

MUT SRC CONSTITUTION

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TITLE	STUDENT REPRESENTATIVE COUNCIL CONSTITUTION
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CONSTITUTION OF THE STUDENT REPRESENTATIVE COUNCIL STATEMENT

This constitution provides guidelines and direction to the Mangosuthu University of Technology community on the principles governing the operation of the Student Representative Council (SRC).

MANAGEMENT CONTROL PAGE
Document management control

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REFERENCES FOR THIS POLICY

1.	DUT SRC Constitution, DUT, 2023
2.	Higher Education Act, Act 101 of 1997 as amended
3.	MUT SRC Constitution, 2012
4.	MUT Strategic Plan, 2020 - 2025
5.	NWU Rules of Procedures for the Election and Designation of Members to the SRC, 2022
6.	University of Zululand Constitution of the SRC - Electoral process, 2022

7.	University of KwaZulu-Natal, Constitution of the SRC Electoral Rules and Procedures, 2018
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PREAMBLE

We, the students of Mangosuthu University of Technology; established as a public Higher Education Institution that offers teaching, learning and research in terms of the Higher Education Act, Act No.101 of 1997 as amended, emanating from diverse cultural, religious, economic and political backgrounds, mindful of the historical disparities within the African continent in general and South Africa in particular, hereby acknowledge our historical context within the African continent, South Africa and KwaZulu-Natal and in awareness of our rights and responsibilities under the Constitution of the Republic of South Africa and the said Act, resolve to unite and contribute towards building a non-racial, non-sexist and democratic society.

AND WHEREAS we have assembled ourselves in a constituent assembly through our freely elected representatives, to frame and adopt a constitution of the Student Representative Council of Mangosuthu University of Technology established in terms of Section 35 of Higher Education Act, Act 101, 1997 as amended.

WE THEREFORE determine the Student Representative Council of Mangosuthu University of Technology as a primary governing body on all issues of student governance whose values shall be to promote and protect the principles entrenched in the Bill of Rights contained in the Constitution of the Republic of South Africa:

- a) Be democratic;
- b) Be gender sensitive;
- c) Promote accountable, transparent, efficient and effective leadership;
- d) Embrace and promote the vision, mission and values of Mangosuthu University of Technology;
- e) Recognize the right to freedom of speech, association, assembly and protest of all the members of the University;
- f) Uphold principles of transparency, accountability, responsiveness and participation in the student community;
- g) Articulate and defend the aspirations of students within the University's cooperative governance structures, including the Council, Senate, Institutional Forum and other University Committees;
- h) Create and sustain an environment of academic learning, excellence and democratic values;
- i) Respect and encourage democracy and foster a collegial culture which promotes

fundamental human rights and creates an appropriate environment for teaching and learning;

- j) Strive for social redress, increase access and active transformation within Mangosuthu University of Technology and the broader society.

In keeping with the Vision and Mission described in the Strategy (2020-2025), as mentioned below:

- a) VISION: To be a transforming, equitable, sustainable and academically excellent university of technology anchored in its communities.
- b) MISSION: To offer technological, career-directed educational programmes focusing on innovative problem-solving research and engage with government/business/industry and communities as end-users.

The MUT SRC will work with the University in meeting its goals by developing ways that will enhance effective participation in the University affairs to support the core values of the University, which are stated below:

- a) Accountability;
- b) Integrity;
- c) Respect; and
- d) Excellence.

By adopting the above values of the University, we also affirm the principles, values and provisions of the Higher Education Act, Act No. 101 of 1997 as amended and the Statute of Mangosuthu University of Technology.

1. DEFINITIONS

In this constitution, the words and expressions shall, unless the context indicates otherwise, have the following meanings:

- 1.1 **“Absolute Majority”** shall mean a 75% majority of the total membership;
- 1.2 **“ACR”** shall mean the appeal committee for recognition. Clubs, Societies and Student Organisations may appeal to this body should they feel that their application for recognition has been rejected/withdrawn unconstitutionally or without just cause;
- 1.3 **“Act”** shall mean the Higher Education Act, Act No.101 of 1997 as amended;
- 1.4 **“Bona Fide Student”** shall mean a person who is registered as a student at the University on any programme which forms part of the curriculum of an approved degree, diploma, certificate or any other recognised qualification approved by the

University Council;

- 1.5 **“Clubs, Societies, and Organisations”** shall mean all recognised constitutional structures that are affiliated with the SRC;
- 1.6 **“Executive Management Committee”** shall mean the committee of the executive management team, under the leadership of the Vice-Chancellor and Principal, which is responsible for the management of the university processes as prescribed in the university statute.
- 1.7 **“Faculty Chairpersons”** shall mean all the faculty representatives elected by students from their respective faculties;
- 1.8 **“House Committee”** shall mean a committee of representatives for all residences of the University;
- 1.9 **“Institutional forum”** means the institutional forum contemplated in section 31 of the Act;
- 1.10 **“Mass Meeting”** shall mean a meeting called by the SRC for all general students;
- 1.11 **“MUT”** shall mean Mangosuthu University of Technology;
- 1.12 **“Semester”** shall mean six months of the academic year;
- 1.13 **“Senate”** shall mean a body responsible for academic matters contemplated in the Act;
- 1.14 **“Simple Majority”** shall mean a 50% plus one majority of the members present and voting in a meeting;
- 1.15 **“Sports Union”** shall mean a union of all sporting codes registered with the SRC;
- 1.16 **“SRC”** shall mean the Mangosuthu University of Technology Student Representative Council - a body of student representatives democratically elected by students in terms of this constitution;
- 1.17 **“SRC Executive”** shall mean the top five executive members of the SRC;
- 1.18 **“Standing Orders”** shall mean regulation that shall not change without full consultation;
- 1.19 **“Statute”** shall mean the Institutional Statute of Mangosuthu University of Technology as contemplated in the Act;
- 1.20 **“Student Organisation”** shall mean any organisation, whose membership is limited only to students of Mangosuthu University of Technology;
- 1.21 **“Student Parliament”** shall mean the Parliament of the Student Governance as constituted and elected in terms of this Constitution. It is formed of all SRC affiliated Clubs, Societies and student organisations, Sports Union Executives, sub-committees and all members of the SRC as prescribed in this constitution;

- 1.22 **“Sub-Committee”** shall mean a committee formed under this constitution, headed by officers or any such delegated person of the SRC;
- 1.23 **“Term of Office”** shall mean the time frame given for activities of the SRC or any recognized structure in office;
- 1.24 **“University”** shall mean Mangosuthu University of Technology as established and constituted in terms of the Act;
- 1.25 **“University Council”** shall mean the Mangosuthu University of Technology Council the Governing body of the University; and
- 1.26 **“University Education”** shall mean University education as defined in the Act.

2. NAME AND CAPACITY

The name of the body hereafter referred to as the SRC shall be the Students' Representative Council of Mangosuthu University of Technology.

