

CONSTITUTION OF THE STUDENTS' REPRESENTATIVE COUNCIL; UNIVERSITY OF THE WITWATERSRAND, JOHANNESBURG

PREAMBLE

The Students' Representative Council is committed to exemplary student leadership in defining the African Century. To this end it aims to encourage academic excellence and promote equality of opportunity through effective, accountable and transparent student leadership. In striving for the holistic advancement and development of the student community, **it will uphold and safeguard** the rights of all the students of the University of the Witwatersrand, Johannesburg.

CHAPTER 1: FOUNDING PRINCIPLES

SECTION 1: LEGAL FOUNDATIONS

The Student Representatives Council (SRC) derives its existence from article 38 of the Statute of the University of the Witwatersrand, Johannesburg (GN 195 in GG 23132 of 15 February 2002, as amended by GN 602 in GG 26350 of 14 May 2004) and is bound by all applicable directives contained in that Statute, as well as in applicable provisions of the Higher Education Act 101 of 1997 and the Constitution 1996.

- (1) The SRC recognises the authority of the University Council and is bound by the Council's rules, policies and procedures. The SRC shall cooperate with Council in order to achieve the objectives of good student governance.
- (2) The University will create an enabling environment to facilitate the furtherance of the objectives and goals of the SRC.
- (3) The SRC and the relevant officers at the University shall co-operate in order to achieve the objectives of the SRC and of the University.

SECTION 2: FOUNDING VALUES

The SRC is committed to:

- (1) Upholding, respecting and promoting the founding values of the Constitution of the Republic of South Africa 1996 and the rights contained in the Bill of Rights.
- (2) Providing democratic, transparent, effective, accountable and coherent student leadership.
- (3) Creating and sustaining an enabling academic environment and vibrant student community striving for excellence, tolerance and respect for diversity.
- (4) Representing the best interests of the student community.
- (5) **Recognising and redressing the injustices of the past within the University and in society in general.**

SECTION 3: SUPREMACY OF THIS CONSTITUTION

Subject to the provisions of sections **one and two** above, this Constitution is the supreme authority in relation to student governance affairs at the University of the Witwatersrand, Johannesburg. The founding principles and applicable provisions of this Constitution shall bind the SRC and its members, all other student organisations and structures, as well as all students **registered at the University**.

SECTION 4: CO-OPERATIVE GOVERNANCE

- (1) The SRC is committed to the values of co-operative and good governance.
- (2) All student organizations and structures shall uphold these founding principles and shall co-operate with the SRC in providing democratic, transparent, effective, accountable and coherent student leadership.
- (3) Subject to such exceptions as are provided for in terms of this Constitution, all student bodies are subject to the authority and control of the SRC.

SECTION 5: DEFINITIONS

- (1) "*Administration*" means temporarily putting the **operations and control of a Faculty Student Council or School Student Council** under the SRC in terms of **Section 27**.

- (2) Consultation: “*After consultation with*” means that the person or body being consulted must be consulted but does not have to agree to the issue under discussion.
- “*In consultation with*” means that **the issue** under discussion must be agreed to **by the person** or body being consulted.
- (3) “*Council*” means the Council of the University of the Witwatersrand, Johannesburg.
- (4) “*Electoral Rules*” means the procedure for the holding of annual SRC General Elections.
- (5) (a) (i) “*a simple majority of the members present*” means more than half of the members present at a meeting voting in favour of the motion, abstentions being taken into account as votes against the motion;
- (ii) “*a simple majority of the members present and voting*” means more members present at a meeting voting in favour of a motion than members voting against it, abstentions not being taken into account;
- (b) (i) “*a two-thirds’ majority of the members present*” means at least two-thirds of the members present at a meeting voting in favour of the motion, abstentions being taken into account as votes against the motion;
- (ii) “*a two-thirds’ majority of the total number of members of the SRC*” means the number of members present at a meeting and voting in favour of a motion being at least equal to two-thirds of the number of the complement of members of the SRC as it is constituted at the time of the vote, abstentions not being taken into account;
- (6) (a) “*notice*”, means written notice placed on the Official SRC notice-board, as specified in the standing orders, **and recorded in the records of a minutes book** to be kept for this purpose by the Secretary of the SRC, which must be available for inspection by any member of the University at all reasonable times;
- (b) “*ordinary notice*” means notice of three **full working days**;
- (c) “*special notice*” means notice of seven **full working days**.
- (7) “*Official SRC notice board*” means the notice-board situated immediately outside the SRC offices.
- (8) “*President*” means the President of the SRC and includes the acting President.
- (9) “*Registrar*” means the Registrar of the University of the Witwatersrand, Johannesburg.
- (10) (a) “*student*” means a person registered full-time or part-time **at the University** for a qualification as defined in the Rules of the University: Provided that a person so registered who is also a full-time or part-time member of staff of the University (other than a student tutor) is deemed not to be a student.
- (b) The period of registration of a student, who is not in the final year of study, extends from the date of registration in one year to the last date of the registration period in the next year in which the student has to renew his/her registration, unless such registration has been cancelled or suspended at an earlier date.
- (12) “*Student Forum*” means the body contemplated in section 24 of this Constitution.
- (12) “*School Student Council*” (SSC) means the body which represents the interests of students within a **particular school of the University**.
- (13) “*Faculty Student Council*” (FSC) means the body which represents the interests of students **within a particular faculty of the University**.
- (14) “*The Vice-Chancellor*” means the Vice-Chancellor **and Principal of the University**.
- (15) “*Subordinate rules*” means the rules and standing orders **of the SRC which elaborate and expand on the provisions of this Constitution. These rules are available at the Dean: Student Affairs office**.
- (16) “*Programme of Action*” **means the plan of the year’s activities and formulation** of portfolios and the budget allocated thereto.
- (17) “*All Residence Council (ARC), “the Wits Sports Council (WSC)” and the “Post Graduate Association (PGA)”* **means the councils and associations contemplated in Section 20 of this Constitution**.
- (18) “*Cluster*” **means any group of clubs, societies or organizations that has been designated as a cluster by the Clubs and Societies Officer (or any SRC member tasked with overseeing such bodies) in accordance within the subordinate rules**.
- (19) “*Quarter*” **means a portion of an academic year divided into four terms/quarters**.
- (20) “*University*” means the University of the Witwatersrand, Johannesburg.

