

**UNIVERSITY OF KWAZULU-NATAL**  
**STUDENT REPRESENTATIVE COUNCIL CONSTITUTION**

**Approved by Council on 18 June 2018**

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## **Preamble**

This Student Governance Constitution (“Constitution”) draws from the diverse cultural, religious, political and economic backgrounds of the University of KwaZulu-Natal; conscious of the historical disparities within the African continent in general and South Africa in particular; it is established to unite and build a non-racial, non-sexist and democratic University Community; recognizing the central role played by students in serving their communities; determined to nurture a culture of learning, research, tolerance, understanding, and an ethical leadership and service orientated approach to engaging in society as a whole.

## Chapter 1: Founding Provisions

### Section 1: Definitions

**Academic Days** means days on which students are required to attend lectures as determined by Senate.

**Act of Misconduct** is an act, by a member of a student governance structure, whether directly or through an agent, which violates this Constitution, the rules and procedures of the University, or impedes the functioning and the effectiveness of the SRC or its sub-structures.

**Campus** means one of the five campuses of the University, namely, the Edgewood, Howard College, Nelson R. Mandela School of Medicine (NRMSM), Pietermaritzburg, Westville and any campus that may be added to the University in the future.

**Campus Representative Council** means a campus-based students representative body as contemplated in terms of Section 35 of the Higher Education Act, 101 of 1997, as amended. This will be established for each of the following campuses – Edgewood; Howard College; Medical School; Pietermaritzburg and Westville campuses.

**Code of Conduct** means the Student Disciplinary Rules as contained in the General regulations and Rules of the University of Kwa-Zulu Natal attached hereto as Annexure A.

**Class Representative** means a student elected in terms of Section 20 to represent the interests of students registered for a specific class or module.

**College** means the primary academic structure established by the University consisting of substructures as approved by Council and shall refer to: College of Agriculture; Engineering and Science (CAES), College of Health Sciences (CHS); College of Humanities (CH); and the College of Law and Management Studies (CLMS).

**College Management Committee** shall mean the Executive Management of the College and the abbreviation “CMC” shall mean the same.

**College Representative** means a member of the Campus Representative Council that will be elected by students registered in a particular college as outlined in Section 12 of the SRC Constitution.

**College Students Committee** means the collective body of School representatives within each College appointed as contemplated in Section 21.

**Council** means the governing body of the University as established in terms of the Higher Education Act, 101 of 1997, as amended, and by the Statute of the University of KwaZulu-Natal.

**Days** includes Saturdays, Sundays and Public Holidays.

**Electoral Commission** means the commission established to manage the elections of the Student Representative Council.

**Elected Portfolio** means those SRC Portfolios that are filled in terms of the election procedure contemplated in Annexure B.

**Electoral Rules** means the rules of engagement for the election of the Student Representative Council which are attached as Annexure B to this Constitution.

**Employee** means any person employed by the University on a full-time, part-time or fixed term contractual basis.

**Executive Director: Student Services** means the member of the University Executive Management Committee responsible for Student Services.

**Executive Management Committee** means the collective term for the Vice-Chancellor, Deputy Vice-Chancellors, Registrar, Executive Directors and other members of senior management as contemplated in terms of Statute of the University of KwaZulu-Natal.

**Executive SRC** means the 7 (seven) directly elected members of the SRC plus the 10 (ten) ex-officio members from the Campus Representative Councils.

**Ex-officio** means by virtue of holding office.

**Ex-officio Portfolio** means a Student Representative Council portfolio as contemplated in Section 5 held by an SRC member serving in official capacity.

**Full Course** includes registration of maximum prescribed credits per semester.

**Functions** include powers and duties and vice versa.

**Higher Education Act** means the Higher Education Act, No. 101 of 1997, as amended.

**Institutional Forum** means the institutional forum contemplated in Section 31 of the Higher Education Act, as amended, as well as the article 37 of the Statute of the University of KwaZulu-Natal.

**JCC** means the Joint Chairpersons Council.

**LAN** means the Local Area Network through which the university accesses the internet

**Manager: Student Governance and Leadership Development** means the member of staff within Student Services Division responsible for student governance and leadership development University-wide.

**Member** means a student holding office in a student governance structure.

**Month** means a calendar month.

**Motion of censure** means a motion moved against an SRC member in a quorate SRC meeting due to acts of misconduct or ill-discipline.

**Portfolio Committee** means a campus-based representative committee elected as contemplated in Section 22, which reports directly to a Student Representative Council member in respect of campus concerns related to its designated area of focus.

**Residence** means any officially recognised residence of the University, both University-owned and leased residences.

**School** means the group of academic disciplines that form the secondary academic structure within a College.

**Semester** means an academic period at the University constituting either the first or second half of a calendar year as determined by the University's sessional dates.

**Senate** means the body responsible for academic matters as established in terms of the Higher Education Act, 101 of 1997, as amended, and article 21 of the Statute of the University of KwaZulu-Natal.

**Simple Majority** means 50% (Fifty percent) plus 1.

**SRC Elect** means the newly elected SRC members that have not yet been inaugurated and hence not yet in office and cannot function as SRC members until the official commencement of their term of office.

**Student** means a person registered for a qualification at the University.

**Student Body** is the collective term for all students registered at the University of KwaZulu-Natal.

**Student Governance Structure** means the Student Representative Council, sub-structures and committees representing the leadership of the student body.

**Student Governance and Leadership Development Office** means the office charged with student governance and leadership development matters in the Student Services Division.

**Student Governance and Leadership Development Officer** means the staff member within the Student Services Division responsible for the affairs of student governance and leadership development at a particular campus.

**Student Governance and Leadership Development Administrator** means the staff member within the Student Services Division responsible for the administrative and related responsibilities of the student governance and leadership development at a particular campus.

**Student Organisations, Clubs and Societies** means any student club, society, association or organisation recognised by the Student Governance and Leadership Development office as contemplated in Section 23.

**Student Parliament** is the forum through which the Student Representative Council provides feedback to the student body as contemplated in Section 24.

**Students Representative Council** means the students representative body as contemplated in terms of Section 35 of the Higher Education Act, 101 of 1997, as amended. The abbreviation “SRC” shall have the same meaning.

**Term of Office** means the 12 (twelve) month period in which members of student governance structures must serve.

**University** means the University of KwaZulu-Natal. The abbreviation “UKZN” shall have the same meaning.

**University Council** means the governing body of the University. The shorter form “Council” shall have the same meaning.

**University Statute** means the Statute of the University of KwaZulu-Natal as promulgated under Government Gazette No. 29032 and as amended in the Government Gazette, Volume 561, No 35124, dated 7 March 2012.

**Working days** excludes Saturdays, Sundays and Public Holidays.

**Year** means the University academic year as defined by the University’s sessional dates.

## **Section 2: Status of this Constitution**

- 2.1. This Constitution is called the “University of KwaZulu-Natal Student Governance Constitution.”
- 2.2. All constitutions, regulations, rules, codes, documents, motions and decisions adopted by the student body are subject to this Constitution and are invalid in as far as they are inconsistent with it.
- 2.3. Subject to the provisions of the Higher Education Act, the University Statute and the authority of the Council, this Constitution binds the SRC, student structures and all the students of the University of KwaZulu-Natal.
- 2.4. This Constitution replaces all other previous Student Governance Constitutions at the University of KwaZulu-Natal.
- 2.5. This Constitution will take effect on a date determined by Council of the University.

## **Section 3: Objectives**

The objective of this Constitution is to:

- 3.1. Promote principles that embrace democratic practice, representation and consensus building in all student governance structures.
- 3.2. Advance transformation as espoused in the Transformation Charter of the University.
- 3.3. Embrace the vision, mission and strategic plan of the University of KwaZulu-Natal through the development of plans and goals by the Students Representative Council.
- 3.4. Aim to encourage academic excellence, promote equality of opportunities through efficient and transparent student governance.
- 3.5. Embrace the code of conduct of the University, and the values of the institution;
- 3.6. Affirm the principle of linguistic plurality.
- 3.7. Respect differences that arise due to socio-economic status, race, gender, sexual orientation and religion.
- 3.8. Uphold of transparency, accountability, responsiveness and broad participation of the student community.
- 3.9. Promote and protect the principles entrenched in the Bill of Rights, Chapter 2 of the Constitution of the Republic of South Africa, 1996.

## **Chapter 2: Student Representative Council**

### **Section 4: Status of the Student Representative Council**

- 4.1. The name of the body shall be the Student Representative Council of the University of KwaZulu Natal, hereinafter referred to as "SRC".
- 4.2. The SRC, as envisaged in Section 35 of the Higher Education Act 101 of 1997, as amended, must act in accordance with this Constitution, the Statute of the University of KwaZulu-Natal and the institutional rules and regulations of the University of KwaZulu-Natal.
- 4.3. The SRC is subject to the authority of the Council and other relevant University authorities.
- 4.4. The SRC is regulated by the Act and the University Statute and may do all things necessary to carry out the aims and objectives of the SRC. This right shall be exercised in accordance with the rules and regulations of the University.
- 4.5. The SRC shall be the highest representative structure of the students of the University of KwaZulu-Natal.
- 4.6. The SRC is obligated to adhere to and uphold the Student Disciplinary Rules and the SRC Code of Conduct attached hereto as Annexure A.
- 4.7. The SRC is accountable to the student body in the execution of its aims, objectives, functions and responsibilities.
- 4.8. The SRC is not a legal entity and is as such not the bearer of its own rights and it cannot sue or be sued in its name.