3. STUDENT GOVERNANCE STRUCTURES

- 3.1 The student governance structures shall be as follows:
 - 3.1.1 The Student Representative Council;
 - 3.1.2 The SRC Executive;
 - 3.1.3 Student Parliament;
 - 3.1.4 The Inter-Faculty Committee;
 - 3.1.5 Central Housing Committee;
 - 3.1.6 The Sports Union;
- 3.2 The other student structures shall be as follows:
 - 3.2.1 House Committees;
 - 3.2.2 Student Faculty Committees;
 - 3.2.3 Clubs, Societies and Organisations; and
 - 3.2.4 Religious Council, reporting directly to the Deputy Secretary-General of the SRC.

4. OBJECTIVES, FUNCTIONS AND POWERS OF THE SRC

4.1 Objectives of the SRC shall be to:

- 4.1.1 Promote quality teaching, research and community engagement;
- 4.1.2 Promote academic diligence and excellence among students;
- 4.1.3 Represent the needs and interests of students;
- 4.1.4 Afford a recognised means of communication for students within the University;
- 4.1.5 Form good relations between students and students of other educational institutions;
- 4.1.6 Firmly root the institution within the broader community, both nationally and

internationally;

- 4.1.7 Provide an environment conducive to the intellectual, physical and spiritual development of students throughout their university education;
- 4.1.8 Confront all existing economic, social and political inequities in our society;
- 4.1.9 Build and strengthen the SRC through student support and involvement; and
- 4.1.10 Promote equal access to programmes and facilities of the University.

4.2 The functions of the SRC shall be to:

- 4.2.1 Represent students as a whole in all matters concerning their interests;
- 4.2.2 Initiate and provide democratic, effective and positive leadership for the students;
- 4.2.3 Oversee the election of Sub-Committees and officials as hereinafter provided;
- 4.2.4 Publish regular progress reports of the SRC during its term of office;
- 4.2.5 Ensure that democratic principles and practices are pursued in the SRC Committees and societies; and
- 4.2.6 Be the umbrella structure for all student committees, clubs/societies.

4.3 The Powers of the SRC shall be to:

- 4.3.1 Make representation on behalf of students in general and in particular to the Management, Council, the Senate, Institutional Forum and other bodies of the University;
- 4.3.2 Extend recognition to or withdrawal of recognition from any student society or organisation in a manner prescribed in the Standing Rules of this Constitution;
- 4.3.3 Convene and conduct meetings of students;
- 4.3.4 Conduct referenda to ascertain student opinion on issues where such opinion is not clear;
- 4.3.5 Affiliate bodies and organisations outside the University and to represent students or a group of students;
- 4.3.6 Represent the needs and aspirations of students and carry out their mandate;
- 4.3.7 Provide public progress reports to the student body and the Council twice a semester or more frequently if so decided;
- 4.3.8 Initiate, undertake or stimulate discussions, debate, action or make views known on matters of general concern or likely to be of interest to or that affect students or a group of students;
- 4.3.9 Oversee the election of the Sports Union, the Faculty Committees, the House Committees and other SRC sub-committees as may be decided from time to time;

- 4.3.10 Afford a recognised means of communication for students within the University;
- 4.3.11 Form good relations between Mangosuthu University of Technology students and students of other institutions of higher learning;
- 4.3.12 Administer extracurricular student activities in the University and beyond as may be entrusted to it;
- 4.3.13 Subject to the power of the Student Parliament, the SRC shall exercise jurisdiction over all structures and societies, in terms of suspensions, approvals, amendments, recommendations and constitutions of structures in the manner prescribed in the standing rules; and
- 4.3.14 Subject to consultation with the Student Parliament and Office of the Dean of Students, the SRC shall have the right to reshuffle the positions of officers of the SRC.

5. PRINCIPLES SUPPORTING THE CONSTITUTION

- 5.1 The underlying principles shall guide the SRC to support the objectives and functions of its processes:
 - 5.1.1 Responsibility and accountability as being promoted by the King Report IV;
 - 5.1.2 Freedom of expression stems from the Bill of Rights as stipulated in the Republic of South Africa Constitution, 1996.
- 5.2 The following founding principles shall be upheld by the Student Representative Council:
 - 5.2.1 To effectively promote Student-Driven Leadership that will enhance student wellness and collectively improve the lives of all students at MUT.
 - 5.2.2 To effectively promote Academic Excellence by stimulating academic integrity to enhance the University's performance and its reputation.
 - 5.2.3 To promote Non-racialism and Non-sexism and effectively work with the University structures to address Gender-Based Violence and other issues.

6. COMPOSITION OF THE SRC

The SRC shall consist of 11 registered students elected as prescribed in this constitution and it shall be divided as follows:

- 6.1 Five (5) SRC executive members shall be elected annually in a manner prescribed in this constitution as follows:
 - 6.1.1 President;
 - 6.1.2 Deputy President;
 - 6.1.3 Secretary-General;
 - 6.1.4 Deputy Secretary-General; and

6.1.5 Treasurer General.

6.2 Six (6) officers shall be elected annually in a manner prescribed in this constitution as follows:

6.2.1 Faculties Officer;

6.2.2 Residence Liaison Officer;

6.2.3 Sports Officer;

6.2.4 Media and Publicity Officer;

6.2.5 Religious, Arts and Culture Officer; and

6.2.6 Gender, Disability and Social Welfare Officer;

7. OFFICERS AND THEIR DUTIES

7.1 Subject to the provision of this Constitution, the SRC shall at its first meeting elect from among its members the following officers who shall comprise the SRC Executive:

7.1.1 President;

7.1.2 Deputy President;

7.1.3 Secretary General;

7.1.4 Deputy Secretary-General; and

7.1.5 Treasurer General.

7.2 The SRC Executive Committee shall:

7.2.1 Convene meetings of the SRC;

7.2.2 Deal with any matter of urgency;

7.2.3 Act as the Administrative Committee of the SRC; and

7.2.4 Execute any mandate, transferred to it by the SRC.

7.3 President

The powers, duties and functions of the President shall be as follows:

7.3.1 To be the chief executive of the SRC who represents the political, academic, financial, social and cultural interests of all students;

7.3.2 To officially preside over all meetings of the SRC;

7.3.3 To be an ex-officio member of all SRC committees, sub-committees, special committees, commissions and executive committees of societies under the jurisdiction of the SRC in terms of its constitution;

7.3.4 To be entitled to delegate on any particular occasion another member of the SRC in his/her place, as the ex-officio member of any SRC committee, sub-committee,

special committee, commission, executive committee of the organisations or societies under the jurisdiction of the SRC in terms of its constitution;

- 7.3.5 To ensure that where he/she is unable to attend a meeting of the executive committee of any such organisation, another member of the SRC delegated by him/her shall attend such a meeting;
- 7.3.6 To have the power to call extraordinary meetings of the Executive Committee and the SRC; and
- 7.3.7 To represent the SRC and the students of the University officially in dealings with the public, national student organisations, other Universities and the University Administration provided that, where appropriate, he/she may delegate to another person.

