

Constitution of the Muslim Students Association of Stellenbosch University

Preamble:

In the name of Allah (Almighty God), the Most Gracious, the Most Merciful; We, the Muslim Students at Stellenbosch University's main campus hereby resolve to establish a non-profitable, educational, religious organisation reaffirming our Islamic faith, beliefs and values. We, therefore, adopt the following Constitution of the Muslim Students Association of Stellenbosch University, which is based on the principles of our Holy Book, the Qur'an, and the teachings of our beloved Prophet Muhammad (Ahadith) – May the peace and blessings of Allah Almighty be upon him. This Constitution is binding on all members of the Muslim Students Association of Stellenbosch University.

Article 1: Name

The organisation shall be named Muslim Students Association of Stellenbosch University. (MSA Stellenbosch)

Article 2: Aims and Objectives

The purpose of this Society shall be to achieve the pleasure and satisfaction of Allah Almighty, by:

- a) Developing and maintaining a strong Islamic character of members of the Muslim cohort of students at Stellenbosch University (US).
- b) Developing and maintaining a strong, unified Islamic organisation at the US by consolidating and enhancing the relations between Muslims at the US.
- c) Assisting Muslims at US to actively carry out their duties and activities within the Islamic framework.
- d) Educating the broader US community about Islam.
- e) Actively participating in, and impacting on political and social issues at the US, from an Islamic perspective.
- f) Actively connecting with off-campus issues which have a bearing on Muslim student life and encouraging student participation in community development.
- g) Promote friendly amenable relations amongst Muslim and non-Muslim students.

Article 3: Membership

- a) Full membership and voting privileges shall be opened to any Muslim student, staff member or employee registered at the US, these members will be classified as general members.
- b) Membership with voting privileges shall be conditional on the payment of the annual subscription, the amount of which will be decided upon by the Executive Committee.
- c) Non-Muslim students, staff or employees registered at the US may become associate members with non-voting privileges.

Article 4: Structure of the Society

- a) MSA Stellenbosch will be coordinated and directed by the duly elected Executive Committee (EC).
- b) The Executive Committee (Exco) shall be elected at the Annual General Meeting to be held during the second week of February. At the AGM each Exco member shall be

nominated by a general member of MSA Stellenbosch and seconded by another general member at the AGM. Though simple majority vote each Exco member shall be deemed eligible to serve on the Executive Committee for a full one year term. Exco members may also be nominated and seconded by proxy. If more than the required number of 9 general members to serve on the Exco are nominated and seconded a vote shall be held to determine who will serve on the Exco. Those 9 general members receiving the most number of votes shall serve on the Exco.

c) To execute decisions made by the Exco, it may be necessary for individual Exco members to constitute subcommittees within their respective portfolios. Provision is made for this, provided these subcommittee members are general members of MSA Stellenbosch, and are thus answerable to the respective Exco member concerned.

d) A quorum shall constitute 15 general members. In the event that a quorum is not constituted, the AGM and any other general meeting shall proceed without any formal decisions being made. These decisions should be ratified at another general meeting before being implemented.

e) The Executive Committee portfolios consist of the following:

- i. A chairperson
- ii. A vice-chairperson
- iii. A treasurer
- iv. A secretary
- v. 2 project managers
- vi. An education officer
- vii. A public relations officer and an assistant
- viii. A communications / liaison officer and an assistant

f) The duties of all members of the Exco shall include:

- ix. Accepting that a high moral standard and exemplary character are expected of them, and therefore trying to act accordingly at all times.
- x. Working within the budget allocated to them by the treasury and agreed upon by the Exco.
- xi. Deliver a quarterly report at the end of term General Meeting. Four such meetings shall be held throughout the year in addition to the AGM.
- xii. Ensuring that all documented reports, updates and other necessary communications concerning their specific portfolios are viewable on the MSA Stellenbosch website.

g) Individual duties of the members of the Exco shall be:

Chairperson:

- i. Recognising and accepting the leadership position on campus, realising the importance of being an excellent ambassador for Islam at all times.
- ii. Responsible for the general coordination of all activities, events and programs executed by MSA Stellenbosch.
- iii. Representing MSA Stellenbosch at functions or in public if and when so required.
- iv. Ensuring all Exco members are fulfilling their duties as stipulated in

this document.