- (21) **“University Rules” means the University’s rules, regulations, policies, procedures and standing orders as may be amended from time to time.**
- (22) **“Political mobilisation” means any peaceful attempt by any member of the University Community to influence other members of the University Community for the purpose of bringing about change in the University Rules.**
- (23) **“University Community” means all students and employees of the University, persons officially associated with the University, former students and alumni of the University, as well as invitees, visitors and guests.**

CHAPTER 2: COMPOSITION, POWERS AND DUTIES OF THE SRC

SECTION 6: MEMBERSHIP OF THE SRC

- (1) The SRC consists of the following **19** members all of whom have the right to vote:
- (a) **15** general representatives elected by secret ballot by the students from among their number in the manner prescribed by the Electoral Rules;
 - (b) One representative from the Chairpersons of the FSC’s;
 - (c) One representative of the ARC;
 - (d) One representative of the WSC;
 - (e) One representative from the PGA.
- (2) The **continuation** of the SRC is not affected if any of the aforementioned representatives are not appointed. Provided that should the membership of the SRC fall below nine, the Council may exercise its power under **section 28** of this Constitution.
- (3) A candidate for the SRC must:
- (a) Be a full-time student;
 - (b) Have completed at least one year of study at the University when s/he takes office;
 - (c) Not have been found guilty of misconduct by a Student Disciplinary Committee;
 - (d) Once elected to office participate in such mandatory training as required by the Vice-Chancellor, **in consultation with the SRC-elect.**

SECTION 7: POWERS AND DUTIES OF THE SRC

- (1) The SRC has the following powers, duties and privileges:
- (a) To represent the student body of the University **on the relevant University committees and externally.**
 - (b) To communicate **its views on matters** to the Council, the Senate, the University Forum, and any other relevant body on its own initiative or at the request of any such body affecting student affairs;
 - (c) To encourage student activities, including the activities of the Student Forum, student councils, clubs, societies and organisations recognised by the SRC in terms of this Constitution;
 - (d) To administer in the interests of the students of the University, and in the manner prescribed by the Financial Rules, such funds or other assets as may be allocated to it from time to time by the Council, or as it may receive from any other source;
 - (e) To carry out financial activities (including fundraising) that are strictly connected to the exercise of its powers in terms of this Constitution or any other powers conferred on or delegated to it by the Council from time to time. All financial activities carried out by the SRC must adhere to the Financial Rules. The SRC may negotiate contracts on behalf of the Council in relation to financial activities that it is empowered to carry out, but may not conclude such contracts;
 - (f) To receive from the Council, at the end of each calendar year, details of the financial allocations made by the Council to the SRC subject to the approval of a budget submitted by the SRC **in consultation** with the Student Forum;
 - (g) To submit to the Vice-Chancellor such minutes and other records of proceedings as s/he may from time to time require in terms of section **17(1)**;
 - (h) To exercise such disciplinary powers as may be delegated to it by the Vice-Chancellor in terms of the Rules for Student Discipline;