7.4 The Deputy President

The powers, duties and functions of the Deputy President shall be:

- 7.4.1 To deputise for the President;
- 7.4.2 To assist the President in informing the University or the University Principal and the Chairperson of Council of the opinion of the SRC, or the Executive on appropriate matters;
- 7.4.3 To facilitate communication between the SRC and SRCs of other Universities;
- 7.4.4 To facilitate communication between the SRC, the University and other Universities as the need for such communication arises;
- 7.4.5 To bring to the notice of the SRC, any matter raised at national policy formulating gatherings which are relevant to students of the University;
- 7.4.6 To assist the President concerning other students, youth, community or other groupings in joint campaign programmes, meetings, workshops or seminars;
- 7.4.7 To keep all SRC members informed as to the activities of the SRC Executive;
- 7.4.8 To link the SRC with the external world;
- 7.4.9 To represent the needs and interests of the SRC to the broader community;
- 7.4.10 To preside on the Disciplinary Committee of the SRC; and
- 7.4.11 To coordinate the development and consultation of policies regarding student governance structures.

7.5 Secretary-General

The powers, duties and functions of the Secretary-General shall be:

- 7.5.1 To conduct the SRC routine correspondence and to keep copies of all correspondences dealt with in an official capacity;

- 7.5.2 To be responsible for the maintenance and safe custody of all letters written by other members of the SRC Executives in their official capacities;
- 7.5.3 To compile, in consultation with the Executive of the SRC, the agenda of the SRC meetings and transmit them together with other relevant documents to all SRC members;
- 7.5.4 To ensure that all SRC members who are required to submit reports to the SRC meetings do so timeously;
- 7.5.5 To receive reports and minutes of Annual General Meetings of all clubs, societies and student organisations under the jurisdiction of the SRC;
- 7.5.6 To call and coordinate all SRC ordinary meetings; and
- 7.5.7 To prepare a schedule of the ordinary meetings of the SRC for its entire term of office; such schedule to be presented at the second ordinary meeting of the SRC, for adoption.

7.6 Deputy Secretary-General

The powers, duties and functions of the Deputy Secretary-General shall be:

- 7.6.1 To deputise the Secretary-General;
- 7.6.1 To initiate, administer and participate in students' projects;
- 7.6.2 To raise funds;
- 7.6.3 To be responsible for the capacity development of student organisations and societies;
- 7.6.4 To monitor and evaluate performances of all recognised structures, clubs and societies recognised by SRC; and
- 7.6.5 To perform quality management and management of information on clubs, societies, student organisations and AGM without breaching the privacy of clubs, societies and student organisations.

7.7 Treasurer General

The powers, duties and functions of the Treasurer are as follows:

- 7.7.1 Shall be the Chief Financial Officer of the SRC;
- 7.7.2 Shall be responsible for the proper management and disbursement of all SRC funds;
- 7.7.3 Shall head the Finance Committee of the SRC;
- 7.7.4 Shall be an ex-officio member of all Sub-committees of the SRC;
- 7.7.5 Shall together with the President or Secretary General, be a signatory to all financial transactions of the SRC;
- 7.7.6 Shall ensure that all funds received by the SRC are dealt with according to the appropriate Financial Policy;

- 7.7.7 Shall lay before the SRC, an audited Income and Expenditure Account and Balance Sheet before the end of the SRC's term of office. These accounts shall be exhibited on all SRC notice boards for at least ten days before the Annual General Meeting;
- 7.7.8 The treasurer shall be present at the abovementioned SRC meeting and Annual General Meeting, to answer any query which may arise, even though a new SRC may have taken office;
- 7.7.9 Shall receive budget submissions of clubs, societies and organisations under the jurisdiction of the SRC as per the financial policy, no later than the first meeting of the Student Parliament;
- 7.7.10 The Standing Sub-Committee on Finance shall consider such budgets and prepare a comprehensive budget for the term of office of the SRC;
- 7.7.11 The Treasurer General is empowered to investigate the financial position of any student society (as defined), and to freeze the accounts of such body during such investigation should he/she deems this necessary, and once the agreement of the SRC has been obtained;
- 7.7.12 In exercising provision 7.7.11, the Treasurer shall be entitled to require any documents which are considered relevant, to be made available for inspection; and
- 7.7.13 The Treasurer shall be responsible for ensuring that all organisations under the jurisdiction of the SRC, abide by the SRC Finance Policy and the University Finance Policy and that their financial position is monitored.

7.8 Faculties Officer

The powers, duties and functions of the Faculties officer shall be:

- 7.8.1 To head the inter-faculties committee;
- 7.8.2 To assist students about the content of their courses and the quality of their tuition;
- 7.8.3 To convene and chair a meeting not less than once every sixty days of the Inter-Faculty Committee, to discuss matters of common interest;
- 7.8.4 To maintain regular contact and liaison with the Student Faculty Committees;
- 7.8.5 To assist Student Faculty Committees with the class representatives system; and
- 7.8.6 To represent students in the Senate, Faculty Boards or any other Faculty Governance Structure together with his/her elected assistant in consultation with the SRC President;

7.9 Media & Publicity Officer

The power, duties and functions of the Media and Publicity officer shall be:

- 7.9.1 To head the Media and Publicity Committee;
- 7.9.2 To co-ordinate and publicise all students' activities, such as meetings, talks, seminars, student services and facilities throughout the term of office;
- 7.9.3 To meet regularly with the student press. The Media and Publicity Officer, together with the SRC President shall liaise with editors of the student press and MUT Campus Transmission radio, with a view of obtaining coverage of SRC members, concerning their activities;
- 7.9.4 To liaise closely with all SRC members, concerning their activities;
- 7.9.5 To produce from time to time an SRC report back campus newsletter, from material supplied by the Publicity Committee, the content of which shall be subject to the approval of the SRC;
- 7.9.6 To be responsible for maintaining the notice boards, as well as the student newspaper distribution;
- 7.9.7 To arrange occasional media training courses, in conjunction with the relevant bodies;
- 6.9.8 To work towards providing students with free and democratic media on campus; and
- 6.9.9 With acknowledgements to freedom of press and expression, to ensure that every publication does not infringe and becomes detrimental to the right of individual and general student interests.

7.10 Residence Liaison Officer

The powers, duties and functions of the Residence Officer shall be:

- 7.10.1 To work with Central House Committee;
- 7.10.2 To attend to matters about the welfare of students in residences;
- 7.10.3 To report to the SRC all activities involving the residences, that are of interest to students; and
- 7.10.4 To monitor the election of House Committees. The actual process shall be facilitated by residence officials.

