

# HUIS VISSER

## Constitution

Praestamus et Ducemus



# The Constitution

## THE CONSTITUTION OF HUIS VISSER

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## **Chapter 1: Fundamental principles**

### **Article 1: Name and Motto**

- 1.1 The name of the residence is Huis Visser Men's Residence (hereafter known as "Huis Visser" or "the Residence")
- 1.2 The Motto of the residence is: Praestamus et Ducemus (We excel, and we lead)

### **Article 2: Definitions**

- 2.1 Anchor – The official symbol of Huis Visser.
- 2.2 The House/Residence – Terms referring to Huis Visser in its entirety.
- 2.3 Welcoming – An optional program which runs for a brief period before academic classes start. During this period, newcomers are encouraged to learn the names of every Huis Visser resident, Huis Visser's values, founders and motto, as well as various traditional poems and songs.
- 2.4 Old Boy – Any person that is no longer in Huis Visser and has spent at least one academic year in Huis Visser.
- 2.5 HK – Abbreviation for "Huiskomitee" (House Committee) and used to refer to someone that is on the House Committee.
- 2.6 Caucus – The process of election for a leadership role in Huis Visser. Candidates have the opportunity to speak to the House before the voting commences.
- 2.7 Skakel – social event of any kind with another residence
- 2.8 Snarga – computer room of Huis Visser
- 2.9 Resident – A person as described in Article 6 of this Constitution
- 2.10 SU – Refers to Stellenbosch University
- 2.11 Huiskas – This refers to the Cost Point held with the University and Managed by the Financial Manager of Huis Visser

### **Article 3: Values**

- 3.1 The Values of Huis Visser are the following:
  - 3.1.1 Respect
  - 3.1.2 Care
  - 3.1.3 Recognition
  - 3.1.4 Unity through Individuality
- 3.2 The residents are expected to maintain and live up to these values.

#### Article 4: General Authority of Constitution

- 4.1 The provisions of this Constitution bind every resident of Huis Visser.
- 4.2 All actions, behaviour, decisions, elections, motions, rules, regulations, procedures and provisions within Huis Visser are subject to this Constitution and are invalid or inconsistent insofar as they are in conflict with this Constitution. All assignments, requirements, obligations, rules and regulations that are discussed in this Constitution, shall be met.
- 4.3 This Constitution:
- 4.3.1 Stands under the authority of the Student Rules of Stellenbosch University, the Students' Union Constitution, the Student Disciplinary Code and the Constitution of the Republic of South Africa, 1996 and all other laws as determined by the government of the Republic of South Africa; and
  - 4.3.2 Will not, in whole or in part, be inconsistent with the Rules for Students, Students' Union Constitution, Student Disciplinary Code, Statute of the University, Higher Education Act (as amended), or any other policy, rules and regulations as determined from time to time by the University.
- 4.4 Subject to the authority of the Rector and Vice Chancellor and Director: Centre of Student Communities, the care and control of the Residence rests with the Residence Head, assisted by the House Committee.
- 4.5 The purpose of the Residence is to organise the living arrangements of all the residents in a responsible manner in the interest of all members, and not to pursue any profit or monetary gain for its members.
- 4.6 Not the Residence, or any of its residents, can serve as a legal personality. SU is a legal person. The Residence is subject to SU and is therefore not a separate legal entity. This means that Huis Visser cannot enter into any agreements with third parties unless assisted by SU. All contracts must be reviewed by SU Legal Service
- 4.7 This Constitution shall terminate and replace any previous constitutions and related rules and regulations that apply or were applied in Huis Visser.
- 4.8 A copy of this constitution shall at all times be available to the residents

#### Article 5: Amendment and interpretation

- 5.1 Constitutional amendments and additions can be made at both Ordinary House Meetings (OHM) as described in Article 10 and Emergency House Meetings (EMS) as described in Article 11, through the process of a formal motion, as described in Article 10.6.
- 5.2 The quorum for the amendment of the Constitution is two-thirds ( $\frac{2}{3}$ ) of all residents of the Residence. For the adoption of a constitutional amendment, a two-thirds majority of all persons present at the meeting is required.

- 5.3 If ambiguities arise between the English and Afrikaans (if the constitution is translated to Afrikaans) versions of the Constitution, the English version, as the original text, will act as authoritative document.
- 5.4 The HK of House Admin is responsible for amendments and additions to the Constitution and to always ensure that the Constitution is up to date.

#### Article 6: Membership

- 6.1 A person will be deemed to be a resident and member of Huis Vissers' Residence, if that person:
- 6.1.1 Is a registered full-time student at Stellenbosch University;
  - 6.1.2 Is registered as a resident of Huis Visser Men's Residence at the Centre of Student Communities;
  - 6.1.3 Permanently resides in Huis Visser Men's Residence during the academic year.

#### Article 7: Jurisdiction

- 7.1 When lodging in Huis Visser has been granted to a student and he accepts it, moves into his room and is a student enrolled at the Stellenbosch University, it will be seen as submission to and approval of this Constitution and the rules of Huis Visser.

#### Article 8: Finances

- 8.1 House Funds:
- 8.1.1 House Members must pay an annual fee to the Huiskas.
  - 8.1.2 The annual fee shall be deducted directly from each resident's student account.
- 8.2 Financial Duties:
- 8.2.1 The Financial Manager of the residence must keep accurate records of the incomes and expenses of the house
  - 8.2.2 The Financial Manager must prepare an annual budget that must be presented to the house at the first OHM of the academic year and strictly adhered to.
  - 8.2.3 The Financial Manager will be held liable for any loss suffered to the huiskas as a result of their negligence, fraud or gross misconduct.