- (i) Subject to the authority of the Vice-Chancellor and in so far as it may consider it necessary for the proper execution of its functions:
 - (i) To elect or appoint officers;
 - (ii) To appoint persons who are not remunerated to committees and other bodies as provided for in this Constitution and to make any other appointments that it may consider to be necessary;
 - (iii) To make recommendations to the Vice-Chancellor on the engagement and employment by the Council of paid personnel of the SRC;
 - (iv) To appoint students, whether members of the SRC or not, to serve as members or observers on the Council, the Senate, the Executive Committee of Convocation, the University Forum, committees and sub-committees of these bodies, and any other University bodies that are so constituted as to include students as members or observers through nomination by the SRC;
- (j) Subject to the authority of the Council, to recommend the design of colours and badges representing the SRC and its clubs and societies, to supervise the wearing and use thereof and to control the award thereof for activities other than sporting activities;
- (k) To convene and conduct meetings of students and to conduct referenda to ascertain student opinion;
- (l) Subject to the provisions in chapter 3 of this Constitution and in consultation with the Student Forum, to extend recognition to or withdraw recognition from any organisation under its control and authority.
- (m) Subject to **section 29**, to consider any objection from a student against the decision of any office-bearer, committee or sub-committee of the SRC or of any student organisation under its control and authority, or from any office-bearer or committee of such organization; and to arbitrate in disputes involving any of the foregoing;
- (n)(i) In consultation with the Student Forum, to propose to the Council amendments to this Constitution and to the subordinate rules. Such proposal shall be by resolution approved by a two-thirds' majority of the total possible number of members of the SRC; and
 - (ii) In consultation with the Student Forum, by resolution approved by a simple majority of members present and voting, and to state its opinion to the Council upon any amendment which the Council may propose to make to this constitution and to the sub-ordinate rules.
- (o) Subject to the approval of the Council, and for the better conduct of its affairs, to make or amend standing orders consistent with this Constitution and **University Rules**. **Any amendments made under this clause shall be** approved by a two-thirds' majority of the **total number of members** of the SRC in consultation with the Student Forum and after consultation with the Dean of Student Affairs.
- (p) For the better conduct of the SRC's own meetings, and those of its committees, sub-committees, student bodies under its control and authority and the committees thereof, to make or amend rules for the conduct of meetings which are consistent with this Constitution. Such rules may only be made or amended by a resolution approved by a two-thirds' majority of the members present at a meeting.
- (q) To initiate, undertake or stimulate discussion or debate or action, or to make its views known on matters of general concern that are likely to be of interest to and/ or affect students.
- (r) In consultation with the Student Forum, to propose the annual SRC Programme of Action and budget to Council.
- (s) **To place school and faculty student councils under administration in terms of section 27**
- (2) Each executive member has the right to apply to the Vice-Chancellor to have his or her [sic] studies suspended for a period necessary to enable him or her to carry out his or her duties as an SRC member. The Vice Chancellor shall consult the SRC prior to making a decision.**
- (3) Each SRC member should set up a portfolio committee to be chaired by the SRC member and comprising the appropriate members of the relevant student governance structure. Joint portfolio committees may be established. These committees must meet at least once per undergraduate university block.**
- (4) A by-election shall be held in the event of two or more vacancies in the elected membership of the SRC occurring before 15 April in any year.**

SECTION 8: COMPOSITION OF THE SRC EXECUTIVE COMMITTEE

- (1) At its first ordinary meeting the SRC elects from among its members the following officers, who form the SRC Executive Committee:
 - (a) a President
 - (b) **a Deputy President, who will deputise for the President when necessary**
 - (c) a Treasurer-**General**
 - (d) a Secretary-**General**
 - (e) **A Deputy Secretary- General, who will deputise to the Secretary-General, and head up all communication and information tasks within the SRC, as well as oversee any SRC member allocated with marketing duties.**
- (2) At its first ordinary meeting the SRC elects from among its members persons to hold portfolios designated in the standing orders.

SECTION 9: POWERS AND DUTIES OF THE SRC EXECUTIVE COMMITTEE

- (1) The Executive Committee has the power to:
 - (a) deal with matters that arise in the **periods** between ordinary SRC meetings and which, in the opinion of the President, are urgent and should not be held over for the following ordinary SRC meeting or any extraordinary meeting that s/he may wish to call. All decisions on such matters must be reported to the SRC at its following ordinary meeting;
 - (b) conduct financial transactions that in the opinion of the President and the **Treasurer-General** are urgent and should not be held over for the following ordinary SRC meeting or any extraordinary meeting that the President may wish to call. The **Treasurer-General** must be present at any meeting at which any such transaction is considered and at least three members of the Executive Committee must agree to it. Every such transaction must be reported to the SRC at its following ordinary meeting;
 - (c) within any mandate granted by the SRC, act for and represent the SRC and deal with such other matters as the SRC may from time to time determine.
 - (d) members of the Executive Committee are *ex officio* members of the Student Forum.

SECTION 10: OFFICE BEARERS OF THE SRC

- (1) **The President**
 - (a) The President is the chief executive officer of the SRC **and shall preside over all meetings of the SRC.** The President may attend all meetings **including** executive committee meetings of all structures that are under the control and authority of the SRC.
 - (b) During any temporary period of absence of the President, **the Deputy-President** shall be the acting President. **If the Deputy President is not available to fulfil such a role, the President shall appoint another member of the Executive Committee to serve as the acting President.** An acting President may only **serve** for a cumulative period of 90 days in any term of office of the President.
 - (c) The President may call an extraordinary meeting of the SRC or the Executive Committee on 24 hours' notice.
 - (d) The President may delegate any of his/her powers to any other member of the Executive Committee provided that the decision to do so is duly ratified by a simple majority of members of the SRC present and voting at a meeting of the SRC, is for a specific purpose and is limited to a specific period.
 - (e) The President of the SRC must, on the day nominations open for the next election of general representatives to the SRC in terms of the Electoral rules, publish on the official SRC notice-board, and submit to the Student Forum and Vice Chancellor, a report of the work of the SRC during its term of office.