- v. Drawing up an agenda for weekly meetings at least one (1) day prior to the meeting, General Meetings and the AGM in conjunction with the secretary.
- vi. Submitting an annual chairperson's report to the constituency as well as to the University administration.
- vii. Signing all disbursements and outgoing communications on behalf of MSA Stellenbosch.
- viii. Ensuring that the society's activities do not cause a deficit in the treasury. Should this occur, it will be the duty of the Chairperson, the Vice-chairperson and the Treasurer to fulfil any debt obligations in their personal capacity.

Vice-chairperson:

- i. Deputising for the Chairperson if and when so required.
- ii. Assisting the Chairperson in the affairs of the Society.
- iii. Performing such functions as are delegated to him or her by the Chairperson.

Secretary:

- i. Being aware of all MSA Stellenbosch activities
- ii. Receiving and bringing to the attention of the Exco all correspondence addressed to MSA Stellenbosch.
- iii. Drafting and posting letters or other correspondence on behalf of MSA Stellenbosch.
- iv. Filing all MSA Stellenbosch correspondence.
- v. Receiving the Agenda for the weekly meetings from the Chairperson, and ensuring the Agenda is forwarded to the Exco at least one (1) day prior to the meeting.
- vi. Accepting apologies for absence from meetings by Exco members and informing the present Exco members of the absent parties.
- vii. Recording, filing and forwarding minutes of all Exco meetings to the Exco within two (2) days of the meeting.
- viii. Collecting all written reports from the Exco and ensuring their safekeeping.
- ix. Maintaining an orderly and workable office space, or if no such space is acquired, booking venues and times for weekly Exco meetings, and forwarding the details of such meetings timeously to the Exco.

Treasurer:

- i. Together with the outgoing treasurer, submitting a budget proposal for his/her year of office at least two (2) weeks of the campus deadline for such proposals.
- ii. Being responsible for all financial matters of the Society.
- iii. In consultation with and consent of the Chairperson, withdraw or deposit any funds for the execution of, or the profit of, any MSA Stellenbosch activities.
- iv. Signing all disbursements.
- v. Updating the Exco as to the financial standing of MSA Stellenbosch at every meeting.
- vi. Submitting a quarterly financial report to the constituency and the Exco.

Project Managers:

- i. In complying with Article 2, organising and executing events, activities and programmes in its entirety for the MSA Stellenbosch constituency.
- ii. Updating the Exco on plans for future activities and the progress thereof on a weekly basis.
- iii. Documenting a budget, general description and reasons for all activities they intend organising for the constituency, and ensuring that the finances of such activities are kept within the budget consented upon by the treasurer and the Chairperson.
- iv. Ensuring timeous notification to the constituency of upcoming activities.
- v. Submitting a single report at the end of their term of office documenting all MSA Stellenbosch activities undertaken by them to the Exco and the constituency.
- vi. Working closely with the Education Officer when organising activities.
- vii. Acquiring a Salaah Room for Muslim students, as well as the keeping up and maintaining the SR, including the washing of towels.

Education Officer:

- i. Responsible for the further Islamic education of the MSA Stellenbosch constituency, and the general enlightenment concerning Islam to the University constituency.
- ii. Organising educational workshops, guest speakers, etc. for the purpose of the above.
- iii. Updating the Exco regularly on activities embarked upon.
- iv. Drawing up a budget should any money be required for the purposes above.
- v. Ensuring the accessibility of information regarding Islam to any and all parties therein interested.
- vi. Working closely with the Project Managers to incorporate an atmosphere of Islamic awareness at all activities organised by them.

Liaison and Public Relations Officers:

- i. Responsible for correspondence outside the constituency of MSA Stellenbosch.
- ii. Responsible for the establishment and maintenance of communication channels with both Muslim community radio stations and as well as Matie FM.
- iii. Responsible for the establishment and maintenance of communication with both Muslim newspaper publications and Die Matie.
- iv. Liaising with any off-campus organisation should the need arise.
- v. Actively pursuing engagement with other Muslim youth and any other tertiary institutional organisations.
- vi. Coordinating any community/welfare projects that MSA Stellenbosch pursues.
- vii. Compiling a database of organisations, schools and tertiary

- education institutions that MSA Stellenbosch establishes ties with.
- viii. Updating the Exco regularly on projects embarked upon.
 - ix. Coordinating all communications with the US

Communications Officer:

- i. Responsible for all Exco communications to the MSA Stellenbosch constituency.
- ii. Responsible for up keeping and updating of the MSA Stellenbosch website.
- iii. Responsible for the drawing up of all posters and pamphlets concerning Islamic education and all MSA Stellenbosch activities.
- iv. Drawing up a quarterly newsletter for the MSA Stellenbosch constituency.
- v. Working closely with all other portfolios so that all relevant information can be communicated to the MSA Stellenbosch constituency.