7.11 Religious, Arts and Culture Officer

The powers, duties and functions of the Religious, Arts and Culture Officer shall be:

- 7.11.1 To head the Religious, Arts and Culture Committee;
- 7.11.2 To promote inter-cultural entertainment activities on campus;
- 7.11.3 To ensure well-organised participation and entertainment activities on campus;
- 7.11.4 To promote and develop religious participation on campus;

7.11.5 To represent students' general interest in religious matters at every management and administrative level of the University; and

7.11.6 To promote arts and culture on campus.

7.12 Sports Officer

The powers, duties and functions of the Sports Officer shall be:

7.12.1 To head the Sports Union;

7.12.2 To organise sports activities for students;

7.12.3 To monitor the election of the Sports Union; and

7.12.4 To represent the SRC in all sports activities.

7.13 Gender, Disability, Health and Welfare Officer

The powers, duties and functions of the Gender, Disability, Health and Welfare shall be:

7.13.1 To head the Gender, Disability, Health and Welfare Committee;

7.13.2 To promote student access to health services;

7.13.3 To promote the interest of students living with disabilities and any other designated group of students;

7.13.4 To organise campaigns that promote the welfare of students;

7.13.5 To coordinate all diversity and inclusivity-related issues.

7.13.6 To co-ordinate gender subcommittees that may be established and assist with facilitating activities that will promote social justice at MUT; and

7.13.7 Liaise with all other gender structures of MUT.

8. ELECTIONS

8.1 Eligibility of Candidates

8.1.1 No person shall be eligible to contest SRC elections unless he/she is a registered student in that particular year or semester of study;

8.1.2 A candidate should have passed at least 60% of subjects/modules in the preceding annual or semester examinations;

8.1.3 A candidate should be a substantial student registered for at least half of the full load in the academic semester or year of study.

8.1.4 A student who is registered for only one module, is not eligible to run for office.

8.1.5 A candidate must have been a bona fide student for at least twelve months to be eligible to contest elections;

8.1.6 Pre-tech students shall not be eligible to contest SRC elections;

- 8.1.7 A student who has been declared insolvent by a court of law shall not be eligible to contest SRC elections; and
- 8.1.8 A student who has been found guilty of misconduct or an offence by a disciplinary enquiry, will not be eligible to run for office or be permitted to remain a member of the SRC.

8.2 SRC Elections Procedure

- 8.2.1 SRC elections shall be held following the electoral policy, which shall be subservient to this constitution; and
- 8.2.2 The electoral policy shall be reviewed every five years or as often as may be decided by the Annual General Meeting.

9. TERMINATION OF MEMBERSHIP OF THE SRC

- 9.1 SRC members shall cease to be members under the following conditions:
 - 9.1.1 A member ceases to be a student of the University;
 - 9.1.2 A member tenders resignation in writing and such resignation is accepted by the SRC and Student Parliament;
 - 9.1.3 A member is withdrawn from his or her office by his/her organisation; an organisation shall have the right to replace a member that it shall have withdrawn, within seven working days;
 - 9.1.4 Withdrawal of any member shall be ratified by the Student Parliament;
 - 9.1.5 The SRC Secretary-General shall give notice to students and University management of such a withdrawal or resignation;
 - 9.1.6 The remaining members of the SRC shall cease to be members, when more than (fifty) 50% of members have resigned or have been withdrawn from the SRC. In such a case the Student Affairs Department shall administer the affairs of the SRC;
 - 9.1.7 Failure to attend three consecutive meetings of the SRC without a written apology shall be deemed a resignation;
 - 9.1.8 A member has had two motions of censure passed on him/her during a single term of office by the SRC and the absolute majority of the student parliament on one or more of the following grounds:
 - 9.1.8.1 Failure, without an excuse to the SRC, to carry out duties entrusted to the member by the SRC;
 - 9.1.8.2 Bringing the name of the SRC into disrepute by being found guilty of a serious offence by the disciplinary structures and/or the justice system of the country; and
 - 9.1.8.3 A member whose membership has been terminated in terms of section 9.1.8.1 or

9.1.8.2 shall with immediate effect vacate the office of the SRC which the member holds under a position in the SRC and shall also have the right to appeal to the Student Parliament and Council.

9.1.9 A member shall cease to be a member if at least two-thirds of the SRC vote for his or her expulsion and if the resolution is approved by the Student Parliament and a mass meeting;

9.2 Vacancies

9.2.1 In case a vacancy arises in respect of seats which were contested by individual candidates, the vacancy shall be filled by the individual who had the next highest number of votes in the election results, provided the threshold was met. In the event there are no qualifying candidates, by-elections should take place.

9.2.2 In case a vacancy arises in respect of a seat which was contested by student organisations, the vacancy shall be filled in rank order from the student organisation's original candidate list submitted and screened during the SRC election period.

9.2.3 If the rank list is exhausted in the first semester, the seat shall be forfeited by the student organisation and by-elections shall take place.

9.2.4 In case of the organisation vacancy occurring in the second semester, co-option may take place.

9.2.5 In case a vacancy arises in respect of a seat which was contested by individual candidates, the vacancy shall be filled by the next qualifying candidate.

9.2.6 If there is no qualifying candidate from the remaining list of individual candidates, by-elections shall take place.

9.2.7 A vacancy should be filled within 14 days and shall be ratified by the Student Parliament.

10. MEETINGS

10.1 Meetings of the SRC

10.1.1 SRC shall have ordinary meetings at least once every two weeks and the Executive of the SRC shall meet at least once a week or as frequently as required.

10.1.2 Meetings of the SRC shall be conducted according to agreed-upon formal meeting procedures.

10.1.3 The President of the SRC shall act as chairperson of all meetings of the SRC.

10.1.4 A quorum of the meeting of the SRC shall be 50% plus one of its members.

10.1.5 At least four days' notice of the date, time venue and agenda of meetings of the SRC shall be given.

10.1.6 Decisions of the SRC shall be taken if:

10.1.6.1 A quorum is met; and

10.1.6.2 Matter is agreed upon by consensus or simple majority. All SRC members shall have full voting rights in respect of decisions of the SRC;

10.1.7 Members of the SRC that represent the SRC in decision-making, consultative or advisory bodies of the University must convey opinions of the SRC as formally decided upon at meetings of the SRC;

10.1.8 SRC members shall be given a reasonable opportunity to put matters on the agenda;

10.1.9 Decisions may only be taken in respect of matters being disclosed in the agenda, provided that other matters may be added to the agenda if there is no objection thereto by any member present;

10.1.10 A decision taken shall take immediate effect unless otherwise stipulated;

10.1.11 Minutes of all meetings of the SRC shall be kept and submitted to the next ordinary meeting for approval and should thereafter be signed by the chairperson;

10.1.12 Minutes thus signed and approved shall be the official account of the proceedings of the meeting and shall be available at the reasonable request of any interested party.

