

University of Pretoria

Constitution for Student Governance

University of Pretoria Constitution for Student Governance

Preamble

This Constitution for Student Governance (“Constitution”) is founded on the principles of dignity, equal recognition and respect for all individuals and communities, and a commitment to transparent and efficient student governance. The Constitution affirms the principles outlined in Chapter 2 of the Constitution of the Republic of South Africa, the principles, values and provisions of the Higher Education Act 101 of 1997, as amended, and the Statute of the University of Pretoria.

The Constitution reinforces the vision, mission, 2025 strategic plan and value system as well as the codes of conduct of the University of Pretoria.

The model of student governance outlined in this Constitution is intended to reflect the principles, values and objectives outlined in this Preamble and Chapter 1 of the Constitution, and any amendments to this Constitution must accordingly also reflect such values and principles.

Furthermore, the Student Governance Structures should reflect and encourage responsible student leadership which promotes equality of all opportunities through effective, accountable and transparent student leadership. In striving towards the holistic advancement and development of the student community, it will uphold and safeguard the rights of all the students of the University of Pretoria.

Chapter 1 Basic Provisions/ Founding Principles

Section 1 Definitions

- (1) **Academic Year** means that period from the official commencement of the first semester of the University in a particular year to the official closing of the second semester of the University in the same year.
- (2) **Black** is a generic term which means Africans, Coloureds and Indians as defined in the Employment Equity Act, 55 of 1998.
- (3) **Chief Electoral Officer** is a staff member of, or service provider to the University of Pretoria responsible for SRC Elections as contemplated in the Election Procedure.
- (4) **Code of Conduct** means the Code of Conduct of the SRC or the Code of Conduct of the specific student structure.
- (5) **Constitutional Tribunal** means the Constitutional Tribunal as set out in Chapter 4 of this Constitution.
- (6) **Council** means the Council of the University as established by the Higher Education Act 101 of 1997, as amended, and by the Statute of the University of Pretoria.
- (7) **Day House** means an official student structure that serves as a vehicle for day students to participate actively in student life activities.
- (8) **Day Student** means a registered student who lives in accommodation other than an officially recognised UP residence.
- (9) **Disciplinary Code** means the Disciplinary Code: Students as contained in the General regulations and Rules of the University of Pretoria
- (10) **DSA** means the Department of Student Affairs of the University of Pretoria.
- (11) **Election Procedure** means the procedure for the holding of annual SRC Elections as contained in Annexure A.
- (12) **Elective Portfolios** mean the SRC portfolios as contemplated in section 21(2) with SRC Members elected to such portfolios through the annual SRC Elections.
- (13) **Eligibility Requirements** means the eligibility requirements for an SRC Member as set out in section 24 of this Constitution.
- (14) **Ex Officio Portfolios** mean the SRC portfolios as contemplated in section 21(3) with SRC Members elected to such portfolios in their official capacity as executive committee member of the respective Student structures.
- (15) **External Campuses** mean Faculties not situated on the Hatfield Campus and all University of Pretoria campuses other than the Hatfield Campus.
- (16) **Extraordinary Measures** are those set out in section 33 of this Constitution.
- (17) **Executive** means the Executive Management of the University and specifically includes the Vice-Chancellor and Principal, Vice-Principals, the Registrar(s), Executive Directors and Advisor(s) to the Principal.
- (18) **Faculties** (of the University) mean the Faculty of Economic and Management Sciences; Faculty of Education; Faculty of Engineering, Built Environment and Information Technology; Faculty of Health Sciences; Faculty of Humanities; Faculty of Law; Faculty of Natural and Agricultural Sciences; Faculty of Theology and Religion; and Faculty of Veterinary Science.
- (19) **Faculty House** means an official student structure which is organised along faculty lines, to which all registered students, subdivisions and departments in the relevant faculty belong by default.
- (20) **Faculty Sub-House** means the official subordinate student structure of a Faculty House, organised to represent the interests of students registered to a particular

- department in a faculty, to which all registered students belong by default.
- (21) **First-Past-The-Post** means an election system whereby individual candidates contest for the Elective Portfolios in annual SRC Elections and where the candidate with the most Student votes for a particular portfolio in an SRC Election becomes the incumbent SRC member for the portfolio for which the candidate is contesting.
 - (22) **First Generation Students** are those who will be the first in their family to go to University.
 - (23) **GIBS** means the Gordon Institute of Business Science, the business school of the University of Pretoria situated in Illovo, Johannesburg and having students both on the Illovo Campus and in Pretoria who will be considered as part of the Faculty of Economic and Management Sciences.
 - (24) **Independent Electoral Committee** means the Independent Electoral Committee [IEC] as set out in regulation 3 of the Election Procedure (Annexure A to this Constitution).
 - (25) **Management** (of the University) includes the Executive of the University and Senior Management of the University
 - (26) **Public** in relation to events, meetings or activities means open to the University community (staff and students).
 - (27) **Public Documents** means documents to which the University community (Students and staff) have access.
 - (28) **Residence** means any residence officially recognised by the University of Pretoria.
 - (29) **Senate** means the Senate of the University of Pretoria established in terms of the Higher Education Act 101 of 1997 as amended, and by the Statute of the University of Pretoria.
 - (30) **Senior Management** refers to all Deans of Faculties and Directors of Support Service Departments of the University.
 - (31) **Service Providers** means the student service providers recognised by the University as set out in Chapter 6 of this Constitution.
 - (32) **Simple Majority** means fifty percent (50%) plus one.
 - (33) **Society** means any organised student society at UP of an academic, social, political, religious or whatever other nature, including subdivisions or departments of faculties; but excluding Day Houses and Faculty Houses or Faculty Sub-Houses.
 - (34) **Student** and **Students** mean any full-time or part-time student(s) duly registered for an undergraduate or postgraduate degree or a diploma approved by Senate, but excludes
 - (i) all distance education students, (ii) all students who are only registered for modules for non-degree purposes, (iii) all students who are only registered for a course at the campus company Continuing Education at University of Pretoria (CE at UP), and (iv) students enrolled for programmes at GIBS.
 - (35) **SRC** is the Student Representative Council, deriving its functioning and powers from the Statute and this Constitution.
 - (36) **SRC Notice Board** means the notice board that is situated outside the building in which SRC offices are located.
 - (37) **Student Body** is a collective term for all Students duly registered as such at the University.
 - (38) **Student Forum** means the forum for SRC accountability as described in Chapter 5 of this Constitution.
 - (39) **Student Governance Structure** means the SRC, sub-council structures, student

committees, service providers, the Constitutional Tribunal, Day Houses and special programmes as specified by the University Management from time to time.

- (40) **Structures under the authority of the SRC** includes the sub-councils and committees as set out in Chapter 5 of this Constitution.
- (41) **Sub-council Structure** means any of the sub-councils contained in Chapter 5 of this Constitution.
- (42) **University** means the University of Pretoria as established in terms of the Higher Education Act 101 of 1997, as amended.
- (43) **University Authorities** means all institutions and functionaries of the University of Pretoria discharging any official management or related function or power carried out in terms of any applicable legislation, the Statute of the University of Pretoria or institutional rules and regulations of the University of Pretoria and specifically includes the Council, Senate, the Executive, Senior Management and disciplinary committees of the University.
- (44) **White** means any person who is not black as defined in this Constitution.

Section 2 Status of this Constitution

- (1) This Constitution is called the “University of Pretoria Constitution for Student Governance”.
- (2) All constitutions, regulations, rules, codes, documents, motions and decisions adopted by any student body are subject to this Constitution and are invalid in as far as they are inconsistent with it.
- (3) Subject to the provisions of the Higher Education Act 101 of 1997, the Statute and the authority of the Council, this Constitution binds the SRC, student structures and all the students of the University of Pretoria.
- (4) This Constitution replaces all other previous Constitutions for Student Governance at the University of Pretoria in its entirety.
- (5) This Constitution will take effect on a date determined by resolution of the Council of the University.
- (6) This Constitution will be available on the official website of the University and at the request of an individual Student or Students.

Section 3 Objectives

- (1) The aim of this Constitution is to:
- (a) establish a platform that is open to every student to participate in student governance;
 - (b) uphold the values of commitment, excellence, fairness, integrity and respect among the Student body, the SRC, all other student governance structures and the University Authorities;
 - (c) promote a culture of academic excellence, diligent leadership and student participation in all facets of student governance; and
 - (d) provide a student environment that is not polarised, marginalised or discriminatory but rather promotes multiculturalism and an integrated, diverse and tolerant student body.

- (2) The Student Governance Structure must identify and work towards the eradication of barriers to the exercise of the rights contained in Chapter 2 of this Constitution.

Chapter 2 Bill of Student rights

Section 4 General provisions

- (1) The rights set out in this chapter are in accordance with the Constitution of the Republic of South Africa, 1996 and other laws of the Republic.
- (2) The rights as set out in this chapter are exercised within the framework of the policies, policy guidelines, rules and regulations of the University of Pretoria.
- (3) All rights in this Bill of Student Rights are exercised in a manner that allows for the equal enjoyment and exercise of rights by all Students.

Section 5 Application

The rights in the Bill of Student Rights bind all Students and Student Governance Structures of the University and all such bodies have the duty to respect, protect and promote these rights.

Section 6 Equality

- (1) All Students are entitled to equal treatment and protection as provided for in the regulations of the University of Pretoria.
- (2) No Student and no Student Governance Structure may unfairly discriminate against a Student directly or indirectly, and without derogating from the generality of this provision, on one or more of the following grounds in particular: race, sex, gender, socioeconomic status, nationality, language, ethnic or social origin, political or other belief, religion, sexual orientation, disability or year group.

Section 7 Confidentiality of student records

Subject to the laws of the Republic of South Africa and to the rules, regulations and provisions of the University which permit or compel the disclosure of information in particularly defined circumstances, every Student has the right to confidentiality of his/her University records, and no information contained in such records may be disclosed without the permission of the Student in question.

Section 8 Academic freedom and standard of academic training

Every Student has the right to: –

- (1) academic freedom as commonly understood within the context of tertiary education; and
- (2) reasonable access to lecturers in accordance with University and Faculty policies and procedures.

Section 9 University facilities

- (1) Every Student is entitled to use University facilities in accordance with University regulations, rules and provisions and where applicable, in accordance with the rules referred to in this Constitution.
- (2) Every Student is entitled to information regarding the facilities available to him/her in terms of the regulations, rules and provisions referred to in sub-section 1 above.

Section 10 Student success

- (1) Every student has the right to an enabling environment in which student success and academic excellence are encouraged and pursued.
- (2) Every student has the right to quality education, academic support, and transparent and justifiable assessment procedures.

Section 11 Freedom of movement and association

- (1) Subject to applicable rules, regulations and provisions of the University, every Student has the right to freedom of movement on campus, and freedom of association on campus, including the right to join any Student group, association or society and to participate in Student life in general.
- (2) Every Student society has the right to fair and equitable treatment by the SRC and the Management of the University.

Section 12 Assembly, demonstration and petition

- (1) Subject to the policies, rules and regulations of the University, every Student has the right to peaceful assembly and demonstration on campus, and to submit petitions to the SRC and to the University Authorities; provided that any such petition must contain the Student's name and student number.
- (2) The sole purpose of the disclosure requirement in the case of the submission of a petition in terms of section 12(1) of this chapter is to determine the authenticity of such petition, and no Student may be victimised or intimidated by virtue of the preparation, organisation and submission of such a petition.

Section 13 Right to vote in SRC elections

Every Student has the right to vote in elections for the SRC or any other Student Governance Structure in accordance with the provisions of this Constitution and section 59 of the Statute of the University and to do so in secret, and to make him or herself available for election to these structures, subject to the fair and relevant eligibility requirements of such structures and subject to the provisions of this Constitution.

Section 14 Freedom of expression

- (1) Subject to sections 16 and 36 of the Constitution of the Republic of South Africa and to applicable University and Faculty regulations which are reasonable and justifiable, every Student has the right to freedom of expression which includes: –
 - (a) freedom of the Student media;
 - (b) freedom of academic expression and scientific research;
 - (c) freedom to receive information from the University and Student governance structures on matters that affect her or his rights; and
 - (d) freedom of clothing and appearance.
- (2) The right in subsection 14(1) does not extend to-
 - (a) propaganda for war;
 - (b) incitement of imminent violence; or
 - (c) advocacy of hatred that is based on race, ethnicity, gender or religion, and that constitutes incitement to cause harm.