### **Section 5: Composition of the Student Representative Council**

- 5.1. The SRC comprises of 7 (seven) directly elected members, who shall form part of the Executive committee of the SRC and 37 (thirty) Campus Representative Councils members who are elected as outlined in Annexure B.
- 5.2. The SRC Executive shall be made up of 7 (seven) directly elected members, and 10 (ten) ex-officio members from the Campus Representative Councils.
- 5.3. The SRC Executive shall be composed of candidates directly elected to hold the following portfolios as espoused in Annexure B:-
  - (a) President
  - (b) Deputy President
  - (c) Secretary General
  - (d) Treasurer General

- (e) Academic and Transformation Officer
- (f) Student Support Services Officer
- (g) Residence Affairs Officer

5.4. The CRC shall be composed of candidates directly elected to hold the following portfolios as espoused in Annexure B:-

- (a) Chairperson
- (b) Campus Secretary
- (c) Campus Finance
- (d) Campus Student Support Services Officer
- (e) Campus Residence Affairs Officer
- (f) One College Representative per college in the respective campus shall be elected and form part of the Campus Representative Council

5.5. The Chairperson and Campus Secretary of each campus shall serve as Ex-officio members of the SRC Executive.

## **Section 6: Objectives of the Student Representative Council**

The objectives of the SRC are:

- 6.1. To represent and serve students in all University matters affecting them as individuals and as a student body.
- 6.2. To advocate for students' rights, striving for the general welfare of the student body regardless of race, colour, creed, sexual orientation or any other listed ground in terms of Section 9 of the Constitution of the Republic of South Africa.
- 6.3. To facilitate communication between students and other stakeholders within the University and the higher education sector.
- 6.4. To promote, by example and leadership, a culture of democracy and tolerance within the University community.
- 6.5. To support students and student structures by creating forums to achieve common goals, to perform such actions as necessary to achieve these goals, and to assist in resolving disputes among students and within the various components of student governance.
- 6.6. To support the development of good student governance by encouraging participation in, and cooperation between, the various student structures.

## **Section 7: Responsibilities of the Student Representative Council**

In exercising its powers and functions the SRC must take reasonable steps to:

- 7.1. Represent the interests of the student body on the Council, Senate, Institutional Forum, and other University-wide structures of governance at the University.
- 7.2. Represent the interests of the student body in the formulation of University-wide student policies and procedures.
- 7.3. Liaise with Council, Senate, the Executive Management Committee, other higher education institutions, SRCs of other higher education institutions, national or international student organizations and any other public forum in so far as it relates to the mandate of the SRC.
- 7.4. Conduct the day-to-day administration of student governance and student affairs in cooperation with the Executive Director: Student Services and the Student Governance and Leadership Development Office; and individually and collectively make themselves available to attend to the day-to-day needs and problems of students.
- 7.5. Coordinate and supervise the use of facilities placed under the jurisdiction of the SRC.
- 7.6. Extend recognition to or withdraw recognition from any club, society or student organisation.
- 7.7. Exercise effective control over all structures under its jurisdiction and consider any objection from a student against a decision or conduct of any office-bearer, or structure under its jurisdiction.
- 7.8. Account for funds provided to the SRC by the University by producing and adhering to an annual budget, complying with all Government and University financial regulations, and implementing generally accepted accounting principles in its financial systems and reporting.
- 7.9. Consider and, if found to be acceptable, approve the constitutions of student governance structures.
- 7.10. Receive submissions for proposed constitutional amendments and make recommendations to Council concerning amendments to this Constitution.
- 7.11. Report back to students on the activities of the SRC by means of meetings, minutes of meetings, posters, newsletters or other appropriate media, and a quarterly publication of the SRC budget.
- 7.12. Provide reports requested by the Executive Director: Student Services, member of the Executive Management Committee, Council or any structure of the University regarding any matter that may be of interest.
- 7.13. Carry out any additional functions and responsibilities delegated to it by Council or the University Management.

## **Section 8: Duties of the Executive Office Bearers in the Student Representative Council**

### **8.1. The President shall:**

- (a) Be the President of the SRC and the head of the student governance structure.
- (b) Convene and preside over ordinary SRC/Executive meetings. Meetings shall be convened in consultation with the Secretary General.
- (c) Together with any other delegated member(s) of the SRC represent students in all designated University structures.
- (d) Together with the Secretary General, prepare quarterly reports on the activities of the SRC.
- (e) Present a report on the activities of the SRC for consideration by Student Parliament at its meetings held in terms of Section 24(2).
- (f) Ensure and oversee all the work of the SRC in accordance with this Constitution, the Code of Conduct agreed upon by the SRC; and rules or procedures of the University.
- (g) Together with other delegated SRC members, represent the SRC and students at all official functions of the University.
- (h) Attend and address any meetings of committees, sub-structures or sub-committees within the student governance structure and communicate the views of the SRC to such committees, sub-structures or sub-committees within the student governance structures.
- (i) Together with the Treasurer General, act as primary signatories for all financial documents requiring signature.
- (j) In the absence of the Treasurer General act as signatory for all financial documents with the Secretary General.
- (k) Together with the Secretary General, draft and issue press statements, on matters agreed upon by simple majority within the SRC.
- (l) act as the official spokesperson of the SRC
- (m) Sign all minutes of the SRC meetings.
- (n) Delegate the duties of the President to the Deputy President during any period of absence or inability to perform his/her duties for whatever reason.
- (o) Delegate the duties of President to the Secretary General, failing which, any other member of the SRC during any period of absence of the President and Deputy President or inability to perform their duties for whatever reason.

## **8.2 The Deputy President shall:**

- (a) Deputize in the absence of the President.
- (b) Assist and support the President in executing his/her responsibilities, powers, duties and functions and fulfil any such functions and duties as may from time to time be assigned to him/her by the President.
- (c) Facilitate the constitutional development process of the SRC in accordance with the provisions of Chapter 4.
- (d) Act as chairperson of the Constitutional Amendment Committee as contemplated in Chapter 4.
- (e) Liaise with the Executive Director for Student Services regarding all aspects of the constitutional development process of the SRC in accordance with the provisions of Chapter 4.
- (f) Be responsible to receive complaints concerning the conduct of any member of the SRC or student governance structure as contemplated in Section 16.
- (g) Ensure that the needs of post-graduate and international students are catered for.
- (h) Liaise with the office responsible for post-graduate students and the international student's office.
- (i) Compile monthly reports to be submitted to the Secretary General.
- (j) Be responsible and accountable for all issues relating to the SRC's website and social media pages.
- (k) In collaboration with campus Student Support Services Officers, identify and implement community outreach projects.

## **8.3 The Secretary General shall:**

- (a) Be responsible for the general administration of the SRC and maintenance of the SRC records.
- (b) Be responsible for the correspondence of the SRC and keep records thereof.
- (c) Be responsible for performing and regulating minute-taking of all SRC meetings including the distribution of agendas and minutes and the communication of decisions.
- (d) Post the minutes of the SRC meetings on the student notice boards and on the LAN at least seven (7) days after every meeting.
- (e) In the absence of either the President or the Treasurer General act as signatory on all financial transactions together with either the President or the Treasurer General, as the case may be.
- (f) Together with the President, prepare quarterly reports on the activities of the SRC.
- (g) Together with the Treasurer General and with the assistance of the Student Governance and Leadership Development Administrator, organize functions of the SRC.

- (h) After consultation with members of the SRC, together with the President, draft and issue press statements on behalf of the SRC.
- (i) Liaise with other structures, organizations and institutions internally and externally.
- (j) Deputize in the absence of both the President and Deputy President.
- (k) Prepare an annual report on the overall work of the SRC.
- (l) Liaise with the University's Corporate Relations Division concerning the publication of news/marketing related to SRC activities or matters affecting the student body.

**8.4 The Treasurer General shall:**

- (a) Be responsible for the drawing up of the SRC budget, open and transparent financial administration of the SRC in accordance with the financial policies, policy documents, rules and regulations of the University, and is accountable to the relevant University authorities.
- (b) Disburse funds to CRCs, as authorised, in terms of an approved budget and funding framework.
- (c) Present a financial report to the SRC, the Executive Director: Student Services, and the Student Governance and Leadership Development Office as and when requested to do so, provided that at least seven (7) working days' notice calling on him/her to do so, is given.
- (d) Keep records and a proper filing system of all financial transactions of the SRC.
- (e) Convene and chair meetings of the SRC Finance Committee, which shall be comprised of all Campus Finance Officers, the President and Secretary General of the SRC.
- (f) Together with the President act as primary signatories for all financial transactions of the SRC.
- (g) In the absence of the President act as signatory for all financial documents with the Secretary General.
- (h) Be responsible for fundraising for all projects of the SRC.
- (i) Compile monthly reports to be submitted to the Secretary General.

**8.5 Student Support Services Officer shall:**

- (a) Liaise with the College and Support Services Managers concerning matters of student service and support.
- (b) Represent the SRC on relevant University committees dealing with Student Services matters such as, but not limited to, the Bursary and Loans Committee, Student Services Council, Scholarships Committee, etc.

