

# CONSTITUTION OF THE STUDENT REPRESENTATIVE COUNCIL

## AND STUDENT PARLIAMENT OF THE UNIVERSITY OF THE FREE STATE

### MAIN CAMPUS

#### CHAPTER 1 - DEFINITIONS

1. **UFS:** University of the Free State hereinafter referred to as the **UFS**.
2. **SRC:** The Student Representative Council of the **UFS** Main Campus, hereinafter referred to as the **SRC**, as referred to in section 1, constituted and elected in accordance with the provisions of this Constitution.
3. **SP:** The Student Parliament of the **UFS** Main Campus hereinafter referred to as the **SP**, as referred to in Chapter 3, elected and constituted in accordance with the provisions of this Constitution.
4. **Executive Committee:** The **Executive Committee** of the **SRC**, as referred to in section 13, constituted and elected in accordance with the provisions of this Constitution.
5. **Student:** A registered student of the **UFS** Main Campus.
6. **Student Community:** The collection of all registered students at the **UFS** Main Campus.
7. **Sufficient Consensus:** Consensus of more than two thirds (67 %) of the members at the meeting.
8. **Organisation:** Any student organisation or association that has affiliated with the **SRC** in accordance with the requirements set by the **SRC**.
9. **IEA:** The Independent Election Agency

hereinafter the **IEA**, is an independent body or person(s), to be appointed by the Executive Management of the **UFS**, in consultation with the **SRC** and the **SP**, to manage the annual elections of the **SRC** and the **SP**. The **IEA** could also be employees of the **UFS**.

- 10. **First-past-the-post:** Election system whereby individual candidates contest a number of seats in the annual **SRC** election and whereby those who obtain the most votes in the election become members of the **SRC**.
- 11. **Proportional representation:** Election system whereby affiliated **organisations** contest a number of seats in the annual **SRC** and the **SP** elections and whereby seats in the **SRC** and **SP** are allocated to **organisations** in proportion to the percentage of votes that the **organisations** obtained during the elections.
- 12. **Irawa:** The official student newspaper at the **UFS**.
- 13. **Kovsie FM:** The official student radio station at the **UFS**.
- 14. **CSRC:** Central Student Representative Council hereinafter referred to as the **CSRC**.

## **CHAPTER 2 – GENERAL PROVISION PERTAINING TO THE SRC**

### **1. SECTION 1 – NAME**

The Student Representative Council of the **UFS** Main Campus hereinafter referred to as the **SRC**.

### **2. SECTION 2 – CREDO**

2.1. Without prejudice to the individual's right to freedom of religion, the **SRC** recognises the sovereign power and guidance of God and accepts the

calling to perform its task with humility, in earnestness, and with excellence.

- 2.2. The **SRC** acknowledges the **UFS** language policy and commits to practical implementation thereof; and strives towards the fair accommodation of its diverse and multicultural **student community**.

### 3. SECTION 3 – OBJECTIVES

The **SRC** functions in the midst of and in interaction with other institutions at the **UFS** Main Campus, to serve in the interest of the students as their elected representatives, in a unique and unbiased way.

Serving students' interests involves:

- 3.1. representing all **students** in negotiations and interactions with the **UFS** authorities and during public appearances;
- 3.2. leading the **student community** towards transformation and development by means of strategic planning and visionary leadership;
- 3.3. stimulating reflection on the nature and functioning of the **UFS** and its **student community**;
- 3.4. integrating and promoting the variety of student activities arising from 3.1 to 3.3, and
- 3.5. being as representative as possible of all **students**.

### 4. SECTION 4 - AUTHORITY AND STATUS

- 4.1. The **SRC** recognises the **UFS** Council as the highest body of authority at the **UFS**.
- 4.2. The **SRC** is the highest student governing body established in terms of section 35 of the Higher Education Act (101 of 1997), but is bound by decisions of the **SP** on policy issues taken by **sufficient consensus** as set out in Chapter 3.
- 4.3. The **SRC** is not a legal entity and is, as such, not the bearer of its own rights, but it does continue to exist as an entity according to the provisions of the Higher Education Act (101 of 1997) with powers delegated from the **UFS** authority, irrespective of the fluctuation of its members.

## 5. SECTION 5 - TERM OF OFFICE

- 5.1. The annual **SRC** election is arranged in the second semester, not later than the 31<sup>st</sup> of August of each year, and members serve for the period from the constituting of the **SRC**, which shall happen not later than the end of the first week of September of each year, for a year until the constituting of a new **SRC** the following year, on condition that an individual **SRC** member's term of office may be terminated earlier on the conditions set out in this Constitution.
- 5.2. There shall not be a period longer than ten (10) workdays between the election and the commencement of the term of office.
- 5.3. A member of the **SRC** may serve for more than one (1) term.

## 6. SECTION 6 – FRANCHISE

- 6.1. A student has the right to vote, or to nominate or second a student or a **organisation** for the **SRC** or **SP** elections, if s/he is registered for a formal degree or diploma or certificate programme at the **UFS** Main Campus.
- 6.2. A student has the right to stand as a candidate for the **SRC** or **SP** elections, if s/he has been registered for a degree or diploma or certificate course at the **UFS** for a minimum period of 18 months.
- 6.3. The **SRC** has the power to set reasonable portfolio requirements for nominees to the **SRC** and **SP** elections after consultation with the **SP** and the **IEA** before the beginning of the following academic year.

## CHAPTER 3 - STUDENT PARLIAMENT

### 7. SECTION 7 – ROLE AND COMPILATION OF STUDENT PARLIAMENT

- 7.1. The role of the **SP** is to consider, debate and decide on policy matters.
- 7.2. The **SP** is an elected body consisting of seventy-four (74) members, as follows:
  - 7.2.1. Forty (40) members nominated by **organisations** that participated in an election on a **proportional representation** basis, simultaneously with the annual **SRC** election.

- 7.2.1.1. Only **organisations** who have affiliated with the **SRC** and who have a proven membership of at least one hundred and fifty (150) members and who have been nominated by at least one hundred and fifty (150) enfranchised students may participate in the elections of the **SP**.
- 7.2.1.2. Each **organisation** will be allocated seats in proportion to the percentage of votes the **organisation** obtained during the election.
- 7.2.1.3. Each **organisation** representative will have full voting rights.
- 7.2.2. All the eighteen (18) members of the **SRC**.
  - 7.2.2.1. Each member of the **SRC** will have full voting rights as member of the **SP**.
- 7.2.3. Four (4) members elected by the Residence Management Committee.
  - 7.2.3.1. Residence representatives will only have speaking rights on residence matters.
  - 7.2.3.2. Residence representatives may apply to the meeting for special voting rights on matters pertaining to residences, as and when such matters are on the agenda of the **SP**.
- 7.2.4. Twelve (12) members to be elected by the various faculties (two per faculty).
  - 7.2.4.1. Each faculty, in consultation with its students, shall determine its own procedures to appoint its **SP** representatives.
  - 7.2.4.2. Faculty representatives will only have speaking rights on academic matters.
  - 7.2.4.3. Faculty representatives may apply to the meeting for special voting rights on academic matters, as and when such matters are on the agenda of the **SP**.
- 7.3. The chairperson of the **SP** is the Speaker, assisted by a deputy-speaker and a secretary, who will be elected from and by the members of the **SP** at the first meeting following the **SP** elections.

## 8. SECTION 8 – PORTFOLIO COMMITTEES

- 8.1. The **SP** may set up portfolio committees as and when the need arises.
- 8.2. Chairpersons for the portfolio committees shall be elected at the first meeting of the **SP** after the election.

- 8.3. Each **organisation** will be allowed to nominate **SP** members to represent the **organisation** in the various portfolio committees on a proportional basis, to a maximum of 12 members per committee.
- 8.4. Administrative services for the portfolio committees will be rendered by the **SRC**-offices.
- 8.5. **SP** will instruct portfolio committees to develop policies in their specific fields and within specific time frames and to submit these policies to the **SP** assembly for discussion and decision.

