

# NELSON MANDELA

## UNIVERSITY

### INSTITUTIONAL REGULATORY CODE (IRC) (Policies, Procedures, Rules etc.)

*To be completed by initiator of policy/policy owner:*

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

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

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**Constitution**

**of the**

**Student Representative Council**

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# CHAPTER 1

## GENERAL PROVISIONS

### 1. PREAMBLE

We, the students of Nelson Mandela University,

- 1.1. bound together by our commitment to a united, non-racial, non-sexist, democratic South Africa;
- 1.2. drawn from diverse cultural, religious, geographic and socio-economic backgrounds;
- 1.3. conscious of the past gender and racial imbalances and limited access to education;
- 1.4. conscious of our responsibility as a stakeholder representing the interests of students at the University;
- 1.5. recognising our co-governance role to instil and nurture a culture of teaching, learning, tolerance, community engagement and research;
- 1.6. determined to act in compliance with the constitution of the Republic of South Africa and related statutes and University policies;
- 1.7. commit to promote and uphold the vision and mission of the University;
- 1.8. commit to meaningfully contribute towards policy development in the strategic direction of, and upholding the rule of law within, the University;
- 1.9. commit to uphold the principles of transparency, accountability and responsiveness in all Student Governance matters;
- 1.10. commit to work towards the creation of a student friendly environment that promotes academic excellence;
- 1.11. commit to contributing in addressing historical disparities within the African continent in general and South Africa in particular;
- 1.12. commit to advance and recognise the centrality of students in serving their communities;
- 1.13. commit to instil and nurture a culture of tolerance, diversity of thought and critical thinking;
- 1.14. commit to respect the diversity that comes with plurality of linguistic backgrounds, socio-economic status, culture, religion, race and gender; and establish a student representative body that derives its powers and legitimacy from the Student Community.

## 2. PRINCIPLES

All structures of Student Governance shall respect, maintain and promote the following principles in their functioning, deliberations and decision-making:

- (i) Upholding, respecting and promoting the founding values of the Constitution of the Republic of South Africa of 1996 and the rights contained in the Bill of Rights.
- (ii) Academic excellence and educational integrity
- (iii) Accountability
- (iv) Democracy and effective governance
- (v) Social responsibility
- (vi) Transparency and accessibility
- (vii) Unity
- (viii) Transformation
- (ix) Equality
- (x) Reconciliation
- (xi) Non-discrimination
- (xii) Non-racialism and Non-sexism
- (xiii) Social Justice
- (xiv) Integrity and responsiveness
- (xv) Participation of the entire Student Community

## 3. DEFINITIONS

- (a) **Annual General Meeting (AGM):** the highest decision making structure of the Student Community
- (b) **'Council':** means the Council of the University.
- (c) **'Disciplinary action':** means any corrective action imposed by any organ of the University authorized by the Council and MANCO to undertake such action.
- (d) **Days:** means all the days of the week. Weekdays and weekends plus public holidays
- (e) **Gender:** means a male or a female
- (f) **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.
- (g) **'Faculty representative':** means a student elected in each faculty to represent students of that faculty in faculty board meetings.
- (h) **'Portfolio':** the title given to a seat in the SRC
- (i) **Postgraduate:** This refers to a full-time registered student who has one or more qualification(s) from Nelson Mandela University; this refers to a Higher Certificate, Diploma and a Degree qualification
- (j) **Premier:** means a chairperson of the LSRC or a chairperson of the Premier's Council

- (k) **President:** means the chairperson of the CSRC, the President of all students in the university, the Chief Executive Officer of the SRC
- (l) **Campus:** means either of five campuses where academic programmes are offered, namely George, Missionvale, Second Avenue, Summerstrand North and Summerstrand South.
- (m) **'SRC':** herein refers to both the Local and Central Student Representative Councils of the University
- (n) **LSRC:** means a Local Student Representative Council in Missionvale campus; 2<sup>nd</sup> Ave Campus and George campus directly elected by campus based students on a First-Past-The-Post electoral system
- (o) **CSRC:** means a Central Student Representative Council directly elected by all students of the university on a proportional representative electoral system
- (p) **Premier's Council:** means a structure of the Premier of 2<sup>nd</sup> Avenue campus; Premier of South campus or the Premier of North campus appointed by him or her consisting of 5 members
- (q) **Secretary:** means a secretary of the Local SRC
- (r) **Secretary General:** means a secretary of the Central SRC
- (s) **The Secretary:** means a secretary of Student Parliament
- (t) **'SRC substructure':** means a substructure within the SRC as outlined in Appendices 3 - 11
- (u) **'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.
- (v) **'Student Organisation':** means a political student organisation that contests SRC elections
- (w) **Society:** means any society, forum or club, having registered students as members and affiliated to the SRC excluding Student Political Organisations
- (x) **'Student Community':** means all the registered students of the Nelson Mandela University
- (y) **Student Parliament:** The body established by section 28 of this constitution in which all student organisations, societies and SRC substructures across the entire University will be represented.
- (z) **'Student Governance Structure':** means the total governance structure of the students of the University.
- (aa) **'Student Centre':** means buildings and offices within the Nelson Mandela University where SRC offices are located.
- (ab) **'Treasurer:** means a treasurer of a Local SRC
- (ac) **'Treasurer General:** means a treasurer of the Central SRC
- (ad) **'University':** means the Nelson Mandela University
- (ae) **'Valid poll':** total number of valid votes cast in an election.

**(af) ‘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 organisation or structure.

**(ag) ‘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.

**(ah) “force majeure”:** means, “Any event beyond the control of the parties, including but not limited to disasters, strikes, lockouts, protest action, acts of god or state.”

#### **4. LEGAL FOUNDATIONS**

4.1. The Student Representatives Council (SRC) derives its existence from the Statute of the Nelson Mandela University and is bound by all applicable directives contained in the Statute, as well as in applicable provisions of the Higher Education Act 101 of 1997 and the Constitution (Act 108 of 1996) of the Republic.

4.2. The SRC recognises the authority of the University Council and is bound by the Council’s rules, policies and procedures. The SRC shall cooperate with Council and university authorities in order to achieve the objectives of good student governance.

#### **5. NAME AND STATUS**

5.1. The name of the body governed by this constitution shall be the Nelson Mandela University Student Community (henceforth referred to as Student Community).

5.2. The Nelson Mandela University Student Representative Council (SRC) shall be the executive structure of the Student Community. The SRC shall comprise of the Central SRC and Local SRCs.

5.3. The George and the Missionvale campuses shall each have their own Local Student Representative Council (hereinafter referred to as “LSRC”).

5.4. The 2nd Avenue campus, North campus and the South campus shall each have an elected Premier.

#### **6. APPLICATION**

6.1. This constitution applies to all levels of student governance and at all campuses of the Nelson Mandela University.

6.2. This Constitution is binding on all students in relation to student governance and its affairs at the University and shall bind the Central Student Representative Council (SRC), the Local Student Representative Councils, the SRC structures and substructures. All constitutions of student organisations are subject to the provisions of, and derive their authority and jurisdiction from this constitution.

## **7. AIMS AND OBJECTIVES**

The SRC shall advance and espouse the following objectives:

- 7.1.Promote students' interests in the academic, social, cultural and sporting spheres at the university;
- 7.2.Contribute meaningfully to the process of fundamental transformation of the university;
- 7.3.Contribute to the achievement of the mission and vision of the University in accordance with and to the inculcation and upholding of its values;
- 7.4.Make representations on behalf of students and the Student Community to the Council, the Senate, Institutional Forum, and other bodies and offices of the University;
- 7.5.Create a platform for students to articulate and express their views, interests and aspirations to maintain a continuous community link, and to oppose unjust treatment;
- 7.6.Promote and maintain an atmosphere of academic excellence, sensitivity to the norms and standards of the world of work, and maintain professional academic standards;
- 7.7.Support the development of good student governance, by encouraging participation in, and co-operation between, the various student structures;
- 7.8.Inspire a vibrant student activism, student life and the overall living and learning programmes across the University for student development;
- 7.9.Work towards a national education system that will instil in students a sense of unity, responsibility and patriotism;
- 7.10. Foster and nurture good relations between the students of the University and students of other national and international institutions;
- 7.11. Affiliate and participate in all recognized local, regional, provincial, national and international forums, organisations, platforms and associations that will benefit students in the immediate and in the long term;
- 7.12. Protect and promote the good image and reputation of the SRC and Nelson Mandela University at all times.

## **CHAPTER 2**

### **STUDENT COMMUNITY**

#### **8. AUTHORITY**

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

#### **9. MEMBERSHIP AND VOTING RIGHTS**

9.1. All Nelson Mandela University students shall be members of the Student Community.

9.2. All members of the Student Community shall be entitled to vote.

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

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

9.5. Each registered student shall have the right to cast one vote for an individual or student organisation standing for election for a LSRC on his/her campus, and one vote for a student organisation contesting the CSRC elections

9.6. The election procedures for the CSRC and LSRC shall be in accordance with the provisions of Appendix 1.

9.7. The student organisations recognized in accordance with the provisions of Appendix 1 on a campus may contest the LSRC elections for that campus, as may individually registered students.

9.8. Student organisations recognized in accordance with the provisions of Appendix 1 on all five (5) campuses of the University may contest CSRC elections in the University.

9.9. Student organisations contesting elections shall submit ranked candidate lists of eligible students in accordance with the provisions of Appendix 1. Not less than 50% of such eligible candidates as a minimum should be women

9.10. Seats on the respective SRC's shall be allocated to the successful student organisations in accordance with the provisions of Appendix 1

#### **10. GENERAL MEETINGS**

##### **Ordinary Mass Meetings**

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

10.2. 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.

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

- 10.4. 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.
- 10.5. All meetings of the Student Community shall be conducted in terms of the rules pertaining to the meetings of Council, with the necessary changes.

### **Extraordinary Mass Meeting**

- 10.6. An extraordinary general 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 five hundred (500) members of the Student Community, to the SRC, accompanied by a written motion for consideration by the meeting.
- 10.7. 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 three (3) working days before such a meeting, provided that notice of less than three (3) working days can be authorised by a unanimous resolution of the SRC.

### **Annual General Meeting**

- 10.8. An Annual General Meeting (AGM) shall be convened for all students and shall meet during the end of the third 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.
- 10.9. The SRC shall convene and plan for all the activities of the AGM.
- 10.10. The SRC Secretary General shall issue a notice and agenda of the meeting at least (10) working days before such a meeting.
- 10.11. The Secretary General 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.
- 10.12. The SRC President shall deliver the presidential report at the AGM.
- 10.13. The Treasurer General shall be assisted by the Student Governance and Development department, which may request the assistance of 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.

### **Extraordinary Annual General Meeting**

- 10.14. The SRC, and in the absence of an SRC, interim SRC as appointed by council or the University management, may convene an extraordinary AGM to:

- 10.14.1. discuss and resolve upon any or all of the matters listed in clause 10.8 (a) to (d) above.

### **Quorum in Mass Meetings**

- 10.15. A quorum shall be 500 registered students entitled to vote.
- 10.16. In the event of a quorum not being met, the meeting must be postponed by the chairperson to a day within the next five (5) working days shall postpone the meeting and the members then present shall, notwithstanding the provision of subsection 10.18, be a quorum.
- 10.17. 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.

### **Motion of No-confidence**

- 10.18. A motion of no-confidence shall not be:
- a) Tabled unless there is a signed petition by five-hundred (500) members of the Student Community. The petition must be submitted to the SRC Secretary General/Secretary requesting an Extra-ordinary Meeting of student Parliament to sit in terms of section 34(h).
  - b) The Secretary of the Student Parliament in consultation with the Speaker and SRC President must call such an Extra-ordinary Meeting of the Student Parliament for confirming the procedure used within 10 days after receiving the petition from SRC Secretary General. Failure to call the meeting within the stipulated timeframes shall grant the Dean of Students powers to call an Extra-ordinary Mass meeting in terms of section (10.6) and a chairperson of the meeting must be elected from the students in attendance if the SRC President or the Deputy President are not available to chair the meeting.
  - c) Tabled unless at least ten (10) percent or five hundred (500), whichever is lower, of the members of the Student Community are present at the meeting;
  - d) Passed unless such a motion has been published as part of the agenda for the meeting.
  - e) Passed unless at least two-thirds of registered students present at the meeting voted in favour thereof.
  - f) If through A, and B above, a motion is ether passed by Extra-ordinary Mass Meeting, the SRC shall immediately dissolve, and Council shall put a process of appointing the interim SRC for the purpose of finishing the term of office, and Student Parliament will be consulted.
- 10.19. A motion of no-confidence may be instituted against an individual member of the LSRC/CSRC or against the LSRC/CSRC as a whole.

