

INSTITUTIONAL REGULATORY CODE (IRC)

(Policies, Procedures, Rules etc.)

To be completed by initiator of policy/policy owner:

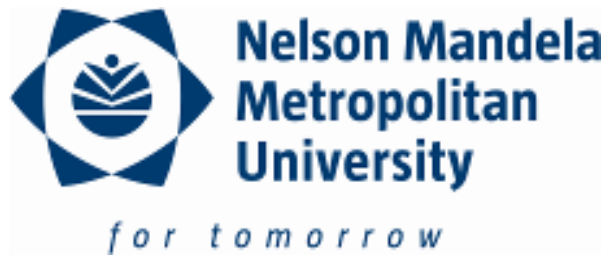
1. POLICY TITLE:	Constitution of the Students' Representative Council
2. FIELD OF APPLICATION: (All persons to whom policy applies)	SRC and affiliated bodies NMMU Student Body
3. COMPLIANCE OFFICER(S): (Persons responsible for ensuring policy implementation)	Dean of Students; Head: Student Governance and Development; SRC
4. STAKEHOLDER CONSULTATION (State the stakeholder group/s consulted during policy formulation/revision)	SRC and NMMU Student Body
5. DESIGNATION OF POLICY OWNER: (Person responsible for maintaining policy)	Dean of Students
6. NAME OF POLICY OWNER:	Mr TH Soga

POLICY HISTORY *(To be completed by policy owner)*

Decision Date (Compulsory)	Status (New/Revised/ No Changes)	Implementation Date (Compulsory if "new" or "revised")	Approving Authority (If "new" or "revised". N/A if no changes)	Resolution Number e.g. 07/11-10.2 (Minute number. N/A if no changes)	Policy Document Number (e.g. D/.../07 N/A if no changes)	Pending date for next revision (Compulsory)
8 Sept 2006	New	Sept 2006	Council	C06.32.1.2.1.5	D/66/07	Feb 2011
25 Mar 2009	Revised	Mar 2009	EMCom	09/03-6.2	D/226/09	Feb 2011
26 Aug 2009	Extract	Aug 2009	EMCom	09/08-6.2	D/752/09	Oct 2012
	Revised	Jul 2010	Council		D/	Oct 2012

For office use only

SUBJECT (Broad policy field):	
SUBJECT NUMBER:	
CATEGORY (Policy sub-field):	
CATEGORY NUMBER:	
IRC NUMBER:	



**CONSTITUTION
of the
STUDENTS'
REPRESENTATIVE
COUNCIL**

CONTENTS

CHAPTER 1	1
GENERAL PROVISIONS	1
1. Preamble	1
2. Principles.....	1
3. Definitions.....	1
4. Name and Status.....	2
5. Objectives	2
CHAPTER 2	3
STUDENT BODY.....	3
6. Authority.....	3
7. Membership And Voting Rights	3
8. General Meetings.....	3
9. Finances	5
CHAPTER 3	6
STUDENTS’ REPRESENTATIVE COUNCIL.....	6
10. Composition and Election	6
11. Constituting.....	7
12. Term of Office	7
13. Collective Responsibilities and Functions of the SRC.....	7
14. Obligations of Members	8
15. Powers of SRC president	8
16. Media Releases	8
17. SRC Meetings	8
18. SRC Executive Committee	9
19. Responsibilities and Functions of the Executive Committee (EC)	10
20. SRC Executive Committee Meetings	10
21. Code of Conduct.....	10
22. Termination of Membership.....	10
23. Vacancies.....	10
24. Resignation of the SRC	11
25. Recall and Reshuffling	11
26. Recall and reshuffling Oversight	12
27. Affiliation of Student Organisations with the SRC	12
28. Student Organisations.....	13
29. George Campus Student Council.....	14

CHAPTER 4	15
STUDENT PARLIAMENT.....	15
30. Composition	15
31. Powers and Functions.....	15
32. Obligations	15
33. Obligation of Members.....	15
34. Meetings of the Parliament	16
CHAPTER 5	17
GENERAL.....	17
35. Amendments	17
36. Interpretation	17
37. Promulgation	17
Election Procedure: Appendix 1.....	18
Allocation of portfolios: Appendix 1B	25
Code of Conduct: Appendix 2.....	27
Faculty Council: Appendix 3.....	30
Residence Council: Appendix 4.....	32
Sport Council: Appendix 5.....	34
Oppidani Council: Appendix 6.....	37
Site Councils: Appendix 7	38
International Student Representative Election Procedure: Appendix 8.....	39

CHAPTER 1

GENERAL PROVISIONS

1. PREAMBLE

- 1.1 This Constitution is subject to the provisions of the Higher Education Act 101 of 1997, as amended, and all other relevant laws of the Republic of South Africa, the Statute and Institutional Rules of the Nelson Mandela Metropolitan University (NMMU) and the authority of the Council of the NMMU in respect of student affairs and student governance at the NMMU.
- 1.2 The students of the Nelson Mandela Metropolitan University are:
- aware of the historical background of students' need for proper representation.
 - consciously aware of the multicultural organisation of the student body.
 - acknowledging the independence and the non-partisan stance of the NMMU SRC within the regulatory framework of the institution.
 - acknowledging the importance of their role in the transformation of the institution.
- 1.3 The SRC is committed to:
- building a strong, dedicated student leadership.
 - uniting all NMMU students under the SRC banner.
 - maintaining the SRC's special position and status in governing student affairs.
 - upholding the best interest of students at all times.

2. PRINCIPLES

All structures of Student Governance shall respect, maintain and promote the following in their functioning, deliberations and decisions:

- 2.1 The rights of all the people and the democratic values of human dignity, equality and freedom as set out in the Bill of Rights, Chapter 2 of the Constitution of the Republic of South Africa
- 2.2 The following principles:
- (i) Academic excellence and educational integrity
 - (ii) Accountability
 - (iii) Democracy and effective governance
 - (iv) Non-discrimination and non-racialism
 - (v) Social responsibility
 - (vi) Transparency and accessibility
 - (vii) Unity

3. DEFINITIONS

- **Annual General Meeting (AGM):** the highest decision making structure of the student body.
- **'Council':** means the Council of the University.
- **'Working day(s) or day(s)'** : means a day or days upon which lectures are normally presented or examinations written, with the exception of Saturdays.
- **'Disciplinary action':** means any corrective action imposed by any organ of the University authorised by the Council and EMCom to undertake such action.
- **Electoral Commission:** the body that is commissioned to organise and oversee the smooth running of the SRC elections as envisaged in the Election Procedure Document.
- **'Faculty representative':** means a student elected in each faculty to represent students of that faculty in faculty board meetings.

- **‘George Campus student body (GCSB):** means all students registered at the George Campus.
- **‘Portfolio’:** the title given to a seat in the SRC and the SC
- **‘Site’:** means either of four sites in Port Elizabeth where academic programmes are offered, namely Missionvale, Second Avenue, Summerstrand North and Summerstrand South.
- **‘SC’** means the Student Council on the George Campus.
- **‘SRC’:** means the Student Representative Council of the University.
- **‘SRC substructure’:** means a substructure within the SRC as outlined in Appendices 3 - 7.
- **‘Student’:** means a person registered for one or more modules at the University for the purpose of obtaining an approved degree, diploma or certificate on a full-time or part-time basis.
- **‘Student Organisation’:** means any society, forum, club, student political organisation or any other student formation, having registered students as members and affiliated to the SRC.
- **‘Student Body’:** means all the registered students of the NMMU at Port Elizabeth and George.
- **‘Student Parliament’:** the body established by section 30 of this constitution in which all student organisations and SRC substructures will be represented.
- **‘Student Governance Structure’:** means the total governance structure of the students of the University.
- **‘Student Centre’:** means buildings and offices within the NMMU where SRC offices are located.
- **‘University’:** means the Nelson Mandela Metropolitan University (NMMU).
- **‘Valid poll’:** total number of valid votes cast in an election.
- **‘Valid excuse’:** means either substantiated illness, or a test or examination during meetings or on the day thereafter, or any other reason acceptable to the relevant organization or structure.

4. NAME AND STATUS

- 4.1 The name of the body governed by this constitution shall be the NMMU Student Body (henceforth referred to as Student Body).
- 4.2 The Nelson Mandela Metropolitan University Student Representative Council (SRC) shall be the executive structure of the Student Body.
- 4.3 This Constitution is binding on all students in relation to student governance and its affairs at the NMMU and shall also bind the Student Representative Council (SRC), the George Campus Student Council (SC), the SRC structures and substructures. All constitutions of student organizations are subject to the provisions of, and derive their authority and jurisdiction from this constitution.

5. OBJECTIVES

The objectives of the SRC are to enable the members of the Student Body to contribute to:

- 5.1 the promotion of their interests in the academic, social, cultural and sporting spheres;
- 5.2 the transformation of the NMMU; and
- 5.3 the achievement of the mission statement of the University in accordance with the values of the University.

CHAPTER 2

STUDENT BODY

6. AUTHORITY

The highest authority in respect of all student affairs vests in Council which authorises the SRC as the executive structure of the Student Body to act in accordance with this constitution subject to the authority of Council.

7. MEMBERSHIP AND VOTING RIGHTS

7.1 All NMMU students shall be members of the Student Body.

7.2 All members of the Student Body shall be entitled to vote except those whose voting rights have been limited as a result of disciplinary action imposed on them by any disciplinary structure of the University.

7.3 There shall be no right to a vote by proxy.

7.4 Members of the Student Body shall be entitled to attend and participate in discussions during general meetings, meetings of student governance substructures, organisations and societies and student political organizations of which they are members, but voting shall be limited to those members who are entitled to vote.

8. GENERAL MEETINGS

Ordinary Meetings

8.1 An ordinary general meeting of the Student Body shall be held at least once per academic term during the SRC's term of office.

8.2 The SRC Secretary shall give at least five (5) working days notice of the date, time and venue of such a meeting with disclosure of a provisional agenda.

8.3 Members of the Student Body shall be granted a reasonable opportunity to put additional matters on the agenda of such a meeting.

8.4 The SRC President or a person appointed by the SRC shall act as chairperson of a general meeting and shall have an ordinary and casting vote.

8.5 All meetings of the Student Body shall be conducted in terms of the rules pertaining to the meetings of Council, with the necessary changes.

Extraordinary Meeting

8.6 An extraordinary meeting shall be held if:

- (a) the SRC President or the SRC calls such a meeting; or
- (b) a written request thereof is made by at least two hundred and fifty (250) members, to the SRC, accompanied by a written motion for consideration by the meeting.

8.7 Notice of the date, time and venue of an extraordinary meeting with disclosure of the agenda shall be given by the Secretary of the SRC at least five (5) working days before such a meeting, provided that notice of less than five (5) working days can be authorised by a unanimous resolution of the SRC.

Annual General Meeting

8.8 An Annual General Meeting (AGM) shall be convened for all students and shall meet during the last academic term to:

- (a) approve the minutes of the previous AGM;
- (b) adopt constitutional amendments;
- (c) approve the annual and financial reports compiled by the SRC; and
- (d) discuss any other relevant matters.