## Article 9: Voting rights

- 9.1 This Article is applicable to Voting at OHM, EHM, Primarius, Vice-Primarius and House Committee voting only.
- 9.2 Every Huis Visser resident has voting right:
  - 9.2.1 if he is a member of the Residence as described in Article 6.
- 9.3 Every eligible voter of the residence has a vote which is equal in value.
- 9.4 Each person who has voting rights, can choose to not take part in a voting, or cast a no vote.
- 9.5 The Primarius will decide whether a voting will be by putting up of hands or by secret ballots, taking into account that any person who submitted a motion, can request the means of voting.

## Article 10: Ordinary House Meetings (OHM)

- 10.1 The House meeting is a compulsory gathering of all the residents of Huis Visser, which is convened for the purpose of making possible discussion on issues, motions, decisions, to give advice, to assess the actions of the elected House Committee and/or to oversee their actions.
- 10.2 During a House meeting it is expected of all Residents to behave in an orderly manner. The Primarius reserves the right to request any person who is acting inappropriate or improper, to leave the meeting.
- 10.3 There shall be a minimum of one OHM per academic term.
- 10.4 Notice of an OHM must be given by the HK of House Admin, at least 72 hours before the start of the meeting.
- 10.5 Excuses must be submitted by the resident in writing or via email, wanting to be excused from the meeting, to the HK of House Admin at least one (1) days before the start of the meeting. The HK of House Admin can use his own discretion with regards to the acceptability of the excuse and the resident must accept the outcome. .
- 10.6 Absentees that did not obtain the required exemption are punishable by a fine as set out in Article 22.
- 10.7 The quorum for an OHM is 66% of the total members of the house.
- 10.8 Formal motions must be handed in, in writing, or via electronic mail to the House Admin HK member, 48 hours before the OHM. No late motions shall be considered during the OHM.
  - 10.8.1 Motions must be seconded by three other members of the house and signed by all four parties.
  - 10.8.2 The House Admin HK member must put up all the motions on the notice board, 24 hours before the house meeting.
  - 10.8.3 The House Committee must ensure that decisions are implemented. Progress regarding these implementations must be reported on during the following OHM.

- 10.8.4 All motions, accompanying discussions, debates, decisions and votes must be noted as clearly and thoroughly as possible in the minutes for future reference.
- 10.9 During the course of a House meeting the Primarius shall use his own judgement to authorise speaking turns to residents. All residents may request to participate in discussions by raising their hands.
- 10.10 The HK of House Admin also acts as Secretary of the House meeting and is responsible for:
- 10.10.1 Keeping detailed minutes and a record of proceedings and will indicate how many Residents are present; and
  - 10.10.2 The release of the minutes after the meeting for inspection by the Residence, within ten (10) University working days after the meeting. These minutes shall also be presented for adoption by the Primarius at the next House meeting.
  - 10.10.3 The HK of House Admin is responsible to maintain an online archive of the minutes of previous House Meetings, that will be accessible to all residents.

#### Article 11: Extraordinary House Meetings (EHM)

- 11.1 An EHM is held:
- 11.1.1 When the House Committee deem it necessary
  - 11.1.2 On a written request from at least one third of voting-eligible members of the house.
- 11.2 An EHM shall address the issues for which it is held, and only the issues for which it is held.
- 11.3 Notice of an EHM, accompanied by a statement of the issues to be discussed, must be given by the House Admin HK member, at least 48 hours before the start of the meeting.
- 11.4 The quorum for an EHM is 66% of the total voting-eligible members of the house.
- 11.5 Constitutional amendments at an EHM is governed by Art 5.



## **Chapter 2: Executive authority of the Residence**

### **Article 12: Residence Head**

- 12.1 The University appoints a Residence Head. The Primarius and the Residence Head are accountable to the Director: Centre for Student Communities.
- 12.2 The Residence Head serves as the link between the University and the House Committee. In this role he/she applies the University rules, policies and regulations, as and where necessary.
- 12.3 All Residence leadership structures are under the authority of the Residence Head. Full authority is vested in him/her to decide how he/she reconciles the Residence's customs and traditions within the guidelines of the University.
- 12.4 At House Committee meetings, as well as in other decision-making processes about Residence activities, he/she fulfils a guiding and advisory role. In order to facilitate this process, the Residence Head attends House Committee meetings and House meetings.
- 12.5 The Residence Head is the holder of the Residence's liquor license and shall exercise discretion with regards to the approval of functions and the administration of this license. At the same time, the Residence Head has the power to either approve or prohibit any function.
- 12.6 Ignoring the Residence Heads instructions exposes residents to disciplinary action in terms of the University's Student disciplinary code.

### **Article 13: The House Committee**

- 13.1 Composition of the House Committee
  - 13.1.1 The House Committee (HK), will consist of a Primarius, Vice – Premarius and 10 additional members These HK-members are elected through a process described in Article 13.2 of this constitution.
- 13.2 Primarius-, Vice-Primarius- and House Committee elections:
  - 13.2.1 Candidacy, and procedures:
    - 13.2.1.1 To be eligible to run for any position on the HK, a person must:
      - a) be a member of Huis Visser, enrolled and registered with the University;
      - b) have been a resident of Huis Visser during at least hree semesters;
      - c) have been nominated by at least eight house members; and
      - d) presented his nomination form to the Polling Committee before the agreed deadline.
    - 13.2.1.2 After the nomination process, a policy statement must be put on the notice board by the polling committee.
    - 13.2.1.3 Any candidate may revoke their nomination at any time before the caucus in question.

13.2.1.4 Every candidate must address the house at a Caucus, where he has the time to make a statement regarding his policy and vision. The candidates must thereafter be given time to answer questions from the house for a specified duration of time. The procedure and time limits of these caucuses will be determined by the Polling Committee. Any questions that may be deemed unfair, inflammatory or disrespectful, by the Polling Committee may be called to order.

#### 13.2.2 Primarius-, or Vice-Primarius elections:

13.2.2.1 The election of the Primarius shall be done before that of the HK or Vice-Primarius, followed, on the same calendar day, by the election of the Vice-Primarius.

