

# STELLENBOSCH UNIVERSITY

## Senior Prim Committee Constitution



This Constitution was adopted by the Senior Prim Committee on xx xxx 2019 and approved by the Student Court on xx xxx 2019. The English version of this document will take precedence in case of any interpretation disputes.

Unless any part of this constitution, or the Student Constitution, explicitly states a later date of application, all of the terms and conditions come into effect on the date this Constitution is approved by the Student Court.

This Constitution repeals any previous Constitutions and is subject to the provisions of the Student Constitution, Stellenbosch University Institutional Statute, Higher Education Act 101 of 1997 and the Constitution of the Republic of South Africa 1996, and is the binding Constitution for the Senior Prim Committee.

Key:

- the superscript ‡ indicates a fundamental chapter, part, section or provision, which can only be amended at an AGM (see Chapter 3, Section 1).
- the superscript Ω indicates a super fundamental section which can only be amended at the annual AGM.

## PREAMBLE Ω

We, the registered residents of Stellenbosch University's Senior Housing accommodation, view the committee as a medium of much needed representation, knowledge, awareness, referral and support to all students living in senior accommodation at Stellenbosch University.

The belief created here is that the Senior Prim Committee will play a role in representing and advocating for the rights, needs and desires of all students living within senior accommodation at Stellenbosch University.

We commit ourselves to justifiable and transparent conduct towards any individual or group of individuals, whether our values are shared or not. Moreover, there should be recognition of the right to freedom of speech, association, assembly or protest of all individuals and groups of the University; along with all the other Rights as espoused in the Bill of Rights in Chapter 2 of the Constitution of the Republic of South Africa, 1996.

Lastly, we reject any unfair discrimination against any resident living in Senior Housing accommodation.

Constitution of the Senior Prim Committee of  
Stellenbosch University  
As proposed in July 2019

## CHAPTER 1: BASIC PROVISIONS

### 1. Status of this Constitution Ω

All policies, regulations, rules, codes, documents, motions and decisions adopted by any person or structure of this committee are subject to this Constitution and invalid in as far as they are inconsistent with it.

### 2. Name ‡

The name of the body that adopts this constitution will be known as the Senior Prim Committee. The acronym for the Committee shall be "SPC".

### 3. Committee Logo ‡

The Committee's logo consists of the words "Senior Prim Committee", with "Senior Prim" in bold. Underneath "Stellenbosch University". The colours of the text may only be either maroon or black.

#### 4. Definitions

In this Constitution, unless the context indicates otherwise:

- 4.1. “accept” – to acknowledge and respect different views and opinions;
- 4.2. “annual general meeting (AGM)” - a meeting that is held annually to elect the executive committee, amend the constitution and inform the residents living in Senior Housing of previous and future activities;
- 4.3. “casting vote” - the deciding vote of the chairperson, made when a deadlock is reached;
- 4.4. “ordinary majority” – refers to fifty percent plus one (50%+1) votes of voting members present in a meeting where quorum has been reached;
- 4.5. “deadlock” – when no common majority is achieved in reference to any vote, excluding constitutional amendments, after two failed attempts of attaining a common majority;
- 4.6. “decide” or “elect” – with an ordinary majority of votes;
- 4.7. “electronic vote” – a call for votes by way of electronic mail for or against a given motion;
- 4.8. “executive committee (EC)” - a board of members that manages the committee and which has specific and defined roles;
- 4.9. “Manager” – Appointed by incoming Executive Committee to fulfil organizational and administrative functions for the committee as determined by their year plan;
- 4.10. “management” – those who assist the executive committee in organizational duties;
- 4.11. “notice in writing” – notice served either by electronic media (e-mail) or printed script
- 4.12. “positive vote” refers to the following process:
  - 4.12.1. When one candidate receives a majority (50%+1) of the vote, he or she is elected.
  - 4.12.2. If no candidate receives a majority (50%+1) of the vote, the following steps are followed:
    - 4.12.2.1. A new election will take place.
    - 4.12.2.2. For this election, the candidates who received the least number of votes in the previous election are removed, but the sum of the removed candidates’ votes may not exceed fifty percent (50%) of the total number of votes in the previous election.
  - 4.12.3. This process is repeated until one candidate receives a majority (50%+1) of the vote.
- 4.13. “proper notice” – notice giving all those concerned a reasonable opportunity to take notice of the most important elements of the decision of which notice is being given;
- 4.14. “Quorum”– Quorum is defined as 50% registered voters and 50%+1 of registered voters, unless the relevant section states otherwise.
- 4.15. “registered voter” – any registered and legitimate resident from senior house accommodation for at least one semester;
- 4.16. “University” – will refer to Stellenbosch University, unless stated otherwise
- 4.17 Community: refers to any residence or PSO ward.
- 4.18 SRC: Student Representative Council.
- 4.19 CSC: Centre for Student Communities.
- 4.20 CDC: Central Disciplinary Committee.
- 4.21 CPC: Cluster Prim Committee. \*\*\*
- 4.22 TSC: Tygerberg Student Council
- 4.23 SU: Stellenbosch University