Article 5: Elections

- a) Elections shall be held annually to elect the Executive Committee of MSA Stellenbosch.
- b) Elections shall be coordinated by an Independent Electoral Committee (IEC), which will comprise at least three (3) people, who are of good standing in the Muslim community on campus, who understand the spirit of this Constitution, and who are not nominees for the incoming Exco.
- c) The details regarding the date and duration of the election will be discussed and consented upon by the outgoing Exco.
- d) All general members of MSA Stellenbosch with voting privileges as outlined in Article 3 are eligible to vote.
- e) The electoral procedure shall be as follows:
 - i. The Executive Committee must ensure an IEC is formed
 - ii. Nominations shall be invited from the constituency. Only Muslims may be nominated.
 - iii. A shortlist of qualifying nominees will be drawn up by the IEC.
 - iv. A voter may vote for any nominee only once, nine (9) votes are allowed per voter.
 - v. The nominees achieving the highest votes for their selected portfolio will be elected to that portfolio
 - vi. A general member of MSA Stellenbosch is allowed to vote by proxy during any AGM or any of the four General meetings throughout the year. Such a vote will be communicated to the secretary of the Exco in written form and tabled at the AGM or GMs.
- f) Nomination forms shall include:
 - i. Name, US student number, email address and telephone number of nominee
 - ii. Name, US student number and signature of nominator
 - iii. Name, US student number and signature of at least two (2) other students in support of the nomination.
 - iv. The portfolio applied for and the signature of the nominee.

Article 6: Finance

- a) All financial matters shall be the responsibility of the treasurer and the chairperson, and therefore monitored by these parties.
- b) Only the chairperson and treasurer may withdraw monies from the MSA Stellenbosch account.
- c) Any loans, donations or grants shall be accepted at the discretion of the Exco.
- d) All general members shall be required to pay an annual registration fee, which will be deposited into the MSA Stellenbosch bank account.
- e) All assets and funds raised shall be used in accordance with the aims and objectives of MSA Stellenbosch.
- f) An audited financial statement by a credible auditor appointed by the Exco shall be produced once a year at the AGM.

Article 7: Meetings

- a) Meetings shall be held weekly at a time and place agreed upon by the Exco.
- b) The agenda is the responsibility of the Chairperson, and the forwarding thereof to the other Exco members is the responsibility of the secretary.
- c) Any member of the University is welcome to attend meetings, provided that member follows the rules of the meeting and refrains from disrupting proceedings.
- d) Rules of Procedure are as follows:
 - i. The chairperson shall chair Exco meetings. If this is not possible, the vice-chairperson will assume this responsibility. Failing this, the Exco shall elect a member from within its ranks to chair the meeting.
 - ii. The quorum for any Exco meeting is 60% (six members). Should such a quorum not be achieved at the scheduled time of the meeting, such a meeting will not take place.
 - iii. All matters will be discussed in accordance with Shurah (mutual consultation and deliberation).
 - iv. The chairperson shall make sure that all decisions made by the Exco are made by consensus on the basis of a simple majority vote.
 - v. The chairperson's decision is final provided that it falls within the framework of Islam.
 - vi. Should the chairperson's decision be opposed by half the quorum, five (5) Exco members, or in the event of the Exco not being confident that the decision made does not fall within the framework of Islam, the issue in question shall be referred to a suitably qualified agreed upon arbitrator.
 - vii. No person or group of people shall meet after an official meeting with the intention of discrediting a decision taken at a meeting, or another Exco member, where all the above procedures have taken place.
- f) Emergency Exco meetings may be called by any Exco member provided this meeting is called at least four (4) hours in advance. A quorum of six (6) Exco members is required for a quorum, but should this not be possible, the chairperson or the vice-chairperson has the authority to make decisions in consultation with those Exco members present.
- g) There is to be held one (1) general meeting every term in order to inform, discuss and

plan the activities of MSA Stellenbosch on campus.

Article 8: Working Groups

- a) The Exco may, at any time, appoint or dismiss working groups to focus on issues which may arise. All such working groups must be part of the constituency of MSA Stellenbosch, and shall be fully answerable to the Exco.