10.1.13 An extraordinary meeting of the SRC shall be held if:

10.1.13.1 The President calls for such a meeting; or

10.1.13.2 50% plus one of SRC members submit a written request to the president for such a meeting, accompanied by a written motion for consideration at the meeting; and

10.1.14 Notice of the date, time and venue of an extraordinary meeting as well as disclosure of the agenda shall be given at least 48 hours before such a meeting.

10.2 Annual General Meeting

10.2.1 Annual General Meeting shall be convened by the outgoing SRC no later than two weeks before the SRC elections.

10.2.2 Notice of such meeting, together with a copy of the agenda, shall be posted on the notice boards at least 7 days before such meeting;

10.2.3 No such meeting may be held when any section of the institution is in recess;

10.2.4 The meeting shall be open to all registered students; and

10.2.5 Failure to convene a successful AGM shall not stop the SRC election process.

10.3 Mass meetings

- 10.3.1 SRC may convene mass meetings of students to consult, consolidate its mandate and account or to provide a platform for debate and serve as a tool to translate the principles of democracy and transparency of student governance into action;
- 10.3.2 The SRC shall convene at least one mass meeting per term to account to the student body on the progress made and the report must be given in such a meeting;
- 10.3.3 An emergency mass meeting may be called by the SRC, should an urgent matter affecting students arise;
- 10.3.4 Students may request a mass meeting with a petition signed by not less than 1000 students and handed over to the SRC Secretary-General;
- 10.3.5 The SRC Secretary-General shall after receiving such petition, inform the SRC and convene such a meeting within two weeks after the petition has been received;
- 10.3.6 Notice of the date, time, venue and agenda of the mass meeting must be given at least four days before such a meeting, except in the case of an emergency; and
- 10.3.7 SRC may call a special meeting if that is deemed necessary.

10.4 Student Parliament

10.4.1 Composition of the Student Parliament:

- 10.4.1.1 All members of the Student Representative Council;
- 10.4.1.2 Four Executive Members of Central Housing Committee;
- 10.4.1.3 All Chairpersons of Student Faculty Committees;
- 10.4.1.4 Two members from every Club/Society/Organisation, whose constitution has been submitted to the SRC and recognised by the SRC, become official members of the Student Parliament for the entire term of the student parliament; and
- 10.4.1.5 Two members of Sports Union.

10.4.2 Meetings of the Student Parliament:

- 10.4.2.1 The Student Parliament shall meet every month;
- 10.4.2.2 In the first meeting the SRC Deputy President or any delegated SRC member shall be the convener and such meeting shall be convened within 14 days after the SRC Inauguration.
- 10.4.2.3 The Executive of the Student Parliament shall be non-SRC members and shall be comprised of the following officers who shall be elected at its first meeting:
 - 10.4.2.3.1 Speaker of the Parliament;
 - 10.4.2.3.2 Deputy Speaker of the Parliament;

- 10.4.2.3.3 Secretary General; and
- 10.4.2.3.4 Public Relations Officer;
- 10.4.2.4 The Student Parliament and its Executive shall be elected democratically by show of hands;
- 10.4.2.5 The quorum of the Student Parliament for any of its meetings shall be 50% plus one of its member organisations;
- 10.4.2.6 Decisions of the Student Parliament shall be taken based on a simple majority vote cast by the members present at the meeting;
- 10.4.2.7 An extraordinary meeting shall be called by the Speaker if at least 40% of the membership petition him/her in writing to do so, in which case, the meeting shall take place within two weeks after the petition has been received. The meeting shall be convened in consultation with the SRC;
- 10.4.2.8 The Student Parliament shall advise the SRC on its programme of action, policies; and reports to be presented to the mass meeting and the AGM;
- 10.4.2.9 The Agenda of the meeting shall be decided by the Secretary-General of the Student Parliament in consultation with the Secretary-General of the SRC, and shall be posted on notice boards and/or electronically communicated to members at least four days before the meeting of the Student Parliament; and
- 10.4.2.10 The SRC Executive shall report in these meetings on its activities and the programme of action of the SRC shall be determined in these meetings.

10.4.3 Duties of the Student Parliament:

- 10.4.3.1 To act as an advisory body to the SRC;
- 10.4.3.2 To monitor the functioning of structures;
- 10.4.3.3 To make recommendations and provide guidance on the recognition of structures; and
- 10.4.3.4 Student Parliament ensures, through consultation, that the SRC adheres to its responsibilities and obligations as described in this constitution;

10.4.4 The Core Functions of the Student Parliament shall be to:

- 10.4.4.1 Provide advice on the SRC programme of action and budget;
- 10.4.4.2 A consultative framework to debate any major deviation from the SRC programme of action or budget that was adopted by the Student Parliament;
- 10.4.4.3 Review the SRC report on its activities which shall include details on the

- programme of action and a financial report;
- 10.4.4.4 Provide comments and advice to the SRC on amendments to this constitution;
- 10.4.4.5 If the SRC does not adopt a formal proposal from the Student Parliament, it shall furnish substantive reasons to the Parliament for not doing so;
- 10.4.4.6 The Student Parliament may assume any other powers, functions and responsibilities of an advisory or consultative nature, provided that these have been agreed to at its formal meeting;
- 10.4.4.7 To listen to appeals from the decision of any SRC office bearers or standing committees, or the decisions of any University club or society, or to arbitrate in disputes between or involving SRC office bearers, sub-committees, clubs or societies;
- 10.4.4.8 The term of office for members of the Student Parliament and its office bearers shall be one year and shall run concurrently with that of the SRC.

10.4.5 POWERS AND DUTIES OF THE EXECUTIVE OF THE STUDENT PARLIAMENT

10.4.5.1 Speaker of the Student Parliament

The powers and duties of the Speaker of the Student Parliament shall be as follows:

- 10.4.5.1.1 To ensure, together with the Secretary-General, that the Student Parliament is properly constituted;
- 10.4.5.1.2 To convene scheduled meetings of the Student Parliament;
- 10.4.5.1.3 To officially preside over all meetings of the Student Parliament;
- 10.4.5.1.4 To delegate any member of the Executive of the Student Parliament to perform any particular duty;
- 10.4.5.1.5 To have the power to call an extra-ordinary sitting of the Student Parliament;
- 10.4.5.1.6 To facilitate communication between the SRC and the Student Parliament; and
- 10.4.5.1.7 To ensure that members of the Student Parliament understand and play their advisory role to the SRC.

10.4.5.2 Deputy Speaker of the Student Parliament

The powers and duties of the Deputy Speaker shall be as follows:

- 10.4.5.2.1 To deputise the Speaker of the Student Parliament; and
- 10.4.5.2.2 To perform any duty delegated to him/her by the Speaker of Student Parliament.

10.4.5.3 General Secretary

The powers and duties of the general secretary shall be as follows:

- 10.4.5.3.1 To conduct the correspondence of the Student Parliament;
- 10.4.5.3.2 To keep records of all minutes of the Student Parliament;
- 10.4.5.3.3 To decide the agenda of the meeting of the Student Parliament in consultation with the Speaker of the Parliament and SRC General Secretary; and
- 10.4.5.3.4 To post notice and agenda on notice boards at least four days before the meeting of the Student Parliament.