## 9. SECTION 9 – QUORUM AND PROCEDURE AT MEETINGS

- 9.1. A quorum of 50 % plus 1 of the members must be obtained to constitute a meeting of the **SP** and must be maintained throughout the meeting.
- 9.2. If a quorum cannot be obtained or maintained, the meeting shall be postponed for not less than one week and not more than two weeks.
- 9.3. Notice of the postponed meeting shall be given without delay and the members present at the postponed meeting shall form a quorum and shall have the power to take valid decisions on the undecided matters that were on the agenda of the original meeting.
- 9.4. The **SP** must conduct its meetings in accordance with the Standing Orders for Meetings of the **SP** of the **UFS** (Annexure D).

## 10. SECTION 10 – SPECIAL MEETINGS OF THE STUDENT PARLIAMENT

- 10.1. A special meeting of the **SP** can be convened
  - 10.1.1. by order of the Speaker;
  - 10.1.2. or at the request of –
    - 10.1.2.1. the **SRC**,
    - 10.1.2.2. at least 10 members of the **SP**, or
    - 10.1.2.3. at least one hundred (100) students indicating the need for a special meeting and the issues to be discussed at that meeting.
- 10.2. The Speaker shall convene such special meeting within 7 days after receipt of the request.
- 10.3. Notice of the date, time, venue and agenda of the special meeting of the **SP** shall be circulated and telephonically confirmed

to members of the **SP** and be placed on notice-boards at least 36 hours before the commencement of the meeting.

## 11. SECTION 11 - DECISIONS OF THE STUDENT PARLIAMENT

- 11.1. A decision of the **SP** shall be taken by a majority of votes of the elected members present at that meeting.
- 11.2. At the following **SRC** meeting, decisions taken at such a **SP** shall be considered by the **SRC**, and if the decisions are not approved, such decisions shall immediately be referred back to the **SP**, with written reasons for the disapproval.
- 11.3. A subsequent **SP** meeting shall then be convened within ninety-six (96) hours after the **SRC** meeting was convened, where the decision concerned may be amended and then be dealt with as a new decision. If the amended proposal is adopted with **sufficient consensus** by the **SP**, the **SRC** shall be compelled to adopt the decision of the **SP**.
- 11.4. If **sufficient consensus** cannot be obtained, the amended proposal can be re-submitted to the **SRC**, but only in advisory capacity.
- 11.5. All decisions of an **SP** meeting must, as far as practically possible, be implemented before the following meeting of the **SP** and feedback on the implementation must be given.

## 12. SECTION 12 - ACCESS TO STUDENT PARLIAMENT MEETINGS

- 12.1. All registered students shall have access to an **SP** meeting in observation capacity.
- 12.2. An observer has no voting or speaking rights, and may only participate in discussion by invitation of the Speaker.

## **CHAPTER 4 – STUDENT REPRESENTATIVE COUNCIL**

### **13. COMPOSITION OF THE SRC**

#### **13.1. The SRC**

The **SRC** consists of eighteen (18) members, who are elected by the student body of the **UFS Main Campus**, as follows:

##### **13.1.1. FIRST-PAST-THE-POST:**

The following nine (9) portfolios shall be contested during the annual **SRC** elections by individual candidates on a **first-past-the-post** basis, where the candidate with the most votes get elected to the specific portfolio:

- 13.1.1.1. President
- 13.1.1.2. Secretary
- 13.1.1.3. Academic Affairs
- 13.1.1.4. Legal & Constitutional Affairs
- 13.1.1.5. Student Development
- 13.1.1.6. Arts and Culture
- 13.1.1.7. Men Internal Liaison
- 13.1.1.8. Ladies Internal Liaison
- 13.1.1.9. Media, Marketing & Liaison

##### **13.1.2. PROPORTIONAL REPRESENTATION**

The following nine (9) portfolios shall be contested during the annual **SRC** elections by affiliated **organisations** on a **proportional representation** basis. Portfolios will be allocated in proportion to the percentage of votes that an **organisation** obtained during the election:

- 13.1.2.1. Vice-President (1) – to be nominated by the **organisation** with the highest percentage of votes.
- 13.1.2.2. Vice-President (2) – to be nominated by the **organisation** with the second highest percentage of votes.
- 13.1.2.3. Treasurer
- 13.1.2.4. Dialogue & Associations
- 13.1.2.5. Transformation
- 13.1.2.6. Campus Affairs & Recreation
- 13.1.2.7. Sport
- 13.1.2.8. International Affairs

#### 13.1.2.9. Community Service

Apart from the positions of the two vice-presidents, the **SRC** has the right, based on **sufficient consensus**, to rename portfolios and to re-allocate functions between different portfolios to ensure the best possible management of **SRC** and student affairs (only for a particular term).

#### 13.2. THE EXECUTIVE COMMITTEE OF THE SRC

The **Executive Committee** of the **SRC** consists of

13.2.1. The President

13.2.2. The Vice-President (1)

13.2.3. The Vice-President (2)

13.2.4. The Secretary

13.2.5. One (1) member elected by the Policy Committee of the **SRC**

13.2.6. One (1) member elected by the Projects Committee of the **SRC**

#### 13.3. THE POLICY COMMITTEE OF THE SRC

The Policy Committee of the **SRC** consists of

13.3.1. The President (the Chairperson)

13.3.2. The Vice-President (2)

13.3.3. The Secretary

13.3.4. The Treasurer

13.3.5. The Member for Academic Affairs

13.3.6. The Member for Dialogue & Associations

13.3.7. The Member for Transformation

13.3.8. The Member for Campus Affairs & Recreation

13.3.9. The Member for Legal & Constitutional Affairs

#### 13.4. THE PROJECTS COMMITTEE OF THE SRC

The Projects Committee of the **SRC** consists of

13.4.1. The Vice-President (1)

13.4.2. The Member for Sport

13.4.3. The Member for Community Service

13.4.4. The Member for International Affairs

13.4.5. The Member for Student Development

13.4.6. The Member for Arts and Culture

13.4.7. The Member for Men's Internal Liaison

13.4.8. The Member for Ladies' Internal Liaison

13.4.9. The Member for Media, Marketing & Liaison

## 14. SECTION 14 – ELECTION

- 14.1. The members of the **SRC** are elected by the **student community** of the **UFS Main Campus**.
- 14.2. Nine members are elected on a **proportional representation** basis:
- 14.2.1. Elections of the nine (9) **proportional representation SRC** members shall happen simultaneously with the election of the **SP**, with one ballot paper for both structures.
  - 14.2.2. All **organisations** that are affiliated with the **SRC** may contest the election. **Organisations** who wish to participate in the election must register for the election on an annual basis, according to procedures laid down in the Election Schedule A.
  - 14.2.3. Each **organisation** must submit a list of candidates for both the **SP** (maximum 40 names) and the **SRC** (maximum 9 names), indicating the ranking of their candidates from first to last.
  - 14.2.4. Each **organisation** must hand in an election manifesto.
  - 14.2.5. Each **organisation** must submit a curriculum vitae for each candidate on the organisation's lists.
  - 14.2.6. Each **organisation** shall be allocated seats in the **SP** (40 seats) and the **SRC** (9 seats) in proportion to the percentage of votes the **organisation** obtained during the election.
- 14.3. Nine members of the **SRC** are elected on an individual basis simultaneously with the election of the **SP**:
- 14.3.1. Candidates contest the portfolios as described in paragraph 13.1.1
  - 14.3.2. Candidates must be nominated by at least two hundred (200) enfranchised students.
  - 14.3.3. Each candidate must hand in an election manifesto and a curriculum vitae.
  - 14.3.4. Candidates may campaign under the same banner as any of the **organisations** participating on the **proportional representation** basis, with the written permission of the particular organisation.
  - 14.3.5. An individual candidate may also be included on his/her **organisation's proportional representation** list for either the **SRC** or the **SP**, but if s/he gets elected on the **first-past-the-post** basis, s/he will serve in the particular **first-past-the-post** portfolio.
  - 14.3.6. After closing of nominations the **student community** shall get the opportunity to question the candidates during residence meetings, or during any other meetings organised for this purpose.
- 14.4. The election of all **SRC** members shall take place during the second semester.

