

Constitution

Huis Kerkenberg

Tygerberg Campus

Chapter 1 : Guiding Principles

Section 1.1 Name

The name of the residence is Huis Kerkenberg, hereinafter called the house.

Section 1.2 Core Values

We as a residence base our interactions with our community upon these core values namely :

- Family
- Honour
- Growth
- Integration

Section 1.3 Authority of Constitution

This Constitution –

a. Stands under the authority of the Student Rules of Stellenbosch University and the Students' Union Constitution and the Constitution of South Africa of 1996 and all other laws as determined by the Government of the country.

b. Will not, in whole or in part, be inconsistent with the Rules for Students, Student Union Constitution, Statute of the University, Higher Education Act (Act 101 of 1997), or any other rules and regulations as determined from time to time by the Board of the University.

17. Subject to the authority of the Vice Chancellor and Director for the Centre of student communities, the care and control of the student residence rests with the Head of Residence, assisted by the House Committee.

18. The purpose of the House is to organise the living together of all the residents in a responsible manner, in the interest of all members.

Section 1.4 Amendments and Draft constitution(s)

Subsection 1.4.1 Amendments

No addition to and / or removal or alteration of the provisions of this Constitution shall be valid unless a quorum of members at a regular house meeting approves it, except in cases where it is clearly stated otherwise in the Constitution.

Amendments to this constitution must be presented to the secretary in writing at least 72 hours before the relevant house meeting where the motion (s) will be discussed.

The notice of motion (s) must be presented to the house by the secretary at least 48 hours before the start of the regular house meeting.

Subsection 1.4.2 Draft Constitutions

A draft Constitution may be drafted and amended by a Policy Unit comprising the Prime , a House Committee member appointed as Policy Unit Manager and The Vice Prime

1.4.1.1 The following procedure is followed for the adoption of a draft Constitution:

- a. The policy unit must draft a constitution following the House's specific needs and the rules of the US.
- b. The draft constitution must be submitted to the Residence and explained to all Residence members, after which it must be made available for their inspection. Residents must be granted at least two weeks to respond to the draft constitution and to submit written recommendations on amendments through two section meetings and a forum.
- c. The policy unit must consider the recommendations and make the necessary amendments.
- d. The amended draft constitution must be re-submitted to the Residence and be made available to the residents for their inspection.
- e. Quorum at a meeting of the House where a draft constitution will be considered and voted on, will consist of two-thirds of the members of the House. A two-thirds majority vote of those present at the meeting is required for the adoption of the amended draft constitution.
- f. The amended draft constitution is to be submitted to the Director of Student Communities for approval. If the Director of Student Communities amends the Constitution, it must again be modified by the policy unit of the House. The amended constitution will be effective only if it is resubmitted and accepted by the House in accordance with section (a)-(e).
- g. The Constitution takes effect immediately once both the House and the Director of Student communities approves the Constitution.

A copy of the Constitution must be at all times be at the disposal of residents

Any previous constitution (s) HKB and all amendments to such constitution (s) are hereby officially repealed.

Section 1.5 Resident emblem

1.5.1 The official resident emblem is accepted as a unified representation of the house

1.5.2 The symbols depicted in the emblem represent the following:

- a) Table Mountain – Steadfastness
- b) Sunrise - Start of a new era
- c) Sunset - End of a chapter in the life
- d) White Dove - Peace, Hope, Purity and Sincerity
- e) Acorns - Connection to Stellenbosch
- f) Open book - Symbol of Wisdom, Knowledge and Commitment

g) Green olive branches - a new beginning and growth

1.5.3 The arms or any part thereof may only be changed if all the voting members of the House unanimously agree.

Chapter 2 : Definitions

In this Constitution, unless expressly stated otherwise, means:

2.1 Common room - any room in the residence intended for the use of all the residents.

2.2 All call - refers to an announcement made with the use of the intercom facility in the residence.

2.3 ~~1.4 Newcomer~~ ~~First Year~~ - a person in his / her first post-school year at the University, with no previous tertiary study years at University and is living in HKB for the first time or.

2.3.24 ~~Newcomer~~ - a person who has spent less than 6 (six) months as a registered member of the house, regardless of year of study

2.5. Gender – all references in this to the male description also apply to females unless expressly stated otherwise.

2.5 HK on duty - refers to the HK member, responsible for the duties set out in Section 8.5. according to the roster

2.6 HK member - any member of the house committee including the Prim, responsible but not limited to the duties set out as per Section 8.5.1]

2.7 House - refers to the residence, Huis Kerkenberg, including members of the house.

2.8 House fund - refers to the cost centre (account) of the House Committee from which projects can be funded.

2.9 Res Member - an enrolled student of the University who is an accredited member of HKB as stipulated by Section 4.1

2:10 House meeting - an official, constituted meeting of House members, where relevant information may be discussed and decisions on matters regarding the house, can be taken.

2.11 Year - refers to the academic year at Tygerberg, from January to December.

2.12 Notice – a hand-written or typed page with information which is put up on the official notice board by the HK member responsible.

2.14 Loper – refers to the "master key" of the residence that can open all locks..

2:15 Board - refers to the Council of the University of Stellenbosch.

2.16 Section - a group of students within the HKB community designated to a HC member, the HC member acts as a liaison between the section and the broader House Committee set of 2-3 pods demarcated into columns supervised by an HC member responsible for it

17.02 Senior - A person who has completed at least one academic year in HKB.

Commented [a1]: Remember to alter the numbering convention

Commented [M2]: This term should not be used, the University refers to these group as "newcomers"

Commented [M3]: We will have to come up with a different term here, should it be necessary to distinguish this group

Commented [M4]: It is not clear what is implicated by this.