(2) The Treasurer-General and Secretary-General

- (a) **During any temporary period of absence of the Secretary-General, the Deputy Secretary-General becomes the acting Secretary-General. In the case of absence of the Treasurer-General the Secretary-General becomes the acting Treasurer-General.** If neither of these officers is available, the President appoints an acting Treasurer-General and/or an acting Secretary-General among the members of the SRC.
- (b) The powers, duties and functions of the Secretary-General are specified in the standing orders.
- (c) In addition to the powers specified in the SRC standing orders, the Treasurer-General, in consultation with the Vice-Chancellor, may investigate the financial records and practices of any student organization under the control and authority of the SRC. Any documents which s/he may consider relevant must be made available for his/her inspection. S/he must ensure that all organizations under the control and authority of the SRC abide by the Financial rules.

SECTION 11: TENURE AND CESSATION OF MEMBERSHIP OF THE SRC AND REMOVAL FROM OFFICE

- (1) The annual election of general representatives of the SRC in terms of the Electoral rules must take place before the end of September of each year.
- (2) The term of office of members of the SRC is for 12 months. The term of office will commence on the first day of November of the year in which the election is held and will end on the last day of October of the following year.
- (3) During the period between the election of the general representatives of the SRC and the commencement of the term of office of the SRC, an SRC-elect shall be constituted. The SRC elect must, during this period:
 - (a) elect its Office-Bearers;
 - (b) call for nominations for its members in terms of section 6.1 (b) to (e);
 - (c) **undertake such training as is required by the Vice-Chancellor; the format and content of training will be decided in consultation with the SRC elect;**
 - (d) **In consultation** with the Student Forum, prepare a Programme of Action for **noting** by the Vice-Chancellor;
 - (e) subject to section 7(1)(s), prepare a budget for the approval of Council.
- (4) A member of the SRC ceases to be a member if and when:
 - (a) s/he ceases to be a student of the University; or
 - (b) s/he ceases to hold the office by virtue of which s/he was appointed to the SRC, or his/her appointment is terminated by the body that appointed her/him in accordance with its constitution; or
 - (c) s/he resigns in writing to the President of the SRC; or
 - (d) s/he absents herself/himself, without reason considered satisfactory by a two-thirds' majority of the members present at a meeting of the SRC, from two successive ordinary meetings of the SRC during his/her term of office; or
 - (e) **s/he is found guilty of misconduct by a Student Disciplinary Committee (excluding an ad hoc committee) in terms of the Rules for Student Discipline. Such member may appeal, in the first instance, to the Vice-Principal against his/her removal on the grounds of this clause 11(4)(e). In the second and final instance the member may appeal to the Principal and Vice-Chancellor of the University against his/her removal on the grounds of this clause 11(4)(e).**
 - (f) **s/he is removed at the option of the Vice-Chancellor following a recommendation of a two-thirds majority of SRC members who are of the opinion that s/he has brought the SRC into disrepute.**
- (5) A member of the Executive Committee may be removed from his/her executive office by resolution approved by a two-thirds' majority of the total number of members of the SRC at an ordinary meeting or at a special meeting called for this purpose; in each case special notice of the motion must be given. The member concerned must be given reasonable written notice (including by electronic means) not less than five full working days before the date of the meeting, delivered to the latest address furnished by the student to the University.

- (6) A member of the SRC who has been appointed to an office specified in section 8 of this Constitution or any office specified in the standing orders may be removed from **that** office by resolution approved by a two-thirds' majority of the members present at an ordinary meeting or a special meeting called for this purpose on special notice. **The member concerned must be given reasonable written notice (including by electronic means) not less than five full working days before the date of the meeting, delivered to the latest address furnished by the student to the University.**
- (7) The SRC may be removed from office by way of a motion of no-confidence by the Student Forum in terms of section 24(4).
- (8) **A member of the SRC who has been elected in terms of section 6 (1) (b), (c), (d) or (e) and who ceases to hold office for any reason shall be replaced by the body which appointed her/him.**
- (9) In the event of any executive or other office falling vacant, the SRC must elect one of its members to such office by no later than the next ordinary meeting.
- (10) The Vice - Chancellor must be notified of any cessation of membership or removal from office.
- (11) No person may serve as a member of the SRC, the Executive Committee, the Student Forum, any council or on the committee of any club, society or organisation for a period which cumulatively exceeds three terms of office. Provided that any period of tenure resulting from a by-election is deemed not to be a term of office: provided further that a person who resigns his/her membership is deemed to have completed his/her term of office.

