or any public road on campus or adjoining it;

2.1.6. carrying any weapons, including, but not limited to sticks,
whips, rocks and stones;

2.1.7. activating any of the fire alarms in any of the applicant's
properties including student residences, save for
legitimate reasons;

2.1.8. participating in, or inciting others to participate in, violent
protests;

2.1.9. inciting violence;

2.1.10. intimidating any person on the applicant's properties or
seeking to access the applicant's properties, including at
any of the applicant's student residences;

2.1.11. seeking to persuade or coerce any person, using intimidation, duress or threats, from continuing with their work (in the case of any of the applicant's employees or contractors) or, in the case of students, from studying, attending lectures, or pursuing any other learning or studying activity.

2.2. Interdicting and restraining the respondent from unlawfully gathering in protest or protesting unlawfully in any manner within 200 metres from any entrance to the university and/or the following venues:

2.2.1. all of the examination venues that will be determined and published by the applicant;

2.2.2. all of the applicant's libraries, located at the upper and satellite campuses;

2.2.3. the applicant's computer laboratories including those located at the following buildings: Leslie, Computer Science, Menzies and Masingeni;

2.2.4. the applicant's research laboratories.

3. That paragraphs 2.1 and 2.2 above shall operate as an interim interdict with immediate effect until the final determination of this matter.

4. Directing the members of South African Police Service and local law enforcement to forthwith assist the applicant with the enforcement of the interim order.
5. Granting the applicant leave to file supplementary and confirmatory affidavits, if necessary, on or before 17 November 2017.
6. That service of this order shall be effected on the respondent by the applicant:
 - 6.1. publishing copies thereof on the applicant's website and Facebook page;
 - 6.2. appending a copy to the doors outside of each of the applicant's libraries;
 - 6.3. emailing a copy to the Student Representative Council.
7. That the court condones service of the application on 26 October 2017 by the applicant:
 - 7.1. publishing copies thereof on the applicant's website and Facebook page;
 - 7.2. emailing a copy to the president and secretary-general of the Student Representative Council.

8. That the respondent may anticipate the return day hereof on 48 hours' written notice to the applicant's attorneys of record, Ms A Petersen at Fairbridges Wertheim Becker, 16th Floor, South Tower, The Towers, Heerengracht, Cape Town and can do so by email to apetersen@fairbridges.co.za.
9. Further and/or alternative relief.

TAKE FURTHER NOTICE that the affidavit of **ROYSTON NATHAN PILLAY** and the annexures thereto, will be used in support of this application.

TAKE FURTHER NOTICE that if the respondent intends opposing the final relief sought, they are required (a) to deliver to the applicant's attorneys, Fairbridges, by **20 November 2017** a notice of their intention to oppose the application and to appoint in such notice an address within 15 kilometres of the office of the registrar of this court at which they will accept notice and service of all processes in these proceedings; and (b) to deliver their answering affidavits, if any, by **4 December 2017**.

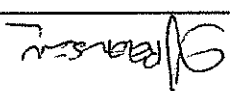
TAKE NOTICE FURTHER that the applicant has appointed the offices of Fairbridges Wertheim Becker Attorneys, 16th Floor, South Tower, The Towers, Heerengracht, Cape Town as an address referred to in rule 6(5)(b) at which it will accept notice and service of all notice and documents filed by in these proceedings.

TAKE FURTHER NOTICE that the application will be made on **12 December 2017** for a final order in terms of the prayers set out in the notice of motion.

DATED AT CAPE TOWN THIS 26th DAY OF OCTOBER 2017.

FAIRBRIDGES
WERTHEIM

BEKKER

Per 

Adela Petersen

Attorneys for applicant

16th Floor

South Tower

The Towers

Heerengracht

CAPE TOWN

TO: THE REGISTRAR

High Court

CAPE TOWN

IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

CASE NO:

In the matter between:

UNIVERSITY OF CAPE TOWN

Applicant

and

ALL THOSE PERSONS

The Respondent

PARTICIPATING, OR INTENDING TO
PARTICIPATE, IN UNLAWFUL
CONDUCT AT THE APPLICANT'S
PROPERTIES

FOUNDING AFFIDAVIT

I, the undersigned,

ROYSTON NATHAN PILLAY

do hereby make oath and state that:

1. I am an adult male employed by the applicant as its Registrar with my offices situated at Bremner Building, Rondebosch, Cape Town.

2. I am duly authorised to represent the applicant in these proceedings and to depose to this affidavit as is apparent from annexure 'RP1' hereto.



3. The facts deposed to herein are within my personal knowledge unless

stated to the contrary or otherwise appears from the context, and are to the best of my belief true and correct. Where I rely on information conveyed to me by others, I verily believe same to be true. Legal submissions made are based on the advice provided by the applicant's legal representatives.

4. This affidavit addresses the following:

4.1. First, I describe the parties to the application.

4.2. Second, I provide an overview of the relief sought in this application.

4.3. Third, I provide some background regarding the history of protest action at the university's premises and the consequences thereof.

4.4. Fourth, I set out the facts giving rise to this application.

4.5. Fifth, I address the legal and factual bases for the relief sought.

4.6. Sixth, I address the question of urgency.

THE PARTIES

5. The applicant is the University of Cape Town (also referred to as 'UCT' and 'the University'), a higher education institution established in terms

of the Higher Education Act, No. 101 of 1997 ('The Higher Education Act') with its principal place of administration at Bremner Building, Lower Campus, Rondebosch.

6. The respondent is all those persons participating, or intending to participate in, protests, intimidation or disruptions at any of the applicant's properties (described more fully below).

7. As set out more fully below, it appears that a number of the people who have participated in the recent unlawful conduct on campus that has precipitated this application are not all UCT students and some appear to be from other institutions of learning. For that reason, the respondent has been cited so as to include all those persons involved, or intending to become involved, in protests or unlawful conduct at any of UCT's properties. It has also been the University's experience that those who have engaged in the protests at UCT in 2015 and 2016 were not all registered students. I address this further below.

8. Due to the circumstances of this matter, the applicant is not in a position to cite the respondent by name. In particular:

8.1. The heightened and concerted unlawful conduct that is the subject of this application commenced on 25 October 2017. As is described elsewhere in this affidavit, since then the situation on the property has been extremely transient with on-going attempts at unlawful actions.

8.2. The situation at the applicant's campuses is a fluid one with

people coming and going. Further, UCT's campuses are easy to access and it is difficult to prevent trespass by persons who are not students and whose sole purpose is to obstruct and frustrate the continuation of the academic year.

8.3. For this reason, it is not possible to identify all of the persons who are engaged in the unlawful conduct. Some protestors have also covered their faces making identification difficult.

8.4. The application was prepared in great haste. I am not familiar with the protestors who will have to be identified from the photographs and video footage, if at all possible. On several pictures the faces are not visible. The matter is too urgent to attempt to identify the protestors prior to moving the application.

8.5. The university had to suspend lectures earlier today due to protest action and an inability to protect staff, students and visitors. The face-to-face lectures have been suspended for today and tomorrow. This will also enable UCT to apply for an interdict which will stabilise the situation.

9. The applicant's upper campus in Rondebosch is 400 000 m² in extent. Numerous buildings, roads and other infrastructure are involved. There are 43 buildings on upper campus alone.

10. For the reasons adumbrated herein, the applicant is not in a position to identify the respondent at this stage and may not succeed in doing so later, although all reasonable attempts are being made to do so.

THE RELIEF SOUGHT

11. The substantive relief sought in this application is an interdict in the following terms:

11.1. Interdicting and restraining the respondents from taking or attempting to take any action that obstructs or frustrates (i) the effective rendering of university services or decision-making processes of the applicant, (ii) the ability of the applicant's employees to do their work, and (iii) students from pursuing their studies, such action to include, but not to be limited, to the following actions:

11.1.1. entering or occupying any of the applicant's properties or buildings other than for the transaction of university business that requires their attendance in the building (including the attendance of lectures, tutorials, and examination venues and for occupying student housing for which they are lawfully registered);

11.1.2. disrupting or interfering with any lectures, tutorials or similar activities, or preventing the continuation of lectures or any other learning or studying activities,

including learning activities or studying in any of the
applicant's libraries or other facilities, in any manner
whatsoever;

11.1.3. preventing any student or member of the applicant's
staff from accessing or remaining on any of the
applicant's properties or any building on the
properties, or from accessing any form of transport
arranged by the applicant;

11.1.4. destroying, damaging in any way or defacing any of
the applicant's property;

11.1.5. erecting any form of barricade, preventing access to
any roads, buildings or transport on the applicant's
property or any public road on campus or adjoining it;

11.1.6. carrying any weapons, including, but not limited to
sticks, whips, rocks and stones;

11.1.7. activating any of the fire alarms in any of the
applicant's properties including student residences,
save for legitimate reasons;

11.1.8. participating in, or inciting others to participate in,
violent protests;

11.1.9. inciting violence;

11.1.10. intimidating any person on the applicant's properties

or seeking to access the applicant's properties,
including at any of the applicant's student residences;

11.1.11. seeking to persuade or coerce any person, using

intimidation, duress or threats, from continuing with
their work (in the case of any of the applicant's
employees or contractors) or, in the case of students,
from studying, attending lectures, or pursuing any
other learning or studying activity.

11.2. Interdicting and restraining the respondent from unlawfully

gathering in protest or protesting unlawfully in any manner within
200 metres from any entrance to the university and/or the
following venues:

11.2.1. all of the examination venues that will be determined
and published by the applicant;

11.2.2. all of the applicant's libraries, located at the upper and
satellite campuses;

11.2.3. the applicant's computer laboratories including those
located at the following buildings: Leslie, Computer
Science, Menzies and Masingeni;

11.2.4. the applicant's research laboratories.

12. The exigencies of the matter have necessitated the applicant seeking wide-ranging relief. The nature of the relief sought and the number of properties implicated has resulted in the applicant not being in a position to identify the respondent with any further particularity. The scale of the protests has also contributed thereto.

THE APPLICANT'S PROPERTIES

13. UCT owns a number of properties from which it conducts its operations:

13.1. Upper, middle and lower campus in Rondebosch;

13.2. The medical campus, located at Groote Schuur hospital;

13.3. Hiddingh campus in central Cape Town; and

13.4. The graduate school of business ('GSB') at the V&A Waterfront,

(the 'properties' or 'property').

14. Apart from the GSB, the applicant's various properties are registered in its name and constitute private property, though there are public roads that pass through certain parts of the property. In respect of GSB, UCT has a notarially registered long lease over the property.

BACKGROUND FACTS

15. Since March 2015 South African universities have been confronted with ongoing student protests conducted under various names, including #rhodesmustfall and #feesmustfall. These protests have been widely reported in the media.

16. It is important to briefly set out UCT's position as regards the protests and the issues driving them:

16.1. UCT supports the goal of free, quality, decolonised education and has been striving to find solutions to this and the other grievances raised by protestors by engaging with various stakeholders. UCT however recognises that the fundamental national issue regarding fees is affordability.

16.2. UCT supports lawful protests, but does not condone violent protest or the actions of the few that are jeopardising the future of many.

17. The events of the past approximately two years are important in order to contextualise the applicant's position and the relief sought in this application. To that end, what follows is a brief summary of the pertinent events.

The events of 2015

18. The first instance of an unlawful occupation at UCT occurred at the Bremner building from 20 March 2015 to 12 April 2015. This situation was defused and the persons who were unlawfully occupying Bremner ultimately vacated after UCT instituted an urgent application in this court for them to vacate on 10 April 2015. The launch of the application caused the unlawful occupiers of Bremner building to leave, and the application for their removal became moot.

19. The second instance of such unlawful conduct occurred at Avenue House, Mowbray, which commenced on 29 April 2015 and was ultimately resolved when the parties reached an agreement as per the court order dated 26 May 2015 under case number 9613/15 to enter into a mediation process. The mediation process was finalised in August 2015.

20. There were significant protests on the University premises, including a shut-down for longer than a week. There were also protests at Parliament during October 2015 which resulted in the arrest and prosecution of a number of students.

The events of 2016

The protests during February 2016

21. During January 2016, the Vice Chancellor established a Special Executive Task Team ('the SETT'). The SETT would focus on matters affecting universities nationwide that may impact UCT specifically. The aim is for the task team to work with multiple stakeholders across campus, to anticipate and defuse tensions, ensure good communication with the campus community when events are moving rapidly, and ensure the maintenance of a safe environment for all.

22. The SETT is currently chaired by Prof. Loretta Feris. Other current members are Mamokgethi Phakeng, Russell Ally, Eielwani Ramugondo, Thando Tsotsobe, Roland September and Gerda Kruger.

23. During February 2016, correspondence was exchanged between management and the SETT (as it was then constituted) on the one hand and the Rhodes Must Fall movement ('RMF') on the other relating to RMF's demands and the occupation of Avenue House and Hall. The correspondence evinced a clear intention on the part of the University and the SETT to engage with students on issues such as accommodation and outstanding fees.

24. During February 2016 further protest action ensued at UCT, dubbed by the participants as 'Shackville'.

24.1. The violent nature of that protest and the damage caused to UCT's property, also widely reported on, formed the subject matter of urgent interdict proceedings in this court. An interdict was granted against certain of the protestors involved, including

registered students and others who were not registered at the University. The protestors appealed the order to the Supreme Court of Appeal.