- 14.5. The procedure that shall be followed for the election of the **SRC** is laid down in the Election Schedule to this Constitution [Schedule A].
- 14.6. Notice of the date, time and place of the election shall be published in the **Irawa**, be put up on notice-boards and be broadcasted by the **Kovsie FM**.
- 14.7. The election must take place on a date not later than forty-eight (48) hours after the last election meeting.
- 14.8. Any by-election that may become necessary due to a vacancy on the **SRC** shall be held according to the provision of subsection 14.7, provided that reasonable amendments of procedure that do not interfere with the democratic process shall be allowed by the **IEA** if circumstances require it.
- 14.9. Notwithstanding the provisions of subsection 14.8, the newly elected **SRC** shall have the power to, within ninety-six (96) hours after the announcement of the newly-elected **SRC**, but before the official commencement of the new **SRC**'s term of office, appoint the unsuccessful candidate or candidates with the highest votes in the preceding election as a member or members of the **SRC** in the place of **SRC** members elected on the **first-past-the-post** basis who resign from the **SRC** within the period mentioned above.
- 14.10. **Portfolios with observer status**
- 14.10.1. **Rag portfolio**
- 14.10.1.1. The appointed Rag Chairperson shall serve as observer on the **SRC** for the full duration of his/her term of office, immediately following his/her election.
- 14.10.1.2. The election of the Rag Chairperson for the subsequent Rag shall take place before the June semester examinations of the previous year.
- 14.10.1.3. Candidates must be serving or retired members of the executive committee of the portfolio, or be involved in a subcommittee of the portfolio and must have served at least one full term of office.
- 14.10.1.4. The Executive Committee of the Central Rag Committee shall await nominations for at least forty-eight (48) hours after nominations have been opened.

- 14.10.1.5. After the closing of nominations the Central Rag Committee and the **SRC** shall get the opportunity to question the candidates.
  - 14.10.1.6. The Rag Chairperson shall then be elected by the Central Rag Committee and the **SRC**. The voting power of each of the said groups is determined annually by the **SRC**.
  - 14.10.1.7. In the event of an equality of votes, the casting vote shall lie with the Central Rag Committee.
  - 14.10.1.8. An unopposed candidate does not need to be subjected to the above-mentioned procedures, but his/her election must be confirmed by the **SRC**.
  - 14.10.1.9. The newly elected Rag Chairperson shall be announced at the last Rag mass meeting of the serving Rag Chairperson.
- 14.10.2.       **Kovscom**
- 14.10.2.1. The appointed Kovscom Director shall serve as observer on the **SRC** for the full duration of his/her term of office, immediately following his/her election.
  - 14.10.2.2. The election of the Kovscom Director shall take place before the June semester examinations.
  - 14.10.2.3. Candidates must be serving or retired members of the executive committee of the portfolio, or be a project leader of a subcommittee of the portfolio and must have served at least one full term of office.
  - 14.10.2.4. All potential Kovscom candidates must undergo a two-day training session in order to qualify as candidate.
  - 14.10.2.5. Candidates will be interviewed and appointed by a panel consisting of the following members:
    - 14.10.2.5.1. Three members designated by the **SP**.
    - 14.10.2.5.2. Five members designated by the **SRC**.
    - 14.10.2.5.3. The Kovscom official.
    - 14.10.2.5.4. A designated outgoing Kovscom Executive Committee member.
    - 14.10.2.5.5. The outgoing Kovscom Director.
    - 14.10.2.5.6. The Dean of Students.

- 14.10.2.5.7. Two designated members of the Kovscom Council representing the academic associations that form part of the Council.

## 15. SECTION 15 - REQUIREMENTS FOR CANDIDATES FOR THE SRC

- 15.1. To be eligible for nomination as candidate in an **SRC** election, either as individual on the **first-past-the-post** basis, or as a representative of an **organisation** on the **proportional representation** basis, a person must be an enfranchised student of the **UFS Main Campus**, as defined by section 6.2, and must further:
- 15.1.1. recognise the **UFS** Council as the highest body of authority at the **UFS**;
  - 15.1.2. subscribe to the Constitution of the **SRC** and all its accompanying schedules;
  - 15.1.3. sign the undertaking as required for candidates for the **SRC**, as described in the Election Schedule A (paragraph 3);
  - 15.1.4. not have committed serious misconduct in the preceding term, which misconduct led to a disciplinary enquiry and conviction by this or any other tertiary institution, or such an institution's disciplinary substructures;
  - 15.1.5. not have been convicted of any crime by any court of law, which conviction resulted in a prison sentence or a fine of more than R5 000 (five thousand rand);
  - 15.1.6. not hold a full-time occupation elsewhere, and not intend holding such an occupation after the election and for as long as he/she serves as **SRC** member;
  - 15.1.7. maintain an academic standard of an overall average of at least fifty per cent (50 %) and must have at least passed sixty per cent (60 %) of enrolled courses in the most recent examinations;
  - 15.1.8. sign a copy and comply with the electoral code of conduct, as required by the **IEA**.
- 15.2. The **UFS** Council or any structure with the delegated authority, as agreed to between the **UFS** Council and the **SRC**, will ensure that these requirements are upheld, and should there be evidence that the clauses are transgressed, action may and will be taken by the aforesaid structure.

- 15.3. The **IEA** must approve the nominations subject to the provisions of subsection 15.1.
- 15.4. Should any doubt exist regarding the reliability of any information provided on the nomination form, such information must be submitted to the Student Court for a decision regarding its reliability.

## 16. SECTION 16 - TERMINATION OF MEMBERSHIP

- 16.1. The membership of any member of the **SRC** shall be terminated, if:
  - 16.1.1. s/he no longer complies with any of the requirements as describe in section 15;
  - 16.1.2. his/her conduct damages the good name of the **SRC** or the **UFS** in terms of the **SRC**'s internal functioning document;
  - 16.1.3. s/he fails to attend three consecutive official events of the **SRC** (including meetings) or a maximum of five official events of the **SRC** per term of office, unless the reasons for his/her absence are regarded as valid by the **SRC**;
  - 16.1.4. s/he is guilty of serious neglect of duty;
  - 16.1.5. s/he submits his/her resignation in writing.
- 16.2. If the **SRC** becomes aware that a member might be in breach of any of the requirements as prescribed in section 15 or section 16, the **SRC** should inform the member in writing that it intends to terminate the office of the **SRC** member.
- 16.3. The **SRC** member who has thus been notified shall have the opportunity at a meeting of the **SRC** to submit reasons why his/her membership should not be terminated.
- 16.4. If the **SRC**, having heard the plea of the **SRC** member in question, decides to terminate the office of the **SRC** member, such termination shall become effective immediately, providing that the **SRC** member shall have the right to appeal to the Student Court for a revision of the decision to terminate his/her office, such an appeal to be lodged within 7 days after termination of office.

## 17. SECTION 17 – DISSOLUTION

- 17.1. The **SRC** shall dissolve if two thirds of its members resign simultaneously, or if their membership is terminated simultaneously, as is described in section 16.
- 17.2. Before dissolution, the remaining members of the **SRC** shall appoint an interim committee, consisting of a chairperson, vice-chairperson and secretary, to continue with the essential activities of the **SRC** until a new **SRC** is elected.