SECTION 12: MEETINGS

- (1) At least one ordinary combined meeting of the SRC and **SRC-elect** must be held in the period between September and October of each year.
- (2) An ordinary meeting of the SRC must be held at least once every month. The first of which must be held on or before 28 November in that year.
- (3) The date and time for the second and each subsequent SRC meeting is fixed at the preceding meeting.
- (4) At least one ordinary meeting of the Student Forum must be held every **quarter**, consistent with the provisions of section 24(4)(a) of this constitution.
- (5) Subject to the provisions of this Constitution and of the subordinate rules, any student is entitled to attend and to address, but not to vote, at any SRC meeting: Provided that –
 - (a) any student accordingly present at an SRC meeting may be required by the chairperson to show his/her student registration card and to record his/her surname and forenames, faculty and year of study in a register kept for that purpose by the Secretary-General;
 - (b) any person who is not a student may only be admitted to a meeting of the SRC (with or without the right to speak) with the permission of two-thirds of the members of the SRC present and voting, provided that the identity and purpose of the visit is declared to the meeting;
 - (c) the chairperson of the meeting, with a motion carried by a simple majority of the members of the SRC present and voting may require any person who is not a member of the SRC to leave the meeting;
 - (d) the SRC may be empowered by a motion carried by two-thirds of the members present and voting to appoint students as observers. Such students are appointed in accordance with the provisions of the standing orders and have such rights as are laid down in the Rules for Conduct of Meetings and Debate: Provided that no such observer is permitted to vote, the provisions of sub-sections (a) and (c) are not affected by the provisions of this section, and any such observer may be removed from office by motion carried by a simple majority of the members present;
 - (e) The SRC is empowered, by a resolution of a simple majority of the members present, to withdraw the speaking rights of any non-SRC member.

SECTION 13: QUORUM

- (1) During the course of any university term, two thirds of the members of the SRC form a quorum.
- (2) During the period of any vacation, independent study break or mid-term break half or more of the then current members of the SRC form a quorum.
- (3) Subject to the provisions of section 28(2), in the event of there being no quorum at the start of any SRC meeting, **the meeting shall adjourn for no longer than two hours. If at any time before, or at the two hour mark, if there are 50 percent plus one of the total number of SRC members, the meeting can reconvene, and will be considered quorate for all purposes; provided that this provision may not apply to more than three consecutive meetings.**

- (4) These provisions apply to the Student Forum and any other subordinate structures.
- (5) Three members of the Executive Committee form a quorum for the purposes of an Executive Committee meeting.

SECTION 14: VOTING

- (1) Subject to the provisions of this Constitution and subordinate rules, every appointment and election and every other action, decision or resolution of the SRC is by a simple majority of the members present and voting at a meeting and must be recorded in the SRC minutes.
- (2) **The chairperson of any meeting has a deliberative vote. In the event of an equality of votes, the Chairperson has a casting vote, but he/she is not obliged to exercise his/her casting vote.**

SECTION 15: MEETING OF STUDENTS

- (1) **The SRC must call a mass meeting of students at least once a semester.**
- (2) A mass meeting of students may also be called by the SRC or the SRC Executive Committee at its own instance within ten clear days after receipt of a petition signed by at least 500 students.
- (3) **The SRC may call a special meeting of students, which may be attended only by students with a valid student card, unless the SRC provides otherwise.**
- (4) The purpose of a meeting described in section 15(1) or 15(2) must be stated by the SRC or by the SRC Executive Committee, as the case may be.
- (5) A meeting of students shall not be open to the public, but the Press and any other member of the public may be permitted to attend at the **discretion of the SRC.**
- (6) A meeting of students is quorate if at least 500 students are present at such meeting. **Any matter raised in such meeting will be taken under consideration at a subsequent meeting of the SRC.**
- (7) A meeting **of students is conducted in accordance with the** Rules for Conduct of Meetings and Debate.
- (8) Other than in exceptional circumstances and with the approval of the Vice-Chancellor, no meetings of students may be held in the period one week before nominations close for the next SRC election and the date on which the results of the election are announced.

SECTION 16: REFERENDA

- (1) A referendum may be called **at the instance** of the SRC or by the SRC Executive Committee, and must be conducted within 60 full working days, on a date to be determined by the SRC.
- (2) Any matter voted upon in any referendum may not form the subject-matter of any motion to be voted upon at a meeting of students (other than a motion to give effect to the result of a referendum) or of any question to be answered in any subsequent referendum, for a period of **one year and one day** after the result of the referendum has been determined.
- (3) Other than in exceptional circumstances and with the approval of the Vice-Chancellor, no referendum may be called within the period of one week before nominations close for the next SRC election **up until** the date on which the results of the election are announced.

SECTION 17: PUBLICATION OF MINUTES OF SRC MEETINGS

- (1) The Secretary-**General** of the SRC must publish the minutes of each SRC meeting on the official SRC notice-board within two weeks of the meeting. A copy of the minutes must be sent to the Vice Chancellor and the University archives.
- (2) Within four weeks of the end of the term of office of the SRC, the Treasurer-General must publish on the official SRC notice-board the financial statements accounting for all the funds or other assets administered by the SRC during its term of office. A copy of the financial statements must be sent to the Vice Chancellor.