Article 9: Co-option

- a) The Exco shall be responsible for the co-option on any MSA Stellenbosch general members onto the Exco should such a need arise.
- b) General members co-opted into official Exco portfolios shall have the same status as a duly elected Exco member, and shall be treated as such in all respects.

Article 10: Resignations

- a) A written and signed letter of resignation shall be forwarded to the secretary of the Exco personally at an official meeting.
- b) Such a letter must clearly explain the reasons for resignation, as well as the appropriate documented proof of this explanation. The letter must also contain a signature and a date.
- c) Such a resignation will be effective after two (2) weeks following the date on the letter, in which period a suitable general member of the MSA Stellenbosch constituency shall be co-opted onto the Exco by the Exco, and informed of all duties to be performed regarding his/her portfolio.

Article 11: Disciplinary Procedure

- a) The Exco is responsible for arranging external arbitration in the event of severe conflict within the Exco. Such an arbitrator shall be agreed upon by all concerned parties.
- b) A Disciplinary Committee (DC) shall be convened by the Chairperson and certain members of the Exco in cases where any member of MSA Stellenbosch has been charged with improper conduct.
- c) Improper conduct is defined as follows:
 - i. Actions or statements which contradict or violate the spirit of Islam.
 - ii. Actions or statements which contradict this Constitution or its principles.
 - iii. Actions or statements which falsely bring Islam in general or MSA Stellenbosch into disrepute.
 - iv. Misuse of the name "Islamic Society of Stellenbosch University", or its acronym "MSA Stellenbosch", without the approval of the Exco.
- d) The DC shall consist of the following EC members:
 - i. Chairperson
 - ii. Vice-chairperson
 - iii. Secretary
 - iv. Treasurer
- e) Should the need arise, the DC shall also include a maximum of two (2) members that may be any Muslim of sound Islamic character and the appropriate qualifications so as to impart sound Islamic advice and perspective on the disciplinary proceedings.
- f) In the case where any member of MSA Stellenbosch is charged with improper conduct,

such a person shall receive written notification of disciplinary proceedings against him/her, in which the exact charge is clearly outlined. Such notification shall contain the signature of the Chairperson.

- g) The charged person shall receive at least one (1) week to prepare a defence, after which he/she must attend a hearing convened by the DC; the date, venue and time of which must be agreed upon by all parties concerned.
- h) Failure to attend a hearing without a valid written letter outlining the reasons for absence, constitutes a further offence and an admission of guilt.
- i) Should the charged person be found to be not guilty, no further action in the regard of his / her offence may be taken. A formal letter of apology shall be written by the Chairperson where appropriate.
- j) Should the charged person be found guilty, the following sequential steps may be taken:
 - i. A written caution by the DC on behalf of MSA Stellenbosch and the EC.
 - ii. Should (i) fail to produce compliance, the individual shall be asked to submit a formal written apology to the MSA Stellenbosch constituency.
 - iii. Should (i) and (ii) fail to produce compliance, the individual may be suspended from MSA Stellenbosch and all related activities for a period agreed upon by the DC.
 - iv. Should all the above disciplinary measures fail to produce compliance, the person may be expelled from MSA Stellenbosch.
 - v. Disciplinary action as outlined in (i) and (ii) may be skipped out pending the severity of the charge concerned.
 - vi. The DC has the right to refer any matter to the appropriate University or State judicial system as its discretion advises.
 - vii. The person found guilty by the DC has the right to appeal to the Student Court or any other University or State judicial system. The Student Court or any other University or State judicial system has the authority to overturn any decision made by DC.

Article 12: Amendments

- a) This Constitution may be amended by the Exco with the approval of at least two-thirds (66%) of the registered general members of MSA Stellenbosch.
- b) All amendments made shall be strictly within the framework of Islam.
- c) Any proposed amendments shall be made public one (1) month before being incorporated into the Constitution.
- d) It is the responsibility of each incoming Exco to study this Constitution and where appropriate, suggest amendments.

Article 13: Dissolution

- a) MSA Stellenbosch shall be dissolved by a quorum of at least three quarters (75%) of its constituents at a special meeting called for this purpose.
- b) MSA Stellenbosch shall be dissolved if the primary aims and objectives as stated in Article 2 are no longer complied with.
- c) In the event of dissolution, all assets shall be donated to a Muslim non-profitable, charitable organisation as agreed upon by the Exco in office at that time.