- (c) Facilitate forums and projects that will enable students to get involved with topical issues of interest to students.
- (d) Coordinate social awareness campaigns.
- (e) Represent the SRC on relevant University committees dealing with psycho-social matters affecting students including but not limited to; HIV , Health, Food Insecurity, Gender based violence, Diversity etc.
- (f) Investigate and compile a report on matters pertaining to the removal of barriers experienced by students with disabilities.
- (g) Facilitate the appointment of the Student Support Services Portfolio Committee on all campuses in terms of Section 22.
- (h) Convene and preside over the Student Support Services Portfolio Committee meetings.
- (i) Present issues raised at Student Support Services Portfolio Committee meetings in SRC meetings.
- (j) Shall be the liaison person between the SRC and the Sports Department
- (k) Compile monthly reports and submit to the Secretary General.

**8.6 The Residence Affairs Officer shall:**

- (a) Facilitate communications between the SRC and the Department of Student Residence Affairs.
- (b) Represent the SRC in meetings with the Student Residence Affairs Department Management on University-wide student residence matters.
- (c) Attend Residence Advisory Committee meetings and University Residences Committee meetings.
- (d) Facilitate the appointment of the Residence Portfolio Committee on each campus in terms of Section 22.
- (e) Convene and preside over the Residence Portfolio Committee meetings.
- (f) Present issues raised at Residence Portfolio Committee meetings in SRC meetings.
- (g) Attend to matters regarding facilities at the University, the safety and security of students, and transport services.
- (h) Compile monthly reports to be submitted to the Secretary General.

**8.7 The Academic and Transformation Officer shall:**

- (a) be responsible for all academic matters affecting students
- (b) coordinate the activities of all College or School oriented student organizations;
- (c) gather and secure information pertaining to the transformation of the University;
- (d) coordinate active College Student Committees (CSC) at the University;

- (e) liaise with College Representatives of the Campus Representative Council to gather issues that need SRC attention, and to provide feedback on progress made regarding those issues referred to the SRC;
- (f) through the College Student Committees, organize inter-college student life activities (academic, social and so on) in coordination with the appropriate departments of the Student Services Division;
- (g) ensure and/or build good relationships between the SRC and the student body, lecturers, Heads of Schools and the College Deans;
- (h) represent students on Senate, Academic Committees (AECOM); Examination Committees and Orientation Committees; the Institutional Forum and any other relevant committees;
- (i) Write monthly reports and submit them to the Secretary General.

### **Section 9: Duties of the Campus Representative Council Office Bearers**

#### 9.1. The **Campus Chairperson** shall:

- (a) Convene and preside over ordinary CRC meetings.
- (b) Together with the Campus Secretary, prepare quarterly reports on the activities of the CRC.
- (c) Ensure and oversee all the work of the CRC in accordance with this Constitution, the Code of Conduct agreed upon by the SRC; and rules or procedures of the University.
- (d) Together with the Campus Finance Officer, act as primary signatories for all financial documents requiring signature.
- (e) Sign all minutes of the CRC meetings.
- (f) Delegate the duties of the Chairperson to the Campus Secretary during any period of absence or inability to perform his/her duties for whatever reason.
- (g) Represent the CRC at the SRC Executive as an ex-officio member.

#### 9.2 The **Campus Secretary** shall:

- (a) Be responsible for the general administration of the CRC and maintenance of CRC records.
- (b) Be responsible for performing and regulating minute-taking of all CRC meetings including the distribution of agendas and minutes and the communication of decisions.
- (c) Post the minutes of the CRC meetings on the student notice boards and on the LAN at least seven (7) days after every meeting.

- (d) In the absence of either the Campus Chairperson or the Campus Finance Officer act as signatory on all financial transactions together with either the Campus Chairperson or the Campus Finance Officer, as the case may be.
- (e) Together with the Campus Chairperson, prepare quarterly reports on the activities of the CRC.
- (f) Together with the Campus Finance and with the assistance of the SGLD Administrator, organize functions of the CRC.
- (g) Deputize in the absence of the Campus Chairperson
- (h) Prepare an annual report on the overall work of the CRC
- (i) Receive reports from all recognised clubs/societies recognised in the respective campus
- (j) Represent the CRC at the SRC Executive as an ex-officio member
- (k) Prepare monthly reports and submit to the Secretary General.

9.3 The **Campus Finance Officer** shall:

- (a) Be responsible for the drawing up of the CRC budget, open and transparent financial administration of the CRC in accordance with the financial policies, policy documents, rules and regulations of the University, and is accountable to the relevant University authorities.
- (b) Disburse funds to student governance structures, as authorised, in terms of an approved budget and funding framework.
- (c) Present a financial report to the CRC and the Student Governance and Leadership Development Office as and when requested to do so, provided that at least seven (7) working days' notice calling on him/her to do so, is given.
- (d) Keep records and a proper filing system of all financial transactions of the CRC.
- (e) Together with the Campus Chairperson act as primary signatories for all financial transactions of the CRC.
- (f) In the absence of the Campus Chairperson act as signatory for all financial documents with the Campus Secretary.
- (g) Be responsible for fundraising for all projects of the CRC.
- (h) Compile monthly reports to be submitted to the Campus Secretary.

9.4 **Campus Student Support Services Officer** shall:

- (a) Handle all campus matters relating to security, transport services, catering health and safety,
- (b) Organize cultural and arts activities that are inclusive of all cultures represented in the student body.

- (c) Facilitate forums and projects that will enable students to get involved with topical issues of interest to students.
- (d) Coordinate social awareness campaigns.
- (e) Investigate and compile a report on matters pertaining to the removal of barriers experienced by students with disabilities.
- (f) Form part of the Student Support Services Portfolio Committee in terms of Section 22.
- (g) Represent the CRC on the Student Services Council.
- (h) Present issues raised at Student Support Services Portfolio Committee meetings in CRC meetings.
- (i) Act as chairperson over the Sports Committee which is comprised of all the chairpersons of all sporting codes affiliated in the respective campus.
- (j) Serve as a liaison between the sporting codes and Sports Administration.
- (k) Compile monthly reports and submit to the Campus Secretary.

**9.5 Campus Residence Affairs Officer shall:**

- (a) Facilitate communications between the CRC and the residence structures.
- (b) Represent the CRC in meetings with the Student Residence Affairs Department Management on campus related student residence matters.
- (c) Attend Residence Advisory Committee meetings and University Residences Committee meetings.
- (d) Form part of the Residence Portfolio Committee in terms of Section 22.
- (e) Convene and preside over the Campus Residence Portfolio Committee meetings.
- (f) Present issues raised at Campus Residence Portfolio Committee meetings in CRC meetings.
- (g) Attend to matters regarding facilities at the University, the safety and security of students, and transport services.
- (h) Compile monthly reports to be submitted to the Campus Secretary.

**9.6 College Representatives shall:**

- (a) Represent the academic and institutional interests of their Schools and Colleges within the CRC.
- (b) Represent the campus orientated interests of their Schools and Colleges to the Portfolio Committees convened for their School or College's campus.
- (c) Coordinate active College Student Committees (CSC) at their respective campus
- (d) Serve as representatives of the CRC and College Student Committee on the College Academic Affairs Board (CAAB) and the College Exclusion Appeals Committee (CEACOM).

- (e) Liaise with the College Dean (Teaching and Learning and/or Research), for their respective Colleges on all issues affecting students in the College.
- (f) Compile monthly reports and submit to the Campus Secretary.

### **Section 10: Filling of Vacancies**

10.1 In the event of a vacancy arising for whatever reason in any of the portfolios either in the SRC executive or CRC during the term of office, the provisions of clause 12 of Annexure B (Electoral Code) shall come into effect.

### **Section 11: Eligibility Requirements for Student Representative Council**

11.1. To be eligible for nomination as a candidate for the SRC Executive and Campus Representative Council, a student, whether contesting the elections as an individual or on behalf a club/society or student organisation, shall be required to:

- (a) be registered for a degree or a diploma at the University;
- (b) have been registered with the University, belonged to a particular School and completed at least two (2) semesters;
- (c) not have been found guilty by a disciplinary committee of the University for transgression of the Code of Conduct or other rules and regulations of the University;
- (d) not have been convicted of a criminal offense in terms of any laws of the Republic of South Africa or elsewhere, provided that such an offence is deemed as an offence in terms of the laws of the Republic of South Africa; and for which he or she has been sentenced to imprisonment of more than 12 months without the option of a fine, unless he or she has received a pardon; ;
- (e) Have the Academic Standing of Green based on the University's Academic Monitoring and Support (AMS) system, so-called Robot system.

11.2. To be eligible to contest for SRC elections, a club or society must have been recognised by the SRC for at least one (1) semester.

11.3. A Student who is elected or who occupies a position in a student governance structure and who no longer complies with the requirements of Section 11(1) automatically forfeits his/her membership with immediate effect and is replaced in accordance with the procedures contained in clause 12 of Annexure B.

## **Section 12: Elections**

- 12.1. SRC candidates may stand as a candidate on behalf of a recognised student club/society or student organisation; and are elected by Students in accordance with the Election Rules set out in Annexure B.
- 12.2. Clubs/societies wishing to contest for the SRC Executive Portfolios must be recognised in at least three (3) campuses to be eligible to contest.
- 12.3. Students are entitled to nominate and vote for candidates for portfolios on the basis of one vote per student.
- 12.4. Students registered in a particular college on a specific campus may stand as individual candidates for the portfolio of College Representative for their respective college and are elected by students of that college in accordance with the Election Rules set out in Annexure B.
- 12.5. The SRC elections shall be initiated and concluded within the third quarter of the academic year and no later than 30 September of each year.
- 12.6. All student organisations, clubs and societies recognised in terms of Section 23 read with Annexure D are allowed to contest the elections.
- 12.7. Clubs/Societies or student organizations must submit gender balanced candidates.