Commented [M5]: Maybe we should not be too prescriptive about this, it could make it difficult in the future. How about only specifying a section as a specified group students within the Huis Kerkenberg community??? Even referring to the columns, limits the implementation of the concept of a section, and maybe future leaders have different ideas

2:18 **Caucus** - The **HC Caucus** is a meeting of all the members of the House (eligible to vote), where the applicants and nominees act according to Section 8.3.3

2.19 Damage - for the purposes of this Constitution include the following:

Ø Breakage (not specified)

Ø Theft

Ø Electrical or electronic damage

Ø Any type of fire

Ø Vandalism

2.20 **Executive Committee** - a committee consisting of the **Residence Head, Prim, Vice - Prim, Secretary and Treasurer of the House Committee of HKB operating as per the guidelines set forth in the Student Residences Rules.**

2.20.1 **Prime/Primaria/Primarius** – The Chair of the house committee who performs their functions as stipulated by Chapter 8, Section 8.5 , subsection 8.5.1.1 . hereafter known as the **Prim**

2.20.2 **Vice-Prime/Onder-Primaria/Onder-Primarius** – The Vice Chair of the House Committee who performs functions as stipulated by Chapter 8, Section 8.5 , Subsection 8.5.1.2

2.20.3 **Treasurer** – The Financial Manager who performs their function as stipulated by Chapter 8, Section 8.5 , Subsection 8.5.1.3

2.20.4 **Secretary** – The Administrative Manager who performs their function as stipulated by Chapter 8 , Section 8.5 , Subsection 8.5.1.4

2.21 **University** - refers to the University of Stellenbosch as a legal entity.

2.22 **Coat of Arms** - the official emblem of Huis Kerkenberg

Chapter 3 : Legal entities

The House is not a legal entity and any contracts or agreements must be approved and confirmed by the University. The Prim and other Committee Members do not have the power to act on behalf of the University

Chapter 4 : Membership

Section 4.1 House Members

4.1.1 A member of the House is a person who :

Commented [M6]: Will be good to also refer to the **koshuisreels** since it is the ultimate. The duties of the prim, vice prim and treasurer (I think) are also specified there and is 'above' this constitution ☺

- a. Is a registered full-time student of the University at the Faculty of Medicine and Health Sciences ,and
- b. Is a registered resident of Huis Kerkenberg in accordance to the Centre Of Student Communities , and
- c. Resides in Huis Kerkenberg

Section 4.2 Lapse of membership

4.2.1 Membership will lapse if:

- a. A member interrupts his studies (decides not to study for a year)
- b. A member moved into another university residence or chooses other alternative university accommodation.
- c. The member terminates his membership by the leaving the residence.
- d. When a member completes their final year of study

Section 4.3 Termination of Membership

4.3.1 Membership will be terminated if :

- a. If the member concerned is expelled after consultation with the Central Disciplinary Committee of the House.
- b. When a person voluntarily chooses accommodation outside of HKB.

4.3.2 In no event shall House fees be refundable at the termination of membership as in 4.3.1

Chapter 5: Finances

Section 5.1 General

5.1.1 House members pay house fees annually as determined by the following:

- a) House fees as first-year students as determined by the university
- b) House fees as senior students as determined by the university
- c) An annual fee calculated according to the monthly subscription of the DSTV / MNET contract.

5.1.2 House fees are directly debited from the residents' student accounts and paid into the house fund account.

5.1.3 The following items must be included in the annual budget of the treasurer:

- a) DSTV / MNET contract fees
- b) TV licenses
- c) **Administrative and Telephone Rates
- d) Huisdans and Huisvondsans
- e) Newcomers welcoming function
- f) Residence Publication
- g) Maintenance

Commented [M7]: Yes, I don't think this applies still?

Commented [M8]: Justin will have to advise on this

h) Decoration

i) Newspapers and magazines

Section 5.2 Subsidies

- a) Any resident committee may request or apply for funding from the house fund.
- b) The application will be discussed at the next HK meeting after which the treasurer has the final say in the matter.
- c) No payments shall be made without the consent of the treasurer.
- d) Any grant application must meet the following requirements:
 - The purpose for which the funds are intended must benefit at least two-thirds of voting House members.
 - The grant may not be used for the personal benefit of the applicant or the committee.

Section 5.3 Deposits into the house fund

The following:

- a. Any penalty/fine imposed onto a Res member under the rules of Huis Kerkenberg and in accordance to the provisions of the Student Rules contained in Part 1 (General) of the University calendar.
- b. House fees paid by residents as determined in Section 5.1.1
- c. The profits of any resident function and remaining funds from the budget of any HC member's portfolio.
- d. The charge for overnight guests, as determined by the University.

Section 5.4 Audit

- a. At the end of their term the treasurer shall present a financial report to the house at a regular house meeting in the third quarter.
- b. The residence's books are audited annually by the University.
- c. The balance of each fiscal year is transferred to the next year.
- d. The financial year of HKB will coincide with the term of the House Committee.

Chapter 6 Resident Head

The resident head is jointly responsible with the House Committee for all the operations of the residence. It is the provision of this Constitution that the resident head and Prim must at all times in be informed of any residence activity.

Chapter 7 Voting Rights

7.1 In order for a decision to be accepted as valid and constitutional, the following rules shall apply during voting:

- a. Each member will only qualify as a full voting member, after they have lived in Huis Kerkenberg for one (1) full semester; however
- b. In special cases that concern people who have lived in Huis Kerkenberg for less than a semester, the Prime /Primarius/Primaria can use their discretion to give them the right to vote.
- c. The House also reserves the right to grant voting rights to other people on an ad hoc basis. This decision will be taken by requesting a vote of qualified voting members; and
- d. The votes of all qualifying voters will carry equal weight; and
- e. Any member has the right to spoil their voice by abstaining to vote; and
- f. The Chairperson (the Prim) shall decide whether voting takes place by hand or by ballot, but taking into account that anyone putting forward a motion can insist on a secret vote.

7.2 House members who are guilty of offenses as described under Chapter 9, as well as in the Student rules, their voting rights can be suspended for a period at the discretion of the disciplinary committee.

Chapter 8 House Committee

Section 8.1 Composition

- a. The house committee consists of **11 members elected** under Section 8.3, namely a Prim, a Vice-prim, a Treasurer, a Secretary and seven additional members.
- b. ~~There should preferably be four male and four female house committee additional members (including Secretary)~~ elected. In the absence or a shortage of either gender applicants, this ratio can be ignored.
- c. The Prim and the Vice-prim may be male or female.