13.2.2.2 Voting will be done by secret ballot, through electronic means, and will be conducted by the polling committee.

13.2.2.3 For an election to be valid a quorum of more than 75% of house members with voting rights must cast their votes. If a quorum is not reached, the election must be postponed to a later date.

13.2.2.4 In the case of more than two candidates, for either Primarius and Vice-Primarius, voting shall be done by means of negative voting, where candidates will be eliminated until only two candidates remain, where after, positive voting will commence.

13.2.2.5 In the case of a tie, the voting process must be repeated as soon as possible. If the tie is not broken after the second vote, the standing HK must vote to break the tie.

#### 13.2.3 House Committee elections:

13.2.3.1 House Committee (HK) elections must take place no sooner than four weekdays and no longer than ten weekdays after the Primarius- and Vice-Primarius elections.

13.2.3.2 Voting will be done by secret ballot, through electronic means, and will be conducted by the polling committee.

13.2.3.3 Voters may vote for a maximum of ten candidates by way of positive voting, and may elect to vote for less than of the above mentioned maximum or abstain altogether.

13.2.3.4 For an election to be valid a quorum of more than 75% of house members with voting rights must cast their votes. If a quorum is not reached, the election must be postponed to a later date.

13.2.3.5 The ten candidates with the most votes will therefore be elected to serve on the HK. In the event of a tie, the house must be given a chance to vote between these candidates in the manner explained in Section 13.2.3.2. If the tie is not broken by this second vote, the standing HK must vote to break the tie.

#### 13.2.4 The Polling Committee:

13.2.4.1 The Polling Committee will consist of four of the following persons:

- a) the Residence Head;
- b) the Primarius, unless he is a nominee in the election in question, in which case, the Vice-Primarius or most senior HK member that is not a nominee in the election in question;
- c) a residence senior
- d) a first year

13.2.4.2 The duties of the Polling Committee are to ensure that elections in the house are held on a structured and fair basis, and that elections are held in accordance with this Constitution.

13.2.4.3 To ensure transparency, structure and fairness the Polling Committee must:

- a) Inform the House on all procedures with regards to elections, caucuses and nominations;
- b) announce results of elections in a timely manner;
- c) upon request make results of elections available to any member of the house;
- d) ensure that their conduct is in line with this constitution.

#### 13.2.5 Voting rights

13.2.5.1 Voting rights are as stipulated in Article 9 of this constitution

#### 13.2.6 Objections to an election

13.2.6.1 If any member of the House has an objection to the election of a candidate, or the procedures followed, he may submit in writing, his objection to the sitting Primarius or Residence Head within 24 hours of the election in question. In the case that there is found that the objection was made on valid grounds, an extraordinary House Meeting must be called as soon as possible, where the objection can be discussed and voted on.

#### 13.2.7 Duties, rights and responsibilities of the Primarius:

13.2.7.1 The Primarius of the House:

- a) shall, at all times, act in a manner that is beneficial to the House as a whole;
- b) shall act as chairperson at House Meetings and House Committee Meetings;
- c) is executive student officer in the Residence and is responsible for the management of the house members in terms of the Rules for Students and general Council policy and section of the constitution of the House;

d) must, in cooperation with the Residence Head, ensure that HK members carry out their duties;

f) must coordinate public relations with other residences, the PK, the SRC and during other student events,

g) together with the HK, is responsible for the formulation and execution of the welcoming programme for new students in the start of the year;

h) must compile an annual report at the end of his term, and submit the report to the HK and House at a House Meeting;

i) must act with transparency to all members of the House and be held accountable to the PK and SRC;

j) must oversee all committees to ensure they are held accountable, and follow up any complaints related to these committees;

13.2.7.2 In the event that the Primarius is not present, the duties, rights and responsibilities of the Primarius will be entrusted to the Vice-Primarius.

#### 13.2.8 The duties, rights and responsibilities of the House Committee:

##### 13.2.8.1 The House Committee:

a) shall be responsible for the implementation of the policies and rules of the House set out by the Constitution and University frameworks;

b) shall be held accountable to their specific functions as mandated by their respective portfolios;

c) shall distribute fines to house members that break any House rules as stipulated in this Constitution, the Addendums or the Rules for Students from the University;

d) shall hear complaints from House members, and give these complaints the necessary attention;

e) shall compile an annual report of their respective portfolios at the end of their terms which must be presented to the House at House Meeting;

f) must be allocated one or more portfolios, to the discretion of the Primarius and Vice-Primarius as set out in Addendum 1.

#### 13.2.9 Duration of position:

13.2.9.1 The Primarius, Vice-Primarius and House Committee will serve in their respective positions from the first day of the fourth term of the academic year until the first day of the fourth term of the following academic year, unless he is removed from office or resigns before his term expires.

#### 13.2.10 Dismissal or resignation from the House Committee:

13.2.10.1 In the case where a member of the House Committee resigns, he can hand in his formal letter of resignation to the Primarius, after giving at least two weeks' notice.

13.2.10.2 A motion of no confidence can be lodged by the house against any member of the House Committee, by handing a written motion in to the Primarius or Residence Head, supported by 40 seconders. The Primarius must then call an Extraordinary House Meeting, where a regular majority vote will be needed to remove the member in question from office, effective from 12:00 the next day.

13.2.10.3 In the case that there is a vacancy on the House Committee, the Primarius, together with the Vice-Primarius and Residence head will decide whether the vacancy will be filled. In the case that they decide the vacancy must be filled, the unsuccessful candidate in the previous HK election with the most votes will be assumed into office if he accepts, otherwise the next person in line.

#### Article 14: Further committees

- 14.1 Committees for specific portfolios shall, where necessary, be appointed by the relevant HK member of the portfolio.
- 14.2 The HK member, under whose portfolio the committee falls, may give room points to members of the committee based on performance.
- 14.3 The HK member whose portfolio the committee falls under has the right, with valid reason, to remove someone on the committee.

