

OUDE MOLEN CONSTITUTION

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CHAPTER 1: FUNDAMENTAL PROVISIONS

1. ETHOS

- a. Oude Molen Private Student Organisation (Oude Molen PSO) is an organization for all its members that focuses on the holistic development of its members. As an organization, we strive to ensure that each and every member feels welcome and they are made aware of every opportunity that is available to them. We pride ourselves in knowing that when a person leaves Stellenbosch University, they will forever be a MOL. We are a House that focuses on our values:
 - i. Inclusivity
 - ii. Balance
 - iii. Respect
 - iv. Unity
 - v. Belonging
 - vi. Compassion

See addendum A for definition of Values

2. PREAMBLE (AUTHORITY OF THIS CONSTITUTION)

- a. All actions, conduct, decisions, elections, motions, rules, regulations and determinants within Oude Molen PSO subject to this document are invalid if deemed contradictory with this Constitution. All instructions, requirements, responsibilities, rules and regulations that are stipulated in this Constitution must be adhered to at all times.
- b. This Constitution
 - i. falls under the authority of the Student Rules of Stellenbosch University, the Student Constitution and the Constitution of South Africa of 1996 and all other laws as determined by the Government of the country;
 - ii. will not wholly or partially be inconsistent with the Student Rules, Student Constitution, Statute of the University, Higher Education Act (Act 101 of 1997) or any other Rules and Regulations determined from time to time by the Board of the University.
- c. Although Oude Molen PSO operates autonomously, it remains a body associated with Stellenbosch University
- d. This Constitution officially replaces any and all previously drafted and approved Constitutions including all associated rules, regulations and laws that previously applied to Oude Molen PSO.
- e. Where applicable, this Constitution refers to "Policy". The Policies are separate documents and define the election process of Mentors and Seniors Committee. The Financial Policy is also included in this set of documents

3. DEFINITIONS

- a. Unless otherwise stipulated or obvious from the context, the following is stipulated regarding the interpretation of words in this Constitution and Rules:
 - i. "Newcomer" means any student that is enrolled at Stellenbosch University for the first time for an undergraduate course.
 - ii. "PSO Coordinator" means "the permanent staff member that is appointed by the CSC as the PSO Coordinator of Oude Molen PSO.
 - iii. "Prim" means Primarius

- iv. "Vice-Prim" means Vice Primarius
 - v. "House Committee" means the Oude Molen PSO House Committee
 - vi. "A House meeting" means a properly constituted meeting of members.
 - vii. "DC" means the Disciplinary Committee
 - viii. "Year" means an academic year in accordance with the stipulations of the University Board as set out in the University Year Book.
 - ix. "Give notice" or "Announce" sending notices to the members of the house, and in the case of House Committee meetings, the sending of notices to the members of the House Committee.
 - x. "Majority vote" means 50% + 1 of the votes
 - xi. "2/3 (Two thirds) majority" means a voting ratio of 2:1 of all those that have the right to vote at a meeting.
 - xii. "3/4 (Three quarters) majority" means a voting ratio of 3:1 of all the voters who take part in the voting at a meeting.
 - xiii. "Private student" means any student at the University that is a member of the Student Union and who does not stay at a University residence.
 - xiv. "Council" means the Council of Stellenbosch University.
 - xv. "Semester" has the same meaning as in the University Calendar.
 - xvi. "Senior" means any student that has already studied at Stellenbosch University for more than one year.
 - xvii. "Term" means the period between the election of a House Committee and the election of the next House Committee.
 - xviii. "University means Stellenbosch University.
 - xix. "Secretary" means the secretary of Oude Molen PSO.
 - xx. Unless explicitly otherwise stated, Saturdays, Sundays, Public holidays and days that fall within the official University holidays, are excluded when the period of a term is stipulated in days or hours.
 - xxi. "Quorum" means at any time a number of 30 (thirty) Oude Molen PSO members.
 - xxii. "Policy" means the policies as used and conducted by the House Committee in the election of Mentor and Seniors committees as well as the Financial Policy and is a separate document to the Constitution.
 - xxiii. CSC -SU Centre for Student Communities.
 - xxiv. "Connect" refers to Oude Molen and their assigned connect partner for the year.
- b. An Oude Molen Member – A person who has been officially placed into Oude Molen by Stellenbosch University. Any other cases will be dealt with by the PSO Coordinator and the House Committee.
 - c. In cases where there is any doubt or difference of opinion about the meaning of any word, section or paragraph of this Constitution, the interpretation of the Student Court of Stellenbosch University will be valid.