8.9 The SRC shall convene and plan for all the activities of the AGM.

- 8.10 The SRC Secretary shall issue a notice and agenda of the meeting at least five (5) working days before such a meeting.
- 8.11 The Secretary shall after adoption thereof by the SRC, distribute the annual report to societies and place copies in the Student Portal on the intranet for perusal, at least ten (10) working days before the meeting.
- 8.12 The SRC President shall deliver the presidential report at the AGM.
- 8.13 The Treasurer shall be assisted by the Finance Department to draft a financial report and shall distribute it to societies as well as place copies thereof in the Student Centres for perusal fourteen days before the meeting.

Quorum in Meetings

- 8.14 A quorum shall be 250 registered students entitled to vote.
- 8.15 In the event of a quorum not being formed, the meeting shall be postponed by the chairperson to a day within the next five (5) working days and the members then present shall, notwithstanding the provision of subsection 8.16, be a quorum.
- 8.16 In the event of such a postponement, notice of at least forty eight (48) hours shall be given of the date, time and venue of the postponed meeting.

Motions of No-confidence

- 8.17 A motion of no-confidence shall not be:
 - (a) tabled unless at least ten (10) percent or two-hundred and fifty (250), whichever is lower, of the members of the Student Body are present at the meeting;
 - (b) passed unless such a motion has been published as part of the agenda for the meeting.
 - (c) passed unless at least two-thirds of registered students present at the meeting voted in favour thereof.
- 8.18 A motion of no-confidence may be instituted against an individual member of the SRC or of its substructures, or against the SRC or a SRC substructure as a whole.

Minutes of Meetings

- 8.19 The SRC Secretary shall keep minutes of the proceedings of each meeting.
- 8.20 The minutes of a meeting shall be submitted to the next ordinary meeting of the Student Body for approval and thereafter signed by the chairperson. Members of the Student Body who have been present at the meeting in question shall be entitled to speaking rights at such approval of minutes.
- 8.21 The minutes of a meeting where a motion of no-confidence was tabled and passed shall be submitted to the next meeting of the Student Body or Student Parliament, whichever comes first, for approval and thereafter signed by the chairperson. Members of the Student Body who have been present at the meeting in question shall be entitled to speaking rights at such approval of minutes.
- 8.22 The minutes thus approved and signed shall be the only official account of the proceedings of the meeting and shall be available at the reasonable request of any interested party within five (5) working days after the approval of the minutes.
- 8.23 A document register shall be kept of all documents considered by the Student Body and this register including the documents shall be available at the reasonable request of any interested party.

Resolutions

- 8.24 Resolutions may only be adopted in respect of matters disclosed by the agenda, provided that other matters may be added to the agenda if there is no objection thereto by any member present.
- 8.25 A resolution shall be adopted by an ordinary majority of votes of the members present, except in the case of motions of no-confidence which shall be passed by a two thirds majority of the votes of the members present.
- 8.26 A resolution adopted at a general meeting shall take immediate effect unless otherwise stipulated in the resolution.

Admission to Meetings

- 8.26.1 A non-member of the Student Body, other than the Dean of Students, SRC Officer and Deputy Director: Student Governance & Development, may apply in writing to the SRC for permission to attend a general meeting.
- 8.27 A non-member of the Student Body may apply in writing to the SRC for permission to speak at a general meeting on a particular matter disclosed on the agenda. Such a request may only be granted in exceptional circumstances.

9 FINANCES

- 9.1 All SRC substructures affiliated to the SRC shall annually submit budgets in prescribed form to the SRC before the specified time.
- 9.2 All funds made available by the University for Student Governance shall be applied and managed in accordance with an approved budget and the financial policies of the University; the detail as applicable to the SRC and its substructures are contained in Appendix 9.
- 9.3 Subject to the rules and guidelines contained in Appendix 9, the SRC Treasurer holds operational responsibility for the SRC budget.

CHAPTER 3

STUDENT REPRESENTATIVE COUNCIL

10. COMPOSITION AND ELECTION

10.1 The SRC shall be composed of twenty one (21) members, sixteen (16) of which shall be directly elected by secret ballot by members of the student body, included on the voters roll in the manner provided in the Election Procedure (Appendix 1). The remaining five (5) members shall be indirectly elected to the SRC by virtue of having been elected to the office indicated next to the relevant portfolio.

10.2 **The directly elected members are:**

- 10.2.1 President
- 10.2.2 Deputy President
- 10.2.3 Secretary
- 10.2.4 Deputy Secretary
- 10.2.5 Treasurer
- 10.2.6 Public Relations Officer
- 10.2.7 Site Representative (Missionvale)
- 10.2.8 Site Representative (2nd Avenue)
- 10.2.9 Site Representative (Summerstrand North)
- 10.2.10 Site Representative (Summerstrand South)
- 10.2.11 Transformation, Gender and Special Needs Officer
- 10.2.12 Community Development and Outreach Officer
- 10.2.13 Culture Officer
- 10.2.14 Societies Officer
- 10.2.15 Safety, Health and Environmental Affairs Officer
- 10.2.16 International Officer

10.3 **The indirectly elected members are:**

- 10.3.1 Accommodation and Catering Officer – Chairperson of the Residences Council
- 10.3.2 Sport Officer – Chairperson of the Sports Council
- 10.3.3 George Campus Officer – Chairperson of the George Student Council
- 10.3.4 Academic Officer – Chairperson of the Faculty Council
- 10.3.5 Oppidani Officer – Chairperson of the Oppidani Council

10.4 **Eligibility for SRC membership**

Both directly and indirectly elected members have to comply with the eligibility requirements prescribed in the Election Procedure (Appendix 1).

10.5 **Election Poll Threshold**

- 10.5.1 In order for the SRC election to be accepted as having delivered a legitimate and representative SRC, a percentage poll of at least 20% must have been achieved. This percentage is calculated as follows:
Total number of votes cast, expressed as a percentage of the total number of full-time contact students, excluding masters and doctoral students.

10.5.2 If the threshold has not been achieved, Council may nevertheless endorse the elected SRC, subject to such conditions as it may deem appropriate, if it is of the view that such endorsement is in the best interest of the Student Body and the University. Such endorsement would entitle the Dean of Students to formally constitute the SRC in terms of par 11 below.

11. CONSTITUTING THE SRC

Subject to compliance with par 10.5 above, and within two (2) days of the confirmation of the final election results by the Chief Electoral Officer, the elected members shall be summoned to a meeting in accordance with par 18 of the Election Procedure document (Appendix 1), at which meeting the Dean of Students shall declare the SRC duly elected and constituted in terms of the provisions of this constitution.

12. TERM OF OFFICE

The term of office of the SRC shall ordinarily be a calendar year beginning in January and ending in December.

13. COLLECTIVE RESPONSIBILITIES AND FUNCTIONS OF THE SRC

The SRC is charged with the effective, competent and equitable administration of student governance and therefore shall:

- 13.1 represent the Student Body in general;
- 13.2 act in the interests of students at all times;
- 13.3 carry out all duties and responsibilities as stipulated in the SRC constitution and implement resolutions agreed upon in SRC meetings, Student Parliament, and in general meetings.
- 13.4 respect and uphold the SRC Constitution and Code of Conduct at all times;
- 13.5 protect and promote the good image of the SRC and the University at all times, and promote unity and co-operation among the students;
- 13.6 convene all student general meetings on NMMU campuses;
- 13.7 apply and manage funds allocated to the SRC in accordance with an approved budget and in accordance with the financial policies of the institution;
- 13.8 apportion funds of the SRC to affiliates after consultation with the Department of Student Governance and Development;

And in addition may also:

- 13.9 draft, amend or repeal rules and regulations in respect of responsibilities and duties of the SRC, as well as regarding the functioning in general of the SRC and of all committees and task teams;
- 13.10 affiliate to any external, non-partisan structure whose operations are there in the interest of students and higher education in general;
- 13.11 appoint committees, ad hoc committees, project teams and task teams when necessary for the performance of its functions, provided that at least one member of the SRC shall assume responsibility for any such committee or team;
- 13.12 give recognition to, or withdraw recognition of, student organisations, in accordance with this constitution;
- 13.13 veto any resolution, decision or action by any student governance substructure;
- 13.14 dismiss after due process a person appointed to serve on a committee, ad hoc committee, project team and/or task team of the SRC;
- 13.15 exercise all other powers allowed under this constitution.

14. OBLIGATIONS OF SRC MEMBERS

Members shall:

- 14.1 individually and collectively serve the interests of the Student Body;
- 14.2 perform the duties and functions allocated to them by the SRC.

15. POWERS OF THE SRC PRESIDENT

- 15.1 The President shall, when necessary, have the power to make decisions on behalf of the SRC, provided that such decisions shall be entered into a register, countersigned by one (1) other SRC member, or, if such member is not available, by a member of another SRC substructure.
- 15.2 Such a presidential decision is only enforceable after it has been countersigned in terms of 15.1.
- 15.3 Presidential decisions shall be subject to ratification by the SRC at its first meeting subsequent to the date of the decision.

16. MEDIA RELEASES

- 16.1 The SRC shall, subject to the NMMU's Media Liaison Policy, act as the mouthpiece of the Student Body.
- 16.2 No member of the SRC other than the President may act as official SRC spokesperson without the prior approval of the SRC.
- 16.3 No member of the Student Body may make statements on behalf of the Student Body without the prior authorisation of the SRC.

17. SRC MEETINGS

Ordinary Meetings of the SRC

- 17.1 The SRC shall hold ordinary meetings as often as, and at times which, the President deems necessary, provided that such meetings will be held at least once a month. All members shall attend such meetings.
- 17.2 The President shall give at least five (5) working days notice of the date, time and venue of such meetings.
- 17.3 The President or, in his/her absence, the Deputy President shall convene and chair all SRC meetings. The President shall have an ordinary and a casting vote.
- 17.4 Two-thirds of the members shall constitute a quorum. Should there be no quorum, the meeting shall be adjourned for twenty-four (24) hours and the members who attend the second meeting shall be deemed to constitute a quorum.
- 17.5 The Secretary shall distribute minutes of the previous meeting at least five (5) working days before the meeting.
- 17.6 Members shall be granted a reasonable opportunity to put matters on the agenda of a meeting for a period of not less than three (3) working days, but closing no later than two (2) working days before the said meeting.
- 17.7 SRC meetings shall be conducted in terms of the rules in par 8.5 above.

Extraordinary Meetings of the SRC

An extraordinary meeting shall be held if:

- 17.8 the President calls such a meeting; or

- 17.9 at least two (2) members submit a written request to the President for such a meeting, accompanied by a written motion for consideration at the meeting.
- 17.10 notice of the date, time and venue of an extraordinary meeting with disclosure of the agenda shall be given at least twenty-four (24) hours before such a meeting, provided that notice of less than twenty-four (24) hours may be given if the President considers it to be a matter of extreme urgency.