#### Article 15: Mentors

- 15.1 A Head Mentor will be appointed by the Residence Head, Primarius, Vice-Primarius and the serving Head Mentor before Mentors are appointed.
- 15.2 Mentors will be appointed annually by the Residence Head in conjunction with the Primarius, Vice-Primarius and the newly appointed Head Mentor.
- 15.3 The appointed Mentors must act in accordance with the terms and policies set by the University

#### Article 16: First years and Newcomers

- 16.1 The HK of First years is responsible for setting up the welcoming program.
- 16.2 With consideration of the residence rules and Huis Visser's code of conduct it is the House Committee's responsibility to implement the welcoming program.

- 16.3 With consideration of the University rules and Huis Visser's code of conduct, the HK has to see to it that first years and newcomers are included in the residence life in the manner that, they believe, is the most efficient.
- 16.4 First years are required to perform certain duties as mentioned in Addendum 5. These duties will have to be performed at times and in a manner as determined by the HK.
- 16.5 In case of violation of the above rules or any of the residence rules or failure to comply to the above-mentioned duties by first years, senior members will not act on their own but will report the matter to the HK, which will respond to it. The HK must also provide feedback regarding any complaints.

### **Chapter 3: Disciplinary procedures**

This provisions must be read in conjunction with section 20 and section 32 of the Student Disciplinary Code that deals with House Disciplinary matters and Residence Disciplinary matters. If this chapter is in conflict with the Student Disciplinary Code of the SU (the Code), the Code will take preference.

#### **Article 17: House Disciplinary Committee**

- 17.1 The House Disciplinary Committee serves as disciplinary body for the Residence and is responsible to ensure that the Residence complies with the relevant residential rules as dictated by SU, the rules as determined by the Residence and as set out in the Huis Visser Constitution.
- 17.2 The House Disciplinary Committee may:
- 17.2.1 Only take action against residents of Huis Visser;
  - 17.2.2 Only investigate complaints that fall within their jurisdiction;
  - 17.2.3 Investigate any complaints with the exceptions of:
    - 17.2.3.1 An action that relates to the violation of or failure to adhere to SU ban on initiation practices;
    - 17.2.3.2 An action that deviates from or failure to adhere to an approved Welcoming Programme; or
    - 17.2.3.3 An infringement that is deemed by the Residence Head to be of such a serious nature that it should be referred to the Head: Student Discipline.
  - 17.2.4 Report incidents involving alcohol to the Head: Student Discipline;
  - 17.2.5 With regards to a decision made in terms of Article 17.2.(1)-(4), the Residence Head will be allowed to consider any relevant information. This includes, but is not limited to, whether the said student was involved in the alleged incident, and whether dishonesty or vandalism was committed.
- 17.3 The House Disciplinary Committee holds the right to refuse to mitigate a dispute and instead refer the case to the Residence Disciplinary Committee or the Head: Student Discipline.
- 17.4 The Disciplinary Committee consists of:
- a. The Residence Head;
  - b. The Primarius;
  - c. The Vice Primarius;
  - d. The HK of House Admin that acts as Secretary;
  - e. At least one (1) member of the House Committee; and
  - f. Two (2) additional members of the Residence as selected by the House Committee

and that preferably has knowledge of the law.

- 17.5 The Chairperson of the Disciplinary Committee is the Resident Head or the nominee of the Resident Head as stipulated in Section 20.6 of the Code and will be sole convener of the House Disciplinary Committee.
- 17.6 In the case where a member of the House Disciplinary Committee has been accused of committing an indiscretion, only the remaining members will serve as the House Disciplinary Committee with regards to the accused member's disciplinary case.
- 17.7 In the case where a member of the House Disciplinary Committee has been involved with an incident or delivered the accused himself, he will not be involved in the hearing of the case in question.
- 17.8 House Disciplinary actions consist of the following:
- 17.8.1 The levying of fines to the maximum as determined by the Student Code;
  - 17.8.2 Community Service;
  - 17.8.3 The suspension of certain privileges residents receive;
  - 17.8.4 The inclusion of the Head: Student Discipline; and
  - 17.8.5 A recommendation to SU authorities that:
    - 17.8.5.1 The individual should be suspended from the Residence immediately; and
    - 17.8.5.2 Request that readmission to the Residence in the following year should not be allowed.
- 17.9 Verdicts, along with proper documentation regarding how the verdict has been reached, should be recorded in a disciplinary record by the Residence Head and authorised with his/her signature. The verdict may be communicated to the Residence.

#### Article 18: Before the disciplinary inquiry

- 18.1 Any resident may request any member of the House Disciplinary Committee to investigate an infringement.
- 18.2 The Chairperson of the Disciplinary Committee may, at any time, refuse to further investigate an accusation, unless:
- 18.2.1 The accuser is prepared to testify in front of the House Disciplinary Committee; or
  - 18.2.2 The accuser submits a statement in writing to the Chairperson of the Disciplinary Committee, containing in detail all information relevant to the accusation as well as the signature of the accuser.
- 18.3 All complaints should be heard by the House Disciplinary Committee within fifteen (15) University working days or a longer time period should there be good reasons for extending the time, after the complaint has been communicated to a relevant party.



- 18.4 A written notice of the house disciplinary inquiry has to:
- 18.4.1 Be delivered by e-mail to the alleged accused resident within two (2) days before the start of the inquiry, and the alleged accused resident will further be informed via cell phone (a call or messenger application eg. whatsapp); and
  - 18.4.2 Contain the following information:
    - 18.4.2.1 The complete complaint;
    - 18.4.2.2 The time and place of the inquiry; and
    - 18.4.2.3 The right of the alleged accused as well as the accuser to have the assistance of a fellow current Resident. No student representation from outside of Huis Visser or council will be allowed at a House Disciplinary Committee inquiry.
    - 18.4.2.4 The alleged accused should be referred to this document specifically before the disciplinary process in order to know his rights as well as the course of the procedure.