4. AMENDMENTS, REVIEW AND INTERPRETATION

- a. Amendments to this constitution can only be made if,
 - i. They are in the form of a motion introduced at a properly constituted house meeting, with a quorum.
 - ii. The motion is made available to members a minimum of 48 hours prior to the house meeting

- iii. Such a motion is passed at the house meeting with a 2/3 (two-thirds) majority;
 - iv. The changes are ratified by the Student Court.
 - b. Motions for the modification of the Constitution, must:
 - i. be handed to the secretary in writing at least 2 (two) days before the house meeting where they will be discussed.
 - ii. be made known together with the rest of the agenda, at least 2 (two) days before the meeting
 - iii. be signed by the mover and 4 (four) people who second the motion
 - c. The Primarius has the responsibility to ensure that any necessary changes to the Constitution be made within their year of service, and that the Constitution be reviewed by a review Committee every second year starting 2016.
 - d. Any matter not dealt with in this Constitution that deals with any dispute between members can be dealt with in terms of written policy determined by the House Committee (and enacted with a simple majority vote of the House Committee upon request), provided that any such written policy must be added as an addendum to this Constitution as soon as it is enacted.

5. HOUSE MEETINGS

- a. At least four (4) House meetings must be held in the current House Committee's term. One House Meeting per academic term. If the House Committee deems it necessary additional meetings may be convened.
- b. The last meeting will be an Annual General Meeting (AGM), where the following reports will be given:
 - i. Prim must give a report for the state of the House (EXTERNAL, what has to be done)
 - ii. Financial Manager shall provide detailed feedback on state of Finances
 - iii. The Vice Prim will give a report on the state of the House (INTERNAL, what has been done)
- c. These meetings are organized by the House Committee for the Organization so as to discuss issues, carry motions, make decisions, give advice, give feedback, assess the actions of the House Committee and/or supervise it.
- d. House Meetings must be communicated via at least two Social Media platforms at least 10 (ten) days before such a meeting takes place.
- e. If the need arises to have an urgent or special meeting, due to unforeseen circumstances, notice should be given 48 hours before the meeting occurs.
- f. House Meetings are chaired by the Primarius and if he is not available then it is chaired by the Vice-Primarius and then the Secretary. If in any extreme cases where all three parties cannot attend, the Primarius will make arrangements with the House Committee.
- g. If quorum cannot be achieved at two consecutive meetings, all the members present at the meeting must agree for the meeting to continue before doing so.

6. MOTIONS

- a. Any motion, other than motions for the amendment of the Constitution, can be handed to the Secretary, in writing and signed by the person introducing the motion and seconded by two more members, before the meeting in which they will be discussed.

- b. If the mover of a motion desires that the content should be made known to members before the start of the meeting, the motion must be handed to the secretary in writing before notice of the meeting
- c. The chairperson of a meeting may rule any motion which he/she considers to be undignified, flippant in nature or in conflict with the procedure, OUT OF ORDER. This rule must be seconded by another member of the House Committee.

7. EXTRAORDINARY CIRCUMSTANCES

- a. Extraordinary circumstances are any external circumstances that the House Committee, CSC or university does not have control over. These circumstances include natural disasters, pandemics, or any situation that can be proven to be extraordinary.
- b. In the event of any extraordinary circumstance, the Primarius will have the ability to grant permission above the rule of the constitution.
 - i. Permission from the primarius will have to be approved by CSC to make sure that the PSO stays within the limits of the Student constitution as well as the Universities values, mission and vision (each decision made will need to be voted on before implementation).
- c. For something to be seen as an external circumstance, a unanimous vote needs to be made by the House Committee before any action is taken.
 - i. The PSO coordinator has to be present at the meeting (physical or virtual) for the vote to be valid.
 - ii. The vote needs to be taken before the Primarius will have the power to make decisions above the rule of the constitution.
- d. Elections
 - i. In the event of an extraordinary circumstance taking place over the election period, the election process will be adapted to the situation.
 1. Interviews will still be held by the election panel.
 2. The election panel will remain the same as any other caucus.
 3. The caucus will take place on virtual platforms (videos on social media) where candidates will introduce themselves.
 4. The election period will be extended
 - a. Primarius vote will be open for two days
 - b. Vice-Primarius vote will be open for two days
 - c. Head Mentor vote will be open for two days
 - d. The House Committee vote will be open for two days.
 5. Eligibility will still be applicable as per the usual election.
 6. Quorum will remain the same as per the usual election.
 7. Mentor and Female representative appointments will be made in the same manner as the House Committee interviews.
- e. House Committee meetings
 - i. In the event of an extraordinary circumstance, the House Committee will have weekly meetings on a virtual or physical platform, depending on the nature of the extraordinary circumstance.
- f. Events

- i. Any and all events planned of a physical nature by the House Committee in the time of any extraordinary circumstance will be subject to change or be canceled depending on the nature of the circumstance.