## 18. SECTION 18 – POWERS OF THE SRC – MAIN CAMPUS

- 18.1. The **SRC** is subject to the authority of the **Council of the UFS**.
- 18.2. The **SRC** must arrange and control student matters, subject to the rules of the **UFS**.
- 18.3. The **SRC** represents the **student community** –
  - 18.3.1. in general;
  - 18.3.2. in particular with regard to the Council and Senate of the **UFS** until the **CSRC** is established; and
  - 18.3.3. in interaction with the student representative councils and student bodies of other universities until the establishment of the **CSRC**.
- 18.4. The **SRC** must act as liaison between the **UFS** authorities and the **student community**.
- 18.5. The **SRC** shall be the mouthpiece of all **students** in respect of general student matters at the Main Campus. Students can only negotiate with the **UFS** authority or to the outside through the **SRC** with the **UFS** authority or to the outside.
- 18.6. The **SRC** may, by virtue of the powers delegated to it by the **UFS** authority, enter into contracts regarding the **SRC**, on behalf of the **UFS**.
- 18.7. No part of the assets of the **SRC** shall be paid out as dividend or other benefit (excluding honoraria) to any member, provided that the **SRC** is authorised to pay remuneration to persons it has appointed to render services to the **SRC** for payment.

- 18.8. The **SRC** has the power to set up requirements for registration of student organisations that will enable them to share in applicable administrative services, **UFS** facilities and the **SRC**'s budget.
- 18.9. The **SRC** may establish and enforce rules for internal discipline.
- 18.10. The **SRC** exercises control over the awarding of honorary colours in terms of the rules regarding colours.
- 18.11. The **SRC** is the trustee of all the assets of the **student community** and controls such assets, excluding the assets of the sports committees, house committees and student organisations.
- 18.12. The **SRC** administers all the funds that the **SRC**, the **student community** or a subordinate student body or society may receive, subject to the provisions on the finances of the **SRC** and provided that the funds are administered via Student Support Services.
- 18.13. The **SRC** has the authority to constitute committees and to instruct and delegate certain powers to such committees in order to facilitate or expedite its own activities.
- 18.14. The **SRC** has the authority to convene and arrange meetings of the **SP** in the manner prescribed by Schedule D.
- 18.15. The **SRC** has the authority to hear the objections of the students to the decisions of the **SRC** or subcommittees of the **SRC** and to make rulings thereon, with the understanding that such ruling is a decision of the **SRC**.
- 18.16. The **SRC** has the authority to set or amend regulations in order to regulate the execution of its own activities and duties as well as those of the subordinate student bodies, provided that the provisions of such regulations do not conflict with those of the Constitution of the **SRC** and that they can be amended and approved only at a **SRC**-meeting.
- 18.17. Media statements pertaining to any policy or matter of principle of the **student community** may be made only by the President or one of the members of the **SRC**, with the approval of the President of the **SRC**, on behalf of the **SRC**.
- 18.18. The **SRC** must consult with and consider the recommendations of the **SP** before it decides on aspects or policies that will impact on the broad **student community**.
- 18.19. The **SRC** must outline and annually revise the functions and duties of each portfolio.

- 18.20. The **SRC** has the power to decide with **sufficient consensus** which matters can be disposed of with a lesser majority than **sufficient consensus**.

## 19. SECTION 19 – OBLIGATIONS

Members of the **SRC** shall be under joint and individual obligation to:

- 19.1. act in accordance with the credo of the **SRC**, as set out in section 2 of this Constitution and with the undertaking as mentioned in section 15.1.3;
- 19.2. maintain and promote the honour and interests of the **UFS** at all times;
- 19.3. act in accordance with the objectives of the **SRC**, as set out in section 3 of this Constitution;
- 19.4. see to it that fairness and order are maintained on the campus;
- 19.5. carry out obligations entrusted to them;
- 19.6. see to it that appointments on **SRC** substructures are based on potential and must be as representative of the **student community** as possible when such appointments or substructures are submitted to the **SRC** for approval;
- 19.7. give feedback regarding results within specific portfolios up to the date of feedback at two **SP** meetings during their term of office.

## 20. SECTION 20 – MEETINGS

Notice of **SRC** meetings must be given for all **SRC** meetings at least 48 hours before the meeting, with information about the date, time and venue of the meeting.

### 20.1. Constituting meeting:

- 20.1.1. Constitution of the **SRC** shall take place at the first meeting after the joint meeting of the outgoing and newly-elected **SRC** and provided that the constituting meeting shall take place within fourteen (14) days after the election of the new **SRC**.

20.2. General meetings

20.2.1. Except during official **UFS** holidays and examination periods, the **SRC** shall meet at least once every twenty-one (21) days.

20.3. Special meetings

20.3.1. A special **SRC** meeting may be convened by the **SRC** secretary by order of the **SRC** President or the **Executive Committee**, or at the written request of any five (5) members of the **SRC**.

20.3.2. Members shall be notified of a special meeting at least twelve (12) hours beforehand.

20.4. Quorum

20.4.1. Fifty per cent plus one of the members of the **SRC** shall constitute a quorum.

20.5. The role of the media in the **SRC** and **SP** meetings

20.5.1. Media institutions on campus (**Irawa** and **Kovsie FM**) have the right to attend all meetings of the **SRC** and the **SP**.

20.5.2. Media representatives have the right to ask questions at **SRC** and **SP** meetings, but do not have the right to vote or voice an opinion.

20.5.3. The Editor of the **Irawa** and the Director of **Kovsie FM** shall be required to submit portfolio reports at **SRC** meetings from time to time.

20.5.4. The relationship between the media institutions and the **SRC** shall be managed according to Schedule B and Schedule C of this Constitution.

## 21. SECTION 21 – FINANCE

21.1. In terms of the provisions of this Constitution and of the Regulations as laid down from time to time by the **SRC**, the **SRC** shall have the power to dispose of the funds allocated to it by the **UFS** Council.

21.2. Internal control over, checking of and planning for financial matters of the **SRC** shall be the primary responsibility of the Treasurer.

21.3. The Treasurer shall submit a budget to the **SRC** for approval at the beginning of the term, and a financial report at the end of the term.

21.4. The Administrative Officer of Student Support Services shall be responsible for the financial administration of the **SRC**, in co-operation with the Treasurer.

21.5. Budget

21.5.1. On a date as determined from time to time by the Treasurer, and the Administrative Officer, each **SRC** portfolio must submit a budget for the term on behalf of subcommittees and associations.

21.5.2. The **SRC** shall not be under any obligation to consider budgets that were not received on or before the determined time.

21.5.3. No payments may be made for expenses which were not budgeted for, provided that the Treasurer may have such a recommendation approved by the **SRC**.

21.6. Funds for subordinate student organisations/associations

21.6.1. All funds that are allocated to the **SRC** by the **UFS** Council, shall remain in the bank account of the **UFS** until such funds are utilised in the prescribed ways by the **SRC**.

21.6.2. All other funds that are obtained or collected in whatever way by subordinate student bodies or student associations may be received by the Administrative Officer of Student Support Services and paid into the bank account of the **UFS**, after which such funds may be used according to **UFS** policy (subsect. 22.6.1) by the student organisation/association concerned.

21.6.3. The management of the budget of a subordinate student organisation/association shall be the primary responsibility of the organisation/association itself, while control over and checking of financial obligations incurred by the organisation/association must be exercised in co-operation with the Administrative Officer of Student Support Services and, if necessary, the **SRC** Treasurer. Members of an organisation/association that incurs financial obligations in conflict with the provision may be held personally responsible for such obligations by the **SRC**.

## 22. SECTION 22 - SETTLING OF DISPUTES

22.1. Disputes regarding policy matters and matters of principle shall be settled by the **SRC** by means of **sufficient consensus**. If **sufficient consensus** cannot be reached, the matter must be referred to the **Executive Committee** of the **SRC** for consideration where after it must be remitted to the **SRC**.

