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Disciplinary Mechanisms for Instances of Non-compliance in terms of Paragraph 17 of the Manual on Student Discipline in the Residence Life Environment

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DISCIPLINARY MECHANISMS FOR INSTANCES OF NON-COMPLIANCE IN TERMS OF PARAGRAPH 17 OF THE MANUAL ON STUDENT DISCIPLINE IN THE RESIDENCE LIFE ENVIRONMENT

1 Purpose

The purpose of the Disciplinary Mechanisms for Instances of Non-compliance in terms of Paragraph 17 of the Manual on Student Discipline in the Residence Life Environment (hereafter referred to as the *disciplinary mechanisms*) is to enable the relevant functionaries within the Residence Life environment to execute the mandate and disciplinary processes assigned to them through the Policy and Manual on Student Discipline.

2 Interpretation

The disciplinary procedures must be applied in a manner that is consistent with the –

- 2.1 Constitution of the Republic of South Africa, 1996;
- 2.2 Higher Education Act, 101 of 1997;
- 2.3 Statute of the North-West University, as promulgated from time to time;
- 2.4 Policy on Student Discipline (2024);
- 2.5 Manual on Student Discipline (2024)¹;
- 2.6 Institutional Rules on Student Governance (2023)²;
- 2.7 Constitution of the Students' Representative Council of the North-West University (2021)³;
- 2.8 The Rules of the University Residences and Day Houses of the North-West University (2021)⁴;
- 2.9 Other relevant policies and rules of the university; and
- 2.10 Other relevant rules, guidelines and codes of conduct approved by the SRC.

3 Scope

These disciplinary mechanisms give effect to paragraph 5.6 of the Policy on Student Discipline and the mandate assigned through paragraph 3.4, 9.2 and 17 of the Manual. In accordance with paragraph 17.1. of the Manual, these disciplinary mechanisms apply to instances of non-compliance to rules regarded as misconduct contemplated in paragraph 14 of the Manual. The disciplinary mechanisms are administered by the relevant House Parents and specified House Committee members within the Residence Life environment.

¹ Hereafter referred to as: the Manual.

² Hereafter referred to as: the Institutional Rules.

³ Hereafter referred to as: the SRC Constitution.

⁴ Hereafter referred to as: the Residence Rules.

4 Mandate to effect discipline in specified instances of misconduct

- 4.1 In giving effect to the mandate assigned through paragraph 17.1.4 of the Manual, appointed House Parents and the Primarii of House Committees established in accordance with paragraph 20 of the SRC Constitution, may exercise discipline over the residents of university residences, or members of day houses.
- 4.2 The mandate to exercise discipline by means of the disciplinary mechanisms is done in accordance with paragraph 17.1.4 of the Manual, and;
 - 4.2.1 is limited to specified instances of non-compliance related to paragraphs 14.5.1.1-14.5.1.3 and 14.5.1.6-14.5.1.7 of the manual;
 - 4.2.2 is confined to the ambit of the specific university residence or day house to which the House Parent is appointed and the identified House Committee members are established; with
 - 4.2.3 the penalties limited to the specified penalties contemplated under paragraph 17.3 of the Manual and further described in paragraph 8 below.
- 4.3 These disciplinary mechanisms are applied in instances of non-compliance as contemplated above, however, should the circumstances and facts of the specific instances warrant such, the instance of non-compliance may be directly referred to the Student Judicial Services for further consideration without the House Parent and identified House Committee members administering the disciplinary mechanisms.
- 4.4 In accordance with paragraph 17.1.4 of the Manual, the appointed House Parent and Primarii of the university residence of day house administer the disciplinary mechanism, with the Deputy-Primarii performing the role of prosecutor as outlined in paragraph 17.2 of the Manual.
- 4.5 Should a dispute arise between the House Parent, Primari or Deputy-Primari concerned regarding the non-compliance or issuing of related penalty, the matter must be referred to Student Judicial Services for further consideration.
- 4.6 The issuing of a penalty must be agreed upon between the Primarii and House Parent concerned, with the House Parent granting the final approval of the penalty issued.