Section 8.2 HC meetings

- a. At the HC meetings **7 members constitute a quorum.**
- b. The House Committee shall meet at least fortnightly (14 days).
- c. HC meetings are formal and the house committee should meet in official uniform
- d. The HC meeting are chaired by the Prim.
- e. In matter presented to the house committee which do not meet resolve, the Prim has the power to cast a deciding vote which is final. A vote may only be cast if there is a quorum of HK members and it has been discussed for 15 minutes without reaching a unanimous decision.
- f. The resident head may overturn the decision made by the Prim at the following HK meeting if deemed necessary.
- g. **All** meeting minutes must **be made available to the house within 3 days of the HC meeting appear on the notice board in the hub** and be signed by both the Prim and Secretary.

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Commented [M9]: I think this should be omitted. We could, if you feel, include that the election committee in consultation with the resident head can extend the due date for applications, in order to, through recruitment, obtain more candidates, should they feel the candidates are not representative of the community they are eligible to serve. Opinions?

Commented [a10]: This is left open for discussion in the HC Meeting

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Commented [M11]: I suggest that we rather emphasise the availability of the minutes (e.g. within 48h/36h/one week after HK meetings) rather than the specific means of distributing the meetings. Circumstances change and then other means are utilised. The principle here is transparency and communication with the house. Let's keep that the main thing. Restricting it to the notice board, may result in no transparency when the notice board, for some reason is not available. Agree?

Commented [a12]: Time is subject to change depending on the HK and what they decide .

- h. The House Committee reserves the right to withhold confidential, sensitive or personal information discussed in a specific meeting.
- i. No information relating to a pending disciplinary hearing may be disclosed to the House until the matter has been concluded.
- j. Any complaints by a house member to be discussed in a HK meeting must be placed in writing in the motion box 3 days before the meeting.
- k. Feedback on this topic will be displayed within a week after the meeting on the HK notice boards, signed by the Prim.

Section 8.3 Election of the House Committee (HK/~~HC~~)

The election of the House Committee is to be overseen in full by the resident head as stipulated in the Student Residences' Rules

Commented [M13]: Important to state here that although the election process is facilitated through the election committee, it is overseen by the resident head who is responsible for the process and the election of the House Committee, as stipulated in the University's koshuis reels in the section on the residence head's duties.

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8.3.1 Nominations

- a. Senior House members, as well as newcomers who have lived in HKB for 6 months are eligible for any position on the House committee.
- b. Notice of the election of the new house committee must be given at least two weeks (14 days) prior ~~and must appear on the official notice board.~~
- c. ~~The Vice prim and Secretary, in consultation with the~~ Chairman of the Election Committee in consultation with the Residence Head decides on the voting schedule in order to ensure that it is completed within the stipulated time set by the Centre of Student Communities.
- d. The poll is open for a period determined by the Election Committee in keeping in line with the due dates set by the CSC ~~maximum of three (3) day,~~ thereafter no one may vote in the HK election
- e. The election must be held within the period given by the Chief Director of Student Affairs.
- f. Nominations must be submitted in writing at least 10 days before the election ~~to the Prim.~~
- g. No late nominations may be accepted, due to selection by the University Administration.
- h. Nominations must be submitted in writing on the form provided by the Election Committee~~HKB, HK.~~
- i. Must be signed by a nominator and seconded by 5 members of the house.
- j. The nominator may be any voting member of the house ~~must be a senior resident as well as the seconders.~~
- k. The nominee should show an ID photo as well as his signature.

Commented [M14]: I think this part should be omitted

Commented [M15]: The voting schedule is communicated to residences by SSG and dictates the election rhythm and timelines. It is the duty of the chair of the election committee in consultation with the residence head to ensure that the election is completed within these "boundaries" (lack of a better word!)

Commented [M16]: Again, I think we should not be too specific... SSG sends out clear due dates and as long as the res adheres to that, I think we should not restrict the election committee. It is difficult to predict circumstances.

Commented [M17]: Rather: Election comm?

Commented [M18]: This is not in line with the koshuisreels. Should be taken out. Any member of the community should be able to nominate and second

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Commented [M19]: This is also limiting. I think the election comm should have the flexibility to design the election process as they feel fit for the time and context the res is at that stage.

Commented [M20]: Again, rather say it will be announced and communicated rather than referring to a specific place

~~m.~~ All nominations will be kept secret until after the results of the selection by academic administration of the University.

~~n.m.~~ The names of the approved nominees, with their policies, must be communicated to the house ~~appear~~ at least 48 hours before the start of the Caucus ~~Circus on the official notice board.~~

~~l.~~ There should a policy statement by the nominee on the form of a maximum of 100 words.

8.3.2 Election Committee

8.3.2.1 In order to minimize bias and to ensure that the election process is fair, the election will be managed by an independent election committee.

8.3.2.2 The election committee consist of;

- a. The Head of Residence; and
- b. The current Prim, or a current house committee member, selected by the Prim; and
- c. An external person to chair the election committee:
 - This person cannot be a resident of Huis Kerkenberg; and
 - Ideally, this person should not be related to or associated with the candidates.
 - In instances where such a person cannot be appointed in due time, the TSR election chair can be utilised.

d. One member of the seniors committee
~~de~~ and two volunteers from the house.

Commented [M21]: I think this should be a separate point, 'e' below

8.3.2.3 The function of the election committee is to run a free and fair election, by checking for any suspicious activities in the process.

8.3.2.4 If suspicions of any kind is raised by a quorum of ~~can be proved by any~~ voting Res members, then the chair of the Election Committee must annul the outcome of the election and call for a re-election in accordance that the provisions of Section 9.3 are kept.

Commented [M22]: I think we should propose a different option. Because, how will we ever agree whether the member could really 'prove' it?

8.3.2.5 The Chairperson of the Election Committee, must ~~communicate the results of the election within 7 days display the results of the elections in writing on the official notice board within 24 hours~~ after the announcement of the election results for the information of the House.

Commented [M23]: Too restrictive, maybe say within 7 days after the election. That is more reasonable? And not on the noticeboard...

8.3.3 Caucus

8.3.3.1 The HK ~~caucus~~ ~~res~~ is a meeting of all the voting members of the House, where the nominees' are given the opportunity to do the following:

- a. Introduce themselves
- b. Discuss their policy statement
- c. Provide reasons why they are a good choice for HK member
- d. What they plan to do if appointed.