24.2. On 20 October 2016 the Supreme Court of Appeal handed down judgment in the appeal. The case is cited as *Hotz v UCT* (730/2016) 2016 ZASCA 159 (20 October 2016).

24.3. The SCA interdicted the appellants and restrained them from –

24.3.1. erecting any unauthorised structures on the applicant's premises;

24.3.2. destroying, damaging or defacing any of the applicant's premises;

24.3.3. participating in, or inciting others to participate in any unlawful conduct and/or unlawful protest action at any of the applicant's premises; and

24.3.4. inciting violence.

24.4. The respondents (appellants in the SCA) then applied to the Constitutional Court for leave to appeal. The case is cited as *Hotz and Others v University of Cape Town* [2017] ZACC 10. The Constitutional Court found that the SCA's decision on the merits was unassailable, and only upheld the appeal in respect of the costs order.

24.5. The Constitutional Court acknowledged '[t]he protests also affected almost one and all in other ways, for example, quality time for learning was lost; properties were destroyed; injuries were sustained; many students were arrested and others excluded from campuses; some students were excluded from furthering their studies; life was lost and costs in litigation were incurred as a result of the protestors' unlawful conduct.'

25. Following the February 2016 protests and the grant of the interdict, and until September 2016, the situation at UCT's campuses was relatively calm (apart from protests that took place on 15 and 16 September which caused disruptions at all of UCT's campuses).

26. On 19 September 2016 the Minister of Higher Education and Training ('the Minister') announced the decision of government regarding fees for the 2017 academic year.

27. On 16 September 2016, in light of attempts by protestors to shut down the university, the decision was taken by management to suspend classes.

28. The Minister's announcement was a catalyst for widespread and often times extremely violent protests at most of the universities in the country. A number of universities suspended their academic programme for the year and a few even cancelled the academic year - for example UWC. The suspension of the academic programme had massive ramifications for the University, the staff and students.

29. During the week of 17 October 2016 there was a marked increase in violence and intimidation on the applicant's campus, which necessitated an urgent application to this court for relief preventing unlawful conduct. That application was launched under case no. 19875/16 ('the October 2016 application').

30. On 25 October 2016 Justice Meer granted a rule *nisi* operating as an interim interdict. The order was amended on 27 October 2016. The orders are attached marked 'RP2' and 'RP3'.

31. On 22 March 2017 the matter came before Justice Le Grange.

31.1. The applicant indicated that in light of the relative calm on campus during the exam and deferred examination periods, and the registration process for the new academic year (which had been completed on 10 March 2017), the interdict had served its purpose and that it did not appear to be necessary to confirm the rule *nisi*.

31.2. A supplementary affidavit setting out these facts was filed, and an order was granted in terms of which the rule *nisi* was discharged on the basis of such affidavit. Justice Le Grange also commended the applicant for its prudent approach in dealing with the matter. The order of Justice Le Grange is annexed as 'RP4'.

The November 2016 agreement

32. On 6 November 2016, an agreement was concluded between the groups known as the 'SRC candidates' and 'Shackville TRC' and UCT's management team ('the agreement'). A copy of the agreement is annexed marked 'RP5'.

33. The agreement was aimed at *inter alia* de-escalating tensions, ending the cycle of protests and counter-actions, limiting the need for private security and creating conditions that would allow for the completion of the 2016 academic year for all students. The agreement was also directed at creating a framework for longer-term challenges faced by the university.

34. A number of students signed the agreement.

The events of 29 March to 31 March 2017

35. At a meeting held on 29 March 2017 at Bremner building an agreement was reached regarding the need to review all financial exclusions and to alert students to apply individually to initiate the review process. At the end of the meeting a group of students decided to unlawfully occupy the Mafeje room in the Bremner building. Bremner is the core administration building of the university. As a consequence of the occupation of Bremner, the University was not able to function as a university. Consequently, the University served an interdict application on the occupiers, and their occupation ended on the morning that the

planned application was due to be heard, through the mediation efforts of the SETT.

The consequences for the University

36. The disruption caused by last year's protests, severely prejudiced the University and the entire student body – lectures were disrupted, the term was extended and as a result the 2017 academic year commenced late on approximately 6 March 2017. This has resulted in a truncated academic year which only ends on 20 December 2017. Although the academic calendar has been shortened, the University has ensured that there are 60 (sixty) teaching days each semester, in order to safeguard the integrity of UCT's academic offering. The truncated programme has the consequence that the University cannot afford any disruptions if it hopes to successfully complete the 2017 academic year in the limited time available.

37. If the 2017 academic year is not completed in 2017, the university will not be in a position to admit the approximately 4400 new undergraduates who register each year. This will have deleterious implications for the residences, and for the availability of student accommodation.

38. The university has contractual obligations to those students within its system. If students do not complete the academic year and do not graduate, they cannot be charged fees again next year for the same academic year, because the fees have already been paid.

39. At this stage the levels of morale amongst UCT staff are very low,

given the working conditions they have had to endure in the last two years and the pressure that has been brought to bear as a result of the

truncated academic year.

40. Although great sacrifices have been made by the university community in order to ensure that the 2016 academic year was completed and those who completed their degrees were in a position to graduate, it is not possible for the university to repeat that, given the burden that this places on academic staff in terms of the extended academic program. This year's exams will still be written at a very late stage, and thereafter have to be marked prior to results and graduation.

41. The university cannot afford to lose any academic time if we are to complete the curriculum in time for exams. There are 12 teaching days left before lectures end on 10 November 2017. The examinations are scheduled to start on 15 November 2017. The lecture period has now just been shortened due to the protests on campus and the risks that this poses to staff, students and visitors. The University was forced to take this decision despite the limited number of teaching days.

42. A financial aid appeals process earlier in the year showed that it was 'financially vulnerable students who suffered the most' from a university shutdown. Unlike in previous years, the exams are already scheduled until the 30th November 2017 and they cannot be postponed except by rolling them over to the next year. Should this occur, it will have

disastrous consequences for staff, students, incoming first-years and

the university's financial stability.

43. The University obtains approximately half of its income from fees and a

substantial portion of the balance from government subsidies. A small portion is obtained through donor funding. I should mention that the disruptions last year had a significant financial impact on the university in the form of amongst other things a substantial loss in fee income as a consequence in the decline of international 'semester study abroad' students for the 2017 academic year. International partners are concerned about sending students until the situation on campus has stabilised. This may result in UCT losing several million Rand in income.

44. The University simply has to ensure that the 2017 academic year is completed in December 2017, as presently planned.

THE EVENTS GIVING RISE TO THE APPLICATION

45. On 23 October 2017 from about 9h30 groups of students entered various buildings on upper campus including lecture rooms and disrupted classes by forcing lecturers and students to vacate these venues. They also set off multiple fire-alarms which resulted in people leaving buildings. This conduct has escalated and worsened since yesterday.

46. On 25 October 2017 protesters also went into UCT residences intimidating staff and students, setting off fire-alarms and opening fire-extinguishers without there being any fires.

47. The escalating protest action is evident from the attached photographs, viz:

47.1. The post-graduate diploma in accounting students wrote a final examination in the Sports Centre at UCT on 25 October 2017. There were over 300 students writing their examination. A group of protesting students gained entry to the Sports Centre by breaking down three fire escape doors and sprayed fire-extinguishers in the venue. Pandemonium broke out and some protesters tried to remove the examination scripts from the students. The examination was interrupted. All the scripts were collected but not all the students were able to complete their examination. This obviously poses challenges as to how the University deals with this situation as regards further examination disruptions, the safety of students and staff, and the marking of incomplete examination scripts. I annex hereto, marked 'RP6' a photograph of the examination being disrupted in the Sports Centre.

47.2. Annexure 'RP7' shows a vacated lecture theatre after fire-extinguishers were discharged in it forcing people to leave and the lecture having to be cancelled on the 25 October 2017.

47.3. The next photograph appended as 'RP8' shows a lecture being

disrupted on 25 October 2017.

47.4. On 26 October 2017 Baxter Road was closed by students at 6h20. A photograph depicting this is annexed, marked 'RP9'. No vehicles were able to access the road and the UCT Jammie Shuttle service had to be cancelled from the pick-up points serviced by Baxter Road. The Jammie shuttle depot was also blockaded causing severe disruption to the shuttle service and depriving thousands of students of transport.

47.5. Different access points to UCT were blockaded this morning. I attach a photograph marked 'RP10' depicting the southern entrance to UCT accessed from the M3 which was shut by protestors from before 7 am on 26 October 2017. Entry via the northern entrance to the upper campus at the Sports Centre was also blocked by students occupying the public roadway as annexure 'RP11' illustrates. These road blockages had a severe impact on other major thoroughfares and the police attended at the University in an attempt to regularise the situation.

47.6. At 11h00 on 26 October 2017 the unlawful conduct persisted. Annexure 'RP12' shows two fire-extinguishers being discharged in a lecture theatre on upper campus.

47.7. UCT has limited security who is not equipped to deal with crowd control. They cannot contain the situation because of the

numbers involved. The escalating violence has resulted in the University resolving to bring this application.

48. From the calls in the social media and made at the protests, it appears that a University wide shut-down is being promoted and orchestrated by certain students. This is untenable and will result in classes not being completed by the end of the academic year with disastrous consequences.

49. I have already mentioned the low staff morale. Staff members at UCT who had to deal with the disruptions in the past, are feeling vulnerable and intimidated. Emotions are running high and the situation is volatile. Although UCT is a gun free zone, I am concerned that in the event of further disruptions that staff members or students too may seek to protect themselves if confronted with further incidents of violence or intimidation. There is also a risk that protesters may bring firearms onto campus and use it.

50. The disruptions caused by last year's protests severely prejudiced the University and the entire student body – lectures were disrupted, the term was extended and the next 2017 term commenced late, which has resulted in a shortened academic year. The University cannot afford any disruptions if it hopes to successfully complete the 2017 academic year in the time available.

51. There has been student engagement as the three attached campus announcements bear out respectively marked, 'RP13', 'RP14' (both

issued on 25 October 2017), and 'RP15' issued on the 26th October 2017. The Student Representative Council issued demands on 24 October 2017 and these were responded to by the University on 25 October 2017 (these are attached to annexure 'RP14'). I confirm the correctness of the campus announcements which should be regarded as though herein set out and repeated and the University's response to the demands of the Student Representative Council.

52. There is also video footage available as more fully described on the rule 36(10) notice, a copy of which is attached 'RP16'

53. UCT's position in relation to the protests and private security has always been that it strives to use minimal private security so as to avoid the increase in tensions that this has the potential to create. At the same time, it is mindful of the potential risks of escalating violence and anger and is committed to doing everything it can to ensure the safety of those who work and study at UCT, and to defend UCT's property.

54. The applicant has attempted and will continue to attempt to open suitable fora for discussion of the concerns of the protestors. The applicant cannot however tolerate the unlawful conduct of the respondent, which is to the detriment of the applicant and the entire University community.

55. The relief sought by UCT is aimed at restoring peace on its campuses so as to permit the successful completion of the 2017 academic year

and to secure the safety of the university community and to protect UCT's property.

56. The first part of the interdict sought is aimed at preventing the respondent from engaging in any action that obstructs or frustrates (i) the effective rendering of university services or decision-making processes of the applicant, (ii) the ability of the applicant's employees to do their work, and (iii) students from pursuing their studies. A number of examples of such conduct or what would constitute such conduct, to assist those trying to enforce the order, are set out in the notice of motion.

57. The second part of the interdict seeks to prevent protestors from protesting unlawfully within 200 metres of certain key areas on campus namely:

57.1. all of the applicant's libraries, located at the upper and satellite campuses;

57.2. the applicant's computer laboratories, located at the following buildings: Leslie, Computer Science, Menzies and Masingeni;

57.3. the applicant's research laboratories.

58. As regards the libraries and computer laboratories, it is essential that in the weeks leading up to the examination that those students who do not have access to computer and online facilities are able to access

these on campus without hindrance. This is particularly critical in light of the mixed medium methods being used to finalise the academic year. It should be emphasised that disruptions to the libraries are most detrimental to students from disadvantaged backgrounds and those who do not have private access to such facilities.

59. As regards the applicant's research laboratories, it is critical that the staff employed in that faculty have continuous access to the facilities as they deal with research relating to *inter alia* living organisms and animals that require constant attention. Any hindrance to their ability to continue their work will be potentially irreversibly detrimental.

LAW

60. The applicant is governed by the provisions of the Higher Education Act. Section 36 thereof provides that every student at a public higher institution is subject to such disciplinary measures and disciplinary procedures, as may be determined by the institutional statute or the institutional rules.

61. I am advised that in acting in the manner that I have described above, the respondent - at least those of them who are students at UCT - have breached a number of rules that govern their conduct at UCT (insofar as they are students). These are the Institutional Rules contemplated by section 36 of the Higher Education Act and include:

61.1. RCS 7.6 which provides: 'A student must not act or threaten to act in a manner which interferes with the work or study of any member of staff or student in general and specifically in relation to the person's race, gender, beliefs, or sexual orientation'.

61.2. RCS 7.7: which provides: 'A student must not abuse or otherwise interfere with any member of the University community in any manner which contributes to the creation of an intimidating hostile or demeaning environment for staff or students in general and specifically in relation to the person's race, gender, beliefs, or sexual orientation'.

61.3. RCS 7.8 which provides: 'A student must not prohibit entry or exit from the University campus or any building on the University campus'.