Article 19: During the House disciplinary hearing

- 19.1 If the student, after he received the notice, fails to attend the hearing without providing the Chairperson of the House Disciplinary Committee with a valid reason as to why the alleged accused would not be able to attend the hearing, the hearing may proceed in the absence of the accused.
- 19.2 The alleged accused must be wholly informed regarding the case against him. He must be provided the opportunity to present his side of his case and call on relevant witnesses.
- 19.3 A member of the Residence who is to be addressed by the House Disciplinary Committee has a right to assistance from a fellow current Resident who does not serve on the House Disciplinary Committee.
- 19.4 The guilt of the accused must be proven on a balance of probabilities. The burden of proof falls on the evidence leader.
- 19.5 The House Disciplinary committee must:
  - 19.5.1 Conduct the hearing *in camera* [not open to public or *the Residence*]; and
  - 19.5.2 The House Disciplinary committee shall gather *in camera* to reach a decision. If the committee cannot come to agreement, a vote shall be held. The outcome has to be accepted by a majority vote. If the committee comprises an even number of members and the vote is 50/50, the Chairperson of the Committee will cast a deciding vote.
- 19.6 If the accused pleads guilty the Committee shall promptly move on to the sentencing procedures.
- 19.7 If the accused is found guilty, he must be provided the opportunity to plead extenuating circumstances, after which the sentencing process shall begin.

- 19.8 The House Disciplinary Committee must keep all information concerning any and all meetings strictly confidential, except official reports.

#### Article 20: After the house disciplinary inquiry

- 20.1 The findings of the house disciplinary committee as well as the decided outcome must be authorised in writing as soon as possible. This outcome will then be handed or emailed to the student as soon as possible. The outcome has to communicate that the student may request a report with the reasons for the outcome. The outcome letter must also inform the guilty student of his right to appeal the sentence in terms of Article 24.1.
- 20.2 Reporting of the process:
- 20.2.1 The Chairperson of the Committee must, if request by the student in terms of Article 20.1, compile a report containing the following information as soon as possible:
- a. Details of the complaint;
  - b. The plead of the accused;
  - c. Material evidence provided;
  - d. Any extenuating or aggravating circumstances;
  - e. The outcome; and
  - f. The sentence along with reasons for the levying of the sentence.
- 20.2.2 The outcome has to be sent to the Director :Centre for Student Community and Head: Student Discipline as soon as possible; and

#### Article 21: Sanctions

- 21.1 The House Disciplinary Committee has the right to deliver to the guilty party one or more of the following sanctions:
- 21.1.1 A fine, the amount of which may not exceed the maximum amount as specified by SU;
  - 21.1.2 A final written warning;
  - 21.1.3 Delivery of a formal written apology to an affected party;
  - 21.1.4 The reimbursement of any damages, loss or debt caused by the guilty party;
  - 21.1.5 Sanctioning the accused to perform a reasonable penitence task, such as door duty;
  - 21.1.6 Relieving the guilty party of any position of leadership held in the Residence by the student; and
  - 21.1.7 The suspension or temporary suspension of any benefits that the Resident is privileged to in Huis Visser.
- 21.2 The House Disciplinary Committee may postpone sentencing for a period of time or suspend the sentence completely, subject to any terms or conditions as determined by the Committee, which will be communicated to the guilty party.

- 21.3 The House Disciplinary Committee has the right to postpone the effective date that the sentence will be executed pending the outcome of revision and the discretion of the committee.
- 21.4 Any fine levied in terms of the decision of the committee shall be paid into the Huiskas.

Article 22: Immediate disciplinary action by the House Committee

- 22.1 If the accused admits guilt to a member of the House Committee, that HK member has the right to immediately sentence the transgressor in accordance with the penalty provisions and the decision of the committee.
- 22.2 Above mentioned immediate action may only be taken with regards to an infringement that falls within the capacity of the House Disciplinary Committee in terms of this chapter.
- 22.3 One or more of the following penalties may be dealt:
- 22.3.1 A fine, the amount of which may not exceed the maximum amount of R100. ;
- 22.3.2 A written warning or suspended fine; and
- 22.3.3 Sentencing the accused to perform a reasonable penitence task, such as door duty or community service.
- 22.4 The involved member of the House Committee must inform the student that the matter will be referred to the House Disciplinary Committee if the fine is not paid in time or the punishment is not accepted as reasonable by the guilty party.
- 22.5 The written notice of penalty must communicate the following information:
- a. The student's name;
  - b. The student's room number;
  - c. The nature of the infringement;
  - d. The date the infringement was committed;
  - e. The amount of the fine or the details of the penitence task;
  - f. The date the fine needs to be paid or the penitence task needs to be completed; and
  - g. The name, surname and signature of the involved House Committee member.
- 22.6 The House Committee member that sentenced the guilty party must record the details of the infringement in duplicate and hand it to the Vice Primarius.
- 22.7 If a fine is not paid in the allotted time [ten (10) University days], except where a different allotted time is allocated on the fine or where special arrangements have been made, the matter will be referred to the House Disciplinary Committee. If the fine is paid or the community service is completed in the allotted time, the matter will be regarded as closed and no further inquiries shall take place.

- 22.8 Record must be kept by the Vice Primarius of all penalties handed down by HK Members (including suspended penalties).
- 22.9 The Vice Primarius should, from time to time, compose a list of all members of the Residence with more than three (3) penalties against their name. The list must be handed to the Chairperson of the Disciplinary Committee who must review the list and consider possible further disciplinary steps.