## **Section 13: Term of Office**

- 13.1. The term of office of the SRC and all student governance structures is 12 months (1 year).
- 13.2. Training and induction of the SRC must take place immediately after the commencement of their term of office and concluded no later than three months after the commencement of their term of office.
- 13.3. Provided the Eligibility Requirements are met and a candidate is elected in accordance with this Constitution, an SRC Member may stand to be re-elected and serve for a total of 2 (two) terms as an SRC Member, whether consecutively or separately. Terms already served in the previous constitution will still apply to bring this to effect.
- 13.4. SRC members during their term of office shall quality for privileges as determined by the Executive Management Committee of the University on an annual basis. Such privileges shall come to an end when the terms of office ends or a student ceases to be a member of the SRC as described in Section 18.

#### **Section 14: Meetings of the SRC.**

- 14.1. Ordinary meetings of the SRC (**44 member**) shall be held at least once (1) a quarter.
- 14.2. A quorum of 23 members of the SRC are required for an SRC ordinary meeting provided that three of the following Executive office bearers are present: the President, Deputy President, Secretary General or Treasurer General.
- 14.3. All SRC members shall have full voting rights in respect of decisions of the SRC.
- 14.4. Decisions taken by the SRC must be taken on the basis of vigorous discussion with a view to achieving consensus, failing which the members must vote to reach a decision.
- 14.5. Decisions taken at ordinary meetings of the SRC shall require a simple majority of the SRC members present at the meeting.
- 14.6. Accurate Minutes shall be taken of all SRC meetings and the approved minutes placed on public student notice boards and the LAN within seven (7) days after the meeting.

#### **Section 15: Meetings of the SRC Executive/CRC**

- 15.1. Ordinary meetings of the SRC Executive/CRC shall be held at least once every three weeks.
- 15.2. A quorum of five (5) SRC Executive members plus six (6) ex-officio members is required for an SRC Executive ordinary meeting provided that three of the following Executive office bearers are present: the President, Deputy President, Secretary General or Treasurer General.
- 15.3. A quorum of 50% plus one (1) CRC members is required for a CRC ordinary meeting provided that two of the following office bearers are present: the Chairperson, Campus Secretary or Campus Finance Officer.
- 15.4. All SRC Executive/CRC members shall have full voting rights in respect of decisions of the SRC Executive/CRC.
- 15.5. Decisions taken by the SRC Executive/CRC must be taken on the basis of vigorous discussion with a view to achieving consensus, failing which the members must vote to reach a decision.
- 15.6. Decisions taken at ordinary meetings of the SRC Executive/CRC shall require a simple majority of the SRC Executive/CRC members present at the meeting.
- 15.7. Accurate Minutes shall be taken of all SRC Executive/CRC meetings and the approved minutes placed on public student notice boards and the LAN within seven (7) days after the meeting.
- 15.8. The Campus Secretary must also forward such minutes to the Secretary General of the SRC within seven (7) days after the meeting.

## **Section 16: Disciplinary Enquiries**

- 16.1. As the chosen representatives of students and the University, it is critical that the conduct of members of the SRC and its sub-structures should always be beyond reproach.
- 16.2. All student governance structures (SRC, Clubs/societies/College Student Committees/House committees/sports committees) shall be subjected to the provisions of Annexure A also referred to as the Student Governance Code of Conduct.
- 16.3. Disciplinary enquiries shall be conducted in accordance with the provisions set down in Annexure A.

## **Section 17: Recall and Replacement of Members of the SRC**

- 17.1. Student organizations represented on the SRC shall have the right to recall and replace one or more of their representatives on the SRC.
- 17.2. The right to recall or replace shall be exercised only as described hereunder:
  - (a) Recall or replacement of a member(s) may not be made within the first three months of the term of office of the SRC.
  - (b) Recall and replacement of member(s) must be done in a manner that does not impede or disturb the functioning and smooth running of the SRC.
  - (c) Recall or replacement may only be exercised on the grounds that an SRC member has failed to adhere to the terms of his/her SRC performance agreement.
  - (d) A student organization opting to exercise the right of replacement is required to inform the SRC member being recalled, the SRC and the Student Governance and Leadership Development Office of its intent to recall or replace in writing.
  - (e) A notice of intent to recall must provide detailed explanation of the nature of the SRC member's infringement of the SRC performance agreement and provide a timeframe for the replacement of the SRC member which gives effect to Section 17(2) (b).
  - (f) Recalled member(s) must be replaced by the student organization holding the seat(s), provided that the replacement members must be drawn (in rank order) from the student organization's original candidate list submitted at the time of the elections. In the event where the rank list is exhausted, the seat shall be forfeited.
  - (g) In the event that a student organization withdraws entirely from participation in the SRC or forfeit a seat, the student organization will be replaced by another organization with the next highest number of votes in the elections.

## **Section 18: Termination of the Student Representative Council Membership**

18.1. A member of the SRC shall cease to hold office if and when:

- (a) he/she ceases to be a student of the University;
- (b) he/she tenders his/her resignation in writing and such resignation is accepted by the SRC as the case may be;
- (c) he/she is recalled or replaced by his/her student organisation as contemplated in Section 17;
- (d) he/she is found guilty of an offence by the University disciplinary structures, the SRC Disciplinary Tribunal or a court of law;
- (e) he/she is underperforming (Red) as per University's Academic Monitoring and Support (Robot) system; or
- (f) failure to attend three (3) consecutive ordinary meetings of the SRC/Executive/CRC without an acceptable written reason;
- (g) he/she has had two (2) motions of censure passed on him/her during a single term of office by the SRC for one or more of the following reasons:
  - i. failure to attend a related University committee on which the member serves in his/her capacity as an SRC member, without an acceptable written reason;
  - ii. Failure, without a reasonable explanation, to carry out such duties as may be entrusted to him/her.

18.2. In the event of a vacancy arising for whatever reason in any of the elected portfolios, the vacancy may be filled in terms of the procedure described in clause 12 of Annexure B.

## **Section 19: Dissolution of the Student Representative Council**

19.1. If there are reasonable grounds for the Council of the University to believe that the SRC is objectively incapable of discharging its basic responsibilities as described in Section 7 and has as result become inoperative or unable to function properly; the University Council may:

- (a) Dissolve the SRC;
- (b) Make interim arrangements for the functioning of the SRC;
- (c) Arrange for elections to be held in accordance with the election procedure in Annexure B within a period not exceeding six (6) months from the date of dissolution;

## **Chapter 3: Student Governance Structures**

### **Section 20: Class/Module Representatives**

- 20.1. Each class/module shall elect a Class/Module Representative.
- 20.2. The Class/Module Representative shall represent and promote the interests of all students in academic and related matters in the class/module.
- 20.3. The Class/Module Representative shall advocate for the most ideal teaching and learning environment in the class/module.
- 20.4. The Class/Module Representative shall liaise with and bring to the attention of the academic member of staff concerned, all issues affecting students in the class/module.
- 20.5. The nomination and election of Class/Module Representatives shall be finalized no later than seven (7) days of the commencement of lectures.
- 20.6. The Student Governance and Leadership Development Office and the school administrative staff shall facilitate the processes and elections of Class/Module Representatives.

### **Section 21: School and College Representation**

- 21.1. The Class/Module Representatives in every school will constitute the School Students Committee (SSC). The SSC must elect two members who will represent their school at the College Students Committee (CSC).
- 21.2. All School Representatives duly appointed by their respective SSC within each College will constitute the College Students Committee (CSC)
- 21.3. The CSC must elect two representatives to serve as members of the Student Parliament to represent their college.
  - (a) The two representatives in each college must be from undergraduate and postgraduate levels, respectively.
  - (b) The nomination and election process for the College members of parliament shall take place within seven (7) days following the finalization of the election of the SSC.
- 21.4. The Student Governance and Leadership Development Office and the SRC College Representative shall facilitate all the processes and elections of the CSC

## **Section 22: Portfolio Committees**

- 22.1. There are Four (4) portfolio committees: Student Support services, Academic Affairs, Residences and Sports respectively.
- 22.2. The portfolio committee on **Student Support services** comprises of;
  - (a) The SRC Executive Student Support services Officer who shall serve as the chairperson of the committee
  - (b) All Campus Student Support services officers
- 22.3. The portfolio committee on **Academic Affairs** comprises of;
  - (a) The Academic and Transformation Officer who shall serve as the chairperson of the committee
  - (b) All College Representatives in the CRCs
- 22.4. The portfolio committee on **Student Residences** comprises of;
  - (a) The Residence Affairs Officer who shall serve as the chairperson of the committee.
  - (b) All Campus Residence Affairs Officers
  - (c) All Residence JCC secretaries
- 22.5. The portfolio committee on **Sports** comprises of;
  - (a) The SRC Executive Student Support services Officer who shall serve as the chairperson of the committee
  - (b) All Campus Student Support services officers
  - (c) All Sports JCC Secretaries
- 22.6. The SRC shall establish further ad-hoc committees to improve its functioning.

## **Section 23: Recognition of Clubs and Societies**

- 23.1. All clubs, societies or student organisations seeking recognition on any campus must complete an application form at the Student Governance and Leadership Development Office in accordance with the procedure contemplated in Annexure D.
- 23.2. The SRC shall have the power to extend recognition or withdraw recognition from any Society under its jurisdiction in accordance with the requirements and procedure as contemplated in Annexure D.