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Commented [M25]: I do not feel that this should be specified. It should be stated here that it is the prerogative of the election comm in consultation with the res head who is appointed by the univ to oversee the election process to design a caucus that will serve the purpose of..... (define the WHY, not the WHAT)

8.3.3.2 Each nominee has a maximum of 3 minute's to conduct address the circus according to Subsection 8.3.3.1

Commented [a26]: Point left for discussion at HK Meeting

8.3.3.3 Once a nominee has addressed the circus there will be an opportunity for questions to be directed at the nominee.

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8.3.3.4 No personal questions or comments that may be embarrassing to the nominee, will be tolerated.

8.3.3.5 The Chairman of the Election Panel will act as chair of this meeting (circus) and ensure that order is maintained.

8.3.3.6 The Chairman of the Election Panel shall determine whether a question is valid or not, thereafter the nominee will answer.

8.3.3.7 Each nominee shall be allowed a maximum of five minutes to answer questions.

8.3.3.8 Voting must be open from the next morning according to the provisions of Subsection 8.3.1

8.3.4 Voting Procedures

8.3.4.1 A list of voting House members shall be drafted by the Prim in consultation with the HK.

8.3.4.2 Each of the members on this list [hereinafter called the voter] is entitled to receive a blank ballot at the polling station, after which he must put his signature on the ballot.

8.3.4.3 The HK room Or The Hub will be the voting facility.

8.3.4.4 There must always be at least two members of the Election Committee present at the polling station to ensure that voters do not intimidate each other and that the fairness of the election is not jeopardized in any way.

8.3.4.5 The names of all the nominees shall appear in alphabetical order on the ballot, however distinction must be made between the nominees available for Prim, Vice-Prim or ordinary HK members.

8.3.4.6 A ballot must be completed in pen by drawing a cross in the box next to the nominee's name.

8.3.4.7 Each voter must vote for a minimum of 1 candidate and maximum is determined by Section 8.1 (b).

8.3.4.8 When a voter is finished voting his/her name must be ticked off the voter's roll in accordance with Section 8.3.5.3

8.3.4.9 The ballot must be folded and placed in a sealed container.

8.3.4.10 A voter may not receive a second ballot unless he presents the first one to the Chairman of the Election committee and his first ballot is clearly marked as spoilt.

8.3.4.11 Voters' not present at the voting station will only be allowed to vote under exceptional circumstances. It must be in the presence of the Chairman of the Election committee and within the time period of the election.

8.3.5 Results of the election

8.3.5.1 The sealed ballot boxes may only be opened by the Chairman of the Election Committee in the presence of the resident head.

8.3.5.2 A ballot shall be regarded as spoiled if:

- There is any ambiguity or changes thereto
- The vote is not in accordance to the provisions of Section 8.3.4.8

Commented [M27]: Maybe rather on the list?? Not the ballot?

Commented [M28]: This also don't allow for any other process for instance an electronic voting. Someday , paper ballots won't be used anymore and then the constitution restricts the election committee. Maybe not go into so much details? Maybe again the principles: each voter is only granted one vote. This should be controlled for by the election comm

8.3.5.3 If more than 5 % of the ballot papers are spoilt, then a re-election must be held under the provisions of Section 8.3

8.3.5.4 Votes must be counted twice and verified by the resident head as correct.

8.3.5.5 In the event that there are more than 2 candidates for Prim and no candidate receives 50% or more of the vote thereafter there will be a final election between the 2 candidates with the highest votes. If there are only 2 candidates, the candidate with the most votes is elected. With 1 candidate, the candidate must receive at least 50% of the vote.

8.3.5.6 In the event of a tie in the HK election the names of the candidates in question must appear on the notice board as well as a date for the re-election, no other names shall be announced until the final results are known.

8.3.5.7 The election will be annulled if the total turnout of voters is less than 60 % .Then a re-election must be held under the provisions of Section 8.3

8.3.5.8 If there are no problems experienced with the counting of the votes the chairperson of the election committee must announce the results and put a written notice on the notice board within 24 hours of the result.

8.3.5.9 Objections to any elected member of the house committee or the election as such, must be submitted in writing with reasons to the Prim or the Chairman Election committee, within 24 hours after the decision was announced.

8.3.5.10 If the objection is considered valid, a re-election must be held under the provisions of this Constitution.

8.3.5.11 The transfer of authority to the new house committee must be made within 14 days after the notice has been put on the official notice boards.

8.3.5.12 The incoming Prim must arrange a meeting in which all outgoing HK members must be present. During this meeting, each outgoing HK member must present their portfolio reports and discuss their specific portfolios with the newly elected HK of that portfolio.

8.4 Termination of a HK member's duties

8.4.1 Resignation

8.4.1.1 A House committee member's membership and duties are immediately terminated when such a HK member hands his resignation in writing to the Secretary.

8.4.1.2 If the entire House Committee resigns under Section 8.4.1.1 then the Executive Committee must remain in their positions until the new committee is elected.

8.4.1.3 After the resignation of a HK member / members, a new HK member / members of the provisions of Section 8.4.3 will be appointed.

8.4.2 Dismissal

- 8.4.2.1 A motion of no confidence in one or more or all of the members of the House Committee may, by means of a referendum by closed ballot, be passed by a quorum of voting house members.
- 8.4.2.2 Upon the acceptance of the motion, the HK member / members of the full House Committee to which the motion is related to, is/are forced to resign.
- 8.4.2.3 A motion of no confidence must be submitted at least 48 hours before the general meeting or extraordinary house meeting where it will be discussed with the Secretary.
- 8.4.2.4 A Referendum Committee shall be appointed in accordance with the provisions of Section 8.3.2, provided that the HK member / members that the motion relates to, may not be part of the committee.
- ~~8.4.2.5~~ 8.4.2.5 A HK member may also be relieved of his/her duties in accordance with the provisions of Chapter 9 in the case of a disciplinary matter.
- ~~8.4.2.6~~ 8.4.2.6 A HK member may also be relieved of his/her duties in accordance with the provisions stated in the residence rules by the University