5 Reporting on confirmed instances of non-compliance and related penalties

- 5.1 Instances of non-compliance and related penalties must be reported to Student Judicial Services in accordance with paragraph 5.1 of the Manual on student discipline.
- 5.2 The above-mentioned reports include quarterly reports submitted by the university residences and day houses on the penalties issued for specific instances of non-compliance to Student Judicial Services.
- 5.3 The prescribed reporting formats, templates and documentation provided by Student Judicial Services must be used as part of the reporting.
- 5.4 The Deputy-Primarii of the university residence or day house concerned must report on the confirmed instances of non-compliance and issued sanctions every two weeks.
- 5.5 Student Judicial Services in turn reports monthly to the relevant Campus Director: Student Life on confirmed instance of non-compliance and issued penalties per university residence or day house.

6 Procedure of lodging of complaint, investigating an instance of non-compliance and issuing a related penalty in accordance with paragraph 17.2 of the Manual

- 6.1 The procedure for the reporting and investigating an instance of non-compliance in terms of these disciplinary mechanisms is done in accordance with paragraph 17.2 of the Manual on Student Discipline.
- 6.2 The issuing of a related penalty following confirmation of the alleged instance of non-compliance is done in accordance with paragraphs 17.2 and 17.3 of the Manual on Student Discipline.
- 6.3 Only the standardised templates and documentation as provided by Student Judicial Services may be used to administer, process, investigate, and report on instances of alleged non-compliance and issuing of relevant penalties.
- 6.4 In the event that multiple instances of non-compliance are reported for the same student occurring simultaneously, the matter must be referred to Student Judicial Services for further action via the relevant disciplinary process.

7 Recordkeeping in terms of paragraph 5.2 of the Manual on instances of non-compliance and issuing of related penalties

- 7.1 The records relating to confirmed instances of non-compliance and penalties issued must be transferred by the relevant Deputy-Primaril to the House Parent of the relevant university residence or day house upon the conclusion of the term of the House Committee.
- 7.2 The House Parent of the relevant university residence or day house must after consultation with Student Judicial Services and upon confirmation of the existence of the relevant records within Student Judicial Services, proceed to destroy the disciplinary records in their possession in accordance with the university file plan.
- 7.3 Disciplinary records relating to instance of non-compliance and issued penalties may not be stored with a House Parent or House Committee member for longer than a period of one (01) year, provided that said records were successfully transferred to Student Judicial Services.

8 Instances of Non-compliance and Related Penalties

8.1 Instances of non-compliance within the Residence Life Environment

In accordance with paragraph 14.5 read in conjunction with paragraph 17.3 of the Manual, the following penalties may be issued for instances of non-compliance by the relevant administrators, without conducting a formal disciplinary hearing procedure. However, should the circumstances and facts of a specific instance warrant such, the matter may be directly referred to Student Judicial Services for further consideration, without the disciplinary mechanisms being administered.

8.1.1 Non-compliance in terms of paragraphs 14.5.1.1 and 14.5.1.2 of the Manual on Student Discipline

	Non-compliance description	Penalties in terms of paragraph 17.3 of the Manual on Student Discipline		
		First instance of non-compliance	Second instance of non-compliance	Third Instance of non-compliance
1.	Non-compliance in terms of paragraph 9.1 of the Residence Rules: Communal Facilities			
1.1	General non-compliance of paragraph 9.1	i. R100.00 fine; and ii. Restoring facility to its original condition.	i. R200.00 fine; and ii. Restoring facility to its original condition.	Referral of matter to relevant Residence Life Disciplinary Hearing Committee.
1.2	Non-compliance with paragraphs: i. 9.1.1.4; or ii. 9.1.2.6	i. Payment of repair work as indicated by RCS ⁵ for damages incurred, limited to a value of R2 500.00. <i>**Should damage exceed R2 500.00, the matter must be referred to Student Judicial Services for further consideration.</i>		Referral of matter to relevant Residence Life Disciplinary Hearing Committee.
2.	Non-compliance in terms of paragraph 9.2 of the Residence Rules: Resident Rooms			
2.1	Non-compliance with paragraph 9.2.1.3	i. Payment of repair work as indicated by RCS for damages incurred, limited to a value of R2 500.00. <i>**Should damage exceed R2 500.00, the matter must be referred to Student Judicial Services for further consideration.</i>		Referral of matter to relevant Residence Life Disciplinary Hearing Committee.
3.	Non-compliance in terms of paragraph 9.4: Personal Appliances and Devices			
3.1	Non-compliance with paragraphs 9.4.1, 9.4.3, 9.4.4, 9.4.6, and 9.4.10	i. R100.00 fine.	i. R200.00 fine.	Referral of matter to relevant Residence Life Disciplinary Hearing Committee.
3.2	Non-compliance with paragraphs 9.4.8, and 9.4.9.	i. R200.00 fine; and ii. Removal of device from university residence by the student within 24-hours.		Referral of matter to relevant Residence Life Disciplinary Hearing Committee.