## **Section 24: Student Parliament**

### **24.1. Composition**

The Student Parliament shall comprise of:

- (a) All SRC members;
- (b) Two (2) representatives from each Club/Society or student organization which is recognized in at least 3 campuses.
- (c) 50 members delegated from the student organizations that participated in the elections. Seats shall be allocated in accordance with the number of seats the organization received during the SRC elections.
- (d) Two college representatives (per college) as appointed by their respective CSC.
- (e) All Residence JCC secretaries
- (f) All Sports JCC secretaries

### **24.2. Ordinary Meetings**

- a) Student Parliament shall hold three ordinary meetings in a year in the months of March, July and September.
- b) The Speaker and Deputy Speaker and Secretary of Parliament shall be elected by simple majority vote of the members of Parliament at the first sitting of Parliament in March in accordance with the procedures in Annexure B.
- c) The 5 (five) representatives of Student Parliament for the Constitutional Amendment Committee shall be nominated and elected by simple majority vote of the members of Parliament at the first sitting of Parliament in March.
- d) The purpose of the **first meeting** of Parliament in March shall be to receive the SRC strategic plan for the year and to note the SRC's budget and performance plan.
- e) the purpose of the **second meeting** of Parliament in July shall be to:
  - i. hear a report of the SRC on its progress in meeting targets in its performance plan; and
  - ii. Discuss submissions for proposed constitutional amendments;

- f) the purpose of the **third meeting** of Parliament in September shall be to:
- i. hear a second and final report of the SRC on its progress in meeting targets in its performance plan;
  - ii. Hear the final report of the Deputy President on the proposed constitutional amendments that will be submitted to Council; and
  - iii. Introduction of the SRC elect.

## **Chapter 4: Constitutional Amendments**

### **Section 25: Ordinary Amendments**

- 25.1. The Council of the University is the custodian of this Constitution and the annexures hereto and is the final authority on all amendments to this Constitution and the annexures hereto.
- 25.2. The Council of the University may dissolve the SRC in terms of Section 19 and revoke this Constitution and initiate a process to have a new Student Governance Constitution drafted.
- 25.3. The Deputy President of the SRC, in liaison with the Executive Director: Student Services, is responsible to facilitate the process of receiving recommendations for constitutional amendments from the student body.
- 25.4. The Deputy President shall convene and preside over a Constitutional Amendment Committee comprised of the following representatives:
- 5 (five) representatives of Student Parliament;
  - 1 (one) staff member of the School of Law; and
  - The Executive Director: Student Services/delegate.
- 25.5. All students, student organisations, clubs or societies who wish to make recommendations with respect to constitutional amendments must within 14 days before the second meeting of Student Parliament submit written submissions to the Deputy President.
- 25.6. The Deputy President must, no later than 7 days before the second meeting of Student Parliament, make all the submissions available to the Secretary of Student Parliament, who shall provide all members of Student Parliament with the submissions.
- 25.7. At the second meeting of Student Parliament, the Speaker of Parliament may, allow for oral submissions to be made with regard to issues arising from some or all of the written submissions.

- 25.8. Within 7 (seven) days after the second meeting of Student Parliament the Secretary of Student Parliament must provide the minutes of the second meeting of the Student Parliament.
- 25.9. The Deputy President must engage in broad consultation regarding proposed constitutional amendments with the Executive Director: Student Services, lecturers in the School of Law and Legal services at the University.
- 25.10. The Deputy President must compile a final report containing all the submissions received and a summary on the discussions concerning each submission; and present the report at the third meeting of Student Parliament.
- 25.11. The final report of the Deputy President as well as the minutes of the third meeting of Student Parliament must be submitted to the Executive Director: Student Services who must table the report for discussion at Council in December.

## **Section 26: SRC Privileges and Benefits**

- 26.1. Privileges and benefits for members of the SRC shall be determined annually by the Executive Management Committee of the University in consultation with the SRC Executive. Such privileges and benefits shall only be applicable for as long as the member meets the eligibility requirements as detailed in Section 11.

## **ANNEXURE A**

### **STUDENT GOVERNANCE CODE OF CONDUCT**

#### **1. INTRODUCTION**

This Code of Conduct applies to the SRC and its sub-structures, including the College Student Committee. It is aimed at instilling a culture of discipline and respect among members so that the image of the SRC and its sub-structures can be promoted and defended and serves to portray UKZN as a safe haven for all. As the chosen representatives of students and the University, it is critical that the conduct of members of the SRC and its sub-structures should always be beyond reproach.

#### **2. MISCONDUCT**

An act of misconduct is the degree to which an offence potentially impinges on the integrity and the effectiveness of the SRC or its sub-structure.

#### **3. ACT OF MISCONDUCT**

An offence deliberately aimed at destroying the integrity, infrastructure or organizational capacity of the SRC or its sub-structures is considered a grave offence. The following shall be examples of such offences:

- 3.1. Acting in a manner that exposes members to serious harm or death.
- 3.2. Deliberately destroying the infrastructure of the SRC or its sub-structures or recklessly exposing it to danger.
- 3.3. Misuse of the property allocated for use by SRC or its sub-structures, including vehicles, equipment and other assets.
- 3.4. Willfully disclosing confidential information of the SRC or its sub-structures.
- 3.5. Accepting or seeking to accept any illicit reward against the interests of the SRC or its sub-structures.
- 3.6. Abusing office by using one's position to obtain material or sexual favors or other undue advantages from members or other persons.
- 3.7. Abusing office by entering into legally binding contracts with individuals, service providers and contractors.
- 3.8. Dealing in and consuming illegal substances.

- 3.9. Sowing racism, tribalism, regionalism, factionalism and sexism in the SRC or its sub-structures or the student body.
- 3.10. Behaving in such a way as to cause serious divisions and destroy unity in the SRC or of its sub-structures.
- 3.11. Sabotaging the activities of the SRC or its sub-structures.
- 3.12. Persistently and without cause undermining or impeding the proper functioning of the infrastructure of the SRC or of its sub-structure
- 3.13. Engaging in organized factional activity that goes beyond the recognized norms of free debate in a manner that threatens the unity of the SRC or that of its sub-structures.
- 3.14. Rowdy and aggressive behavior.
- 3.15. Abusive, disrespectful, disorderly and unruly behavior.
- 3.16. Malicious gossip to sow disharmony within the SRC or its sub-structures.
- 3.17. Interfering and disrupting the orderly functioning of the SRC or any of its sub-structures.
- 3.18. Any negligent behavior that harms or threatens to harm the SRC and/or its members or members of its sub-structures.

#### **4. CONSTITUTING A DISCIPLINARY TRIBUNAL**

The disciplinary committee shall be convened as follows:

- 4.1. The Deputy President shall be the Convener and Chairperson of the SRC Disciplinary Tribunal.
- 4.2. A meeting of the SRC shall appoint four other members who may either be SRC Executive members, CRC members or members of its sub-structures to constitute the SRC Disciplinary Tribunal.
- 4.3. The SRC shall appoint a Registrar of the Disciplinary tribunal. He/she shall be responsible for collecting evidence relating to the alleged misconduct and also present such evidence during the disciplinary enquiry.

## **5. CONDUCTING THE DISCIPLINARY HEARING**

- 5.1. The Deputy President of the SRC is responsible to receive complaints concerning the conduct of any member of the SRC or student governance structure that arise from or are related to the scope of the member's duties of office.
- 5.2. The Deputy President shall on request provide the prescribed form to the Complainant to complete.
- 5.3. Within 2 (two) days of receiving the completed complaint form, The Deputy President must file the original form with the Disciplinary Tribunal and provide a copy of the complaint to the following individuals or structures:
  - 5.3.1. The Complainant;
  - 5.3.2. The SRC or student governance structure member against whom the complaint has been laid (the Respondent);
  - 5.3.3. The Student Governance and Leadership Development Office; and
  - 5.3.4. The Secretary General of the SRC for record purposes
- 5.4. Upon receipt of the complaint the Registrar of the Disciplinary Tribunal shall investigate the alleged misconduct and receive submissions from all parties concerned.
- 5.5. The Registrar must complete the investigation within 10 (ten) days of receiving the complaint.
- 5.6. Within 24 hours of the completion of the investigation, the Registrar may either dismiss the complaint for lack of evidence; or provide the Respondent with a charge sheet providing sufficient detail of the alleged offences to allow the Respondent to prepare a defence.
- 5.7. The Respondent must have no less than 7 (seven) days to prepare his/her defence.
- 5.8. Registrar must thereafter set the matter down for hearing no later than 3 days after the Respondent's 7 (seven) day period to prepare a defense has lapsed.
- 5.9. The Respondent has the right to be represented by a legal practitioner or fellow student, provided that these persons shall come from within the University community.
- 5.10. The Registrar shall provide the Chairperson of the Disciplinary Tribunal with a notice of set down for the disciplinary enquiry. Whereupon the Chairperson of the Disciplinary Tribunal shall convene a panel of any 3 Justices to preside over the disciplinary enquiry.

5.11. During the Disciplinary Enquiry:

- (a) The Registrar shall be entitled to present the findings of his/her investigation, call witnesses and cross examine the witnesses of the Respondent
- (b) The Respondent shall be entitled to lead a defence, cross examine the witnesses of the Registrar and call witnesses.
- (c) Upon conclusion of evidence both the Registrar and the Respondent shall be entitled to make closing arguments, where after the panel of Justice may take a brief recess to consider judgment or advice of a date where the judgement shall be handed down.

5.12. The committee may make any one or more of the following orders:

- (a) Dismiss the complaint;
- (b) Verbal or written warning;
- (c) Suspension of the Respondent from holding office for a certain period; or
- (d) Suspension of membership benefits.