Minutes of Meetings

- 17.11 The SRC shall ensure that a designated person, in the absence of the Secretary, shall keep minutes of the proceedings of each SRC meeting.
- 17.12 The minutes of a SRC meeting shall be submitted to the following ordinary SRC meeting for approval and thereafter signed by the chairperson.
- 17.13 The minutes thus approved and signed shall be the only official account of the proceedings of the meeting and shall be made available to the SRC Officer for the Department of Student Governance for filing, and at the reasonable request of any other interested party within five (5) working days after the approval of the minutes.
- 17.14 A document register shall be kept of all documents considered by the SRC and this register including the documents shall be available at the reasonable request of any interested party.

Resolutions of the SRC Meetings

- 17.15 Resolutions may only be adopted in respect of matters disclosed by the agenda, provided that other matters may be added to the agenda if there is no objection thereto by any member present.
- 17.16 A resolution shall be adopted by an ordinary majority of votes of the members present.
- 17.17 A resolution adopted at a SRC meeting shall take immediate effect unless otherwise stipulated in the resolution.

Admission to Meetings

- 17.18 Members of the Student Body shall be entitled to attend SRC meetings.
- 17.19 Members of the Student Body shall be entitled to apply in writing to the SRC for permission to speak at a SRC meeting on a particular matter disclosed on the agenda. Such requests may not be refused without good reason.
- 17.20 A non-member of the Student Body, other than the Deputy Director: Student Governance & Development may apply in writing to the SRC for permission to attend an SRC meeting.
- 17.21 A non-member of the Student Body may apply in writing to the SRC for permission to speak at an SRC meeting on a particular matter disclosed on the agenda. Such request may be granted in exceptional circumstances.
- 17.22 In the event of the SRC dealing with personnel matters, appointments or the awarding of awards and it decides to conduct its business *in camera*, non-SRC members shall leave the meeting.

18. SRC EXECUTIVE COMMITTEE

- 18.1 The Executive Committee structure shall be as follows:
 - 18.1.1 President
 - 18.1.2 Deputy President
 - 18.1.3 Secretary
 - 18.1.4 Deputy Secretary
 - 18.1.5 Treasurer
 - 18.1.6 One additional member, appointed by the SRC

19. RESPONSIBILITIES AND FUNCTIONS OF THE EXECUTIVE COMMITTEE (EC)

- 19.1 The Executive Committee shall:
 - 19.1.1 be responsible for the general day to day administration of the SRC.

- 19.1.2 monitor the execution of the day-to-day business of the SRC.
- 19.1.3 make recommendations regarding those matters referred to it by the SRC.
- 19.1.4 report to the SRC on all relevant issues.

20. SRC EXECUTIVE COMMITTEE MEETINGS

- 20.1 The Executive Committee shall meet at least once a week.
- 20.2 The President or, in her/his absence, the Deputy President shall convene and chair all Executive Committee meetings. The President shall have an ordinary and a casting vote.
- 20.3 The Secretary shall issue notices of such meetings together with the minutes of the previous meeting at least three (3) working days before the meeting.
- 20.4 The quorum shall be three (3) members.

21. CODE OF CONDUCT

- 21.1 The SRC shall have its own disciplinary committee to deal with members' misconduct as captured in the Code of Conduct (Appendix 2) of this Constitution.
- 21.2 The SRC Disciplinary procedure does not supersede the NMMU Central Disciplinary Procedure.

22. TERMINATION OF MEMBERSHIP

- 22.1 A person shall cease to be a member of the SRC if:
 - 22.1.1 that person's SRC membership is terminated as a result of disciplinary action taken by SRC Disciplinary Committee or Central Disciplinary Committee of the University; or
 - 22.1.2 a motivated written resignation of that person as an SRC member is not withdrawn within ten (10) working days after it has been noted by the SRC at an SRC meeting; or
 - 22.1.3 a motion of no- confidence in that person is passed by a general meeting of the Student Body; or
 - 22.1.4 that person is absent, without a valid excuse, from three (3) consecutive meetings of the SRC;
 - 22.1.5 that person has failed to attend, without a valid excuse, twenty-five (25) percent of scheduled SRC meetings during the first semester; or
 - 22.1.6 that person is appointed by the University to perform duties which would ordinarily be in excess of twenty-four (24) hours a calendar week; or
 - 22.1.7 that person ceases to be a member of the Student Body;
 - 22.1.8 that person fails to comply with the academic performance requirement in par 18.4 of the Election Procedure (Appendix 1).
- 22.2. The SRC reserves the right to investigate the reasons for a resignation contemplated in par 22.1.2 so as to protect its reputation and prevent disinformation by the resigning member.

23. VACANCIES

- 23.1 When the SRC membership of a person is terminated, the student organisation that nominated such member of the SRC will nominate a replacement for such member to fulfill the duties of the portfolio for the remaining period of the term of office of such member.
- 23.2 The nomination of this and any other replacement or co-option must meet the eligibility requirements as stated in the Election Procedure (Appendix 1).
- 23.3 In the case of the termination of membership of an independent candidate, the list of independent candidates who contested that portfolio through the electoral process shall be explored and the

candidate on the list with the next highest number of votes, if any and if available, shall be called to replace and serve in the portfolio of such member.

- 23.4 Notwithstanding 23.1 and 23.3, in the event that the successor designate is unwilling to take up either office as a member of the SRC, or the particular seat, or if the successor is already an SRC member, the vacancy shall be filled by the candidate who has obtained the next highest number of votes to the said successor designate in the election for that particular seat; provided that if the latter candidate should also be unwilling to take up office as a member of the SRC or in the event that no such candidate exists, the vacancy shall be filled through a by-election as set out in the Election Procedure (Appendix 1).
- 23.5 In the event that the particular portfolio wherein the vacancy occurred, was uncontested, such vacancy shall be filled through a by-election in terms of the Election Procedure (Appendix 1).
- 23.6 Subsections 23.1 to 23.4 shall only apply with regards to vacancies that occur during the first (1st) semester of the year, after which vacancies shall be filled through co-option by the SRC, save that no co-option shall take place during the fourth (4th) term of the year.
- 23.7 In the event of the number of SRC members being reduced to five (5) or less during the fourth (4th) term, the Student Parliament shall elect additional members from its own ranks so as to fulfill the quorum requirements contemplated in par 17.4 above. The elected additional members must fulfill the academic eligibility requirement in terms of the Election Procedure (Appendix 1).

24. RESIGNATION OF THE SRC

- 24.1 If the SRC has passed a resolution to resign, the SRC President shall immediately convene an extraordinary general meeting of the Student Body for the purpose of motivating such resignation to the said body.
- 24.2 If such resolution to resign has not been withdrawn by the SRC within three (3) days after the said meeting of the Student Body, the term of office of the SRC shall expire forthwith.
- 24.3 If the resignation of the SRC becomes effective in terms of subsection 24.2, the Speaker of the Student Parliament shall immediately convene an extraordinary meeting of the Student Parliament. At such meeting the Student Parliament members shall elect five (5) persons from their own ranks by an ordinary majority of votes in a secret ballot to form an interim SRC, pending the election of a new SRC.
- 24.4 The duly elected interim SRC shall elect an acting President from their own ranks by an ordinary majority of votes in a secret ballot.
- 24.5 In the event of the resignation of the SRC an election process for a new SRC shall be organised by the Department of Student Governance & Development within twenty (20) days of such an occurrence.
- 24.6 In the event that such resignation occurs in the second (2nd) semester of the year, the election then conducted shall be an ordinary election for the SRC whose term of office would ordinarily have started at the beginning of the following year, provided that the term of office of the SRC so elected shall commence immediately after that body has been duly constituted by the Dean of Students.
- 24.7 If a motion of no-confidence in the SRC is passed by a general meeting of the Student Body, it shall be deemed to be the equivalent of an effective resignation by the SRC which shall automatically lead to the implementation of the process outlined in subsections 24.3 and 24.5.

25. RECALL AND RESHUFFLING

- 25.1 A student organisation that has won the right to deploy one or more of its members to one or more of the portfolios listed in Section 10 (2) above, may exercise the right to recall one or more of its

deployee(s) from the SRC. The student organization that recalls its deployee(s) must formally notify the secretary of the SRC and the senior staff member in the Department of Student Governance & Development thereof, stating the reason(s) for the recall and the time from which the recall will be effective.

25.2 A student organization may replace such a recalled deployee with another student who meets all the eligibility requirements stated in the Election Procedure (Appendix 1).

25.3 Reshuffling of portfolios held by a student organization may occur whenever a vacancy occurs in a portfolio held by that organization.

26. RECALL AND RESHUFFLING OVERSIGHT

26.1 If a student organization intends to recall one or more of its deployees or reshuffle portfolios, it must inform the SRC President and the Department of Student Governance & Development of its intention in order for the latter Department to oversee the process.

27. AFFILIATION OF STUDENT ORGANISATIONS WITH THE SRC

27.1 For a student organisation to be allowed to function as such on any campus or site of the University, it has to be affiliated to the SRC.

27.2 Student organisations function in terms of their own SRC approved constitutions, but are also subject to this constitution.

27.3 A student organisation must apply for affiliation to the SRC and comply with the requirements for such affiliation as stipulated in par 28 below.

27.4 If an application is successful the organisation must comply with the conditions of entry for new organisations for the duration of the academic year in which its application was first submitted.

27.5 All affiliated student organisations are recognised as substructures of the SRC and shall always act in accordance with its approved constitution and this constitution, as well as in the best interest of its members and the student body at large.

27.6 The SRC may withdraw its recognition of any student organisation, either temporary or permanently, if it has been proven that such organisation is acting contrary to the provisions and spirit of this or their own constitution.

27.7 Funding of affiliated student organisations is regulated by the SRC in accordance with its approved funding criteria.