8.4.3 Vacancy (s)

- 8.4.3.1 If a post (s) on the House Committee becomes vacant, the Prim forms a Poll committee, subject to the provisions of Section 8.3.2
- 8.4.3.2 The committee then aims to ensure that a proper election of a new member or members takes place to fill the vacancies, according to the provisions of Section 8.3
- 8.4.3.3 Such an election of a new member or members should be completed within 14 days.
- 8.4.3.4 If a house committee member resigns or he/she is removed, his/her HC privileges are taken away, including but not limited to his / her room (if the new HC member wishes to move into that room) all room-points and any future honoraria

8.5 Powers and duties of the House Committee members

8.5.1 General

- House Committee members shall perform the duties as stipulated to them by the University.
- House Committee members are representatives of the house [and the University](#) and shall at all times act and dress accordingly and appropriately.
- Each HK member is responsible for the portfolios awarded to him and is required to submit a half term, as well as at the end of term report on the operations of his/her portfolio to the Prim [and residence head as required by the Centre for Student Communities](#).
- Each member HK is responsible for enforcing the House rules in his section and issuing fines for any violations.
- Have a fire evacuation plan for the house.
- The following are the duties of the :

8.5.1.1 Prime

8.5.1.1.1 By virtue of this office (ex officio), the Prime is a member of

- a. the House Committee
- b. the Executive Committee of the House Committee

- c. the Disciplinary Committee
- d. the Policy Unit
- e. the Tygerberg Prim Committee

8.5.1.1.2 A House member is elected to Prim according to the election procedures set out in this Constitution (Chapter 8).

8.5.1.1.3 The Prim is responsible for:

- a. HKB's interests being represented at all University structures and -forums; and
- b. carrying out the University's policy in the House ; and
- c. conducting the Newcomers' welcoming in consultation with the HC for Newcomers, the House committee and the Head of Residence; and
- d. to serve as the Chairperson of the House Committee; and

- e. to define and allocate, in consultation with the Vice Prim, the portfolios for the HC members during their term
- f. to determine, in consultation with the House Committee, the composition and membership of all residence committees for that HC-term; and
- g. to maintain the residence's daily management; and
- h. to regularly contact the Head of Residence about issues; and
- i. to serve as a link between the university management and the Residence; and
- j. to act as Chairperson of the Disciplinary Committee; and
- k. the annual release of the latest version of the Constitution of HKB to House members as well as members of the Centre for Student Communities; and
- l. to draw up an annual report at the end of their term and accept the responsibility that a financial report is prepared by the treasurer; and

8.5.1.1.4 As Chairperson of the House Committee:

- a. The Prim deals with the delegation of tasks as well as the overall management of the Committee; but
- b. They may only take strategic decisions after consultation with the Committee; and
- c. They must request the House Committee's opinion on operational matters and ensure that the full Committee is involved in decisions; and
- d. They may, in exceptional cases, make urgent decisions after consultation with the Executive Committee of the House Committee; and
- e. They take final responsibility for the state of the House fund; and
- f. They can approve the expenditure of funds, up to and including the maximum that is specified in the Residence Financial Practices.

8.5.1.2 Vice-Prime

8.5.1.2.1 If for any reason Prim is no longer able to perform the duties and responsibilities assigned to them, the Vice Prim will stand in as Acting Prim.

8.5.1.2.2 By virtue of this office (*ex officio*) the Vice Prim is:

- a. a member of The House Committee
- b. a member of The Executive Committee of the House Committee
- c. a member of The Disciplinary Committee
- d. a member of The Policy Unit
- e. The Safety and Security Manager
- f. The Portfolio Manager

8.5.1.2.3 A House member is elected Vice Prim according to the election procedures set out in this Constitution (Chapter 8).

8.5.1.2.4 The Vice Prim is responsible for:

- a. Assisting the Prim; and
- b. The compilation of rosters for House committee duty at the beginning of each quarter; and
- c. Performing tasks, such as those agreed to with the Prim at the beginning of their term; and
- d. To act as the residence's Safety and Risk Management Officer

8.5.1.3 Treasurer

8.5.1.3.1 The Financial Manager of the House Committee is appointed at the assignment of portfolios at the start of a HC's term

8.5.1.3.2 By virtue of this office (*ex officio*), the Financial Manager is a member of the Executive Committee of the House Committee.

8.5.1.3.3 This portfolio includes:

- a. Complete book-keeping of the hostel's finances; and
- b. Administering incomes and expenses; and
- c. Ensuring that the University, Residence and Country's regulations and rules relating to finance are met; and
- d. Setting up a complete budget for the House fund at the beginning of a HC - term along with the Financial Manager of the previous HC – term and in consultation with the Prim ; and
- e. Giving weekly feedback about the hostel's financial status to the Prim ; and
- f. Explaining to all of the HC members how to handle expenses for their portfolios in the correct manner; and
- g. Ensuring during MAD2-time that all money raised is dealt with in the correct way and in accordance with the rules set out in the MAD2 guide

8.5.1.4 Secretary

8.5.1.4.1 The Secretary of the House Committee is appointed from the HC during the assignment of portfolios at the start of a HC's term.

8.5.1.4.2 By virtue of this office (*ex officio*), the Secretary is a member of:

- h. The Executive Committee of the House Committee; and
- i. The Disciplinary Committee; but
- j. The secretary has no vote on the disciplinary committee and may also not speak at disciplinary hearings, unless they are requested to provide information from documents at their disposal.

8.5.1.4.3 The Secretary is responsible for:

- a. The general administrative arrangements of the HC and should therefore be well informed at all times about all the official residence activities; and
- b. Doing congratulations and thanks; and
- c. The keeping of minutes (with the assistance of a scribe) of House committee meetings as well as House meetings; and
- d. Being the House's sounding board on matters requiring constitutional and institutional knowledge

8.5.1.4.4 As a member of the EC and HC the Secretary is responsible for:

- a. Drawing up an agenda for each meeting; and
- b. Record keeping of each meeting which may be delegated to a scribe; and
- c. Keeping a calendar of all scheduled residence events to facilitate decision-making.
 - a. . With regard to House meetings the Secretary is responsible for:
 - a. Ensuring that the House is given at least fourteen (14) calendar days' notice of the meeting; and
 - b. General arrangements necessary for the House meeting to take place; and
 - c. Fixing the meeting's agenda at least three (3) days prior; and
 - d. Ensuring that attendance is recorded during the meeting; and
 - e. Taking the minutes of the meeting; and

- f. Making the minutes of the previous House meeting available to members of the House.