Section 15 Access to information

Every Student has the right to: –

- (1) be informed within a reasonable time of any decisions taken by the SRC on any matter affecting the rights or interests of the Student in her or his capacity as a Student of the University of Pretoria.
- (2) information held by the SRC or another Student governance structure if such information bears upon the rights or interest of such Student in her or his capacity as a Student of the University of Pretoria.
- (3) be informed timeously about the programme of the SRC and other Student governance structures.
- (4) information held by the University of Pretoria Authorities or administration if such information bears upon rights or interests of the Student in her or his capacity as a Student of the University of Pretoria; provided that no Student is entitled to information to which he or she would not be entitled to by South African law and provided further that the manner of access to such information may be regulated by University rules.

Section 16 Administrative action

Every student whose rights or legitimate expectations are materially and adversely affected by any decision taken by a student body or a member of a student body, has the right to –

- (1) be notified of the nature and purpose of the proposed action;
- (2) a reasonable opportunity to make representations;
- (3) adequate notice of any right of review or internal appeal, where applicable; and
- (4) request reasons for the decision and to be furnished with written reasons within a reasonable time.

Section 17 Limitation

- (1) The rights in this chapter may only be limited in terms of legal rules of general application, which, for purposes of this section, are deemed to include University regulations, rules and policies.
- (2) Any limitation must be designed to achieve an objective that is consistent with the values of an open and democratic community based on human dignity, equality and freedom.
- (3) The impact of any limitation must be proportionate to its objective.

Section 18 Enforcement

Any Student, any Student Structure or Student group acting in the interests or on behalf of a group or class of Students may approach the Constitutional Tribunal for appropriate assistance in the event of an alleged violation of his/her rights under this Constitution.

Section 19 Interpretation

The interpretation of the Bill of Student Rights must conform with Chapter 2 of the Constitution of the Republic of South Africa, the Higher Education Act 101 of 1997, as amended, the Statute of the University of Pretoria and University regulations and policy

and reflect the values and principles contained in the Preamble to this Constitution and give preference to an interpretation of this Constitution that will promote efficient and effective Student governance.

Chapter 3 Student Representative Council

Section 20 Status of the SRC

- (1) 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 Pretoria and the Institutional Rules of the University of Pretoria. The SRC is subject to the authority of the Council and other relevant University Authorities. This Constitution is subordinate to the Institutional Rules of the University of Pretoria. The SRC is accountable to the Student Body in terms of sections 31, 35(2)(d) and 43.
- (2) In recognizing the status and role of the SRC, the University Management will create an enabling environment to support the functioning of the SRC.

Section 21 Composition of the SRC

(1) SRC Members

The SRC comprises of a maximum of 19 (nineteen) SRC Members, consisting of 12 (twelve) Elective Portfolios and 7 (seven) Ex Officio Portfolios.

(2) Elective Portfolios

The following 12 (twelve) Elective Portfolios are constituted by candidates contesting in the annual SRC Election, where each candidate may contest for a maximum of two portfolios listed below, with a candidate being appointed as the SRC Member, for (one of) the portfolio(s) for which the candidate was contesting, on a First-Past-The-Post basis in accordance with the Election Procedure:

- (a) President
- (b) Deputy President
- (c) SRC Secretary
- (d) SRC Deputy Secretary
- (e) SRC Treasurer
- (f) Facilities, Safety and Security
- (g) Marketing, Media and Communications
- (h) Study Finance
- (i) Postgraduate and International Student Affairs
- (j) Day Student and External Campus Affairs
- (k) Societies
- (l) Transformation and Student Success

(3) Ex officio Portfolios

The following seven (7) Ex Officio Portfolios are constituted by the candidates elected by each of the respective Sub-Councils or Committees listed below, to represent such Sub-Council or Committee as the SRC Member for that Ex Officio Portfolio in accordance with the Election Procedure:

- (a) 2 Academic Affairs Sub-Council Representatives;
- (b) 2 Residence Sub-Council Representatives;
- (c) 1 Rag Committee Representative;
- (d) 1 Student Sport Committee Representative; and
- (e) 1 Student Culture Committee Representative.

(4) Reallocation of Portfolio duties

The SRC may for a particular SRC Term resolve by two thirds majority to reallocate portfolio functions of any of the Elective Portfolios but excluding that of President, Deputy President, SRC Secretary, SRC Deputy Secretary and SRC Treasurer; in order to achieve the most appropriate and effective execution by the SRC of its objectives for a particular SRC Term or to address vacancies in any of the SRC portfolios.

Section 22 Responsibilities of the SRC

- (1) The SRC must, as a Council, jointly develop a plan of action that must, with due consideration of the budgetary allocations, among other things give effect to its responsibilities as described in section 22(3) of this Constitution. The plan of action must be developed before the official opening of the academic year and must be submitted to the Director: Student Affairs for consideration. After approval of the plan of action by the Director: Student Affairs and the Executive member responsible for Student Affairs, the SRC must make it available to the Student Body on ClickUp and inform the Student Body how and where to access the plan of action.
 - (2) The Department of Student Affairs is responsible for the training of the SRC and its committees. The SRC must ensure that its members receive suitable training by attending compulsory training sessions.
 - (3) In exercising its powers and functions the SRC must take reasonable steps to:
 - (a) actively promote the realisation of the University 2025 vision.
 - (b) effectively and efficiently develop and implement policy relating to Student governance and Student affairs, duly taking into account decisions taken, recommendations made, and views expressed by the Student body.
 - (c) create structures for Student affairs and ensure the accountability of such structures to the Student Representative Council, and if such structures are already in existence, ensure the accountability of such structures.
 - (d) exercise effective control over all structures under its authority and consider any objection from a Student against a decision or conduct of any office-bearer, or structure under its authority;
 - (e) ascertain Student opinion;
 - (f) adopt and implement measures to promote services to Students, liaise with Service Providers towards the advancement of services to Students and request the University whenever the interest of Students so require, establish additional Service Providers;
 - (g) subject to the provisions of this Constitution, to extend recognition to and withdraw recognition from any Society under its authority in accordance with the Society Sub-Council Constitution.
 - (h) consider and, if found to be acceptable, approve the constitutions of all structures under its authority, including relevant structures referred to in Chapters 5 and 6 of this Constitution, respectively.
 - (i) liaise with other institutions, Student Representative Councils of other
- As amended by the SRC and approved by Council on the 27th of June 2018

- institutions, as well as national and international Student organisations;
- (j) effectively execute its powers and duties in terms of this Constitution or specifically assigned to it by the University Council or University Authorities.
 - (k) conduct the day-to-day administration of Student governance and Student affairs in co-operation with the Director: Student Affairs or his/her designated representative and individually and collectively make themselves available to attend to the day-to-day needs and problems of Students, and to do so in consultation with the SRC member for the relevant portfolio;
 - (l) represent the Student constituency on the University Council, the Senate and the Institutional Forum and all other statutory bodies of the University; and in this capacity, acts in the broad interests of the University when bringing matters affecting the Student Body to the attention of the University Authorities;
 - (m) communicate the needs and interests of Students to Service Providers and to cooperate with Service Providers in the best interest of the Student Body and all constituent parts thereof;
 - (n) organise and promote extramural activities among Students;
 - (o) initiate relevant community projects and coordinate Students' involvement in such projects;
 - (p) where institutions representing certain groups or categories of Students exist, to liaise with such institutions, learn and consider their views and needs;
 - (q) receive and account for financial allocations made by the University Council to the SRC and carry out financial activities, including fundraising, in accordance with this Constitution (in particular section 23(6)) or the powers conferred on it by the University Council and administer in the interests of the Students such funds or other assets that may be allocated to it by the University Council, or received by it from any other source;
 - (r) make its views known on matters of general concern likely to be of interest to or to affect Students or a group of Students; provided that the Department of University Relations, and in particular the media liaison office, be informed of all media liaison. All media releases must state on whose behalf such statement is released and must be authorized by such body. In the case of media releases and media conferences, the Department of University Relations must be given advance notice;
 - (s) promote, and to the extent that it is legally and factually competent, ensure the enforcement of judgments of the Constitutional Tribunal;
 - (t) identify and communicate any shortcomings in this Constitution to the Vice-Principal: Student Affairs and Residences or Director: Student Affairs; and
 - (u) keep comprehensive minutes of all SRC meetings and submit such minutes to subsequent meetings of the SRC for approval.

Section 23 Responsibilities of office bearers

(1) The Executive Committee of the SRC

- (a) The SRC has an Executive Committee consisting of the President, the Deputy President, SRC Secretary the SRC Deputy Secretary, and SRC Treasurer.
- (b) The Executive Committee meets regularly and conducts the day-to-day management of the SRC and specifically performs urgent duties of an administrative and technical nature, makes all the necessary decisions in this regard and diligently reports back to the SRC. The Executive Committee conducts

As amended by the SRC and approved by Council on the 27th of June 2018

- these functions in accordance with its own internal arrangements, within the parameters of the Code of Conduct and this Constitution and with a view to achieving the greatest measure of efficiency.
- (c) The Executive Committee may be assisted by members of the SRC who do not serve on the Executive Committee.
 - (d) Subject to all relevant legislation, UP policies as well as sections 7, 14 and 22(3)(r) of this Constitution the Executive Committee of the SRC may interact with the media, after consultation with the SRC, and offer opinions on issues as they arise.
 - (e) The Executive Committee of the SRC represents the SRC on various official or ad hoc forums and/or at other appropriate meetings of the University.

(2) President

- (a) The President of the SRC is the head of the Student governance structures and is known as the President of the SRC.
- (b) The President: –
 - (i) ensures and oversees the execution and implementation of SRC responsibilities, programmes and activities;
 - (ii) convenes and presides over all meetings of the SRC and its Executive Committee;
 - (iii) prepares quarterly reports on the SRC's progress in implementing its action plan for tabling at Student Forum meetings. The quarterly reports must be made available on ClickUP and notice boards on all campuses two weeks before the next quarterly meeting.
 - (iv) addresses the Student Forum as defined in section 43 at its meetings on at least four (4) occasions during its term of office on the progress of SRC programmes;
 - (v) must attend and do whatever is reasonably necessary to ensure the success of mass meetings and presides over mass meetings;
 - (vi) liaises with all Student structures as well as Management at the University;
 - (vii) may attend, and, address all meetings of committees, Student governance structures, sub-committees, sub-councils and other bodies and organizations under the authority of or affiliated with the SRC and communicate the views of the SRC to such committees, Student governance structures, sub-committees, sub-councils and other bodies and organizations; and
 - (viii) is responsible for maintaining sound relations with persons and bodies outside the University: Provided that the President may delegate this responsibility to other members of the Student Representative Council.
- (c) During any period of absence of the President or inability to perform his/her duties for whatever reason, the Deputy President acts as President.
- (d) During any period of absence of the President and Deputy President or inability to perform their duties for whatever reason, the SRC Secretary acts as President.

(3) Deputy President

The Deputy President:

- (a) diligently deputises for the President and assists and supports the President in executing his/her responsibilities, powers, duties and functions and fulfils any such functions and duties as may from time to time be assigned to him/her by the SRC or the Executive Committee of the SRC; and
- (b) must attend and do whatever is reasonably necessary to ensure the success of mass meetings in accordance with the provisions of Chapter 7 of this Constitution.
- (c) is responsible for seeing to it that the constitution of a structure under the authority of the SRC is tabled at an SRC meeting after the constitution has been referred to the Constitutional Tribunal for approval on its technical aspects.
- (d) is responsible for ensuring the process for the appointment of the Constitutional Tribunal for the next term takes place in accordance with the Constitutional Tribunal Constitution.