CHAPTER 3: STUDENT BODIES AND ACCOUNTABILITY MEASURES

SECTION 18 : STUDENT BODIES UNDER THE CONTROL AND AUTHORITY OF THE SRC

- (1) With the exception of student councils and associations contemplated in **section 20** of this Constitution, all student bodies fall under the control and authority of the SRC.
- (2) Where a student body falls under the control and authority of the SRC, such control and authority must be exercised reasonably.
- (3) The constitution and amendments thereto of every student body under the control and authority of the SRC, must be consistent with this Constitution and **University Rules**, and are subject to the approval of

the SRC, which may on good cause shown, withdraw approval previously given by it until amendments as required by it have been made.

SECTION 19: SRC STANDING COMMITTEES, SUB-COMMITTEES, AD HOC COMMITTEES AND COMMISSIONS

- (1) The SRC may establish standing committees, standing sub-committees, ad hoc committees or ad hoc sub-committees for any function which the SRC is competent to perform, at any meeting of the SRC or SRC Executive
- (2) The membership of the SRC standing committees must consist entirely of members of the SRC.
- (3) The membership of SRC standing sub-committees, ad hoc committees or ad hoc subcommittees is not limited to persons who are also members of the SRC, provided that either the chairperson or at least one of the members of the executive committee of any standing sub-committee is also an SRC member.
- (4) The SRC may create commissions to investigate matters which fall within the functions which the SRC is competent to perform, by resolution approved at an ordinary meeting or at a special meeting called for this purpose; in each case notice is to be given of the motion.
- (5) The SRC may create or abolish existing standing committees and sub-committees by resolution approved by a two-thirds' majority at an ordinary meeting or at a special meeting called for this purpose; in each case special notice must be given of the motion.

SECTION 20: COUNCILS AND ASSOCIATIONS

There are the following Councils and Associations which are not subject to the control and authority of the SRC but the SRC is responsible for overseeing the compliance of these Councils and Associations **with any provision of this Constitution.**

- (1) **The All Residence Council whose membership comprises representatives of each of the University's Residences and one SRC member, in accordance with the constitution of the All Residence Council.** All members of the Council have the right to vote.
- (2) The *Wits Sports Council* whose membership comprises representatives of sporting clubs/codes in accordance with the constitution **of the Wits Sports Council, and** one SRC member. All members of the Council have the right to vote.
- (3) **The PostGraduate Association** whose membership comprises students registered for post-graduate study and associated members as contemplated in paragraph 5 of its constitution. All members of the Association have the right to vote.
- (4) The *Student Forum* whose membership is comprised in terms of section **24(1)** of this Constitution. All members of the Forum have the right to vote.

SECTION 21: CLUBS, SOCIETIES and ORGANISATIONS (CSO)

- (1) If the facilities available to a CSO are limited, that CSO may, subject to the approval of the SRC, impose a limit on the size of its membership;
- (2) Subject to the University rules and policies, any CSO may admit to membership persons who are not students as defined in this Constitution, if its constitution makes provision for the admission of such persons and their admission is formally approved by the CSO committee and ratified by the SRC.
- (3) In addition to the provisions of section 22(1)(c), recognition of the constitution of a club or society may be withdrawn under the following conditions:
 - (a) The SRC may after consultation with the Student Forum and having heard representation from the relevant club or society, withdraw recognition for a club or society if the club or society ceases to meet the criteria for recognition, and/or if the club or society is in breach of the SRC Constitution and/or any higher legislation.
 - (b) In exceptional circumstances, the Vice - Chancellor after consultation with the SRC and the Student Forum may require the SRC to withdraw recognition of a club or society if good cause is shown.

SECTION 22: POWERS OF THE SRC WITH REGARD TO THE STUDENT BODIES UNDER ITS CONTROL AND AUTHORITY

- (1) The SRC may:
 - (a) subject to section 29, vary or set aside any decision of any of its office-bearers or of any SRC committee, sub-committee or any other organization under its control and authority;
 - (b) subject to section 29, forbid any meeting of any organisation under its control and authority;

- (c) withdraw recognition from organisations under its control and authority, by resolution approved by a two-thirds' majority if it is satisfied that such organization:
 - (i) is not being administered in accordance with its constitution or with this Constitution or the subordinate rules; or
 - (ii) is no longer functioning or serving the purpose for which it was created; or
 - (iii) has been responsible, directly or indirectly, for any breach of the University Rules or for the contravention of this Constitution or the subordinate rules.
- (d) **subject to section 27 place any School or Faculty council under administration.**

SECTION 23: POWERS OF THE SRC WITH REGARD TO STUDENT PUBLICATIONS AND BROADCASTS

Publications emanating from or purporting to emanate from organizations under the control and authority of the SRC must comply with the Media rules of the University. The SRC has such powers of control in regard to such publications and broadcasts as are specified in the Media rules.