22.2. If **sufficient consensus** cannot be reached regarding the formal interpretation of the **SRC** Constitution, an arbitration body shall give a ruling on disputes, subject to the provisions of subsection 22.5 and as set out in subsection 22.4.

22.3. The arbitration body shall be constituted in one of the ways as determined in subsection 22.4. and 22.5, and shall rule whether a matter belongs under subsection 22.1 and 22.2. If the body concerned rules that it belongs under subsection 22.1, the **SRC** shall give a further ruling on the matter.

#### 22.4. Arbitration procedure

22.4.1. Both **organisations** involved in the dispute shall have the right to choose their own legal representative to advise them before the arbitration body. The presiding officer shall be chosen by the legal representatives and two (2) assessors shall be appointed by the presiding officer, in conjunction with the said legal representatives.

22.4.2. The legal representatives must be qualified to appear in any civilian court of the Republic of South Africa.

22.4.3. The presiding officer must be a magistrate, judge, lawyer or advocate of South African legal practice, with a minimum of seven (7) years' practical experience.

22.4.4. The arbitration procedure as in the regulations of the Student Court of the **UFS**, may be followed if all **organisations** involved in the dispute agree to it, in which case the procedure in subsection 22.4 shall not be followed.

22.4.5. If it becomes evident that the arbitration body has misinformed itself with regard to the available facts, the matter may be taken to the Council of the **UFS** for revision. The latter may then refer the matter back to the arbitration body for reconsideration.

## CHAPTER 5 –AMENDMENT OF THE CONSTITUTION

### 23. SECTION 23 – AMENDMENTS BY THE SRC

The amendment of or additions to this Constitution shall, except for section 24, only be valid if:

- 23.1. the **SRC** accepts the proposed amendment(s) or addition(s) with **sufficient consensus** at a legal meeting, after the Secretary has notified all members of the **SRC**, in writing, of the proposed amendment(s) or addition(s) at least seven (7) days before the meeting; and
- 23.2. the **SP** discussed the proposed amendment(s) or addition(s), after the Secretary of the **SRC** has notified the members of the **SP** of the proposed amendment(s) or addition(s) at least seven (7) days before the **SP** meeting; and
- 23.3. the amendments to the **SRC** Constitution are accepted by a **sufficient consensus** of votes at a **SP** meeting.

#### 24. SECTION 24 – AMENDMENTS BY MEMBERS OF THE STUDENT COMMUNITY

- 24.1. Amendment(s) or addition(s) to this Constitution may be proposed by any enfranchised member of the **student community**, by convening a **SP** meeting according to the provisions of section 10.
- 24.2. During such **SP** meeting, the proposed amendment(s) must be submitted in writing to the Speaker and discussion to motivate such amendments shall take place, after which such proposed amendment(s) shall be submitted in writing to the general **student community** for consideration for a period of at least seven (7) days.
- 24.3. At a second **SP** meeting, which must be held within nine (9) days after the above-mentioned meeting (subsection 24.2.), the amendment(s) or addition(s) shall become valid if approved by a **sufficient consensus** of votes. The provision excludes Saturdays, Sundays and public holidays.

#### 25. SECTION 25 – APPROVAL BY THE COUNCIL OF THE UFS

- 25.1. Amendments:
  - 25.1.1. Amendments or additions to this Constitution must, after having been approved by the **SRC** and **SP** meetings, be approved by the Council of the **UFS**.
  - 25.1.2. Any amendments must be ready for consideration at the June meeting of the Council. Changes effected after that date will only be valid for the election of the following year.
- 25.2. Two original signed copies of this Constitution must be placed in safekeeping and taken care of – one under supervision of the **SRC** President, and one under supervision of the Registrar: General of the **UFS**.

## 25.3. SCHEDULE A

### ELECTION SCHEDULE TO THE CONSTITUTION OF THE SRC AND SP OF THE UFS

#### 1. SECTION 1 – GOAL

1.1. To ensure that the election of the **SRC** and the **SP** of the **UFS** Main Campus proceeds in a Constitutional and orderly fashion.

#### 2. SECTION 2 – OBJECTIVES

2.1. To serve as guideline for the election of members of the **SRC** and the **SP** of the **UFS** Main Campus.

#### 3. SECTION 3 – PROCEDURES FOR THE ELECTION OF MEMBERS AND ORGANISATIONS OF THE SRC AND THE SP

##### 3.1. Notice regarding nominations and election

On a date determined by the **SRC**, in the second semester, the secretary of the outgoing **SRC** shall send out notices to all residences, student organisations and other students to

3.1.1. request nominations for the election;

3.1.2. state the portfolios that must be filled in both the **SRC** and **SP**, and

3.1.3. announce the date, time and place on which nominations for candidates for the above-mentioned seats will be awaited by the IEA. The above-mentioned date may not be sooner than three (3) and not later than seven (7) days after the notice was sent out.

##### 3.2. Nominations

3.2.1. Candidates and organisations may be nominated for

3.2.1.1. the nine (9) Portfolios, contested on a **first-past-the-post** basis, as defined in section 13 of the Constitution of the **SRC**;

- 3.2.1.2. the nine (9) **proportional representation** seats as defined in section 13 of the Constitution of the **SRC**;
- 3.2.1.3. the forty (40) seats in **SP** for representatives from **organisations** as set out in section 7 of the Constitution of the **SRC**.

### 3.3. Nomination letter

The nomination letter for the portfolios and seats referred to in section 3.2.1 must contain the following information:

For the **proportional representation** seats:

- 3.3.1. The full name, address and constitution of the **organisation**, names of the executive committee of the **organisation**, as well as a policy declaration of not more than 1500 words.
- 3.3.2. The full names and student numbers of the **organisation's** candidates for the **SRC** and the **SP**, in order of their position on the **organisation's** list.
- 3.3.3. A photograph and short curriculum vitae of each name on the **organisation's** list.

For the **first-past-the-post** seats:

- 3.3.4. The full names, signature and student number of the candidate.
- 3.3.5. A photograph of the candidate.
- 3.3.6. His/her full curriculum vitae.
- 3.3.7. A policy declaration by the candidate of a maximum of two hundred (200) words.
- 3.3.8. The portfolio for which the candidate stands.

For the **proportional representation** and **first-past-the-post** seats:

- 3.3.9. A signed declaration that s/he meets the requirements to be an **SRC** candidate as stipulated in section 15 of the Constitution of the **SRC**.

3.3.10. A signed undertaking to commit her/himself to the promotion of:

- 3.3.10.1. reaching consensus on all matters pertaining to student management;
- 3.3.10.2. the well-being of the student body as a whole;
- 3.3.10.3. reconciliation between various cultures on campus;
- 3.3.10.4. the accommodation and acceptance of minority culture groups as part of the total student body;
- 3.3.10.5. the Bill of Student Rights and the jurisdiction of the Student Court in its interpretation, protection and enforcement of the Bill and the **SRC** Constitution.

3.3.11. A signed copy of the Electoral Code of Conduct.

3.3.12. The **IEA** shall place all nomination letters in safekeeping until 48 hours after the results of the election have been announced.

#### 3.4. Seconders

- 3.4.1. Nominations for **first-past-the-post** candidates of the **SRC** elections must be seconded properly in writing, with signatures and student numbers, by a proposer and two hundred (200) enfranchised students.
- 3.4.2. Nominations for **organisations** to participate in the **SRC** and the **SP** elections must be seconded properly in writing with signatures and student numbers, by a proposer and one hundred and fifty (150) enfranchised students.
- 3.4.3. Seconders must be enfranchised students in terms of section 6 of the Constitution of the **SRC**.