8.5.1.4.5 As secretary of the disciplinary committee, the secretary of the House Committee carries the following responsibilities:

- a. The capturing of the minutes of all disciplinary committee meetings; and
- b. Noting all decisions with reasons in the disciplinary hearings book; and
- c. Sending notices of disciplinary committee meetings to House members whose presence is required; and
- d. Conserving all correspondence relating to a disciplinary hearing; and
- e. Completing the report of each case in cooperation with the Chairperson of the disciplinary committee, and sending these to Student Affairs; but
- f. The secretary has no vote on the disciplinary committee and may also not speak at disciplinary hearings, unless requested to provide information from documents at their disposal.

8.5.2 HC on duty

8.5.2.1 Duty runs from 20:00 Monday to 20:00 the following Monday.

8.5.2.2 The HK member takes responsibility for the residence "master key ". The master key may under no circumstances may be given to a house member; so the HC on duty has to personally unlock and lock doors.

8.5.2.3 When the master key is handed over to the next HK on duty, both HK should sign the master key book. The last person to sign in the book is held responsible for the master key.

8.5.2.4 Is responsible for the enforcing of the house rules and for issuing fines for for any violation.

8.5.3 Fines

8.5.3.1 Must be issued in writing to a res member imposed in accordance with the guidelines of the University.

8.5.3.2 An appeal against a fine should be submitted, in writing, to the Secretary within 24 hours of being issued, after which it shall be referred to the Disciplinary Committee for review in accordance with Chapter 9

8.5.3.3 Fines must be paid to the HK member who issued the fine 7 days being issued.

8.5.4 Portfolios

8.5.4.1 The duties of the Prim, Vice Prim and Treasurer should be in accordance with the stipulated requirements of the University.

8.5.4.2 Portfolio descriptions can be expanded if necessary at the discretion of the House Committee.

8.5.5 Executive Committee of the House Committee

8.5.5.1 The Executive Committee acts as an advisory committee and a sounding board for the Prim.

8.5.5.2 The following officers serve with the Prim and Vice Prim as the Executive Committee of the House Committee:

- a. One (1) Secretary - responsible for the House's administration; and
- b. One (1) Financial Manager - responsible for the House's finances; and
- c. The Residence Head

8.5.5.3 The Secretary and Financial Manager are appointed by the Prim and Vice Prim during the determination of the HC portfolios.

8.5.5.4 The EC has the responsibility and authority to:

- a. Discuss and finalize matters of urgency, which cannot wait until the next HC meeting; and
- b. Approve portfolio budgets, in consultation with the House Committee members as well as approve financial expenditure outside the budget (as determined by the residence Financial Practice).

8.5.5.5 Where decisions are to be taken, two (2) members and the Prim will form a quorum. Where the Prim is absent, the Vice Prim will fulfil the role.

8.5.5.6 All Executive Committee decisions must be communicated to the rest of the committee within 24hrs of such a decision at the normal House Committee meetings.

[8.5.5.7 The House Committee in full reserves the right to overturn decisions taken by the Executive Committee](#)

Chapter 9 Disciplinary action

9.1 Disciplinary Committee

- 9.1.1 Consists of the Prim, the Vice-Prim and the Res-Head.
- 9.1.2 If the Vice-Prime or Prim are involved in a disciplinary matter, the case should be referred directly to the office of the Chief Director of Student Affairs.
- 9.1.3 The disciplinary committee shall have jurisdiction over all the household members with respect to any form of misconduct or violation of rules within or outside the boundaries of the residence.
- 9.1.4 The disciplinary committee reserves the right to refer any matter directly to the Disciplinary Committee of the University without a hearing.

9.2 Disciplinary Hearing

- 9.2.1 A res member appearing before the disciplinary committee should be notified at least 24 hours before the official hearing.
- 9.2.2 The accused person will be present throughout the hearing, but may be asked to leave the premises when all evidence has been heard.
- 9.2.3 The Disciplinary Committee shall conduct a fair hearing and may institute the following to the accused after conviction:
 - A Fine in a way which does not exceed the predetermined amount as prescribed by the board.
 - Payment of damages or compelled to pay a fine.

- Temporarily or permanently prohibited from holding any office in the residence.
- To suspend a student from any office he may hold.

9.2.4 HK members who fail their duties may also be summoned by the disciplinary committee in accordance with Section 9.2 .3

9.2.5 All records of a disciplinary hearing will be sent to the Chief Director of Student Affairs for notification and approval.

9.2.6 The Chief Director of Student Affairs, according to the University rules, has the power to adjust any sentence at his/her discretion.

9.3 Appeal against conviction

9.3.1 The accused resident member may appeal a sentence given by the Disciplinary Committee.

9.3.2 A written appeal must be submitted in writing to the secretary within 48 hours after sentencing.

9.3.3 The Disciplinary Committee shall discuss the appeal within 48 hours of receipt and adjust or retain the sentence.

9.3.4 If the res member is still unsatisfied with the outcome, he/she may appeal to the Central Disciplinary Committee.

Chapter 10 House meeting

10.1 Regular house meetings

10.1.1 An ordinary meeting house should be held during each university term, as far as possible.

10.1.2 All house members must attend the meeting, unless Section 10.1.5 and 10.1.6 are met.

10.1.3 A written notice signed by the Prim and Secretary must be put up on official notice boards atleast (7) days before the meeting.

10.1.4 Quorum requirements:

- Two -thirds (2/3) of the voting male residents, as well as
- Two -thirds (2/3) of the voting females
- Must be present at any given house meeting for decisions to be valid.
- excluding circumstances referred to in Section 10.1.13

10.1.5 Written excuses shall be in handed to the secretary no later than 24 hours before the start of the meeting.

10.1.6 If the House Committee does not accept the apology, the resident member has to attend the meeting. The validity of the excuse for complete absence from the house meeting is at the discretion of the house committee.