28. STUDENT ORGANISATIONS: REQUIREMENTS AND CONDITIONS OF ENTRY

- 28.1 In order to be recognised and accepted as a legitimate student organisation and be affiliated to the SRC, a candidate-organisation must submit an application on the prescribed form and attach thereto:
- (a) A founding declaration by a minimum of fifty (50) students that they have committed to become members of the new organisation. This declaration must contain the names, student numbers and signatures of these founding members; and
 - (b) A draft constitution for the new organisation, which includes at least the proposed name of the organisation, its purpose and main objectives, its management structure and the duties and responsibilities of its office-bearers.
- 28.2 The application must be considered by the SRC and a recommendation of approval/rejection be communicated to the applicant within fifteen (15) working days of the application being handed in at the offices of the SRC. Final approval of the success (or not) of the application is granted by the Student Parliament.
- 28.3 Applications for the recognition of new student organisations must preferably be submitted in time for approval at the first meeting of the Student Parliament in a given year. No new applications will be entertained in the second semester.
- 28.4 If the SRC has not complied with par 28.2 above, the applicant organisation will be deemed to have complied with par 28.1 above, subject to ratification by the Dean of Students.
- 28.5 After receiving a positive response from either the SRC or the Dean of Students, the new organisation may commence activities and conduct elections for its office-bearers in terms of its constitution.
- 28.6 At least two representatives of the new organisation must attend the meeting of the Student Parliament at which their application will serve for approval. During the year of its application and recognition the new organisation must be represented at each meeting of the Student Parliament. Absence for good reason will only be allowed in respect of one meeting in the first year.
- 28.7 At the first meeting of the Student Parliament where its application is discussed, the organisation will only have observer status, i.e. be able to participate fully, but without the right to vote.
- 28.8 Once confirmed by the Student Parliament, the new organisation shall enjoy full organisational rights as a SRC affiliate.
- 28.9 If the Student Parliament did not approve of the new organization, the latter must as soon as possible be provided with reasons why it was rejected. If the reasons are not acceptable to the organization, it may request a review of the Student parliament's decision by the Dean of Students, provided that if the Dean of Students ratified the organization in terms of par 28.4 above, the review must be conducted by the Dean's line manager.
- 28.10 Newly affiliated organisations shall receive funding as determined by the SRC budgetary guidelines, but may approach the SRC for additional financial assistance if such is considered justified in terms of their approved programme of activities for the current year.
- 28.11 A newly affiliated organisation must present audited financial statements and an acceptable annual report at the Annual General Meeting held in the second semester of the year in which they received recognition as an SRC affiliate. Failure to comply with this condition may lead to the temporary suspension of all their activities by the SRC until the condition has been complied with. The SRC may set a time period within which compliance must be effected, failing which the SRC may recommend the termination of the organization to the Department of Student Governance and Development.
- 28.12 The executive committee of an organization that wishes to participate in the SRC elections during the first year of its establishment, must demonstrate that they have successfully launched their organization and have made satisfactory progress with their programme of action for the year. This evaluation must be conducted by the Department of Student Governance and Development before the commencement of the nomination process for the SRC elections.

29. GEORGE CAMPUS STUDENT COUNCIL

- 29.1 The George Campus Student Body (GCSB) shall also be governed by this constitution.
- 29.2 The GCSB shall elect its own student governance sub-structure, which shall be known as the Student Council (SC).
- 29.3 The SC shall be governed by its own constitution which shall be sensitive to and aligned with the conditions on the George Campus, but not be in conflict with this constitution in any way.
- 29.4 When dealing with NMMU institutional issues the SC shall act as a link between the SRC and the George Campus students.
- 29.5 The SC shall consist of ten (10) members elected by students in accordance with the Election Procedure (Appendix 1).
- 29.6 The chairperson of the SC shall be the campus representative on the SRC.
- 29.7 The SC shall seek to fulfill the duties of all the portfolios identified by the constitution.
- 29.8 Portfolios:
- Chairperson
 - Deputy Chairperson
 - Secretary
 - Treasurer
 - Public Relations Officer
 - Accommodation & Culture Officer
 - Transformation, Gender and Special Needs Officer
 - Community Development and Outreach Officer
 - Societies Officer
 - Safety, Health and Environmental Affairs Officer
- 29.10 All Student organisations on the George Campus shall be affiliated to the SC.

CHAPTER 4

STUDENT PARLIAMENT

30. COMPOSITION

30.1 There shall be a Student Parliament comprising representatives from the following:

- 30.1.1 Two members of the Sport Council;
- 30.1.2 All members of the Residence Council;
- 30.1.3 The chairperson or nominee of all student organisations affiliated to the SRC;
- 30.1.4 All members of the Oppidani Council;
- 30.1.5 Two members of the Faculty Council;
- 30.1.6 Two members of the George Student Council; and
- 30.1.7 All SRC members.

30.2 The Student Parliament shall be representative in nature, inclusive in character and consistent in its operation.

30.3 The SRC President shall convene the first sitting of the parliament and facilitate the elections of the executive committee of the Student Parliament.

30.4 The following are executive positions of the Student Parliament:

The Speaker

The Deputy Speaker

The Secretary

30.5 The Speaker elected shall thereafter chair the proceedings of the Student Parliament. The Speaker shall also be entitled to attend all SRC meetings as an observer, i.e. able to participate fully, but without the right to vote.

30.6 The Executive Committee of the Parliament shall be elected at the first sitting of the Student Parliament in a given year. SRC members shall not be eligible to serve in the Student Parliament Executive.

31. POWERS AND FUNCTIONS

The Student Parliament shall:

31.1 Deliberate on matters broadly affecting student governance ranging from administrative issues to policy matters. The outcome(s) as a result of robust debates or discussions shall be forwarded to the SRC as advice for consideration and not as instructions.

31.2 Make recommendations for consideration at the AGM.

31.3 Note and advise on the SRC's programme of action, as well as any other relevant matter,

31.4 Receive reports and evaluate the progress of the SRC and its affiliates in general.

31.5 On recommendation of the SRC, make final decisions on applications for affiliation by student organisations according to the set criteria.

31.6 Monitor the functioning of the SRC on behalf of the Student Body in general.

32. OBLIGATIONS

The Student Parliament shall:

32.1 act in accordance with the mission statement of the NMMU when exercising its powers.

32.2 strive for cooperation and communication between the different student governance substructures.

33. OBLIGATION OF MEMBERS

Members shall:

33.1 individually and collectively serve the interests of the Student Body when formulating policy;

33.2 perform the duties and functions allocated to them by the Constitution.

34. MEETINGS OF THE PARLIAMENT

- 34.1 The rules pertaining to meetings of the SRC shall apply at all Student Parliament meetings.
34.2 Attendance of meetings of the Student Parliament is compulsory for all SRC members and other members as prescribed in section 30 above; and
34.3 Meetings of the Student Parliament shall be open for ordinary students to observe and participate without voting powers.

Ordinary Meetings

- 34.4 The first ordinary meeting of the Student Parliament shall be held in the first academic term. Ordinary meetings of the Student Parliament shall be held at least once per semester.
34.5 The secretary shall give at least ten (10) working days notice of the date, time and venue of such a meeting with disclosure of provisional agenda; and
34.6 Parliamentarians shall be granted a reasonable opportunity to put matters on the agenda of a meeting for a period of not less than three (3) working days, but closing no later than two (2) working days before the said meeting.

Special Meeting

- 34.7 A Special Meeting of the Student Parliament shall be held if and when:
34.7.1 the Speaker in consultation with the SRC President calls such a meeting;
34.7.2 an SRC affiliate who is a member of the Parliament submits a written request to the Speaker/Secretary for such a meeting, accompanied by a written motivation for consideration at the meeting; and
34.7.3 notice of the date, time and venue of a special meeting with disclosure of the agenda shall be given at least twenty four (24) hours before such a meeting.

Quorum

- 34.8 The quorum for the Student Parliament shall be 50% +1 of the voting members of the Parliament.
34.9 In the event of a quorum not being present, the meeting shall be postponed by the chairperson to a day within the next five (5) working days and the members then present shall be a quorum.
34.10 In the event of such a postponement notice of at least forty eight (48) hours shall be given to all members of the date, time and venue of the postponed meeting.

Minutes of Meetings

- 34.11 The Secretary of the Student Parliament shall keep minutes of the proceedings of each Student Parliament meeting.
34.12 The minutes of a Student Parliament meeting shall be submitted to the following ordinary Student Parliament meeting for approval and thereafter signed by the chairperson.
34.13 The minutes thus approved and signed shall be the only official account of the proceedings of the meeting and shall be submitted to the Department of Student Governance & Development and be available at the reasonable request of any interested party within five (5) working days after the approval of the minutes.
34.14 A document register shall be kept of all documents considered by the Student Parliament and this register including the documents shall be available at the reasonable request of any interested party.

Resolutions

- 34.15 Resolutions may only be adopted in respect of matters disclosed by the agenda, provided that other matters may be added to the agenda if there is no objection thereto by any member present.
34.16 A resolution shall be adopted by an ordinary majority of votes of the members present.
34.17 A resolution adopted at a Student Parliament meeting shall take immediate effect unless otherwise stipulated in the resolution.

CHAPTER 5

GENERAL

35. AMENDMENTS

35.1 Amendments to this Constitution may be initiated by;

- one or more SRC members;
- one or more members of the Student Parliament;
- one or more students, subject to par 35.4 below
- one or more members of the Executive Management or Council of the University.

35.2 An amendment proposed by Executive Management or Council needs to be submitted to only the SRC for consultation before it can be considered for approval by Council. The SRC may in turn consult with its substructures and other stakeholders, but must provide feedback to Council within the timeframe set by Council, provided that such timeframe shall be reasonable.

35.3 All proposed amendments to this Constitution initiated by students shall be in writing and be forwarded for the attention of the SRC for submission to the Student Parliament for consideration and in principle support, after which it shall be submitted to the Annual General Meeting for consideration and adoption.

35.4 Any such submission initiated by a student who is not a member of the SRC or Student Parliament must be submitted in writing and must be supported by a list of at least fifty (50) registered students, whose names, student numbers and signatures must be part of this list.

35.5 An amendment shall only become effective upon approval by Council.

36. INTERPRETATION

36.1 In case of conflict arising from the interpretation of this Constitution, the matter shall be referred to the Dean of Students.

36.2 The Dean of Students shall, after consultation with the SRC, resolve the conflict by referring the matter for either internal or external arbitration.,

37. STATUS

37.1 Once approved by Council, this Constitution shall be enforceable and supersede all previously existing Constitutions.

ELECTION PROCEDURE**1. INTRODUCTION**

This procedure document serves to outline the process governing the election of the SRC.

2. ESTABLISHMENT OF THE ELECTORAL COMMISSION

2.1 The primary task of the Electoral Commission is to manage the election of the SRC. The Electoral Commission shall be independent and impartial and shall exercise its powers and perform its duties without fear, favour or prejudice.

2.2 The functions and responsibilities of the Electoral Commission shall be:

2.2.1 To supervise and manage elections in accordance with this procedural document and to carry out the duties and responsibilities assigned to it. .

2.2.2 To ensure that elections are free and fair.

2.2.3 To declare the results within a period of twenty-four (24) hours after completion of counting the ballot papers.

2.2.4 To establish and facilitate the functioning of the Electoral Forum as described in par 3.

2.2.5 To make recommendations on the Electoral Procedure to the Student Parliament.

2.2.6 To formally certify that the SRC elections were free and fair

2.3 Establishment and Composition of the Electoral Commission

2.3.1 The Dean of Students, shall appoint an Electoral Commission (EC) to conduct the SRC elections,

2.3.2 The Dean of Students, after consultation with the SRC shall appoint a Chief Electoral Officer (CEO) who must be a member of the Independent Electoral Commission (IEC) and who will act as chairperson of the Electoral Commission.