#### 3.5. Incorrect nomination letters

- 3.5.1. If a nomination letter is incorrect, the proposer must be informed thereof immediately, and it may, within twenty-four (24) hours after the closing of the nominations, be rectified by the proposer or two of his/her seconders with the Chief Election Officer.

### 3.6. Additional requirements

3.6.1. Apart from the provisions contained in section 15 of the Constitution of the **SRC**, the under-mentioned nomination requirements shall apply to candidates who stand for the following portfolios:

3.6.1.1. Internal Liaison (Men): Must be a serving or retired house committee member of a men's residence and must have served at least one full term of office.

3.6.1.2. Internal Liaison (Ladies): Must be a serving or retired house committee member of a ladies' residence and must have served at least one full term of office.

3.7. If, upon the expiry of the nomination period as mentioned in 3.1.3, fewer than nine (9) nominations for **first-past-the post** portfolios in the **SRC** have been received, or fewer than 1 nomination from an **organisation** for the **SRC** or **SP** has been received, or no nominations have been received for one or more portfolios in the **SRC**, the **SRC** may extend the nomination period by another forty-eight (48) hours, after which the election shall continue irrespective of the number of nominations submitted. If, after such election, there are still vacancies on the **SRC**, a by-election shall be scheduled in accordance with the provisions of this Constitution.

### 3.8. Announcement of the names of nominated persons and organisations

3.8.1. After the closing of the nominations, the Chief Election Officer or an appointed person shall hand over the nomination letters to the chief editor of **IRAWA**, the official student publication of the **UFS**.

3.8.2. The chief editor shall see to it that an election issue of **IRAWA** is published, in which the following must appear:

3.8.2.1. Details of all candidates as contained in the nomination letters (section 3.3). However, the names of proposers and seconders do not need to be published.

3.8.2.2. The date and time when and the place where the election will take place.

3.8.2.3. The portfolios that have to be filled.

3.8.2.4. The election procedure, as contained herein.

### 3.9. Chief Election Officer

- 3.9.1. The designated person of the **IEA** shall act as Chief Election Officer at the **SRC** and **SP** election, as from the determination of the election date.
- 3.9.2. The Chief Election Officer shall take full responsibility for the organisation and procedure of the election.

### 3.10. Election meetings

- 3.10.1. All candidates shall visit residences according to a rotation schedule determined by the Chief Election Officer.
- 3.10.2. During residence meetings, students shall get the opportunity to pose questions to candidates.
- 3.10.3. Residences may appoint question panels that can make special preparations.
- 3.10.4. Residence meetings shall take place under chairpersonship of an outgoing **SRC** member who is assisted by the primaries or primaria of the residence or an appointed **SRC** member.

### 3.11. Election arrangements

#### 3.11.1. Date of election

The outgoing **SRC** shall determine a date beforehand, not later than forty-eight (48) hours after the last election session, on which the election must take place.

#### 3.11.2. Ballot boxes

- 3.11.2.1. The **SRC** shall provide the Chief Election Officer with ballot-boxes that shall be placed at the following places:

- (a) The Red Square
- (b) Residences
- (c) The Health Sciences Cafeteria
- (d) The Stabilis Building
- (e) the Library
- (f) The Student Centre
- (g) FGG
- (h) The Agriculture Building
- (i) The Taxi Rank

(j) The George du Toit Administration Building

3.11.2.2. The Chief Election Officer shall seal each ballot box, and s/he may only break the seal when the votes are counted.

3.11.3. Election hours

The main ballot boxes for residence and non-residential students shall be open from 07:00 to 21:00.

3.11.4. Ballot papers

3.11.4.1. The Chief Election Officer must see to it that enough ballot papers are available at each ballot box. The ballot paper must have the following format:

3.11.4.1.1. The names of the candidates must appear on it in alphabetical order under the portfolios for which such candidates were nominated.

3.11.4.1.2. There must be an open space after each name.

3.12. Voting procedure

The following procedural arrangements for the election must be brought to the attention of the voters:

3.12.1. The election takes place confidentially, by means of closed ballot papers.

3.12.2. A voter may only vote for one candidate and one organisation per portfolio.

3.12.3. Candidates may not linger at the ballot boxes.

3.12.4. Contravention of the previous clause will cause the candidate(s) to be removed from the voting list by the Chief Election Officer, after consultation with the **SRC**.

3.12.5. No changes may be made on the ballot papers.

3.12.6. There must be at least two election officers at a ballot box at all times.

3.12.7. The above-mentioned regulations must be published either in the election issue of the official student newspaper or put

up in the polling stations, in a place where they are clearly visible to voters.

- 3.12.8. For the counting of votes by the computer, the technical requirements in this regard must be met.
- 3.12.9. The **IEA** may adopt necessary means to ensure a free and fair election.
- 3.12.10. Any other matters pertaining to the voting procedures may be decided upon by **organisations** participating in the election at a meeting facilitated and chaired by the **IEA**-chairperson or his/her designates.

3.13. The counting of votes

- 3.13.1. After the election, the votes shall be counted by the **IEA** and representatives of all the stakeholders may be present.
- 3.13.2. The candidate with the highest vote for the portfolio that s/he campaigned for shall receive that portfolio.
- 3.13.3. The **organisations** shall acquire seats in the **SRC** and the **SP** proportionately to the percentage of votes they obtained in the election.
- 3.13.4. The Chief Election Officer or his/her designate must announce the result in public as soon as possible after the election. The percentage of votes cast and the percentage of spoilt ballot papers must also be announced.

3.14. Revision of result

- 3.14.1. All ballot papers shall be placed in safekeeping by the **IEA** for forty-eight (48) hours after the result has been announced, after which they are burnt, provided that no applications for revision of the result of the election are submitted, with written motivation of reasons for revision, to the Chief Election Officer within 24 hours of the announcement thereof.
- 3.14.2. The Chief Election Officer shall discuss an application for revision of the result of the election with the outgoing **SRC**, and the outgoing **SRC** shall pronounce upon it.

3.15. Equality of votes

3.15.1. If more than one (1) candidate for a portfolio received an equal number of votes, the Chief Election Officer must, within seven (7) days, declare a new election during which votes shall be cast only for such candidates. Two (2) days' prior notice must be given of such an election. The result of the general election shall be withheld until the by-election has been finalised.

3.16. Election regulations

3.16.1. A candidate's name shall be placed on the ballot paper if

3.16.1.1. s/he is an enfranchised student for a minimum period of 18 months, and

3.16.1.2. s/he has been proposed and seconded by the required number of enfranchised students, by way of a valid nomination letter.

3.16.2 A member of the **student community** is enfranchised in accordance with the requirements set in section 6 of the Constitution of the **SRC**.

2.16.3 The Chief Election Officer shall be responsible for the introduction and supervision of an effective control system, to ensure a fair and honest election.

3.17. Supplementation of vacancies on the **SRC**

3.17.1. When a vacancy for the President of the **SRC** arises, the **SRC** shall, at an ordinary meeting, choose a new President from among the remaining members. A chosen member of the **SRC** who is not standing as candidate him-/herself, shall act as election officer.

3.17.2. When a vacancy for an ordinary member arises on the **SRC**, the President must convene a meeting of the **SP** and the election must take place in the same way as an ordinary election, as set out above.

3.17.3. If more than two thirds of the members of the **SRC** resign, the **SRC** shall dissolve in terms of section 17 of the Constitution of the **SRC**, and the interim committee must declare an election to elect a new **SRC**.

#### 4. SECTION 4 - REGULATION OF AMENDMENTS

This election schedule forms part of the Constitution of the **SRC** and the **SP** of the **UFS**, and may be amended by SRC with **sufficient consensus**. Amendments must be approved at a **SP** meeting.

## SCHEDULE B

The media committee consists of the editor of IRAWA.