SECTION 24: STUDENT FORUM

- (1) Composition:

The composition of the Student Forum is as follows:

 - (a) The President of the SRC;
 - (b) The other members of Executive Committee of the SRC;
 - (c) Chairpersons of the Faculty Student Councils (FSC);
 - (d) Chairpersons of the School Student Councils (SSC) or a nominee if the Chairperson is represented on the Faculty Student Council;
 - (e) one member each of the ARC, WSC and PGA who are not members of the SRC; and
 - (f) a maximum of six members, who must be registered students, each representing a different cluster of club, society and organization
- (2) **Additional SRC members may attend the Student Forum as observers, or to report back on matters affecting their portfolios if the Student Forum so requires.**
- (3) Powers, functions and duties
 - (a) The Student Forum must be consulted by the SRC on the matters listed in section 7(l) (n), (o) and (s);
 - (b) The Student Forum may advise the SRC on any other issue affecting students;
- (4) The Student Forum may propose a motion of no confidence in the SRC on the grounds of incompetence and/or non-compliance with the provisions of this Constitution. A two-thirds majority vote of members is required to pass a vote of no confidence which will be referred to the Vice-Chancellor for noting.
- (5) Term of Office
 - (a) A Student Forum **must be constituted by no later than two weeks after all faculty council chairpersons have been elected** and the term of office will be for one year until the next Student Forum has been constituted.
 - (b) No person may serve as a member of the Student Forum for a period that cumulatively exceeds three terms of office.
- (6) Meetings
 - (a) The Student Forum will elect a Chairperson from amongst themselves by a two-thirds majority of members present.
 - (b) **The chairperson of the Student Forum shall convene an ordinary meeting of the Student Forum once each quarter on 14 days' notice** to consider the SRC Plan of Action, the SRC budget, SRC progress reports and any other matters brought before it.
 - (c) The provisions in section 13 relating to the Quorum of the SRC will apply to the Student Forum.
 - (d) Special meetings may be called by the **Chairperson of the Student Forum**, the Executive Committee of the SRC or at least two thirds of the members of the Student Forum.

SECTION 25: FACULTY STUDENT COUNCILS

- (1) Composition
 - (a) Faculty Student Councils must be constituted in every faculty of the University
 - (b) Faculty Student Councils are comprised of the chairpersons of the School Student Councils of the relevant Faculty.
 - (c) Each Faculty Student Council must elect a chairperson who is also a member of the Student Forum.
 - (d) The outgoing Faculty Student Council in consultation with the Dean of the relevant faculty and the Dean of Students will be responsible for ensuring that the next Faculty Student Council is elected.
- (2) Powers, functions and duties
 - (a) To bring to the attention of the SRC and/or Dean of the Faculty issues affecting students within the schools of the Faculty.
 - (b) To represent the interests of the students within the Faculty on such governance bodies as appropriate.
 - (c) The chairperson **of each** Faculty Student Council must represent the interests of the students of the faculty **at meetings** of the Student Forum.
 - (d) Each Faculty Student Council must have a constitution which is aligned with the SRC Constitution and **conforms to a constitutional template that is approved by Council in consultation with the Student Forum.**
- (3) Term of Office
 - (a) The Faculty Student Councils must be **constituted at the annual induction program of school student councils run by the SRC.** The term of office of members serving on the school student council will be 12 months.
 - (b) No person may serve as a member of the Faculty Student Council for a period which cumulatively exceeds three terms of office.
- (4) Meetings

Meetings must be held at least once a quarter.
- (5) **Minutes of Faculty Student Council meetings must be forwarded to the SRC Secretary-General, in a manner and form recommended by the SRC.**

SECTION 26: SCHOOL STUDENT COUNCILS

- (1) Composition
 - (a) A School Student Council must be constituted in every school at the University **by way of an election of students registered for courses in that school.**
 - (b) The outgoing School Student Council in consultation with the relevant head of each school and the Dean of Student Affairs will be responsible for ensuring that school councils are elected and constituted each year. **The process must be facilitated by the SRC.**
 - (c) Each School Student Council must comprise a minimum of **five office bearers**, one of whom is the chairperson who is also a member of the Student Forum
 - (d) **The outgoing School Student Council, after consultation with the SRC, may call a general meeting of students within a particular School. Students who have complied with the electoral rules may be elected by way of a show of hands or secret ballot, to be determined by the meeting itself.**
 - (e) School Councils must be elected and constituted by the end of March.
- (2) Powers, functions and duties
 - (a) To bring to the attention of the SRC and/or the head of the relevant school any issue affecting students within the school.
 - (b) To represent the interests of the students within the school on such governance bodies as appropriate.
 - (c) The chairperson of the School Student Council must represent the interests of the students of the school on the Student Forum.

- (d) Each School Student Council must have a constitution which must be aligned to the SRC Constitution
- (3) Term of Office
 - (a) The School Councils must be constituted by the end of March of each year and the term of office of members serving on the school council will be 12 months.
 - (b) No person may serve as a member of the School Student Council for a period which cumulatively exceeds three terms of office.
- (4) Meetings

Meetings must occur at **least once a quarter**.
- (5) Minutes

Minutes of School Student Council meetings must be forwarded to the SRC Secretary-General, in a manner and form recommended by the SRC.