2.3.3 In addition to the CEO, the Electoral Commission shall consist of the following members:

- Two Officials co-opted by the CEO
- The Deputy Director: Student Governance & Development or his/her appointee;
- The SRC Officer; who acts as the Presiding Officer
- Two current members of the SRC not standing for election
- One representative from the NMMU Institutional Forum

2.4 Functions of members of the Electoral Commission

2.4.1 The Chief Electoral Officer is responsible for organising the election process.

2.4.2 The Presiding Officer shall ensure the efficient day-to-day running of the Electoral Commission.

2.4.3 The Chief Electoral Officer, with the assistance of the SRC Officer shall be responsible for:

2.4.3.1 Opening the nomination process together with a closing date;

2.4.3.2 Preparing nomination forms;

2.4.3.3 Compiling a complete list of candidates;

2.4.3.4 Arranging meetings of candidates and the Electoral Forum to explain processes, rules and regulations for the elections;

2.4.3.5 Ensuring venues are booked timely for speeches, manifesto readings and any other events pertaining to the elections;

2.4.3.6 Ensuring that the election publications carrying relevant information about candidates are distributed prior to the elections;

2.4.3.7 Liaising with campus media about information on the elections;

- 2.4.3.8 Making recommendations to the Electoral Commission concerning the efficient running of the elections, subject to the provisions of this procedural document;
- 2.4.3.9 Presenting a full report as soon as possible after the elections to the University Management through the Dean of Students.
- 2.4.3.10 Convening and servicing meetings of the Electoral Commission; and
- 2.4.3.11 Undertaking such task or tasks as the Electoral Commission may request from time to time.

3. DETERMINING THE ELECTION TIMETABLE

The dates on which all the different elements of the election process will take place, including the day on which the voting will take place, will be determined by the Department of Student Governance & Development. The timetable for the election is necessary to inform students and interested parties of the most important steps and procedures that must be followed on specific dates leading up to the day on which voting will take place.

4. ELECTORAL FORUM

- 4.1 The SRC Officer shall be the convenor of the Electoral Forum
- 4.2 After the registration of participants to the elections, an Electoral Forum shall be formed.
- 4.3 The Electoral Forum shall be established to liaise between the EC and the participants in the elections.
- 4.4 The forum shall only make recommendations to the EC.
- 4.5 The forum consists of all the Electoral Commission members and all the participants officially accepted by the EC as candidates for the elections.
- 4.6 The EC and the Department of Student Governance & Development's assistance for candidates to attend the meetings cannot be guaranteed and remains the candidate's personal responsibility.
- 4.7 The Electoral Forum deals with the matters which the Electoral Commission presents to such meetings in order to promote communication and prevent avoidable electoral disputes.
- 4.8 The Electoral Forum has no powers to change this election procedure.
- 4.9 The Forum serves to facilitate consultation about the Election Schedule containing necessary information about the election process, including dates and times of meetings and events.

5. ELIGIBILITY OF CANDIDATES AND VOTERS

- 5.1 Any full-time, registered student may be elected to the SRC, provided that he/she meets the following requirements:
 - 5.1.1 Has not been found guilty of any misconduct in the previous and current academic year.
 - 5.1.2 Must have rendered a satisfactory Academic Performance as follows:
 - (a) In the case of first time entering undergraduate students, must have achieved a pass mark in at least 50% of all the modules they have been registered for. Compliance with this requirement must be established from all the marks captured for those modules on the relevant institutional system by the end of July.
 - (b) In the case of all other students, subject to section (c) below, must have met the academic performance requirement for a NSFAS loan for the current year, based on academic progress achieved up to the end of the previous academic year. **
 - (c) Students registered for postgraduate programmes are deemed to have rendered satisfactory academic performance.
 - (d) If there is any dispute about exclusion based on academic performance, the EC will make the final decision based on input from the relevant Dean/HoD and/or any other relevant source.

(**Note: that this paragraph must be read in conjunction with paragraph 18.4)

- 5.2 Student organisations which are affiliated to the SRC in terms of the provisions of the SRC Constitution, can put forward candidates to stand for the SRC elections.
- 5.3 All student organisations wishing to contest the elections must register with the EC.
- 5.4 Individuals wishing to contest the SRC elections shall meet the following requirements:

- 5.4.1 The individual must register with the EC.
- 5.4.2 To be directly elected as a site representative: the individual shall be required to submit a list of 100 signatures of students who are registered at the site which the candidate seeks to represent, which shall serve as a threshold for him/her to represent that site.
- 5.4.3 To be directly elected as International Officer : the individual shall be required to submit a list of 50 signatures of international students which shall serve as a threshold for him/her to represent that constituency.
- 5.4.4 To be directly elected to any other SRC Portfolio: The individual shall be required to submit a list of 100 students' signatures which shall serve as a threshold for him/her to contest that portfolio.

6. NOMINATION REQUIREMENTS

6.1 Nomination by a student organisation.

6.1.1 Each nominating organisation shall be required to submit the following to the EC:

- 6.1.1.1 A list of the portfolios that the organisation will be contesting.
- 6.1.1.2 A complete list of candidates, for each candidate indicating full name, programme registered for, and student number. The list must include at least the same number of candidates as the number of portfolios which the organisation will be contesting.
- 6.1.1.3 The manifesto of the organisation.

6.2 Nomination of individual students

6.2.1 In the case of an individual the following documents must be submitted to the EC:

- 6.2.1.1 A duly completed nomination form, which also indicates the portfolio he/she will be contesting.
- 6.2.1.2 The candidate's manifesto
- 6.2.1.3 A list of 100 or 50 constituents, in compliance with par 5.4 above, including full names, student numbers and signatures of those constituents.

6.3 Failure to comply with any of the above shall result in automatic nullification of the nomination affected by such non-compliance.

6.4 The EC may disqualify the whole organisation from participating in the SRC elections for failure to meet the requirements for the elections.

7. NOMINATION PROCEDURES

7.1 The Chief Electoral Officer with the assistance of the Presiding Officer, shall invite nominations for SRC elections by means of a public notice stating:

- 7.1.1 Date of elections
- 7.1.2 Venue of elections
- 7.1.3 Where on each campus nomination forms may be collected and returned to
- 7.1.4 Closing date for submission of nominations

7.2 The nominations must be submitted by hand at the office(s) indicated in the public notice at least 14 days prior to the date of the elections, which office shall issue an acknowledgement of the receipt thereof to the person delivering such nomination.

7.3 The Chief Electoral Officer shall consider all nominations and shall determine whether the nominations are valid.

7.4 Notice of acceptance as candidates shall be given by the Presiding Officer by a collective public notice.

7.5 The Chief Electoral Officer shall make the voters' roll available for scrutiny at least 14 days prior to the holding of elections. Any objection to the voters' roll must be submitted in writing to the CEO within 48 hours of its being made available. The EC will make a final ruling on any such objection.

7.6 Any objections to an accepted nomination or to the non-acceptance of a nomination must be lodged in writing with the CEO within 48 hours of the publication of the notice of the accepted nominations. The CEO shall table his/her findings on the objection(s) to the Electoral Commission and the decision of the Electoral Commission shall be final.

7.7 No nomination form will be accepted after the closure of official nominations, the date and time of which will be announced in the public notice calling for nominations and be reflected on the nomination form itself.

7.8 If only one valid nomination has been received for a particular portfolio, the CEO will declare that candidate as elected unopposed.

8. ENTITLEMENTS OF NOMINATING ORGANISATIONS OR INDIVIDUALS

8.1 Nominating organisations or nominated individuals contesting the elections will be entitled to the following:

8.1.1 Representation on the Electoral Forum as contemplated in par 3 above.

8.1.2 Free access to all voters' rolls compiled and maintained by the EC.

8.1.3 Protection by the Electoral Commission of names, as well as distinguishing marks, symbols and abbreviation, if any, of participating organisations.

8.1.4 The Department of Student Governance & Development shall at its discretion make funds available in its budget for participating organisations and individuals.

8.1.5 The amount given to contesting student organisations and individuals shall be equal per candidate.

9. WITHDRAWAL OF NOMINATION

9.1 Any notification by an organisation or an individual of the withdrawal of a nomination must be in writing and signed by an executive member of that organisation or the individual candidate him/herself. This must be done within the specified nomination period.

9.2 Any organisation or candidate making a false statement or furnishing false particulars in any document required by these regulations shall be guilty of an offence and will be subjected to a review of their nomination by the EC with cancellation of their nomination as possible sanction.

10. CONDUCT AND RESPONSIBILITY OF ORGANISATIONS AND INDIVIDUALS CONTESTING ELECTIONS

10.1 All organisations and individuals contesting the elections will be required to:

10.1.1 Attend all meetings or workshops arranged by the EC;

10.1.2 Adhere to all deadlines set by the EC.

10.1.3 Provide any such relevant information as requested by the EC.

10.2 Apart from the individual transgressing member, the nominating organisation will also be held responsible for the misconduct of their members.

10.3 The candidates will not be allowed to collect or handle ballot boxes and ballot papers and will not be allowed within a 10 metre radius of ballot boxes on the day voting takes place, except to cast his/her own vote.

11. VOTING AND VOTING STATIONS

11.1 The Electoral Commission must establish voting stations on all the sites.

11.2 The location of voting stations must take into consideration the need for free, fair and orderly elections. To this end, the number of voters on each site and the need to avoid congestion at voting stations should be considered.

11.3 Voting will take place between 08h00 and 19h00 on the day(s) determined for elections.

11.4 Immediately before opening of voting, the designated Presiding Officers at the various voting stations must show agents and candidates that the ballot boxes are empty and thereafter seal the ballot boxes.

11.5 Any student registered at the University has a right to vote in the SRC elections

11.6 A voter must produce his/her student card before voting.

11.7 Voting will be by secret ballot.

11.8 For SRC portfolios to which members are directly elected, a voter may vote for only one individual candidate or one organisation of his/her choice **per portfolio**. This means that each voter has as many votes as there are portfolios that are contested. It must also be clear that a voter may vote for an organization for one portfolio, but for an individual candidate for another portfolio.

11.9 Only students registered at the relevant site may vote for the representative of that site.

- 11.10 Only international students may vote for the International Officer.
- 11.11 Each voting station is managed in terms of the applicable rules by an electoral officer appointed by the CEO.

12. VOTING MATERIALS

- 12.1 The EC must determine the design of the ballot paper and ballot boxes. It must also decide how they are to be numbered and labelled.
- 12.2 The EC is responsible for sourcing and preparing ballot papers, ballot boxes, voting booths, a voters' roll and all other materials required for orderly voting at a voting station.
- 12.3 The Presiding Officer is responsible for the safekeeping of all these materials up to it being handed over to the electoral officer in charge of a voting station. The latter must acknowledge by written receipt that he/she has received the required election materials.

13. ELECTION AGENTS

- 13.1 A nominating organisation contesting the elections may appoint one agent per voting station and two agents at a venue where the counting takes place. An individual candidate, or a group of individual candidates, may do the same.
- 13.2 Names of agents must be submitted to the EC at least two days prior to elections for them to be accredited as party agents for the duration of the election
- 13.3 An agent must be a registered student and must not be a candidate in the elections.
- 13.4 The agent must have written proof of his/her appointment and produce such proof at the request of the electoral officer or counting officer.
- 13.5 Agents are allowed to observe proceedings concerning voting, counting and determination and declaration of results at the voting station.
- 13.6 Agents may not interfere with any proceedings.
- 13.7 Agents may launch complaints or bring irregularities to the attention of the electoral officer.
- 13.8 The absence of agents does not invalidate proceedings.