Article 23: Review or referral to an investigation officer

- 23.1 At receipt of a report from the committee the Head: Student Discipline will review the matters as set out in the report.
- 23.2 In his/her capacity as reviewer of the disciplinary report the Head: Student Discipline can decide to:
- 23.2.1 Further investigate the case, either by himself/herself or someone commissioned by him/her to do so;
- 23.2.2 Request a supplementary report from the House Disciplinary Committee;
- 23.2.3 Refer the case back to the House Disciplinary Committee to re-open the case for investigation or to call upon a new inquiry.
- 23.2.4 Reconsider a guilty verdict or sentence; and
- 23.2.5 Where necessary and still taking into account section as noted above, can dictate the procedures needed to be followed by the House Disciplinary Committee with regards to a reinvestigation, retrial or reconsideration by the Committee. The Head Student Discipline can also:
- a. Ratify any outcome or sanction dealt by the House Disciplinary Committee; or
  - b. Modify or annul any outcome or sanction dealt by the House Disciplinary Committee.
- 23.3 The Head: Student Discipline has to inform the House Disciplinary Committee of the result of his/her revised outcome. If the revised outcome concerns the rights of the individual, with the exception of the individual's right to appeal in terms of Article 24, the House Disciplinary Committee must provide the individual with a copy of the revised outcome as soon as possible.
- 23.4 If the Head: Student Discipline determines that the House Disciplinary Committee has operated out of line with its given authority in terms of sections above, the matter must be referred to an investigating officer considering possible action taken by the Central Disciplinary Committee.
- 23.5 The report as stated above, a copy of the revised outcome in terms of sections above as well as the result of any appeal in terms of sections of this Constitution must be kept record of in the office of the Director: Student Communities.

#### Article 24: Right to appeal

- 24.1 A student who, after the procedure as set out in the above section has been completed, wants to appeal against an outcome or sanction, must within fourteen (14) normal days after the receipt of a copy of the result of the revision, give notice of appeal to the Head: Student Discipline ([studentdiscipline@sun.ac.za](mailto:studentdiscipline@sun.ac.za))
- 24.2 The process to follow is set out in the Student Disciplinary Code section 20.16

## **Chapter 4: House rules**

### **Article 25: House functions**

- 25.1 There must be one social function per term, excluding house dance, organised by the respective HK member.
- 25.2 Annual events
  - 25.2.1 Snoekbraai
  - 25.2.2 First Years Dance
  - 25.2.3 Seniors Dance
  - 25.2.4 House Dance
  - 25.2.5 Hanedinee
- 25.3 House functions will not be subsidised by the “huiskas”. Members attending the function will be asked to pay a previously decided set amount as entrance fee.

### **Article 26: Allocation of Rooms**

- 26.1 Allocation of rooms is done according to credits earned by residents, as stipulated in the amendment on credits. These credits are commonly known as “room points”.
- 26.2 Each person that plans on staying in Huis Visser in the following year, must complete a form in order to calculate credits earned by the person in question. If a person fails to complete the form before the deadline that is set by the HK, he forfeits the opportunity to earn credits (subject to discretion by the HK).
- 26.3 The forms will be checked by the HK and relevant representatives. Each HK member will check all credits claimed for committees that he was in charge of and decide how many of the credits each person earned throughout the year (based on time and effort).
- 26.4 A list with each person’s credits must be made available to the house at least one week before single room allocations.
- 26.5 In the week leading up to single room allocations, members of the house may enquire on how credits were earned by the member himself, or other members of the house. If it is found that some credit allocations were done incorrectly, it may be corrected.
- 26.6 Members of the house may only exchange rooms with the approval of the Primarius.
- 26.7 HK rooms
  - 26.7.1 HC members choose rooms before the rest of the residence.
  - 26.7.2 No more than one HC member may stay in a single section.
  - 26.7.3 The order in which HC members choose rooms may be decided amongst the HC. It is, however, recommended that they also do it in order of credits earned.

- 26.7.4 HC members may choose to stay in a double room. If this is the case, the relevant HC member is free to choose his roommate at will.
- 26.7.5 Room 1122 is reserved for the Primarius, and room 1123 is reserved for the Vice Primarius.
- 26.8 Single rooms
- 26.8.1 Single rooms can be chosen by residents in turn from most credits earned to least credits earned.
- 26.8.2 Single room allocation is done after HC room allocation, but before double room allocation.
- 26.9 Double rooms
- 26.9.1 The order in which double rooms are chosen is determined by the combined room points of the two roommates.
- 26.9.2 Double room allocation must happen as shortly after the single room allocation as possible.
- 26.9.3 Each section must have a minimum of 4 first years (excluding Primgang, Urk, Pompstasie and Hoffelpof). Urk, Pompstasie and Hoffelpof must have a minimum of 6 first years. Primgang must have a minimum of 2 first years.
- 26.9.4 In the case where there are not enough first years to be able to follow point 26.9.3, the rule must be followed as closely as possible, and an effort must be made to spread first years evenly across the residence.

## Article 27: The KingFisher Club

### 27.1 Membership

27.1.1 All members of the house have access to the KingFisher Club subject to the discretion of the HK.

### 27.2 Behaviour

27.2.1 All those in the club (members and non-members of the house) must behave in a way that is acceptable under this constitution

### 27.4 Management policy

27.4.1 The manager on duty carries the same authority as the HK of Club and therefore may remove anyone from the club or close the club at any time due to contravening one of the rules.

27.4.2 The manager on duty will be responsible for losses or damages that are a result of his negligence or inability to carry out his duties effectively.

27.4.3 Article 27 is subject to Article 12.5

## Article 28: Critical Engagement

28.1 Critical Engagement is deemed to be a meeting or gathering particularly but not exclusively of Huis Visser residents to discuss critical issues, thoughts or ideas which are related to Huis Visser, Campus or the world at large.

28.1.1 The Critical Engagement HK member has the power to deem a meeting as a formal Critical Engagement

28.2 There should be a minimum of four formal critical engagements held in a HK term.

28.2.1 These meetings are to be preceding the House Meeting held each term to discuss House Meeting motions that the residence has to vote on.

