

Corporate Governance

It is recorded that the NMMU commits to sound Corporate Governance Practices and its Commercial Services (CSP) Policy is therefore subject to the overarching principles of sound Corporate Governance namely:

- Responsibility
- Accountability
- Fairness
- Transparency
- Is it in the best interest of the NMMU?

In line with the aforesaid overarching principles of sound Corporate Governance, Employees, Council Members, Officials of NMMU and any Connected Person of such Employees, Council Members and Officials may not provide goods and services to the NMMU.

For purposes of this clause the term "Connected Person/s" shall mean:-

- in relation to a natural person
 - any relative; and;
 - any trust of which such natural person or such relative is a beneficiary;
 - Any close corporation or company in which such person is a member or shareholder.
- in relation to a trust
 - any vested or non-vested beneficiary of such trust; and
 - any connected person in relation to such beneficiary.
- in relation to a partner of any partnership
 - any other partner; and
 - any connected person in relation to any partner of such partnership.
- in relation to a company
 - its holding company as defined in section 1 of the Companies Act, (Act No.71 of 2008);
 - its subsidiary as so defined;
 - any other company where both such companies are subsidiaries (as so defined) of the same holding company;
 - any person, other than a company as defined in section 1 of the Companies Act, (Act No.71 of 2008), who individually or jointly with any connected person in relation to himself, holds, directly or indirectly, at least 20 per cent of the company's equity share capital or voting rights;

- any other company if at least 20 per cent of the equity share capital of such company is held by such other company, and no shareholder holds the majority voting rights of such company;
- any other company of such other company is managed or controlled by any person which is a connected person in relation to such company; and
- where such company is a close corporation
 - o any member;
 - o any relative of such member or any trust which is connected person in relation to such member;
 - o any other close corporation or company which is a connected person in relation to
 - ✓ any member contemplated in item 'any member', or
 - ✓ the relative or trust contemplated in item 'any relative of such member or any trust which is connected person in relation to such member' and
 - ✓ in relation to any person who is a connected person in relation to any other person in terms of the foregoing provisions of this definition, such other person and in this definition the expression "beneficiary" means any person who has been named in the will or deed of trust concerned
 - ✓ As a beneficiary; or
 - ✓ As a person upon whom the trustee of the trust has the power to confer a benefit from such trust.

Any person who has transgressed the paragraphs above will in future, without prejudice to any other remedy or recourse which the NMMU may have been excluded from rendering goods and services to the NMMU."