14. COUNTING PROCEDURES AND ANNOUNCING THE RESULTS

- 14.1 Counting commences as soon as practicable after the voting station has been closed for voting and may only be suspended with the Chief Electoral Officer's approval.
- 14.2 Ballot papers will be counted at the relevant voting station.
- 14.3 Counting officers must reject and mark as rejected any ballot paper;
- that reflects the identity of a voter
 - which casts a vote in favour of more than one individual candidate or organisation per portfolio
 - which is unmarked
 - which does not reflect any choice of the voter.
- 14.4 Disputed and rejected ballot papers will not be counted and will be kept separate.
- 14.5 After the counting at a voting station has been completed, the agents at that station must sign a declaration stating whether or not they accept the counting process as compliant with the rules governing the elections.
- 14.6 After the counting of votes at a voting station has been completed, the electoral officer in charge of that voting station must ensure the safe delivery of all the ballot papers as soon as possible to the CEO at a predetermined venue and communicate the result of the voting at that particular voting station in writing to the CEO.
- 14.7 After receiving the results of all the voting stations the CEO must determine the overall results as well as the percentage poll, and as soon as possible announce the outcome of this determination as the provisional results.

15. ELECTORAL SYSTEM

- 15.1 The electoral system for the directly elected members of the SRC is twofold:
- 15.1.1 For electing the four Site Representatives and the International Officer a simple majority system will apply.
- 15.1.2 For the remaining eleven (11) portfolios a proportional representation system will apply, except if a portfolio has been won by an individual candidate, as described in Appendix 1B.
- 15.2 The organisation or individual who has received the most votes for the respective portfolio referred to in par 15.1.1 above, becomes the holder of that portfolio.
- 15.3 The allocation of the portfolios referred to in par 15.1.2 above shall occur in the manner set out in Appendix 1B.
- 15.4 If an organisation has won a portfolio, it shall deploy a candidate from its approved nomination list (see par 6.1.1 above) to that portfolio.

16 POSTPONEMENT OF ELECTIONS

- 16.1 The Electoral Commission may request the Vice-Chancellor of the University to postpone elections if it is not reasonably possible to conduct free and fair elections. New elections must be held within 60 days of such postponement (if practically possible). Elections may be postponed as a whole or in part.
- 16.2 If it has been proven to the satisfaction of the EC that any number of ballot papers have been lost, destroyed or unlawfully removed, the EC may allow a revote within 60 days, if practically possible.

17 RESOLUTION OF ELECTION DISPUTES

- 17.1 Objection to any aspect of the election process shall be lodged in writing with the CEO within 24 hours of the announcement of the provisional results.
- 17.2 The CEO must make a finding regarding such objection and communicate the decision as soon as possible to the organisation or person who lodged the objection.
- 17.3 The decision of the CEO regarding such objection shall be subject to appeal in the following manner:
- An appeal from any decision or ruling given by the CEO shall be to the EC who will also determine the procedure for hearing the dispute. For the purpose of the appeal hearing, the Dean of Students will replace the CEO as chair of the EC.
- 17.4 The decision of the EC shall be final.
- 17.5 If no objections are received within (24) hours of the announcement of the provisional results, these results will be certified by the CEO or his/her nominee as the final results and be communicated to the Dean of Students.

18 CONSTITUTING THE SRC

- 18.1 After the final election results have been confirmed, the Dean of Students shall convene a meeting of all the elected members at a determined date, time and place and declare the SRC as properly constituted and empowered to function in accordance with the provisions of the SRC Constitution.
- 18.2 The new SRC shall be inducted at a public investiture convened by the Department of Student Governance and Development as soon as possible.
- 18.3 The term of office of the new SRC commences on 1 January of the following year, provided that each member has met the academic performance requirement for assumption of office outlined in par 18.4 below.

18.4 In order to effectively assume office in the year following upon his/her election, an elected member must again satisfy the academic performance requirement for a NSFAS loan in that year.

19 **GENERAL PROVISIONS**

19.1 The Electoral Commission and its officers shall have reasonable access to such places throughout the University if such is necessary to perform a particular function in terms of this policy.

19.2 The EC owns the election material and may dispose of such material after the elections as soon as the final results have been certified as such.

19.3 The IEC may make such further regulations which it considers necessary for the free, fair and orderly conduct of the elections.

Allocation of Portfolios

1. The procedure to allocate portfolios on a proportional representation basis is set out in this appendix. It concerns the eleven (11) portfolios referred to in par 15.1.2 of the Election Procedure (Appendix 1).
2. Firstly it must be identified which of the eleven portfolios, if any, have been won by individual candidates and not by a student organisation; these portfolios shall be held by the relevant individual and shall not be subject to allocation in terms of par 3 below.
3. The allocation of the remaining portfolios will then be performed in terms of the internationally accredited De Hondt-method of calculation for proportional representation, as follows:

Step 1 : Add together the total number of votes received by each organisation for each of the eleven (11) portfolios (including the votes received for a portfolio that may have been won by an individual candidate).

Step 2: Divide the total number of votes for each organisation consecutively by 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, **depending on the remaining number of portfolios that are available for allocation**: if there are only eight (8) portfolios available for allocation, the last calculation will be a division by eight (8). (See the illustrative example in par 5 below.)

Step 3: Mark the eleven/eight* highest numbers produced by the calculations (* this is the number of portfolios available for allocation.)

Step 4: This result will indicate how many of the available portfolios will be allocated to each organisation.

4. The organisation that received the highest number of votes in terms of the calculation in step 1 of par 3 may select its preferred portfolios before any of the other organisations. Thereafter the organisation with the second highest number of votes may select its preferred portfolio(s) from the remaining portfolios, then the next organisation, until all portfolios have been allocated. If two or more organisations received exactly the same number of votes, the sequence by which they would be entitled to select their portfolios will be determined by drawing the lot.
5. Illustrative example:
 - 5.1 Assume there are 11 portfolios and that three portfolios have been won by individual candidates; that leaves 8 portfolios available for allocation to organisations that participated in the elections.
 - 5.2 Assume that four student organisations participated in the elections and that each of the 11 portfolios was contested by all 4 organisations. The votes obtained by each organisation for each of the 11 portfolios must be added together to obtain the total number of votes for each organisation.
 - 5.3 Assume the organisations' total number of votes are as follows:
Organisation 1: 6575
Organisation 2: 4220
Organisation 3: 4005
Organisation 4: 1220

5.4 The totals now have to be divided consecutively by 1, 2, 3, 4, 5, 6, 7 and 8, leading to the following results (fractions are disregarded):

1: 6575, 3287, 2191, 1643, 1315, 1095, 939 and 821

2: 4220, 2110, 1406, 1055, 844, 703, 602, 527

3: 4005, 2002, 1335, 1000, 801, 667, 572, 500

4: 1220, 610, 406, 305, 244, 203, 174, 152

5.5 The 8 highest numbers are:

6575, 4220, 4005, 3287, 2191, 2110, 2002, 1643

5.6 Thus: Organisation 1 is allocated 4 portfolios, organisations 2 and 3 get two each, while organisation 4 is not allocated any portfolio. The latter organisation received less than 10% of the total votes (1220 out of 16020 = 7.6%) (This calculation method will normally not allocate a portfolio to a group that received less than 10% of the total number of votes.)

5.7 Organisation 1 received the highest total number of votes and will therefore be able to first select four portfolios of its choice. Thereafter Organisation 2 will select its two portfolios, and finally Organisation 3 will be allocated the remaining two portfolios.

5.8 Each organisation will then select candidates from their approved candidate lists and deploy them to the different portfolios.

CODE OF CONDUCT**1. Introduction**

The Student Representative Council is the highest decision making student structure on all matters pertaining to student governance at the Nelson Mandela Metropolitan University. The student leaders of the University, out of their desire to pursue the goals, aims and objectives as set out in the SRC Constitution, unite to accept this code of conduct.

Through this Code of Conduct, the SRC seeks to build a student leadership that is committed to good governance, individual integrity, good citizenship and public service ethos.

This Code of Conduct seeks to regulate the behaviour and conduct of those in student leadership positions, and must be studied and understood in conjunction with the SRC Constitution, the Student Disciplinary Code, the University rules and procedures.

2. Guiding Principles

The guiding principles as espoused in the SRC Constitution underpin the manner in which student leaders should serve the students of NMMU. Such principles form the core of the culture which the SRC strives to establish in the service of students.

3. Categories of Misconduct

- **Very Serious Misconduct**
- **Serious Misconduct**

3.1 Very Serious Misconduct

Any individual member of the SRC shall be charged with very serious misconduct if he or she has committed one or more of the following through act or omission:

- 3.1.1 harming the integrity of the SRC, or its personnel or property;
- 3.1.2 sabotages the activities of the SRC;
- 3.1.3 insubordination;
- 3.1.4 creates division or factionalism within the SRC;
- 3.1.5 encourages or participates in the creation of cliques or cabals;
- 3.1.6 any form of sexual assault and sexual harassment, whether verbal or physical;
- 3.1.7 acts in a way that exposes members to serious physical harm or death, including rape or attempted to rape;
- 3.1.8 any act aimed at undermining the effective functioning of student governance in general and the SRC in particular;
- 3.1.9 public drunkenness;
- 3.1.10 sells or takes illegal drugs
- 3.1.11 vandalises University property
- 3.1.12 abuses resources to advance personal interest or in return for favours.

3.2 Serious misconduct

Any member shall be charged with serious misconduct if she or he has committed one or more of the following through act or omission:

- 3.2.1 behaves in a dishonest manner that places the integrity of the SRC into question or stealing goods from the SRC or from other members of the SRC;

- 3.2.2 behaves in a corrupt manner by seeking or accepting any kind of bribes or rewards for performing or not performing any task(s) on behalf of the SRC;
 - 3.2.3 behaves in any other corrupt manner that brings the name of the SRC into disrepute;
 - 3.2.4 abuses his/her office by using his/her position to obtain material or sexual favours, or any other undue benefit,
 - 3.2.5 sowing racism, tribalism, regionalism, sexism, xenophobia, homophobia and chauvinism in the SRC or its substructures;
 - 3.2.6 acts contrary to a valid decision of the SRC;
 - 3.2.7 spreads false information about fellow SRC members;
 - 3.2.8 disrupts meetings or interrupts the orderly functioning of the SRC;
 - 3.2.9 uses offensive language or hate speech during an SRC meeting or any other meeting of a SRC substructure;
 - 3.2.10 fails to perform duties assigned or fails to attend two (2) consecutive SRC events or meetings without a written valid apology or explanation.
- 3.3** In so far as any of the acts or omissions described in 3.1 and 3.2 above also negatively affects any SRC substructure, it will also constitute very serious or serious misconduct, as the case may be.