8. GENDER BASED VIOLENCE

- a. Oude Molen PSO will adhere to the memorandum sent to the Anti-Gender Based Violence movement leaders in 2019. (Will be added as an Addendum).
- b. It is the responsibility of the Primarius to make sure that the leaders of the PSO are made aware of the points in the memorandum at the beginning of their leadership term.
- c. Violations of the memorandum will be dealt with according to the severity of the situation by the disciplinary committee.

9. ALCOHOL POLICY

- a. Oude Molen PSO will adhere to the guidelines of the alcohol policy drafted by the prim committee.(the policy will be added as an addendum)
- b. The Alcohol policy allows for the house to draft its own version of the policy that works for the specific community.(the policy will be added as an addendum))
- c. The alcohol policy will be reviewed yearly by the House Committee as it affects the members living in the House Committee house.
- d. The policy will be amended by the House Committee, with the Primarius and Vice-Primarius taking lead. The policy will have to be voted in by the house and the quorum will be applicable. If there are no changes to be made, a vote won't be necessary.

CHAPTER 2: EXECUTIVE AUTHORITY

1. PSO COORDINATOR

- a. A permanent staff member of the University that is appointed by the CSC Student Communities as the PSO Coordinator. The PSO Coordinator reports to the Director of the CSC. The PSO Coordinator along with the Primarius and the House Committee are responsible for the management of the PSO.
- b. The PSO Coordinator acts as a link between the University and the House Committee. Acting out of this capacity, he/she applies the University rules and regulations, where and when it is needed.
- c. All leadership structures in the organization fall under the authority of the PSO Coordinator.
- d. During House Committee meetings, as well as other decision-making situations regarding residence activities, he/she will take on an advisory role. To facilitate this process, the PSO Coordinator will attend House Committee meetings, as well as House Meetings.
- e. The PSO Coordinator has discretion regarding the validation of functions and the administration of a Liquor License. At the same time, the PSO Coordinator has the capacity to validate or prohibit any function.
- f. Disregarding the PSO Coordinator's instructions exposes Members to disciplinary procedures in terms of the University's disciplinary system.

2. PRIMARIUS

In addition to the powers and duties mentioned in the Rules of the Council, the head of house shall be responsible for the following:

- a. a. The Primarius will serve as a member of the
 - i. House Committee
 - ii. The Disciplinary Committee
- b. A house member is elected to the position of Primarius as outlined in this constitution (Chapter 3).
- c. The Primarius is responsible for overseeing the execution and allocation of all portfolios.
- d. The Primarius in co-operation with the Vice-Prim are responsible for the planning and execution of the annual Oude Molen Leadership Camp during the September Holidays. If September is not available, the Leadership Camp should be executed before January.
- e. In the case of the Primarius being unable to fulfill his or her role as the Head of House, the Vice-Primarius will stand in temporarily for this position.
 - i. A quorum vote will take place where one of the House Committee members that has availed themselves for the position will be voted in as the new Primarius.
- f. As chairperson of the House Committee
 - i. The Primarius is responsible for the delegation of duties as well as the general management of this committee
- g. The Primarius is responsible for:
 - i. Representing Oude Molen at the Prim Committee (PK).

- ii. Chair at House meetings.
- iii. Optimal distribution of portfolios among the House Committee after consultation with the previous Primarius and PSO Coordinator.
- iv. Maintain an overview of all portfolios and activities of the house.
- v. Ensuring that the House Committee completes detailed project reports for each of their projects.
- vi. Managing the house and the house rules which will be established in discussion with the current residents.
- vii. Disciplinary measures.
- viii. Assist in the formation of the budget and the execution thereof.
- ix. Assist in the formulation of the Welcoming Program and facilitate where needed.
- x. Provide direction and guidance to the House Committee.
- xi. Represent and promote the interest of Oude Molen externally and within the university.

3. VICE-PRIMARIUS

- a. The primary role of the Vice-Primarius is to assist the Primarius. The Vice-Primarius will serve in an advisory capacity to the Prim.
- b. The Vice-Primarius will serve as a member of the
 - i. House Committee
 - ii. The Disciplinary Committee
- c. A house member is selected to the position of Vice-Primarius as outlined in this constitution (Chapter 3).
- d. The Vice-Primarius also,
 - i. Arranges, in cooperation with the Connect House Committee Member and PSO Coordinator, a programme for the reception and welcoming of Oude Molen newcomers;
 - ii. Acts as chairperson of the House Committee- and House meetings, in the absence of the Primarius.
- e. In the case of the Vice-Primarius being unable to fulfill his or her role, the Primarius will stand in temporarily for this position.
 - i. A quorum vote will take place where one of the House Committee members that has availed themselves for the position will be voted in as the new Vice-Primarius.