## **Minutes of Meetings**

- 10.20. The SRC Secretary General shall keep minutes of the proceedings of each meeting.
- 10.21. The minutes of a meeting shall be submitted to the next ordinary meeting of the Student Community for approval and thereafter signed by the chairperson. Members of the Student Community who have been present at the meeting in question shall be entitled to speaking rights at such approval of minutes.
- 10.22. 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 Community or Student Parliament, whichever comes first, for approval and thereafter signed by the chairperson. Members of the Student Community who have been present at the meeting in question shall be entitled to speaking rights at such approval of minutes.
- 10.23. 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.
- 10.24. A document register shall be kept of all documents considered by the Student Community and this register including the documents shall be available at the reasonable request of any interested party.

## **Resolutions**

- 10.25. Resolutions may only be adopted in respect of matters disclosed by the agenda, other matters may be added to the agenda if there is no objection thereto by any member present.
- 10.26. A resolution shall be adopted through consensus decision making; if that fails, by an ordinary majority of votes of the members present, except in the case of motions of no-confidence which shall be passed in terms of clause 10.19 (d).
- 10.27. A resolution adopted at a general meeting shall take immediate effect unless otherwise stipulated in the resolution.

## **Admission to Mass Meetings**

- 10.28. A non-member of the Student Community may inform the SRC of the intention to attend a general meeting.
- 10.29. A non-member of the Student Community may inform in writing the SRC of the intention to speak at a general meeting on a particular matter disclosed on the agenda. Such a request may only be granted in exceptional circumstances three days before the meeting.

## **11. INTERIM SRC**

11.1. In the interest of clarity, the University Council, shall in its discretion institute an interim SRC in circumstances where an SRC has not been instituted or no longer exists for whatever reason, and this is applicable, but not limited to, declarations of disaster or emergency by a duly empowered organ of state in terms of national law.

## **12. FINANCES**

- 12.1. All SRC substructures affiliated to the SRC shall annually submit budgets in prescribed form to the SRC before the specified time.
- 12.2. 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 and procedures of the University;
- 12.3. The SRC funds will be subjected to periodic audits by the university's Audit and Risk Management division;
- 12.4. The operating system for the management of SRC funds should be the NMU ICT operating system.
- 12.5. Subject to the university policies and the rules and guidelines contained in Appendix 10, the SRC Treasurer General holds operational responsibility for the SRC budget.

# CHAPTER 3

## STUDENT REPRESENTATIVE COUNCIL

### 13. COMPOSITION AND ELECTION

13.1. The SRC shall be composed of thirteen (13) members. The Premiers of the five campuses shall be ex officio members with full voting rights. Ex officio members shall have the same rights and duties as other members, save that they are automatically removed as members on loss of the office by virtue of which they are members

13.2. SRC members shall be elected in terms of the electoral procedure set out in appendix 1 to this constitution.

13.3. The portfolios of the indirectly elected Central SRC members shall be:

1. President
2. Deputy President
3. Secretary General
4. Deputy Secretary General
5. Treasurer General
6. Community Development, Transformation and Gender Officer
7. Accommodation & Student Support Services Officer
8. Societies, Arts & Culture Officer
9. Sports Officer

The directly elected Central SRC members shall be:

1. Disability and Special Needs Officer
2. Academics Officer – Chairperson of the Faculty Council
3. Oppidani Officer – Chairperson of the Oppidani Council
4. International Officer – Chairperson of the International Council

13.4. The portfolios of the directly elected Local SRC members shall be:

1. Campus Premier
2. Secretary
3. Treasurer
4. Academics, Transformation and Gender
5. Societies, Sport, Arts and Culture
6. Accommodation and Student Support Services (this portfolio will be called Student Support Services for MissionVale Local SRC).

13.5. **Eligibility for SRC membership:** Both directly and indirectly elected members have to comply with the eligibility requirements prescribed in the Election Procedure (Appendix 1).

13.6. **Election Poll Threshold:**

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% shall 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 Master's and Doctoral students.
2. If the threshold has not been achieved, the Vice Chancellor and Principal 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 Community and the University. Such endorsement would entitle the Dean of Students to formally constitute the SRC in terms of par 13.7 below.

#### 13.7. Constituting the SRC:

Subject to compliance with par 13.6 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 22 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.

### **14. FUNCTIONS AND POWERS OF THE SRC**

#### 14.1. The students' representative council has power to perform the following functions:

- 14.1.1. preserves and promotes the interests of the student community and of the University;
- 14.1.2. carries out all duties and responsibilities as stipulated in its constitution and implements resolutions agreed upon in meetings of the students' representative council, student parliament and student community;
- 14.1.3. respects and upholds the constitution and the code of conduct of the students' representative council;
- 14.1.4. protects and promotes the good image and reputation of the students' representative council and the University at all times;
- 14.1.5. enhances unity and co-operation among students;
- 14.1.6. makes recommendations to the council through management on the constitution of the students' representative council and any amendments thereto, on the understanding that such constitution and any amendments thereto only have legal force and effect once approved by the council;
- 14.1.7. elects students to the council, the senate, the institutional forum and such other internal structures as required in terms of this Statute and the Rules;
- 14.1.8. convene all student general meetings on Nelson Mandela University campuses;
- 14.1.9. apply and manage funds allocated to the SRC in accordance with an approved budget and in accordance with the financial policies of the institution;
- 14.1.10. apportion funds of the SRC to affiliates after consultation with the Department of Student Governance and Development.

#### 14.2. The students' representative council may also:

- 14.2.1. 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;
- 14.2.2. affiliate to any external, non-partisan structure whose operations are there in the interest of students and higher education in general;
- 14.2.3. 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;
- 14.2.4. give recognition to, or withdraw recognition of, student organisations, in accordance with this constitution;
- 14.2.5. veto any resolution, decision or action by any student governance substructure;

- 14.2.6. dismiss after due process a person appointed to serve on a committee, ad hoc committee, project team and/or task team of the SRC;
- 14.2.7. exercise all other powers allowed under this constitution.
- 14.2.8. performs such other functions as may be determined by the council after consultation with the students' representative council and contained in the constitution of the students' representative council;

## **15. RESPONSIBILITIES OF THE LOCAL SRCs**

The Local SRCs shall have the following powers and functions are delegated to them by the CSRC. In the absence of the CSRC specifically delegating a particular power or function to a local SRC, the local SRC shall obtain approval from the CSRC for administering such a power or function:

- 15.1. Capacity as the umbrella organisation for all student organisations and societies on a campus, it shall be overseeing of all student organisations and societies, including the granting or withdrawing of recognition of such student organisations and societies on that campus;
- 15.2. Convene and conduct all authorised meetings of the general Student Community on a campus, and the manage all general referenda organised by the students on a campus;
- 15.3. Account for funds provided to the LSRC by the CSRC, by producing and adhering to an annual budget, and by complying with all University financial regulations, and making grants to recognized student organisations and affiliated student societies structures;
- 15.4. Preserve order at student campus functions, and the ensure good conduct at other approved campus meetings of students;
- 15.5. Report back to students on the activities of the LSRC by means of meetings, posters, newsletters or other appropriate media, and the publication each quarter of the state of the LSRC budget;
- 15.6. Form such standing committees and sub-committees as it considers necessary to fulfill its functions;
- 15.7. Implement the objectives set out in clause 7 above in respect of its campus.

## **16. OBLIGATIONS OF SRC MEMBERS**

SRC Members shall:

- 16.1. individually and collectively serve the interests of the Student Community and the university;
- 16.2. perform the duties and functions allocated to them by the SRC.

## **17. DUTIES OF SRC MEMBERS**

### **17.1. President:**

1. Must be the Chief Executive Officer of the SRC.
2. Must be the chief spokesperson and representative of the CSRC internally and externally with all media houses.
3. Must protect and promote the good image of the CSRC at all times.
4. Must preside over all CSRC meetings, LSRCs & CSRC joint sittings and mass meetings
5. Must monitor CSRC activities and delegate duties where necessary.
6. Must, in consultation with the Secretary General, convene CSRC, Executive Committee and the first seating of Student Parliament meetings.
7. Must facilitate two way communication between the CSRC and the students.
8. Must provide leadership to the Student Community and the CSRC.
9. Must in consultation with the Treasury General, be the co-signatory of all CSRC transactions.
10. Together with other delegated CSRC members, must represent the CSRC and students at all official functions of the University.
11. Together with the Secretary General, must draft and issue press statements on behalf of the CSRC; and sign all minutes of the CSRC meetings.
12. Shall be an ex-officio member of all standing committees of the CSRC.
13. Has power to delegate some of his/her powers to an SRC member(s).

### **17.2. Deputy-President:**

1. Must assume the duties of the President in his/her absence.
2. Must assist the President in the performance of his/her duties as delegated to him/her by the president.
3. Must monitor the performance of portfolios of the SRC, in consultation with the president.
4. Must chair the internal Disciplinary Committee of the CSRC.
5. Must deal with policy issues and constitutional development processes of the CSRC.

### **17.3. SECRETARY GENERAL:**

1. Must be the chief administrative officer of the SRC and keep all records and archives of the SRC
2. Must keep students abreast of developments within the SRC
3. Must maintain regular correspondence with all the SRC affiliates
4. Must, in consultation with the President, draft notices and agendas of SRC, Executive Committee and other meetings convened by the SRC.
5. Must keep proper minutes of all SRC meetings.
6. Must be responsible for SRC inventory and office order.
7. Ensure that copies of agendas and minutes are forwarded to the Head: Student Governance and Development.
8. Together with the President must draft and issue press statements.
9. Receive reports on LSRC activities from all LSRC Secretaries before each CSRC meeting

10. Shall deputize in the absence of the President and Deputy President
  11. Must prepare an annual report on the overall work of the CSRC and present the report to the Mass Meetings, CSRC, Student Parliament and the Annual General Meeting
  12. Must prepare and disseminate SRC publications.
- 17.4. Deputy Secretary General:**
1. Shall deputize the Secretary General in all his/her duties in his/her absence
  2. Shall be responsible for the operations, bookings and logistics of the CSRC
- 17.5. TREASURER GENERAL**
1. Must oversee and administer all SRC funds and the allocation of affiliate and sub-structure budgets as stipulated in the Nelson Mandela University policy and Appendix
  2. Ensure that all funds received by the CSRC are disbursed directly according to the NMU financial policy.
  3. Must formulate and co-ordinate all fundraising aspects of CSRC and develop entrepreneurship programmes.
  4. Must ensure that proper books of accounts for the CSRC are kept within the University's accounting structure and policy.
  5. Must prepare and present financial updates to CSRC meetings at least once a quarter.
  6. Must ensure that audits are undertaken by the Internal Audit Department.
  7. Together with the President or Secretary General, act as a signatory for all financial transactions of the CSRC
- 17.6. COMMUNITY ENGAGEMENT, TRANSFORMATION AND GENDER OFFICER**
1. Must together with the President represent the SRC in transformational debates and forums taking place in the University.
  2. Must be instrumental and actively involved in the education and enlightenment of students on various aspects of transformation and gender
  3. Must liaise with outside organisations with respect to matters of interest within the University.
  4. Must facilitate the development and relevance of the CSRC policy document on transformation.
  5. Must communicate and promote good relations with all stakeholders in the University transformation process.
  6. Must promote equity, inclusion of women, in the programme of the CSRC and the institution.
  7. Must promote cultural diversity and tolerance within the institution.
  8. Must, in consultation with all the LSRC Societies Officers, be responsible for community development projects.
  9. Must promote and facilitate strategic relations with community-based organisations, Non-Governmental Organisations' and other organisations that will add value to the University.
  10. Must monitor the involvement of the university structures, faculties and departments in community development and report periodically to the SRC / Student Parliament.

**17.7. SPORTS OFFICER:**

1. Must chair the Sport Council.
2. Must initiate and encourage formal, social sport clubs and organisations inside and outside the University.
3. Must liaise with the Madibaz Sport , sport clubs and organisations within and outside the University.
4. Must help promote sport in the University.
5. Must assist in the management, promotion and development of sport across all campuses and residences.

**17.8. ACCOMMODATION, STUDENT SUPPORT SERVICES OFFICER:**

1. Must chair the Residence Council.
2. Must address any accommodation, transport, health, safety and catering related problems encountered by students in on-campus student residences and off-campus accommodation.
3. Must constantly liaise with the Director Student Housing to raise awareness of problems.
4. Must facilitate communication between the CSRC and students residing in official residences as well as in private accommodation with regard to accommodation, transport, health, safety and catering needs.
5. Must convene meetings between the CSRC and house committees of residences when necessary with particular focus to the house committee members responsible for student wellness and safety
6. Shall represent the CSRC on the SHE Committee
7. Shall engage with the University on the implementation of the Environmental, Health and Safety Policy.
8. Co-ordinates all environmental programmes on behalf of the CSRC
9. Promotes safety, health and environmental awareness within residences and across campus in general.

**17.9. Academics Officer:**

1. Must chair the Faculty Council.
2. Must address problems encountered by students within faculties.
3. Must convene meetings of faculty representatives.
4. Must assist all faculty representatives with preparations for faculty board meetings.
5. Must build and promote good relations with all faculties.
6. Must facilitate two-way communication between the SRC and students.
7. Must together with the Faculty Representatives, provide and promote academic excellence in all faculties of the University through properly organised academic projects.
8. Advance curriculum transformation and widen access to education together with the Community Development, Transformation and Gender officer.