4. Disciplinary Procedures

4.1 Principles

- 4.1.1 Any relevant person(s) shall not use the disciplinary process as a tool for suppression of robust debate or denying members their democratic right to exercise freedom of expression.
- 4.1.2 The disciplinary process should not be used as a means of solving personal problems.
- 4.1.3 Any person faced with disciplinary proceedings shall receive due written notice of any hearing and of the basic allegations and charges against him/her and be afforded a reasonable opportunity to make his/her defense.
- 4.1.4 All disciplinary hearing shall be conducted privately and their outcomes shall be presented to the SRC, Department of Student Governance & Development and relevant structures and may be made public at the discretion of the SRC Disciplinary Committee.
- 4.1.5 A complainant(s) shall submit a written notice to the SRC Disciplinary Committee indicating the type of misconduct that has been committed by a member of the SRC.
- 4.1.6 In the event of the accused being a member of the SRC Disciplinary Committee, the member in question shall excuse him/herself from the process and the SRC shall appoint an alternative member of the SRC in his or her place.
- 4.1.7 The rules of natural justice shall apply in all Disciplinary cases.
- 4.1.8 All disciplinary proceedings shall be attended to as speedily as possible but not later than ten (10) working days after reporting of the misconduct.

5. Composition Of Disciplinary Committee

The committee shall comprise of three members:

- 5.1 The President;
- 5.2 The Deputy President;
- 5.3 One other member of the SRC, appointed by the President giving due consideration to demographics, which will include gender.
- 5.4 If charges are laid by or against any member of the committee that member must recuse him/herself from the committee.
- 5.5 The SRC will appoint a panel of senior students from the Faculty of Law who will receive, investigate, collect statements and prosecute the matter before the committee.

6. Effective Correction Measures

A corrective measure is any measure imposed mainly on humanitarian grounds, or owing to the special circumstances of the offender. The main aim of such measure is to assist the student leader to live by the expected norms of the student organisation, structure or substructure. The principles which follow are intended to serve as guidelines for imposition of sanctions in cases of misconduct:

6.1 Reprimand

The intention of a reprimand is not to humiliate the person concerned, but to remind him/her and the entire student leadership of the standards expected of student leaders, and to reinforce the sense of unity and shared values in student organisations, structures and substructures.

6.2 Demotion

A student leader who holds a position of responsibility in the SRC may be demoted if the continued holding of such position would be indefensible, inexplicable or embarrassing as a result of the particular transgression.

6.3 Temporary forfeiture of membership rights

The penalty of temporary forfeiture of membership rights may be imposed where such a measure will have a corrective effect in the event of serious misconduct.

6.4 Suspension

Where a student leader is suspended from his/her position of leadership, the period and conditions of such suspension must be indicated. In respect of serious misconduct, the period of suspension may not exceed three (3) months.

6.5 Termination of leadership position

Termination of leadership position may be recommended to the SRC for misconduct classified as very serious, but the final decision as to whether or not to terminate such position lies with the SRC. A person in respect of whom such recommendation has been made is entitled to appear before the SRC in person, together with his/her representative, if any, to indicate why she/he should not be terminated in his/her leadership position.

7. Rights Of Complainant(s)

The complainant shall have the right to;

- 7.1 a fair hearing and the right to representation by a fellow student.
- 7.2 request that the case be treated confidentially.
- 7.3 sensitivity on language use (no offensive language)

8. Right To Appeal

Any student or individual(s) found guilty in a disciplinary proceeding, or the complainant has the right to appeal to the Senior Manager: Student Governance & Development against the conviction or sentence within seven (7) working days. The Senior Manager: Student Governance & Develop will submit the appeal to the NMMU Central Disciplinary Committee which will adjudicate the matter. The decision of the NMMU Central Disciplinary Committee will be final.

SRC SUBSTRUCTURES**FACULTY COUNCIL****Composition and Election**

1. The Faculty Council shall be elected from the voters roll by secret ballot, in the manner provided in this section, read together with the SRC Election Procedure (Appendix 1), and shall consist of eight (8) persons for the eight (8) faculties (see par 8 below), duly elected as faculty representatives by and from all members of each faculty.
2. The faculty representative with the highest number of votes in a particular faculty shall be the successful candidate for the Faculty Council.
3. In the event of a tie of votes in any contested seat the successful candidate shall be determined by lot.
4. The elections for faculty representatives shall be held concurrently with the SRC elections.
5. The faculty representatives shall elect from their own ranks a Chairperson for the Faculty Council who shall be the Academic Officer of the SRC.
6. At its first meeting the Faculty Council shall appoint a person from their own ranks to act as Chairperson in the absence of the Chairperson, but who shall not be entitled to act as SRC Academic Officer as well.

Eligibility of Candidates and Voters

7. The students in each faculty shall elect a Faculty Representative for that particular faculty.
8. For the purpose of the rules for election of Faculty Representatives, the George Campus will be regarded as a Faculty.
9. The eligibility criteria contained in 5.1 and 18.4 in the SRC Election Procedure (Appendix 1) shall apply to candidates wishing to be elected as faculty representatives.
10. Student organisations which are recognised by the SRC according to provisions of the SRC Constitution can put forward candidates to be elected as faculty representatives.
11. All student organisations wishing to contest the elections must register with the EC.
12. Individuals wishing to contest the faculty representatives elections shall meet the following requirements:
 - 12.1 The individual must register with the EC.
 - 12.2 To be nominated as a faculty representative: the individual shall be required to submit a list of at least 50 signatures of students registered in the particular faculty, which shall serve as a threshold for him/her to represent that faculty.

Constituting

13. Within two days of the announcement of the SRC election results, the current Academic Officer of the SRC shall summon the newly elected faculty representatives to a meeting where the HoD: Student Governance & Development shall declare the Faculty Council duly constituted in terms of the provisions of this constitution and preside over the election of a chairperson.
14. The faculty representatives shall be known as Faculty Academic Officers.
15. A Faculty Academic Officer shall ensure that class representatives are elected within each faculty. This body shall be known as the Academic Forum, shall convene at least once a term and be chaired by the Faculty Academic Officer.
16. The Faculty Academic Officer shall ensure that the class representatives in each faculty are co-ordinated.

Term of Office

17. The term of office of the Faculty Council shall ordinarily be an academic year.
18. The Chairperson elect of the incoming Faculty Council shall, within two (2) working days of the constituting of the newly elected Faculty Council, meet with the outgoing chairperson to arrange the process by which the handing over of the Faculty Council administration shall take place.

Functions and Powers

19. The Faculty Council is charged with the effective and equitable administration of faculty affairs affecting students and is therefore competent to:
 - 19.1 discuss specific and general faculty issues;
 - 19.2 submit recommendations to the SRC and, after consultation with the SRC, to one or more Faculty Boards for consideration.
20. Faculty Academic Officers shall attend all Faculty Board meetings in their respective faculties.

Obligations of members

21. Members shall individually and collectively serve the academic interests of the student body;
22. Perform the duties and functions allocated to them by the SRC and/or Faculty Council.

Meetings

23. The rules pertaining to meetings of the SRC shall apply at all Faculty Council meetings.
24. A quorum shall be five (5) members
25. All SRC members shall be ex-officio members of the Student Faculty Council.

RESIDENCE COUNCIL**Composition and Election**

1. The Residences Council shall, subject to 3 below, consist of eighteen (18) persons from the House Committees duly elected in accordance with the house committees' election procedure.
2. The Residence Council shall consist of representatives of each residence, appointed by each individual House Committee, as set out below:
 - a) Two (2) members of the Veritas House Committee, including the Primaria
 - b) Two (2) members of the Unitas House Committee, including the Primarius
 - c) Two (2) members of the Melodi House Committee, including the Primaria,
 - d) Two (2) members of the Xanadu House Committee, including the Primarius
 - e) Two (2) members of the Sanlam Student Village Block A House Committee, including the Primaria.
 - f) Two (2) members of the Sanlam Student Village Block B House Committee, including the Primarius
 - g) Two (2) members of the Oceana House Committee including the Primarius/Primaria
 - h) Two (2) members of the Letaba House Committee including the Primarius
 - i) Two (2) members of the Lebombo House Committee including the Primaria.
3. In the event of the development of a new residence, the Primarius/Primaria of that residence and one other shall be added to the composition of the Residence Council.
4. The elections for House Committees shall be held concurrently with the SRC elections.
5. The members of the Residence Council shall elect from their own ranks a Chairperson who shall be the member of the SRC holding the portfolio of Accommodation and Catering Officer. The eligibility criteria stipulated in par 5.1 and 18.4 of the Election Procedure (Appendix 1) shall apply.

Constituting

6. Within five (5) days of the last house committee elections the House Committees of the various residences must have notified the SRC President of their reps on the Residence Council. The SRC President shall then within a further two (2) days summon the Residence Council members to a venue and a time that has been predetermined.
7. Once summoned, the Director: Student Housing shall declare the Residence Council duly constituted in terms of the provisions of this constitution.

Term of Office

8. The term of office of the Residence Council shall ordinarily be a calendar year beginning in January and ending in December.
9. The Chairperson elect of the incoming Residence Council shall, within two (2) working days of the constituting of the newly elected Residences Council, meet with the outgoing chairperson to

arrange the process by which the handing over of the Residence Council administration shall take place.

Functions and Powers

10. The Residences Council is charged with the effective and equitable administration of residence affairs as it affects students and is therefore competent to:
 - 10.1 discuss student housing issues;
 - 10.2 after consultations with the SRC, submit recommendations to the Student Housing Advisory Committee for consideration.

Obligations of members

11. Members shall individually and collectively serve the interests of residence students, as well as the residences interests of the Student Body as a whole;
12. Perform the duties and functions allocated to them by the Residences Council.

Meetings

13. The Residence Council will meet at least once a term.
14. The rules pertaining to meetings of the SRC shall apply at all Residences Council meetings.
15. A quorum shall be 50% of the members, plus one.
16. In the event of a quorum not being formed, the meeting shall be postponed by the chairperson to a day within the next five (5) working days and the members then present shall be deemed to be a quorum.
17. All SRC members shall be ex-officio members of the Residences Council.

Termination of Membership

- 18.1 A person shall cease to be a member of the Residences Council if:
 - a) written notification from the particular residence to that effect has been noted by the Residences Council at a Residences Council meeting;
 - b) a person is absent, without a valid excuse, from three (3) consecutive meetings of the Residences Council.
 - c) a person's Residences Council membership is terminated as a result of disciplinary action taken by a disciplinary organ of the University.
- 18.2 In the event that the Chairperson's membership being terminated, the remaining members of the Residences Council shall elect a chairperson from their own ranks by an ordinary majority of votes in a secret ballot. The President of the SRC shall preside over this election.