4. HEAD MENTOR

- a. In order to apply for the position of Head Mentor, the applicant had to be a mentor in the year preceding the application for Head Mentor.
- b. The Head Mentor will be elected to the House Committee in accordance with chapter 3 section 8 of this Constitution.
- c. The Head Mentor will fulfill an official role on the House Committee.
- d. In the case of the Head Mentor being unable to fulfill his or her role as the Head Mentor, the Primarius will appoint a House Committee member to take over the roles temporarily.
 - i. A quorum vote will take place where one of the House Committee members that has availed themselves for the position, will be voted in as the new Head Mentor (see chapter 2, section 4, point a).

5. Female Representative

- a. A female representative is to be appointed, as stated in the Gender Based Violence memorandum, by the end of September to join the House Committee.
- b. The female representative will be appointed after an application and interview process.
 - i. The applications must be made available at least a week before the interviews.
- c. The interview panel will consist of:
 - i. The outgoing Primarius
 - ii. The newly elected Primarius
 - iii. The outgoing female representative
 - iv. The newly elected Vice-Primarius
 - v. The PSO Co-ordinator can be approached for the interviews if the panel deems it necessary.
- d. The candidates for the female representative will be eligible to apply if they:
 - i. Have previous leadership experience in any university structure.
 - ii. Have made leadership Hemis (same as any other House Committee member).

6. House Committee

- a. The House Committee is responsible for:
 - i. The promotion of Oude Molen values;
 - ii. Determining the strategic direction of the House;
 - iii. Performing all reasonable tasks and requests from members of Oude Molen; and
 - iv. Managing all Connect Events
- b. The House Committee will meet at least once a week during the academic term until the start of examinations. All members must attend the House Committee meetings.
- c. Excuses for absence from such a meeting must be communicated to the Secretary at least twenty four (24) hours prior to the meeting.
- d. House Committee members will be responsible for the portfolios:
 - i. Financial Manager
 - ii. Secretary (Communication)
 - iii. Leadership Development
 - iv. Clusters
 - v. Critical Engagement and Transformation
 - vi. Women Empowerment
 - vii. Safety
 - viii. Head Mentor, Academics and Wellness
 - ix. Community Interaction
 - x. Green/Sustainability
 - xi. Culture
 - xii. Sport
 - xiii. Social
 - xiv. Clothing
 - xv. Events Team
 1. The financial manager must be a part of the events team

- xvi. Welcoming & Newcomers
 - xvii. House Committee Office
 - xviii. House Coordinator
 - xix. Marketing
 - xx. Connect
 - xxi. Alumni
 - xxii. Connect Tour
 - xxiii. Seniors Committee
 - xxiv. Female Representative
- e. All portfolios are divided at the discretion of the Primarius after consultation with the PSO Coordinator and the outgoing Primarius.
 - f. Furthermore each House Committee member has the following responsibilities.
 - i. To manage allocated portfolio(s) to the best of his/her abilities,
 - ii. To take complete responsibility for the activities of his/her portfolio(s) and committees therein
 - iii. To provide a portfolio budget for each of his/her portfolio(s) in consultation with the Financial Manager subject to the approval
 - iv. To utilise his portfolio budget in accordance with responsible management of finances within the organisation and the university
 - v. To provide a detailed report of all his portfolios to the Primarius
 - g. A House Committee member will have to vacate his position if
 - i. Two thirds of the House have voted to have the member removed during a House Meeting given valid reasons
 - ii. Two thirds of the House Committee, including the Primarius, decides to have the member vacate their role within the committee.
 - iii. After a disciplinary process was followed and it was ruled that the respective House Committee member should vacate his position
 - iv. The member has the right to present an appeal to the Disciplinary Committee.
 - h. If a vacancy does open up within the House Committee, the current House Committee may use their discretion to decide whether the position needs to be filled or not. If the decision is made that the position must be filled, a new House Committee member must be elected in terms of regulations stipulated in Chapter 3.