SECTION 27: Administration of Student School Councils (SSC) and Faculty Student Councils (FSC)

- (1) An SSC or FSC may be placed temporarily under administration if it:-
 - (a) fails to hold three consecutive meetings or
 - (b) fails to obtain a quorum for three consecutive meetings; or
 - (c) fails to draft and implement a programme of action for the year within one month after taking office; or
 - (d) fails to act in accordance with its constitution.
- (2) Upon receipt of a complaint signed by at least 20 students represented by the FSC or SSC in question, the SRC must appoint an investigative committee which may include students who are not SRC members. Students of that faculty or school may not be members of the investigative committee.
- (3) The investigative committee must investigate the complaint/s by, *inter alia*, interviewing School or Faculty personnel, the complainants, the members of the FSC or SSC, and any such other relevant persons.
- (4) The investigative committee shall present a written report to the SRC within two weeks.
- (5) If the SRC finds that the FSC or SSC has failed to comply with the requirements set out in section 27(1), it will - :
 - (a) Meet with the members of the FSC or SSC to discuss their specific deficiencies found in their performance, and ways in which the SRC can assist them;
 - (b) advise the FSC or SSC that failure to comply with its obligations may result in being placed under administration.
- (6) If, following the meeting referred to in section **27(5)(a)**, the SRC is of the opinion that the FSC or SSC is unwilling or unable to comply with its obligations, it may recommend in writing to the Registrar that that relevant FSC or SSC should be placed under administration. The *Registrar* will call for written submissions from the relevant FSC or SSC as to why it should not be placed under administration, and will thereafter make a determination. The SRC or the relevant FSC or SSC **may appeal to the Vice-Chancellor, whose decision will be final.**
- (7) The SRC will appoint a committee to carry out the functions of the relevant FSC or SSC which has been placed under administration. The sub- committee must include at least two students registered in the Faculty or School in question. The sub- committee will also make recommendations to the SRC on steps to be taken to enable the relevant FSC or SSC to be taken out of administration, or including, if necessary, the election of a new FSC or SSC.
- (8) The FSC or SSC will cease to be under administration upon -
 - (a) the SRC resolving, on the recommendation of the sub-committee, that the relevant FSC or SSC is willing and able to function in terms of its constitution; or
 - (b) the expiry of the term of office of FSCs and / or SSCs.

CHAPTER 4: GENERAL

SECTION 28: CONTINUATION OF SRC FUNCTIONS IN THE ABSENCE OF AN SRC OR IN A SITUATION WHERE SRC MEMBERSHIP IS SUBSTANTIALLY REDUCED

- (1) In the absence of an SRC or in a situation where SRC membership is substantially reduced, the Council may dissolve the SRC and in that event –
 - (a) arrange for elections to be held within a period not exceeding three months from the date of such dissolution, for the purpose of electing a new SRC; and
 - (b) appoint officers at least half of whom are students who have served on any past SRC or any similar student structure, to administer the affairs of the SRC, in the stead of the SRC until the election of the new SRC.
- (2) Without prejudice to the Council's powers in terms of sub-section (1), if the membership of the SRC does not reach, or falls below the SRC quorum contemplated by section 13(1) or (2), as the case may be, the SRC is suspended and until such time as its membership reaches or exceeds the required quorum the Vice-Chancellor shall appoint an interim management committee of the remaining members of the SRC and such other persons as s/he may deem fit to appoint, and perform such functions of the SRC as s/he may determine.

SECTION 29: APPEALS AGAINST DECISIONS OF THE SRC OR ANY OTHER STUDENT GOVERNANCE STRUCTURE

- (1) Any student, student body, office-bearer or committee who is the subject of an unfavourable decision by the SRC has the right of appeal in writing to **the Student Forum**
- (2) **An appeal against the decision of the Student Forum may be in writing to the Vice-Chancellor.**
- (3) Any appeal against any decision taken by the Vice-Chancellor in terms of this Constitution must be made in writing to the Chairperson of the Council within 30 days of notification of such decision. The appeal shall be heard by a sub-committee of the Council constituted for this purpose.

SECTION 30: FAILURE OF THE SRC OR THE STUDENT FORUM TO CARRY OUT ANY OF ITS FUNCTIONS OR DUTIES

- (1) After due notice of its failure to carry out any function or duty, should the SRC continue to fail in carrying out any of its functions or duties, the Vice-Chancellor has the power to carry out any such function or duty in the spirit and manner prescribed in this constitution.
- (2) In the event of the Student Forum failing to perform its functions in accordance with **section 24(3)(a)**, the Vice-Chancellor has the power to carry out any such function or duty in the spirit and manner prescribed in this Constitution.

SECTION 31: AMENDMENTS TO THIS CONSTITUTION

- (1) This constitution may be amended by resolution of **two-thirds** of the SRC members present and voting at a SRC meeting called for this purpose.
- (2) The amendments **proposed by the SRC** must be published to the general student body on the SRC official notice-boards at least seven days prior to the meeting of the Student Forum.
- (3) Written notice of the Student Forum meeting must be given to members at least seven days prior to the meeting, together with details of the proposed amendments.
- (4) Voting at the Student Forum meeting may be by show of hands or secret ballot; Provided that the results of the voting are recorded in the minutes.
- (5) **All amendments at the Student Forum meeting must be approved by two-thirds of members present.**
- (6) All amendments must be approved by the Council.