Commented [M29]: Do we still need to distinguish? Opinions?

Commented [a30]: Left for discussion . What are our current demographics ? if we have reached equal male/female representation then it can be omitted on the other hand does gender matter ? opinions .

- 10.1.7 Members Absent without apology as stated in 10.1.5 and 10.1.6 10 room points will be deducted per house meeting missed.
- 10.1.8 Any suggestions or issues for discussion (from the members of the House) must be announced through a written motion. All motions must be submitted in writing to the Secretary at least 48 hours before the start of the meeting. It will reviewed and a summarised on the official notice boards.
- 10.1.9 Only motions submitted to the Secretary, before the deadline and are approved can be discussed. See Section 10.3
- 10.1.10 The house meeting is led by Prim and he therefore acts as chairman of the meeting. If it is impossible for the Prim is to be present, the Deputy Prim takes-over the tasks of the pre-set agenda of the meeting house.
- 10.1.11 The Secretary of the house committee acts as secretary of the house meeting, and must keep a record of all decisions taken by the House.
- 10.1.12 If quorum is not reached 30 minutes into the start of the scheduled house meeting [Section 10.1.4] the house meeting is cancelled and will be rescheduled for a date within seven (7) days from the time of the original meeting.
- 10.1.13 If quorum again is not reached at the rescheduled house meeting [Section10.1.4] The House Committee has the authority to round off the agenda of the rescheduled meeting. Any decision taken by the house committee will be binding on all house members.

10.2 Extraordinary house meetings

- 10.2.1 An extraordinary house meeting must be held in the event of there being a matter that needs urgent attention and an ordinary house meeting is not scheduled for the next 3 days
- 10.2.2 An extraordinary house meeting may be held at the request of the house committee and or at the written request of two-thirds of the house.
- 10.2.3 Such meeting must be held within 48 hours after the written request has been submitted to the Secretary.
- 10.2.4 Written notice as well as stipulation of the subject of such meeting should be put up on the notice boards at least 24 hours before the start of the meeting. The notices must be signed by the Prim and Secretary of the House Committee before being putting up on the notice boards.
- 10.2.5 At an extraordinary house meeting only the issues for which the meeting was called for may be discussed.
- 10.2.6 Furthermore, all provisions as for an ordinary meeting house.

10.3 Motions

- 10.3.1 All motions (except for motions to amend the constitution) must be submitted in writing to the Secretary of the house committee at least 48 hours before the start of the meeting
- 10.3.2 A summary of each motion must be published on the notice boards at least 24 hours before the start of the meeting and must be signed by both the Prim and Secretary of the House Committee.

10.3.3 The chairman of the meeting house has the power to decide whether the motion should be voted on as such or just under the heading “general - communications “should be discussed. The decision of the Prim is final.

10.3.4 Motions accepted in house meeting, from that moment have binding authority over house members.

Chapter 11 Resident committees

11.1 First Years Committee

11.1.1 A first-year committee is selected at the end of Welcoming. This committee is elected by the Newcomers from among their own numbers.

11.1.2 The Committee is responsible for:

- Firstly ensuring that they provide a leadership body that is representative of the First Years
- Organising Events as determined by the Prime and Welcoming House Committee Member

11.1.3 The Welcoming Coordinator serves as a link between the House Committee and the First Years’ Committee, in order to achieve effective cooperation with the House Committee and to clearly inform the First Years’ Committee of what their obligations entail.

11.1.4 In order to provide the following First Years’ Committee with guidelines, the existing Chairperson must submit a full report on the committee's activities at the end of their term.

11.2 Second Years Committee

11.2.1 The Second Years’ Committee is an independent committee made up of a group of ten (10) Second Years (including EDP 2 and Second Years Who were EDP previously) . The Chairperson is counted as part of the ten (10) members.

11.2.2 The Second Years’ Committee is elected at the beginning of the fourth quarter. This committee is elected by the current First Years from their own numbers.

11.2.3 The Second Years’ Committee's duties are determined by the House Committee, but the committee may also launch initiatives of their own accord.

11.2.4 The Second Years’ Committee remains at all times accountable to the House Committee, and specifically to the dedicated member of the HC .

11.2.5 The Second Years’ Committee has the following responsibilities:

- To serve as part of the Committee for “Henne en Hanne ”; and
- Building the Vensters stall as a fundraising initiative; and
- Organizing regular Second Years’ interactions; and
- Any other acceptable features, such as arranging events, which do not usually fall under the House Committee's responsibility as determined by the House Committee and the Second Years Committee

- 11.2.6 A particular House committee member serves as a link between the House Committee and the Second Years' Committee, in order to achieve effective cooperation with the House Committee, to involve the Second Years' Committee and to inform them clearly of their obligations.
- 11.2.7 The Chairperson of the Second Years' Committee is elected at the committee's first meeting in a closed election by all members. The HC member responsible for the Second Years' Committee should manage this election.
- 11.2.8 The Second Years' Committee themselves decide on a clear explanation of each member's responsibilities, whether through portfolios or otherwise.
- 11.2.9 In order to provide the following Second Years' Committee with guidelines, the existing Chairperson should submit a full report on the committee's activities at the end of the relevant term. This report must be submitted to the designated member of the HC

11.3 Portfolio Committee

- 11.3.1 For every portfolio that a member of the House Committee heads, they may appoint a subcommittee if it is required.
- 11.3.2 The involved House Committee member serves as head of the subcommittee and must report to the Prim as well as the Residence Head on a regular basis. The report must include discussion of the progress of the portfolio.
- 11.3.3 The House Committee member still carries complete responsibility for the portfolio. If the subcommittee does not perform to the required standard, the House Committee member will still be held responsible for the portfolio.
- 11.3.4 All committees are subordinate to the authority of the House Committee and are not empowered to make any final decisions without the approval of the Prim and House Committee member under who the portfolio falls under.
- 11.3.5 Committees shall not incur expenses without the approval of the treasurer

11.4 Election of Committees

- 11.4.1 Written notice must be put up at least 5 working days in advance, with a closing date and time.
- 11.4.2 Prospective committee members should write their names on the lists on the notice boards.
- 11.4.3 No names may accepted after the closing date.
- 11.4.4 The maximum number of members for a specific committee are subject to the discretion of the committee member under whose portfolio it falls, provided that a committee not unworkable or unnecessarily large for its purpose.
- 11.4.5 After the closing date prospective committee members should be interviewed, based on the official form.
- 11.4.6 Thereafter the house committee member chooses the committee on the basis of merit, as well as his own discretion.
- 11.4.7 Any dispute relating to the election of a specific committee must be referred to the Prime for further evaluation.