The portfolio holder is not an SRC member. The portfolio holder functions as an accessory to the SRC and has the same status as SRC members.

The above-mentioned member has the right to attend SRC meetings (formal SRC meetings, communications and SRC rector's meetings), including in camera discussions.

The editor and the SRC are jointly and separately responsible for the responsible management of the portfolio's funds. The SRC has the power to suspend the editor, on recommendation of the SRC EC, if an investigation finds the editor guilty of financial mismanagement which constitutes reasonable grounds for suspension. The contents of the "reasonable grounds" can be determined by the Student Court.

The editor and the SRC are jointly and separately accountable as far as the quality of the product is concerned. Formal complaints in this regard will be handled by a committee consisting of one representative of the Department of Communication (appointed by the Head of the Department), one representative of the Public Relations Bureau (with media experience and appointed by the Director of the Public Relations Bureau) and three experts on the matter (co-opted by the members previously mentioned). If the committee finds that the complaint is valid, both organisations must agree on a probationary period within which the quality of the product must be improved. If this requirement is not met and the SRC believes that it constitutes reasonable grounds for the suspension of the editor, the matter can be referred to the Student Court. A report by this committee (which handles formal complaints) must be presented to the Student Court.

In both cases the editor has the right to appeal. In camera discussions can take place between the suspended editor and the SRC EC. The organisations may also agree to arbitration. If the organisations cannot reach an agreement, the matter must be referred to the Student Court.

The editor and the SRC are not jointly accountable as far as the contents of either the newspaper or radio broadcasts are concerned.

The SRC does not have the power to change the way in which the editor is elected. Amendments to the election procedure of the members of the media committee must be approved by the Student Parliament.

The election and appointment of the editor will take place at the same time as that of the SRC, in accordance with their respective constitutions.

## **SCHEDULE C**

### **RELATIONSHIP BETWEEN THE MEDIA COMMITTEE AND THE SRC**

Part of the SRC budget is allocated to the newspaper. The editor receives an honorarium equal to that of SRC members.

The media must be allowed to make use of BKS services, such as fax facilities, the use of the SRC Hall, etc. The media member's finances will be administered through BKS (Pty.) Ltd.

The editor is allowed to attend SRC strategic planning sessions and the SRC liaison tour. The editor may attend all SRC functions in his/her capacity as a member of the media committee. When attending such functions, such a member must behave according to the applicable stipulations of the SRC internal functioning document.

Media members must be allowed to attend at least the first liaisons with residences after appointment. Other liaisons will not be compulsory for media members.

The media member attends mass meetings and gatherings in official clothing.

The member of the media committee is addressed in correspondence and indicated on official clothing as IRAWA editor and not as SRC accessory.

The media member must be presented as media member at the SRC presentation mass meeting.

The media member must be presented in the Student Diary or other similar publications.

The editor is allocated post boxes separate from the IRAWA post box. The editor's photo must appear in the SRC offices.

The media member's EC members receive SRC certificates, signed by the SRC President and attend functions held for other ECs.

The editor must be included on the SRC candidate poster. The media member must be included on the SRC poster.

The editor must be awarded the same number of points when applying for University bursaries or awards as SRC members receive for their membership of the SRC.

A representative of the media will be allowed to attend sessions of the Student Parliament.

## SCHEDULE D

### STANDING ORDERS FOR MEETINGS OF THE STUDENT PARLIAMENT OF THE UNIVERSITY OF THE FREE STATE

#### 1. INTERPRETATION

These Standing Orders are written with the intent of ensuring free and equal debate, and are to be interpreted in that spirit.

#### 2. CONDUCT

A member shall always address the Speaker or his/her deputy of the Parliament who will act as the chairperson of the Parliament sessions, and who shall remain objective and impartial.

- 2.1 Subject only to a challenge, as provided in the Standing Orders, the Speaker's ruling on any question shall be final.
- 2.2 The Speaker shall ensure that the meeting is in order and that remarks are relevant to the question under debate.
- 2.3 If any member of the Parliament causes a disturbance, the Speaker may record the offender's name in the minutes. If that member persists, he/she shall be expelled from that sitting, and may not return until an apology satisfactory to the Parliament has been given in writing.

#### 3. MEETINGS AND PROCEDURES AT MEETINGS

- 3.1 At least eight meetings per year will be held.
- 3.2 Decisions are taken on a consensus basis. If 100% consensus cannot be obtained after the matter has been referred to work groups, a two thirds (67%) consensus of those representatives present will be sufficient.
- 3.3 Time for caucus is allowed to a maximum of 15 minutes.
- 3.4 The Parliament can postpone discussion on or refer points of conflict or dispute to a portfolio committee rather than allow debate to go on too long.
- 3.5 The Speaker must protect representatives from personal attacks and verbal abuse by other representatives.

- 3.6 Agendas shall be circulated at least five working days before a meeting.
- 3.7 Items on the agenda may be supported by documents explaining the issue.
- 3.8 Draft minutes of the Parliament-meetings shall be made available to all participants as soon as possible for reporting back to their constituencies.
- 3.9 Normal meeting procedures must be adhered to.

The order of business shall be as follows:

- Opening and welcome
- Attendance
- Determining of the agenda
- Minutes of the previous session
- Matters arising from the minutes
- New business
- Report by the SRC President, if any
- Reports from Portfolio committees, if any
- Closure

The agenda of the Parliament shall be closed 7 days before the sitting and memorandums may be handed in to the Speaker whenever necessary.

#### **4. MOTIONS AND AMENDMENTS**

- 4.1 A motion or amendment shall be ruled out of order if it
  - 4.1.1 seeks to rescind policy of a higher body;
  - 4.1.2 seeks to commit the SRC or Student Parliament, university management and its staff to commit an illegal act, or seeks to commit the SRC/university resources to an illegal act;
  - 4.1.3 seeks to amend the constitution or is in contravention of the terms of the Constitution, unless it is a constitutional amendment submitted in accordance with the Standing Orders.
- 4.2 An amendment shall be ruled out of order if it
  - 4.2.1 seeks to discuss a motion or amendment already decided on in that meeting;
  - 4.2.2 is not on the same subject as the motion it seeks to amend.

- 4.3 The proposer may withdraw a motion or amendment, but it shall then be open to the seconder or other member to propose that motion, provided that it is done immediately after such withdrawal.
- 4.4 The order and maximum duration of speeches on ordinary motions shall be as follows:
  - 4.4.1 Proposer of the original motion: 4 minutes.
  - 4.4.2 First speech in opposition: 4 minutes.
  - 4.4.3 Secunder: 3 minutes.
  - 4.4.4 Second speech in opposition: 3 minutes.
  - 4.4.5 No organisation will be afforded more than three speaking turns per tabled motion.
  - 4.4.6 The Speaker may at his/her discretion allow another round of discussion until such time that a decision or ruling is made.
- 4.5 No item shall be discussed for more than one hour.
- 4.6 If an amendment is accepted by the proposer of the original motion, it shall be included in the original motion, and a further round of discussion against the motion shall be heard.
- 4.7 If an amendment is not accepted by the proposer of the original motion, the order and maximum duration of speeches on the amendment shall be as for the original motion.
- 4.8 No amendment shall be discussed for more than one hour and if no compromise is reached, the matter will then be referred to the relevant portfolio committee for further discussion.
- 4.9 If no decision is reached after recommendations from the relevant portfolio committee(s) have been discussed, the matter will be put to vote.

## **5. VOTING**

- 5.1 Each member shall have one vote.
- 5.2 Members shall exercise the right to vote in person only.
- 5.3 If there is an equal number of votes both for and against, the Speaker shall exercise the casting role. The Speaker shall otherwise not vote.