⁵ Residence and Catering Services.

	Non-compliance description	Penalties in terms of paragraph 17.3 of the Manual on Student Discipline		
		First instance of non-compliance	Second instance of non-compliance	Third Instance of non-compliance
3.3	Non-compliance with paragraph 9.4.2	i. Payment of repair work as indicated by RCS for damages incurred, limited to a value of R2 500.00. <i>**Should damage exceed R2 500.00, the matter must be referred to the Residence Life Disciplinary Hearing Committee.</i>	Referral of matter to relevant Residence Life Disciplinary Hearing Committee.	
4.	Non-compliance in terms of paragraph 9.5: Keys and Access Management			
4.1	Non-compliance with paragraph 9.5.1.3	i. R200.00 fine; and ii. Issuing of verbal warning by either House Parent or Primarii.	i. R300.00 fine; and ii. Issuing of written warning by House Parent.	Referral of matter to relevant Residence Life Disciplinary Hearing Committee.
5.	Non-compliance in terms of paragraph 9.8: Visiting Hours			
5.1	Non-compliance to paragraph 9.8	i. R100.00 fine; and ii. Issuing of verbal warning by either House Parent or Primarii.	i. R200.00 fine; and ii. Issuing of written warning by House Parent.	Referral of matter to relevant Residence Life Disciplinary Hearing Committee.
6.	Non-compliance in terms of paragraph 9.9: Subletting, Guests and Family Members			
6.1	Non-compliance in terms of paragraph 9.9	i. R500.00 fine; and ii. Issuing of written warning by House Parent.	Referral of matter to relevant Residence Life Disciplinary Hearing Committee.	
7.	Non-compliance in terms of paragraph 9.10: Animals			
7.1	Non-compliance in terms of paragraph 9.10	i. R250.00 fine; and ii. Removal of relevant animal (as defined in the residence rules) by the student from the university premises within 48-hours after discovery of the animal. <i>**Should the student fail to remove the animal within the prescribed period, the University may proceed to remove the animal, with any expenses incurred for the removal of the animal payable by the student.</i> <i>**Should costs of removing the animal from the premises exceed R2 500.00, the matter must be referred to the Residence Life Disciplinary Hearing Committee. However, such a referral would not permit the animal to remain on university premises, with the removal continuing.</i>	Referral of matter to relevant Residence Life Disciplinary Hearing Committee.	