(4) SRC Secretary

The SRC Secretary is the administrative officer of the SRC and: –

- (a) co-ordinates the day-to-day management of operations and activities of the SRC;
- (b) acts as the secretary of SRC meetings and is responsible for performing and regulating minute taking of all SRC and Executive Committee of the SRC meetings including the distribution of agendas and minutes and the communication of decisions and for co-ordinating the maintenance of the archives of the SRC;
- (c) is responsible for the communication of SRC decisions to the Student body by way of the distribution of SRC minutes;
- (d) executes the duties in relation to mass meetings described in Chapter 7, including organising mass meetings, disseminating information relating to mass meetings and acts as secretary at mass meetings to take minutes at the mass meeting;
- (e) supports the President in the execution of his/her functions and duties;
- (f) subject to all relevant legislation, UP policies as well as sections 7, 14 and 22(3)(r) of this Constitution is responsible for overseeing all print and electronic media statements that fall within the mandate of the SRC.

(5) SRC Deputy Secretary

The SRC Deputy Secretary

- (a) Assists and supports the SRC Secretary in executing his/her responsibilities, powers, duties and functions as well as any such functions and duties that may from time to time be assigned to him/her by the SRC or the Executive Committee of the SRC.
- (b) is responsible for all administrative matters of the Student Forum in relation to the SRC, which includes but is not limited to all communication between the SRC and Student Forum.

(6) SRC Treasurer

- (a) The SRC Treasurer is responsible for 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

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Authorities.

- (b) The financial administration is to include: –
 - (i) budgetary responsibilities in keeping with the approved SRC plan of action,
 - (ii) recording and controlling of all financial transactions,
 - (iii) allocation of funds to structures entitled thereto in accordance with the approved budget, after consulting the relevant structure. The Treasurer must thereafter release a public statement on the rationale used for the allocation of funds,
 - (iv) the raising of funds whenever necessary in accordance with University policy and regulations in this regard, and
 - (v) financial reporting.
- (c) Coordinate, in accordance with the University's policy, procedures and fundraising guidelines, fundraising initiatives to supplement the SRC's operational costs and initiate the drafting of sponsorship agreements in accordance with institutional policy and the vision of the SRC: Provided that no agreements may be signed by any student on behalf of the University of Pretoria.

(7) Non-Executive Elective Portfolios of the SRC

- (a) Facilities, Safety and Security
 - (i) Facilities, Safety and Security portfolio member will handle matters regarding the use of facilities on campus, the security of students and transport.
 - (ii) Address issues that students have regarding inadequate facilities or suggestions on how to improve parts of campus.
 - (iii) Liaise with Campus Security Services and assist them in matters relating to student safety and its promotion.
 - (iv) For transport the responsibilities involve assessing the transportation system on campus such as the bus routes, lobbying for more or less busses depending on the need, addressing concerns and requests from students regarding transport.
 - (v) Attend and report back on the University Facilities Management meetings.
- (b) Marketing, Media and Communications
 - (i) Primarily responsible for handling the SRC's brand and image, which includes SRC uniforms.
 - (ii) Maintenance of the SRC website and the promotion of SRC activities and events that might arise.
 - (iii) Subject to all relevant legislation, UP policies as well as sections 7, 14 and 22(3)(r) of this Constitution, interact with the media after consultation with the SRC and offer opinions on issues as they arise.
 - (iv) Shall chair the SRC Events Committee.
 - (v) Shall plan and host student social life events of the SRC.
- (c) Study Finance
 - (i) Administer the Study Finance Aid scheme which will assist students with textbooks during the course of the year
 - (ii) Coordinate SRC fundraising initiatives to sustain the SRC Study Aid Fund.
 - (iii) Address students concerns regarding policies related to funding.
- (d) Postgraduate and International Student Affairs

- (i) Ensure that the needs of Postgraduate and International students are catered to.
 - (ii) Liaising with the Postgraduate office and International Students Division.
 - (iii) Actively promote the realisation of the University 2025 research vision
 - (iv) Liaise with the postgraduate representatives from each Faculty House and residence.
- (e) Day Student and External Campus Affairs
- (i) The portfolio must plan, implement and monitor projects that will ensure that Day students feel included in student life.
 - (ii) Address the concerns of the students of the Mamelodi, Groenkloof, Prinshof and Onderstepoort Campuses.
- (f) Societies
- (i) Serve as chairperson of the Societies Sub-Council
 - (ii) Meet with the Societies Sub-Council once a quarter.
 - (iii) Manage all the administrative work of registering societies.
 - (iv) Encourage the projects pool applications for community development amongst registered societies.
 - (v) Receive management reports from the chairpersons of registered societies by no later than 31 October annually.
 - (vi) Coordinate all communication with societies.
- (g) Transformation and Student Success
- (i) Serves as the chairperson of the Transformation Sub-Council.
 - (ii) Ensure that the University is accessible to all students in the best possible manner and consider how to make University life more inclusive of all the cultures represented by its students.
 - (iii) Investigate the promotion of languages on campus.
 - (iv) Address issues arising from students placed in private accommodation by the University.
 - (v) Address issues relating to barriers experienced by disabled students.
 - (vi) Address issues relating to transformation and first-generation students.
 - (vii) Address issues relating to physical and mental health and wellness as potential barriers to student success.

(8) Ex Officio Portfolios of the SRC

- (a) The Ex Officio members of the SRC must represent the interests of their student governance structure on the SRC.
- (b) All Ex Officio members must attend SRC meetings and account to the SRC for their student governance structure.

(c) SRC Academics

- (i) Represents the Academic Affairs Sub-Council on the SRC, which represents the academic interests of students in all faculties of the University.
- (ii) Must continue to fulfil the duties assigned to him/her as elected executive committee member of his/her faculty house.

- (iii) Responsible for the day to day tasks relating to academic queries by students or faculty houses, as submitted to the SRC.
- (iv) Is responsible for assisting students with queries during the enrolment process during the January registration period in consultation with the enrolment officer of the University,
- (v) Liaises with the relevant student leaders sitting in academic appeal committees regarding academic exclusion cases.
- (vi) Assists the SRC member for Day Students and External Affairs with-academic cases on external campuses.

(d) SRC Residences

- (i) Represents the Residence Sub-Council on the SRC, which represents the interests of students living in various forms of University-controlled student accommodation.
- (ii) Must continue to fulfil the duties assigned to him/her as elected executive committee member of his/her residence/house.
- (iii) Is responsible for addressing issues arising from the students placed in private accommodation by the university.
- (iv) Is responsible for assisting in ascertaining private accommodation suitable for accreditation.
- (v) Is responsible for liaising, in consultation with the SRC member for Day Students, with day house chairpersons in terms of policies, constitutions and activities.
- (vi) Is responsible for ensuring effective communication, accountability and transparency with the Department of Residence Affairs and Accommodation.
- (vii) Is responsible for liaising with the Department of Residence Affairs and Accommodation and the Residence Sub-Council.

(e) SRC Student Sport

- (i) Represents the interests of the Student Sport Committee on the SRC and must account for the activities of the Student Sport Committee.
- (ii) Must continue to fulfil the duties assigned to him/her as elected executive committee member of the Student Sport Committee.
- (iii) Is responsible for assisting the SRC member for Transformation and Student Success with issues relating to student health and wellness.
- (iv) Must promote recreational activities offered by the SRC and TuksSport-
- (v) Is responsible for promoting an inclusive environment, in terms of recreational activities, wellbeing and sport, for students with disabilities.

(f) SRC Student Culture

- (i) Represents the interests of the Student Culture Committee on the SRC and must account for the activities of the Student Culture Committee.
- (ii) Must continue to fulfil the duties assigned to him/her as elected executive committee member of the Student Culture Committee.
- (iii) Is responsible for overseeing student culture events and policies to ensure that they are aligned with the institutional policy for student life.
- (iv) Must ensure that cultural events are successfully hosted and that the diverse offering caters for all students of the University.

(g) SRC RAG

- (i) Represents the interests of the Tuks RAG Committee on the SRC and must account for the activities of the Tuks RAG Committee.
- (ii) Must continue to fulfil the duties assigned to him/her as elected executive committee member of the Tuks RAG Committee.
- (iii) Is responsible for overseeing opportunities for registered student societies to participate in community engagement projects that are aligned with the vision and values of the University.
- (iv) Shall in consultation with the SRC Treasurer, ensure that project pool funds are used for community engagement projects that are in line with the SRC's vision.
- (v) Is responsible for receiving project pool reports from all structures who received project pool funding in that year by no later than 31 October annually.

Section 24 Eligibility requirements to serve on the SRC

- (1) To be eligible for nomination as a candidate for the SRC in any SRC Election for either the Elective Portfolios or the Ex Officio Portfolios, a candidate must meet all of the following requirements. The candidate must:
 - (a) be registered for a degree or a diploma at the University of Pretoria;
 - (b) in the case of an undergraduate Student, must have completed three (3) consecutive semesters at the University of Pretoria, having enrolled for at least 80% of modules required for their qualification in those semesters and have attained a Grade Point Average (GPA) for the semester preceding the elections of sixty percent (60%). In the case where an undergraduate student is registered for one (1) or more year module(s) during their year of nomination, the Department of Student Affairs should request, from the relevant Department, the mid-year academic performance mark(s) for the year module(s) for which the student is registered and take these marks into account with the student's GPA.
 - (c) in the case of a Student enrolled for a coursework postgraduate qualification have obtained a sixty percent (60%) average in the semester preceding the election;
 - (d) in the case of a postgraduate Student who is registered for a research degree present written confirmation by the Faculty administration of the Faculty in which he/she is registered that sufficient progress has been made for the Student to complete the degree or diploma within the prescribed minimum period;
 - (e) not have been found guilty by a disciplinary committee of the University for transgression of the Disciplinary Code or other rules and regulations of the University;
- (2) Where the candidate elects to stand for the Elective Portfolio of President or Deputy President, she/he must meet the conditions set out in section 24(1), and have served on the leadership body of a recognised Student Governance Structure within the University prior to the SRC Election for which the candidate is being nominated.
- (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 24(1)

automatically forfeits his/her membership with immediate effect and is replaced in accordance with the procedures contained in this Constitution.

Section 25 Elections

- (1) SRC candidates for the Elective Portfolios stand as individual candidates and are elected by Students in accordance with the Election Procedure set out in Annexure A.
- (2) Students are entitled to nominate and vote for candidates for Elective Portfolios.
- (3) The SRC member-elect for a specific portfolio may create a working committee for that portfolio from the list of candidates that stood for the same portfolio during elections, and only seek additional student members if the list is exhausted.
- (4) Student Sub-Councils and Committees must elect from among their executive committees the candidates for Ex Officio Portfolios.
- (5) SRC Elections must be held annually in the second semester of each year, by no later than the close of lectures in the second semester.

Section 26 Term of office

- (1) The term of office of the SRC and of the members of these bodies is one year, commencing on January 1 of the year following their election, and expiring on 31 December of that year.
- (2) Training of the newly elected SRC must take place after the SRC election and before commencement of their term of office.
- (3) Training will include mentorship offered by the incumbent SRC to the newly elected SRC. The incoming SRC will shadow the outgoing SRC through attending meetings and SRC commitments and establish operating principles for their term.
- (4) All incoming members of the SRC are required to attend a mandatory ceremony for acceptance of the oath of office, arranged by the Department of Student Affairs. The newly elected SRC may only commence their term when they have taken oath of office and may only assume their full role on completion of the training programme and the signing the SRC Code of Conduct.
- (5) Provided the Eligibility Requirements are met and a candidate is elected in accordance with this Constitution, a SRC Member may stand, be re-elected and serve for a total of 2 (two) terms as an SRC Member, unless a candidate for her/his 2nd (second) SRC Term is elected to the Elective Portfolios of President or Deputy President, in which event the candidate is entitled to stand for a further 1 (one) SRC Term following her/his 2nd (second) SRC Term, provided that no candidate may stand, be re-elected and serve more than 3 (three) SRC Terms in total and no candidate may serve more than 2 (two) SRC terms in the same SRC portfolio.

Section 27 Code of Conduct

- (1) After the appointment of the members but before the commencement of the term of office of all student governance structures, all the members of such structures must sign the Code of Conduct. Failure to do so before the start of the term of office will result in the person concerned forfeiting her/his membership. The vacancy resulting from such forfeiture must be filled in accordance with the provisions of section 32 of this Constitution.
- (2) A written complaint of alleged breach of the Code of Conduct may be laid by a student

- or staff member with the Office of the Director: Student Affairs.
- (3) Upon receiving a complaint, the Director: Student Affairs requests the Constitutional Tribunal to investigate the alleged breach. The Constitutional Tribunal must submit a report to the Director: Student Affairs within a reasonable time of receipt of the mandate.
 - (4) If, after receiving the report of the alleged breach compiled by the Constitutional Tribunal, the Director: Student Affairs considers the complaint to be clearly unfounded he/she dismisses the complaint and informs the complainant accordingly.
 - (5) If the Director: Student Affairs makes a finding that a serious breach of the Code of Conduct was in fact committed he/she may make an appropriate order. The order may include a fine and/or a ruling that the person must vacate his/her seat on the Student governance structure concerned.
 - (6) If the Director: Student Affairs considers the alleged breach to be a transgression of the University's Disciplinary Code, the Director: Student Affairs may refer the complaint to the University disciplinary committee (Students), which acts in accordance with its powers.

Section 28 Meetings

- (1) Ordinary meetings of the SRC are held weekly. The first meeting of the SRC elect is held within a week after its election. No ordinary meetings are held during official examinations and recess periods. A schedule of ordinary meetings is prepared and communicated at the first meeting of the SRC.
 - (a) A staff member or registered student may attend an ordinary SRC meeting on invitation or when granted permission for a specific purpose.
 - (b) A request to attend a particular ordinary SRC meeting must be submitted to the SRC Secretary in writing at least five (5) calendar days before the said meeting.
 - (c) A member of the public may only be invited to attend an ordinary meeting of the SRC subject to prior written consent by the Executive member responsible for Student Affairs.
- (2) On the instruction of the President, or at the written request of at least seven (7) of SRC members, accompanied by a proposed agenda, the SRC Secretary must convene a special meeting of the SRC forthwith: Provided that notice of this special meeting must be given to all members of the SRC at least twenty four (24) hours before the time for the commencement of the meeting, and such notice must include the date, time and place of the meeting, as well as the agenda for the meeting.
 - (a) Meetings are not open to the Public, provided that the Director: Student Affairs, Deputy Director: Student Affairs or any member of the Executive of the University, either of his/her own accord or at the invitation of the SRC may attend a SRC meeting as an observer.
 - (b) A person who intends to attend a meeting of the SRC as an observer must notify the SRC Secretary of said intention in order to be provided with a copy of the agenda. Where individual persons or particularly sensitive matters are discussed, the President may declare the discussion of a particular item closed to observers.
- (3) Meetings are chaired by the President provided that the President and the Deputy President may arrange that meetings or part thereof be chaired by the Deputy President.
- (4) Accurate minutes of all meetings must be kept and provided to members of the SRC, the Director: Student Affairs and Deputy Director: Student Affairs, and at their

request, to the University Authorities. Minutes of SRC meetings are Public Documents and any member of the University community has the right, subject to fair procedural arrangements made by the SRC Secretary, to inspect the minutes of all previous meetings of the SRC. Once approved, minutes must also be posted on the SRC website.

- (5) The quorum for meetings of the SRC is two thirds of the members of the SRC. The quorum is determined at the start of the meeting. If the required quorum is not present at the beginning of a meeting the President or the Deputy President as the case may be, adjourns the meeting to a different date and immediately gives oral notice of the next meeting, stating the date, time and place of such meeting, and must contact all members of the SRC not present to inform them of the arrangements for the next meeting. If at that meeting a quorum is still not present, the President or the Deputy President as the case may be, follows the same procedure as set out in this subsection. If at the third meeting the required quorum is still not present, a quorum is deemed to be present and the meeting continues as if it is properly constituted.
- (6) All SRC members shall attend SRC meetings and events in full uniform as defined in its own code of conduct

Section 29 Decision Making

- (1) Decisions taken by the SRC must be taken on the basis of robust discussion with a view to achieving consensus, failing which the members must vote to reach a decision.
- (2) Decisions taken by the SRC are taken on the basis of a simple majority vote of members present at a meeting where a quorum is present or deemed to be present.
- (3) If there is a split vote, the President casts the deciding vote.
- (4) When the SRC is not in session the Executive Committee of the SRC, in terms of section 23(1) of this Constitution, takes management decisions on the day-to-day technical and operational matters, provided that these are duly minuted and approved by the SRC at the next meeting.

Section 30 Dispute Resolution

- (1) Where a dispute arises in the SRC that renders the SRC unable to discharge its responsibilities or perform its duties, any member of the SRC may refer such dispute to the Constitutional Tribunal in the manner provided for in this section.
- (2) With a view to resolving the dispute the Constitutional Tribunal convenes and the Chief Justice, Acting Chief Justice, or a judge of the Constitutional Tribunal chairs a meeting of the SRC during which full discussion of the dispute is allowed. An additional two (2) judges of the Constitutional Tribunal may preside depending on the nature of the dispute.
- (3) Where the dispute is resolved, the Constitutional Tribunal records the resolution. Such resolution constitutes a binding decision of the SRC.
- (4) If notwithstanding the procedure described in this section, the dispute still remains unresolved the Constitutional Tribunal arbitrates the matter and makes a binding ruling.
- (5) The Director: Student Affairs may review the ruling if considerations of justice and fairness so require and may amend or set aside the ruling. Such review must take place within one (1) week of the ruling being made.

- (6) The provisions of this section do not detract from the powers of the University Council described in section 33.

Section 31 Termination of Membership

- (1) A member of any of the Student governance structures ceases to be a member of the structure and immediately vacates his/her position when: –
- (a) he or she ceases to meet any of the requirements set out in section 24 of this Constitution;
 - (b) he or she is found guilty by a disciplinary committee or tribunal of the University for a transgression of the Disciplinary Code or other rules and regulations of the University;
 - (c) in terms of section 27 he or she is found to have seriously transgressed the Code of Conduct of the SRC;
 - (d) he or she in a written communication to the President of the SRC resigns;
 - (e) if he or she is a member of the SRC and is absent without written apology or without a written apology containing a valid reason from five (5) ordinary meetings of the SRC during his/her year of office; or
 - (f) if he or she fails to sign the code of conduct as provided for in section 27.
 - (g) After a recommendation from the SRC disciplinary committee to terminate membership, the SRC in its ordinary meeting must ratify the decision by a two-thirds majority vote.
- (2) The Executive member responsible for Student Affairs and Director: Student Affairs must be notified forthwith in writing of any cessation of membership or removal from office.
- (3) Should the aggrieved member not be satisfied with the ruling of the SRC, the member may appeal such a decision to the Vice Principal: Student Affairs and Residences in accordance with the procedure set out in the SRC Code of Conduct.

Section 32 Filling of Vacancies

- (1) In the event of a vacancy arising for whatever reason in any of the Elective Portfolios during the SRC's term of office the Director: Student Affairs must appoint the next available runner-up candidate (continuing to meet the Eligibility Requirements) in the SRC Elections for the specific vacant Elective Portfolio.
- (2) If no suitable candidate can be found in terms of section 32(1) the functions of the vacant Elective Portfolio must be reassigned by the SRC amongst the remaining SRC members holding Elective Portfolios for the remainder of the SRC Term.
- (3) In the event of a vacancy arising for whatever reason in any of the Ex Officio Portfolios, the relevant Student Sub-Council or Committee to which the vacant Ex Officio Portfolio relates, must as soon as possible following the occurrence of the vacancy, elect a replacing SRC Member, meeting the Eligibility Requirements, and subject to Regulation in Annexure A, for the vacant Ex Officio Portfolio for the remainder of the SRC Term and the Chief Electoral Officer must appoint this candidate for the specific vacant Ex Officio Portfolio.

Section 33 Extraordinary measures

- (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 and duties as described in section 22 and has as result become inoperative or unable to function

As amended by the SRC and approved by Council on the 27th of June 2018

properly the University Council may:

- (a) dissolve the SRC, revoke this Constitution, make interim arrangements for the functioning of the SRC, and/or initiate a process to have a new SRC Constitution drafted;
 - (b) arrange for elections to be held in accordance with the election procedure in Annexure A within a period not exceeding six (6) months from the date of dissolution; and
 - (c) appoint a Temporary Student Committee consisting of 4 members of SRC and 8 members from other structures of student governance upon them meeting the eligibility requirements in section 24. The Temporary Student Committee will administer any urgent affairs of the SRC until a new SRC is elected.
- (2) If the SRC is not representative within the meaning of paragraph 59(4) of the Institutional Statute of the University of Pretoria, the Council may invoke section 59(10) of the Statute of the University of Pretoria.

Chapter 4 Constitutional Tribunal

Section 34 Establishment and Status

- (1) There is a Constitutional Tribunal that has the jurisdiction and functions in terms of this Constitution and in terms of a constitution of the Constitutional Tribunal that must be adopted by the SRC. The Constitution of the Constitutional Tribunal is drafted by the judges of the Constitutional Tribunal in consultation with the SRC.
- (2) The judges of the Constitutional Tribunal are appointed in terms of their own constitution.
- (3) The Constitutional Tribunal is independent, impartial and objective and receives an annual financial allocation from the Director: Student Affairs.
- (4) In the event of a dispute between the SRC and the Constitutional Tribunal or its justices, in relation to the adoption or ratification of the constitution of the Constitutional Tribunal, such dispute is decided by a dispute commission of legal experts appointed by the Executive member responsible for Student Affairs. The decision of the dispute commission is final.
- (5) Ordinary meetings of the Constitutional Tribunal must be held every other week in accordance with its own constitution. The first meeting of the Constitutional Tribunal is held within a week after the appointment of the judges.

Section 35 Jurisdiction of the Constitutional Tribunal

- (1) The Constitutional Tribunal has all the necessary powers to exercise the functions and duties described in this Constitution and all Annexure to the Constitution.
- (2) Any Student or any student governance structure of the University may approach the Constitutional Tribunal to:
 - (a) align any constitution of a student governance structure with this Constitution;
 - (b) give a non-binding advisory interpretation of the Bill of Student Rights, this Constitution and any other constitution adopted in terms of this Constitution. Such advisory opinion is communicated to the person or structure, as the case may be, that has requested the opinion as well as to the Director: Student Affairs, Deputy Director: Student Affairs and the President of the SRC;
 - (c) adjudicate any dispute arising from the Constitution, including a dispute pertaining to the exercising of authority, the taking of a decision, or the execution of functions by any Student governance structure carried out in terms of this Constitution or a constitution adopted in terms of this Constitution; and
 - (d) investigate an alleged breach of the SRC Code of Conduct for all student governance structures as described in section 27.
- (3) If an affected party refers the decision to the Director: Student Affairs, decisions by the Constitutional Tribunal in terms of section 35(2)(c) are subject to review by the Director: Student Affairs or his/her designated representative where considerations of justice and fairness so require.
- (4) In terms of the Disciplinary Code (Students) the Constitutional Tribunal appoints judges to sit on the presiding panels of Disciplinary Committees as Student members.
- (5) The Constitutional Tribunal and individual members of the Tribunal have the additional powers and functions, conferred upon it by the Executive of the University.

Section 36 Composition of the Constitutional Tribunal

- (1) The bench of the Constitutional Tribunal is composed of undergraduate students who are at least in the penultimate year of their LLB studies and postgraduate law students appointed in accordance with the constitution of the Constitutional Tribunal provided that no member of the SRC may, for a period of one (1) year after his/her term in these bodies has expired make him/herself available for a position as a member of the bench or any other post of the Constitutional Tribunal.
- (2) The head of the Constitutional Tribunal is the Chief Justice. An Acting Chief Justice discharges the duties of the Chief Justice if the position of Chief Justice is vacant or if the Chief Justice is temporarily incapable of performing his/her duties.
- (3) To be eligible to serve on the Constitutional Tribunal candidates must meet all of the following requirements:
 - (a) be an undergraduate student in the penultimate year of his/her LLB studies or a BCom Law or BA Law student in the final year of his/her BCom Law or BA Law studies; or a postgraduate coursework or research LLM (Masters) student.
 - (b) in the case of an undergraduate student, must have completed three (3) consecutive semesters at the University of Pretoria, having enrolled for at least 80% of modules required for their qualification in those semesters and have attained a Grade Point Average (GPA) for the semester preceding the elections of sixty- five percent (65%);
 - (c) in the case of a student enrolled for a coursework postgraduate qualification have obtained a sixty- five percent (65%) average in the semester preceding the election;
 - (d) in the case of a postgraduate student who is registered for a research degree present written confirmation by the Faculty administration of the Faculty in which he/she is registered that sufficient progress has been made for the student to complete the degree or diploma within the prescribed minimum period;
 - (e) not have been found guilty by a disciplinary committee of the University for transgression of the Disciplinary Code or other rules and regulations of the University;

Chapter 5 Sub-Councils and Committees

Section 37 Structures under the authority of the SRC

- (1) All structures under the authority of the SRC shall retain their independence but shall be accountable to the SRC and the student body that has elected such structures.
- (2) All structures under the authority of the SRC shall be governed by their own constitutions which shall be aligned with institutional policy and this constitution and/or its amendments and shall be approved by the SRC.
- (3) All structures under the authority of the SRC shall receive funding in line with the Regulation for the Allocation and Monitoring of Funds Policy of the SRC.
- (4) The SRC may refuse to approve new constitutions, rules, regulations or amendments submitted by the relevant structure on the basis of:
 - (i) Procedural unfairness
 - (ii) Incompatibility with the structure's constitutional mandate or the constitutional framework of this constitution.
- (5) The relevant structure may appeal to the Constitutional Tribunal against the refusal of the SRC referred to in subsection 37(4) above.

Section 38 Academic Affairs Sub-Council

(1) Composition

- (a) The Academic Affairs Sub-Council consists of the chairpersons of each of the established faculty houses elected according to their own constitutions.
- (b) Subject to regulation 9 of Annexure A, at a meeting of the Academic Affairs Sub-Council, the members elect from amongst themselves, in accordance with the Election Procedure in Annexure A, two Academic Affairs Sub-Council representatives who serve as the Ex Officio member on the SRC for the body.
- (c) An Academic Affairs Sub-Council representative holds a dual position of Academic Affairs Sub-Council representative to the SRC and retains his/her seat as an executive committee member of the respective faculty house that he/she represents during his/her term of office.
- (d) An Academic Affairs Sub-Council representative to the SRC hold such position for the duration of the SRC term of office from 1 January to 31 December of that year.

(2) Responsibilities

- (a) The Academic Affairs Sub-Council must:
 - (i) at all times represent the academic interests of students
 - (ii) exercise the powers necessary for the performance of its duties as stipulated in accordance with their respective faculty house and Faculty Sub-house constitutions;
 - (iii) represent the interests of Faculty Sub-houses and facilitate the allocation of funds for Faculty Sub-houses;
 - (iv) articulate the academic related queries emanating from the student body;
 - (v) meet at least once a month to discuss pertinent issues concerning student academic interests that must be represented at SRC meetings as well as receive feedback from the Ex Officio Academic Affairs Council Representatives on the SRC concerning addressed matters. These meetings must be minuted and the record forwarded to the SRC secretariat;

- (b) The Academic Affairs Council Representatives are responsible for administering the allocation of the SRC Honorary Colours awards;
- (c) The Academic Affairs Council Representatives must attend weekly SRC meetings.

(3) Constitutional mandate

The Academic Affairs Sub-Council has a constitutional mandate to actively promote the rights of students contained in Chapter 2, and specifically the right, under section 10(2), to quality education, academic support and transparent and justifiable assessment procedures.

(4) Constitutions, rules and regulations

- (a) The Academic Affairs Sub-Council may, upon approval by the SRC, adopt or amend any constitutions, rules or regulations that organise its activities.
- (b) The SRC may refuse to approve new constitutions, rules, regulations or amendments submitted by the Academic Affairs Council on the grounds of–
 - (i) procedural unfairness; or
 - (ii) incompatibility with the Academic Affairs Sub-Council’s constitutional mandate or the constitutional framework of student governance at the University.
- (c) The Academic Affairs Sub-Council may appeal to the Constitutional Tribunal against a refusal by the SRC under section 37(4)(b).

(5) Structure and operations

- (a) Each faculty house consists of the over-arching faculty house as well as sub-houses, which are department-based affiliations to the faculty house
- (b) Students in a particular Department are de facto members of the sub-house, and member of the sub-house executive are eligible to be elected to the faculty house committee.
- (c) Faculty Houses oversee the election of office bearers for their respective sub-houses in a transparent manner and aligned to the principles for election of Student Governance Structures
- (d) Operational funds equivalent to society funds are allocated at the discretion of the Department of Student Affairs to Faculty Houses, for the functioning of the sub-houses
- (e) Sub-houses are required to submit their programme of action to the SRC and the DSA, for approval and release of allocated funding

Section 39 Residence Sub-Council

(1) Composition

- (a) The Residence Sub-Council consists of the chairpersons and primariae of each of the University residences and recognised private accommodation chairpersons.
- (b) Subject to Regulation 9 of Annexure A, at a joint meeting of the Residence Sub-Council and of the chairpersons of the Day Houses, the chairpersons and primariae must elect from amongst themselves, in accordance with the Election Procedure in Annexure A, two (2) Residence Sub-Council Representatives, preferably one primaria and one male chairperson, who serve as the Ex Officio members on the SRC for the body.
- (c) A Residence Sub-Council Representative holds a dual position of Residence Sub-Council Representative and retains his/her seat as Chairperson/Primaria of the respective residence or Day House that he/she represents during his/her term of

office.

(2) Responsibilities

The Residence Sub-Council:

- (a) Must at all times represent the interests of the residents of residences and, where applicable, members of Day Houses and recognised private accommodation.
- (b) Exercises the powers necessary for the performance of its duties as stipulated in accordance with their respective residence constitutions.
- (c) Is responsible for articulating the residence-related queries emanating from the student body.
- (d) Meets at least once a month to discuss pertinent issues concerning the needs of residence students to be represented at the SRC meetings as well as receive feedback from the Ex Officio Residence Sub-Council Representatives on the SRC concerning addressed matters. These meetings must be minuted, and a record forwarded to the SRC Secretariat.

(3) Constitutional mandate

The Residence Sub-Council has a constitutional mandate to actively promote the rights of students contained in Chapter 2, and specifically the right, under section 10(1), to an enabling environment in which student success and academic excellence are encouraged and pursued.

(4) Constitutions, rules and regulations

- (a) The Residence Sub-Council may, upon approval by the SRC, adopt or amend any constitutions, rules or regulations that organise its activities.
- (b) The SRC may refuse to approve new constitutions, rules, regulations or amendments submitted by the Residence Sub-Council on the grounds of –
 - (i) procedural unfairness; or
 - (ii) incompatibility with the Residence Sub-Council's constitutional mandate or the constitutional framework of student leadership at the University.
- (c) The Residence Sub-Council may appeal to the Constitutional Tribunal against a refusal by the SRC under subsection (2).

Section 40 Societies Sub-Council

(1) Composition

- (a) The Societies Sub-Council consists of the chairpersons of each of the societies registered with the SRC and recognised in terms of the constitution of the Societies Sub-Council.
- (b) The SRC member for the Societies Elective Portfolio elected in accordance with the Election Procedure in Annexure A serves as the chairperson for the Societies Sub-Council.
- (c) Societies recognised as part of the Sub-Council are classified under one of twelve (12) categories:
 - (i) academic
 - (ii) arts and culture
 - (iii) community engagement
 - (iv) entrepreneurial
 - (v) gaming

As amended by the SRC and approved by Council on the 27th of June 2018

- (vi) international
- (vii) outreach
- (viii) political
- (ix) religious
- (x) social/leisure
- (xi) social justice
- (xii) sport

(2) Responsibilities

- (a) The Societies Sub-Council must at all times represent the interests of all recognised student societies and their members.
- (b) The Societies Sub-Council has the powers necessary for the performance of its duties.

(3) Constitutional mandate

The Societies Sub-Council has a constitutional mandate to actively promote the rights of students contained in Chapter 2, and specifically the right to equality of freedom of religion, belief and opinion under section 6 and the right to freedom of association under section 11.

(4) Constitutions, rules and regulations

- (a) The Societies Sub-Council may, upon approval by the SRC, adopt or amend any constitutions, rules or regulations that organise its activities.
- (b) The SRC may refuse to approve new constitutions, rules, regulations or amendments submitted by the Societies Sub-Council on the grounds of –
 - (i) procedural unfairness; or
 - (ii) incompatibility with the Societies Sub-Council’s constitutional mandate or the constitutional framework of student leadership at the University.
- (c) The Societies Sub-Council may appeal to the Constitutional Tribunal against a refusal by the SRC under subsection (2).

Section 41 Transformation Sub-Council

(1) Composition

- a) The Transformation Sub-Council consists of transformation representatives or the transformation portfolio holders of each of the Faculty Houses, Day Houses and Residences.
- b) The SRC Transformation representative elected in accordance with the Election Procedure in Annexure A, serves as chairperson of the Transformation Sub-Council during his/her term of office.

(2) Responsibilities

- a) The Transformation Sub-Council serves as a committee that coordinates the transformation initiatives in the various student houses of the University.
- b) The members of the Transformation Sub-Council must at all times represent the interests of the constituencies that elected them, notwithstanding that the Sub-Council shares a common transformative goal, aligned with institutional priorities and defined by the SRC Transformation representative.

- c) The Transformation Sub-Council is responsible for articulating the transformation related issues emanating from the student body.
- d) The Transformation Sub-Council meets at least once a month to:
 - (i) Discuss pertinent issues concerning the needs of students, especially students from previously disadvantaged and marginalised communities, including but not limited to first-generation students, female students and students from the LGBTQI+ community;
 - (ii) plan and execute at least one transformation campaign and/or initiative throughout all campuses and/or faculties, residences and day houses; and
 - (iii) actively promote access to the University and its structures, equity and dignity and to protect and enforce rights of students in Chapter 2 of this Constitution.
 - (iv) Meetings of the Transformation Sub-Council must be minuted and a record forwarded to the SRC Secretary.
 - (v) The SRC member for Transformation and Student Success must receive bi-annual reports of all members from the Transformation Sub-Council.

(3) Constitution, rules and regulations

The Transformation Sub-Council may, after consultation with the residence sub-council and the academic affairs sub-council and the Constitutional Tribunal, upon approval by the SRC, adopt any constitution to govern its activities.

Section 42 Committees

- (1) The following Committees are duly constituted according to this Constitution and operate in accordance with the Committees' respective constitutions:
 - (a) Student Culture;
 - (b) Rag Committee;
 - (c) Sports Committee.
- (2) For the purposes of the SRC, subject to Regulation 9 of Annexure A to this Constitution, one member of each of the relevant executive committees must be elected as Ex Officio members of the SRC in order to account to the SRC for their respective committees as well as to represent the interests of their committees.

(3) Accountability, General Provisions relating to Committees

- (a) All committees mentioned in subsection 42(1) are accountable to the SRC.
- (b) In relation to their financial and business management, committees function under the line management of the Director: Student Affairs.
- (c) Committees are staffed by Student volunteers; provided that the University Council and/or the Executive of the University have the power to appoint and mandate persons to conduct the financial and operational management of a Committee on behalf of the University.
- (d) A person appointed or mandated in terms of this subsection as operational manager is accountable to the relevant line manager as indicated in the terms of his/her appointment.

(4) Responsibilities of Committees

- (a) Committees must promote broad participation by Students in the activities of such Committees.
- (b) Committees must act in accordance with their own constitutions and in accordance with this Constitution.
- (c) Committees must co-operate closely with the SRC, as far as possible implement SRC decisions in relation to service delivery and must be responsive to the views expressed by the SRC.
- (d) Ex Officio SRC Committee representatives must attend all SRC meetings.
- (e) Committees must submit planned programmes of action to the Director: Student Affairs at the beginning of their terms of office.

Section 43 Student Forum

- (1) A Student Forum is established in terms of this Constitution and consists of:
 - (a) All SRC Members
 - (b) Faculty House Chairs and Deputies
 - (c) Two Rag Committee Executive committee members elected by the Rag Committee.
 - (d) Two Student Culture Committee Executive Committee members selected by the Student Culture Committee.
 - (e) Two Sport Committee Executive Committee members elected by the Sport Committee.
 - (f) Six Residence Sub-Council Members elected by the Residence Sub-Council.
 - (g) Twenty-four (24) Societies Sub-Council Members, with two (2) members elected from each of the twelve (12) categories as defined in Section 40(1)(c).
 - (h) The Day House Chairpersons
 - (i) The Student Body represented by those Students who choose to attend Student Forum meetings.

- (2) **Responsibilities**
 - (a) The Student Forum must meet quarterly to receive reports from the President of the SRC, as per Section 23(2)(b)(iii) and (iv). These quarterly reports must be made available on ClickUP and notice boards on all campuses two weeks before the next quarterly meeting.
 - (b) The SRC Deputy Secretary must notify the members of the Student Forum, including the Student Body, on ClickUP, posters and notices on all campuses of the date, time and venue two weeks before the next meeting.
 - (c) The SRC Deputy Secretary must invite the *Perdeby* editor and one Tuks FM Executive Committee member elected by the Tuks FM Committee to all Student Forum meetings.
 - (d) Members of the Student Forum who wish to pose questions at the next quarterly meeting must provide their proposed questions to the SRC Deputy Secretary at least 48 hours before the next quarterly meeting.
 - (e) Questions posed to the SRC must be focused on a particular portfolio and must be directed at the SRC plan of action.
 - (f) Meetings must be chaired by the Chief Justice of the Constitutional Tribunal or a serving Constitutional Tribunal judge chosen by the Chief Justice to chair on his/her behalf in accordance with the procedures prescribed in the Constitution of the

Constitutional Tribunal.

- (g) Minutes of Student Forum meetings must be taken by the Registrar of the Constitutional Tribunal or a Constitutional Tribunal judge selected by the Registrar to represent him/her; provided that such judge does not act as the chairperson of the meeting. Such minutes must be made available on Click Up within two weeks of the meeting.
- (h) The members of the Student Forum listed in section 43(1)(b) to (h) must attend at least two (2) of the four (4) quarterly meetings. Failure of these members to attend at least two (2) of the four (4) meetings is a violation of the Code of Conduct.
- (i) Members of the SRC are required to attend all Student Forum meetings unless a valid excuse has been submitted to the chairperson of the Student Forum.
- (j) After the President of the SRC introduces the quarterly report, the chairperson of the Forum conducts a question and answer session where the members of the Student Forum who provided their questions to the SRC Secretary in terms of section 43(2)(d) and 43(2)(e) ask their questions to the relevant members of the SRC and the relevant members of the SRC answer the questions. The chairperson rules on whether a particular question has been answered.
- (k) Members of the Forum may identify and communicate any shortcomings in this Constitution to the Executive member responsible for Student Affairs or Director: Student Affairs.
- (l) The Student Forum may make recommendations to amend the programme of action of the SRC, for consideration by the SRC.
- (m) The Student Forum may lodge a complaint with the Director: Student Affairs in terms of section 27.

(3) Quorum

The quorum for meetings of the Student Forum is at least 30 students as intended in section 41(1) and will apply for the duration of the meeting.

Chapter 6 Service Providers

Section 44 Existing and new Service Providers

- (1) The following service providers are recognised in terms of this Constitution:
 - (a) *Perdeby*; and
 - (b) Student Disciplinary Advisory Panel
- (2) Each of these service providers functions according to its own constitution.
- (3) The Service Provider may, upon approval by the SRC, adopt or amend any constitutions, rules or regulations that organise its activities.
- (4) The SRC may refuse to approve new constitutions, rules, regulations or amendments submitted by the Service Provider on the grounds of procedural unfairness or incompatibility with the Societies Sub-Council's constitutional mandate or the constitutional framework of student leadership at the University.
- (5) The Service Provider may appeal to the Constitutional Tribunal against a refusal by the SRC under subsection 44(4).
- (6) Additional Service Providers may be established by the University at the request of the SRC in terms of the prescribed University procedure.

Section 45 Accountability, General Provisions relating to Service Providers

- (1) In relation to their services to the Student Body, and in the case of *Perdeby* subject to section 14 of this Constitution, Service Providers are accountable to the SRC.
- (2) In relation to their financial and business management, Service Providers function under the line management of the Director: Student Affairs.
- (3) Service Providers are staffed by Student volunteers; provided that the University Council and/or the Executive of the University have the power to appoint and mandate persons to conduct the financial and operational management of a Service Provider on behalf of the University.
- (4) A person appointed or mandated in terms of section 45(3) as operational manager is accountable to the relevant line manager as indicated in the terms of his/her appointment.

Section 46 Responsibilities and duties of the Service Providers: General Provisions

- (1) Duly recognising all communities constituting the Student Body of the University of Pretoria, Service Providers must provide efficient, professional services to the Student Body.
- (2) Service Providers must promote broad participation by Students in the activities of such Service Providers.
- (3) Service Providers must act in accordance with their own constitutions and in accordance with this Constitution.
- (4) In the case of *Perdeby* subject to section 14 of this Constitution, Service Providers must co-operate closely with the SRC, as far as possible implement SRC decisions in relation to service delivery and should be responsive to the views expressed by the SRC.
- (5) Service Providers must submit planned programmes of action to the Director: Student Affairs at the beginning of their terms of office.
- (6) *Perdeby* must comply with the relevant media codes of conduct and must provide information and entertainment in a professional, impartial, balanced and relevant manner.

Section 47 Procedure for lodging a complaint against a Service Provider

- (1) Students aggrieved by the services of a Service Provider, including the reporting and comments made by *Perdeby*, may lodge a complaint in writing with the chairperson of the relevant Service Provider and may furnish a copy of the complaint to the Director: Student Affairs or Deputy Director: Student Affairs.
- (2) On receiving the complaint, the chairperson of the relevant Service Provider must attempt to resolve the matter and must respond in writing, indicating to the complainant what steps, if any, have been taken to satisfy the complainant and furnishes a copy of the response to the Director: Student Affairs or Deputy Director: Student Affairs.
- (3) If the complaint cannot be resolved to the satisfaction of the complainant, the complaint may be referred to the Director: Student Affairs.
- (4) In the case of *Perdeby* a complaint may also be directed to the South African Press Ombudsman.
- (5) The SRC must make information available to the Student Body on clickUP and on notice boards on all campuses on the procedure for lodging a complaint against a Service Provider.

Chapter 7 Mass meetings

Section 48 Purpose of mass meetings

Mass meetings provide the opportunity for open discussion of matters of pressing concern to the student body and/or for the SRC to seek the views of the student body on any matter within the authority of the SRC.

Section 49 Procedure in respect of holding a mass meeting

- (1) A mass meeting may be convened by the SRC on its own initiative or at the request of a student.
- (2) If a mass meeting is requested by a student, the procedure as set out below must be followed.
 - (a) A mass meeting may be requested by a student, referred to as the requester, by way of a petition signed by a minimum of two hundred (200) students of the University, and stating clearly and concisely the grounds for the request, submitted to the SRC Secretary.
 - (b) Upon receipt of a valid request under subsection 49(1) the SRC Secretary must as soon as reasonably possible advise the President of the SRC of the request and the SRC Secretary must convene a mass meeting within two (2) weeks of receiving the request.
 - (c) An Emergency Mass Meeting may be called by the SRC in consultation with the Vice- Principal: Student Affairs and Residences if an urgent matter affecting students arises and must be in line with the University policy on public gatherings.
 - (d) If the petition mentioned in subsection 49(1) does not contain at least two hundred (200) signatures of Students at the University or does not clearly state the grounds for the request of a mass meeting, then the SRC Secretary must give such petition back to the requester to rectify any defects in the petition.
 - (e) The SRC Secretary must place a notice of a mass meeting stipulating its date, time, place and agenda on the official notice boards at least seven (7) calendar days prior to the meeting.

Section 50 Procedural arrangements for mass meetings

- (1) The President of the SRC or another member of the SRC appointed by the President must act as chairperson of a mass meeting.
- (2) Mass meetings must be attended by all the members of the executive committee of the SRC and at least five (5) other members of the SRC. Failure of the aforementioned SRC members to attend a Mass Meeting is a violation of the Code of Conduct.
- (3) Only students of the University may attend and participate in mass meetings, provided that they present their student cards to the SRC Secretary or a member of the SRC acting on his/her behalf, when requested to do so.
- (4) A person who is not able to produce a valid student card upon request, may be requested by the SRC Secretary to leave the meeting.
- (5) The SRC Secretary must take minutes of the meeting and must make such minutes available within five (5) calendar days of the mass meeting either by keeping a hard copy of such minutes in his/her office to be copied upon request by a student or posting the minutes on the SRC web-page.
- (6) A student present at the mass meeting can mandate any SRC member to add/remove

As amended by the SRC and approved by Council on the 27th of June 2018

items from their Plans of Action if the said mandate is accompanied by 4 000 signatures with valid student numbers. If the SRC disagrees with the proposed amendments to the Plan of Action, they may appeal to the Director: Student Affairs within ten days of the mass meeting. Once approved by either the SRC or the Director: Student Affairs, amendments can be finalized.

Chapter 8 Constitutional Amendments

Section 51 Normal Amendment Process

- (1) This Constitution may be amended by a two-thirds majority decision of the SRC reached at a meeting of the SRC duly constituted for such purpose and in consultation with the Constitutional Tribunal. The amendments will only be passed subject to the final approval by Council.
- (2) Any Annexures to this Constitution may be amended by a simple majority decision of the SRC reached at a meeting of the SRC duly constituted for such purpose and in consultation with the Constitutional Tribunal. The amendment(s) will only be passed subject to the final approval by Council.
- (3) Any proposed amendments to this Constitution or Annexures may only be submitted for consideration by Council once a year.

Section 52 Review of the Constitution and extra-ordinary measures

- (1) At least every five (5) years, after the adoption of this Constitution in 2013, a referendum must be held on whether the Constitution should be reviewed. A valid referendum will be constituted if at least the University's students voting in the referendum is equivalent to the number of voters of the immediate past SRC poll preceding the referendum.
- (2) If, by a simple majority in a valid referendum, it is found that the Constitution should be reviewed, The Executive member responsible for Student Affairs must establish, by mandate of Council, a Steering Committee to oversee and initiate the review and redrafting process of the Constitution for Student Governance.
- (3) The Steering Committee must consist of at least the following members:
 - a. A facilitator appointed or designated by the Director: Student Affairs;
 - b. Director of Student Affairs;
 - c. Deputy Director of Student Affairs;
 - d. A representative of the office of the Vice Principal: Student Affairs;
 - e. The SRC secretariat;
 - f. The Chief Electoral Officer of the IEC of the most recent election
 - g. Two (2) representatives of the SRC (one from the Elective portfolio and another from Ex-officio portfolios);
 - h. Two (2) representatives of the Constitutional Tribunal; and
 - i. Five (5) representatives of the Student Forum.
- (4) The Steering committee must meet within two weeks of its establishment to initiate a transparent, consultative review process.

Annexure A: SRC ELECTION PROCEDURE

1. Definitions

- (a) All definitions below are to be applied throughout, unless otherwise defined.
- (b) Second Academic Semester means the period starting from the start of lectures after the June/July university holidays until the commencement of the December/January holidays.
- (c) Acceptance of Nomination Form means the form prescribed by the IEC to be completed by a candidate wishing to be elected for any of the Elective Portfolios.
- (d) Campaign Meetings means official gatherings preceding any SRC Election, focused on providing candidates with a campaigning platform.
- (e) Campuses mean the Hatfield campus, Mamelodi Campus, Groenkloof Ccampus, Hillcrest Campus, Onderstepoort Campus and Prinshof Campus of the University of Pretoria.
- (f) Chief Electoral Officer means the Chief Electoral officer responsible for the SRC Elections as contemplated in regulation 3 of this Annexure.
- (g) Days means calendar days, excluding Saturdays, Sundays and Public Holidays.
- (h) Election Procedure means this Election Procedure.
- (i) Election Manifesto means the statement of policy and intent by a candidate standing for an elective portfolio in the SRC.
- (j) Independent Monitoring Body is a body responsible to oversee and adjudicate on the compliance to election rules, and pronounce the outcome as free and fair
- (k) Independent Electoral Committee [IEC] is a body that organises the election process and discharges the duties set out in regulation 3 of this Annexure, which carries no vested interest in the election, and acts impartially.
- (l) Nominator means a Student nominating a candidate to stand for a specific elective portfolio.
- (m) Nomination Form means the form prescribed by the IEC to be completed by the Nominator nominating a candidate for election for an Elective Portfolio.
- (n) Nomination Resolution means the form prescribed by the IEC to be completed and signed by the relevant Student Sub-Council or Committee (and all constituents of the Student Sub-Council or Committee, where applicable) authorizing and nominating their Chairperson as the candidate to hold an Ex Officio Portfolio on behalf of the relevant Student Sub-Council or Committee.
- (o) Second and seconded means the supporting of the nomination of a candidate to stand for a specific elective portfolio by Students with the name, student number and signature of each supporting Student
- (p) Secondment Form is the form prescribed by the IEC to be used for the collection of information and signatures of all Students that second a candidate for election for an Elective Portfolio.
- (q) Week means a period of five (5) consecutive days from a Monday to a Friday.

2. Election

- (1) SRC candidates for the Elective Portfolios must run as individuals and be elected by the Students in accordance with the Election Procedure. Candidates can disclose their society affiliations, and be supported in their campaign by societies to which they are affiliated, subject to the campaign rules
- (2) Students as defined in section 1 of the Constitution are entitled to nominate and vote

for candidates for Elective Portfolios in the manner set forth under this annexure.

- (3) Elections for the SRC are held annually during the second semester in a Week determined by the Director: Student Affairs provided that the elections take place during a Week before the close of lectures.
- (4) The Director: Student Affairs or Deputy Director: Student Affairs must announce the dates of the annual elections to the incumbent SRC within one (1) month of the commencement of the second academic semester and the SRC must announce such dates on the SRC website and on notice boards across all campuses.

3. Election Structures

(1) Independent Electoral Committee and Chief Electoral Officer

- (a) An Independent Electoral Committee [IEC] for each election must be constituted before the announcement of the annual elections for the SRC.
- (b) The IEC is a body that organises the election process and discharges the duties set out in this chapter.
- (c) The IEC has up to eleven (11) members, consisting of the Chief Electoral Officer and up to ten (10) electoral officers appointed in terms of this section. These members may not have a vested interest in the outcome of the SRC elections.
- (d) The Chief Electoral Officer is a member of staff at, or service provider to the University, with suitable experience and qualifications appointed by Council, in consultation with the Director of Student Affairs, to act as the Chief Electoral Officer.
- (e) The Director: Student Affairs must announce the Chief Electoral Officer to the incumbent SRC within a month of commencement of the second semester and the SRC must announce the name of the Chief Electoral Officer as well as the place at which nominations in terms of regulation 5 must be submitted on ClickUP and the SRC website.
- (f) The other ten (10) electoral officers are appointed by the Director: Student Affairs in consultation with the Chief Electoral Officer. Electoral Officers must comply with the eligibility requirements of section 24 of the Constitution but may not stand as a candidate in the election or in any way be involved in campaigning in the election. Electoral Officers receive no remuneration for their duties.
- (g) The Chief Electoral Officer may, in consultation with the Director: Student Affairs, appoint Students who are eligible to vote in the elections to provide administrative support to the IEC. Such Students may not be candidates in the elections or campaign in the elections and must at all times act impartially.
- (h) The Chief Electoral Officer must report regularly to the Director: Student Affairs at intervals as agreed to between the Chief Electoral Officer and the Director: Student Affairs.
- (i) The Chief Electoral Officer has the final responsibility to ensure that the IEC is performing its functions and duties. The Chief Electoral Officer also has the responsibility of announcing the results of the SRC Elections, after confirmation from the Independent Monitoring Body that all queries have been resolved, and that the elections were deemed free and fair.

- (j) The IEC enforces the election rules, and ensures candidates comply with the campaign and election rules. Where the candidates do not comply with the rules, members of the IEC can take corrective action, and submit a record of the action taken to the Independent Monitoring Body.

(2) Independent Monitoring Body

- (a) An Independent Monitoring Body is constituted before the announcement of the annual elections for the SRC, consisting of -
 - (I) three (3) members of the outgoing Student Representative Council, designated by the Student Representative Council, who are not candidates in the elections;
 - (II) not more than three (3) persons designated by the Office of the Director: Student Affairs;
 - (III) not more than three (3) persons designated by the Office of the Vice-Principal responsible for Student Affairs; and
 - (IV) two (2) Constitutional Tribunal judges, who do not serve on the Electoral Committee and who will not be adjudicating a matter flowing from the election.
- (b) The Independent Monitoring Body is chaired by the Director: Student Affairs or his/her representative on condition that the same person cannot be the Chairperson of the Independent Monitoring Body and the person who approves the election material as stipulated in this chapter.
- (c) The Independent Monitoring Body must ensure that elections are free and fair through the monitoring of all the phases of an election, including: –
 - (I) nominations and nomination procedures;
 - (II) campaigning procedures and activities;
 - (III) voting and voting procedures;
 - (IV) the design, printing, distribution and collection of ballot papers;
 - (V) the counting of votes and the announcement of results.
- (d) The Independent Monitoring Body must meet at least twice a week during the election period.
- (e) Complaints or objections relating to the elections must be lodged in writing with the Independent Monitoring Body during the entire election period, provided that such complaints are lodged in writing and are submitted not later than 22:00 of the day of the election.
- (f) The Independent Monitoring Body investigates the complaint or objection relating to all phases of the election and may direct candidates and the IEC to take corrective action or penalise the transgressing candidate. The penalty code is to be communicated at the start of the election period by the Chief Electoral Officer.
- (g) If, on investigation by the Independent Monitoring Body it appears that the grounds for the complaint or objection constitute a transgression of the election rules, which are regarded as institutional rules, the Independent Monitoring Body must refer the complaint or objection to the Disciplinary Committee (Students). If the Independent Monitoring Body is unable to reach consensus on the referral of a complaint or objection to the Disciplinary Committee (Students), any member of the Independent Monitoring Body may refer the matter to the Disciplinary Committee (Students) for adjudication.
- (h) The Independent Monitoring Body must oversee the process set out in paragraph 12 and must ensure that the SRC is representative of the student body after the election of the ex-officio portfolio and submit a report to the University Council.
- (i) Before declaring an election free and fair, the Chairperson of the Independent Monitoring Body must be As amended by the SRC and approved by Council on the 27th of June 2018

Monitoring Body must attend to complaints and objections. The Independent Monitoring Body has the authority to declare the entire elections free and fair. It also has the power to declare the election process in part of the poll as null and void, after which the election process in the affected part must start anew as soon as possible.

4. Nominations

- (a) The period for submitting nominations for the new SRC will start at the date determined by the Director: Student Affairs provided that such date of commencement must be announced by the Director: Student Affairs to the incumbent SRC within a month of commencement of the second academic semester. The SRC must then announce such date to the student body by placing a notice on the website of the SRC. The SRC must make these announcements within three (3) days of being notified thereof by the Director: Student Affairs.
- (b) All nominations will close on the date determined by the Director: Student Affairs. Such date must also be announced to the current SRC and such must forthwith announce the relevant date on the SRC website.
- (c) Any candidate meeting the Eligibility Requirements as set out in section 24 stands as an individual and may be nominated for any of the elective portfolios.
- (d) To stand for any of the elective portfolios the candidate must have been nominated by a Nominator and Seconded by Students on the following basis:
 - (i) For the position of President of the SRC: A Nominator nominating the candidate for the position of President together with the secondment of 200 (two hundred) Students (signatures and student numbers).
 - (ii) There is no separate ballot for the positions of Deputy President or SRC Deputy Secretary, and hence there is no nomination for these two positions. Instead, the runner up (second highest votes) on the President ballot will be elected Deputy President, and the runner up (second highest votes) on the SRC Secretary ballot will be elected SRC Deputy Secretary.
 - (iii) For the other Elective Portfolios: A Nominator nominating the candidate for the specific Elective Portfolio together with the secondment of 100 (one hundred) Students (signatures and student numbers).
- (e) A candidate can make themselves available for no more than two (2) portfolios. If a candidate chooses to make themselves available for two (2) portfolios, both of these portfolios would be stated on the nomination form, and the signatures would be applicable to both positions. If one of the two portfolios include the President position, then a secondment of 200 signatures applies.

5. Nominations for Elective Portfolios

- (1) To be nominated for any of the elective portfolios, the following information must be submitted by or on behalf of a candidate to the Chief Electoral Officer:
 - (a) A Nomination Form in the prescribed form (Annexure B), signed by the Nominator indicating the elective portfolio(s) for which the candidate is nominated.
 - (b) An Acceptance of Nomination Form in the prescribed form (Annexure B), signed by the candidate and indicating the willingness of the candidate to stand for the Portfolio(s) including an undertaking by the candidate to be bound by all the provisions of the Constitution for Student Governance, including this annexure.
 - (c) A copy of the page of the candidate's ID book on which the candidate's photo, name

and ID number appear, or a copy of the relevant page(s) of the candidate's passport in case of an international student.

- (d) A complete Academic Transcript of the candidate.
 - (e) The Election Manifesto of the candidate.
 - (f) An A5 colour photograph (head and shoulders) of the candidate as first choice but a black and white photograph will not be rejected.
 - (g) A Secondment Form (Annexure C) prescribed by the IEC to be used for the collection of information and signatures and student numbers of all students that Second a candidate for election for an Elective Portfolio(s).
- (2) The Chief Electoral Officer must provide all the required information on behalf of each candidate to the IEC by the end of the nomination period.
 - (3) The Chief Electoral Officer and the IEC must keep confidential the submission of nominations by candidates until the formal announcement thereof by the IEC in accordance with this Election Procedure.

6. Review and Correction of Nominations

- (1) The IEC must reject incomplete candidate nomination submissions.
- (2) The Chief Electoral Officer together with the IEC must consider all nomination submissions received to determine whether the candidate meets the submission requirements for her/his specific portfolio. Where the IEC determines an inconsistency or suspects the reliability of information provided, the IEC must take reasonable steps to confirm the validity of the information as soon as is reasonably possible and the IEC must inform the relevant candidate as soon as possible of the incomplete nature of their application. Where the IEC cannot reach a decision as to the acceptability of a nomination submission, it must refer the submission to the Constitutional Tribunal for a final and binding decision regarding acceptability.
- (3) Where the IEC, having received a nomination on the closing date for nominations, determines that the nomination submitted by a candidate does not meet all of the nomination requirements for the specific portfolio for which the candidate is nominated or either the nomination for or the acceptance of the nomination form or both forms are not in the prescribed form:
 - (a) the IEC must immediately inform the candidate of the shortcoming and request the candidate to correct his/her submission within 24 (twenty-four) hours after receipt of notification from the IEC.
 - (b) Up until the expiry of the 24 (twenty-four) hour period after receipt of notification, the IEC must accept the corrected nomination submitted by the candidate despite being submitted after the closing time for nominations and must be deemed to have been validly submitted.

7. Insufficient Nominations

Where, upon the closing time for nominations, the IEC determines that:

- (1) no nominations have been received for particular SRC elective portfolio(s), but nominations have been received for at least seven (7) of the twelve (12) SRC elective portfolios available for election, the IEC must extend the nomination period for such period of time as it deems appropriate to encourage further nominations for the outstanding portfolio(s), but which period may not exceed 72 (seventy-two) hours. After the expiry of such extended nomination period, the IEC will continue with the SRC Election irrespective of whether there are Portfolios for which no nominations have

been received. Any SRC vacancies within the SRC after the election must be allocated by the newly elected SRC in accordance with section 21(4) of the Constitution.

- (2) nominations for less than seven (7) of the twelve (12) SRC elective portfolios available for election have been received, the IEC may, in consultation with the Director: Student Affairs, extend the nomination period in accordance with paragraph 7(1), or suspend the SRC Elections to allow the IEC to promote Student candidacy and engage with Student Structures to ensure that nominations are submitted. The IEC and the Director: Student Affairs must within a reasonable time agree on an appropriate new week for the elections and such week must forthwith be announced by the Director: Student Affairs on ClickUP and notice boards across all campuses.

8. Announcement of Nominations

- (1) After the closing of nominations and where the IEC continues with the SRC Elections, the Chief Electoral Officer must announce the list of candidate submissions for each SRC portfolio after meeting any outstanding eligibility requirements as mentioned in section 24(1).
- (2) At the start of the campaigning period, the Chief Electoral Officer must hand the list of candidate submissions together with their Election Manifestos (where applicable) to the *Perdeby* for publication in an election issue of the *Perdeby*, together with details of the Election period and relevant aspects of the Election Procedure applicable to voting by Students.
- (3) Additionally, the IEC must ensure that at least two weeks prior to the elections the details of the Election period and necessary aspects of the voting procedure are posted on notice boards across all Campuses and posted on the SRC website.
- (4) All nominated candidates of Elective portfolios must attend a compulsory preparatory workshop presented by the Department of Student Affairs to prepare candidates for the process of campaigning.

9. Campaigning

- (1) The Independent Electoral Committee must, after the nomination and registration period has closed but before the commencement of the campaigning period, call a compulsory meeting with all stakeholders participating in the election to discuss the detailed explanation of the election rules and procedures.
- (2) No campaigning may take place from the start of the nomination period until the date and time for the start of the campaign period, as announced by the Chief Electoral Officer and/or the Director: Student Affairs.
- (3) From the start of the nominations period, no society activity that can be linked to promoting any candidate will be permitted on Campus. The approval of society events during the election period will be at the discretion of the Director: Student Affairs, in consultation with the Chief Electoral Officer.
- (4) Through campaigning, candidates must have an opportunity to address the Student Body, present their Election Manifestos and canvas Student votes for the upcoming SRC Election through multiple prearranged forums on University premises, subject to reasonable conditions, adherence to a stipulated programme, and good decorum. The election circus programme will be drawn up and publicised by the Chief Electoral Officer.
- (5) All candidates for elective portfolios must attend and participate in official Campaign Meetings according to the rotation schedule established by the IEC.

- (6) During Campaign Meetings candidates must be afforded the opportunity to present their Election Manifestos and engage in debates. Students must also have the opportunity of posing questions to candidates and engaging with candidates in respect of their Election Manifestos.
- (7) The IEC must appoint a suitably qualified chairperson, based on that person's experience and qualifications, for each Campaign Meeting to ensure that Campaign Meetings proceed in an orderly and fair manner allowing all candidates an equal opportunity to make representations, debate issues and answer questions from the Student Body and other candidates.
- (8) In addition to the Campaign Meetings the Department of Student Affairs must award each candidate standard form posters on which such candidate can include a photograph (shoulder to head) of the candidate as well as the candidate's election manifesto and any appropriate logo or slogan which is not derogatory, offensive, insulting and which does not amount to hate speech. The quantities of posters per candidate will be equitable and determined by the Department of Student Affairs based on the number of candidates running for a particular election. If, in the opinion of the IEC, any poster does not comply with this section the IEC must refer the matter to the Disciplinary Committee (Students).
- (9) According to the University Poster Regulation, posters may only be placed on official notice boards and lamp posts on the inside of the campus. Only posters issued by the IEC may be used. Posters may not be larger than A3 in size. Candidates may disclose their affiliation to an organisation on a poster if the said organisation is a registered University of Pretoria society or student governance structure. No posters may be placed alongside the Ring Road, on any traffic signs or fencing or at any campus perimeter. Further, a candidate may only place one poster up per pole/ lamppost and/or notice board. This measure is to ensure that each candidate will be given opportunity to display their posters.
- (10) No election material may be distributed at the entrances to the various campuses.
- (11) No-one shall be allowed to distribute flyers, pamphlets, posters, booklets, cards, and the like, or any other merchandise, on behalf of a candidate. Distribution of inducements and freebies is expressly prohibited for purposes of soliciting votes.
- (12) T-shirts or other items of clothing worn by candidates are permissible. Flags and/or banners are expressly prohibited.
- (13) The IEC may adopt such additional campaigning rules as it deems necessary and appropriate to ensure a free, equal and democratic campaigning process. Any additional campaigning rules must be made available on ClickUP, notices and posters on all campuses on announcement of the election period and must be in accordance with the Constitution of the Republic of South Africa, the Constitution for Student Governance and this Annexure.
- (14) Students who have reason to believe that this rule is not being complied with, may lodge a complaint with the IEC. The IEC, after investigation, may refer the matter to the Independent Monitoring Body if in its considered view reasonable evidence exists that this paragraph has been contravened.
- (15) If justified, the Department of Student Affairs may at its discretion make an allowance available per candidate for incidental election expenses by way of vouchers for campaigning. At the launch of the elections, DSA will make available a list of available campaign products and services that candidates may use, for which vouchers can be issued through the *Tuks Toonbank*.
- (16) IEC will set up a panel to pre-approve campaigning material. An electronic/ hardcopy

sample of this campaigning material must be submitted to the Independent Electoral Committee and Director: Student Affairs at least 48 hours before distribution. Any material that has not been pre-approved and does not comply with agreed and published guidelines and specifications will be removed, and may lead to punitive action against the candidate, including cancellation of their candidature

- (17) If a candidate disputes the finding of the Chief Electoral Officer, the Independent Monitoring Board or their representative, the candidate can formally and in writing, appeal to the Vice Principal for Student Affairs for the approval of the marketing material.

10. Election Procedures

- (1) The Director: Student Affairs, will determine the voting platform (manual, electronic, or mixed) based on options available to the University, in which students will be enabled to vote for candidates of the elective portfolios.
- (2) Voting for candidates for elective portfolios must take place confidentially and be verifiable to settle any disputes. Security measures must be put in place to prevent voter fraud.
- (3) The Director: Student Affairs will determine the voting period, with the minimum period being not less than one working day, depending on the platform used to conduct the vote.
- (4) Each student will be allowed to vote for one candidate per elective ballot and may vote for a candidate in any or all of the ballots for the elective portfolios.
- (5) Should there at any stage during the week of elections be any complications with the administration of the voting process, which makes it objectively impossible for some or all students to vote then such an occurrence must be announced by the Chief Electoral Officer and the chief electoral officer may extend the voting period by another two (2) days after the problem has been rectified
- (6) A ballot will name the portfolio, the show the names of the candidates contesting the portfolio, and a brief descriptor not exceeding 160 characters for each candidate, including an indication of their affiliations (provided that the affiliated society is a registered society of the University of Pretoria), information or experience, if they so choose.

11. Polling stations and polling officials

- (1) The Independent Electoral Committee determines the location and number of polling stations for elections on all Campuses in such a manner that all Students are given a reasonable opportunity to vote.
- (2) The location of polling stations must be finalized and communicated at least one (1) week before voting starts.
- (3) Polling stations are staffed by polling officials appointed by the Office of the Director: Student Affairs. Each polling station shall be manned by two (2) such appointed persons who shall be remunerated for their services, as well as one member of the Independent Monitoring Body who shall render monitoring services free of charge.

12. Nominations for Ex Officio Portfolios

- (1) If the situation arises that the elective portfolios are not representative of the student body, the Chief Electoral Officer must convene and chair successive meetings with the Sub-councils and Committees and, being mindful of section 33(2) of the Constitution, these meetings must aim to resolve to elect representatives to the SRC to ensure that racial or gender imbalance(s) of the elective portfolios are addressed.
- (1) Sub-Councils and Committees must strive to elect a mix of undergraduate and postgraduate Students as well as Students with disabilities to the Ex Officio Portfolios on the SRC. To ensure transparency and accountability, reasons must be provided for any decision taken in this regard.

13. Announcement of Results

- (1) After the conclusion of the election and verification of the results by the IEC, the Chief Electoral Officer must announce the results by printing a copy of the results and making such available to the student body for viewing.
- (2) The Chief Electoral Officer allocates the relevant Elective Portfolio for the next SRC term to the candidate for each Elective portfolio receiving the highest number of valid votes for that Elective Portfolio, except for the portfolios of Deputy-President and SRC Deputy-Secretary.
- (3) The Chief Electoral Offices also allocates the Elective portfolio of Deputy President to the candidate receiving the second highest number of valid votes from the ballot of President, and the Elective portfolio of SRC Deputy Secretary to the candidate receiving the second highest number of valid votes from the ballot of SRC Secretary.
- (4) Where a situation arises where a particular candidate meets the requirements to be allocated more than one Elective or Ex officio portfolio, the candidate elects which one of the available portfolios he/she will be allocated. The next available runner-up candidate for the other portfolio is then allocated the other portfolio.

14. Equality of Votes

- (1) If 2 (two) or more candidates for a portfolio receive an equal number of valid votes, the Chief Electoral Officer must, within 7 (seven) days of the announcement of results hold a by-election in respect of only those portfolios and the specific candidates where the votes have been tied. The provisions of this Election Procedure apply mutatis mutandis (with appropriate amendments) to the holding of such by-elections by the IEC.
- (2) The Chief Electoral Officer may not announce the results of the SRC Elections until the by-election has been finalised and the results determined.

15. Commencement of SRC Term

- (1) Following the conclusion of SRC Elections, which includes the finalisation of any process of revision of the election results, the Chief Electoral Officer must within 10 (ten) days of such finalisation, confirm the appointment of the SRC Members for the Elective Portfolios and the Ex Officio Portfolios.
- (2) The SRC Term of outgoing SRC members terminates on 31 December of each year and the term of the newly elected SRC commences on 1 January of each year.
- (3) A member of the Constitutional Tribunal must swear in the newly elected SRC members before commencement of their term.
- (4) Each newly elected SRC member shall be addressed as SRC-elect until the official

commencement of his/her term of office and he/she should be sworn in before his/her term of office starts.

- (5) The Director: Student Affairs must ensure that the SRC elect shall receive an adequate handover period from the outgoing SRC members.
- (6) Once elected into office, the SRC elect must participate in mandatory training sessions by the Department of Student Affairs in consultation with the SRC elect.

16. Unbecoming Conduct

- (1) Where on objective grounds it appears to the IEC that any candidate for SRC Elections committed a serious breach of this Election Procedure or is guilty of conduct unbecoming of a candidate standing for a position of authority, the IEC must refer the matter to the Disciplinary Committee (Students).

Annexure B:

University of Pretoria
Nomination form: SRC Elective Portfolio

Attach full
colour
photo

| | |
|--|--|
| Portfolio Standing For | |
| Second Portfolio (optional) | |
| Full name | |
| Student number | |
| Faculty | |
| Degree programme and study year | |
| Address Telephone number E-mail address (please write clearly) | |
| Leadership roles at UP | |
| Cultural/ Sport/ Societies involvement at UP | |
| Involvement in your faculty/ department | |
| Community involvement outside UP | |
| Other remarks or post school achievements | |
| Brief policy statement | |
| Full names of the nominator (including self-nomination) | |
| Student number of nominator | |
| Signature of nominator | |

Nominations may be made from [date] and the closing date for registration is at [date]. Election Day is on [date].
Nomination forms must be delivered to the reception desk at Roosmaryn, whereupon a confirmation of nomination must be signed by the candidate concerned. The rules for the election and campaigning are included in the attached information brochure and the Constitution for Student Governance. **An academic record for the first six months must be attached to this form and candidates have to agree that their records may be checked by University authorities on a confidential basis in order to determine whether they meet the minimum requirements for membership of the SRC.**

I accept the nomination as set above. I hereby also confirm that I have read the above provisions and the Rules and Information Booklet pertaining to the election for the SRC and agree to abide by the rules.

.....
SIGNATURE OF CANDIDATE

.....
DATE

Annexure C

University of Pretoria

Secondment of Nomination form for taking part in the SRC Elections for [year]

To be eligible to be elected to the SRC for the _____ academic year you must have support of at least 200 registered students if you are running for President, or 100 students if you are running for other portfolios.

| | |
|--|--|
| Your Name | |
| Student Number | |
| Faculty & Year of Study | |
| First Choice of Portfolio | |
| Second choice of Portfolio (optional) | |

| Name and Surname | | Student no. | Signature | Name and Surname | | Student no. | Signature |
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| Name and Surname | | Student no. | Signature | Name and Surname | | Student no. | Signature |
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I accept the nomination as seconded by the signatories above. I hereby also confirm that I have read the above provisions and the Rules and Information Booklet pertaining to the election of SRC members and agree to abide by the rules.

.....
SIGNATURE OF CANDIDATE

.....
DATE

.....
WITNESS

.....
DATE