61.4. RCS 7.9 which provides: 'A student must not obstruct, disrupt or interfere with the teaching research, administrative, custodial or other functions of the University'.

61.5. RCS 7.10 which provides: 'A student must not obstruct the movement of any member of the University community'.

(I attach the relevant section of the Handbook on General Rules and Policies marked 'RP16')

62. Those of the first respondent who are not students, have no right to attend at the applicant's buildings without an invitation or a legitimate purpose, and in any event, are not entitled to unlawfully occupy any of the applicant's buildings, as has occurred.

Prima facie right

63. Though I am advised that at this stage, UCT need only show it has a *prima facie* right, I am advised and aver that UCT has a number of clear rights, including the right to:

63.1. control and manage access to its property;

63.2. ensure that it is allowed to properly manage and control unlawful conduct on its property;

63.3. ensure that its staff are able to carry out the work in the interests of the students;

63.4. ensure the safety of its students and staff and other members of the public who are legitimately on its property; and

63.5. protect UCT's property.

Reasonable apprehension of irreparable harm

64. I have dealt with the repeated lawlessness on campus as well as the escalating hostility above. There is every reason to believe, in the light

of what has occurred on campus in the past few days that this will continue, and possibly even escalate, in the coming weeks particularly in light of the looming examination.

65. UCT is particularly concerned that protests will escalate closer to the examination period in November 2017. It is vital to the successful completion of the academic year that UCT is able to ensure that examinations are secured.

66. UCT is concerned that the situation will persist and possibly even deteriorate unless this court grants the relief sought in the application.

Balance of convenience

67. The balance of convenience clearly favours the granting of the interim interdict, which is aimed at halting unlawful conduct which is resulting in hostility and preventing the university from completing the academic year. It bears emphasis that the academic year is split into two semesters and each semester into two terms. There are 60 teaching days per semester. The remaining 12 days of term (which has now been reduced due to the university being forced to suspend classes) constitutes a fifth of the teaching time. Every teaching day is of paramount importance particularly on the eve of the final examinations and cannot be disrupted in this manner.

68. As is clear from what is set out above, the situation on campus is rapidly deteriorating. Unless the violent protests are contained, and

students and staff are able to continue with the academic programme, the university will face dire consequences.

69. Qualifiers in 2017 will not be able to take up employment and other opportunities, and will not be able to meet the requirements set for professional certifications in certain fields.

70. There will be a delay in progressing from one academic year to another, with potentially catastrophic financial consequences for the students and for UCT. Many, particularly the vulnerable, may simply fall out of the system.

71. Hundreds of health science graduates who are scheduled to enter the South African, health system in January will be unable to do so, which will put an already compromised health system at further risk.

72. UCT may lose the confidence of education partners, donors and funders and potential employers of graduates.

73. The financial implications may mean a forced reduction in staff and a collapse of UCT's contribution to financial aid.

74. The collapse of the semester study abroad programmes may affect our ability to attract international scholars and research partners.

75. UCT's capacity to do impactful research that benefits communities directly and their ability to continue critical services in communities (some of which involve lifesaving interventions) will be lost.

76. UCT faces the potential loss of its international accreditations, which will have direct consequences for the value of their degrees.

77. The consequences of non-completion of the 2017 academic year for UCT's future, and more generally for the country, cannot be overstated. We stand to lose a generation of students.

No other satisfactory remedy

78. As is apparent from what I have explained, and to date, the university's endeavours to control the situation with limited security on campus, and without seeking the assistance of the court, have, in part, been insufficient and ineffectual.

79. Left unabated, there is a real concern that the situation may worsen which could place not only the finalisation of the academic programme at risk, but also potentially the safety of the members of the university community.

80. There is no other satisfactory, legal remedy that could assist UCT in restoring law and order on campus.

URGENCY AND NOTICE

81. UCT has brought this application on an urgent basis and has given limited notice of the application. Its reasons for doing so are as follows:

81.1. First, there is a concern that any longer period of notice may aggravate the situation by inflaming the protesters.

81.2. Second, and given the prevailing circumstances I have described in this affidavit and in particular the lawlessness of the protesters and the transient situation on camps, I respectfully aver that it is not safe or feasible to give greater notice or in any other manner.

81.3. Third, in light of the urgency with which this application has been brought, the service of the application in the manner given ought to suffice.

81.4. Fourth, this situation is transient and the protestors are not always on the property, hence the publication on the website and Facebook and the emailing thereof to the president and secretary-general of the SRC.

81.5. Fifth, there is no prejudice to the respondents. Moreover, they can apply to have the rule nisi discharged.

82. I confirm that the notice of motion was published on the University's website at 15h20 and on the Facebook at 15h17 on 26 October 2017. The notice of motion was emailed by me to the president and secretary-general of the Student Representative Council. The publication of the notice of motion and emailing it to the aforementioned members of the Student Representative Council as aforesaid has given

any interested person adequate time to travel to the high court should they wish to oppose the matter.

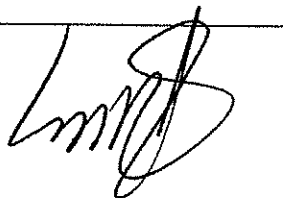
83. In light of the rapidly deteriorating situation on campus and the dire consequences should the academic year not be completed, the University submits that the matter is sufficiently urgent that it warrants proceeding with the aforementioned notice to the respondent

84. For all these reasons, I submit that the application is urgent.

CONCLUSION

85. UCT accordingly prays an order as sought in the accompanying notice of motion.

ROYSTON NATHAN PILLAY



I certify that:-

1. The deponent has acknowledged that he:-

1.1 knows and understands the content of this declaration;

1.2 has no objection to taking the prescribed oath;

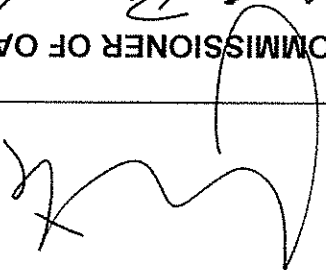
1.3 considers the prescribed oath to be binding on his conscience.

2. The deponent thereafter uttered the words: 'I swear that the contents of

this declaration are true, so help me God'.



The deponent signed this declaration in my presence at the address set out hereunder on this 26th day of OCTOBER 2017.



 JAMES TAM NTSE
 COMMISSIONER OF OATHS

COMMISSIONER OF OATHS
 MAGISTRATE ADVOCATE OF THE HIGH COURT
 7TH FLOOR, HUGUENOT CHAMBERS
 40 QUEEN VICTORIA STREET
 CAPE TOWN, 8001



AUTHORITIES IN REGARD TO LEGAL PROCEEDINGS

University of Cape Town

A: General

The Council resolves

1. Unless the Schedule specifically authorises this, an authority may not further delegate his/her authority.
2. An authority must ensure that :

- a) the power is exercised within the scope of the delegated authority;
- b) the power is exercised in accordance with University policies and statutory requirements, and that due process has been followed;
- c) the direct and indirect financial consequences of his or her decision are covered by an approved budget (authority to act does not confer authority to make a new budgetary appropriation, or create an entitlement to space); and
- d) there is no conflict of interest (if the authority is conflicted he/she must decline to exercise the authority delegated to him/her).

3. Monetary/time limits refer to the total amount/duration of the contract/lease/salary and, save where otherwise indicated, include VAT. A single contract may not be split into separate contracts to avoid the limitation imposed by any limit.

4. The signing authority may consult, where appropriate, relevant personnel within the University before exercising the authority delegated to him/her.

5. Where an authority is away from office:

- a. and a person has been appointed, in writing, to act in that position for the period of absence, the person appointed to act may exercise the delegated authority vested in that position (e.g., an acting VC may exercise the authority given to the VC, or an acting ED Finance may exercise the authority given to the ED Finance) ; or
- b. if a person has not been appointed to act, the authority's line manager is deemed to have the authority (e.g. in the absence of the Registrar the VC may exercise authority delegated to either).

The Council may confirm, ratify, vary or revoke any decision taken by an employee, subject to any rights that may have become vested as a consequence of the decision.

Delegated authority schedule D.

Approved by Council on 5 December 2015.....

(Chair)

[Handwritten signature]

B. Authorities delegated to the Registrar

The Council resolves:

That Royston Pillay, in his capacity as the Registrar of the University of Cape Town, acting independently, be and is hereby authorised -

1. to institute legal proceedings in any court of competent jurisdiction for:

- a) the payment of any monies owing by any person, persons, close corporation or company to the University of Cape Town and/or
- b) the delivery of any goods or assets belonging to or claimable by the University of Cape Town and/or
- c) the sequestration of the estate of any person or persons and the liquidation or judicial management of any close corporation or company and/or
- d) any other relief or remedy of whatsoever nature on the University of Cape Town's behalf, and whether by way of action, petition, motion, application or otherwise howsoever.

2. to enter appearance to defend and to defend any legal proceedings instituted against the University of Cape Town in any court of law;

3. to represent the University of Cape Town in any such legal proceedings and to employ attorneys and agents, and to sign and execute any power of attorney and/or affidavit and/or other document in connection therewith and to proceed to the final end and determination of any such legal proceedings no matter what cause arising ;

4. to nominate, in writing, and for a specified period, one or more officers of the administration to represent the University in signing any affidavit in relation to legal actions, including but not limited to actions in regard to the student fee debtors collection process, and to do all necessary to institute the legal proceedings pursuant to this.

5. to execute powers of attorney where required which without limiting the generality of this shall include powers of attorney in respect of intellectual property protection, in respect of the execution of Council decisions, and in respect of property acquisition and disposal, and to delegate authority to execute powers of attorney to the Director of Research Contracts and Intellectual Property Services in respect of intellectual property protection.

Delegated authority schedule D.

Approved by Council on 5 December 2015.....

(Chair)



Delegated Authority Schedule D

6. to represent the University as shareholder in companies in which the University has a shareholding, other than an investment holding though the Joint Investment Committee, other than in situations where the Vice-Chancellor does so, and to vote the University's shareholding, or to nominate a member of the University to do so, or to grant a proxy to a University-nominated director to do so.

7. to enter agreements and sign documents on behalf of the University of Cape Town in connection with:

- a) purchasing or otherwise acquiring, holding, selling, exchanging or otherwise alienating, hypothecating, burdening with a servitude or otherwise dealing with immovable or movable property of any kind, provided that no action in respect of immovable property may be taken unless previously authorized by a resolution of the Council;
- b) contracts expressly approved by or authorized by resolution of the Council;
- c) contracts provided for in the financial authority schedules;
- d) leases, as provided for in the financial authority schedules;
- e) contracts for conferences held on the university campus;
- f) contracts provided for in the research delegated authority schedule;
- g) contracts for implementing decisions of the I.P. Advisory Committee; and
- h) contracts not expressly provided for, subject to the limits in the financial authority schedules.

8. Unless the Schedules specifically authorise this, an authority may not further delegate his/her authority.

9. An authority must ensure that :
- a. the power is exercised within the scope of the delegated authority;
 - b. the power is exercised in accordance with University policies and statutory requirements, and that due process has been followed;
 - c. the direct and indirect financial consequences of his or her decision are covered by an approved budget (authority to act does not confer authority to make a new budgetary appropriation, or create an entitlement to space); and
 - d. there is no conflict of interest (if the authority is conflicted he/she must decline to exercise the authority delegated to him/her).

Delegated authority schedule D.

Approved by Council on 5 December 2015.....

(Chair)



IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

CASE NO.: 19875/16

On 25 October 2016
Before Justice Meer

In the matter between:

UNIVERSITY OF CAPE TOWN

Applicant

and

ALL THOSE PERSONS PARTICIPATING, OR
INTENDING TO PARTICIPATE, IN UNLAWFUL
CONDUCT AT THE APPLICANT'S PROPERTIES

Respondent

Having read the papers filed of record, and having heard counsel for the applicant, the

following order is granted:

1. A rule nisi is issued calling on the respondent to show cause on 25 November

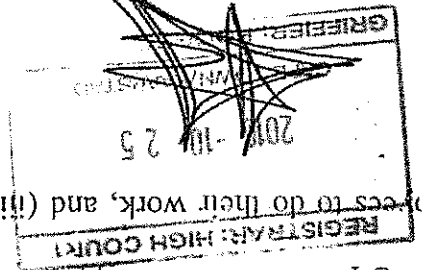
2016 why the following order should not be made final:

1.1. Interdicting and restraining the respondents from taking or attempting

to take any action that obstructs or frustrates (i) the effective rendering

of university services or decision-making processes of the applicant,

(ii) the ability of the applicant's employees to do their work, and (iii)



Handwritten marks at the top left of the page, including a large 'U' and some scribbles.

Handwritten marks at the bottom left, including a large 'X' and some scribbles.

Handwritten text at the bottom center, possibly 'R22'.