	Non-compliance description	Penalties in terms of paragraph 17.3 of the Manual on Student Discipline		
		First instance of non-compliance	Second instance of non-compliance	Third Instance of non-compliance
8.	Non-compliance in terms of paragraph 10: Sale and Consumption of Liquor			
8.1	Non-compliance in terms of paragraph 10.1.1 or 10.2.1: Consumption or storage of liquor outside the designated liquor area of the university residence or day house concerned.	i. R250.00 fine; and ii. Confiscation of liquor by relevant administrator for immediate disposal; and iii. Issuing of verbal warning by either Primarii or House Parent.	i. R500.00 fine; and ii. Confiscation of liquor by relevant administrator for immediate disposal; and iii. Issuing of written warning by House Parent.	Referral of matter to relevant Residence Life Disciplinary Hearing Committee.
9.	Non-compliance in terms of paragraph 11: Smoking			
9.1	Non-compliance in terms of paragraph 11.3: Smoking outside a designated smoking area (legal substances).	i. R250.00 fine; and ii. Confiscation of smoking device, materials, or apparatus; and iii. issuing of verbal warning by either Primarii or House Parent. <i>**The confiscated smoking device, materials or apparatus must be clearly marked with the implicated students' student number, name and surname, with the student completing the sign-in register. Such items are stored in a secure space in the residence as overseen by the House Parent. The confiscated items may be returned when the implicated student has paid the fine.</i>	i. R500.00 fine; and ii. Confiscation of smoking device, materials, or apparatus; and iii. Issuing of written warning by House Parent. <i>**The confiscated smoking device, materials or apparatus must be clearly marked with the implicated students' student number, name and surname, with the student completing the sign-in/out register. Such items are stored in a secure space in the residence as overseen by the House Parent. The confiscated items may be returned when the implicated student has paid the fine.</i>	Referral of matter to relevant Residence Life Disciplinary Hearing Committee.
**In the event that a smoking device, materials or apparatus is confiscated in accordance with row 9.1 above, the relevant administrator is required to take reasonable steps to clearly mark and safely store the items for the indicated period. However, any risk related to damages of devices, materials or apparatus remains with the student concerned.				
10.	Non-compliance in terms of paragraph 12: Occupational Health and Safety			
10.1	Non-compliance in terms of paragraph 12.1	i. R500.00 fine; and ii. Payment of repair or replacement costs as indicated by RCS for damages incurred limited to a value of R2 500.00; and iii. The issuing of a written warning by House Parent. <i>**Should damage exceed R2 500.00, the matter must be referred to Student Judicial Services for further consideration.</i>		Referral of matter to relevant Residence Life Disciplinary Hearing Committee.

	Non-compliance description	Penalties in terms of paragraph 17.3 of the Manual on Student Discipline		
		First instance of non-compliance	Second instance of non-compliance	Third Instance of non-compliance
10.2	<p>Non-compliance in terms of paragraph 12.1 resulting in false triggering of fire alarm</p> <p><i>**Such instances refer to the conduct and possible negligence of the student that results in the false triggering of the university residence building fire alarm, for example, but not limited to, burning of food, spraying of substances, etc. Smoking is not included as part of this instance of non-compliance.</i></p>	<p>i. R250.00 fine; and</p> <p>ii. The issuing of a verbal warning by either Primarii or House Parent.</p>	<p>i. R350.00 fine; and</p> <p>ii. The issuing of a written warning by House Parent.</p>	Referral of matter to relevant Residence Life Disciplinary Hearing Committee.

8.1.2 Non-compliance in terms of paragraph 14.5.1.3

	Non-compliance description	Penalties in terms of paragraph 17.3 of the Manual on Student Discipline		
		First instance of non-compliance	Second instance of non-compliance	Third Instance of non-compliance
11.	Non-compliance in terms of paragraph 14.5.1.3: the Conducive Living and Learning Environment of a University Residence or Day House			
11.1	<p>Disturbing a conducive living and learning environment of the university residence by, for example:</p> <p>i. Playing loud music and excessive noise,</p> <p>ii. Non-compliance with a reasonable request from House Parent or House Committee member to act in a considerate manner pertaining to the general creation of noise and good order within residence perimeters (i.e. music, conversation, and other entertainment mediums).</p> <p><i>**The above list is provided as examples and is not an exhaustive list.</i></p>	<p>i. R100.00 fine; and</p> <p>ii. Issuing of verbal behavioural improvement measure and appropriate boundary conditions by either Primarii or House Parent.</p>	<p>i. R150.00 fine; and</p> <p>ii. Issuing of written behavioural improvement measure and appropriate boundary conditions issued by House Parent.</p>	Referral of matter to relevant Residence Life Disciplinary Hearing Committee.
11.2	<p>Absent without apology from official university residence or day house related meetings, or relevant health and safety procedures (such as emergency fire and bomb drills), as arranged and communicated by the relevant House Committee or House Parent, provided that a 48-hour notice period was issued to student.</p>	<p>i. R50.00 fine; and</p> <p>ii. Issuing of verbal behavioural improvement measure and appropriate boundary conditions by either Primarii or House Parent.</p>	<p>i. R100.00 fine; and</p> <p>ii. Issuing of written behavioural improvement measure and appropriate boundary conditions issued by House Parent.</p>	Referral of matter to relevant Residence Life Disciplinary Hearing Committee.