7. FINANCIAL MANAGER

- a. The Financial Manager is responsible for:
 - i. Maintaining a complete record of all House's finances
 - ii. Managing and Administering the finances of Oude Molen
 - iii. Giving feedback to the House Committee with regards to the House's financial status through the use of quarterly budget updates and presenting an oral financial report at the annual house meeting.
 - iv. Ensuring that the University, Residence and Country's rules and laws regarding finance are complied with
 - v. Playing an advisory role where any inquiries regarding financial practice is made and training the new House Committee accordingly; and
 - vi. Ensuring that the House Committee fulfills their duties and creates budgets for all major events, as defined by the Prim and Vice-Prim.

8. SECRETARY

- a. Secretary is responsible for:
 - i. setting up Agenda's and completing Minutes for all meetings
 - 1. Agenda's must be completed and distributed 24 hours prior to meeting
 - 2. Minutes must be distributed within 72 hours of meetings ending.
 - 3. In the event that the secretary is not available for the meeting, a House Committee member who is present shall be responsible for taking the minutes.
- b. In charge of:
 - i. general administrative tasks.
 - ii. ensuring that the House Committee fulfills their duties and creates detailed reports on each event at House Committee meetings.
 - iii. the Portfolio Connect Admin.

9. MENTORS

- a. The mentors will be elected by way of interviews.
- b. The purpose of Mentors is to ensure that Newcomers:
 - i. are successfully integrated into Stellenbosch University, by ensuring that they have received all necessary guidance and knowledge of opportunities; and
 - ii. that they have been given the proper support as indicated by the wellness spheres (occupational, social, physical, intellectual, spiritual, emotional); and
 - iii. to make newcomers feel included in the structures of Oude Molen.
- c. Although Mentors are specifically focused in the House and also play a role in the integration of Newcomers, their function and responsibilities are organized by the Policies as determined by the University and the House Committee.

10. RESIGNATION

- a. House Committee Members or Mentors that intend to resign must give at least 14 days notice to the House Committee and PSO Coordinator.
- b. After a member of the House Committee has given notice of his/her resignation he/she may withdraw the resignation within those 14 days.
- c. Re-appointment of another House Committee-member for the rest of the term may take place at the discretion of the House Committee. If such re-appointment takes place it must take place with all election procedures put forth in Chapter 3 that are reasonable, taking into account the urgency and time of resignation, provided that:
 - i. Any deviation from the procedures must be approved by at least two thirds of the House Committee.

CHAPTER 3: ELECTION PROCEDURES

It will be required by all candidates to undergo an interview process and caucus at minimum in order to be eligible to be elected.

1. ELECTION PROCESS:

INTERVIEWS:

- a. The interviews for eligible House Committee and Head Mentor candidates will take place within one week before caucus happens, unless external factors do not allow for this (See Chapter 1, Section 7).
- b. The interviews will be held by the election panel.

2. ELECTION PANEL:

- a. Before an election is due according to the university's official timeline, an election panel must be established by the House Committee with the following members:
 - i. PSO Coordinator; and
 - ii. Primarius / Vice-Primarius; and
 - iii. At least one thought leader on campus, at the discretion of the panel; and
 - iv. Two (2) outgoing House Committee, not re-applying, with rights to vote.
- b. In the extraordinary event that Primarius, Vice-Primarius and outgoing House Committee members are re-applying, and no outgoing House Committee member is available, the PSO coordinator shall select panel members.
- c. The Election Committee must decide on a convener amongst themselves.
- d. An Election Candidate may not be a member of the Election Committee under any circumstances.
- e. The Election Panel must ensure that all candidates are treated fairly and conduct themselves neutrally and fairly.
- f. Each member of the election panel will get one (1) vote per House Committee position, which will be weighed as two (2) votes.
- g. If there is a possibility of biased voting then the PSO Coordinator is to discuss the matter with the Election Panel and if they cannot come to an agreement then the PSO Coordinator can take sole discretion over the verdict of that specific voting.

3. APPLICATION

- a. Application forms must be available for at least 1 week before the closing date for applications.
- b. If there are not enough eligible candidates to fill the number of vacancies + 1, the application process must be extended for as long as determined by the Election Panel.
- c. If there are still not enough eligible candidates after the extended application process, the vacancies will be reduced and the available positions filled.
 - i. The election process as outlined in Chapter 3 will still be followed.

4. ELIGIBILITY

- a. A candidate for a position on the House Committee must be a registered member of Oude Molen PSO and must have been so for at least the full year in which the election takes place for which he is a candidate. A Newcomer student is not eligible for election as a member of the House Committee.
- b. In extraordinary event of
 - i. too few candidates applying due to unspecified reason,
 - ii. ineligibility, and
 - iii. all other options having been exhausted, then and only then the Election Committee may use their discretion in consultation with the PSO coordinator to allow Newcomers to run.
- c. A candidate for a position on the House Committee or Mentor must comply with the University regulations in terms of academic achievements and requirements. In other words, a candidate for a position on the House Committee must have Leadership Hemis.
- d. All possible candidates are also subject to compliance with University regulations and requirements. The PSO Coordinator will ensure that all applicants who fulfil these criteria are eligible to apply.
- e. In order to run for Primarius, the candidate must have previously been a House Committee member or a Mentor in the years preceding the date of caucus and a registered member of Oude Molen.
In order to apply for a Mentor or Seniors Committee one needs to be a student at Stellenbosch University, who is a registered Oude Molen member.