5.13. A decision of the Disciplinary Tribunal is binding. An affected party may refer the decision of the Disciplinary Tribunal made in terms of section 5(8) for review by the Disciplinary Appeals Committee as espoused in Section 7 of the Code of Conduct, where considerations of justice and fairness so require.

## **6. CHARGE SHEET**

- 6.1. An accused must be served with a formal letter, outlining the alleged offences with a charge sheet at least five (5) working days prior to the date of the hearing.
- 6.2. The accused must sign receipt of the charge sheet. If the accused refuses to sign receipt of the charge sheet, it must be given to the accused in the presence of a fellow member of the committee or student who shall sign in confirmation that the charge sheet was delivered to the accused.
- 6.3. The written charge must contain the following information:
  - (a) Description of the allegation(s) of misconduct as listed in the Code of Conduct and the main evidence upon which the SRC will rely.
  - (b) Details of the time, place and venue of the hearing.
  - (c) Information on the rights of the accused to the representation by a fellow member and/or legal expert provided he/she comes from within the University, and the right to bring witnesses to the hearing.

## **7. APPEAL**

- 7.1. The SRC member or member of its sub-structure may in writing inform the Chairperson of the Disciplinary Tribunal of his or her intention to appeal against the decision of the disciplinary tribunal.
- 7.2. The SRC member or member of its sub-structure may in writing lodge an appeal with the Disciplinary Appeals Committee.
- 7.3. The constitution of the Disciplinary Appeals Committee shall be the Executive Director: Student Services or his/her nominee who shall be the convener and Chairperson Committee, a member of the School of Law nominated by the Dean of the School of Law and any member nominated by the chairperson provided such a member comes from the Student Services Division.
- 7.4. The Disciplinary Appeals Committee shall base its decision solely on evidence already led. The decision of the Disciplinary Appeals Committee, which decision shall be final, shall be communicated to the accused and to the SRC Disciplinary Committee within seven (7) days working day after such a decision is taken.

## **8. POLICY AMENDMENT**

- 8.1. Any amendments to this policy must be made in terms of Section 25 of the Student Governance Constitution

## ANNEXURE B

### STUDENT GOVERNANCE ELECTORAL RULES AND PROCEDURE

#### 1. Definitions

The definitions contained in the main body of the SRC Constitution shall apply to this

Annexure together with the definitions set out hereunder:-

**Electoral Commission** means the impartial and objective body that organises the election process and discharges duties as set out in clause 2.2; the abbreviation EC shall have the same meaning.

**Electoral Policy** refers to these Student Governance Electoral Rules and Procedure

**Chief Electoral Officer** means the person responsible for overseeing the elections as contemplated in clause 2.2; the abbreviation CEO shall have the same meaning.

**Liaison Committee** means the committee referred to in clause 3;

**Candidate's Agent** means a person appointed by a student organisation or an individual candidate in terms of clause 7;

**Presiding Officer** means one of the five persons envisaged in clause 2.4.1.

#### 2. The Electoral Commission

##### 2.1. Election Timetable

- (a) The date(s) of all the elections will be determined by the SRC at the start of their term of office, working in conjunction with the Student Governance and Leadership Development (SGLD) Office, and will be officially announced by the SRC President in accordance with Section 12 of the Student Governance Constitution.
- (b) The EC must be constituted no later than 30 days prior the election dates.
- (c) The first sitting of the EC must receive and approve the elections timetable, presented by the SGLD Officer(s). This timetable must be publicized within three (3) days of its approval by the EC.

## **2.2. Composition of the Electoral Commission**

The EC shall consist of the following 7 (seven) members:-

- (a) The Chairperson is a person from outside the University designated by the South African Independent Electoral Commission (IEC), failing such designation, a person designated by the Executive Director: Student Services.
- (b) The Manager SGLD who shall be the Chief Electoral Officer and who will be responsible for the implementation of the resolution of the commission.
- (c) Two (2) SGLD Officers employed in the Division of Student Services nominated by the Manager SGLD.
- (d) Two (2) members of the incumbent SRC Executive, who are not standing for election, in the event that only one or no SRC members are available or eligible, any student(s) nominated by the SRC;
- (e) One (1) member of staff of the School of Law, nominated by the Dean of the Law School.

## **2.3. Responsibilities of the Electoral Commission**

The Electoral Commission shall:-

- (a) Manage SRC elections in accordance with this electoral policy;
- (b) Convene regular meetings of the EC during the election period;
- (c) Present the timetable for the elections before the nomination process begins;
- (d) Prepare and distribute the election nomination forms;
- (e) Prepare and distribute, prior to the elections, publications carrying relevant information about contesting the SRC elections for student organisations and individuals;
- (f) Compile and publish a complete list of the student organisations and individuals contesting the SRC Elections;
- (g) Arrange meetings of candidates and the Liaison Committee to explain the elections processes, rules and regulations;
- (h) Book venues required for all elections events and have access to all parts of the University necessary to perform their functions in terms of this policy.
- (i) Liaise with campus media about the publication of election information prior to the elections;
- (j) Determine the design of the ballot papers and the ballot boxes, including an appropriate method of numbering and labelling;

- (k) Supply adequate stocks of ballot papers, ballot boxes, voting compartments, voters' rolls and receipts to the Electoral Officers on each campus;
- (l) Be responsible to ensure that all ballot papers are securely stored.
- (m) Ensure that SRC elections are free and fair;
- (n) Declare the results of SRC elections within a period of two days after the completion of the counting of the ballot papers;
- (o) Formally constitute the new SRC;
- (p) Be entitled to postpone the elections if in the view of the EC circumstances exist which will prevent the holding of free and fair elections.
  - I. An elections postponement may be announced at any time up to seven (7) working days before the first day of voting is scheduled to be held.
  - II. Such postponed elections must be held within thirty (30) days of the announcement of a postponement.
- (q) If ballot papers are lost, destroyed or unlawfully removed during the course of an election, the Commission may call for a new election to take place
- (r) Be entitled to may make such further regulations as may be necessary to give effect to this policy.
- (s) Present a full report to the University Executive Management in liaison with the Office of the Executive Director: Student Services within three weeks of the completion of the elections; including a full accounting of funds spent.

## **2.4. The Administrative Officers of the Electoral Commission**

The following officers shall assist the EC in the execution of their duties for the SRC elections:-

### **2.4.1. Presiding Officers**

- (a) 5 (five) Presiding Officers, one for each campus, who shall be employed by the CEO for a period not exceeding the advertised duration of the SRC Elections, at a rate to be determined annually by the University.
- (b) The Presiding Officers must be postgraduate students at the University, failing which, senior undergraduate students.
- (c) Each of the Presiding Officers shall be responsible for the administration of elections on a designated campus of the University and fulfil such functions as required by the EC.

#### **2.4.2. Electoral Officers**

1. The EC shall determine a number of Electoral Officers required to assist the Presiding Officers on a designated campus and act as counting officers during the counting of votes.
2. The Electoral Officers must be postgraduate students at the University, failing which, senior undergraduate students.
3. Electoral Officers shall be employed for a period not exceeding the advertised duration of the SRC Elections, at a rate to be determined annually by the University.

### **3. Liaison Committee**

- 3.1. The Liaison Committee provides a way of addressing problems encountered during the course of the elections, and does this by liaising between the EC and the contestants in the elections.
- 3.2. The Liaison Committee shall be formed no later than seven (7) days once all the candidates contesting the elections have been registered.
- 3.3. The Liaison Committee shall consist of representatives from all contestants, with the numbers of representatives per student organisation being determined by the EC.
- 3.4. The convenor of the Liaison Committee shall be the CEO.
- 3.5. The Liaison Committee shall consider complaints about the elections process, provided that such complaints are made in writing and signed by the complainant, who shall be a representative of one of the student organisations or individuals contesting the elections.
- 3.6. The Liaison Committee shall only make recommendations to the Electoral Commission on the resolution of the reported complaints.
- 3.7. The Liaison Committee has no power to change or vary the provisions of the SRC Electoral Policy.

### **4. The Registration of Candidates for Participation in Elections**

#### **4.1. Eligibility**

- (a) Student organisations which have been recognized by the SRC in terms of Annexure D, read together with Section 12 of the SRC constitution, are eligible to contest the 7 portfolios allocated to student organisations in the SRC Executive elections and the 5 portfolios allocated to student organisations in the CRC elections provided that they shall have been recognised by the SRC for at least one semester.

- (b) Clubs/societies wishing to contest for the SRC Executive Portfolios must be recognised in at least three (3) campuses to be eligible to contest.
- (c) Students registered in a particular college on a specific campus may stand as individual candidates for the portfolio of College Representative for their respective college.

#### **4.2. Nomination**

- (a) Nomination forms shall be obtainable at advertised central points on campuses and also will be provided by the CEO on request.
- (b) Nomination forms provided to participating student organisations and individuals must be accompanied by all the necessary information on the elections.
- (c) The duly completed nomination forms must be delivered by hand to the office of the CEO or any such office designated by the CEO, which will issue a confirmation of receipt to the respective student organisations and individuals.
- (d) The EC shall verify the validity of all nominations for elections, and its decision shall be final.
- (e) The EC shall be entitled to decline or accept a nomination from a student organisation or individual wishing to contest the SRC elections, if the nomination fails to meet the prerequisites for registration for the elections.
- (f) Once the EC has accepted the nomination, a student organisation or individual is deemed to be registered to contest the elections.
- (g) Once a nomination has been accepted, the student organisation or individual concerned is bound to adhere to all rules, procedures of the elections; and timelines set by the EC.
- (h) No nomination forms will be accepted after the final submission date set by the EC.