1. Composition and Election of the Sport Council

- 1.1 The election will be administered by the Department of Student Governance and Development.
- 1.2 The Sport Council shall be elected by and from the members of the Sport Chairpersons' Forum by secret ballot, and shall consist of six (6) members. The Sport Chairpersons' Forum consists of all chairpersons of sport clubs registered with the NMMU Sport Bureau. The quorum for this meeting of the Forum is two-thirds of the total membership of the Forum.
- 1.3 Subject to par 2.1.3 below, the two persons with the highest and second highest number of votes will become the Chairperson and Deputy Chairperson respectively of the Sport Council.
- 1.4 The other four (4) candidates with the highest number of votes shall be successful candidates to occupy the other portfolios in the Sport Council. The other portfolios will be determined by the Sport Council at its first meeting.
- 1.5 The Chairperson of the Sport Council shall be the SRC Sport Officer.
- 1.6 In the event of a tie of votes in any contested seat, the successful candidate shall be determined by lot.
- 1.7 The elections for all the seats shall be held concurrently.
- 1.8 The election of the Sport Council shall normally take place in the fourth (4) term of each year at the last meeting of the Chairpersons' Forum.

2. Eligibility of Candidates and Voters

- 2.1 A student is eligible to serve as a member of the Sport Council if he/she:
 - 2.1.1 Is entitled to vote
 - 2.1.2 Has been a member of a sport club for at least one (1) semester and was elected as chairperson of the club at a legally constituted AGM or Special General Meeting.
 - 2.1.3 In case of the Chairperson who will be the SRC Sport Officer, the eligibility criteria in the SRC Election Procedure (Appendix 1) as contained in par 5.1 and 18.4 shall apply.

3. Constituting

- 3.1 Within Five (5) working days after the Sport Council election, the elected members shall be summoned by the Director: Sport Bureau (or his/her designee) to a place and at a time that has been predetermined.
- 3.2 The Director: Sport Bureau (or his/her designee) shall declare the Sport Council duly elected and constituted in terms of the provisions of this constitution.
- 3.3 Any member of the Student Body who is entitled to vote may contest the validity and fairness of the elections within two (2) working days after the Sport Council has been constituted.
- 3.4 Such complaint shall be lodged with the Dean of Students who shall decide on the issue.

4. Term of Office

- 4.1. The term of office of the Sport Council shall ordinarily be one year beginning in January and ending in December but could be up to a max of two (2) academic years if re-elected.

- 4.2 The Chairperson Elect of the incoming Sport Council shall, within two (2) working days of the constituting of the newly elected Sport Council meet with the outgoing Chairperson to arrange the process by which the handing over of the Sport Council administration shall take place.

5. Functions and Powers

- 5.1 The Sport Council is charged with the effective and equitable administration of sport affairs affecting students and is therefore competent to:
- 5.1.1 discuss sport issues
 - 5.1.2 determine their own portfolios with regard to the seats
 - 5.1.3 make recommendations to the Sport Bureau and the SRC.

6. Obligation of Members

- 6.1 Members shall:
- 6.1.1 individually and collectively serve the sports interests of the Student Body;
 - 6.1.2 perform the duties and functions allocated to them by the Sport Council.

7. Meetings

- 7.1 The rules pertaining to meetings of the SRC shall apply at all Sports Council meetings.
- 7.2 The Sport Council shall meet once per term, and a quorum shall be at least four (4) members.
- 7.3 In the event of a quorum not being formed, the meeting shall be postponed by the Chairperson to a day within the next five (5) working days and the members then present shall be a quorum.
- 7.4 In the absence of the Chairperson the Deputy Chairperson will act as Chairperson

8. Termination of Membership

- 8.1 A person shall cease to be a member of the Sport Council if:
- 8.1.1 A motivated written resignation of that person as a Sport Council member is submitted to the Sport Council and copied to the Director of Sport and not withdrawn within fourteen (14) working days after it has been noted by the Sport Council at a Sport Council meeting; or
 - 8.1.2 A motion of no-confidence in that person is passed by a general meeting of the sport clubs; or
 - 8.1.3 A person is absent, without a valid excuse, from three (3) consecutive meetings of the Sport Council; or
 - 8.1.4 A person's Sports Council membership is terminated as a result of disciplinary action taken by a disciplinary body or organ of the University; or
 - 8.1.5 In the event that the Chairperson's membership is terminated, the remaining members of the Sport Council shall elect a chairperson from its own ranks by an ordinary majority of votes in a secret ballot.
- 8.2 When the Sports Council membership of a person is terminated, a successor to that person shall as soon as possible be elected by the Sport Chairpersons' Forum.

9. Resignation of the Sport Council

- 9.1 If the Sport Council has passed a resolution to resign, the Chairperson shall immediately request a special meeting of the Sport Chairpersons' Forum for the purpose of motivating such resignation to the Forum.
- 9.2 If such resolution has not been withdrawn by the Sport Council within three (3) days of the said meeting of the sport clubs, the term of office of the Sport Council shall expire forthwith.
- 9.3 If the resignation of the Sport Council becomes effective, the SRC President shall immediately convene a special meeting of the Forum.
- 9.4 At such a meeting the Forum shall elect a new Sport Council. The Chairperon and Deputy Chairperson will be determined in terms of par 1.3 above.

Appendix 6

OPPIDANI COUNCIL

Composition, Election and Functioning

1. The Oppidani Council shall be constituted and elected in terms of the Oppidani Constitution with functions and powers as set out in the said constitution for a term of office concurrent with that of the other student governance substructures.
2. The Chairperson of the Oppidani Council shall be the Oppidani Officer of the SRC. His/her eligibility shall be determined by par 5.1 and 18.4 of the Election Procedure (Appendix 1).

Resignation of the Oppidani Council

3. If the Oppidani Council has passed a resolution to resign, the Chairperson shall immediately convene an extraordinary general meeting of the Oppidani house for the purpose of motivating such resignation to the Oppidani house.
4. If such resolution to resign has not been withdrawn by the Oppidani Council within three (3) working days of the said meeting, the term of office of die Oppidani Council shall expire forthwith.
5. If the resignation of the Oppidani Council becomes effective in terms of subsection 3. above, the SRC President shall immediately convene an extraordinary meeting of the SRC.
6. At such meeting the SRC shall appoint five (5) persons who are Oppidani students to form an Interim Oppidani Council, pending the election of a new Oppidani Council.
7. The duly appointed interim Oppidani Council shall elect an acting Chairperson from their own ranks by an ordinary majority of votes in a secret ballot.
8. In the event of the resignation of the Oppidani Council an election for a new Oppidani Council shall be organised by the SRC Officer within twenty (20) working days of such an occurrence. If such resignation occurs in the last month of the third (3rd) term, the election then conducted shall be the ordinary election for the Oppidani Council whose term of office would ordinarily have commenced at the beginning of the following year, provided that the term of office of the Oppidani Council so elected shall commence immediately after that body has been duly constituted by the Chief Electoral Officer.
9. If a motion of no-confidence in the Oppidani Council is passed by a general meeting of the Oppidani students, it shall be the equivalent of an effective resignation by the Oppidani Council which shall automatically lead to the implementation of the process outlined in par 8 above.

SITE COUNCILS

1. In addition to the directly elected site representatives on the SRC, Site Councils may be established for each of the University sites in Port Elizabeth, namely Missionvale, Second Avenue, Summerstrand North and Summerstrand South.
2. A Site Council will be established if at least one-third of the students registered at that site vote in favour of the establishment of a Site Council.
3. Voting for the establishment of a Site Council will be administered by the Department of Student Governance and Development. Voting will take place if requested by the students of a particular site via the submission to this Department of a list containing the names, student numbers and signatures of at least 100 students registered at that site.
4. Such a request for the establishment of a Site Council can be submitted at any time and the subsequent voting must take place as soon as reasonably possible thereafter.
5. If the outcome of the voting meets with the requirements in par 2 above, annual elections for a Site Council will be held at that site at the same time as the annual SRC elections. Once a Site Council has been established it will remain in existence and can only be abolished if at least two-thirds of the students registered at that site vote in favour of its abolishment.

6. **Composition and Election of a Site Council**
 - 6.1 A Site Council will be elected by and from the students registered at a particular site and shall consist of five (5) members. One portfolio will be the portfolio of the Site Representative on the SRC; the nature of the other four portfolios will be determined by resolution of the Site Council itself.
 - 6.2 The eligibility criteria contained in par 5.1 and 18.4 of the SRC Election Procedure (Appendix 1) shall be applicable.
 - 6.3 Candidates may contest the election as individuals or be nominated per nomination list by any student organisation recognised by the SRC and registered with the Electoral Commission (EC). Par 6.1 of the Election Procedure (Appendix 1) shall be applicable, with the necessary changes, to nominating organizations.
 - 6.4 Individual candidates must register with the EC, as well as submit a list of at least 100 signatures of students registered at that site, which shall serve as a threshold for him/her to represent that site.
 - 6.5 The SRC Election Procedure (Appendix 1) shall be applicable, with any necessary changes, to a Site Council election. In particular the application of par 11.8 of Appendix 1 means that each voter will have one vote per contested portfolio.
 - 6.6 The portfolios shall be allocated in terms of the system of proportional representation as outlined in Appendix 1B. In an organization has won the portfolio of Site Representative, it must deploy one of its candidates to that portfolio. The Site Representative will also be the chairperson of the Site Council.

7. **Functions and Powers**
 - 7.1 A Site Council is a substructure of the SRC and derives its mandate and authority from the SRC. It is charged with the effective and equitable administration of the student affairs of the site in so far it is within their jurisdiction.
 - 7.2 A Site Council may discuss general and specific student matters relating to the site and submit recommendations to the SRC and, after consultation with the SRC, also to other relevant structures within the University for consideration.

INTERNATIONAL STUDENT REPRESENTATIVE ELECTION PROCEDURE

Election

1. The International Student Representative shall be elected by secret ballot by international students on the international students' voters roll, in the manner provided in this section, read together with the SRC Election Procedure (Appendix 1). The International Student Representative with the highest number of votes shall be the successful candidate for the portfolio.
2. In the event of a tie of votes the successful candidate shall be determined by lot.
3. The elections for the International Student Representative shall be held concurrently with the SRC elections.

Eligibility of Candidates and Voters

4. (i) The successful candidate shall be a duly registered international student.
(ii) Only international students shall be able to vote to elect an International Student Representative.
5. The eligibility criteria contained in 5.1 and 18.4 in the SRC Election Procedure (Appendix 1) shall apply to candidates wishing to be elected as the International Student Representative.
6. Student organisations which are recognised by the SRC according to provisions of the SRC Constitution may put forward a candidate who is an international student to be elected as an International Student Representative.
7. All student organisations wishing to contest the elections must register with the EC.
8. Individuals wishing to contest the international student representative elections shall meet the following requirements:
 - 8.1 The individual must register with the EC.
 - 8.2 To be nominated as an international student representative: the individual shall be required to submit a list of 50 international students' signatures which shall serve as a threshold for him/her to represent international students.

Functions and Powers

9. The International Student Representative is charged with the effective and equitable representation of international students in the SRC on matters affecting international students and is therefore competent to:
 - 9.1 raise for discussion general and specific international students' issues;
 - 9.2 submit recommendations to the SRC and, after consultation with the SRC, also to other relevant structures within the University for consideration.