**17.10. INTERNATIONAL OFFICER:**

1. Co-ordinates all matters pertaining to international relations.
2. Advises and represents the SRC in respect of international student matters.
3. Responsible for developing the International Students Affairs Policy related matters
4. Liaises with international students
5. Liaises between the SRC and the International Office.
6. Convenes an International Students' Forum
7. Initiates student exchange programmes.
8. Acts as a channel for all concerns relating to University structures, rules and regulations in relation to International students.

**17.11. OPPIDANI OFFICER:**

1. The Oppidani Officer must have been an Oppidani student at the time of election
2. Shall maintain, in conjunction with the Oppidan Committee, regular contact with the Oppidani Community by means of newsletters and publications, in liaison with the Deputy Secretary General.
3. Is responsible for informing the SRC on matters concerning the Oppidan Community.
4. Acts a channel between the Oppidan Committee and the SRC.
5. Ensures open lines of communication between Oppidani students, the SRC and the University Authorities.

**17.12. DISABILITY & SPECIAL NEEDS OFFICER**

1. Must together with the President represent the CSRC in transformational debates and forums taking place in the University.
2. Must be instrumental and actively involved in the education and enlightenment of students on various aspects of disability, privilege and transformation
3. Must liaise with outside organisations with respect to matters of interest within the University.
4. Must facilitate the development and relevance of the CSRC policy document on disability and special needs issues
5. Fight against all forms of discrimination against disabled students and with special needs
6. Represent the academic, social, financial and cultural interests and demands of disabled students.
7. Must promote equity and inclusion of disabled students in the programmes of the CSRC and the institution.
8. Must monitor and evaluate the infrastructure development of the University and assess whether or not it does respond to the aspirations of disabled students

#### **17.13. SOCIETIES, ARTS & CULTURE OFFICER:**

1. Must chair the Societies Chairpersons' Forum.
2. Must monitor the progress and activities of affiliates.
3. Must periodically convene meetings of all chairpersons.
4. Must provide the CSRC with a report of affiliates.
5. Must be in constant liaison with the Department of Student Governance and Development.
6. Must assist with the funding allocations of SRC funds to the societies.
7. Shall handle the establishing, application, acceptance, rejection, administration and auditing of new societies and existing societies
8. Must liaise with all cultural groupings on behalf of the SRC.
9. Must promote cultural diversity and multiculturalism through programmes and campaigns.
10. Must interact with the cultural department.
11. Must interact with outside bodies that deal with cultural issues.
12. Must promote student cultural activities on campus

#### **17.14. Premier:**

1. Must be the Chief Executive Officer of the LSRC.
2. Must be the chief spokesperson and representative of the LSRC on campus
3. Must protect and promote the good image of the LSRC at all times.
4. Must preside over all LSRC meetings, and campus mass meetings
5. Must monitor LSRC activities and delegate duties where necessary.
6. Must, in consultation with the Secretary, convene LSRC, Executive Committee and Student Parliament meetings.
7. Must facilitate two way communication between the LSRC and the students.
8. Must provide leadership to the Student Community and the LSRC.
9. Must in consultation with the Treasurer, be the co-signatory of the LSRC.
10. Together with other delegated LSRC members, must represent the LSRC and students at all official functions of the campus
11. Together with the Secretary , must draft and issue press statements on behalf of the LSRC; and sign all minutes of the LSRC meetings
12. Shall be an ex-officio member of all standing committees of the LSRC.

### **18. SRC MEETINGS**

This applies contextually to both CSRC and LSRCs

#### **18.1. Ordinary Meetings of the SRC**

- 18.1.1. The CSRC/LSRC must hold ordinary meetings as often as possible, and at times which, the President/Premier deems necessary, provided that such meetings will be held at least once a month. All members must attend such meetings.
- 18.1.2. The President/Premier must give at least three (3) days' notice of the date, time and venue of such meetings.

- 18.1.3. The President/Premier or, in his/her absence, the Deputy President or any other SRC member appointed must convene and chair all CSRC/LSRC meetings. The President/Premier must have an ordinary and a casting vote.
- 18.1.4. 50% + 1 of the members must constitute a quorum. Should there be no quorum, the meeting must be adjourned for twenty-four (24) hours and the members who attend the second meeting must be deemed to constitute a quorum.
- 18.1.5. The Secretary General/Secretary, must distribute minutes of the previous meeting at least five (5) days before the meeting.
- 18.1.6. Members must be granted a reasonable opportunity to put matters on the agenda of a meeting for a period of not less than three (3) days, but closing no later than two (2) days before the said meeting.
- 18.1.7. SRC meetings must be conducted in terms of the rules in par 10.5 above.

## **18.2. Extra-ordinary Meetings of the SRC**

An extraordinary meeting must be held if:

- 18.2.1. The President/Premier calls such a meeting; or
- 18.2.2. At least two (2) members submit a written request to the President/Premier for such a meeting, accompanied by a written motion for consideration at the meeting.
- 18.2.3. Notice of the date, time and venue of an extraordinary meeting with disclosure of the agenda must 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/Premier considers it to be a matter of extreme urgency.

## **18.3. Minutes of Meetings of the SRC**

- 18.3.1. The CSRC/LSRC must ensure that a designated person, in the absence of the Secretary General/Secretary, must keep minutes of the proceedings of each CSRC/LSRC meeting.
- 18.3.2. The minutes of a CSRC/LSRC meeting must be submitted to the following ordinary CSRC/LSRC meeting for approval and thereafter signed by the chairperson.
- 18.3.3. The minutes thus approved and signed must be the only official account of the proceedings of the meeting and must be made available to the Head of Student Governance and Development for filing, and at the reasonable request of any other interested party within five (5) days after the approval of the minutes.
- 18.3.4. A document register must be kept of all documents considered by the CSRC/LSRC and this register including the documents must be available at the reasonable request of any interested party.
- 18.3.5. The Secretary-General of the SRC must publish a succinct summary of the decisions of each SRC meeting on the official SRC notice-board within two weeks of the meeting.

## **18.4. Resolutions of Meetings of the SRC**

- 18.4.1. 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.
- 18.4.2. A resolution must be adopted by an ordinary majority of votes of the members present.
- 18.4.3. A resolution adopted at a CSRC/LSRC meeting must take immediate effect unless otherwise stipulated in the resolution.

## **18.5. Admission to Meetings of the SRC**

- 18.5.1. Members of the Student Community must be entitled to attend CSRC/LSRC meetings.
- 18.5.2. Members of the Student Community must be entitled to apply in writing to the CSRC/LSRC for permission to speak at a CSRC/LSRC meeting on a particular matter disclosed on the agenda. Such requests may not be refused without good reason.
- 18.5.3. A non-member of the Student Community may inform the CSRC/LSRC of the intention to attend a CSRC/LSRC meeting.
- 18.5.4. A non-member of the Student Community may inform in writing the CSRC/LSRC for permission to speak at a CSRC/LSRC meeting on a particular matter disclosed on the agenda three (3) days before the meeting. Such request may be granted in exceptional circumstances.
- 18.5.5. In the event of the CSRC/LSRC dealing with personnel matters, appointments or the awarding of awards and it decides to conduct its business in camera, non-SRC members must leave the meeting.
- 18.5.6. Participation in meetings between the CSRC/LSRC and management / council of the university must be only CSRC/LSRC members.

## **19. EXECUTIVE COMMITTEE OF THE CSRC**

### **19.1. Composition of the Executive Committee:**

1. President
2. Deputy President
3. Secretary General
4. Deputy Secretary General
5. Treasurer General
6. Community Development, Transformation and Gender Officer
7. Accommodation and Student Support Services Officer
8. Societies, Arts and Culture Officer
9. Sports Officer

### **19.2. Responsibilities and Functions of the Executive Committee (EC):**

The Executive Committee must:

1. Be responsible for the general day-to-day administration of the CSRC.
2. Monitor the execution of the day-to-day business of the CSRC.
3. Make recommendations regarding those matters referred to it by the CSRC.
4. Report to the CSRC regularly on all relevant issues.
5. It cannot overturn decisions of the CSRC
6. It must administer resolutions of the CSRC and cannot create its own new resolutions outside the CSRC.

### **19.3. CSRC Executive Committee (EC) Meetings:**

1. The Executive Committee must meet at least once a week.
2. The President or, in her/his absence, the Deputy President must convene and chair all Executive Committee meetings. The President must have an ordinary and a casting vote.
3. The Secretary General must issue notices of such meetings together with the minutes of the previous meeting at least three (3) days before the meeting.
4. The quorum must be five (5) members.

## **20. JOINT SITTINGS OF THE CSRC AND LSRCs**

- 20.1. The CSRC shall convene joint sittings of the CSRC and the LSRCs at least once every academic quarter;
- 20.2. The President shall chair the proceedings or delegate such responsibility;
- 20.3. The President shall convene a special joint sitting of the CSRC and LSRCs on the request of four (4) members of the CSRC or at least one (1) LSRC structure;
- 20.4. At the joint sitting, quarterly reports from LSRCs and the CSRC shall be presented and critical functions common to the various campuses shall be identified;
- 20.5. The joint sitting shall assess the state of affairs at the University and propose interventions for Management's consideration;
- 20.6. This sitting may request any senior University member to clarify or give a briefing on a matter identified as a matter of urgency for students;
- 20.7. Decisions made in joint sittings shall be binding on all members of the CSRC and the LSRCs

## **21. CODE OF CONDUCT**

- 21.1 The SRC must have its own disciplinary committee to deal with members' misconduct as captured in the Code of Conduct (Appendix 2) of this Constitution, subject to university student disciplinary code read in conjunction with Appendix 12 of this Constitution.
- 21.2 The SRC Disciplinary procedure does not supersede the University Central Disciplinary Procedure and the provisions of Appendix 12 of this constitution.

## **22. TERM OF OFFICE**

- 22.1. The term of office of both the CSRC and LSRC members shall be one academic year beginning in January and ending in December.
- 22.2. No individual member may serve on the CSRC or LSRC for more than two terms whether consecutively or separately.

## **23. TERMINATION OF SRC MEMBERSHIP**

A member of the CSRC and a LSRC shall cease to hold office if and when:-

- 23.1. He/she ceases to be a registered student of the University;
- 23.2. He/she tenders his/her resignation in writing and such resignation is accepted by the CSRC or a LSRC as the case may be;
- 23.3. He/she has had two motions of censure passed on him/her during a single term of office by the CSRC or a LSRC for one or more of the following reasons:
- 23.4. Failure to attend three (3) consecutive meetings of the CSRC or LSRC as the case may be, or a related student committee on which the member serves in his/her capacity as an SRC member, without a valid written reason;
- 23.5. Failure, without a reasonable explanation that is acceptable to the CSRC or LSRC as the case may be, to carry out such duties as may be entrusted to him/her;
- 23.6. Bringing the name of the CSRC or LSRC into disrepute by being found guilty of an offence by the University disciplinary structures;
- 23.7. He/she is replaced by his/her student organisation;
- 23.8. A motion of no confidence is passed on the SRC member by a general meeting of the student community.

## **24. VACANCIES**

This applies to both CSRC and LSRCs

- 24.1. When the SRC membership of a person is terminated, the student organisation that nominated such a member of the SRC will nominate a replacement for such a member to fulfil the duties of the portfolio for the remaining period of the term of office of such a member;
- 24.2. The nomination of this and any other replacement or co-option must meet the eligibility requirements as stated in the Election Procedure (Appendix 1).
- 24.3. In the case of the termination of membership of an independent candidate, the portfolio wherein the vacancy occurred must be filled through a by-election in terms of the Election Procedure (Appendix 1).
- 24.4. In the event that the particular portfolio wherein the vacancy occurred was uncontested, such vacancy must be filled through a by-election in terms of the Election Procedure (Appendix 1).

## **25. RESIGNATION OF THE SRC**

This applies to both CSRC and LSRCs

- 25.1. If the CSRC/LSRC has passed a resolution to resign, the SRC President/Premier must immediately convene an extraordinary general meeting of the Student Community for the purpose of motivating such resignation to the said Student Community;
- 25.2. If such a resolution to resign has not been withdrawn by the CSRC/LSRC within three (3) days after the said meeting of the Student Community, the term of office of the CSRC/LSRC must expire forthwith;
- 25.3. If the resignation of the CSRC/LSRC becomes effective in terms of subsection 25.2, the Dean of Students shall appoint an SRC interim structure as per Appendix 1 ;
- 25.4. The duly appointed interim CSRC/LSRC must operate as stated in Appendix 1;
- 25.5. In the event that such resignation occurs in the second (2nd) semester of the year, the university should then conduct ordinary election for the CSRC/LSRC whose term of office would ordinarily have started at the beginning of the following year, provided that the term of office of the CSRC/LSRC so elected must commence immediately after that body has been duly constituted by the Dean of Students;
- 25.6. If a motion of no-confidence in the CSRC/LSRC is passed by a general meeting of the Student Community, it must be deemed to be the equivalent of an effective resignation by the CSRC/LSRC which must automatically lead to the implementation of the process outlined in subsection 25.3.