5. CAUCUSES

- a. After the interviews have taken place and after it was established that the candidate adheres to the University's requirements, the candidates will be made public to the PSO via social media platforms at least 48 hours before the caucus takes place.
- b. After the candidates are made public, a caucus must be organized in the form of a House Meeting as defined by Chapter 1 Section 5, unless external influences do not allow it (see chapter 1, section 7).
- c. All election candidates must be present at the Caucus, unless there are special circumstances to the discretion of the election panel.
- d. The election panel can collect anonymous questions and ask predetermined questions to the candidates.
- e. The election panel will be responsible for members to sign in at the caucus with their name, surname, student number and signature.

6. VOTING

- a. Any registered member of Oude Molen may vote.
- b. After the caucus, voting proceeds as determined by the Election Panel.
- c. Votes must be counted twice, in privacy, by the Election Panel.
- d. All Proxy votes must be:
 - i. in writing and signed by the voter (as per sign in mentioned in Chapter 3, section 5, point e).
 - ii. sent to the Election Convener via student email by 14:00 on the day which the caucus will be held.

- e. The Election Committee must keep record of who voted.
- f. All outgoing House Committee Members, not on the election panel, receives one (1) vote, that will be weighted as one (1) vote.
- g. In the event when a House Committee member re-applies, their vote shall be weighted as one (1) vote.

7. ELECTION OF THE PRIMARIUS, VICE-PRIMARIUS AND HEAD MENTOR

- a. The election of the Primarius, Vice-Primarius and Head Mentor takes place separately, after each other, so that unsuccessful candidates can stand for their second/third choices.
 - i. The order for the election is; Primarius, Vice-Primarius and then Head Mentor.
- b. To be elected for Primarius, Vice-Primarius or Head Mentor, one must obtain a majority vote.
 - i. If a verdict is not attained after the first vote then the candidate with the least number of votes will fall out and voting will commence again with the remaining candidates for that particular position.
- c. If there is only one nominee for a particular position the members present will simply vote YES or NO. If the candidate obtains more YES votes than NO votes, they are elected.
 - i. In the extreme case of the candidate obtaining more NO votes, the election panel will deliberate on how to proceed:
 - 1. any House Committee candidates will be able to run for the position or,
 - 2. the caucus will have to be rescheduled until suitable candidates avail themselves for the position.
 - a. In the extraordinary case that 10 days has passed and no suitable candidate has availed themselves for the position, another caucus will be held where all candidates running for the next vote in order will have to run for the position. (See Chapter 3, section 7, point b)

8. ELECTION OF HOUSE COMMITTEE

- a. The election of the House Committee will be determined by the house, by private vote, after the election of the Head Mentor.

9. ANNOUNCEMENT

- a. The results of all elections must be announced within 48 hours after voting closes;
- b. The amount of votes for each candidate will not be made public, but can be shown to individuals upon request.

10. OBJECTIONS AND WITHDRAWALS

- a. Any objections to procedures during the elections or the validity of the result will be heard by a special sitting of the Election Panel within 72 hours, after which the election panel must write a decision.

- b. Any written decision of the Election Panel regarding an objection can be reviewed by the Student Court upon request, taking into account the provision in this Constitution.
- c. Candidates retain the right to withdraw their application until the House Committee is officially announced, after which they must formally resign if they want to withdraw. In this case a new vacancy is created. If a candidate withdraws after voting begins, votes for that candidate are not counted. After a candidate informs the Convener that he withdraws, the decision cannot be reversed.

11. MENTORS

- a. The Mentor interview panel will consist of the following members:
 - i. PSO Coordinator
 - ii. Newly elected vice primarius
 - iii. Newly appointed Head Mentor
 - iv. Outgoing Head Mentor
 - v. Outgoing Vice-Primarius
- b. Application forms must be available for at least 1 week before the closing date for application. Application forms must be in accordance with the guidelines as set by the CSC.
- c. If there are not enough eligible candidates to fill the number of vacancies + 1, the application process must be extended for as long as determined by the Mentor Interview Panel.
- d. If there are still not enough eligible candidates after the extended application process, the vacancies will be reduced and the available positions filled.
- e. All candidates need to adhere to the requirements as prescribed by Stellenbosch University.