- 11.4.8 The chairman of the house meeting in collaboration with the relevant HK member is empowered to form an ad hoc committee for a specific purpose through personal appointment at the end of an ordinary or extraordinary house meeting. Where the provisions of [section 12.5](#) do not apply.

Chapter 12 Room Allocations

- 12.1 Room Allocation will take place annually through room selection based on each individual resident's room points.
- 12.2 Room points are calculated according to the official room point's form that is reviewed by the current HK.
- 12.3 Room selection will be conducted by the HK member appointed to the room allocation portfolio. Residents have the opportunity to select rooms in descending order of their room points
- 12.4 HK gets preference for selecting a room. Then residents may choose according to the order of room points.
- 12.5 Residents select a pod in a group of 4. When residents have formed a group of 4, their points are totalled.
- 12.6 The group with the highest total has the opportunity to select a pod first.
- 12.7 In the event that a resident moves out of a pod, the other remaining residents of the pod reserve the right to fill the vacancy with the resident of their choice. In the event that they cannot find a resident to fill the vacancy, room selection will be held where interested members in the room may apply for it.

Chapter 13 Mentors

- 13.1 The purpose of the Mentors is to ensure that the Newcomers adapt successfully academically and socially at the University. Moreover, the mentors also have a particular role to play during the Welcoming week.
- 13.2 A Head Mentor is appointed by the outgoing Prim, the newly elected Prim, the newly elected Vice Prim, the outgoing Head Mentor and the Head of Residence according to the procedure and by the date specified by the University. In the case of one member being absent, not being able to vote or abstaining from voting, the outgoing Vice Prim will fulfil this role.
- 13.3 After the election of the Head Mentor, the election of the mentors will take place.
- 13.4 Mentors are appointed by the newly elected Prim, the newly elected Vice Prim, the newly elected Head Mentor and the Head of Residence according to the procedure and by the date specified by the University.
- 13.5 The Head Mentor and all mentors should be available for all training sessions during January.
- 13.6 Although Mentors specifically work in the residence and also play a role in the integration of Newcomers in residence culture, their functions and responsibilities are primarily set according to the Policy as determined by the University.

- 13.7 The specific functions and interactions of the Mentors are discussed annually and agreed upon by the Head Mentor and the Prim
- 13.8 The primary functions of the mentors are:
- a. To provide information to Newcomers during the Welcoming week; and
 - b. To serve as a communication channel between Newcomers and the House Committee or University; and
 - c. To note any problems with the Welcoming and to address these issues; and
 - d. To counsel and advise Newcomers regarding their social and academic adjustment within the house and the University; and
 - e. Referring Newcomers to the relevant units or institutions if specific help is needed;

Chapter 14 First years & Newcomers

- 14.1 It is the responsibility of the House Committee to ensure that first years and newcomers are incorporated into the res life in HKB and that they are familiar with the policy statement and ethos of the house, and the house rules.
- 14.2 The above mentioned responsibility will at all times be in correlation with the rules of the university, in such a way that no person's dignity or human rights are violated in any way.
- 14.3 In the case of misconduct or violation of any rule by a first-year res member/newcomer, senior res members will under no circumstances act on their own accord, but should report the matter to a HK member.

14.2 Orientation / Welcoming

- 14.2.1 The House Committee of HKB supports the official position of the University regarding orientation and undertakes to follow the provisions of the Student Regulations (residence rules).
- 14.2.2 None of the forms of orientation as described in the University Rules as prohibited, will ever be applied in HKB as a method of welcome or to achieve the aims of Chapter 1 and 14
- 14.2.3 The official orientation program of the University for the Particular Year will be followed.

Chapter 15 Amenities

The house owns two televisions:

The two TVs may only be removed for repairs.

Chapter 16 Residence functions

- 16.1 Functions held at a site other than the house (including the Hub) happen in accordance to the University's Residence Rules pertaining to such events
- 16.2 The function (s) must be arranged by the HK member under whose portfolio it falls.
- 16.3 The resident function(s) will be subsidized by the house fund according to the budget and available funds.
- 16.4 If necessary, an additional fee will be calculated by the relevant HK member and payable by the house members that attend the particular function (s).
- 16.5 The use of alcohol during any resident function must be approved by the res-head in accordance with the provision of the University's rules and alcohol policy

Commented [M31]: This is not relevant since we now let com managers do the arrangements, but the HK member is still accountable.

Chapter 17 Overnight Visitors

- 17.1 Visiting students may sleep over in HKB in accordance with the provisions and requirements of the University's Student Rules.
- 17.2 Guests who do not meet the criteria of the house rules will be required to pay the prescribed fee.
- 17.3 The res member with the overnight guest must provide a written application to the res-head for approval and notification by the House Committee.
- 17.4 The res member visited must fill out a form, the service allows HK to sign and submit to security for the overnight visitor.
- 17.5 The resident must also alert their podmates to the presence of such a guest

Commented [M32]: These are now all up for discussion.....

Chapter 18 Petitions

Organizing and circulating petitions can only be done with permission of the res head and the full House Committee. No petition may be circulated by the residents without the signature of the Prime and all the other HC members, as well as the signature of the res head. In the case of a petition against the members of the power structure in HKB, the Chief Director of Student Affairs is contacted.

Commented [M33]: Not sure if this is still relevant. Maybe omit? Surely permission for a petition is not required? It is kind of defeating the purpose??

Chapter 189 Interpretation

Any dispute regarding the meaning or interpretation of any clause, section or word of this constitution or rules, for ruling is referred to the office of the Chief Director of Student Affairs and / or the Student court.