## **26. RECALL AND RESHUFFLING**

This applies to both CSRC and LSRCs

- 26.1. 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 Sections 13.3 and 13.4 in this constitution, may exercise the right to recall one or more of its deployee(s) from the CSRC/LSRC. The student organisation that recalls its deployee(s) must formally notify the Secretary General 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;
- 26.2. A student organisation may replace such a recalled deployee with another student who meets all the eligibility requirements stated in the Election Procedure (Appendix 1);

- 26.3. Reshuffling of portfolios and recalling on a portfolio held by a student organisation may occur when a vacancy or a need occurs in the first semester only.
- 26.4. Only a duly delegated and registered student of the university who is a member of the said organisation may administratively correspond with the SRC and the Student Governance and Development Department in enactment of clauses 26 and 27.

## **27. RECALL AND RESHUFFLING OVERSIGHT**

- 27.1. If a student organisation intends to recall one or more of its deployees or reshuffle portfolios, it must inform the SRC President/Premier and the Department of Student Governance & Development of its intention in order for the latter Department to oversee the process.
- 27.2. For any arising matters with regard to recall and reshuffle, such will be tabled before the student court for adjudication.

## **28. AFFILIATION OF STUDENT ORGANISATIONS WITH THE SRC**

- 28.1. For a student organisation and/or society to be allowed to function as such on any campus of the University, it has to be officially recognized by the LSRC of that particular campus concerned;
- 28.2. Student organisations and/or societies function in terms of their own LSRC approved constitutions, but is also subject to this constitution;
- 28.3. A student organisation and/or society must apply for affiliation to the LSRC and comply with the requirements for such affiliation as stipulated in par 29 below;
- 28.4. If an application is successful the student organisation or society must comply with the conditions of entry for new student organisations or societies for the duration of the academic year in which its application was first submitted;
- 28.5. All affiliated student organisations or societies are recognised as substructures of the SRC and must always act in accordance with its approved constitution and this constitution, as well as in the best interest of its members and the Student Community at large;
- 28.6. The LSRC may withdraw its recognition of any student organisation, either temporary or permanently, if it has been proven that such a student organisation or society is acting contrary to the provisions and spirit of this or their own constitution;
- 28.7. Funding of affiliated student organisations or societies is regulated by the LSRCs in accordance with its approved funding criteria.
- 28.8. For societies based in [2<sup>nd</sup> Avenue campus,] North campus and South campus, the functions stated in Section 26 shall be performed by the CSRC. {

## **29. STUDENT ORGANISATIONS: REQUIREMENTS AND CONDITIONS OF ENTRY**

- 29.1. In order to be recognized and accepted as a legitimate student organisation or society and be affiliated to the LSRC, a candidate-organisation must submit an application on the prescribed form and attach thereto:
- (a) A founding declaration by a minimum of one hundred (100) students for a student organisation and fifty (50) students for a society. Such students should have committed to become members of the new student organisation or society. This declaration must contain the names, student numbers, identity number, home address and signatures of these founding members; and

- (b) A draft constitution for the new student organisation or society, which includes at least the proposed name of the student organisation or society, its purpose and main objectives, its leadership structure and the duties and responsibilities of its office-bearers.
- 29.2. The application must be lodged with the LSRC, and all applications must be decided by the LSRC meeting. The approval or rejection of the application by the LSRC must be communicated to the applicant within twenty-one (21) days of the application being handed in to the LSRC;
- 29.3. After receiving a positive response from the LSRC, the new student organisation or society may commence its probation activities during its founding year and conduct elections for its office-bearers in terms of its constitution;
- 29.4. At least two representatives of the new student organisation or society must attend the meeting of the Student Parliament at which their application approval/non-approval will be tabled. During the year of its application and recognition the new student organisation or society 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;
- 29.5. Once approved by the LSRC provisionally and finally adopted by Student Parliament, the new student organisation or society must enjoy full organisational rights as a SRC affiliate;
- 29.6. If the LSRC did not approve of the new student organisation or society, the latter must as soon as possible be provided with reasons why it was rejected. If the reasons are not acceptable to the organisation, it may request a review of the LSRC's decision by the CSRC meeting;
- 29.7. In the event that the CSRC meeting does not approve the application, the student organisation or society will be entitled to approach the Student Parliament, and upon the rejection by student Parliament, the student organisation/ society may appeal in writing, within 14 days, to Dean of Students, and the decision of the Dean of Students shall be final and binding: }
- 29.8. North campus, [*2<sup>nd</sup> Avenue Campus*] and South campus societies and student organisation applications will get submitted to a CSRC meeting for approval. In the event that the CSRC meeting does not approve the application, the student organisation or society will be entitled to approach the Student Parliament, and any further appeal may be lodged in terms of section 29.7;
- 29.9. Newly affiliated student organisations or societies must receive funding as determined by the CSRC and LSRC budgetary guidelines, but may approach the LSRC/CSRC for additional financial assistance only if such is considered justified in terms of their approved programme of activities for the current year at the discretion of the LSRC/CSRC collective;
- 29.10. A newly affiliated student organisation or society must present 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 LSRC until the condition has

been complied with. The LSRC may set a time period within which compliance must be effected, failing which the LSRC may recommend the termination of the organisation to the CSRC meeting;

29.11. A student organisation that wishes to participate in the SRC elections cannot do so within the first twelve (12) months of its recognition by the LSRC. After the 12 months of its probation period, it must demonstrate that it has successfully launched and has made satisfactory progress with its programme of action for the year. This evaluation must be conducted by the LSRCs in liaison with the CSRC in a joint sitting;

29.12. In the event that a student organisation or society rejected is seeing the CSRC resolution as being inadequate, it can refer the matter to the Dean of Students as an appeal for dispute resolution.

## **CHAPTER 4**

### **STUDENT PARLIAMENT**

#### **30. COMPOSITION**

- (a) The Student Parliament shall comprise of the following representatives:
  - 1. 45 members from student organisations elected as members in accordance with the provisions in Appendix 1.
  - 2. All members of the Residence Council.
  - 3. The chairperson or nominee of all societies affiliated to the SRC.
  - 4. All members of the Oppidani Council.
  - 5. All members of the Faculty Council.
  - 6. All members of the CSRC and LSRCs.
- (b) The Student Parliament must be an independent forum that takes place at least once per semester for all students and will serve as a public feedback and consultation mechanism for interaction between the CSRC, LSRCs and students and, where applicable, University management;
- (c) The Student Parliament must also ensure that the CSRC and LSRCs fulfil their constitutional mandates and keeps them accountable and transparent;
- (d) The Student Parliament must be representative in nature, inclusive in character and consistent in its operation;
- (e) The Student Parliament may adopt its own rules or regulations to organise its activities. Such rules must be consistent with this constitution and the policies of the University;
- (f) The Student Parliament must create sufficient time to discuss all reports of the LSRCs and the CSRC;
- (g) The SRC President must convene the first sitting of the Student Parliament and facilitate the elections of the executive committee of the Student Parliament;
- (h) Members of the Executive of Student Parliament can only be elected from the recognized representatives as contemplated in Section 30.(a);
- (i) The following are the four (4) executive positions of the Student Parliament:
  - 1. The Speaker
  - 2. The Deputy Speaker

3. The Secretary
4. The Deputy Secretary
- (j) The Speaker elected must thereafter chair the proceedings of the Student Parliament or delegate where necessary to any of the executive member;
- (k) The Executive Committee of the Student Parliament must be elected at the first sitting of the Student Parliament in a given year.
- (l) CSRC and LSRCs members shall not be eligible to serve in the Student Parliament Executive.

### **31. POWERS AND FUNCTIONS**

The Student Parliament must:

- (a) Deliberate on matters broadly affecting student governance ranging from administrative issues to policy matters. The resolution taken as a result of robust debates or discussions must be forwarded to the CSRC mainly and LSRCs where necessary as advice for consideration and not as instructions;
- (b) Make recommendations for consideration at the AGM or Mass Meetings;
- (c) Note, advise, discuss and adopt the CSRC & LSRC's programme of action, as well as any other relevant matter;
- (d) Receive CSRC and LSRC reports and evaluate the progress of the SRC and its affiliates in general.
- (e) On recommendation of the CSRC, make final decisions on applications for affiliation by student organisations and/or societies according to the set criteria;
- (f) Monitor the functioning of the CSRC and LSRCs on behalf of the Student Community in general;
- (g) Not recall, reshuffle and appoint a LSRC/CSRC;
- (h) Not adopt any policy amendment including constitutional amendments.

### **32. OBLIGATIONS**

The Student Parliament must:

- (a) act in accordance with the vision, mission, and values of the Nelson Mandela University when exercising its powers.
- (b) strive for cooperation and communication between the different student governance substructures.

### **33. OBLIGATION OF MEMBERS**

Members of Student Parliament must:

- (a) individually and collectively serve the interests of the Student Community in all their deliberations;
- (b) perform the duties and functions allocated to them by the Constitution.

### **34. MEETINGS OF THE STUDENT PARLIAMENT**

- (a) The rules pertaining to meetings of the SRC must apply at all Student Parliament meetings;
- (b) Attendance of meetings of the Student Parliament is compulsory for all SRC members and other members as prescribed in section 30 above; and

- (c) Meetings of the Student Parliament must be open for ordinary students to observe and participate with full speaking rights but without voting powers.

### **Ordinary Meetings**

- (d) The ordinary meeting of the Student Parliament must be held at least once per semester;
- (e) The first seating of Student Parliament must take place on the first term of the academic year;
- (f) The secretary must give at least seven (7) days' notice of the date, time and venue of such a meeting with disclosure of provisional agenda; and
- (g) Parliamentarians must be granted a reasonable opportunity to put matters on the agenda of a meeting for a period of not less than three (3) days, but closing no later than two (2) days before the said meeting.

### **Extra-ordinary Meetings**

- (h) A Special Meeting of the Student Parliament must be held if and when:
  - (i) The Speaker in consultation with the President calls such a meeting;
  - (j) An SRC affiliate who is a member of the Parliament submits a written request to the Speaker for such a meeting, accompanied by a written motivation for consideration at the meeting; and
- (k) Notice of the date, time and venue of a special meeting with disclosure of the agenda must be given at least forty eight (48) hours before such a meeting.

### **Quorum**

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

### **Resolutions**

- (o) Resolutions must 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.
- (p) A resolution must be adopted by an ordinary majority of votes of the members present.
- (q) A resolution adopted at a Student Parliament meeting must take immediate effect unless otherwise stipulated in the resolution.

# CHAPTER 5

## GENERAL

### 35. AMENDMENTS

- (a) Amendments to this Constitution may be initiated by:
  - 1. one or more SRC members.
  - 2. one or more members of Student Parliament.
  - 3. one or more students, subject to par 35.(c) below.
  - 4. one or more members of the Executive Management or Council of the University.
- (b) An amendment proposed by Executive Management or Council needs to be submitted to only the CSRC for consultation before it can be considered for approval by Council. The CSRC may in turn consult with its substructures and other stakeholders, but must provide feedback to Executive Management or Council within the timeframe set by Executive Management or Council, provided that such timeframe must be reasonable;
- (c) All proposed amendments to this Constitution initiated by students must be in writing and be forwarded for the attention of the CSRC for submission to an extra-ordinary Annual General Meeting for adoption;
- (d) Amendments to the constitution must be completed on or before the end of the second term of the academic year, unless they are urgently threatening to student governance, and such must be motivated to the Council through MANCO as urgent amendments;
- (e) An amendment must only become effective upon approval by Council.

### 36. INTERPRETATION

- (a) In case of conflict arising from the interpretation of this Constitution, the matter must be referred to the Dean of Students for dispute resolution;
- (b) The Dean of Students must, after consultation with the CSRC, resolve the conflict by referring the matter for either internal or external arbitration.

### 37. EFFECTIVE DATE AND ENFORCEMENT

- (a) The constitution will be enforceable after approval by Council;
- (b) Once approved by Council, this Constitution supersedes the previous version.

## **APPENDIX 1A**

### **ELECTION PROCEDURE**

#### **1. INTRODUCTION**

This procedure document serves to outline the process governing the election of the CSRC and LSRCs in Nelson Mandela University

#### **2. ESTABLISHMENT OF THE ELECTORAL COMMISSION**

2.1. The primary task of the Electoral Commission is to manage the election of the CSRC and LSRCs. 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:

- (a) To supervise and manage elections in accordance with this procedural document and to carry out the duties and responsibilities assigned to it
- (b) To ensure that elections are free and fair.
- (c) To declare the results within a period of twenty-four (24) hours after completion of counting the ballot papers.
- (d) To establish and facilitate the functioning of the Electoral Forum as described in par 6.

#### **3. COMPOSITION OF THE ELECTORAL COMMISSION**

3.1. The Dean of Students after consultation with the CSRC, shall appoint an Electoral Commission (EC) to conduct the SRC elections.