28.2.2 It is however in the HK of Critical Engagement's interest to host more critical engagements during the year.

28.2.3 The HK of Critical Engagement must chair or facilitate formal meetings, or to their own discretion, appoint someone to chair or facilitate the meeting.

28.2.4 Minutes should be kept by an appointee of the HK of Critical Engagement, and feedback should be given at the OHM with regards to Article 28.2.1.



# **Addendums to the Huis Visser Constitution**

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## Addendum 1: HK Portfolio's

These portfolios include but are not limited to:

- i) Finances
- ii) Social
- iii) Rugby
- iv) Sport
- v) First Years
- vi) Culture
- vii) Spirituality
- viii) Critical Engagement
- ix) Tours
- x) Roompoints and Parking
- xi) Clothing
- xii) House Administration
- xiii) Maintenance
- xiv) MGD
- xv) Marketing
- xvi) Cluster
- xvii) Website
- xviii) Old Boys
- xix) Club
- xx) C3
- xxi) Sustainability
- xxii) House Dance
- xxiii) Vensters
- xxiii) Events
- xxiv) Second Years
- xxv) Image and History
- xxvi) Section Sports

## Addendum 2: HK Portfolio responsibilities

### 2.1 Social

- a) Residence skakels including, but limited to, Pirates party, Pool party and Snoekbraai
- b) Storm en Druis
- c) HK skakels

### 2.2 Section sport

- a) Potjiekos
- b) Soccer
- c) Pool
- d) Darts
- e) Touch rugby
- f) Table tennis
- g) Arm wrestling
- h) Down downs
- i) Tug-of-war
- j) Verspoeg
- k) Three-legged race
- l) Egg throwing
- m) Quad cricket
- n) Passage Golf
- o) Culture evening
- p) Beer pong

### 2.3 Second years

- a) Second year's committee
- b) Second year's weekend
- c) Second year's skakels

### 2.4 Sustainability:

- a) Ensure sustainable resource usage (water, electricity etc.)
- b) Recycling

## 2.5 Clothing:

- a) Design and order clothing for the HC and first years
- b) Help with designing and ordering of committee clothing if help is requested.
- c) Design and order Huis Visser branded clothing that any member of the house may choose to buy.

## 2.6 Room Points and Parking:

- a) Compile room points form
- b) Ensure that room points forms get distributed to all relevant HC members and sports representatives.
- c) Oversee all room allocations
- d) Oversee all parking allocations

## 2.7 Beeld en Histories

- a) Photos
- b) Update archive
- c) Upkeep of fish tank in the Vistenk

## 2.8 Old Boys

- a) Communication with old boys
- b) Organising reunion
- c) Updating of old boys email database

## 2.9 Events

- a) Organising of events not organised by social, house dance or old boys HC member

## 2.10 Club

- a) Running of the Kingfisher Club
- b) Ensuring there is a committee to work behind the bar
- c) Making sure the club is always stocked and ready to open.

## 2.11 Finance

- a) Managing of the res's finances
- b) Ensuring budgets are adhered to

## 2.12 Huisdans

- a) Organizing of Huis Visser's annual Huisdans hosted in the third term.

## 2.13 Culture

- a) All admin regarding ser, Molasseser, toneelfees, debating and culture evenings.

#### 2.14 Website

- a) Maintenance and updating of Huis Visser's website
- b) In charge of the Visgraaitjie, which is Huis Visser's in house newspaper.

#### 2.15 Sport

- a) This portfolio involves all the sporting activities which Huis Visser participates on campus.

#### 2.16 Marketing

- a) Posts on social media platforms such as Facebook, Instagram, Twitter and Whatsapp
- b) The advertising of anything pertaining to the residence on and off campus.

#### 2.17 House Administration

- a) The general administration matters of the Huis Visser House of representatives

#### 2.18 Vensters

- a) Planning and running of Vensters in accordance with instructions from SU

#### 2.19 Spirituality

- a) Running of all events deemed Spiritual.
- b) Improving the spiritual and mental health of the residence

#### 2.20 Critical Engagement

- a) Running the portfolio in accordance with Article 28 of the Huis Visser Constitution.

#### 2.21 First Years

- a) Running the portfolio in accordance with Article 16 of the Huis Visser Constitution.

#### 2.22 C3

- a) Liaising with the C3 Manager in all matters relating to the C3 Food provision.

#### 2.23 Rugby

- a) Representative for Huis Visser Rugby
- b) Communications between Maties Rugby Club and Members
- c) Communications between Coach and Players
- d) Responsible for all administrative aspects of the Residence Rugby League
- e) Responsible for all Rugby equipment and playing kit
- f) Part of the Old Boys Rugby Committee

## 2.24 Tours

- a) Responsible for all official Huis Visser tours (Eg. Jooltour, KKNK, Sport etc)
- b) Open to arrange any new tours for any group of Huis Visser Residence

## 2.25 Maintenance

- a) Communication between the Residence Services Coordinator and the Residents/HK

## 2.26 Maties Community Service (MCS)

- a) Communication between MCS and the Residence
- b) Responsible for running the MCS project for Huis Visser

## 2.27 Cluster

- a) Represents Huis Visser at the Cluster Meetings
- b) Responsible for the Huis Visser stall at Cluster day
- c) Organizes all Huis Visser related Cluster activities

## Addendum 3: Rooms

- 3.1 Each resident is responsible for maintaining his room and all furniture in it.
- 3.2 If a room or the furniture in it is damaged, the resident that resides there will be held liable for all costs associated with repair, unless he is able to point out the person responsible for the damage (in which case that person will be liable). If the person responsible for the damage is not a member of the house, the person who accompanied him/her into the house will be held liable.
- 3.3 Any repairs that must be done should be reported to the HK member in charge of maintenance.