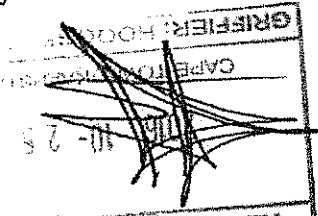
students from pursuing their studies, such action to include, but not to be limited, to the following actions:

- 1.1.1. entering or occupying any of the applicant's properties or buildings other than for the transaction of university business that requires their attendance in the building (including the attendance of lectures, tutorials, and examination venues and for occupying student housing for which they are lawfully registered);

- 1.1.2. interrupting or disrupting any lectures, tutorials or similar activities, or preventing the continuation of lectures or any other learning or studying activities, including learning activities or studying in any of the applicant's libraries or other facilities, in any manner whatsoever;

- 1.1.3. preventing any student or member of the applicant's staff from accessing or remaining on any of the applicant's properties or any building on the properties, or from accessing any form of transport arranged by the applicant;

- 1.1.4. destroying, damaging in any way or otherwise interfering with any of the applicant's property;



1.1.5. erecting any form of barricade, preventing access to any roads, buildings or transport;

1.1.6. carrying any weapons, including, but not limited to sticks and whips;

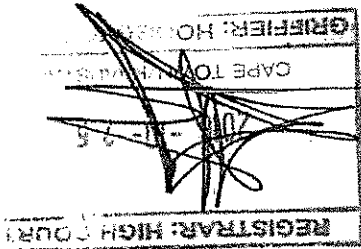
1.1.7. activating any of the fire alarms in any of the applicant's premises and in all student residences, save for legitimate reasons;

1.1.8. participating in, or inciting others to participate in, violent protest;

1.1.9. inciting violence;

1.1.1. intimidating any person on the applicant's properties or seeking to access the applicant's properties, including at any of the applicant's student residences;

1.1.10. seeking to persuade or coerce any person, using intimidation, duress or threats, from continuing with their work (in the case of any of the applicant's employees or contractors) or, in the



case of students, from studying, attending lectures, or pursuing any other learning or studying activity.

1.2. Until the end of the deferred examination period - currently scheduled to end on 10 February 2017 - interdicting and restraining the respondents from gathering in protest or protesting in any manner within 200 metres from the following venues:

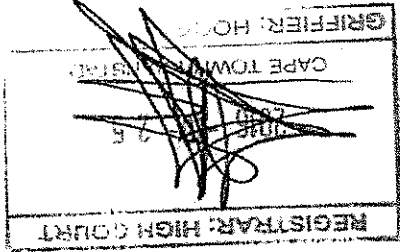
1.2.1. all of the examination venues that will be determined and published by applicant;

1.2.2. all of the applicant's libraries, located at the upper and satellite campuses;

1.2.3. the applicant's computer laboratories, located at the following buildings: Leslie, Computer Science, Menzies and Masingeni;

1.2.4. the applicant's research laboratories.

2. Paragraphs 1.1 and 1.2 above shall operate as an interim order with immediate effect until the final resolution of the matter.



3. The members of the South African police services and local law enforcement are directed to forthwith assist the applicant with the enforcement of the interim order.

4. The applicant is granted leave to file supplementary and confirmatory affidavits, if necessary, on or before 4 November 2016.

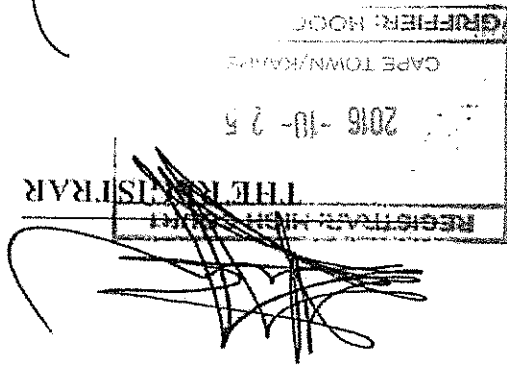
5. In the event of opposition to the application, any person so opposing must file their notice of opposition by 4 November 2016 and opposing affidavit by 9 November 2016.

6. Service of this order shall be effected on the respondents by posting copies thereof:

6.1. on the applicant's website and Facebook page; and

6.2. on the doors outside each of the applicant's libraries.

BY ORDER OF THE COURT



11
X
11

OFFICE OF THE CHIEF JUSTICE
REPUBLIC OF SOUTH AFRICA

IN THE HIGH COURT OF SOUTH AFRICA
[WESTERN CAPE DIVISION, CAPE TOWN]

Case No.: 19875/2016

Before Justice Meer
on 27 October 2016 at CAPE TOWN

In the matter between:

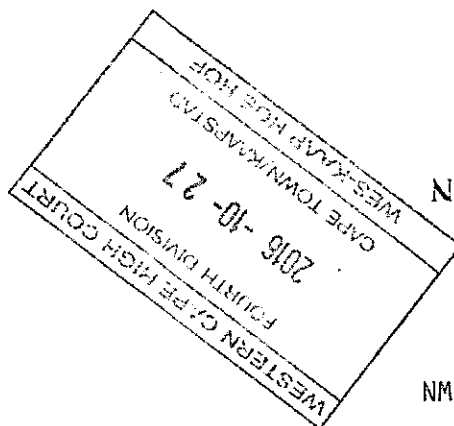
UNIVERSITY OF CAPE TOWN

and

ALL THOSE PERSONS PARTICIPATING, OR
INTENDING TO PARTICIPATE, IN UNLAWFUL
CONDUCT AT THE APPLICANT'S PROPERTIES

Respondent

Applicant



VARIATION OF ORDER IN TERMS OF UNIFORM RULE 42 (b)

PARA'S 1.2 and 3 OF THE ORDER DATED 25/10/2016 ARE AMENDED AS SET
OUT IN BOLD BELOW IN THE BODY OF THIS ORDER:
1. A rule *nisi* is issued calling on the respondent to show cause on 25 November

2016 why the following order should not be made final:

18

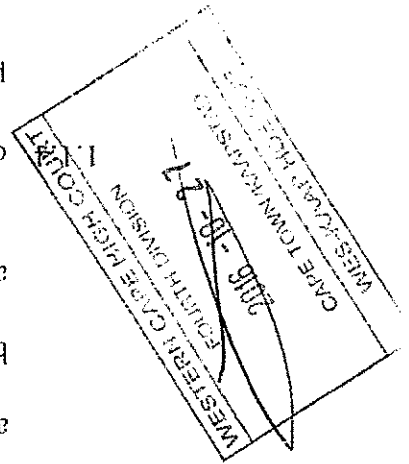
1.1 Interdicting and restraining the respondents from taking or attempting to take any action that obstructs or frustrates (i) the effective rendering of university services or decision-making processes of the applicant, (ii) the ability of the applicant's employees to do their work, and (iii) students from pursuing their studies, such action to include, but not to be limited, to the following actions:

1.1.1 entering or occupying any of the applicant's properties or buildings other than for the transaction of university business that requires their attendance in the building (including the attendance of lectures, tutorials, and examination venues and for occupying student housing for which they are lawfully registered):

1.1.2 interrupting or disrupting any lectures, tutorials or similar activities, studying activities, including learning activities or studying in any of the applicant's libraries or other facilities, in any manner whatsoever;

1.1.3 preventing any student or member of the applicant's staff from accessing or remaining on any of the applicant's properties or any building on the properties, or from accessing any form of transport arranged by the applicant;

destroying, damaging in any way or defacing any of the applicant's property:



property:

Handwritten signature and initials.

1.1.5 erecting any form of barricade, preventing access to any roads,

buildings or transport;

1.1.6 carrying any weapons, including, but not limited to sticks and whips;

1.1.7 activating any of the fire alarms in any of the applicant's premises

and in all student residences, save for legitimate reasons;

1.1.8 participating in, or inciting others to participate in, violent protest;

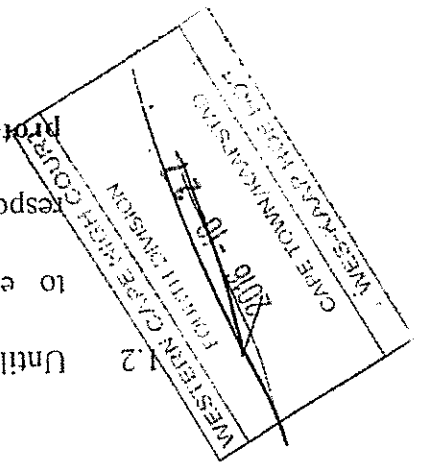
1.1.9 inciting violence;

1.1.10 intimidating any person on the applicant's properties or seeking to access the applicant's properties, including at any of the applicant's

student residences;

1.1.11 seeking to persuade or coerce any person, using intimidation, duress or threats, from continuing with their work (in the case of any of the applicant's employees or contractors) or, in the case of students, from studying, attending lectures, or pursuing any other learning or studying activity.

1.2 Until the end of the deferred examination period – currently scheduled to end of 10 February 2017 – interdicting and restraining the respondents from gathering in protest, save for the purpose of peaceful protest, within 200 metres from the following venues:



[Handwritten signature]

1.2.1 all of the examination venues that will be determined and published

by applicant;

1.2.2 all of the applicant's libraries, located at the upper and satellite

campuses;

1.2.3 the applicant's computer laboratories, located at the following

buildings: Leslie, Computer Science, Menzies and Masingeni;

1.2.4 the applicant's research laboratories.

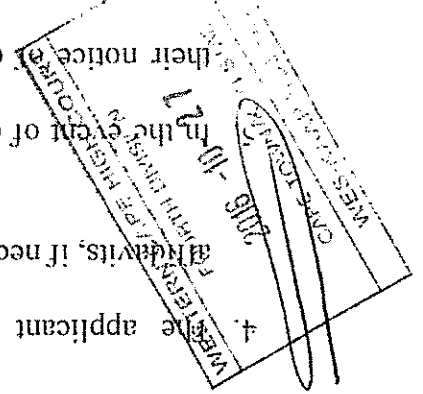
2. Paragraphs 1.1 and 1.2 above shall operate as an interim order with immediate effect until the final resolution of the matter.

3. The members of the South African police services and local law enforcement are directed to forthwith assist the applicant with the enforcement of the interim order. In so doing the members of the South African police services and local law enforcement are directed to exercise extreme restraint and refrain from using live ammunition.

4. The applicant is granted leave to file supplementary and confirmatory affidavits, if necessary, on or before 4 November 2016.

5. In the event of opposition to the application, any person so opposing must file their notice of opposition by 4 November 2016 and opposing affidavits by 9

November 2016.



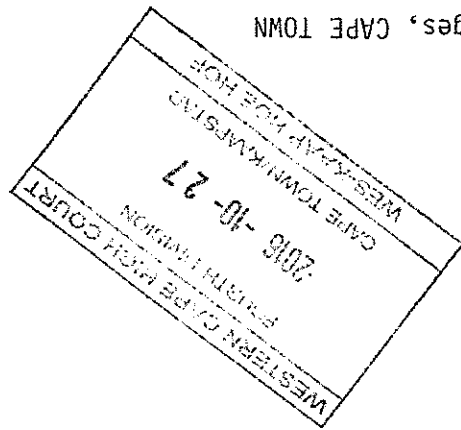
88

6. Service of this order shall be effected on the respondents by posting copies thereof:

6.1 on the applicant's website and Facebook page; and

6.2 on the doors outside each of the applicant's libraries.

BY ORDER OF COURT
COURT REGISTRAR



42 Fairbridges, CAPE TOWN

/ec

[Handwritten signature]

IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

On Wednesday, 22 March 2017 at CAPE TOWN
Before Mr Justice Le Grange

CASE NO.: 19875/16

22.3.2017

In the matter between:

UNIVERSITY OF CAPE TOWN

Applicant

and

ALL THOSE PERSONS PARTICIPATING, OR
INTENDING TO PARTICIPATE, IN UNLAWFUL
CONDUCT AT THE APPLICANT'S PROPERTIES

Respondent

DEBT ORDER

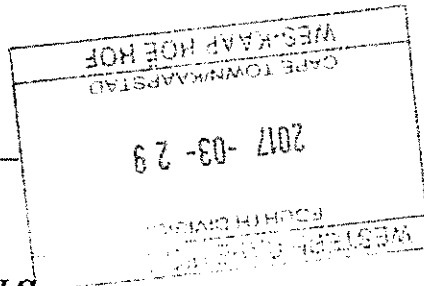
Having read the papers filed of record, and having heard counsel for the applicant, the

following order is granted:

1. The rule nisi granted on 25 October 2016, as varied on 27 October 2016, is hereby discharged on the basis of the supplementary affidavit filed by the applicant dated 16 March 2017.

BY ORDER OF THE COURT

THE REGISTRAR



42, Fairbridges
Cape Town

18

Agreement with the SRCCandidates/ShackvilleTRC and other student formations:

Higher education in our country is at a cross-roads. There are national issues, particularly related to fees, access and affordability, that need to be resolved as a matter of urgency. At UCT we have our own particular challenges that we need to address alongside these national issues related broadly to questions of transformation, decolonization, curriculum change, institutional culture, names of buildings and symbols, rape culture and gender identities. Our University has further been characterized by ongoing protests related to these issues which have resulted in interdicts, suspensions, expulsions, arrests, the use of private security and police action.

The 2015 academic year was put into jeopardy and there are concerns that the 2016 academic year will also be compromised.

The executive and students have been in ongoing negotiations to find a way forward.

From the side of management, we believe that there is sufficient common ground for us to reach agreement on a set of principles which can break the deadlock and move the university forward in the best interests of all the constituencies.

Agreement on these principles can lead to a de-escalation of the tensions, end the cycle of protests and counter-actions, limit the need for private security and create the conditions where the 2016 academic year can still be completed by all students. Such an agreement can also provide the framework for solutions to the longer term challenges that the university faces that can lead to the emergence of a new, inclusive identity in a transformed, decolonized UCT.