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

3.3. In the event of the IEC being unavailable for whatsoever reason, the Dean of in consultation with the CSRC, shall appoint an alternative independent electoral body or similar institution, in pursuance of conducting free, fair and credible SRC elections. Such appointments shall be subjected to the procurement policies processes of the university.

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

- (a) Two Officials co-opted by the CEO
- (b) The Head: Student Governance & Development or his/her appointee;
- (c) The SRC Officer, who acts as the Presiding Officer
- (d) Two current members of the CSRC not standing for election

#### **4. FUNCTIONS OF MEMBERS OF THE ELECTORAL COMMISSION:**

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

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

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

- (a) Opening the nomination process together with a closing date;
- (b) Preparing nomination forms;

- (c) Compiling a complete list of candidates;
- (d) Arranging meetings of candidates and the Electoral Forum to explain processes, rules and regulations for the elections;
- (e) Ensuring venues are booked timely for speeches, manifesto readings and any other events pertaining to the elections;
- (f) Ensuring that the election publications carrying relevant information about candidates are distributed prior to the elections;
- (g) Liaising with campus media and public media about information on the elections;
- (h) Making recommendations to the Electoral Commission concerning the efficient running of the elections, subject to the provisions of this procedural document;
- (i) Presenting a full report as soon as possible after the elections to the University Management through the Dean of Students.
- (j) Convening and servicing meetings of the Electoral Commission; and
- (k) Undertaking such task or tasks as the Electoral Commission may request from time to time.

## **5. DETERMINING THE ELECTION TIMETABLE**

- 5.1. 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.
- 5.2. The timetable for the election is necessary to inform students and interested parties of the most important steps and procedures that shall be followed on specific dates leading up to the day on which voting will take place.

## **6. ELECTORAL FORUM**

- 6.1. A staff member delegated by the Head of the Department of Student Governance and Development shall be the convener of the Electoral Forum;
- 6.2. After the registration of participants to the elections, an Electoral Forum shall be formed;
- 6.3. The Electoral Forum shall be established to liaise between the EC and the participants in the elections;
- 6.4. The forum shall only make recommendations to the EC;
- 6.5. The forum consists of all the Electoral Commission members and all the participants officially accepted by the EC as candidates for the elections;
- 6.6. 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;
- 6.7. 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;
- 6.8. The Electoral Forum has no powers to change this election procedure;
- 6.9. 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.

## **7. ELIGIBILITY OF CANDIDATES AND VOTERS**

**7.1.** Any full-time, registered student may be elected to the SRC, provided that he/she meets the following requirements:

**7.1.1.** Has not been found guilty of any misconduct in their entire student life in Nelson Mandela University

**7.1.2.** Shall have rendered a satisfactory Academic Performance as follows:

(a) In the case of first time entering undergraduate students, shall have achieved a pass mark in at least 50% of all the modules they have been registered for. Compliance with this requirement shall 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, shall have met the current academic requirement for a NSFAS loan Students registered for postgraduate programmes are deemed to have rendered satisfactory academic performance.

(C) If there is any dispute about exclusion based on academic performance or any other factor, the Appeals Committee will make the final decision based on input from the relevant Dean/HoD and/or any other relevant source. The Appeals Committee will be duly constituted as follows:

- Director: Student Governance & Development
- Deputy Director: Financial Aid

**7.2.** Student political organisations will be allowed to contest Central SRC elections if they have a registered branch in each of the five (5) campuses of the university;

**7.3.** A student political organisation will be deemed to have a branch in a campus when it has regular programmes in that campus and a minimum of 100 members registered, recognized and audited by the Department of Student Governance and Development at the end of the first semester;

**7.4.** In the event that a student political organisation does not have a minimum of 100 members registered in a particular campus, it cannot contest LSRC elections of that campus and subsequently cannot contest CSRC elections. However, in the event of exceptional circumstances beyond the control of either of the Parties resulting in any or all of the Student Organizations being unable to obtain the requisite 100 members on a particular campus at the time of contesting for elections, the University may, in order to ensure that the CSRC elections take place, exempt such or all the Student Organizations from the requirements of clause 7.4.

**7.5.** Individuals can only contest Local SRC elections

**7.6.** Individuals wishing to contest the LSRC elections shall meet the following requirements:

**7.6.1.** The individual shall register with the EC.

**7.6.2.** To be directly elected in the LSRC or as campus Premier of North campus, 2<sup>nd</sup> Avenue campus or as campus Premier of South campus, the individual shall be required to submit a list of 100 signatures of students who are registered at the campus which the candidate seeks to represent, which shall serve as a threshold for him/her to run for a portfolio in that campus

- 7.6.3. To be directly elected as International Officer: the individual shall be required to submit a list of 100 signatures of international students which shall serve as a threshold for him/her to represent that constituency as referred to Appendix 8.
- 7.6.4. To be directly elected as Disability and Special Needs Officer: the individual shall be required to submit a list of 25 signatures of students certified as being disabled with special needs by the Disability Unit which shall serve as a threshold for him/her to represent that constituency as referred to Appendix 7

## **8. NOMINATION REQUIREMENTS**

### **8.1. \_Nomination by a Student Organisation**

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

- (a) A list of the portfolios that the organisation will be contesting.
- (b) A complete list of candidates, for each candidate indicating full name, programme registered for, and student number. The list shall include at least the same number of candidates as the number of portfolios which the organisation will be contesting.
- (c) The list of candidates submitted must consist of not less than fifty per cent (50%) of women as a minimum
- (d) The manifesto of the organisation.

### **8.2. Nomination of individual students**

In the case of an individual running for LSRC, the following documents shall be submitted to the EC:

- (a) A duly completed nomination form, which also indicates the portfolio he/she will be contesting.
  - (b) The candidate's manifesto
  - (c) A list of 200, in compliance with par 5.6 above, including full names, student numbers and signatures of those constituents.
- 8.3. Failure to comply with any of the above shall result in automatic nullification of the nomination affected by such non-compliance.
- 8.4. The EC may disqualify the whole organisation or an individual from participating in the SRC elections for failure to meet the above-mentioned requirements for the elections.

## **9. NOMINATION PROCEDURES**

- 9.1. The Chief Electoral Officer with the assistance of the Presiding Officer, shall invite nominations for SRC elections by means of a public notice stating:
- 9.1.1. Date of elections
  - 9.1.2. Venue of elections
  - 9.1.3. Where on each campus nomination forms may be collected and returned to
  - 9.1.4. Closing date for submission of nominations

- 9.2. The nominations shall 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.
- 9.3. The Chief Electoral Officer shall consider all nominations and shall determine whether the nominations are valid.
- 9.4. Notice of acceptance as candidates shall be given by the Presiding Officer by a collective public notice.
- 9.5. 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 shall 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.
- 9.6. Any objections to an accepted nomination or to the non-acceptance of a nomination shall 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.
- 9.7. 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.
- 9.8. If only one valid nomination has been received for a particular portfolio, the CEO will declare that candidate as elected unopposed.

## **10. ENTITLEMENTS OF NOMINATING ORGANISATIONS OR INDIVIDUALS**

- 10.1. Nominating organisations or nominated individuals contesting the elections will be entitled to the following:
  - 10.1.1. Representation on the Electoral Forum as contemplated in par 6 above.
  - 10.1.2. Free access to all voters' rolls compiled and maintained by the EC.
  - 10.1.3. Protection by the Electoral Commission of names, as well as distinguishing marks, symbols and abbreviation, if any, of participating organisations.
  - 10.1.4. The Department of Student Governance & Development may make funds available in its budget for participating individuals.
  - 10.1.5. The amount given to contesting individuals shall be equal per candidate.

## **11. WITHDRAWAL OF NOMINATION**

- 11.1. Any notification by an organisation of the withdrawal of a nomination shall be in writing and signed by an executive member of that organisation or the individual candidate him/herself. This shall be done within the specified nomination period.
- 11.2. 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.

## **12. CONDUCT AND RESPONSIBILITY OF ORGANISATIONS AND INDIVIDUALS CONTESTING ELECTIONS**

- 12.1. All organisations contesting the elections will be required to:
  - 12.1.1. Attend all meetings or workshops arranged by the EC;

- 12.1.2. Adhere to all deadlines set by the EC;
- 12.1.3. Provide any such relevant information as requested by the EC;
- 12.1.4. Apart from the individual transgressing member, the nominating organisation will also be held responsible for the misconduct of their members;
- 12.1.5. The candidates will not be allowed to collect or handle ballot boxes and ballot papers and will not be allowed within a 10 meter radius of ballot boxes on the day voting takes place, except to cast his/her own vote.

### **13. VOTING AND VOTING STATIONS**

- 13.1. The Electoral Commission shall establish voting stations on all the campuses;
- 13.2. The location of voting stations shall take into consideration the need for free, fair and orderly elections;
- 13.3. To this end, the number of voters on each campus and the need to avoid congestion at voting stations should be considered;
- 13.4. Voting will take place between 08h00 and 19h00 on the day(s) determined for elections;
- 13.5. Immediately before opening of voting, the designated Presiding Officers at the various voting stations shall show agents and candidates that the ballot boxes are empty and thereafter seal the ballot boxes;
- 13.6. Any student registered at the University has a right to vote in the SRC elections;
- 13.7. A voter shall produce his/her student card before voting;
- 13.8. Voting will be by secret ballot;
- 13.9. For CSRC portfolios to which members are directly elected, a voter may vote for only one organisation of his/her choice;
- 13.10. Only students registered at the relevant campus may vote for the LSRC of that campus;
- 13.11. Only international students may vote for the International Officer;
- 13.12. Only disabled and special needs students, certified by the Disability Unit, may vote for the Disability and Special Needs Officer;
- 13.13. Only students from accredited and non-accredited off-campus residences may vote for the Oppidani Council;
- 13.14. Each voting station is managed in terms of the applicable rules by an electoral officer appointed by the CEO.

### **14. VOTING MATERIALS**

- 14.1. The EC shall determine the design of the ballot paper and ballot boxes. It shall also decide how they are to be numbered and labelled;
- 14.2. 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;
- 14.3. 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 shall acknowledge by written receipt that he/she has received the required election materials.

### **15. ELECTION AGENTS**

- 15.1. 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;
- 15.2. Names of agents shall 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;
- 15.3. An agent shall be a registered student and shall not be a candidate in the elections;
- 15.4. The agent shall have written proof of his/her appointment and produce such proof at the request of the electoral officer or counting officer;
- 15.5. Agents are allowed to observe proceedings concerning voting, counting and determination and declaration of results at the voting station;
- 15.6. Agents may not interfere with any proceedings;
- 15.7. Agents may launch complaints or bring irregularities to the attention of the electoral officer;
- 15.8. The absence of agents does not invalidate proceedings.

## **16. COUNTING PROCEDURES AND ANNOUNCING THE RESULTS**

- 16.1. 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;
- 16.2. Ballot papers will be counted at the relevant voting station.
- 16.3. Counting officers shall 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
  - which is unmarked
  - which does not reflect any choice of the voter.
- 16.4. Disputed and rejected ballot papers will not be counted and will be kept separate;
- 16.5. After the counting at a voting station has been completed, the agents at that station shall sign a declaration stating whether or not they accept the counting process as compliant with the rules governing the elections;
- 16.6. After the counting of votes at a voting station has been completed, the electoral officer in charge of that voting station shall 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;
- 16.7. After receiving the results of all the voting stations the CEO shall 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.

## **17. ELECTORAL SYSTEM**

- 17.1. The electoral system for the directly elected members of the CSRC shall be a system of Proportional Representation;
- 17.2. The electoral system for the election of the LSRC's shall be a system of First-Past-The-Post;
- 17.3. For electing the Disability and Special Needs Officer and the International Officer a simple majority system will apply;
- 17.4. The allocation of the nine (9) CSRC portfolios and all six (6) LSRC portfolios shall occur in the manner set out in Appendix 1B;

- 17.5. An organisation which has been allocated a portfolio/portfolios in this way, shall deploy a candidate/candidates from its approved nomination list (see par 8.1 above) to such portfolio/s;
- 17.6. Deployment of candidates to portfolios by an organisation must adhere to a quota of not less than fifty per cent (50%) of women.

## **18. ELECTION POLL THRESHOLD**

- 18.1. In order for the SRC election to be accepted as having delivered a legitimate and representative SRC, a percentage poll of at least 20% shall 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 Master's and Doctoral students.
- 18.2. If the threshold has not been achieved, the Vice Chancellor and Principal 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 Community and the University. Such endorsement would entitle the Dean of Students to formally constitute the SRC.