8.1.3 Non-compliance in terms of paragraphs 14.5.1.4 and 14.5.1.5

8.1.3.1 Non-compliance related to paragraphs 14.5.1.4 and 14.5.1.5 of the Manual is not provided for in terms of the disciplinary mechanisms. All instances of misconduct related to paragraphs 14.5.1.4 and 14.5.1.5 must be referred to Student Judicial Services for further consideration.

8.1.3.2 Student Judicial Services, may after due consideration of the reported instance, proceed to issue an appropriate penalty which may include a written warning or fine, as approved by the Manager Student Judicial Services, or proceed to refer the matter to the relevant disciplinary hearing committee.

8.1.4 Non-compliance in terms of paragraph 14.5.1.6

8.1.4.1 Non-compliance in terms of paragraph 14.5.1.6 includes non-compliance originating from the Residence Life environment directly associated to the functions and responsibilities of the House Committee, thereby excluding non-compliance that may occur within the SCC and Subordinate Student Leadership environment.

8.1.4.2 A House Committee member may not receive a duplicate fine for the same instance of non-compliance from both the Residence Life and SCC and Subordinate Student Leadership Environment, however non-compliance of a similar nature may result in respective fines in both environments.

8.1.4.3 As example, non-compliance to submit a report requested by the relevant SCC, may not be penalised within the Residence Life environment. However, a report required in terms of the Residence Life context, for example a transfer report, may be penalised within the Residence Life environment. Furthermore, a duplicate instance of non-compliance cannot be created through duplicating a request in both the Residence Life and SCC and Subordinate Student Leadership environment, thus as example, a request for a report to the SCC may not be duplicated by the Residence Life environment with the objective to penalise a student at both levels for the same instance of non-compliance.

	Non-compliance description	Penalties in terms of paragraph 17.3 of the Manual on Student Discipline			
		First instance of non-compliance	Second instance of non-compliance	Third instance of non-compliance	Fourth instance of non-compliance
12.	Non-compliance in terms of paragraph 14.5.1.6: Non-performance of Duties and Functions by House Committee Members				
12.1	Non-compliance to submission or due date as agreed upon for specific task associated with the House Committee role.	i. R50.00 fine; and ii. Issuing of verbal behavioural improvement measure and appropriate boundary conditions issued by Primarii.	i. R100.00 fine; and ii. Issuing of written behavioural improvement measure and appropriate boundary conditions by Primarii or House Parent.	i. R200.00 fine; and ii. Issuing of final written warning by House Parent.	Referral of matter to relevant Residence Life Disciplinary Hearing Committee.

	Non-compliance description	Penalties in terms of paragraph 17.3 of the Manual on Student Discipline			
		First instance of non-compliance	Second instance of non-compliance	Third instance of non-compliance	Fourth instance of non-compliance
12.2	Non-compliance related to prior arranged attendance (i.e. non-attendance of the event or meeting) without prior approval or apology, of: i. House Committee meetings; ii. Relevant university residence or day house meetings; or Specific university residence or day house related events, engagements or activities.	i. R50.00 fine; and ii. Issuing of verbal behavioural improvement measure and appropriate boundary conditions issued by Primarii.			
12.3	Non-compliance related to general tardiness to prior arranged attendance (i.e. arriving late more than 05 minutes after commencement of event or meeting), without prior approval or apology, of: i. House Committee meetings; ii. Relevant university residence or day house meetings; or iii. Specific university residence or day house related events, engagements or activities.	ii. R30.00 fine; and iii. Issuing of verbal behavioural improvement measure and appropriate boundary conditions issued by Primarii.	i. R100.00 fine; and ii. Issuing of written behavioural improvement measure and appropriate boundary conditions by Primarii or House Parent.	i. R200.00 fine; and ii. Issuing of final written warning by House Parent.	Referral of matter to relevant Residence Life Disciplinary Hearing Committee.
12.4	Failure to perform task, roles or responsibility that are; i. Associated with a House Committee or relevant portfolio; or ii. Stipulated in the relevant rules for subordinate student leadership structures; or iii. Agreed upon in the student leader's performance plan completed by the relevant student leader and House Parent.	i. R100.00 fine; and ii. Issuing of verbal behavioural improvement measure and appropriate boundary conditions issued by Primarii.			
12.5	Failure to adhere to logistical and clothing related arrangements of the student leadership structure (i.e. wearing of wrong attire, etc.)	i. R30.00 fine; and ii. Issuing of verbal behavioural improvement measure and appropriate boundary conditions by Primarii.			