#### **4.3. Cancellation or Withdrawal of Registration to Contest the Elections**

- (a) Any notification of intention to withdraw from participation in the SRC elections by a student organisations or individual candidate must be made in the form of a written declaration, submitted to the CEO within the specified nomination period.
- (b) In the case of a withdrawal of a student organisation, or students on the list of a student organization, the declaration must be signed by two members of the executive committee of the student organisation concerned.

#### **4.4. List of Candidates nominated by Student Organisations contesting the elections**

- (a) Each student organisation contesting the SRC Executive elections must submit a list of between two (2) and five (5) candidates per portfolio contested.
- (b) Each student organisation contesting the CRC elections must submit a list of between two (2) and five (5) candidates.
- (c) Every candidate nominated by a student organisation, or contesting as an individual, must meet the eligibility requirements to stand as an candidate as espoused in Section 11 of the SRC Constitution; and submit an originally signed acceptance of nomination, together with a copy of his/her current student card.
- (d) The list of student organisation's candidates must be ranked in order of priority for assuming a seat on the SRC.
- (e) Failure to submit a correctly completed list of candidates, or any other information or materials required by the EC will result in the elimination of a student organisation from participation in the elections.
- (f) Any student organisation or individual candidate found to have made a false statement or furnishing false particulars in any application or other document required by these regulations, shall be liable to have their registration for the elections cancelled by the EC.

### **5. Entitlements and Responsibilities of Student Organisations and Individual Candidates**

#### **5.1. Entitlements**

Student organisations or individuals registered to contest elections shall be entitled to:-

- (a) Representation on the Liaison Committee;
- (b) Access to view any voter's rolls compiled and maintained by the EC; no hard copies may be issued to contesting organizations/individuals.
- (c) In the case of student organisations, protection by the EC of its organisations name, distinguishing marks, symbols and recognized abbreviation.
- (d) An allocation of funds for use in preparing for the elections, as determined by the EC.

## 5.2 Responsibilities

Student organisations or individuals registered to contest elections shall be required to:

- (a) Attend duly advertised meetings or workshops arranged by the EC;
- (b) Provide any relevant information requested by the EC;
- (c) Lodge details EC of their official names, logos, slogans, and symbols which they will use during the election when their manifestos are submitted;
- (d) Accept responsibility for any misconduct by their support members;
- (e) Ensure not to tamper with ballot boxes or ballot papers, and to not venture within a two metre radius of any voting material at any time during the election period, except to cast his/her own vote.
- (f) Sign and adhere to the Election Code of Conduct, attached as Annexure C to the Student Governance Constitution.

## 6. Voting

- 6.1. Every student registered at UKZN at the time of the elections is entitled to vote in SRC elections.
- 6.2. The list of students registered on each campus of the University drawn from the ITS Student Information System by the Director of Student Academic Administration shall constitute the Voters Roll for that campus.
- 6.3. Registered students are only entitled to vote on the campus where they are officially registered and not each campus where they may attend lectures.
- 6.4. Voters must produce a valid student card or any other valid proof of registration when voting, and they should appear on the voters' roll. Where a student's name does not appear on the voters roll, but valid proof of registration is provided, and a valid ID document is produced, the student's name may be added to the roll with an accompanying note explaining what proof of registration was produced.
- 6.5. The EC must establish appropriate locations for voting stations on each campus.
- 6.6. The location, and number, of voting stations must take into consideration the need for the free, fair and orderly conduct of the elections; student population size; and the need to avoid congestion at voting stations.
- 6.7. Voting will take place for no longer than four (4) consecutive days, unless otherwise ordered by the EC.
- 6.8. Voting will take place between 09h00 and 19h00 daily on designated voting days.

- 6.9. Prior to the opening of the voting station, the Presiding Officer on each campus must show candidate agents that the ballot boxes are empty and thereafter seal the ballot boxes.
- 6.10. Votes are cast by secret ballot.
- 6.11. Each voter must be given, unless decided otherwise by the EC, three (3) ballot papers for the following purposes:
- (a) One for SRC Executive election;
  - (b) One for the Campus Representative Council.
  - (c) One for College Representative candidates

## **7. Candidate's Agents**

- 7.1. All student organisations contesting the elections must appoint two agents per voting station and three agents at a venue where the counting takes place.
- 7.2. An agent must be a registered student and may not be a candidate listed by the student organisations.
- 7.3. Candidate's Agents must be issued with written proof of appointment by their student organisations, and notice must be given to the Presiding Officer of such appointments.
- 7.4. Candidate's Agents are allowed to observe proceedings concerning voting, counting and the determination and declaration of results.
- 7.5. Candidate's Agents may not interfere with the election proceedings.
- 7.6. Candidate's Agents may lodge complaints or bring irregularities to the attention of the CEO in writing.
- 7.7. The absence of Candidates Agents does not invalidate proceedings.
- 7.8. Candidate's Agents and candidates must comply with orders given by the Presiding Officer.
- 7.9. Any misconduct or interference by a Candidate Agent may result in a decision by the Presiding Officer to prohibit the Candidate Agent from observing proceedings. It is the responsibility of the student organisation or individual contesting an election to provide a replacement.

## **8. Counting and declaration procedures**

- 8.1. Counting of votes shall commence within two hours after the voting station has been closed for voting, and may be suspended with the EC's approval.
- 8.2. Ballot papers will be counted on the campus where voting took place, at secure locations which will be identified by the EC prior to the elections.
- 8.3. Disputed and rejected ballot papers will not be counted and will be kept separate.

8.4. Counting Officers may reject a ballot paper in the following circumstances:

- (a) A ballot paper reflects the identity of a voter;
- (b) A single ballot paper contains a vote cast in favour of more than one student organisations or individual in respect of SRC elections;
- (c) A ballot paper does not contain any vote cast
- (d) The ballot paper has been defaced in any way;

8.5. A decision taken in terms of clause 8.4 is subject to confirmation by the EC.

8.6. All Candidate's Agents must sign a declaration form stating whether or not they accept the provisional election results. This must be done immediately after the Chief Electoral Officer has declared the completion of the counting of votes.

## **9. Results and reports**

9.1. The EC shall announce the provisional results within five (5) hours of the completion of the counting of votes has been declared by the CEO.

9.2. The EC shall announce the official and final election results within two days of the completion of counting, provided that no objections are received within the specified period, or within two days of any objections being dealt with in the manner contemplated in clause 10 relating to objections and appeals.

## **10. Objections and appeals**

10.1. Objections to the election results shall be made in writing and shall be submitted to the CEO within 24 hours of the provisional announcement of election results.

10.2. In the event that no objections are received by the deadline set, the results of the elections may be officially and finally announced by the EC and elections shall be declared as free and fair.

10.3. The decisions of the EC regarding such any objections lodged shall be subject to appeal. An appeal against any decision or ruling given by the EC shall be lodged in writing with the Executive Director: Student Services whose decision shall be final and binding.

## **11. Portfolio Confirmation**

11.1. Student organisations that win portfolios on a SRC Executive/CRC shall forward the names of their candidates for the portfolios won (provided that the candidates shall be drawn from the ranked Candidate List submitted at the time of registration for the elections) to the CEO.

## **12. Vacancies**

12.1. If within the first 6 (six) months of the SRC's term of office, a vacancy arises in respect of a seat which was contested as an individual candidate, the vacancy shall be filled by the individual who had the next highest number of votes in the election results.

12.2. If within the first 6 (six) months of the SRC's term of office, a vacancy arises in respect of a seat which was contested by a student organisation:

- (a) The vacancy shall be filled (in rank order) from the student organisation's original candidate list submitted at the time of the elections.
- (b) In the event where the rank list is exhausted, the seat shall be forfeited and the student organization will be replaced by the organization with the next highest number of votes in the elections.

## **13. Policy Amendment**

13.1. Any amendments to this policy must be made in terms of Section 25 of the Student Governance Constitution.

## **ANNEXURE C**

### **CODE OF CONDUCT FOR STUDENT ORGANISATIONS OR INDIVIDUALS CONTESTING SRC ELECTIONS**

1. It is the primary responsibility of a candidate to campaign and canvass support for him/herself.
2. A candidate may conduct public speeches in addition to the speech which he/she must give at the presentation of Manifestos.
3. A candidate may issue pamphlets, posters or any other form of publication to canvass support for his/her views. The Electoral Commission ("EC") will provide financial assistance for posters and pamphlets and the distribution thereof.
4. A candidate may conduct door-to-door canvassing provided that he/she respects the privacy of other students and abides by prevailing residence regulations.
5. Candidates must attend duly advertised meetings or workshops arranged by the EC. The EC may provide transport for this purpose.
6. Candidates accept responsibility for any misconduct by their supporters.

#### **PROHIBITIONS**

1. Candidates must not collect or handle ballot boxes and papers, and must not venture within a two meter radius of any voting material at any time during the election period, except to cast their own votes.
2. Candidates and their supporters must not engage in any form of electioneering within the demarcated areas of the polling stations during voting days.
3. Candidates and their supporters must avoid canvassing or loitering within 10 meters of the demarcated area of the voting booths.
4. Candidates shall not intimidate or act violently towards other candidates or other voters.
5. Candidates shall not obstruct or interfere with the Electoral Officers in the performance of their duties.
6. A candidate will disqualify him/herself to any further participation in the SRC elections if:-
  - (a) his/her advertising material contains any sexist, racist or defamatory remarks about other candidates or Student Organization, institution and its management

and the student body, or his/her advertising material is reasonably perceived to be sexist, racist or defamatory;

(b) he/she intimidates, harasses or acts violently towards other candidates or voters;

(c) he/she engages in any form of unlawful and fraudulent activities in connection with the elections;

(d) is not registered for full course modules at the time of elections;

7. Candidates shall not invite or encourage their supporters or any other students or people to perform any acts prohibited in this Code.