10.4.5.4 Public Relations Officer

The powers and duties of the Public Relations Officer shall be as follows:

- 10.4.5.4.1 To link the Student Parliament with other stakeholders;
- 10.4.5.4.2 To raise funds to support programmes of the Student Parliament;
- 10.4.5.4.3 To assist the Executive of the Student Parliament in identifying leadership development requirements for members of the Student Parliament; and
- 10.4.5.4.4 To assist the Executive of the Student Parliament in any task that she/he is assigned to perform.

10.4.6 Termination of membership

Members of the Student Parliament may cease to be members under the following conditions:

- 10.4.6.1 A member ceases to be a student of the University;
- 10.4.6.2 A member brings the name of the Student Parliament into disrepute by being found guilty of a serious offence by the disciplinary structures of the University and/or a court of law;
- 10.4.6.3 If a vacancy occurs as a result of persons or a person representing a particular organisation losing a seat in the Student Parliament, the organisation whose members have lost seat shall be entitled to replace such members provided that there are no other requirements which debar the organisation to do so; and
- 10.4.6.4 An executive member of the Student Parliament shall cease to be a member if he/she becomes an SRC member.

11. FINANCES

- 11.1 The Dean of Students shall account for the budget allocated to the SRC.
- 11.2 The SRC shall administer all funds allocated to it by the University Council and funds raised or received by it from any other source for the benefit of the students.
- 11.3 Any approaches for funds to companies and donors who might be approached or who

might have been approached by the Institutional Advancement Directorate should be done in collaboration with the SRC Deputy Secretary General in consultation with the SRC Treasurer.

- 11.4 The proposed budget at the beginning of the term of office shall be tabled before the Student Parliament.
- 11.5 The SRC budget shall be submitted to the Dean of Students and the Student Development Officer before any expenditure is entered into.
- 11.6 The SRC books shall be audited annually by the University Auditors.
- 11.7 The Treasurer and the President or Secretary General of the SRC will be the only persons authorised to sign or endorse cheques or other financial documents for and on behalf of the SRC, and two signatures are necessary, wherein the Treasurer's signature is mandatory.
- 11.8 The SRC shall not incur debts which it will not be able to liquidate during its term of office, and such debt cannot be incurred based on non-binding pledges or promissory notes.

12. CLUBS, SOCIETIES AND STUDENT ORGANISATIONS

12.1 Finances

- 12.1.1 The finances for all clubs, societies and student organisations shall be entirely under the control of the SRC.
- 12.1.2 No club, society or committee may organise a fund-raising function or enter into any fundraising function or enter into any fund-raising scheme without the prior consent of the SRC, and the approval of the University Management.
- 12.1.3 No club, society or committee may ask for donations other than those authorised by the SRC.
- 12.1.4 The Treasurer General of the SRC shall present draft budgets for all these student organisations for the current semester, before the end of the first month of that semester, for consideration and approval by the SRC.
- 12.1.5 All student organisations must submit their budget proposal before the end of the academic year and there shall be equitable distribution of funds among structures based on their programme of action.

12.2 Recognition of Clubs, Societies and Student Organisations

A Club, Society or Student Organisation shall be considered for recognition after having served a probation period of one year:

- 12.2.1 A group of students wishing to be recognised as a Club, Society or Organisation,

shall submit a copy of such constitution to the SRC before an ordinary SRC meeting at which recognition will be requested, and such request for recognition shall be placed on the agenda for such meeting;

12.2.2 The constitution shall be accompanied by a list of members and a member of the applicant club, society or organisation shall be required to personally motivate at the appropriate SRC meeting in favour of the request for recognition;

12.2.3 In considering whether or not to recognise a club, society or organisation, the following criteria shall be taken into account:

12.2.3.1 The needs and interests of students on campus;

12.2.3.2 The needs and interests of the University community;

12.2.3.3 The needs and interests of the community at large; and

12.2.3.4 Whether this complies with the principles of the SRC as set out in the preamble to the SRC constitution;

12.2.4 Applications for recognition shall be made using forms prescribed by the SRC after having obtained at least 75 signatures from registered students in support of the formation of the organisation, and at least six signatures from students willing to serve on a founding committee of the proposed organisation;

12.2.5 The application should include the intended aims and objectives of the organisation together with the following:

12.2.5.1 Reasons why no other existing recognised student organisation on the campus in question can fulfil its aims and objectives;

12.2.5.2 An action plan and programme;

12.2.5.3 A budget request; and

12.2.5.4 A copy of its draft constitution, and its vision and mission statements;

12.2.6 Following the submission of the application and the required documents, the student organisation applying for recognition shall be required to organise a meeting of the student organisation to be attended by a member of the SRC, and to submit a record of the proceedings of that meeting together with an attendance list;

12.2.7 The SRC Secretary General shall then make a recommendation on the recognition of the student organisation to an ordinary meeting of the SRC. If recognition is granted, the student organisation will be notified in writing within seven working days of the meeting, and will then be free to formally recruit members in its name, and to commence activities with the support and backing of the SRC;

12.2.8 If an application by an organisation is rejected, full reasons for the rejection shall be supplied (in writing) to the applicants by the SRC, no later than seven working

days after the SRC meeting at which the application was considered;

12.2.9 In the event of an application being rejected, the applicants have the right to submit an appeal, together with the written notice of rejection by the SRC, to the Appeal Committee for Recognition (ACR);

12.2.10 The ACR shall be constituted by the Student Development Officer (Convener), SRC Secretary General, SRC Deputy Secretary General, Speaker or Secretary of Student Parliament and such other members as the University may determine. The decision of the ACR shall be final. The authority of the ACR shall be limited to the issue of recognition of student organisations;

12.2.11 The SRC shall have the right to withdraw recognition of student organisations provided that the procedure set out in clauses 12.2.12 to 12.2.15 is followed;

12.2.12 A written notice of intention to withdraw recognition is provided by the SRC, spelling out, in full, the reasons for the intended action;

12.2.13 The SRC must give the student organisation three months in which to remedy the problems identified by the SRC as set out in clause 12.2.12 above. The student organisation must report in writing within the stipulated period the remedial steps it has taken;

12.2.14 If the SRC is not satisfied with the remedial steps taken, it shall notify the student organisation in writing accordingly setting out its reasons for its decisions and withdrawing recognition of the student organisation; and

12.2.15 A student organisation that has had its recognition withdrawn has the right to appeal within seven days of receipt of the notice referred to in clause 12.2.14 above to the ACR. The withdrawal of recognition shall be suspended while the appeal is being considered, and the decision of the ACR shall be final.