CHAPTER 4: DISCIPLINARY PROCEDURES

1. DISCIPLINARY PROCEDURES

- a. The point of departure is restorative justice and to facilitate the member to be brought back to good standing with the rest of the house.
- b. The House Committee is ultimately responsible for the management of the House and thus a Disciplinary committee is formed when and if needed and its form will follow below.

2. JURISDICTION AND STATUS OF THE DISCIPLINARY COMMITTEE

- a. It is the only body within Oude Molen who may be approached to give judgement based on actions or lack thereof of any member or office-bearer of Oude Molen.
- b. If its jurisdiction is questioned the final decision within Oude Molen will rest with the Chairperson of the Disciplinary Committee.
- c. The Disciplinary committee has limited jurisdiction to act against the following:
 - i. Act or lack thereof which boils down to the practise of 'Hazing' or deviation from its approved Welcoming programme
 - ii. An act or negligence which the PSO Coordinator considers to be of a serious nature
 - iii. Any act of vandalism
 - iv. Any act which is of a criminal nature and which is as such deemed to be in breach with an existing RSA law
- d. The Disciplinary committee has the right to refuse to consider any case and to refer it to Student Discipline: Division Legal Services or Student court for a judgement.

3. COMPOSITION OF DISCIPLINARY COMMITTEE

- a. It consists of:
 - i. Vice Primarius who shall act as Chair
 - ii. Secretary who shall act as Vice Chair
 - iii. Primarius
 - iv. PSO Coordinator
 - v. One additional House Committee member
- b. No member of Oude Molen who has been found guilty by the Oude Molen Disciplinary committee is eligible to serve on this committee.
 - i. If any of the above members have been found guilty, additional House Committee members will step, as chosen by the DC.
- c. The names of the DC members must be communicated to the House in a timely manner in a way determined by the chair of the DC.
- d. A quorum for a valid meeting to take place are:
 - i. Chair (or Vice Chair who acts as Chair), and
 - ii. Secretary (or nominee); and
 - iii. Any other member;
- e. All parties are expected to clearly indicate any possible areas of conflict given a case before them. The Chair also has the necessary authority to request that

a member remove themselves from a specific case if conflicts are a possibility. Disciplinary committee members may also recuse themselves from a specific case on moral grounds.

- f. No member of the Disciplinary Committee has the right to abstain from voting except for the PSO Coordinator.

4. PROCEDURES

- a. The procedure before, during and after an investigation where disciplinary actions may follow must be in line with the Student Constitution, relevant sections of the General Calendar of the University and the Ethos and Values of Oude Molen. Any party involved with an investigation may cite and utilise these documents at all times during their cases.

5. PRIOR TO THE DISCIPLINARY HEARING

- a. Any member of Oude Molen may lay a complaint at the Disciplinary committee. This may be lodged at either the Chairperson or Vice-Chairperson.
- b. The Disciplinary Committee must sit as a whole, meeting quorum as set out above, to decide whether a case will be heard by themselves or be referred to the House Committee.
- c. Any person who lodged a complaint has the right to request to be anonymous and this right must be respected. The following must then be done:
 - i. A written account (email or paper) must be delivered to the Chairperson of the Disciplinary Committee who must thus know who the person is.
 - ii. The Chairperson will not disclose the person's identity to any person
- d. Where a meeting of the Disciplinary Committee takes place, all parties who are accused must be informed at least 48 Hours before the time.
- e. All charges must be resolved by the Disciplinary committee within 30 days.
- f. The written notice to all involved parties must contain the following:
 - i. Full brief as to the lodged complaint to Oude Molen Ethos and relevant section of University legislation; and
 - ii. Time and place of hearing; and
 - iii. Right to assistance
- g. The notice must be emailed to the accused student who must acknowledge receipt.
- h. If the student fails to attend the hearing without informing the Chair beforehand the hearing will proceed in his absence.

6. DURING THE DISCIPLINARY HEARING

- a. The disciplinary hearing takes place in private (in camera).
- b. Mutual respect must be shown to all present; both the accused and disciplinary committee.
- c. The accused must be fully informed as to the complaint against them. Witnesses may also be called to ensure that all parties present are fully as informed as to the case.
- d. The accused must be given a fair chance to test the merits of the complaint against them, to present their own case and to call witnesses.
- e. An accused has the right to request assistance from another House member in preparation and presentation of his case.

- f. The guilt of the accused party must be proven, hence reasonable doubt must not exist after the hearing.
- g. If the accused admits guilt the Disciplinary Committee may choose to not hear the case and immediately move to penalty.