## Addendum 4: Noise times

- 4.1 Other than times that are hereafter referred to as “Noise Times”, all members of the House must ensure a quiet atmosphere within the Residence to the extent that no noise will withhold another student from functioning academically.
- 4.2 Noise Times: 07:00 – 00:00
- 4.3 During the period starting two weeks before examinations start, and ending on the last day of examinations; or one week before Test Week starts until the last day of Test Week, the noise times will be limited as follows:
  - Every day: 12:00 – 14:00
  - 17:00 - 19:00
  - 22:00 – 23:00

### Addendum 5: Duties of First Years

- 5.1 All duties must be performed faithfully and punctually.
- 5.2 Duties:
  - a) Make sure The Anchor is painted blue.
  - b) Flag Duty
  - c) Snoekbraai duties
  - d) Organization of First years dance.
- 5.3 The execution of above mentioned duties is determined by the HK of First years along with the First Years committee.

### Addendum 6: Vehicles

- 6.1 No vehicle may be parked or driven on the grass in front of or next to the house.
- 6.2 No vehicle may be left in front of the anchor for longer than an hour without the permission of the Primarius or Vice-Primarius. If a vehicle is to be temporarily parked in front of the anchor, it must be close to the side to allow other vehicles to pass.
- 6.3 Allocation of reserved parking locations is done according to credits (room points).

### Addendum 7: Washrooms

- 7.1 Clothes are washed at own discretion; the house is not liable for any damages to clothes or any theft that occurs. One takes full responsibility for any damages caused by using the washroom.

### Addendum 8: Storerooms

- 8.1 The Primarius is responsible for keeping a set of store room keys in his room. It is his responsibility to ensure that they are handed out and brought back in good time.
- 8.2 If keys are borrowed from the Primarius to open store rooms they must be returned in less than 24 hours to either the Primarius, a member of the house committee or Residence Head.
- 8.3 Lender of keys is responsible to make sure that the store room is locked and in order when returning keys to Prim or a member of house committee. If not a fine may be handed out.
- 8.4 At the beginning of the year, the store rooms are cleaned. All unclaimed items after one month from the start of classes will be auctioned off and proceeds will be given to the huiskas.

- 8.5 All goods are stored in the storerooms at your own risk. If anything is damaged or stolen whilst in storage the residence will not be held liable.
- 8.6 No perishable goods may be stored.

#### Addendum 9: Visitors

- 9.1 The Primarius must be notified if any person who does not currently reside in Huis Visser (including former residents of Huis Visser) wants to stay in Huis Visser for longer than two consecutive nights. In the absence of the Primarius, the vice-Primarius must be notified.
- 9.2 A resident of Huis Visser must accompany the visitor at all times whilst in Huis Visser, and that resident will be responsible for the visitor's actions. Should the visitor act in any way that would violate codes of misconduct, the Huis Visser resident will be held responsible and face the consequences for such misconduct.

#### Addendum 10: Vistenk Rules

- 10.1 No alcohol is allowed to be consumed inside the Vistenk without the permission of the Primarius, or the vice-Primarius.
- 10.2 Recreational activities have preference above studying, unless those activities are during the designated quiet times as put in place by the HK.
- 10.3 Furniture is not allowed to be moved from the Vistenk (including the movement of couches to the braai area), unless specific permission has been given by the Primarius, or the vice-Primarius.
- 10.4 The TV has preference over the piano.
- 10.5 External music at the braai area must be switched off by 12:00pm, and be in accordance with Addendum 4.
- 10.6 The door leading out of the Vistenk to the braai area may only be opened with the permission of the Residence Head.

#### Addendum 11: Sport Representatives

- 11.1 Each sport must have a representative who was elected by the HC of sport.
- 11.2 Each elected representative must enrol the teams and register the players which they are representing in the different leagues applicable to that sport.
- 11.3 Ensure that Huis Visser adheres to rules of Stellenbosch University with regard to entry fees and penalties.



- 11.4 Representatives are requested to submit team sheets before games, and post-match reports after games.
- 11.5 Reports must be submitted to the relevant person of Stellenbosch University, responsible for the specific sport.
- 11.6 Each representative is required to present himself according to the code of conduct and adhere to all rules and regulations of the specific sport he is representing. Any misconduct in the aforementioned will result in the representative being held accountable.

#### Addendum 12: Snarga and printer

- 12.1 All residents of Huis Visser may use the computers and printer in Snarga.
- 12.2 The computers may not be used for gaming.
- 12.3 Equipment may not be removed from Snarga.
- 12.4 In the case of the printer not working, no one may take it upon themselves to fix the printer. The HK of Maintenance must be contacted as soon as possible.
- 12.5 The computers and printer must not be negligently treated in any way.
- 12.6 Any liquid that is taken into Snarga must be in a container with the lid on at all times.

#### Addendum 13: Leeskamer and Eetsaal

- 13.1 Smoking in the leeskamer and eetsaal is prohibited as in accordance with Addendum 14
- 13.2 Entrance to the eetsaal is prohibited if members are not fully clothed, bare foot or have any form of headwear on, barring religious headwear.
- 13.3 No alcohol is allowed to be consumed in the Eetsaal without the permission of the Primarius or Vice-Primarius.

#### Addendum 14: Smoking Policy

- 14.1 Smoking is only allowed in the designated area in the quad.
  - 14.1.1 The designated area is the benches outside the Leeskamer and halfway in the open quad area, closest to the Dining hall.
- 14.2 No smoking is allowed anywhere else in the building

### Addendum 15: Amendments

- 15.1 The above-mentioned addendums can, at any time, be added to, amended or abolished by the HK. These changes would only come into force after:
  - 15.1.1 The HK have given written notice of it via email.
  - 15.1.2 48 hours have passed without a member of the house submitting of a request for an EHM (as prescribed by Art. 11 of the constitution) to the Primarius.
  
- 15.2 If, however, an EHM is requested and held, the notice of change shall only be given after a normal majority voted in favour of the change during the meeting in question.