8.1.5 Non-compliance in terms of paragraph 14.5.1.8

8.1.5.1 Non-compliance in terms of paragraph 14.5.1.8 of the Manual within the context of the disciplinary mechanisms refers to programmes, activities and participation related to the co-curricular programme presented as part of the Residence Life programme and overall approved by the Campus Director: Student Life and House Parent concerned.

8.1.5.2 Repeat instances of non-compliance referred to below does not result in a referral to a disciplinary hearing process.

8.1.5.3 The instances of non-compliance contemplated below apply to the residents of the university residence or members of the day house, who agreed to form part of specific co-curricular sub-committees, teams or groups that participate in the Residence Life co-curricular programme.

	Non-compliance description	Penalties in terms of paragraph 17.3 of the Manual on Student Discipline			
		First instance of non-compliance	Second instance of non-compliance	Third Instance of non-compliance	Fourth instance of non-compliance
13.	Non-compliance in terms of paragraph 14.5.1.8: Matters within the ambit of the Residence Life environment related to the co-curricular programme				
13.1	<p>Non-compliance to prior arranged and agreed participation in Residence Life related co-curricular programmes and committees, by residents or members, including but not limited to:</p> <ul style="list-style-type: none"> • Non-performance of agreed upon co-curricular tasks and functions; • Non-attendance of agreed upon events or programmes forming part of a specific sub-committee within the university residence or day house; • Non-attendance of agreed upon and prior arranged rehearsals, practice sessions and other preparatory engagements of a co-curricular programme. <p><i>**The above-mentioned non-compliance is limited to the co-curricular programme presented by the university residence or day house and must be preceded by clearly communicated and agreed upon sub-committees, tasks and roles assigned by the House Committees to residents of the university residence or members of the day house.</i></p> <p><i>Reasonable consideration must be given to students' time management in relation to the academic programme, as well as access to events, programme and activities when considering non-compliance in such instances.</i></p>	<ul style="list-style-type: none"> i. R30.00 fine; and ii. Issuing of verbal behavioural improvement measure and appropriate boundary conditions by relevant House Committee member, approved by Primarii. 	<ul style="list-style-type: none"> i. R50.00 fine; and ii. Issuing of verbal behavioural improvement measure and appropriate boundary conditions by relevant House Committee member, approved by Primarii. 	<ul style="list-style-type: none"> i. R80.00 fine; and ii. Issuing of written behavioural improvement measure and appropriate boundary conditions by Primarii. 	<ul style="list-style-type: none"> i. R100.00 fine; and ii. Termination of membership to university residence or day house sub-committee and forfeiture of co-curricular programme recognition or reward(s), issued by House Parent.

9 Payment of penalty fines contemplated under paragraph 8 of the Disciplinary Mechanisms

- 9.1 A student who has been issued a penalty fine following a confirmed instance of non-compliance in accordance with the Manual must pay the fine within 30 days (720 hours) from the date of issue.
 - 9.2 In the event that the student cannot pay the fine within the prescribed period they must within 72 hours following the issuing of the penalty fine, submit a request in writing to the House Parent concerned who, after consultation with Student Judicial Services, may proceed to agree on an alternative payment period that may not exceed a period of three months following the original date of issue.
 - 9.3 In the event that an extended payment period has been arranged in accordance with paragraph 9.2 above, said final date of payment must be before the last day of the first exam opportunity of the final assessment period of the current academic year.
 - 9.4 The penalty fine must be made to the relevant university account as prescribed by Student Judicial Services, with the proof of payment submitted to the relevant prosecutor for record keeping purposes.
 - 9.5 In the event that a student fails to pay the penalty fine in accordance with paragraphs 9.1-9.4 above, the matter must be referred to Student Judicial Services for further actioning.
 - 9.6 With regards to damages to infrastructure of university residences:
 - 9.6.1 In the event that a student fails to pay the relevant costs associated with the repair of damages as determined by RCS that are issued as part of a penalty contemplated above, the associated costs will be added to the student's student account.
 - 9.6.2 Such a claim on the student account is done in accordance with the Fees Payable and Financial Rules of the North-West University.
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