13. STANDING RULES

The SRC may from time to time formulate standing orders in consultation with the Student Parliament for conducting affairs, and for better application of rules and regulations. The following standing rules are made for all student clubs, societies and organisations:

13.1 In no case shall a student be compelled to join or be an automatic member of any club, society or organisation;

13.2 Membership of any club, society or organisation shall be open to all students and no restriction on membership which offends the democratic principles of the SRC may be imposed. However, a student with a disciplinary record or serving an effective sanction shall be disqualified from occupying a leadership position in any student

structure;

- 13.3 Membership of any club, society or organisation shall be open only to registered students;
- 13.4 All student clubs, societies or organisations are required to have a constitution, which regulates their membership and activities at MUT and should be submitted to the SRC;
- 13.5 All constitutions of clubs, societies and organisations shall incorporate the following structure:
 - 13.5.1 Definitions and interpretations;
 - 13.5.2 Name;
 - 13.5.3 Principles;
 - 13.5.4 Objectives, Aims, Functions and Powers;
 - 13.5.5 Composition of Executive Committee;
 - 13.5.6 Meetings of Executive including quorum, AGM, etc;
 - 13.5.7 Rules of Membership;
 - 13.5.8 Finance;
 - 13.5.9 Changes in the Constitution; and
 - 13.5.10 Election and term of office.

14. SUB-COMMITTEES

- 14.1 Inter-Faculties Committee;
- 14.2 Media and Publicity Committee;
- 14.3 Central Housing Committee;
- 14.4 Gender, Disability, Health and Welfare Committee;
- 14.5 Entertainment Committee;
- 14.6 Religion, Arts and Culture Committee;
- 14.7 Finance Committee;
- 14.8 Sports Union;
- 14.9 The Student Faculty Committees shall be established by the SRC Faculties Officer and shall have the following functions:
 - 14.9.1 To deliberate on academic matters of principle and policy;
 - 14.9.2 To make recommendations to the Faculties Officer on matters of the specific faculty;
 - 14.9.3 To make recommendations to the Faculties Officer about facilities and services that relate to the academic performance of students;
 - 14.9.4 To implement systems and programmes that enhance the awareness and participation of all students on campus in quality education;
 - 14.9.5 The Student Inter-Faculties Committee shall comprise Chairpersons and

Secretaries of Committees from each faculty;

14.9.6 The meetings shall be held at least once per month and shall be chaired by the SRC Faculties Officer;

14.10 The Central Housing Committee shall be established by the SRC Residence Liaison Officer and have the following functions:

14.10.1 To deliberate on matters of principle and policy that pertain to student residences;

14.10.2 To implement systems and programmes which enhance unity among students in all student residences;

14.10.3 To deliberate on operational matters relevant to house committees of the various residences;

14.10.4 The Central Housing Committee shall comprise all Chairpersons of House Committees from various student residences;

14.10.5 The meetings of the Central Housing Committee shall be held at least once per month and shall be chaired by the SRC Residence Liaison Officer;

14.11 The Sports Union shall be established by the SRC Sports Officer and shall comprise representatives from each sporting code on campus to perform the following functions:

14.11.1 To make recommendations to the Sports Office about facilities and services that relate to student participation in sports;

14.11.2 To liaise with the Sports and Recreation Unit about important sports events and achievements;

14.11.3 The meetings of the Sports Union shall be held at least once per month and shall be chaired by the SRC Sports Officer.

15. TERM OF OFFICE

15.1 The term of office of the SRC shall be 12 months and officially begins immediately after the SRC inauguration has taken place;

15.2 Under normal circumstances, the SRC elections shall be held in September of each year;

15.3 In the remainder of the year, the incoming SRC shall undergo and engage the following:

15.3.1 Portfolio allocations;

15.3.2 Induction process;

15.3.3 Inauguration;

15.3.4 Briefing by the outgoing SRC to ensure smooth handover;

- 15.3.5 Preparation of plans and budgets for the following year; and
- 15.3.6 Establishment of the Student Parliament and Committees as described in this Constitution; and
- 15.4 No individual member may serve in the SRC for more than two terms, whether consecutively or separately.
- 15.5 If it may not be feasible to hold free and fair SRC elections due to natural disasters, such as COVID-19, the Executive Management Committee shall decide on the administration of the SRC affairs until the next SRC elections.

16. RESHUFFLING OF SRC PORTFOLIOS

- 16.1 Following the replacement of members for whatever reasons, it may be necessary to reshuffle portfolios;
- 16.2 Reshuffling of portfolios shall be at the discretion of the SRC; and
- 16.3 The SRC shall inform the Student Affairs Department of the intention to reshuffle portfolios and the Student Development Officer shall preside over the process.

17. PRIVILEGES AND ALLOWANCES OF THE SRC

- 17.1 Privileges and allowances of the SRC shall be determined annually by the Executive Management Committee of the University in consultation with the SRC Executive.

18. DISCIPLINE

- 18.1 Every SRC member is expected to conduct him/herself acceptably about good societal moral standards and the provisions of the SRC code of conduct;
- 18.2 Provisions of common law and social conduct acceptable to human rights shall serve as a guide to every SRC member's conduct; and
- 18.3 The Disciplinary action shall be based on the provisions and procedures laid out in the SRC Code of Conduct and General Regulations for Students.

19. AMENDMENTS TO THE CONSTITUTION

- 19.1 The SRC Secretary-General shall invite students/clubs/societies and student organisations to submit proposed amendments;
- 19.2 Any amendment of, or deletion to this constitution shall be regarded procedural under the following conditions:
 - 19.2.1 Any registered student/ recognised club/society or student organisation may submit in writing a proposed amendment/deletion to this constitution; and
 - 19.2.2 The proposal shall be submitted to the Secretary General of the SRC by the student-recognized club/society or student organisation at least seven working days

before the AGM or a meeting convened for such a purpose;

- 19.3 All amendments shall be submitted in writing, supported by a minimum of 50 signatures and student numbers of students supporting the amendment/deletion;
- 19.4 No amendment to the constitution shall be valid unless passed by at least two-thirds majority of the students present and voting at a student body meeting called for this purpose;
- 19.5 No amendment to the constitution whether proposed by the Council or the SRC shall take effect until approved by both parties;
- 19.6 Details of a proposed amendment to the constitution shall be posted on the notice boards for at least three days before a student body meeting called for this purpose; and
- 19.7 With due regard to the HE, Act, 101, 1997 as amended and the Statute of the MUT, any proposed amendment of, or deletion or addition to this Constitution must be approved by the Council.

20. REVIEW OF THE CONSTITUTION

- 20.1 The Constitution of the SRC shall be reviewed every five years in line with the University Strategy and when there are changes to the internal or external operating environment, including legislation and other legal prescripts.
- 20.2 With the concurrence of the Student Representative Council, the Council shall approve the Constitution in line with the proposed changes to effectively achieve the objectives and goals of the Student Representative Council as determined by the University's Strategy.
- 20.3 All proposed changes shall be in line with the objectives and goals of the University to enhance the reputation of the University.