7. AFTER THE DISCIPLINARY HEARING:

- a. All must be properly recorded. All results will be handled and deemed to be in camera/confidential.

8. DISCIPLINARY MEASURES FOR OUDE MOLEN COMMITTEE AND OFFICE BEARERS

- a. This policy serves as a measure with regards to the discipline of all Oude Molen office bearers.
- b. An Oude Molen office bearer can be removed from office if it is felt by the majority of the relevant structure on which the office bearer serves, that they have not adequately fulfilled their portfolio commitments or actively participated in the fulfilment of the aims of Oude Molen Constitution and Year plans. Discipline of an Oude Molen office bearer must follow the following procedure:
 - i. First Warning voted on by the structure that the office bearer serves on or issued by the Chair of Disciplinary Committee.
 - ii. Probationary period limited to one month, unless the Disciplinary Committee determines otherwise.
 - iii. Any further neglect of duty will result in a vote of no confidence.
- c. If a vote of no confidence is taken against any member of the relevant Oude Molen structure by a common majority (two thirds), then the office bearer against whom it is made must vacate his seat.
 - i. A motion for a vote of no confidence will only take place after effective notification has been given to the affected member within 72 hours prior to the motion serving.
- d. Appeal process for the office bearer against whom a vote of no confidence has been taken is as follows:
 - i. The member can appeal to the Disciplinary Committee.
 - ii. Thereafter to the Student Court.
 - iii. Finally to the Appeals Court.
- e. Notice of appeal must be given in writing to the parties in the following order:
 - i. First appeal within five (5) days to the Disciplinary Committee.
 - ii. Should the removal be upheld by the Disciplinary Committee, an appeal may be made to the Student Court within five (5) days.
 - iii. Should the removal be upheld by the Student Court, a final appeal may be made to the Appeals Court within five (5) days.
- f. All decisions resulting in a member vacating his position must be ratified by the relevant Oude Molen structure at their next meeting after the decision has been taken.

9. ACCOUNTABILITY, TRANSPARENCY AND CONSULTATIVE GOVERNANCE:

House Committee Meetings

- a. All minutes of House Committee meetings, Oude Molen structures and committees that Oude Molen office bearers serve on, based on their position on said Oude Molen structure will be available on request to all Oude Molen Members.
- b. Any Oude Molen member may attend a House Committee meeting subject to:
 - i. Person informing Secretary at least 24 hours in advance of meeting
 - ii. May have speaking rights if this is indicated
 - 1. At least 24 hours in advance or
 - 2. With the permission of the Prim

CHAPTER 5: FINANCES

1. The finances of Oude Molen must always be utilized to the benefit of the organization and all its members.
2. Money in the House Fund is used for the funding of general activities as determined by the budget and for specific purposes approved by the House Committee and the PSO Coordinator.
3. All financial arrangements are subject to policy as publicized by the Finance Division.
4. The PSO Coordinator is the final authority on the finances of Oude Molen and the Financial Manager is responsible for the correct administration of funds.
5. All funds that are received by the House must be administered by the University's Financial System. No separate bank accounts, deposits or loans may be managed.
6. All income that is received by the PSO, including House Fees, must be deposited in the House fund.
7. No speculative transactions or investments may be incurred with House Fees.
8. Every House Committee member must also prepare a portfolio budget that must be approved by the Financial Manager, Primarius and PSO Coordinator before the final budget can be drafted.
9. The financial manager in association with the previous financial manager and the PSO Coordinator, must compile a complete budget for the House at the start of his term.
10. Any spending that has not been budgeted for must be approved by the PSO Coordinator and the financial manager and must be communicated to the rest of the House Committee Members at the next House Committee Meeting.

Addendum A Definition of Values

The definition of the values of the house are subject to one's own understanding and interpretation. The definitions in this addendum could be used as a basis for one's own definition. Definition of values in this addendum are defined by the House Committee 2018/2019.

- Respect:
 - The conscious consideration of the world around you including yourself, other human beings and the natural environment.
- Unity:
 - A socially and culturally diverse, working off a common platform, towards a progressive and forward-thinking society that is beneficial for all.
- Belonging:
 - An open community that instills a feeling of unity that encourages people to express themselves and their personal identity.
- Balance:
 - An environment to create and maintain well-rounded individuals with regards to all spheres of wellness.
- Inclusivity:
 - A community that embraces diversity, strives to integrate its members and instill in them a sense of compassion and acceptance.
- Compassion:
 - A caring and empathetic community whose members actively act upon the needs and desires of those in their surroundings.