## **19. STUDENT PARLIAMENT REPRESENTATION**

- 19.1. For the Student Parliament, the 45 members from student organisations elected as members outlined in Section 30.(a).1 will be determined by a Proportional Representation system derived from the CSRC elections results of directly elected portfolios of a current CSRC;
- 19.2. If Organisation A obtained 1225 votes out of a total of 6000 cast for CSRC elections, their members of Student Parliament will be calculated as follows:  $1225/6000 = 0.2041$  | Therefore,  $40 \times 0.2041 = 8$  seats;
- 19.3. The names of the members of Student Parliament that an organisation is entitled to must be sent to the CSRC Secretary General four (4) days before the first sitting of the Student Parliament.;
- 19.4. For the sitting of the rest of the other sessions of the Student Parliament, the names of the members of Student Parliament that an organisation is entitled to must be sent to the Parliament Secretary four (4) days before the sitting of the Student Parliament;
- 19.5. There is no academic requirement for membership in Student Parliament;
- 19.6. Names sent to represent an organisation in Student Parliament ought to be members of that particular organisation;
- 19.7. An organisation is entitled to reshuffle and replace its members of Student Parliament for each seating.

## **20. POSTPONEMENT OF ELECTIONS**

- 20.1. The SRC Elections may in part or as a whole postponed under the following grounds:
- 20.1.1. The Electoral Commission may in consultation with the Dean of Students request the Vice-Chancellor and Principal of the University to postpone elections if it is not reasonably

- possible to conduct free and fair elections. New elections shall be held within 60 days of such postponement (if practically possible);
- 20.1.2. 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;
  - 20.1.3. If the Dean of Students after consultation with the SRC requests the Vice-Chancellor and Principal of the University to postpone elections if it is not reasonably possible to conduct free, fair and credible elections. New elections shall be held within 60 days of such postponement (if practically possible).
  - 20.2. In the event that after such a postponement the SRC elections are still unable to take place, the Dean of Students must appoint an SRC interim structure that will serve for a maximum of 90 days.;
  - 20.3. The core mandate of such an SRC interim structure must be to deliver SRC elections within 90 days after its appointment;
  - 20.4. The SRC interim structure will consist of 2 members from each student political organisation that intended to contest the postponed SRC elections;
  - 20.5. The SRC interim structure will have the portfolio of Convener, Coordinator and additional members. The position of Convener will be occupied by the student political organisation that had the biggest membership numbers across the University on the year of the postponed SRC elections;
  - 20.6. The position of Coordinator will be occupied by the student political organisation that had the second biggest membership numbers across the University on the year of the postponed SRC elections;
  - 20.7. The SRC interim structure must adhere to the SRC Constitution in all its operations.
  - 20.8. In a case of a national disaster or *force majeure event* affecting the conducting of SRC elections, SRC elections may be postponed and the term of SRC be extended for a period not exceeding 90 days, or alternatively to after the period of disaster or *force majeure event*, but not exceeding September of the next calendar year. Such postponement shall be submitted to MANCO for approval. If the situation persists after September of the next calendar year, the Dean of Students must institute a process of constituting an Interim SRC in line with this constitution.

## **21. RESOLUTION OF ELECTION DISPUTES**

- 21.1. 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;
- 21.2. The CEO shall make a finding regarding such objection and communicate the decision as soon as possible to the organisation or person who lodged the objection;
- 21.3. 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.
- 21.4. The decision of the EC shall be final;

21.5. 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.

## **22. CONSTITUTING THE SRC**

22.1. 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 CSRC and LSRCs as properly constituted and empowered to function in accordance with the provisions of the SRC Constitution;

22.2. The new SRC shall be inducted at a public investiture convened by the Department of Student Governance and Development as soon as possible.;

22.3. 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 22.4 below;

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

## **23. GENERAL PROVISIONS**

23.1. 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;

23.2. 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;

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

## **APPENDIX 1B**

### **ALLOCATION OF PORTFOLIOS**

1. The procedure to allocate portfolios on a proportional representation basis is set out in this appendix. It concerns the nine (9) CSRC portfolios

2. The six (6) LSRC portfolios shall be allocated on a simple First-Past-The-Post system referred to in the Election Procedure (Appendix 1A).

3. The allocation of the nine (9) CSRC portfolios will be performed as follows:

(a) The internationally accredited De Hondt-method of calculation for proportional representation will be applied as follows:

(i) Step 1: Calculate the total number of votes received by each organisation

(ii) Step 2: Divide the total number of votes for each organisation consecutively by 1, 2, 3, 4, 5, 6, 7, 8 and 9

(iii) Step 3: Mark the nine highest numbers produced by the calculations.

(iv) 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 must be the first to select a preferred portfolio(s) before any of the other organisations. Thereafter the organisation with the second highest number of votes must select its preferred portfolio from the remaining portfolios, then the next organisation that has a seat(s), until all portfolios have been allocated. If two or more organisations received exactly the same total 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 the organisations total number of votes are as follows:
    - Organisation 1: 6575
    - Organisation 2: 4220
    - Organisation 3: 4005
    - Organisation 4: 1220
    - TOTAL VOTES: 16 020
  - 5.2. The totals of each organisation now have to be divided consecutively by 1, 2, 3, 4, 5, 6, 7, 8 and 9 leading to the following results (fractions are disregarded):
    - 1: 6575, 3287, 2191, 1643, 1315, 1095, 939, 822, 731
    - 2: 4220, 2110, 1406, 1055, 844, 703, 602, 528, 468
    - 3: 4005, 2002, 1335, 1000, 801, 667, 572, 500, 445
    - 4: 1220, 610, 406, 305, 244, 203, 174, 152, 135
  - 5.3. The 9 highest numbers are: 6575, 4220, 4005, 3287, 2191, 2110, 2002, 1643, 1406
  - 5.4. Thus: Organisation 1 is allocated four portfolios, organisations 2 has three portfolios and organisation 3 gets two portfolios and then organisation 4 is allocated no portfolio.
  - 5.5. Organisation 1 received the highest total number of votes and will therefore be able to first select its four portfolios of its choice. Thereafter Organisation 2 will select its three portfolios, then Organisation 3 its two portfolios and finally Organisation 4 will be allocated no portfolio.
  - 5.6. Each organisation will then select candidates from their approved candidate lists and deploy them to the different portfolios as per the gender quota stated. Organisation 1 would have to deploy at least 2 women candidates. Organisation 2 has to deploy at least one woman candidate and Organisation 3 also has to deploy at least one woman.

## APPENDIX 2

### CENTRAL SRC AND LOCAL SRC CODE OF CONDUCT

#### Introduction

The Student Representative Council is the highest decision making student structure on all matters pertaining to student governance at the Nelson Mandela 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.

## **1. Guiding Principles**

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

## **2. Categories of Misconduct**

- Very Serious Misconduct
- Serious Misconduct

### **1.1. Very Serious Misconduct**

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

- (a) harming the integrity of the SRC, or its personnel or property;
- (b) sabotages the activities of the SRC;
- (c) insubordination;
- (d) creates division or factionalism within the SRC;
- (e) encourages or participates in the creation of cliques or cabals;
- (f) any form of sexual assault and sexual harassment, whether verbal or physical;
- (g) acts in a way that exposes members to serious physical harm or death, including rape or attempted to rape;
- (h) any act aimed at undermining the effective functioning of student governance in general and the SRC in particular;
- (i) public drunkenness;
- (j) sells or takes illegal drugs
- (k) vandalizes University property
- (l) Abuses resources to advance personal interest or in return for favours.
- (m) 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;
- (n) 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; behaves in any other corrupt manner that brings the name of the SRC into disrepute;

### **1.2. Serious misconduct**

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

- (a) abuses his/her office by using his/her position to obtain material or sexual favours, or any other undue benefit,

- (b) sowing racism, tribalism, regionalism, sexism, xenophobia, homophobia and chauvinism in the SRC or its substructures;
- (c) acts contrary to a valid decision of the SRC;
  - i. spreads false information about fellow SRC members;
  - ii. disrupts meetings or interrupts the orderly functioning of the SRC;
  - iii. uses offensive language or hate speech during an SRC meeting or any other meeting of a SRC substructure;
  - iv. Fails to perform duties assigned or fails to attend two (2) consecutive SRC events or meetings without a written valid apology or explanation.
- (d) In so far as any of the acts or omissions described in this code, also negatively affects any SRC substructure, it will also constitute very serious or serious misconduct, as the case may be.

### **3. Disciplinary Procedures**

#### **(a) Principles**

- I. Any relevant person(s) must not use the disciplinary process as a tool for suppression of robust debate or denying members their democratic right to exercise freedom of expression
- II. The disciplinary process should not be used as a means of solving personal problems.
- III. Any person faced with disciplinary proceedings must 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 defence.
- IV. All disciplinary hearing must be conducted privately and their outcomes must 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.
- V. A complainant(s) must submit a written notice to the SRC Disciplinary Committee indicating the type of misconduct that has been committed by a member of the SRC.
- VI. In the event of the accused being a member of the SRC Disciplinary Committee, the member in question must excuse him/herself from the process and the SRC must appoint an alternative member of the SRC in his or her place.
- VII. The rules of natural justice must apply in all Disciplinary cases.
- VIII. All disciplinary proceedings must be attended to as speedily as possible as but not later than ten (10) days after reporting of the misconduct.

### **4. Composition Of Disciplinary Committee for CSRC**

#### **4.1. The committee must comprise of three members:**

- (a) The President;
- (b) The Deputy President;
- (c) One other member of the SRC, appointed by the President giving due consideration to demographics, which will include gender.

#### **4.2. If charges are laid by or against any member of the committee that member must recuse him/herself from the committee.**

4.3. 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.

## **5. Composition of the Disciplinary Committee for LSRC**

5.1. The committee must comprise of three members:

- a. The Premier
- b. The Secretary
- c. One other member of the SRC, appointed by the Premier giving due consideration to demographics, which will include gender.

5.2. If charges are laid by or against any member of the committee that member must recuse him/herself from the committee.

5.3. The SRC will appoint a panel of senior students 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:

### **(a) 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.

### **(b) 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.

### **(c) 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.

#### **(d) 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.

#### **(e) 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 must have the right to;

- a. a fair hearing and the right to representation by a fellow student.
- b. request that the case be treated confidentially.
- c. 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 CSRC meeting against the conviction or sentence within seven (7) working days. The CSRC will submit the appeal to the Nelson Mandela University Central Disciplinary Committee which will adjudicate the matter. The decision of the Nelson Mandela University Central Disciplinary Committee will be final.

## **FACULTY COUNCIL**

### **COMPOSITION AND ELECTION**

1. The Faculty Council must be elected from the voters roll by secret ballot by students from all 5 campuses, in the manner provided in this section, read together with the SRC Election Procedure (Appendix 1), and must consist of seven (7) persons from the seven (7) faculties (see par 8 below), duly elected as faculty representatives by and from all members of each faculty.
2. The Academics officers from each LSRC, each Premier's Council, and the academics representative from the International Council shall be ex-officio members of the Faculty Council with full speaking rights but without voting powers
3. The faculty representative with the highest number of votes in a particular faculty must be the successful candidate for the Faculty Council.
4. In the event of a tie of votes in any contested seat the successful candidate must be determined by lot.
5. The elections for faculty representatives must be held concurrently with the CSRC and LSRC elections.
6. The faculty representatives must elect from their own ranks a Chairperson for the Faculty Council who must be the Academic Officer of the CSRC.
7. At its first meeting the Faculty Council must appoint a person from their own ranks to act as Chairperson in the absence of the Chairperson, but who must not be entitled to act as CSRC Academic Officer as well.

### **ELIGIBILITY OF CANDIDATES AND VOTERS**

8. The students in each faculty must elect a Faculty Representative for that particular faculty.
9. The eligibility criteria contained in 5.1 and 19.4 in the SRC Election Procedure (Appendix 1) must 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 must meet the following requirements:
  - 12.1 The individual must register with the EC.
  - 12.2 To be nominated as a faculty representative: the individual must be required to submit a list of at least 250 signatures of students registered in the particular faculty, which must 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 CSRC must summon the newly elected faculty representatives to a meeting where the HoD: Student Governance & Development must 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 must be known as Faculty Academic Officers.
15. A Faculty Academic Officer must ensure that class representatives are elected within each faculty. This body must be known as the Academic Forum, must convene at least once a term and be chaired by the Faculty Academic Officer.
16. The Faculty Academic Officer must ensure that the class representatives in each faculty are co-ordinated.

### **TERM OF OFFICE**

17. The term of office of the Faculty Council must ordinarily be an academic year.
18. The Chairperson elect of the incoming Faculty Council must, within two (2) 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 must 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 LSRCs generally and CSRC in particular and, after consultation with the CSRC, to one or more Faculty Boards for consideration.
  - 19.3 Shall request the Faculty Deans, HoDs, Lecturers, administrators and students to a quarterly mass meeting forum with an agenda distributed ten (10) days before the session to discuss curriculum transformation matters.
20. Faculty Academic Officers must attend all Faculty Board meetings in their respective faculties.

## **OBLIGATIONS OF MEMBERS**

21. Members must individually and collectively serve the academic interests of the Student Community;
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 must apply at all Faculty Council meetings.
24. A quorum must be five (5) directly elected members of the Faculty council, excluding ex-officio members

## **APPENDIX 4**

### **RESIDENCE COUNCIL**

## **COMPOSITION AND ELECTION**

1. The Residence Council must, subject to 3 below, consist of forty (40) persons or more from the House Committees duly elected in accordance with the house committees' election procedure from on-campus residences and off-campus accredited residences
2. The Residence Council must consist of representatives of each residence, appointed by each individual House Committee, as set out below:
  - a) The Prim and any other member of the House Committee
3. In the event of the development of a new residence, the Prim of that residence and one other must be added to the composition of the Residence Council.
4. The elections for House Committees must be held a month before the SRC elections.
5. The Chairperson of the Residence Council is the CSRC Accommodation, and Student Support Services Officer.

## **CONSTITUTING**

6. Within five (5) days of the last SRC elections, the House Committees of the various residences must have notified the CSRC Accommodation and Student Support Services Officer of their reps on the Residence Council. The CSRC Accommodation and Student Support Services Officer must 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 must 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 must ordinarily be a calendar year beginning in January and ending in December.
9. The Chairperson of the Residence Council must, within two (2) days of the constituting of the newly elected Residence Council, meet with the outgoing chairperson to arrange the process by which the handing over of the Residence Council administration must take place.

### **FUNCTIONS AND POWERS**

10. The Residence 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 CSRC submit recommendations to the Student Housing Advisory Committee, MANCO, SSC and Council for consideration.
  - 10.3. Convene the Director, all Senior managers, Residence Managers and administrators of the Department of Student Housing, Living and Learning Programmes to discuss immediate pressing matters of students and issues of transformation and quality service.

### **OBLIGATIONS OF MEMBERS**

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

### **MEETINGS**

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

### **TERMINATION OF MEMBERSHIP**

18. A person must cease to be a member of the Residence Council if:
  - a) Written notification from the particular residence to that effect has been noted by the Residence Council at a Residence Council meeting;
  - b) A person is absent, without a valid excuse, from three (3) consecutive meetings of the Residence Council;

c) A person's Residence Council membership is terminated because of disciplinary action taken by a disciplinary organ of the University.

19. In the event that the Chairperson's membership being terminated, 20.1 & 20.2 of this Constitution will come to effect.

## **APPENDIX 5**

### **SPORTS COUNCIL**

#### **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 consists of- five (5) members, three (3) of which must be elected by and from the members of the Sport Chairpersons' Forum by secret ballot. The Sport Chairpersons' Forum consists of all chairpersons and vice-chairpersons of sport clubs registered with Madibaz Sports
- 1.3 One seat on the Sports Council will be reserved for a Residence Sport Representative who is indirectly elected by the Residence Sports Reps
- 1.4 The person with the highest number of votes in the Chairperson's Forum will become the Deputy Chairperson of the Sport Council.
- 1.5 The Chairperson's Forum will only elect three (3) candidates, the Residence Sport Representative will be indirectly elected (refer to Appendix 5 par 1.2). The portfolios of each member must be predetermined.
- 1.6 Sports Council shall consist of the following office bearers:
  - 1.6.1 Chairperson:
  - 1.6.2 Deputy Chairperson:
  - 1.6.3 Projects and Marketing:
  - 1.6.4 Residence Sport Representative
  - 1.6.5 Additional member from non-priority codes
  - 1.6.6 At least one candidate must be from non-priority codes
- 1.7 No sporting code will be represented by more than one candidate
- 1.8 The directly elected CSRC Sport Officer shall be the Chairperson of the Sport Council.
- 1.9 In the event of a tie of votes in any contested seat, the successful candidate must be determined by lot.
- 1.10 The elections for all the seats must be held concurrently.
- 1.11 The election of the Sport Council must 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 deputy chairperson of the club at a legally constituted AGM or Special General Meeting.

#### **3. CONSTITUTING**

3.1 Within Five (5) days after the Sport Council election, the elected members must be summoned by the Director: Madibaz Sport (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) must declare the Sport Council duly elected and constituted in terms of the provisions of this constitution.

3.3 Any club member who is entitled to vote may contest the validity and fairness of the elections within two (2) days after the Sport Council has been constituted.

3.4 Such complaint must be lodged with the Dean of Students who must decide on the issue.

#### **4. Term of Office**

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

#### **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 CSRC.

5.1.4 Serve as a liaison between sports clubs and all SRC structures

5.1.5 Formulate, co-ordinate and express student opinions relating to policy matters and competitions

5.1.6 Serve in advancing the Nelson Mandela University Sport aims and objectives and promote the objects, intents and purpose of Nelson Mandela University if deemed advisable

5.1.7 Foster relations with other departments, programs, student organisations and student governance on campus

5.1.8 Shall call a quarterly Student Sport Leader's Forum inclusive of captains, club executive members, Madibaz Sport Staff and residence sport representatives and selected George campus representatives. The Student Sport Leader's Forum will engage on immediate matters regarding issues of student sport transformation at Nelson Mandela University.

#### **6. OBLIGATION OF MEMBERS**

6.1 Members must:

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.

6.1.3 Promote and foster a spirit of cooperation and collaboration amongst all role players of sport in Nelson Mandela University

6.1.4 Promote a non-racial and non-sexist sporting environment

#### **7. MEETINGS**

7.1 The rules pertaining to meetings of the CSRC must apply at all Sports Council meetings.

7.2 The sport council must meet at least once per month, and a quorum must be four members present

7.3 In the event of a quorum not being formed, the meeting must be postponed by the Chairperson to a day within the next five (5) days and the members then present must 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 must 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) 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, 20.1 & 20.2 of this Constitution will come to effect.
- 8.2 When the Sports Council membership of a person is terminated, a successor to that person must 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 must 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 must expire forthwith.
- 9.3 If the resignation of the Sport Council becomes effective, the SRC President must immediately convene a special meeting of the Forum.
- 9.4 At such a meeting the Forum must elect a new Sport Council.

## **APPENDIX 6**

### **OPPIDANI COUNCIL**

#### **COMPOSITION, ELECTION AND FUNCTIONING**

1. The Oppidani Council must be elected from the voters roll by secret ballot by students staying in accredited and non-accredited off-campus residences from all campuses, in the manner provided in this section, read together with the SRC Election Procedure (Appendix 1), and must consist of eight (8) persons
2. Each student political organisation contesting for the Oppidani Council must table its 8 candidates which will be elected through a First-Past-The-Post electoral system
3. The 8 candidates tabled by each student political organisation must reflect the gender quota set out in this Constitution and must also be candidates who come from all the 5 campuses of the university
4. The Chairperson of the Oppidani Council must be the Oppidani Officer of the CSRC. His/her eligibility must be determined by par 5.1 and 19.4 of the Election Procedure (Appendix 1).
5. The elections of the Oppidani Council representatives must be held concurrently with the CSRC and LSRC elections

#### **RESIGNATION OF THE OPPIDANI COUNCIL**

1. If the Oppidani Council has passed a resolution to resign, the Chairperson must immediately convene an extraordinary general meeting of the Oppidani students for the purpose of motivating such resignation to the Oppidani students.
2. If such resolution to resign has not been withdrawn by the Oppidani Council within three (3) days of the said meeting, the term of office of die Oppidani Council must expire forthwith.
3. If the resignation of the Oppidani Council becomes effective in terms of subsection 2. above, the SRC President must immediately convene an extraordinary meeting of the CSRC.
4. At such meeting the CSRC must appoint five (5) persons who are Oppidani students to form an Interim Oppidani Council, pending the election of a new Oppidani Council.
5. The duly appointed interim Oppidani Council must elect an acting Chairperson from their own ranks by an ordinary majority of votes in a secret ballot.
6. In the event of the resignation of the Oppidani Council an election for a new Oppidani Council must be organised by the SRC Officer within twenty (20) days of such an occurrence. If such resignation occurs in the last month of the third (3rd) term, the election then conducted must 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 must commence immediately after that body has been duly constituted by the Chief Electoral Officer.
7. If a motion of no-confidence in the Oppidani Council is passed by a general meeting of the Oppidani students, it must be the equivalent of an effective resignation by the Oppidani Council which must automatically lead to the implementation of the process outlined in par 4 above.

## APPENDIX 7

### DISABILITY AND SPECIAL NEEDS REPRESENTATIVE ELECTION PROCEDURE

#### ELECTION

1. The Disability and Special Needs Representative must be elected by secret ballot by students with a disability as certified by the Disability Unit on the disabled and special needs students' voters roll, in the manner provided in this section, read together with the SRC Election Procedure (Appendix 1). The Disability and Special Needs Student Representative with the highest number of votes must be the successful candidate for the portfolio.
2. In the event of a tie of votes the successful candidate must be determined by lot.
3. The elections for the Disability and Special Needs Student Representative must be held concurrently with the CSRC and LSRC elections.

#### ELIGIBILITY OF CANDIDATES AND VOTERS

4. (i) The successful candidate must be a duly registered Disabled student  
(ii) Only Disability Unit certified students must be able to vote to elect a Disability and Special Needs Student Representative.
5. The eligibility criteria contained in 5.1 and 19.4 in the SRC Election Procedure (Appendix 1) must apply to candidates wishing to be elected as the Disability and Special Needs 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 a Disability and Special Needs student to be elected as the Disability and Special Needs Officer
7. All student organisations wishing to contest the elections must register with the EC.
8. Individuals wishing to contest the Disability and Special Needs student representative elections must meet the following requirements:
  - 8.1 The individual must register with the EC.
  - 8.2 To be nominated as a disability and special needs student representative: the individual must be required to submit a list of 25 disability and special need students' signatures which must serve as a threshold for him/her to represent such students.

#### FUNCTIONS AND POWERS

9. The Disability and Special Needs Student Representative is charged with the effective and equitable representation of disabled students in the CSRC on matters affecting disabled students and is therefore competent to:
  - 9.1 raise for discussion general and specific disabled students' issues;
  - 9.2 Submit recommendations to the LSRCs in general and CSRC in particular and, after consultation with the CSRC, also to other relevant structures within the University for consideration.

## **APPENDIX 8**

### **INTERNATIONAL STUDENT REPRESENTATIVE ELECTION PROCEDURE**

#### **1. COMPOSITION AND ELECTION OF THE INTERNATIONAL COUNCIL**

- 1.1 The election will be administered by the Independent Electoral Commission as stated in Appendix 1
- 1.2 The International Officer shall be elected by secret ballot using a Fast-Past-The-Post electoral system on the same day as SRC elections
- 1.3 The duly elected International Officer will form part of the CSRC and also be the chairperson of the International Council
- 1.4 The International Council consists of seven (7) indirectly elected members in a separate election process, six (6) of which must be elected by all chairpersons of registered societies that are exclusively for international students in a form of a secret ballot
- 1.5 The council will have seven (7) portfolios.
  - I. Chairperson
  - II. Deputy Chairperson
  - III. Secretary
  - IV. Academic Affairs
  - V. Postgraduate Affairs
  - VI. Legal Affairs
  - VII. International Affairs
- 1.6 The other candidates will contest for their desired portfolios
- 1.7 After the election of the chairperson from the CSRC elections, the election of the other International Council office bearers must normally take place in the fourth (4) term of each year.

#### **2. ELIGIBILITY OF CANDIDATES**

- 2.1 A student is eligible to serve as a member of the International Council if he/she:
  - 2.1.1 Is an International Student
  - 2.1.2 Is entitled to vote
  - 2.1.3 Has been a member of a society that is exclusively for International Student for at least one (1) semester
  - 2.1.4 Must be a post graduate student to contest for the Postgraduate Affairs position

#### **3. CONSTITUTING**

- 3.1 The HoD: Student Governance and Development (or his/her designee) must declare the International Council duly elected and constituted in terms of the provisions of this constitution.
- 3.2 Any member of the Student Community who is entitled to vote may contest the validity and fairness of the elections within 24 hours after the International Council has been constituted.
- 3.3 Such complaint must be lodged with the Dean of Students for a dispute resolution.

#### **4. TERM OF OFFICE**

- 4.1 The term of office of the International Council must ordinarily be one year beginning in January and ending in December
- 4.2 A member of the International Council is not allowed to serve for more than two (2) terms in the structure whether in consecutive years or separately

## **5. FUNCTIONS AND POWERS**

5.1 The International Council is charged with the effective and equitable administration of International students and is therefore competent to:

5.1.1 Discuss internationalization Issues

5.1.2 Make recommendations to the International Office and the CSRC.

5.1.3 Shall call a quarterly mass meeting forum inclusive of students, clubs, director, senior managers and administrators of the department to discuss immediate matters of transformation and pressing issues around service quality.

5.1.4 A 5 days' notice must be given to all mentioned stakeholders for such a meeting

## **6. OBLIGATION OF MEMBERS**

6.1 Members must:

6.1.1 Individually and collectively serve the interests of the International Student community;

6.1.2 Perform the duties and functions allocated to them by the International Council.

## **7. MEETINGS**

7.1 The rules pertaining to meetings of the CSRC must apply at all International Council meetings.

7.2 The International Council must meet once per term, and a quorum must be at least four (4) members present.

7.3 In the event of a quorum not being formed, the meeting must be postponed by the Chairperson to a day within the next five (5) days and the members then present must 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 must cease to be a member of the International Council if:

8.1.1 A motivated written resignation of that person as an International Council member is submitted to the International Council and not withdrawn within fourteen (14) days after it has been noted by the International Council at an International Council meeting; or

8.1.2 A motion of no-confidence in that person is passed by a general meeting of the International Students;

8.1.3 A person is absent, without a valid excuse, from three (3) consecutive meetings of the Council;

8.1.4 A person's International Council membership is terminated as a result of disciplinary action taken by a disciplinary body or organ of the University;

8.1.5 In the event that the Chairperson's membership is terminated, 20.1 & 20.2 of this Constitution will come to effect.

8.2 When the International Council membership of a person is terminated, a successor to that person must as soon as possible be elected using the same procedure.

## **9. RESIGNATION OF THE INTERNATIONAL COUNCIL**

9.1 If the International Council has passed a resolution to resign, the Chairperson must immediately request a special meeting.

9.2 If such resolution has not been withdrawn by the International Council within three (3) days of the said meeting of the international clubs, the term of office of the International Council must expire forthwith.

9.3 If the resignation of the International Council becomes effective, the SRC President must immediately convene a special meeting of the Forum.

9.4 At such a meeting the must elect a new International Council.

## APPENDIX 9

### PREMIER'S COUNCILS: SOUTH CAMPUS AND NORTH CAMPUS

1. South campus and North campus will each elect a campus Premier by simple majority on a First-Past-The-Post electoral system on the date of the SRC elections
2. Only students studying in North campus will be eligible to vote for the North campus Premier
3. Only students studying in South campus will be eligible to vote for the South campus Premier
4. South campus Premier and North campus Premier shall be ex-officio members of the CSRC
5. South campus Premier and North campus Premier, at their own discretion, shall each appoint their own council consisting of five (5) members each. One portfolio will be the portfolio of the Premier on the campus as directly elected.
6. The nature of the other four portfolios will be determined by the context of the campus and resolution of the Premier's Council itself on its first seating.
7. The Premier's council must have an academics representative who will be an ex-officio member in the Faculty Council.

### **8. COMPOSITION AND ELECTION OF A PREMIER'S COUNCIL**

- 8.1 The eligibility criteria contained in the SRC Election Procedure (Appendix 1) must be applicable.
- 8.2 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). Applicable paragraphs of the Election Procedure (Appendix 1) must be applicable, with the necessary changes, to nominating organisations.
- 8.3 Individual candidates must register with the EC, as well as submit a list of at least 300 signatures of students registered at that campus, which must serve as a threshold for him/her to represent that campus.
- 8.4 The SRC Election Procedure (Appendix 1) must be applicable, with any necessary changes, to the campus Premier election.

### **9. FUNCTIONS AND POWERS**

- 9.1 A Premier's Council is a substructure of the CSRC and derives its mandate and authority from the CSRC. It is charged with the effective and equitable administration of the student affairs of the campus in so far it is within their jurisdiction.
- 9.2 A Premier's Council may discuss general and specific student matters relating to the campus and submit recommendations to the CSRC and, after consultation with the CSRC, also to other relevant structures within the University for consideration.

## APPENDIX 10

### FINANCIAL PROCEDURE

#### 1. GUIDING PRINCIPLES

- (a) The financial management and procedures for the SRC must be in line with the Nelson Mandela University General Financial Policy.
- (b) The SRC funds will be managed through the utilisation of the financial information systems of the university like the ITS or any other system that is officially used by the university.
- (c) In cases where the procedure is found contradictory to the university financial procedures, the university policies and procedures must apply.

#### 2. STUDENT GOVERNANCE FUNDING MODEL

- (a) The SRC and societies budget is allocated from funds raised as part of the Nelson Mandela University student levy.
- (b) The student levy allocation is negotiated annually at the SRC/Management Forum and approved by Council.

#### 3. FINANCIAL MANAGEMENT

- (a) The SRC drafts an action and events plan and a provisional budget during their training at the start of their term of office.
- (b) The SRC budget is administered by the SRC Officer who is the requestor on the ITS system in consultation with the CSRC Treasurer General and approved by the HOD: SGD.
- (c) SRC financial requests will be acceded to and processed if they are co-signed by the SRC President and/or Secretary General together with the Treasurer General.

#### 4. FINANCIAL PROCEDURE

Applications for financial expenses are submitted in writing on the prescribed form and are handed to the SRC Officer. These applications must be co-signed by the SRC President and/or Secretary General together with the Treasurer General and the motivation for intended expenses must be attached to applications. The SRC Officer should ensure that financial requests are in line with allocated budget items before processing any financial requests.

##### 4.1 SRC Officer

- The SRC Officer should ensure that financial requests are in line with allocated budget items before processing any financial requests for approval by the HOD:SGD.
- Must ensure proper record keeping of all the financial transactions of the SRC
- Submit monthly financial reports to the HOD: SGD

##### 4.2 CSRC Treasurer General

- Shall oversee and administer all SRC funds and the allocation of affiliates' and structures' budgets as stipulated in the Nelson Mandela University policy.
- Ensure that all funds received by the SRC are deposited directly according to the Nelson Mandela University financial policy.
- Shall formulate and co-ordinate all fundraising aspects of CSRC programmes.
- Shall ensure that proper books of accounts for the CSRC are kept within the University's accounting structure and policy.

- Shall prepare and present financial updates to a CSRC meeting at least once a quarter.
- Shall ensure that audits will be undertaken by the Internal Audit Department at least once a year.

5. **DOCUMENTATION**

The following documentation must be used (available in the Department of Student Governance & Development):

- 5.1. Authorisation of expenditure
- 5.2. Transport
- 5.3. Printing quota
- 5.4. Catering Requests
- 5.5. Airtime request
- 5.6. Transport
- 5.7. Proof of cash payment to service provider

## **APPENDIX 11**

### **GUIDELINES FOR CONTINUED RECOGNITION OF AN AFFILIATED ORGANISATION/SOCIETY OF THE SRC**

1. Conditions for continued recognition:
  - 1.1 Must maintain a membership of 50 or more for a society.
  - 1.2 Must maintain a membership of 100 or more per campus for a student political organisation.
  - 1.3 Must submit an annual report of their activities during the year.
  - 1.4 Must submit an annual financial report and a budget for the following year.
  - 1.5 Must consistently comply with their constitution.
  - 1.6 Must provide the minutes of their last Annual General Meeting.
  - 1.7 Must have attended at least 50% of the sittings of Student Parliament.
2. Affiliates that do not continuously meet all of the above-mentioned requirements cease to be affiliates of the LSRC and their affiliation shall be terminated at an ordinary LSRC meeting
3. After such termination of affiliation has been recorded, the LSRC shall inform the society concerned of the termination in writing within seven (7) days after the relevant LSRC meeting.

#### **4. FUNDING OF AFFILIATES**

Funding for SRC Affiliates must be determined by the CSRC in consultation with the Head: Student Governance and Development.

#### **5. PARTICIPATION IN SRC ELECTIONS**

- 5.1. If an affiliate student organisation wishes to participate in CSRC elections, it must have a branch in each of the five (5) campuses of the University.
- 5.2. The minimum number of members that a student organisation must have to consist a branch recognized and audited by the Department of Student Governance and Development is 100 members at the end of the first semester.
- 5.3. A student organisation must have 100 members in a campus at the end of the first semester in order to contest LSRC elections in that particular campus.

## **APPENDIX 12**

### **Student Court System**

#### **1 Nature and functioning of the Student Court**

(1.1) The Student Court primarily include recommending decisions to SRC below respectively: –

- (a) Functions as an administrative tribunal;
- (b) May advise any student that are undergoing the student central DC's in line with the nature of the offence and implications of the law;
- (c) Assist the SRC on SRC Constitutional compliance from time to time, including societies on request from either SRC or individual societies; and
- (d) is independent and subject only to this Constitution, University Policies and the laws of Republic, and which the Court must apply impartially and without fear, favour or prejudice.

(1.2) all student bodies must contribute to ensuring the independence, impartiality, dignity and accessibility of the Student Court.

(1.3) Keep records of all the meetings and proceedings for accountability purposes.

#### **2. Nomination and appointment of members of the Student Court**

(2.1) a committee comprising of the following will be set-up to ensure that the advert to open nomination and adjudication of applicants is in place below respectively:

- (a) Director SGD (Chairperson of the Committee)
- (b) One Senior Student Governance Practitioner
- (c) Representative from Faculty of Law nominated by the Dean of the faculty
- (d) SRC Representation appointed by the SRC President

(2.2) a criteria will be worked out by the SRC under the supervision of Student Governance and Development, which will emphasis on Law students to serve such will be approved by the Dean of Students.

(2.3) the opening of nominations must be advertised clearly to all eligible students, whether by means of electronic communication or otherwise.

(2.4) the Chairperson must submit the nominations to the DVC: IS, Executive Dean: Student Affairs, who will in turn convene his appointing committee, which appoints the members of the Court before the end of November each year in consultation with the Executive Dean of the Faculty of Law to appoint students, who will be in their penultimate or final year of study for an LLB (or any other qualification), or studying for an LLM, in the following year.

(2.5) after the appointment of the committee, the Chairperson of the committee is elected by committee members appointed.

(2.6) the Chairperson of the Student Court may also request nominations for the members of the Student Court from law (preferably) and non-law students at the start of the second semester.

### **3. Membership, accountability and quorum**

(3.1) The Student Court consists of five (5) LLB or LLM students, provided that –

(a) a minimum of one (1) to a maximum of two (2) LLB students in their penultimate year (in the calendar year following their appointment) serve on the Court;

(b) a minimum of two (2) to a maximum of four (4) LLB students in their final year (in the calendar year following their appointment) serve on the Court; and

(c) a maximum of one (1) LLM student (in the calendar year following his or her appointment) serves on the Court.

(d) a minimum of one (1) to a maximum of two (2) non-law student (at any level from third year to Masters)

e) Additional criteria to serve will be in line with the SRC Constitution on eligibility section.

(3.2) the student court is accountable to the SRC through the Deputy President of the SRC and the report should be submitted on a monthly basis or earlier at the request of the SRC.

(3.3) for a meeting to proceed, a quorum must be three members inclusive of the chairperson of the student court.

### **4. Chairperson of the student court**

(4.1) The Chairperson of the Student Court is elected within ten (10) days after the appointment of the members of the Student Court at a meeting which is convened by the former Chair of the Student Court.

(4.2) In case of a new appointment, or vacancy of the Chair position, DVC: IS, Dean: Student Affairs, Director: Student Government and Development, Dean: Faculty of Law and the SRC Deputy President will form an appointment committee for the Chair.

### **5. Term of office**

(5.1) the term of office of the Student Court coincides with that of the Student Representative Council, except in extraordinary circumstances where practical considerations require other measures:-refer to the SRC Constitution.

## **6. Jurisdiction and Decision Making of the Student Court**

The Student Court has the power to –

(6.1) Give an interpretation, or to confirm the interpretation of a party before the Court, regarding –

(a) This Constitution; or

(b) Any empowering provision in terms of which a student societies constitution.

(6.2) decide on the constitutionality of any action or omission of a student body or a member thereof;

(6.3) review any decision of a student body or a member thereof whereby the rights or legitimate expectations of a student or group of students are materially and adversely affected;

(6.4) decide on all other matters which this Constitution places under the jurisdiction of the Student Court;

(6.5) majority decision will be considered as the decision of the student court and reasons to support the any decision must be provided; and

(6.6) in case of a tie, the chairperson of the student court shall have a casting vote.

## **7. Remedies**

The Student Court can –

(a) Issue or recommend an interim relief if material injustice would otherwise result;

(b) Recommend to SRC to set aside any decision or action that is inconsistent with this Constitution, or a constitution, policy, regulation or any empowering provision of a student body, in so far as it is inconsistent with it, provided that in case of setting aside –

(i) The retroactive effect of the recommendation must be limited as far as possible; and

(ii) the recommendation can be suspended for a fixed time or on any conditions so as to allow the person or body in question to rectify the fault; or

(c) Make any recommendation, including a combination of the above mentioned remedies that is fair and equitable.

(d) Any appeal or review must be lodged with Student Governance and Development, which will be a forum of last instance.

## Appendix: 13

1. All members of the CSRC and LSRC's will be required to take an oath of office, which shall be overseen by the Dean of Students at a meeting convened for that purpose.
2. The statement of oath is as follows:

### STATEMENT OF OATH

I (Name) solemnly declare to uphold the SRC Constitution and to diligently execute the duties and obligations of the office of \_\_\_\_\_ in the SRC or Student Parliament of Nelson Mandela University;

In an endeavour to accomplish the Vision and Mission of the university, I will preserve the integrity and promote human rights, embrace diversity and advance the transformation of Nelson Mandela University;

I pledge to work ceaselessly to advance the interests of students and that of Nelson Mandela University, foster good governance and to use the university resources responsibly;

I will to the best of my ability strive to uphold and advance the unity of students and actively support and promote their ideas and programmes that seek to advance the objects of the SRC Constitution.

So help me God!

\_\_\_\_\_

Signature

\_\_\_\_\_

Date