## 6. PROCEDURAL VOTING

- 6.1 Except during voting, a member may raise a point of order by raising a hand and calling order. The Speaker shall immediately hear the point of order and rule on it. Points of order may be raised on the following topics (not in order of precedence):
- (i) Call of quorum
  - (ii) Challenge of the Speaker's ruling.
  - (iii) Assertion that the matter under question contravenes the Constitution.
  - (iv) Clarification from or through the Speaker
  - (v) Procedural motions
- 6.2 A challenge to the Speaker's ruling shall be raised only on the grounds that it contravenes the Constitution.
- 6.3 When a challenge to the Speaker's ruling(s) is made, the Speaker shall relinquish the chair and the Deputy Speaker shall take over. The proposer of the challenge and the Speaker shall briefly state their cases, and the procedural motion shall then be put to the vote. It shall require a simple majority to be passed.
- 6.4 Unless the Speaker considers it an infringement of reasonable debate, a member may move a procedural motion as a point of order. Should there be any objection, the proposer and the objector shall briefly state their cases, and the procedural motion shall then be put to the vote. It shall require a simple majority to be passed.
- 6.5 Procedural motions may be proposed on the following topics (not in order of precedence) and it may be raised that:
- the question be taken in parts;
  - the question be now put;
  - the number and duration of speeches be reduced;
  - the question be held over to a later meeting;
  - the question be referred to a committee for an examination and report;
  - the question be referred back to a committee for re-examination;
  - the question be not put;
  - the meeting be adjourned temporarily.
- 6.6 If the meeting resolves that the question be now put, the proposer shall sum up and the question immediately be put to the vote.

## **7. QUORUM**

- 7.1 The quorum of the Parliament shall be as laid down in the Constitution.
- 7.2 The quorum for the portfolio committees shall be one half of the members plus one.
- 7.3 In order for the meeting to take place, there must be a quorum within 30 minutes of the time stated on the notice for the meeting to start.

## **8. AMENDMENTS**

A member may, at any time, bring policy that is considered to be in conflict with the aims and objectives of the SRC to the attention of the Student Parliament. Such policy will be publicised at least a week prior to the next meeting to allow for objections to the policy and must be submitted to the Secretary of the Parliament before the agenda of the next meeting is circulated.

## SCHEDULE E

### Bill of Student Rights

#### 1. General provisions

- (1) Nothing contained in this Bill of Student Rights shall be deemed as limiting, amending or removing those rights to which a student may already be entitled in terms of the constitution of the Republic of South Africa.
- (2) Accordingly, the rights as set out in this chapter are intended either as an addition to, or extension of, those rights to which a student is already entitled in terms of the Constitution of the Republic of South Africa.
- (3) The rights as set out in this chapter are furthermore subject to all policies, policy guidelines, rules and regulations of the University as these apply to the exercising of student rights.

#### 2. Equality

All students are equal and no student shall be subjected to unfair discrimination on the basis of race, gender, socio-economic status, nationality, language, ethnic or social origin, political or other belief, sexual orientation, disability or year group.

#### 3. Confidentiality of student records

Subject to the laws of the Republic of South Africa and to the rules, regulations and provisions of the University, every student has the right to confidentiality of his or her university records, and no information contained in such records may be divulged without the permission of the student.

#### 4. Academic freedom and standard of academic training

Every student has the right to –

- (1) academic freedom;
- (2) to academic training of a high standard, including reasonable access to lecturers in accordance with the policy of the University.

**5. University facilities**

Every student has the right to use university facilities which he or she is entitled to use in terms of university regulations, rules and provisions, is entitled to information regarding the facilities available to him or her in terms of university regulations, rules and provisions, and is entitled to support in the use of such facilities to which he or she is entitled in terms of university regulations, rules and provisions.

**6. Freedom of movement and association**

(1) Subject to applicable rules, regulations and provisions of the University, every student has the right to freedom of movement on campus, as well as to freedom of association on campus, including the right to join any student group and to participate in student life in general.

(2) Every student is entitled to be represented by an SRC which promotes broad participation by all students in student life.

**7. Dignity**

Subject to applicable rules, regulations and provisions of the University, every student has the right to dignity.

(a) Every student has inherent dignity and the right to have his or her dignity respected and protected.

**8. Privacy**

Subject to applicable rules, regulations and provisions of the University, every student has the right to privacy.

**9. Assembly, demonstration and petition**

(1) Subject to the policies, policy guidelines, rules and regulations of the University, every student has the right to peaceful and unarmed assembly and demonstration on campus, and to submit petitions to the structures of student governance and to the university authorities; provided that any such petition submitted to any such structure or authority must contain the student's name and student number.

(2) The sole purpose of the disclosure requirement in the case of the submission of a petition in terms of section 7(1) of this chapter shall be to determine the genuineness of such petition, and no student may be victimised or intimidated by virtue of the submission of such a petition.

## **10. Right to vote**

Every student has the right to vote in elections for the purpose of electing representatives on student structures, to do so in secret, and to make himself or herself available for election to these structures, subject to the eligibility requirements of such structures; provided that such eligibility requirements are fair and reasonable in the context of this Constitution.

## **11. Freedom of expression**

Every student has the right to freedom of expression on campus, which includes –

- (a) freedom of the student media;
- (b) freedom of academic expression and scientific research;
- (c) freedom to receive information from university and student authorities on matters that affect him or her;
- (d) clothing and appearance,

provided that “freedom of expression” does not extend to advocacy of hatred based on race, gender or religion which constitutes incitement to cause harm.

## **12. Access to information**

- (1) Every student has the right to –
  - (a) be informed of decisions that affect him or her as a student;
  - (b) information held by the SRC and its substructures;
  - (c) be informed about the programme of the SRC and its substructures;
  - (d) relevant information held by the university administration to which he or she lawfully entitled .
- (2) Every student has the right to expect the SRC to take proactive measures to give effect to this right.

## **13. Administrative action**

- (1) Every student has the right to just administrative action by the University and/or student structures that is lawful, reasonable and procedurally fair, which includes –

- (a) written reasons for any administrative action or decision that has an adverse effect on the rights of such student;
  - (b) the opportunity to make representations to the appropriate tribunal;
  - (c) the right to have the relevant action or decision by a student structure reviewed by the student court.
- (2) This right as provided for in this Constitution places a corresponding duty on the SRC to ensure that all student structures are aware of the implication of section 11(1) of this chapter

#### **14. Limitation**

All such rights as set out in this chapter are limited by –

- (a) the rights of other students;
- (b) the reasonableness and fairness necessary in a democratic student environment;
- (c) whether or not it is practically feasible to enforce a right.

#### **15. Enforcement**

- (1) Any student or student structure has the right to approach the Student Court for the appropriate relief when his or her rights have been violated by a fellow student or by a structure of student governance
- (2) A student or student group acting in the interests or on behalf of a particular group or class of students may also approach the Student Court for appropriate relief where the rights of such a group or class have been violated by a student or structure of student governance.
- (3) The SRC shall assist the Student Court and the university administration in ensuring that the rights as set out in this Chapter 2 are respected.

#### **16. Interpretation**

In interpreting the Bill of Student Rights, the Student Court, SRC or any other student structure –

- (a) must consider the values and principles contained in the preamble to this Constitution;
- (b) must respect the provisions in Chapter 2 of the Constitution of the Republic of South Africa and the Higher Education Act (101 of 1997);
- (c) must give preference to an interpretation of this Constitution that will promote efficient and effective student governance.

APPROVED AT AN SRC MEETING HELD ON:

\_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
**CHAIRPERSON**

\_\_\_\_\_  
**SECRETARY**

APPROVED AT A STUDENT PARLIAMENT MEETING HELD ON

\_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
**CHAIRPERSON**

\_\_\_\_\_  
**SECRETARY**

APPROVED BY THE UNIVERSITY OF THE FREE STATE COUNCIL ON

\_\_\_\_\_ 20\_\_\_\_\_

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CHAIRPERSON