8. Any person found infringing this Code of Conduct will appear before the EC and may be subjected to the University's Disciplinary procedures.

I \_\_\_\_\_ do hereby acknowledge that I am bound by this Code of Conduct as well as the rules and procedures of the SRC elections as a candidate for the year \_\_\_\_\_.

Signed at \_\_\_\_\_ on this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_

Signature

## ANNEXURE D

### RECOGNITION POLICY AND PROCEDURES FOR STUDENT ORGANISATIONS, CLUBS AND SOCIETIES

#### 1 Preamble

1.1 The University of KwaZulu-Natal (UKZN) is a public higher education institution established in terms national legislation. As part of its development of students it supports and recognizes the role and function of student formations in student governance within the University. This policy serves the University objectives as outlined in the University Statutes and is particularly informed by the following:

1.1.1 The broader participation of students in the activities of the University which is necessary for the improvement of its services and transformation of the institution in general.

1.1.2 In the context of promoting democracy, it is critical for the general student population to participate in student governance activities and to hold the SRC accountable on general student matters. The existence of student organizations, clubs and societies serves as one of the key platforms from which the SRC can seek a mandate and ensure accountability to its constituency.

1.1.3 There is a growing number of students who require the support of the University to organize themselves for activities that can enhance their development.

1.1.4 Participation of students in matters of the University improves the relationship between students and various sections of the University.

#### 2. Policy Objectives

This policy has the following objectives:

2.1 To create a procedure and system through which students can establish and affiliate their organizations, club and society to the SRC.

2.2 To provide a framework through which a relationship between the SRC and the recognized student organizations, clubs and societies can be regulated and supported.

2.3 To encourage and support the establishment of student organizations, clubs and societies to strengthen student governance.

### **3. Principles**

This policy is informed by the following principles:

- 3.1 All student organisations, clubs and societies should be given equal status.
- 3.2 A decision that affects a student organisation, club and society has to be taken in consultation with such organisation.
- 3.3 Both the SRC and student organisations, clubs and societies are accountable to the general student body.
- 3.4 The relationship between the SRC and student organisations, and clubs and societies is at all times on a basis of goodwill.
- 3.5 The SRC and student organisations and clubs and societies work towards the improvement of academic and quality services.
- 3.6 The SRC with the assistance of student organisations and clubs and societies strive for the democratisation of student governance within the University.
- 3.7 The SRC and student organizations and clubs and societies have an open and honest working relationship.
- 3.8 All student organisations, clubs and societies are student-controlled structures, which act in the interests of students and rely upon the active participation of their members.
- 3.9 The SRC is responsible to create opportunities as well as an environment conducive for student organisations and clubs and societies to operate.

### **4. Powers and Relationship**

4.1 The SRC is the highest decision making body within student governance and therefore has the powers to regulate applicable activities of recognised student organisations, clubs and societies within the University in terms of the Student Governance Constitution and its Annexures.

- (a) The SRC is responsible to regulate relationships within student governance in the University without compromising the independence of a student organisation, club and society.
- (b) A student organisation, club and society is entitled to define its mission and vision.
- (c) Any SRC support to recognized student organisations, club and society will not interfere with the operations of such a structure; but support and recognition can be terminated if the student organisation, club and society contravene the conditions of recognition.

## **5. Conditions for Recognition**

For a student organization, club and society to be recognized, the following substantive conditions should be complied with:

- (a) The organization, club and society maintains membership records of not less than 50 University students;
- (b) The organization, club and society has a constitution and policies which are in line with those of the SRC.
- (c) The organization offers an annual programme of activities that are in line with University objectives and serves the interest of University students and the SRC.
- (d) The organization must submit a financial and annual report on its activities, including annual renewal of recognition for existing organizations, clubs or societies. Failure to account shall lead to the organization being subjected to disciplinary procedures.

## **6. Roles and Responsibilities of the SRC**

6.1 The SRC is primarily responsible to administer the activities of student organizations, clubs and societies, and in particular:

- a) Receiving and processing applications for recognition and ensuring that only recognized student organizations, clubs and societies are allowed to operate within UKZN.
- b) Making financial resources and other support mechanisms accessible for the activities of recognized student organizations, clubs and societies.
- c) Supporting activities of recognized student organizations, clubs and societies, and ensuring that the Executive Management and relevant components of the University are supporting student activities.

## **7. Application Procedure for Recognition**

7.1. A student organization, club or society that would like to be recognized shall complete the prescribed form and submit the completed form to the Student Governance and Leadership Office (in person or electronically) along with the following documents:

- a) Constitution of the club or society;
- b) A list of at least 50 registered members on the campus where recognition is sought; and
- c) Supporting documentation for the conditions listed in clause above.

7.2 The SRC shall not later than end of February of every year publicize notices on Campus notice boards and the LAN, requesting applications from student organizations, clubs and societies for recognition. This poster must include the following:

- (a) the opening date and time for student organizations, clubs and societies to apply for recognition;
- (b) the office and time at which they need to collect the forms or any other necessary information that student leaders may want to collect and/or for inquiries;
- (c) all required documents and information that need to accompany be submitted with the application, and;
- (d) The closing date of submission and or application for recognition.

7.3 Upon receiving the applications from the SGLD office, the CRC Campus Secretary must compile a report for a meeting of the CRC to consider and approve or reject the recognition of a student organization, club and society within seven (7) working days from the closing date as stated in 1.7.2 above.

7.4 The CRC Campus Secretary must write a formal letter to all student organizations, clubs and societies informing them of the decision of the SRC within five (5) working days from the day of the SRC meeting. The SRC must in the letter inform the student organization refused recognition of the right to appeal the decision of the SRC within seven (7) working days from the date of receiving a letter from the SRC. The appeal must be lodged with the Student Governance and Leadership Development office on the Campus concerned on a prescribed appeal form.

7.5 Upon writing to all Student Organization, Clubs and Societies, the SRC must compile a list of all recognized and those refused recognition together with minutes and signed register of the SRC meeting and submit to the Student Governance and Leadership Development office.

7.6 The SRC shall not accept any application for recognition less than three months before SRC elections,

7.7 In the event of not accepting the application and or declined recognition, the affected student organization, club and societies may lodge an appeal within seven (7) working day from the receipt of the notification.

7.8 Where the application is approved, such a student organization, club and society

shall sign a memorandum of agreement with the SRC containing the conditions and period of recognition.

7.9 The SRC maintains record of all applications and its recommendations (including reasons) and provides the Manager: Student Governance and Leadership Development with the data of all the organizations, clubs and societies that applied for recognition.

7.10 An appeal committee shall deal with appeals from student organizations, clubs and societies on the manner in which the application was dealt with and the outcomes of the application.

7.11 The composition of the SRC Recognition Appeals Committee (SRAC) shall be the Student Governance and Leadership Development Manager who will be the convener, a member of the School of Law nominated by the Dean/Head of School of Law and the Secretary General of the SRC. The decision of the SRAC shall be final.

## **8. Rights and Responsibilities of Student Organisations, Clubs and Societies**

8.1 Every recognized student organization, club and society has the right to: operate freely within University and run activities free from any interference as long as such activities are not prejudicial to the integrity of the SRC and University;

8.2 Participate in SRC organized events, University-wide and external activities to promote transformation, advance quality of education and represent members' interests;

8.3 have access to financial resources as determined by the Student Governance financial policies and the availability of funds during the recognition period;

8.4 have access to University buildings, infrastructure, equipment, etc., as regulated by the policy governing such resources; and

8.5 Seek external financial resources through University procedures and any form of income generation to augment its allocations.

## **9. Management and Accountability In Respect Of Resources**

9.1 The SRC ensures that all student organizations, clubs and societies recognized according to this policy will manage and account for resources as determined by the Student Governance financial policies. Notwithstanding the provisions of such policy, student organizations regulated by this policy shall:

- (a) keep records of their financial activities and submit periodic reports as may be required by the SRC;

- (b) adhere to policies of the University and of the SRC in respect of the use and management of resources; and
- (c) Are expected to make their members accountable for resources provided to such student organization, club and society.

#### **10. Duration and Termination of Recognition**

Where the SRC has reason to believe that the recognition of a student organization and/or club and society should be withdrawn, the privileges provided by this policy are terminated. The rationale for such a decision lies with the SRC, taking the following into consideration:

- (a) Recognition for any student organization, club and society is for one year. It is expected of all student organizations, clubs and societies to resubmit applications for recognition annually by the end of the first term as per academic calendar of the year preceding the year for which recognition is applied for. Failure to resubmit an application will be regarded as an automatic termination of recognition.
- (b) Where the student organization, club and society deliberately brings the name of the SRC and University into disrepute and does not change its conduct after being alerted by the SRC.
- (c) Where the Student Organization, Club and Society does not comply with the provisions of the SRC to adhere to its requests for accountability and records verifications.

#### **11. Policy Amendment**

Any amendments to this policy must be made in terms of Section 25 of the Student Governance Constitution.