ANNEXURE TO THE SRC CONSTITUTION**STUDENT LEADERSHIP CODE OF CONDUCT AND DISCIPLINARY PROCEDURE****1. INTRODUCTION**

- 1.1 SRC is a statutory representative body for student interests in the Higher Education sector. It is constituted through the democratic election of its members to safeguard student interest and become a collective voice of the student community of Mangosuthu University of Technology;
- 1.2 In pursuit of its mandate, the SRC shall be guided by the precepts of the constitution and the code of conduct; and
- 1.3 The Code of Conduct seeks to present the bare minimum in terms of the conduct of all elected student representatives.

2. PRINCIPLES OF THE CODE OF CONDUCT

- 2.1 The promotion of academic excellence;
- 2.2 The promotion of honest student governance;
- 2.3 The promotion of responsive and responsible student leadership;
- 2.4 The promotion of transparent and accountable student governance; and
- 2.5 The promotion of a culture of “student first” in all SRC activities and engagements.

3. CLASSIFICATIONS OF OFFENCES**3.1. Grave offence**

A member shall be deemed to have committed a grave offence if he or she:

- 3.1.1 Commits any offence aimed at destroying the integrity and unity of the SRC collective or any of its sub-committees;
- 3.1.2 Assaults any office bearer of the SRC or its sub-committees and or any student while pursuing his or her official role;
- 3.1.3 Misappropriates the resources of the SRC, including but not limited to the funds of the University allocated to him or her for furthering the mandate of the SRC or any of its sub-committees;
- 3.1.4 Uses his/her position of trust to solicit sexual favours from students or a group of students; and/or
- 3.1.5 Makes sexual advances or unwelcomed sexual utterances to his/her colleagues in the SRC, its sub-committees or any student while carrying out his/her official duties assigned to him/her by the constitution and as may be determined from time to time by the SRC or any of its sub-committees.

3.2 Serious Offence

A member shall be deemed to have committed a serious offence if he or she:

- 3.2.1 Insults or provokes a fellow member of the SRC or any student, while carrying out official duties as an elected representative;
- 3.2.2 Disturbs the normal proceedings of the meeting of the SRC or any of its sub-committees;
- 3.2.3 Spreads malicious rumours about a fellow member of the SRC or any member of its sub-committees; and/or
- 3.2.4 Deliberately fails to perform duties assigned to him/her by the constitution or as may be delegated to him/her from time to time by the SRC or any of its committees in a manner that puts the SRC or any of its committees into disrepute.

3.3 Minor Offences

A member shall be deemed to have committed a minor offence if he or she:

- 3.3.1 Misses two consecutive meetings of the SRC or any of its sub-committees without apology to the SRC or any of its sub-committees;
- 3.3.2 Uses language/words that are unacceptable or derogatory or deemed politically polarizing in the SRC or any of its sub-committees, provided that such words shall have been properly agreed to and recorded as foul and unacceptable in the meetings of the SRC or any of its sub-committees; and/or
- 3.3.3 Attends to SRC meetings or any of its sub-committees and or carries out responsibilities of his/her office under the influence of alcohol or any unlawful narcotic substance.

4. PROCEDURE TO LAY A CHARGE

Any aggrieved member of the SRC or student who wishes to lay a charge should follow the following procedures:

- 4.1 The complainant should put a complaint in writing to the SRC Secretary-General, who shall table such complaint in the next ordinary meeting of the SRC after receipt of such a complaint;
- 4.2 The SRC meeting shall decide whether the complaint warrants to be heard by the Disciplinary Committee, in which case the decision shall be communicated in writing to the Chairperson of the Disciplinary Committee;
- 4.3 The Chairperson of the Disciplinary Committee (DC) shall within seven working days inform the complainant and accused of the date, time and venue of the Disciplinary Hearing and shall give reasonable notice for both parties to prepare;

- 4.4 Once the Disciplinary Committee has concluded its work it shall report to the SRC in the next ordinary meeting of the SRC after the hearing;
- 4.5 The SRC meeting shall have the right to accept or reject a part or the whole report of the Disciplinary Committee;
- 4.6 In the case where the SRC rejects the report of the Disciplinary Committee, it shall decide on the remedial action to be taken;
- 4.7 The Secretary-General shall henceforth write a letter notifying the complainant and the accused of the decision of the SRC;
- 4.8 In case the complainant or accused is not satisfied with the decision, he/she shall have the right to appeal the decision at the appellate body provided for in this code of conduct;
- 4.9 In case the appellant is not satisfied with the decision of the appeals body, he/she shall have the right to appeal to the Vice-Chancellor and Principal whose decision shall be final and binding on all;
- 4.10 In a case of alleged misconduct constituting a grave offence and where in the opinion of the SRC the accused would meddle with the process of Disciplinary Hearing, such an accused shall automatically be suspended until the matter is concluded; and
- 4.11 In a case where the process reaches an appeal level and the SRC believes that the accused poses no more danger to the process, such an accused may be reinstated until the outcomes of the appeal.

5. COMPOSITION OF ADJUDICATING BODIES

5.1 SRC Disciplinary Committee;

The SRC Disciplinary Committee shall consist of the following:

- 5.1.1 SRC Deputy President as Chairperson;
- 5.1.2 SRC Secretary-General;
- 5.1.3 Speaker of Student Parliament; and
- 5.1.4 Two other members of the SRC or any of its sub-committees except for the President and Treasurer General.

5.2 Disciplinary Appeals Committee

The Disciplinary Appeals Committee shall consist of the following:

- 5.2.1 The Dean of Students;
- 5.2.2 The Student Development Officer;
- 5.2.3 SRC President;
- 5.2.4 SRC Deputy Secretary-General; and

5.2.5 Legal Expert from Legal Services of the University

5.3 University Executive Management.

As set out in the Higher Education Act, Act No.101 of 1997 as amended and the Statute of the University.

6. SANCTIONS OF THE DISCIPLINARY COMMITTEE (DC)

Care should be taken to ensure that the sanction meted out during a disciplinary process is equal to the weight of the offence and serves to correct the behaviour of the said member. Careful attention should be paid to ensure that members do not use the DC process to avenge on personal squabbles.

6.1 Suspension; and

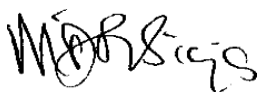
6.2 Reprimand.

7. AUTHORISATIONS AND SIGNATURES

I, Professor **Nokuthula Sibiya**, acting on behalf of the management of Mangosuthu University of Technology and in my capacity as **the Vice-Chancellor and Principal** sign this policy and accept and undertake to implement it as stipulated herein to realise its strategic intent and desired outcomes.

Date: **30 September 2024**

Signature:



I, Professor **Lourens Van Staden**, acting on behalf of the University Council of Mangosuthu University of Technology and in my capacity as **the Administrator** hereby sign this policy and authorise its implementation in the University.

Date: **02 October 2024**

Signature:

