



CONSTITUTION

of the

STUDENTS' REPRESENTATIVE COUNCIL

of the

UNIVERSITY OF CAPE TOWN

[Draft 0]

Adopted by Council:

PREAMBLE

We, the students of the University of Cape Town, acknowledge our historical context within the African continent, South Africa and the Western Cape and resolve to unite in the pursuit of a university and society based on equality, social justice and democracy.

We therefore proclaim the Students' Representative Council (SRC) of the University of Cape Town as the primary governing body on all issues of student governance whose role shall be to:

Promote the vision and mission statement of the University of Cape Town;

Affirm and promote the right of students to embark on the acquisition, dissemination and advancement of knowledge and academic excellence;

Promote and protect the principles entrenched in the Bill of Rights of the Constitution of the Republic of South Africa;

Uphold principles of transparency, accountability, responsiveness, fairness and participation in the student community;

Articulate the aspirations of students within the University co-operative governance structures including the Council, Senate, Institutional Forum and University Committees; and

Strive for social redress, increased access and active transformation within the University of Cape Town and the broader society.

In performing their role, the elected representatives must collectively and individually exercise appropriate care, diligence and respect for the authority of this constitution.

In adopting this constitution for Student Governance at the University of Cape Town, we affirm the principles, values and provisions of the Higher Education Act (101 of 1997) as amended, and the Statute of the University of Cape Town.

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DEFINITIONS

1. In this Constitution,

- (a) “**Absolute majority**” means a majority of the total membership or, in the case of a body that does not have a fixed membership, a majority of those present when the vote is taken.
- (b) “**Act**” means the Higher Education Act, No. 101 of 1997 as amended.
- (c) “**Assessor members**” refers to students, staff or external experts invited by the Student Governance Court for specific matters or issues.
- (d) “**Council**” means the Council of the University of Cape Town.
- (e) “**Conflict of interest**” refers to a situation when an individual’s personal interests have the potential to interfere with or unduly influence their judgment, decisions, or actions in their official capacity within the university.
- (f) “**Election Regulations**” are the regulations that govern the elections of the SRC and Faculty Councils as approved by Council.
- (g) “**First-past-the-post**” refers to an electoral system where the highest polling individuals are deemed elected.
- (h) “**Graduate Student**” means a student who holds a degree and is registered for a postgraduate diploma, honours, or postgraduate certificate course.
- (i) “**House Committees**” include Executive Committees or Residence Associations where they perform the function set out in section 76. *(to be aligned)*
- (j) “**Institution**” refers to the University of Cape Town
- (k) “**Poll**” as in the Election Regulations means 25% of all students eligible to vote.
- (l) “**Postgraduate Student**” means a student registered for a master’s or doctoral degree program.
- (m) “**Residences Committee**” refers to the USAC committee responsible for advising USAC and Council on policy and funding related to the residences.
- (n) “**Simple majority**” means a majority of the members present and voting, excluding those who abstain.
- (o) “**Sports Council**” refers to the USAC committee responsible for advising USAC on policy and funding related to student sport.
- (p) “**Statute**” means the Institutional Statute of the University promulgated under the Act.
- (q) “**Student**” means a person registered as a student of the University.
- (r) “**Student governance legislation**” means all the constitutions, standing rules, codes of conduct and any other document that regulates the functioning of student structures.
- (s) “**Student Societies and Organisations Committee**” (SSOC) refers to the USAC committee responsible for advising USAC on policy and funding related to societies and student organisations.

- (t) **“University Student Affairs Committee”** (USAC) means the Council committee responsible for advising Council on policy in the area of student development and services.

CHAPTER 1: OVERVIEW OF STUDENT GOVERNANCE

Name

2. The name of the body shall be the Students’ Representative Council of the University of Cape Town, hereinafter referred to as the SRC.

Legal Status and Indemnity

3. Subject to the provisions of the Constitution of the Republic of South Africa, the Higher Education Act, the Statute and the authority of the Council, this constitution binds the SRC, student structures and all students of UCT.
4. The SRC is not a juristic person and is not the bearer of its own rights except insofar as it exists as a structure according to the provisions of the Act, with powers delegated to it by the Council. This provision applies to all student structures.
5. The constitution of the SRC has no legal force and effect unless such constitution and amendments thereto have been approved by the Council.
6. Members of the SRC must declare any conflicts of interest and must at least recuse themselves from discussions and decisions related to any conflict of interest.
7. Every member of the SRC is indemnified from all costs, losses and expenses which they may incur or become liable for by reason of any act or omission in discharging of their duties, unless the loss in question is caused by their own gross negligence, dishonesty and/or intentional conduct.
8. SRC members do not have the authority to enter into contracts on behalf of the SRC or the institution.

Structures of Student Governance

9. the SRC is the highest decision making structure of student governance and has the following substructures:
- 9.1. the SRC Standing Committees;
 - 9.2. the SRC Sub-Councils; and
 - 9.3. any other Sub-Committees it wishes to establish.
10. the Student Parliament;
11. the Student Governance Court;
12. the Constitutional Committee;
13. the Dispute Resolution Committee;
14. the Undergraduate Faculty Councils;
15. the Postgraduate Faculty Councils;

16. the Residence House Committees;
17. the Societies;
18. the Sport Codes;
19. the Development Agencies;
20. the International Student Forum; and
21. the Students with Disabilities Forum.

CHAPTER 2: SRC

Composition of the SRC

22. The SRC consists of 16 registered students elected annually in the manner prescribed in the Election Regulations.

SRC Term of Office

23. The SRC holds office from 1 November after the SRC elections until 31 October in the following year.

Termination of Membership

24. A member of the SRC ceases to hold office if and when:
 - 24.1. they cease to be a student of the University;
 - 24.2. they tender their resignation in writing to the Secretariat; or
 - 24.3. they are academically excluded. A successful appeal will not change the status of their termination.
 - 24.4. their membership is terminated as a sanction by the Student Governance Court, the Special Tribunal for Sexual Offences or the University Student Disciplinary Tribunal.

Functions, powers and duties of the SRC

25. Subject to the provisions of this constitution, the SRC:
 - 25.1. makes representations on behalf of students, in particular to the Council, Senate, Institutional Forum, and other bodies and officers of the University;
 - 25.2. transparently administers, in the interests of students, of the University such funds and assets as may be allocated to it from time to time by the Council, or as may be received by it from any other source;
 - 25.3. makes recommendations to the SSOC for the recognition of or withdrawal of recognition of any student society or organisation;
 - 25.4. convenes meetings of students;
 - 25.5. conducts referenda to ascertain student opinion;
 - 25.6. affiliates to bodies and organisations outside the University and represents students in such structures;

- 25.7. administers the use of premises provided by the University for promoting student activities;
- 25.8. publishes progress reports to the student body and the Council once a semester or more frequently if so decided, which reports must include policy decisions and positions taken in university committees;
- 25.9. initiates, undertakes or stimulates discussion, debate and action or makes views known on matters of general concern or likely to be of interest to or affect students or a group of students;
- 25.10. deploys students to university committees;
- 25.11. proposes amendments to this constitution;
- 25.12. establishes sub-committees, working groups or task teams as may be deemed necessary; and
- 25.13. provides progress reports to Student Parliament on recommendations made to the SRC and/or the implementation of binding decisions of the Student Parliament.

Meetings of the SRC

- 26. Meetings of the SRC take place from time to time in the manner prescribed in the standing rules.
- 27. Meetings of the SRC are open to students as observers or to address the SRC on a particular matter. Requests to attend meetings must be made in writing to the SRC Secretary-General. The SRC may decline the request to allow for sensitive or confidential matters to be discussed behind closed doors.
- 28. 50% +1 of the members of the SRC shall constitute a quorum. This quorum must be maintained throughout the duration of the meeting for it to remain quorate.
- 29. In the event that a meeting is not quorate or loses a quorum, the remaining members may decide to postpone or continue the meeting. Should the meeting continue, a chairperson's circular must be sent to all members and sufficient time must be allowed for objections to be received to proposed decisions. Should an objection be received, the matter must be discussed at the next meeting. In the absence of an objection, the proposed decision is deemed approved.
- 30. An SRC decision may be reviewed by or appealed to the Student Parliament, the Student Governance Court or the Constitutional Committee subject to the roles and responsibilities prescribed for these structures in their standing rules.

CHAPTER 3: SRC PRESIDENCY

Composition of the SRC Presidency

- 31. The SRC Presidency consists of the following SRC members:
 - 31.1. President;
 - 31.2. Vice President;
 - 31.3. Secretary-General;

- 31.4. Deputy Secretary-General; and
- 31.5. Treasurer-General.

Functions, duties and powers of the SRC Presidency

- 32. Subject to the provisions of this constitution, the SRC Presidency may:
 - 32.1. convene meetings of the SRC;
 - 32.2. deal with any matter of urgency;
 - 32.3. act as the executive and administrative committee of the SRC; and
 - 32.4. execute any mandate delegated to it by the SRC.

Meetings of the SRC Presidency

- 33. Meetings of the SRC Presidency take place from time to time in the manner prescribed in the standing rules.
- 34. 50% +1 of the members of the SRC Presidency constitute a quorum. This quorum must be maintained throughout the duration of the meeting for it to remain quorate.
- 35. In the event that a meeting is not quorate or loses quorum, members may decide to postpone or continue the meeting. Should the meeting continue, a chairperson's circular must be circulated to all members and sufficient time must be allowed for objections to be received to proposed decisions. Should an objection be received, the matter must be discussed at the next meeting. In the absence of an objection the proposed decision is deemed approved.

CHAPTER 4: SRC STANDING COMMITTEES

SRC Standing Committees

- 36. The SRC must constitute the following standing committees, whose composition, functions and duties must be prescribed in standing rules:
 - 36.1. the Finance Committee;
 - 36.2. the Vacation Committee;
 - 36.3. the Deployment Committee;
 - 36.4. the Advocacy & Awareness Committee.

CHAPTER 5 SRC SUB-COUNCILS

Constituting SRC Sub-Councils

- 37. The SRC must constitute sub-councils to represent:
 - 37.1. undergraduate students in faculties, designated the Undergraduate Academic Sub- Council (UASC) for undergraduate students;
 - 37.2. postgraduate students in faculties, designated the Postgraduate Academic Sub-Council (PASC) for postgraduate students;
 - 37.3. students in residences, designated the Residences Sub-Council;

- 37.4. students in societies, designated the Societies Sub- Council;
- 37.5. students in sports codes, designated the Sports Sub-Council; and
- 37.6. students in development agencies, designated the Development Agencies Sub-Council (DASC).

Composition of Sub-Councils

- 38. The composition of each sub-council is determined in accordance with the provisions of its own standing rules.

Chairperson, Vice-Chairperson and Secretary of a Sub-Council

- 39. Each sub-council is chaired by the SRC member with the relevant portfolio.
- 40. Each sub-council must elect a vice-chairperson and a secretary from among its members.

Powers and duties of Sub-Councils

- 41. A sub-council is accountable to the SRC and responsible to its constituency.
- 42. A sub-council:
 - 42.1. must aim to represent the interests of its constituency;
 - 42.2. must perform duties in the manner prescribed in its standing rules;
 - 42.3. must submit minutes of its meetings and quarterly organisational and financial reports to the SRC;
 - 42.4. must communicate matters affecting students within its respective constituency to the SRC;
 - 42.5. may make representations and/or presentations on particular matters to the SRC;
 - 42.6. may make representations and/or presentations on particular matters to the Student Parliament;
 - 42.7. must deploy representatives to the Student Parliament in the manner prescribed in the standing rules;
 - 42.8. must administer funds and assets raised for its own affairs in accordance with its standing rules and approved budget; and
 - 42.9. must collate and submit organisational and financial reports from all recognised student structures under its jurisdiction to the SRC once a semester.

CHAPTER 6: SRC FORUMS

Constituting SRC Forums

- 43. The SRC must constitute forums to represent:
 - 43.1. international students, designated the International Students Forum ;
 - 43.2. students with disabilities, designated the Students with Disabilities' Forum;

Composition of the Forums

44. The composition of the International Students Forum shall be all registered international students.
45. The composition of the Students with Disabilities' Forum shall be all students registered with a disability as confirmed with the institution's Disability Service.

Chairperson, Vice-Chairperson and Secretary of a Sub-Council

46. Each forum is chaired by the SRC member with the relevant portfolio.
47. Each forum must elect a vice-chairperson, a secretary and a treasurer from among its members.

Powers and duties of Forum

48. A forum is accountable to the SRC and responsible to its constituency.
49. A forum:
 - 49.1. must aim to represent the interests of its constituency;
 - 49.2. must perform duties in the manner prescribed in its standing rules;
 - 49.3. must submit minutes of its meetings and an annual quarterly organisational and financial reports to the SRC;
 - 49.4. must communicate matters affecting students within its respective constituency to the SRC;
 - 49.5. may make representations and/or presentations on particular matters to the SRC;
 - 49.6. may make representations and/or presentations on particular matters to the Student Parliament;
 - 49.7. must deploy representatives to the Student Parliament in the manner prescribed in the standing rules; and
 - 49.8. must administer funds and assets raised for its own affairs in accordance with its standing rules and approved budget.

CHAPTER 7: STUDENT PARLIAMENT

Function

50. The Student Parliament:
 - 50.1. is independent of the other student governance structures and subject to this constitution and its standing rules;
 - 50.2. is the collective voice of the UCT student community;
 - 50.3. holds the SRC and its sub structures accountable and plays an oversight role in the interests of students; and

- 50.4. is the forum of debate and discussion on issues affecting students and makes recommendations and/or decisions that bind the SRC, in pursuit of its mandate to serve students with integrity.

Composition

51. The Student Parliament consists of the following, as determined in the Student Parliament standing rules:
- 51.1. the members of the Students' Representative Council;
 - 51.2. members of the Postgraduate Academic Sub-Council appointed by it;
 - 51.3. members of the Undergraduate Academic Sub-Council appointed by it;
 - 51.4. members of the Residences Sub-Council appointed by it;
 - 51.5. members of the Societies Sub-Council appointed by it;
 - 51.6. members of the Sports Sub-Council appointed by it;
 - 51.7. members of the Development Agencies Sub-Council appointed by it;
 - 51.8. members of the International Students Forum appointed by it;
 - 51.9. members of the Student with Disabilities Forum appointed by it; and
 - 51.10. the Student Parliament Management Committee (SPMC).

Student Parliament Term of Office

52. The Student Parliament holds office from 1 November until 31 October in the following year.

Roles and Responsibilities

53. The Student Parliament serves to keep the SRC and its sub-structures accountable and transparent and rooted in the principles and values of this constitution.
54. Decisions taken by two-thirds of the full membership of the Student Parliament bind the SRC.
55. The Student Parliament may require any student structure described in this constitution to make submissions before the Student Parliament or one of its sub-committees.
56. The Student Parliament is responsible for appointing the members of the Student Governance Court, and the Constitutional Committee, the Dispute Resolution Committee and the SRC Stipend Committee.

Composition of the Student Parliament Management Committee

57. The SPMC consists of:

145.1. The Speaker, Deputy Speaker, Secretary and the Convenor;

145.2. the SRC Secretary-General

Election of the Speaker, Deputy Speaker and the Convenor

58. The election of the Speaker, Deputy Speaker, Secretary and Convenor of Student Parliament takes place in the third term of the year in which its term commences.

Meetings of the Student Parliament

59. Meetings of the Student Parliament are governed by its standing rules.

60. Any student may attend the meetings of Student Parliament as observers, subject to the standing rules of Student Parliament.

61. Ordinary Meetings

61.1. Ordinary meetings of the Student Parliament must be held at least once a quarter.

61.2. The Speaker must give at least seven days' notice of the date, time, venue and provisional agenda of such a meeting, to all its members and to the student body in general.

61.3. The Speaker must invite members of the Student Parliament to submit agenda items for the meeting at least two weeks before giving notice of a meeting.

62. Extraordinary Meetings

62.1. An extraordinary meeting of the Student Parliament must be held if and when

62.1.1. the Speaker in consultation with the SRC calls such a meeting; or

62.1.2. a sub-council of the SRC submits a written request to the Speaker for such a meeting, accompanied by a written motivation for the matters to be considered at the meeting.

62.2. Notice of the date, time, venue and agenda of an extraordinary meeting must be given to all members of the Parliament at least twenty-four hours before such a meeting.

63. The quorum for the Student Parliament is 50% + 1 of the members. This quorum must be maintained throughout the duration of the meeting for it to remain quorate.

64. In the event that a meeting is not quorate or loses quorum, members may decide to postpone or continue the meeting. Should the meeting continue, a chairperson's circular must be circulated to all members and sufficient time must be allowed for objections to be received to proposed decisions. Should an objection be received, the matter must be discussed at the next meeting. In the absence of an objection the proposed decision is deemed approved.

65. Amendments to the Student Parliament Standing Rules.

CHAPTER 8: STUDENT GOVERNANCE COURT

Function

66. The Student Governance Court:

- 66.1. is independent of the other student governance structures and subject only to this constitution and its standing rules, which the Court must apply impartially and without fear, favour or prejudice; and
- 66.2. presides over disciplinary matters lodged against student structures and/or members of student structures who have allegedly contravened any rule contained in the student governance legislation or who are accused of misconduct in their capacity as student leaders.

Composition

67. The Student Governance Court consists of:

- 67.1. Ten students, of whom at least four students must be registered in the Law Faculty, appointed by Student Parliament in the third term; and
 - 67.2. Assessor members who may be appointed for particular matters for their expert knowledge and who do not have voting rights in determining the outcome of a matter.
68. Once appointed to the Student Governance Court, members are ineligible to stand for election in any other student governance structure or serve in any leadership position in such structure for the duration of their term.

Chairperson, Secretary and Treasurer Chairperson of Student Governance Court

69. The Student Governance Court must elect a chairperson, a secretary and a treasurer from among its members.

Student Governance Court Term of Office

70. The Student Governance Court holds office from 1 November until 31 October in the following year.

Roles and Responsibilities

71. The Student Governance Court must:

- 71.1. act in a lawful, reasonable and procedurally fair manner;
- 71.2. exercise all other powers, duties and functions as properly entrusted or assigned to it as prescribed in its standing rules;
- 71.3. protect the anonymity of a complainant where this is requested by the complainant and it is considered appropriate and feasible to do so;

- 71.4. receive any complaints, acknowledge complaints and deal with complaints and/or conduct hearings expeditiously, and in the manner prescribed in its standing rules;
 - 71.5. maintain confidentiality in ongoing cases to protect the integrity of the process;
 - 71.6. refer matters of student governance legislation interpretation to the Constitutional Committee; and
 - 71.7. submit a report to Student Parliament once a Semester.
- 72. Complaints must be submitted to the Student Governance Court in writing along with any evidence in support of the complaint.
 - 73. Should relevant new evidence come to light after the Student Governance Court has made a decision, the matter may be reopened for consideration by the Student Governance Court.
 - 74. An appeal against any decision of the Student Governance Court lies to the University Student Disciplinary Tribunal.

Amendments to the Student Governance Court Standing Rules

- 75. Amendments to the standing rules of Student Governance Court must be submitted to the Constitutional Committee for approval.

CHAPTER 9: RESIDENCE HOUSE COMMITTEES, FACULTY COUNCILS, SOCIETIES, SPORTS CODES AND DEVELOPMENT AGENCIES

Residence House Committees

- 76. A Residence House Committee is a student structure elected by students in a relevant residence, which, in accordance with its own constitution, provides sports, social, academic, cultural, and community outreach activities and opportunities, and addresses any other needs of students in that particular residence.
- 77. Residence House Committees are subject to this constitution as well as the University's rules and policies and the rules and policies of the Residence Committee.
- 78. A Residence House Committee must be elected in a manner that complies with the principles outlined in the Preamble of this constitution and in accordance with the provisions of the constitution of that residence.
- 79. A Residence House Committee must submit quarterly organizational and financial reports to the Residence Sub-Council.
- 80. The constitution of a Residence House Committee must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution and recommend appropriate changes to the Residences Committee for approval.

Undergraduate Faculty Councils

- 81. An undergraduate faculty council is a student structure elected annually by undergraduate students registered in the relevant faculty in the manner prescribed in the Election

Regulations and provides for community outreach and addresses the academic needs and any other needs of students in that particular faculty.

82. Undergraduate faculty councils are subject to this constitution as well as the University's rules and policies and the rules and policies of the Societies and Student Organisations Committee.
83. An undergraduate faculty council is responsible for ensuring that there is a functioning system of class representatives.
84. An Undergraduate Faculty Council must submit quarterly organizational and financial reports to the Undergraduate Academic Sub-Council.
85. The constitution of an undergraduate faculty council must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution and recommend appropriate changes to the Student Societies and Organisations Committee for approval.

Postgraduate Faculty Councils

86. A postgraduate faculty council is a student structure elected annually by postgraduate and graduate students registered in the relevant faculty in the manner prescribed in the Postgraduate Faculty Election Standing Rules and provides for community outreach and addresses the academic needs and any other needs of postgraduate and graduate students in that particular faculty.
87. Postgraduate Faculty Councils are subject to this constitution as well as the University's rules and policies and the rules and policies of the Societies and Student Organisations Committee.
88. A Postgraduate Faculty Council must submit quarterly organizational and financial reports to the Postgraduate Academic Sub-Council.
89. The constitution of a postgraduate faculty council must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution and recommend appropriate changes to the Student Societies and Organisations Committee for approval.

Societies

90. A society is a student structure registered with the Student Societies and Organisations Committee, which has a specific purpose in relation to social, political, religious, academic, cultural, community outreach or any other needs of students who join as members.
91. Societies are subject to this constitution as well as the University's rules and policies and the rules and policies of the Societies and Student Organisations Committee.
92. A society must elect an executive committee.
93. A Society must submit quarterly organizational and financial reports to the Societies Sub-Council.

94. The constitution of a society must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution before submission to the Societies and Organisations Committee for approval.

Sports Codes

95. A sports code is a student structure registered with the Sports Council and affiliated to the Students' Sports Union, which has a specific purpose in relation to sports and any other needs of students who join as members.
96. Sports Codes are subject to this constitution as well as the University's rules and policies and the rules and policies of the Sports Council.
97. A sports code must elect an executive committee.
98. A sports club must submit quarterly organizational and financial reports to the Sports Sub-Council.
99. The constitution of a sports code must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution and recommend appropriate changes to the Sports Council for approval.

Development Agencies

100. A development agency is a student structure registered by the Student Societies and Organisations Committee, which:
- 100.1. aims to serve the community in general and the diverse student body through delivery of a regular service or product; and
 - 100.2. operates in line with the standing rules of the Development Agencies Sub-Council.
101. A development agency is subject to this constitution as well as the University's rules and policies and the rules and policies of the Societies and Student Organisations Committee.
102. In the event that a development agency has a management committee or non executive board:
- 102.1. the SRC is entitled to nominate student representatives to that management committee or non-executive board as provided in the organisation's constitution; and
 - 102.2. accountability to the SRC is exercised through this management committee or non- executive board.
103. The constitution of a development agency must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution and may recommend changes to the Student Societies and Organisations Committee for approval.

104. The SRC, or any other student governance structure, must not limit the editorial and content independence of media development agencies, in accordance with Section 16 of the Constitution of the Republic of South Africa.

CHAPTER 10: CONSTITUTIONAL COMMITTEE

Function

105. The Constitutional Committee:

- 105.1. is independent of the other student governance structures and subject only to this constitution and its standing rules;
- 105.2. is the custodian of all student governance legislation; and
- 105.3. is the final authority in interpreting student governance legislation.

Composition

106. The Constitutional Committee consists of:

- 106.1. Ten students, of whom at least four students must be registered in the law faculty, appointed by Student Parliament in the third term of the year in which its term of office commences.
107. Once appointed to the Constitutional Committee, members are ineligible to stand for election in any other student governance structure or serve in any leadership position in such structure.

Chairperson, Secretary and Treasurer of Constitutional Committee

108. The Constitutional Committee must elect a chairperson, a secretary and Treasurer from among its members.

Constitutional Committee Term of Office

109. The Constitutional Committee holds office from 1 November until 31 October in the following year.

Roles and Responsibilities

- 110. The Constitutional Committee is responsible for making recommendations on the approval and amendment of the constitutions of all student structures, before submission to the relevant student structures or university committees for final approval.
- 111. The Constitutional Committee is responsible for considering and approving the standing rules of all Sub-councils.
- 112. The Constitutional Committee is responsible for ensuring constitutional alignment of all student structures to the SRC Constitution, including the values and principles outlined in the preamble of the SRC Constitution.
- 113. The Constitutional Committee may provide student organisations with pro-forma constitutions drafted by it.

114. The Constitutional Committee must submit a report to Student Parliament once a Semester.

Amendments to the SRC Constitution

115. This constitution should be reviewed, and if necessary amended, on a five yearly basis unless there are extraordinary circumstances that require urgent amendments to be made.

116. The process for amending the SRC constitution is as follows:

- 116.1. Any student may submit proposals for such amendment to the Secretary-General of the SRC.
- 116.2. The SRC must refer proposed amendments to the Constitutional Committee for its consideration.
- 116.3. The Constitutional Committee must submit its recommendations to the Student Parliament for its consideration and decision.
- 116.4. The Student Parliament must submit its recommendations to the University Student Affairs Committee for its consideration and decision.
- 116.5. The University Student Affairs Committee must submit its recommendations to the Council for its approval.

Interpretation

117. The Constitutional Committee must provide interpretations of all student governance legislation should the meaning of the legislation be unclear and may make a binding ruling where there is a dispute over interpretation.

Standing Rules

118. The SRC may create or amend SRC standing rules to regulate its activities and submit these to the Constitutional Committee for its approval.

119. The SRC must make standing rules for:

- 119.1. SRC meetings and mass meetings;
- 119.2. SRC portfolios;
- 119.3. SRC Standing Committees; and
- 119.4. SRC Sub-Councils.

Amendments to the Constitutional Committee Standing Rules

120. Amendments to the standing rules of the Constitutional Committee must be submitted to the Student Parliament for approval.

CHAPTER 11: DISPUTE RESOLUTION COMMITTEE

Function

121. The Dispute Resolution Committee:

- 121.1. is independent of the other student governance structures and subject only to this constitution and its standing rules;

- 121.2. serves to facilitate dispute resolution amongst student governance structures and members through a mediation and arbitration process.

Composition

- 122. The Dispute Resolution Committee consists of:
 - 122.1. The Speaker of Student Parliament;
 - 122.2. Sevn students appointed by Student Parliament in the third term of the year in which the Dispute Resolution Committee term of office commences.
 - 122.3. Quorum is three and maximum is seven members
- 123. With the exception of the Speaker, once appointed to the Dispute Resolution Committee, members are ineligible to stand for election in any other student governance structure or serve in any leadership position in such structure.
- 124. The Dispute Resolution Committee may appoint an expert mediator for particular matters for their expert knowledge.

Chairperson, and Secretary and Treasurer of Constitutional Committee

- 125. The Speaker of Student Parliament shall serve as the Chairperson.
- 126. The Dispute Resolution Committee shall elect a Secretary and Treasurer from amongst its members.

Dispute Resolution Committee Term of Office

- 127. The Dispute Resolution Committee holds office from 1 November until 31 October in the following year.

Roles and Responsibilities

- 128. The Dispute Resolution Committee shall receive and acknowledge all requests for mediation from student governance structures or members.
- 129. The Dispute Resolution Committee shall facilitate a mediation process with the parties involved to determine the nature of the dispute and determine an agreeable outcome.
- 130. In the event that an agreeable outcome is not reached, the Dispute Resolution Committee shall request the assistance of DSA in appointing an independent arbitrator.
- 131. The outcome of the arbitration shall be binding to all parties to the arbitration process. Non-compliance to such an outcome may result in misconduct.
- 132. A request for mediation should be submitted to the Dispute Resolution Committee in writing provided that attempts to resolve the dispute amongst the parties involved have been unsuccessful.
- 133. The Dispute Resolution Committee must submit a report to Student Parliament once a Semester.

CHAPTER 12 MASS MEETINGS

Purpose of a Mass Meeting

134. Mass meetings may be convened:

- 134.1. to create an opportunity for the SRC to account to the student body for its work and progress on student related policy;
- 134.2. to create an opportunity for debate on issues concerning the student body;
- 134.3. for the SRC to engage students on matters over which the SRC has jurisdiction;
or
- 134.4. for any other matter deemed appropriate by the SRC.

Convening a Mass Meeting

- 135. The SRC Secretary-General must convene a mass meeting or emergency mass meeting at the request of the SRC or a group of students in accordance with 138.
- 136. The SRC must convene at least one mass meeting per semester.
- 137. An emergency mass meeting may be called by the SRC should an urgent matter affecting students arise.
- 138. Students may request a mass meeting through a petition signed by at least five hundred students and handed over to the SRC Secretary-General. The Secretary-General must, after receiving this petition, inform the SRC and convene such a meeting within two weeks of the petition having been received.
- 139. Notice of the date, time, venue and agenda of a mass meeting must be given to all students through email, noticeboards and social media at least seven university days before such a meeting by the SRC Secretary-General. In the event of an emergency mass meeting, a twenty- four-hour notice period is required.

Chairperson, Quorum and Resolutions of a Mass Meeting

- 140. The Vice President or nominee of the SRC serves as the Chairperson of any mass meetings.
- 141. Attendance at mass meetings is compulsory for all SRC members.
- 142. The SRC Deputy Secretary-General or their nominee is responsible for taking minutes of such a meeting and making the minutes publicly available.
- 143. A resolution taken by the majority of those present at a mass meeting of at least 500 students must be tabled at the next meeting of the SRC.
- 144. A resolution taken by at least two-thirds of a mass meeting of at least 1000 students is binding on the SRC.

CHAPTER 13: SRC ELECTIONS

- 145. All eligible students will elect the following portfolios through a direct first-past-the-post election:
 - 145.1. President
 - 145.2. Vice President
 - 145.3. Secretary-General

- 145.4. Treasurer General
 - 145.5. Deputy Secretary General
 - 145.6. Labour & Student Services Co-ordinator
 - 145.7. Corporate Relations Co-ordinator
 - 145.8. Advocacy and Awareness Co-ordinator
146. Eligible students within the following student governance constituencies will elect the following portfolios:
- 146.1. Sports & Recreation Co-ordinator elected by the outgoing Sports Sub-Council
 - 146.2. Undergraduate Academic Coordinator elected by the outgoing Undergraduate Academic Sub-Council
 - 146.3. Postgraduate Academic Coordinator elected by the outgoing Postgraduate Academic Sub-Council
 - 146.4. Societies Coordinator elected by the outgoing Societies Sub-Council
 - 146.5. Social Responsiveness Co-ordinator elected by the outgoing Development Agencies Sub-Council
 - 146.6. Residences & Housing Co-ordinator elected by the outgoing Residence Sub-Council
 - 146.7. International Student Co-ordinator elected by the outgoing International Students Forum
 - 146.8. Disability Inclusion Student Co-ordinator elected by the outgoing Students with Disabilities Forum
147. SRC elections must take place annually in the manner prescribed in the Election Regulations.

CHAPTER 14: VACANCIES

148. In the case of a vacancy in the directly voted SRC portfolios:
- 148.1. Should a vacancy occur before the first day of the first semester of the following year, the SRC will automatically declare the student who obtained the next highest number of votes in the immediately previous election to be a member
 - 148.2. If one or more vacancies arise in the membership of the SRC after the first day of the first semester for whatever reason the SRC must within three weeks:
 - 148.2.1. declare the student, or students who obtained the next highest number of votes in the immediately previous election to be a member or members to fill the vacancy or vacancies; or
 - 148.2.2. ask the Election Commission to hold a by-election to fill the vacancy or vacancies; provided that if asked to hold a by-election the Election Commission must do so within four weeks (excluding weeks falling in examination or exam consolidation periods or

vacations) of being asked to do so; and provided further that no by-election need be held after 1 June in any year unless there are ten or more vacancies to be filled; or

148.2.3. co-opt a student, or students, to fill the vacancy or vacancies provided that such co-option is endorsed by the Constitutional Committee and a simple majority of the Student Parliament.

148.3. Portfolio reassignment may occur:

148.3.1. when mutually agreeing portfolios submit a proposal to the SRC Secretary-General to be tabled at the following general SRC meeting and the proposal is ratified by a two-thirds majority of voting SRC members and endorsed by Student Parliament; or

148.3.2. as a result of a vacancy and such reassignment is supported by two-thirds majority of voting SRC members.

149. In the case of a vacancy in the constituency voted SRC portfolios:

149.1. Should a vacancy occur the SRC will automatically declare the Vice Chairperson of the Sub-Council to be a member.

CHAPTER 15: INTERIM SRC

150. An SRC election is invalid if the poll of 25% is not achieved.

151. Where an election is invalid because of an inadequate poll, the Election Commission must submit a report on the election to the Student Parliament and USAC. USAC must, having regard to the poll obtained and the views of the Student Parliament, make a recommendation to the Council as to whether to recognise the 15 members who received the most votes as an Interim SRC or take some other appropriate action to constitute an SRC or an interim SRC.

152. Should Council decide to establish an interim SRC, the interim SRC has the powers, rights and obligations of an SRC except that:

152.1. it may not propose amendments to the SRC constitution; and

152.2. it will be bound by a simple majority of the Student Parliament at a meeting of the Student Parliament at which there is a quorum.

CHAPTER 16: GENERAL PROVISIONS

Conflict of Interest

153. All members of student governance must act with integrity and avoid conflicts of interest in all matters.

154. A member of the student governance body who has an interest in a matter for consideration by the any governance body must disclose the nature of the interest and is disqualified from being present at or participating in the deliberation of the student body in respect of that matter.

Conflict of Interest Test

155. A member of the student governance body shall be considered to have a conflict of interest if the answer to any of the following questions is affirmative:

- 154.1. Does the member have a personal and/or vested interest in the outcome of the matter?
- 154.2. Does the member have any formal or informal personal relationship with any of the parties involved in the case?
- 154.3. Has the member expressed or demonstrated any prejudice or bias towards any of the parties involved in the case?
- 154.4. Has the member previously been involved in any matter that could compromise their impartiality in the current case?

Procedure for Managing Conflicts of Interest

- 156. Disclosure: any member who identifies a potential conflict of interest must promptly disclose it to the student body;
- 157. Recusal: a member with a conflict of interest should recuse themselves from participating in the matter;
- 158. Substitution: if a member recuses themselves, a substitute should be appointed to ensure the body remains properly constituted;
- 159. Review: the tribunal may review the conflict-of-interest disclosure and decide on the appropriate course of action if the member does not voluntarily recuse themselves.

Appeal

- 160. Appeal: parties to a matter may appeal decisions on conflicts of interest to Constitutional Committee.