Towards this end, the executive offers the following to the SRCCandidates/ShackvilleTRC/Other student formations as the basis of an agreement:

1. Clemency and executive accountability

a) In the spirit of restorative justice that takes into account the prevailing context of student protest at UCT and nationally, and to ensure the successful completion of the 2016 academic year, and understanding that the rights to protest as outlined in the Constitution are protected, clemency is granted on the basis of the following principles:

i) signing a declaration (attached) by specific individual students who have been subject to Student Disciplinary Tribunals that will provide clemency for specific offences which relate to the protests around February 2016

ii) formally acknowledging wrong-doing and committing not to repeat such actions in the future by those granted clemency

iii) accepting that if the student is in breach of the Student Code of Conduct after November 6 2016, the University shall be entitled to charge the student as provided for in the University's student disciplinary procedures.

iv) agreeing that if there are disruptions of exams, academic activities, the residence system (inclusive of the dining halls and other recreational spaces) or the normal functioning of the university, and where no clear evidence is demonstrated that concerted efforts were taken to prevent such actions, the University may approach the mediators to request revoking the clemency.

v) understanding that the IRTC/Shackville TRC will request submissions from all constituencies on the clemencies granted and make recommendations on the granting of amnesties (or the continuation of clemency) and what the nature of these amnesties will be.

b) The University Executive, Chief Investigating Officer and Shackville TRC will make available to the IRTC/Shackville TRC a full list of pending internal and external charges against students related to student protest action up until November 6.

c) A moratorium on disciplinary tribunals relating to the list of cases pending the recommendations of the IRTC/Shackville TRC on acceptable forms of protests and appropriate disciplinary procedures and sanctions by the university. The IRTC/Shackville TRC will make recommendations on how to deal with each outstanding case in the spirit of restorative justice.

d) The executive will also subject its actions to investigation and recommendations by the IRTC/Shackville TRC and respect the outcome of this process.

2. Institutional Reconciliation and Transformation Commission/Shackville TRC

- a) On the basis of the agreement reached on commissioners (some of whom have already indicated their willingness to serve on this commission) UCT will establish the IRTC/Shackville TRC with immediate effect.
- b) The commissioners will immediately begin consulting with the various stakeholders to determine the terms of reference, which need to be in place no later than two weeks after they begin their work. Without limiting the terms of reference, the IRTC/Shackville TRC will:
- i) look into what is referred to as the 'Shackville protests' of February 2016, including any related and subsequent protest actions
 - ii) invite submissions from all constituencies on the amnesties granted and make recommendations on how the University should deal with such matters in the future
 - iii) make recommendations on institutional culture, transformation, decolonization, discrimination, identity, disability and any other matters that the university community has raised over the past 18 months or may wish to raise.

- c) The university will host university-wide meetings/seminars to launch the IRTC/Shackville TRC process. These meetings/seminars will be led by skilled external facilitators with the purpose of explaining the origins and role of the IRTC/Shackville TRC process and the principles of restorative justice.

3. A coherent policy on funding higher education and advocacy for free decolonised education:

- i) Support for investigating the principle and implementation possibilities of fee-free higher education (recognizing that there may be competing views and solutions and that the university may not settle on a single consensus position). The executive has expressed in principle support for the ideal of fee-free higher education while recognising that the details – time frames, relationship to macro-economic factors, coverage, implementation and sustainability need investigation.
- ii) A commitment to further dialogue and action, to examine the possibility and implications of fee-free higher education. An initiative along these lines in the School of Economics is starting and includes a representative nominated by the SRC Candidates group. All parties and individuals interested in participating in this program will immediately be invited to contribute. The University will also support a formal ongoing research program into the economic policy framework for higher education. The University will find resources to establish a dedicated unit to function, including engaging in debates and lobbying at national level. It will ensure that its influence on national policy is used to ensure all positions are heard and properly considered.
- iii) The UCT Executive and Council will work with the leadership of all universities and student formations to engage government to fund appropriately the higher

education sector. We also call on government to begin implementation in 2017 of a financial aid system that will reduce the effective costs of study for missing middle students. The Executive will further make clear that the submission made to the Fees Commission represented the position of the UCT Executive and that there are many other positions on fees which need to be acknowledged.

iv) Support in principle for the call to decolonise the university's institutional culture and the curricula and other matters brought forward, while recognising that decoloniality is not understood in the same way by all, and therefore its interpretation will have different connotations especially across faculties.

v) Putting in place programs, activities and timeframes on how the concept of decolonization can be approached by the university community as a whole

vi) A commitment to bringing the university community into conversation about these issues, listening deeply, accepting that there is a problem that needs addressing by us all.

4. Financial exclusions and fee-blocks

Note: this applies to undergraduate students but the question of fee-blocks for post-graduate students will be investigated by management as soon as possible.

- i) The executive commits to the principle that as far as possible students on financial aid and/or eligible for financial aid (inclusive of GAP students) who are academically eligible to graduate or to progress to the next academic year of study, but who are prevented from doing so due to affordability, will be allowed to graduate or progress. These students will have rights as any other student. The executive further commits to identifying policy changes that could reduce financial exclusions by continually engaging with stakeholders. Where these policies arise from outside UCT, such as the NSFAS rules, if on review we disagree with these rules, we will join students in advocating for these rules to be changed.
- iii) We will actively seek donor funds to cover the outstanding fees of those that NSFAS cannot cover, where such debt is impeding graduation or progression to the next year of study.
- iv) If there are degrees that are currently withheld for financial reasons, the University undertakes to release these degrees for economically marginalised and poor students on the understanding that there will be a commitment to repay this debt.

5. Completion of the 2016 academic year:

- i) The decision to restart the academic program with a limited opening of the university and a blended/online learning program on October 17 was a response by the executive to a crisis situation.
- iii) There are many students, and in particular final year students, who need to write their final exams before the end of the year for a variety of reasons, including job offers, career decisions, rental leases. Not providing an opportunity for students who want to write their exams would have serious and long-lasting consequences, including dire financial consequences for the university.

iii) No student will be forced to write in November or be prejudiced for opting to write the deferred exams. Writing the November exams will be on a completely voluntary basis.

iv) The executive recognizes that these are not ideal conditions and that there are students who will be adversely affected by the limited opening and blended/online learning program

v) The university has therefore committed to a full deferred exam program in January 2017 including, but not limited to, mini-teaching semesters, consolidation phases and the availability of lecturers and tutors where possible to ensure that students who chose not to write at the end of the year are given the best possible opportunities to be successful in January 2017.

vi) In recognition of the difficult conditions under which the academic year proceeded, including the presence of private security, suspension of face-to-face classes, and intermittent shutdowns, the executive also commits to working with faculties to put in place mechanisms and programs which will improve the prospects of academic success of all students.

vii) The university will put in place plans for the use of the residences, food and transport arrangements which will ensure that students in need who chose to write the deferred examinations are not placed in an adverse financial position

viii) An online facility will be provided which students can access which will enable those who qualify financially to secure a place in the residences for the period of the deferred exams, mini-semesters and consolidation phase.

ix) An online facility will also be provided for those students who qualify financially to make arrangements with the university for travel as a result of them writing the deferred exams and attending the mini-semesters and consolidation period.

6. The use of private security and police in managing protests

The Council has already appointed a committee jointly with the Institutional Forum to develop a protocol for the use of private security. This committee will solicit views from all stakeholders in formulating a protocol and consult on the proposed protocol before submitting it to Council. It is envisaged the draft should be complete by year end. In the interim, if an agreement is reached on these principles which leads to a de-escalation of conflict, the executive is open to removing private security as soon as possible.

Establishment of Rapid Response Task Team

The executive commits to constructively engage with the Shackville TRC and other student formations for the effective implementation and operationalization of this agreement.

The executive further commits to the immediate setting up of a Rapid Response Task Team made up of representatives of the executive task team and representatives of the student

formations to monitor the implementation of this agreement and to ensure that any obstacles that may impede the implementation of this agreement are removed as a matter of priority.

Status of the Agreement:

The agreement is signed by the executive and SRC Candidates/Shackville TRC. The parties agree that the mediators to this agreement will oversee its implementation and be called upon to adjudicate if any party to the agreement believes that there have been any violations. The mediators will recommend what processes are to be followed in any such instances.

Signed on behalf of the Executive:

7 November 2016

[Signature]

Signed on behalf of the SRC candidates:

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

Declaration by student seeking clemency for him/herself

I,, hereby declare that:

I am a cadre of the which is engaged in protest action to gain the attention of those who wield the power to intervene in the fee and curriculum-setting process and to create a free decolonised educational system. It has never been the philosophy of the Movement that it would encourage wanton acts of violence and destruction.

I recognise that our cause is one which provides students with a means of giving expression to their marginalization, exclusion, pain and suffering. In so doing, students who have endured these hostile conditions become angry and frustrated. I also recognise that in any protest action there is a likelihood of undisciplined elements taking advantage and those elements often perpetrate violence, destruction and mayhem. I acknowledge that violence does not advance our cause and only serves to discredit it. I do not condone such conduct.

I accept that university management is obliged to set a code of conduct and to enforce disciplinary procedures when it believes that the code has been breached. I hasten to add that, as part of the area of review of the task teams that will be looking at how to create a more widely representative student involvement, the code of conduct and disciplinary procedures should also be subject to further engagement and adjustment. We call upon management to be more even handed and to take the necessary disciplinary action against those who provoke and threaten us.

On I was found guilty of the offence of

..... in breach of the University's Code of

Conduct, and was sentenced to

Whether I was provoked into reacting to people who baited us into conflict, or acted off my own initiative, or got caught up in the mood of the moment without thinking carefully of the consequences, I state unequivocally that nothing could justify

2

violence, wanton destruction and damage to property. I deeply regret what I have done.

I accept that students who breach the code of conduct must be prepared to subject themselves to a just, fair and reasonable disciplinary process. Given the context in which I committed these offences, I ask the University to grant me clemency for these offences and allow me to return to the University to pursue my studies and enable me to participate meaningfully in the pursuit of the goals of the

..... Movement.

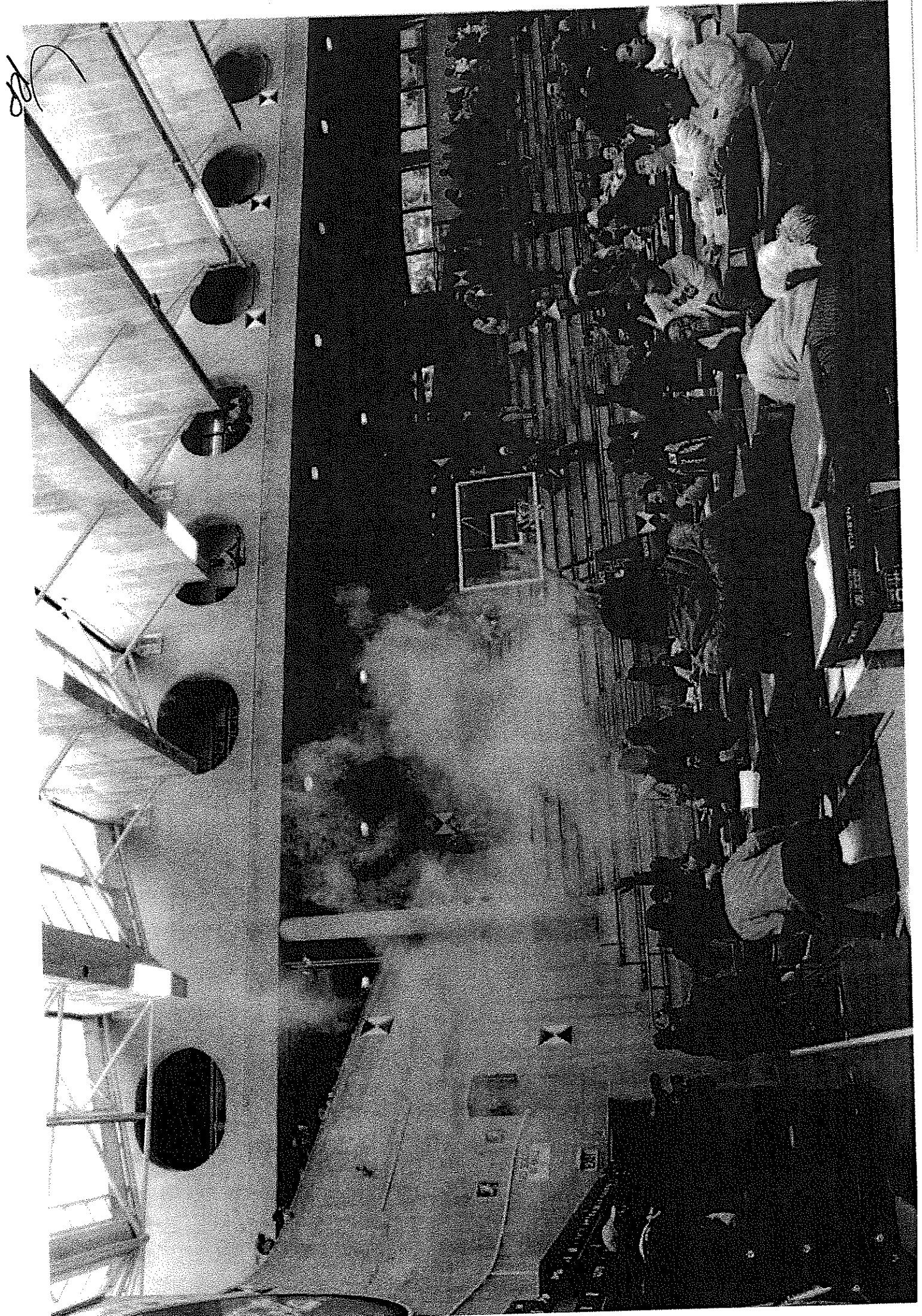
I undertake to conduct myself and any protest / political action that I may undertake or within which I may participate in future, within the scope of the disciplinary code. In the spirit of restorative justice and healing the deep divisions that exist in the university community, I call upon comrades as well as University management to actively and constructively participate in the IRTC/Shackville TRC process.

Always Forward Never Backward.

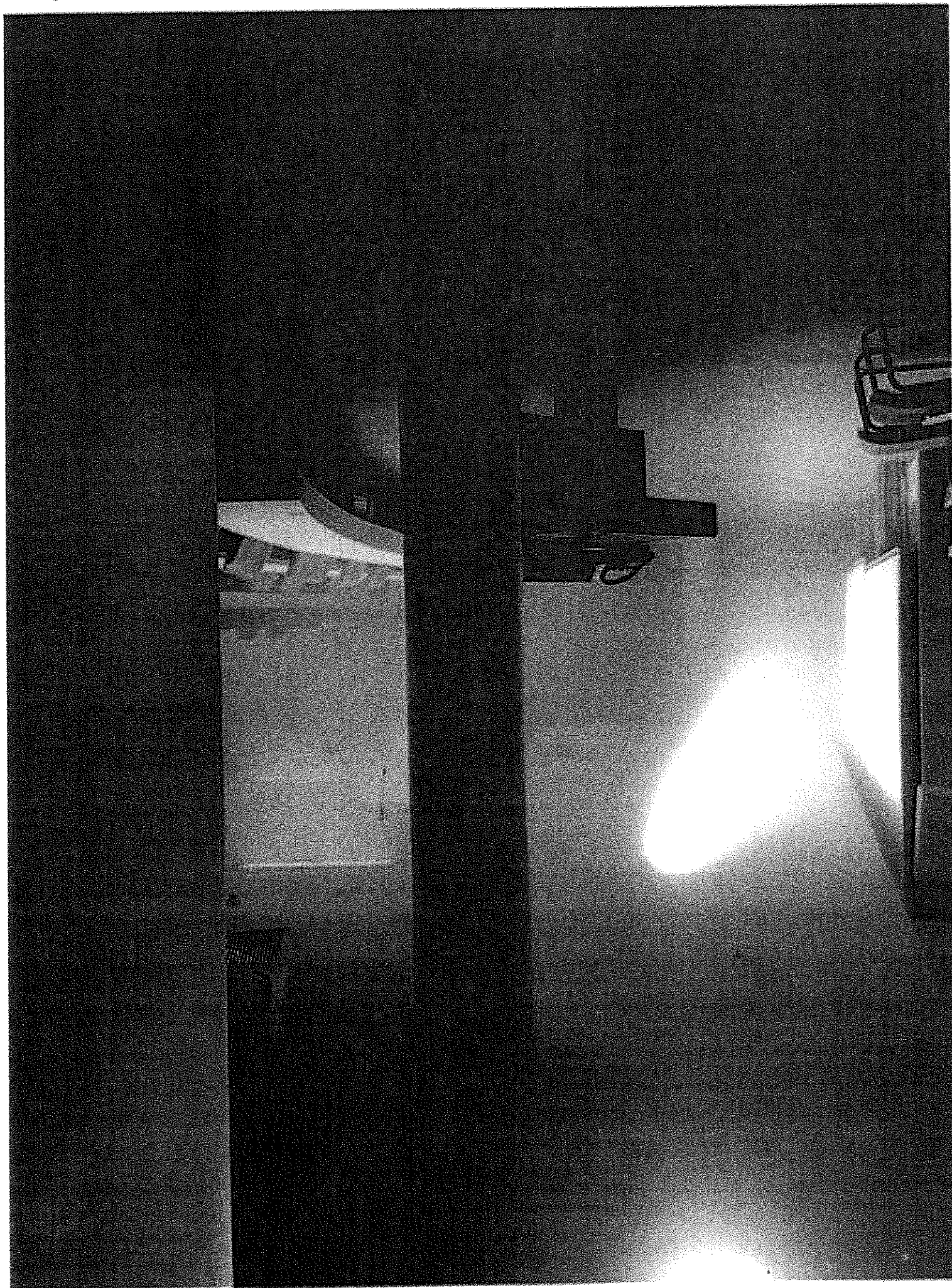
NAME OF STUDENT

(Signature)

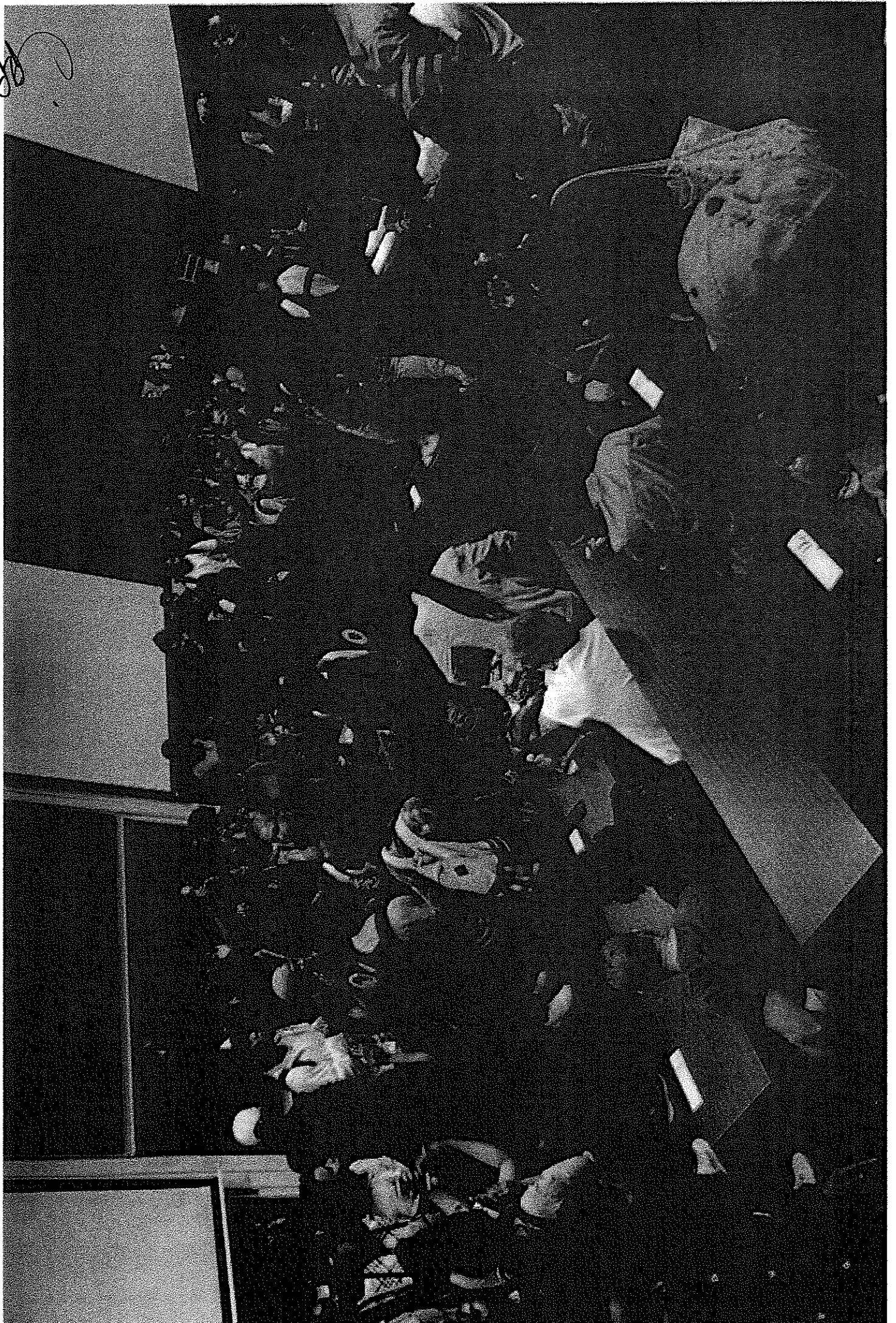
NR



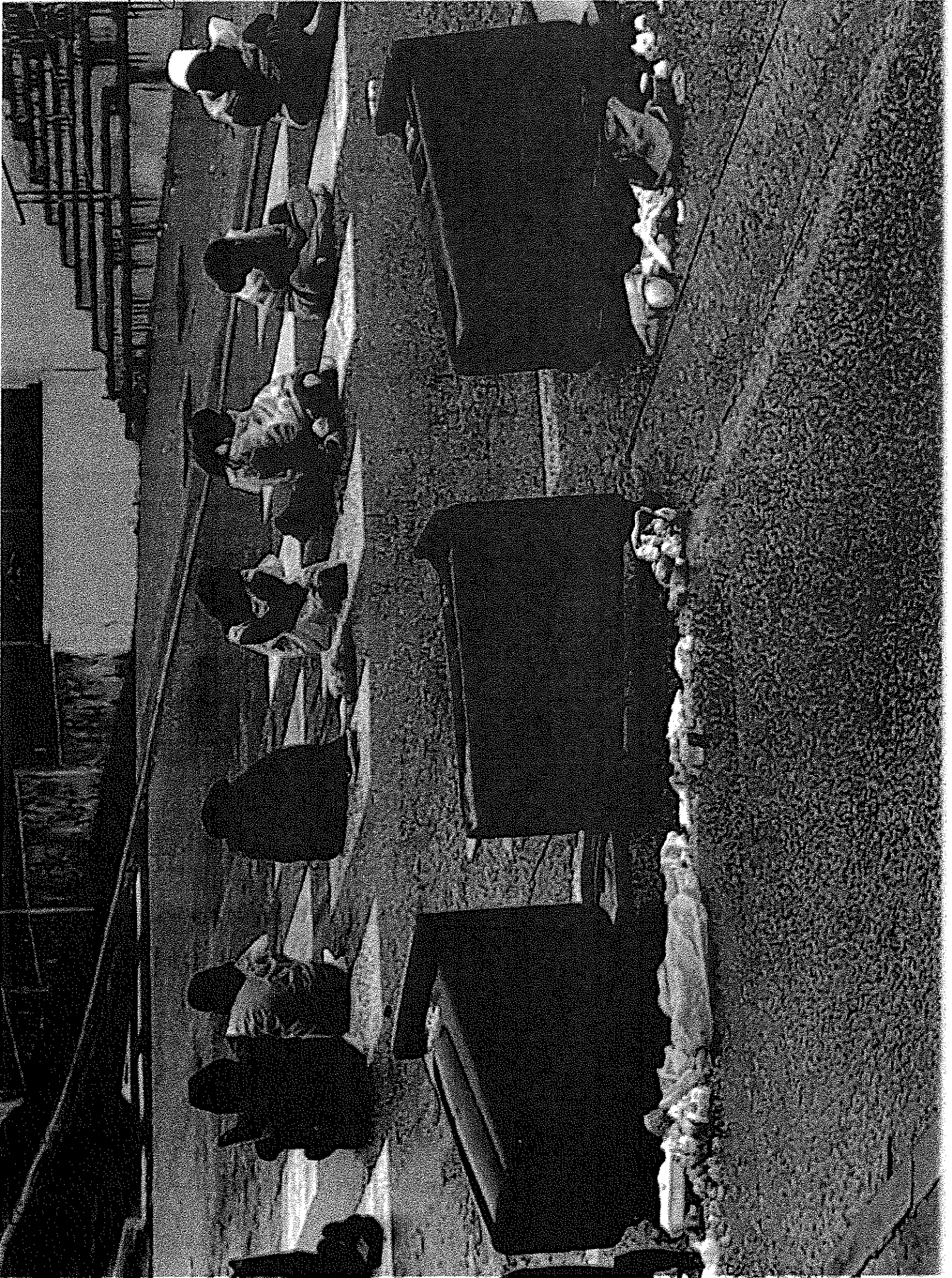
80



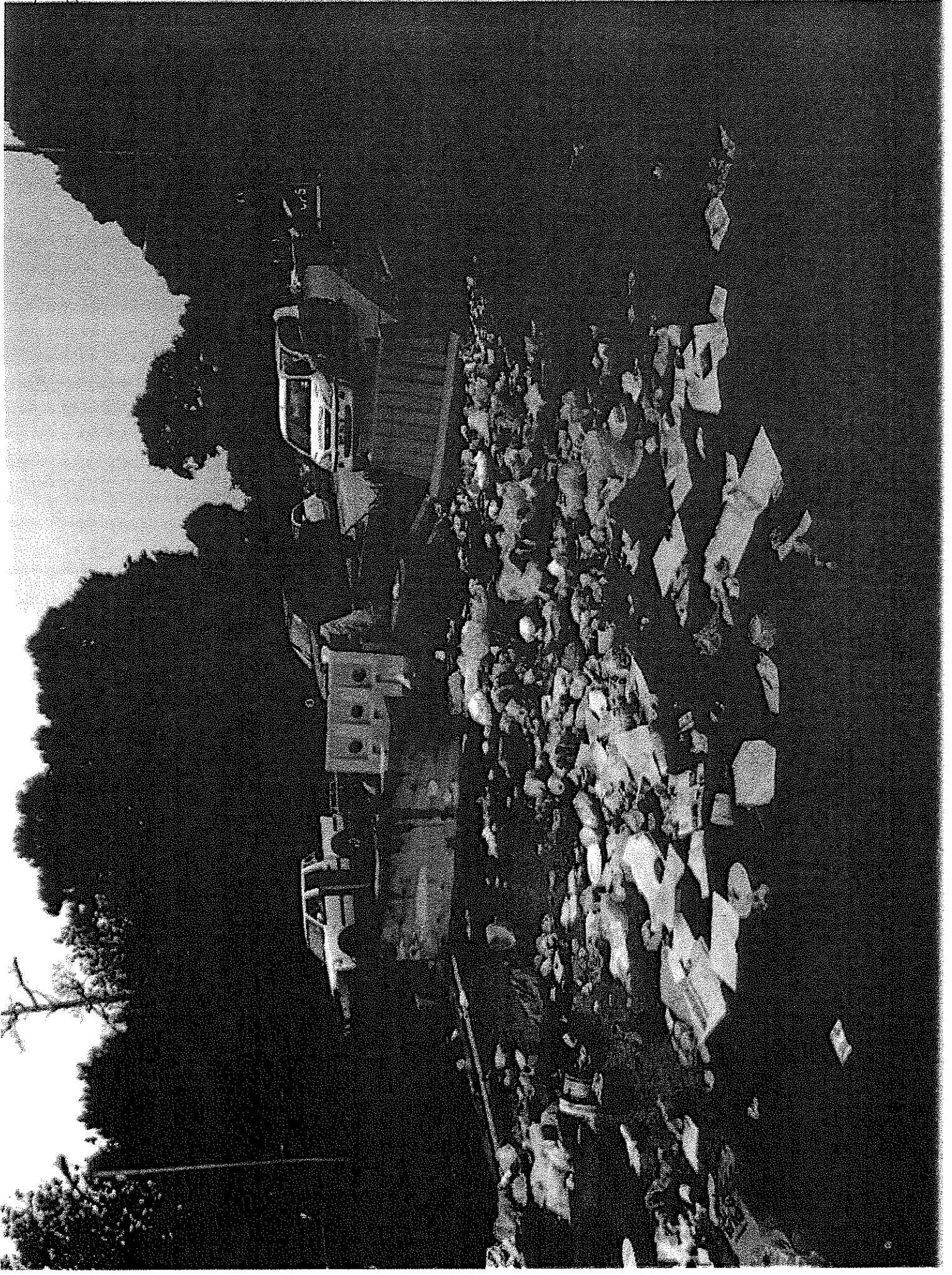
.. 807



..b89..

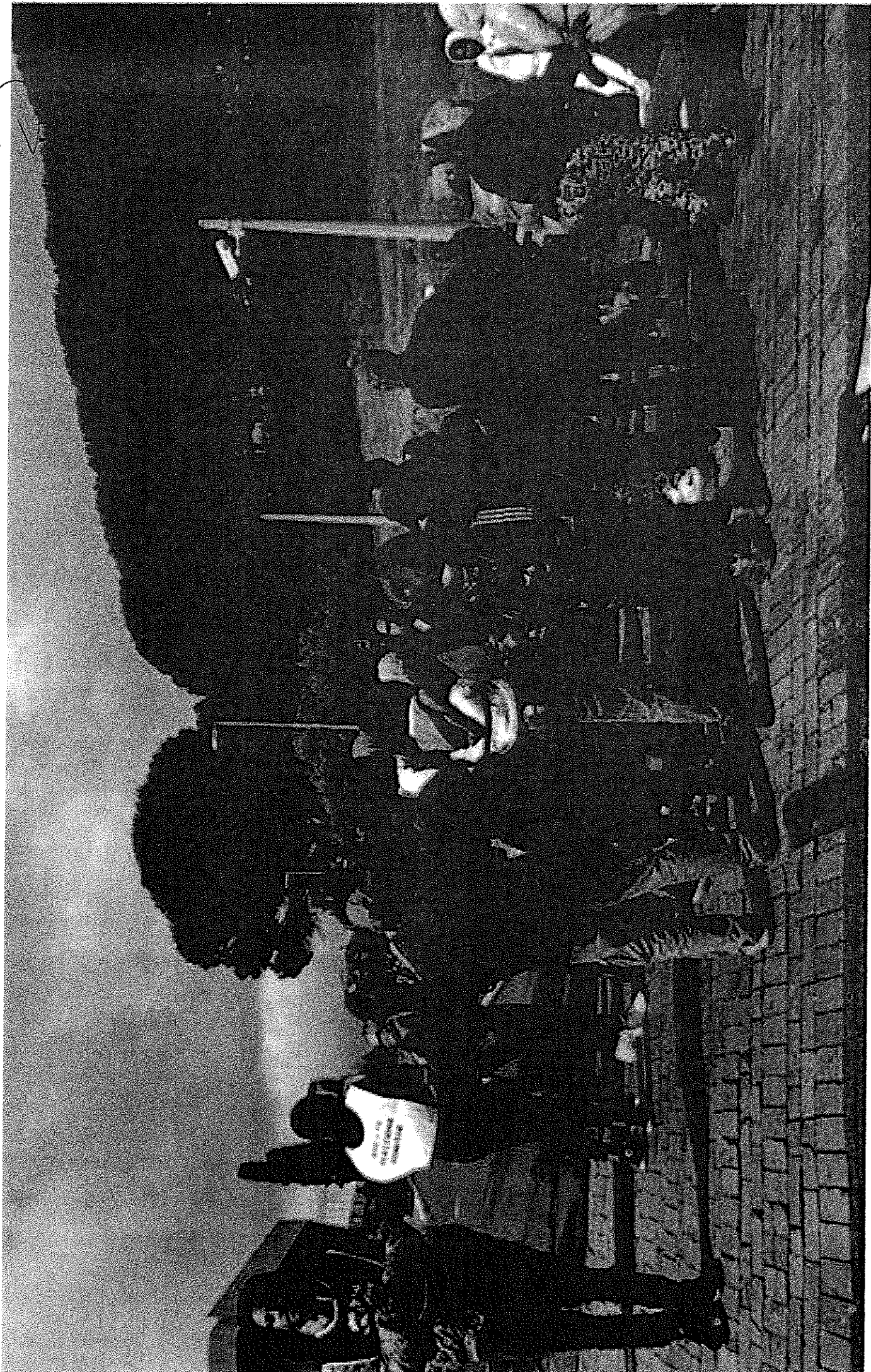


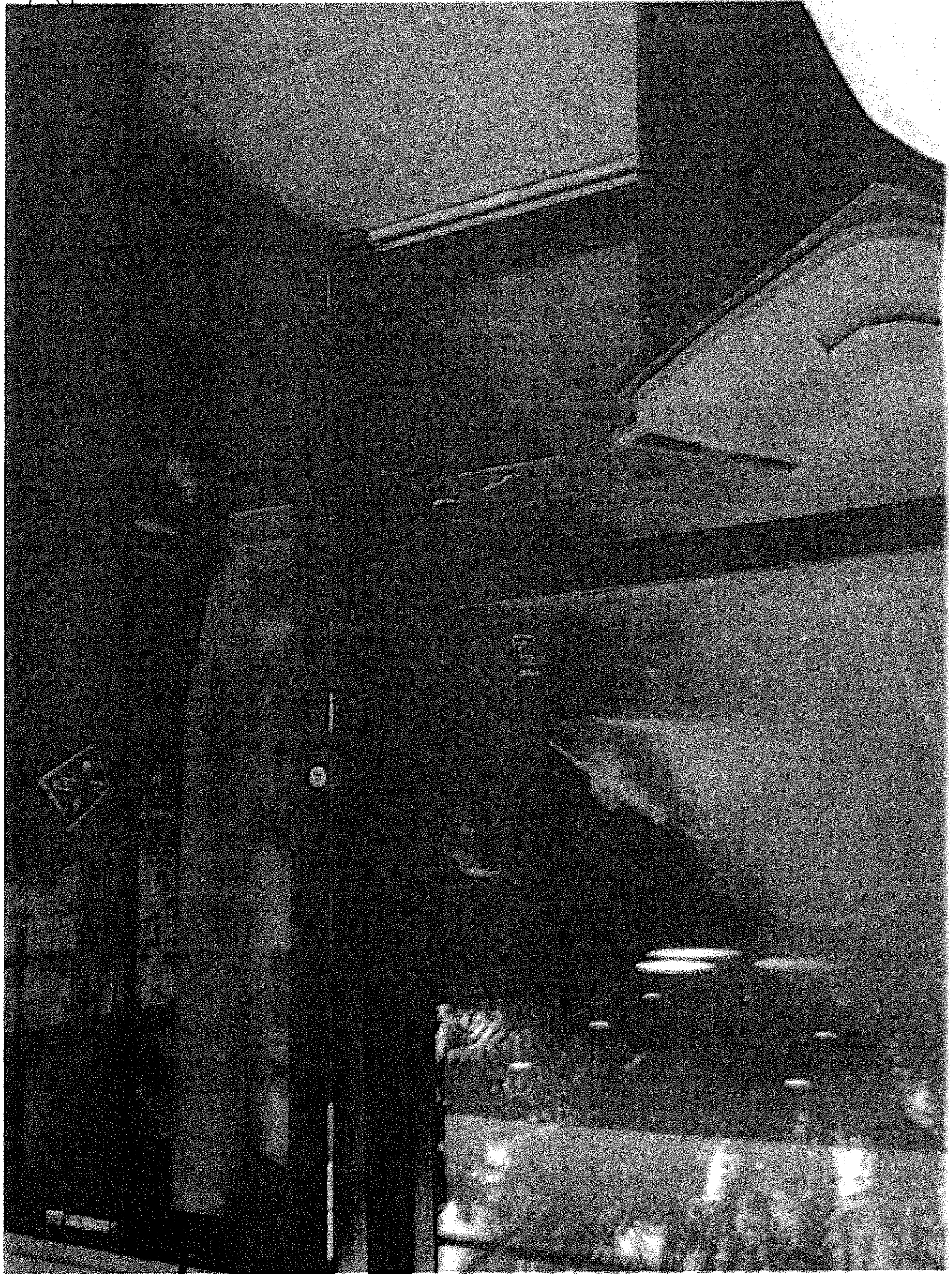
80



"KR 10"

88





K 11

Campus Announcement

Developments regarding attempted shutdown of UCT

25 October 2017

Dear students and colleagues

Please take urgent notice of the following developments on campus.

A mass meeting called for by protesting students took place from 13:00 to 14:00 in the Memorial Hall yesterday. The group left the Memorial Hall and some protesters entered the New Lecture Theatre and several other buildings on upper campus. Several lectures were disrupted, evacuation alarms were set off, some laboratories and buildings were evacuated and several tests were disrupted. The group then made its way to the library, which was briefly closed as a consequence, but reopened shortly thereafter. The group moved to the Brenner building, where a memorandum with several demands was handed over to the Vice-Chancellor, Dr Max Price.

Yesterday evening the UCT executive and members of the Senior Executive Task Team (SETT) initiated a meeting with Students' Representative Council (SRC) members and protest leaders. The meeting discussed the students' demands. The executive indicated that some of the demands are already being addressed, or are in the process of being addressed, and that there is a continued commitment to try to resolve the issues.

However, some demands were outside the scope of the executive's ability, eg the release of the Fees Commission report (which only President Jacob Zuma can do). There was also a need to clarify details around some demands. During the meeting, further demands were listed to which the executive simply could not immediately respond, including a call for the entire institution to be shut down on Wednesday, 25 October 2017, and that all staff and students should join a march to parliament. The executive indicated that this demand was not feasible and could not be met.

This morning we released a communication to indicate that UCT operations

W

are proceeding today, Wednesday, 25 October 2017.
(Read the communication...) It was necessary to do so as social media posts claimed that the executive had agreed on a shutdown, which is inaccurate.

This morning several protesters attempted to disrupt services on campus and set off several fire alarms. We remain deeply concerned about the impact of these disruptions and attempted shutdowns on students' ability to perform academically and for staff to ensure the continuation of the academic programme. We remain committed to continued engagement in our efforts to resolve issues, but we are deeply concerned about these forced shutdown attempts.

In light of the disruptions to academic operations on Tuesday, 24 October 2017 – including laboratories that typically house dangerous materials – and the indications that there might be further disruptions today, Wednesday, 25 October 2017, the executive made a decision this morning to secure the services of a private security company with the express brief to assist in safeguarding high-risk venues on campus. This is a decision that has not been taken lightly, but one that has been fundamentally informed by health and safety considerations for the staff and student community of UCT. The university has obligations in terms of the Occupational Health and Safety Act to take steps to ensure that the health and safety of staff and students are not compromised.

Please note that the company is not Vetust Schola but a separate organisation. We have briefed the company fully on the scope and limitations of their work. The company is deployed to safeguard high-risk venues. Staff and students might notice the officers in their duties on campus. Please allow them to do their work. To interfere with their services may cause a serious health and safety risk.

Please take urgent notice of these developments. Department heads are asked to ensure that staff and students have been made aware of the situation and the seriousness thereof.

"RP 14"

Claude Bassuday

From: UCT News <uct.news=uct.ac.za@icts-mail.com> on behalf of UCT News
<uct.news@uct.ac.za>
Sent: 25 October 2017 09:02 PM
To: Claude Bassuday
Subject: Campus Announcement: Update on campus activities 25 October 2017

Campus Announcement

Update on campus activities 25 October 2017

25 October 2017

Dear colleagues and students

The University of Cape Town (UCT) was open today, 25 October 2017. Many classes, tests, academic and PASS departments continued their work. It is estimated that three quarters of scheduled classes and academic activities were successfully concluded. The university is concerned, however, that in some cases lower attendance numbers in classes were reported.

Since early this morning, a group of protesters disrupted several classes, laboratories and lecture theatres. Numerous fire alarms were activated, which caused forced evacuations. Fire extinguishers were removed from buildings and set off and several service operations were interrupted. The library was closed for a short time to avoid disruption. In one instance, a final year three-hour exam was disrupted in the last ten minutes of the session. We were extremely fortunate that invigilators were able to collect all the exam papers.

The executive have expressed their deep concern about these disruptions and the effect that they are having on students, staff and our ability to conclude the academic year.

This morning the executive made a decision to deploy private security on campus in order to monitor and protect some high-risk buildings. In light of the

disruptions today, Campus Protection Services (CPS) will increase their deployment at test and exam venues and the same private security company may be used to assist the CPS officers where necessary.

The executive has responded in a written communication to the six demands given to them by the Students' Representative Council (SRC) president yesterday. (Read the communication...) The executive have expressed grave concern that despite their ongoing engagement with the SRC, and their commitment to respond to these demands, the SRC opted to proceed with rolling disruptions over the past two days.

There is additional concern that a growing number of protesters are not UCT students. CPS is assessing this risk and considering how to deal with it.

The executive have met with the Senior Leadership Group, the college of residence wardens, and will have a meeting with senior PASS staff and other constituencies tomorrow, including a meeting with Senate. The key

considerations for discussion are how to minimise the impact of the disruptions on staff and students, and to discuss the various options that are available to ensure completion of the academic year over the remaining 12 days of term and the exams. There is full commitment to successfully finishing the academic year and sticking to the exams schedule as published.

Investigations into incidents of criminality during the protest disruptions are being concluded. In cases where individuals are identified in association with criminal behaviour, charges will be instituted.

Communication and Marketing Department

University of Cape Town

This email is subject to the UCT ICT policies and email disclaimer published on our website at www.uct.ac.za/main/email-disclaimer or obtainable from +27 21 650 9111. This email is intended only for the person(s) to whom it is addressed. If the email has reached you in error, please notify the author. If you are not the intended recipient of the email you may not use, disclose, copy, redirect or print the content. | Privacy policy

UNIVERSITY OF CAPE TOWN
Yunivesithi YaseKapa
Universiteit van Kaapstad
Professor Loretta Feris: Deputy Vice-Chancellor-Transformation

Private Bag X3, Rondebosch, 7701, South Africa
 Room 202, Bremner Building, Lower Campus, 'Lovers' Walk, Rondebosch, Cape Town, 7700
 Tel: +27 (0) 21 650-2175/6 Fax: +27 (0) 21 650-5099
 E-mail: loretta.feris@uct.ac.za Website: www.uct.ac.za



Response from the Executive to SRC demands received on 24 October 2017.

1. 0% fee increment at the UCT to be pronounced by an emergency council sitting
2. The immediate release of the Fees Commission Report

UCT Response: -

- UCT understands the plight of varied adverse impacts of increasing student fees to students and their families. However, the university has no realistic alternative to consider increasing fees in an absence of a public funding policy framework.
- Our work in the free education planning group unit led by student continues with its work around seeking viable options for free education.
- We continue to urge all UCT stakeholders including students to participate in providing and seeking solutions on this national matter of importance.
- UCT continues to call on government to immediately release the Fees Commission Report.
- In this regard we agree with the SRC that the delay creates uncertainty.

▪ Therefore, on Monday, 23 October 2017, the vice chancellor Dr Max Price: -

- Wrote a letter to the President of the Republic of South Africa urging for the release of the report.
- Issued a public statement further advocating for the release of the fees commission report.
- We remain open to ideas of how we can exert pressure for the release of the report.

3. An emergency Institutional Commission of Inquiry into all the deaths of students over the past 2-5 years that relate to suicide

UCT Response: -

- We undertake to prioritise the adoption and implementation of the mental health policy given the high prevalence of student deaths this year.
- The Mental Health Task Team has already been asked to look at trends of student deaths and to better understand the profile of students who have passed away over the last 5 years.
- The Mental Health Task Team will also compile a list of pro bono mental health service providers nationally. This will be posted on the UCT website and also attached to communication for students who have successfully applied for Leave of Absence.

"Our Mission is to be an outstanding teaching and research university, educating for life and addressing the challenges facing our society."

- The Student Wellness Services has restructured its service to substantially reduce waiting periods. Additional mental health practitioners are being employed and bystander training for wardens and lecturers will commence soon.
- The newly appointed director of SWS will continue engagements at residences to create awareness around mental wellness.

4. Substantial financial report on paramilitary services on the campus over the past two years.

UCT Response:

- UCT has spent R24,28 million over the last two years of which R10 million were paid by insurance.

5. Clearance of Historical Debt for the year 2017 and no financial barriers to registration for 2018

UCT Response:

The demand for the clearance of historic debt and no financial barriers to registration is a demand that would require further engagement. There is no doubt that the UCT Executive is committed to assisting financially and academically eligible students and as in previous years the commitment to fund students remains and the Executive will do whatever is possible within the budget constraints to ensure support to students that meet the UCT financial aid eligibility rules. We encourage the student leadership to participate in structures that are capacitated to deal with these issues.

6. Draft framework that will address the residence and housing intake for the year 2018 for students who do not get residence offers, particularly those in first year and those who have been denied residence for next year.

UCT Response:

- We continue to review of Student Housing Policy, which is geared to prioritise the vulnerable. This includes: -

- Financial Aid students
- Younger students, etc

- Student leadership continues to play a pivotal role in the student housing policy formulation and review.

- We have already secured 300 additional beds to assist first time entering students with academic offers but no housing offers. In addition, we are working on remodelling OCSAS operations which will as it did this year, work with off-campus accommodation providers to ensure that we have additional accommodation off-campus to ensure that UCT students are not without accommodation.

Regards,

Prof Loretta Feris



Campus Announcement

UCT suspends classes on certain campuses for Thursday and Friday

26 October 2017

Dear students and colleagues

Face-to-face classes are suspended for today (Thursday, 26 October 2017) and tomorrow (Friday, 27 October 2017) on the University of Cape Town upper, middle, lower and Hiddingh campuses (excluding the Faculty of Health Sciences and the Graduate School of Business). The reason is primarily for the safety of students and staff and to avoid exposing staff and students to unacceptable disruptive behaviour.

Blended learning models will be implemented where possible and course conveners will communicate further how teaching will continue off campus. Course conveners will also communicate if and how tests and exams will continue and whether practicals and tutorials will proceed.

UCT operations (PASS and academic staff) will remain open where safety allows. Line managers will make operational decisions on safety issues that may occur.

Please note that a private security firm is assisting Campus Protection Services (CPS) in securing buildings and monitoring the situation.

The South African Police Service (SAPS) and Public Order Police are on campus as a result of the situation this morning and the blockages of public roads. They are monitoring the situation and attempting to clear blockages.

The decision follows extensive disruptions and barricades this morning on entrance and exit roads causing severe delays in traffic on campus and surrounding areas. We regret that a number of staff from the catering, cleaning and Jammie Shuttle services have left their posts without permission. The library was closed for some time as a precaution but has now reopened. The Jammie Shuttles are currently not operational.

Please note that information about services that are affected is constantly updated on the UCT News website.

Communication and Marketing Department

University of Cape Town

This email is subject to the UCT ICT policies and email disclaimer published on our website at www.uct.ac.za/main/email-disclaimer or obtainable from +27 21 650 9111. This email is intended only for the person(s) to whom it is addressed. If the email has reached you in error, please notify the author. If you are not the intended recipient of the email you may not use, disclose, copy, redirect or print the content. | Privacy policy

University of Cape Town, Weigelelegen, Upper Chapel Road, Rondebosch, 7700

Disclaimer - University of Cape Town This e-mail is subject to UCT policies and e-mail disclaimer published on our website at <http://www.uct.ac.za/about/policies/emaildisclaimer/> or obtainable from +27 21 650 9111. If this e-mail is not related to the business of UCT, it is sent by the sender in an individual capacity. Please report security incidents or abuse via csirt@uct.ac.za

EXTREMELY IMPORTANT: Due to the risk of email related fraud, we will never notify you by email of any change to our bank account details. You should not act on any email purportedly from us changing our bank details, but kindly inform us immediately.

W

IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

CASE NO:

In the matter between:

Applicant

UNIVERSITY OF CAPE TOWN

and

Respondent

ALL THOSE PERSONS PARTICIPATING, OR
INTENDING TO PARTICIPATE, IN UNLAWFUL
CONDUCT AT THE APPLICANT'S PROPERTIES

APPLICANT'S NOTICE IN TERMS OF RULE 36(10)

BE PLEASED TO TAKE NOTICE that the Applicant intends to tender into evidence at
the hearing of the application set down for hearing on 26 October 2017:

1. A flash drive depicting:

- 1.1 2 video clips showing a fire extinguisher being discharged;
- 1.2 6 video clips of various disruptions and protest action on the UCT property.
- 1.3 3 video clips depicting the disruption of an examination

TAKE NOTICE FURTHER THAT the copies of the video footage referred to above
are filed under cover of this notice.

DATED AT CAPE TOWN ON 26TH DAY OF OCTOBER 2017.

U
28

Per:

Adela Petersen

Attorneys for Applicant

16th Floor, The Towers

South Tower

Heerengracht

CAPE TOWN

Ref: AP/aa/UN129/0048

TO:

THE REGISTRAR

High Court

CAPE TOWN

UNIVERSITY OF CAPE TOWN

GENERAL RULES AND POLICIES

2017



Postal Address:
REGISTRAR
University of Cape
Town
Private Bag X3
7701
RONDEBOSCH
(021) 650-2138

Fax:

Telephone:

General Enquiries (021) 650-9111

Internet:

UCT Website <http://www.uct.ac.za>

Student Records:

Records Enquiries (021) 650-3595

Office Hours:

Office Hours: reg-records@uct.ac.za

Monday and Tuesday 08h30 to 16h30

Wednesday and Friday 08h30 to 15h30

Thursday 09h30 to 16h30

Accounts and Fees (021) 650-1704; (021) 650-4076

fn-d-fees@uct.ac.za

<http://www.uct.ac.za/apply/fees>

Fees and Cash 09h00 – 15h30

Offices 08h30 – 16h30 except Thursdays: 09h30

General Offices to 16h30

General Enquiries (021) 650-2128; 650-4555

Email address admissions@uct.ac.za

Admissions:

The Admissions Office and Student Records Office are located in the Masingene Building, Middle Campus. The Cashier's Office is located in Kramer Building, Middle Campus.

Handwritten signature and initials.

<i>firearms/weapons/ explosives</i>	RCS7.4	A student may not bring onto the University any explosives or other dangerous weapons except by express permission of the Registrar. "Dangerous weapon" includes, but is not limited to, firearms, knives or daggers, martial arts equipment or switchblades, and a normally harmless instrument designed to resemble a firearm or any other dangerous weapon, or which is used by a student to inflict bodily harm upon any person. A student must not commit the act of sale, distribution, use or possess any illegal drug, as defined by the Drug and Drug Trafficking Act 140 of 1992, on the campus of the University.
	RCS7.5	A student must not act or threaten to act in a manner which interferes with the work or study of any member of staff or student in general and specifically in relation to the person's race, gender, beliefs or sexual orientation. A student must not abuse or otherwise interfere with any member of the University community in any manner which contributes to the creation of an intimidating, hostile or demeaning environment for staff or students in general and specifically in relation to the person's race, gender, beliefs or sexual orientation.
<i>race/sex/gender</i>	RCS7.6	A student must not obstruct the movement of any member of the University community.
	RCS7.7	A student must not obstruct, disrupt or interfere with the teaching, research, administrative, custodial or other functions of the University.
<i>disruption of work</i>	RCS7.9	A student must not obstruct, disrupt or interfere with the movement of the University community.
	RCS7.10	A student must notify the Registrar of any change in his or her term and/or permanent address immediately or within 5 working days of becoming aware of such a change.
<i>obstruction of movement change of address</i>	RCS7.11	A student must make use of waste bins provided.
	RCS7.12	A student must not leave litter in any part of the campus (including any building or its grounds and gardens).
<i>litter</i>	RCS7.13	A student must not, nor must a student body affix any picture, poster or advertisement:
	RCS7.14	(a) on any noticeboard, without the authority of the designated custodian of the precinct in which the noticeboard is; or (b) elsewhere on the campus.
<i>affixing pictures/ posters</i>	RCS7.15	Where the identity of the person who has affixed any picture, poster or advertisement: (a) on any noticeboard, without the authority of the designated custodian of the precinct in which the noticeboard is; or (b) elsewhere on the campus.
		(a) on any noticeboard, without the authority of the designated custodian of the precinct in which the noticeboard is; or (b) elsewhere on the campus.