### 3. Composition

3.1 The following persons serve as members of the SPC with voting rights:

3.1.1 The Chairperson;

3.1.2 The Vice-Chairperson;

3.1.3 Cluster Convenors;\*\*\*

3.1.4 Tygerberg Senior Prim Committee Chair;\*\*\*

3.1.5 The Secretary;

3.1.6 The Senior Prim of each House (refer to Addendum A).

3.2 The following persons serve as ex-officio members of the Senior Prim Committee (SPC) without voting rights:

3.2.1 Senior Prim Committee Financial Manager;

### 4. Vision

4.1 Members of the SPC will function as a unit and will each serve as a representative of their various House on the SPC, as well as indirectly on the SRC and other SU bodies.

4.2 The SPC will continuously take into regard the needs of SU students in general.

4.3 The SPC will strive towards its vision of enriching the experiences of student life on campus.

### X. Finances

X.1 Apart from the SRC budget, it is expected of the Houses to affiliate with the SPC at a certain cost. These funds will be managed in accordance with the SPC's Financial Policy and reported on during meetings.

X.2 The SPC is a non-profit making body and all funds are used.

## CHAPTER 2: OFFICE BEARERS

### 5. Functioning and Duties ‡

#### 5.1 Chairperson

##### 5.1.1 Election:

5.1.1.1 The Chairperson is elected at an AGM, before or during the period of SRC-Elections;

5.1.1.2 This AGM is facilitated by the designated SRC election convenors;

5.1.1.3 The candidates are elected from the current members of the SPC;

5.1.1.4 The outgoing chairperson remains the chairperson until the end of their term as an SRC member.

5.1.2 The Chairperson during their term is not to be a member of a residence or PSO house committee.

5.1.3 The Chairperson is an ex officio member of the SRC, as the SRC member for the SPC their term will be concurrent to that of the SRC.

5.1.4 The Chairperson holds the highest authority on the SPC.

5.1.5 The Chairperson represents the SPC on various bodies as determined at SPC meetings and as determined by other SU bodies.

- 5.1.6 Is accountable to members to ensure that the Executive and Managers execute the duties of their portfolio(s);
- 5.1.7 Is accountable to members to ensure that decisions taken at an AGM are implemented effectively and timeously;
- 5.1.8 represents the committee in any and all negotiations with the SRC and other University bodies;
- 5.1.9 ensures that the committee complies with the regulations of the Students' Representative Council and will compile a year-end report for submission to the Students' Representative Council as per their regulations;
- 5.1.10 must assist with sponsorship in representing the committee to all existing or potential sponsors and donors
- 5.1.11 may delegate any of her/his responsibilities to another member of the Executive; subject to:-
- 5.1.12. the member(s) so delegated to must accept the delegation;
- 5.1.13. The Chairperson may not delegate duties as stated in 5.1.1, 5.1.2, 5.1.5

## 5.2 Vice Chairperson

### 5.2.1 Election:

5.2.1.1 The Vice Chairperson is elected at an AGM, before or during the period of SRC-Elections;

5.2.1.2 This special meeting is facilitated by the SRC election convenors;

5.2.1.3 The candidates are elected from the current members of the SPC.

5.2.2 The Vice Chairperson during their term is not to be a member of a residence or PSO house committee.

5.2.3 The Vice Chairperson acts as chairperson in the absence of the Chairperson.

5.2.4 The Vice Chairperson represents the SPC on various bodies as determined at SPC meetings, and as determined by other SU bodies.

5.2.5. Is accountable, alongside Chairperson and Financial Manager, to draw up the annual budget;

5.2.6 Is accountable, alongside Secretary, to ensure portfolio-specific duties are completed in line with agreed timelines and standards of excellence;

5.2.6 Will lend specific assistance to any office bearer of the committee unless otherwise agreed upon by the Executive committee.

5.2.7 Shall act as external contact person for other committees and shall assist the Chairperson in acting as contact person for the general public.

## 5.3 Secretary

5.3.1 The Secretary is responsible for the administrative arrangements, including:

5.3.1.1 Preparation and distribution of agendas to SPC members;

5.3.1.2 All official correspondence to and from the SPC;

5.3.1.3 Maintaining internal communications within the Executive;

5.3.1.5 Managing knowledge and institutional memory within the Executive;

5.3.1.6 Ensuring that meetings, and any other meetings or consultations where the Executive desires record keeping, are properly recorded;

5.3.1.7 Updating, safekeeping and making available records, policies and other documents of the committee;

5.3.1.8 all IT -related functions, including managing and updating the committee's website, Twitter and Facebook pages, with relevant information regarding the committee.

5.3.1.9 Keeping members informed on a monthly basis, by either by post or electronic format, as to their activities.

5.3.1.10 Compiling and administering a database of contacts for the committee with previously used venues, suppliers;

5.3.1.11 Administering and updating the committee's archives; inter alia:-

5.3.2.1 Filing hard copies of all agendas, minutes and action lists in one central and accessible location;

5.3.2.2. Filing all committee produced marketing / media and external press coverage, including photographs;

5.3.2.3. Filing annual and quarterly reports;

5.3.1.3 As well as any additional responsibilities as determined by the Chairperson and/or Vice Chairperson.

5.3.2 The Secretary is appointed by the Chairperson and Vice Chairperson.

5.3.3 The Secretary has no voting rights at meetings.

5.3.4 The Secretary can make themselves available for election as Chairperson or Vice Chairperson after their term as secretary.

#### 5.4 Executive Committee

##### 5.4.1 Status of Executive Committee

The Executive Committee is the highest decision making body of SPC and stands under the authority only of the Annual General Meeting.

##### 5.4.2 Core functions of the Executive Committee ‡

The core functions of the Executive include -

4.1. To comply with all prescriptions of this Constitution;

4.2. To actively engage with relevant Stellenbosch University policies, promote awareness thereof and engagement therewith amongst members;

4.3. To facilitate projects and initiatives to the benefit of members and greater University community;

4.4. To inform members continuously, and obtain feedback about its activities;

4.5. To represent members at;-

4.5.1. Students' Representative Council;

4.5.2. Relevant Stellenbosch University structures;

4.5.3. National and international student bodies where appropriate

4.5.4. Attend all Executive Committee meetings

4.6. Members may excuse themselves from a meeting by giving notice in writing with justifiable reasons at least one (1) day before the meeting to the secretary, and where the reason is accepted by the secretary;

4.7. Each member of the executive committee is expected to;

- 4.7.1. Attend all functions and events organized by the committee unless unable to do so owing to academic commitments or any reasonable explanation. The Secretary reserves the right to determine the reasonableness.
- 4.7.2. Read and act timely on minutes and action lists;
- 4.7.3. Promoting the committee's credibility at all times;
- 4.7.4. Perform their duties to the best of their ability;
- 4.8. Each member must actively assist their successor with year-planning and allow at least a two-week period for an effective handover. This would exclude weekends;
- 4.8.1. This is determined by the outgoing and incoming Chairperson and Vice-Chairperson;
- 4.9. Each member must submit a budget (of their portfolio/s) to the treasurer at the beginning of their term of office.

5.4.1 The Executive Committee consists of:

- 5.4.1.1 The Chairperson;
- 5.4.1.2 The Vice Chairperson;
- 5.4.1.3 The Secretary;
- 5.4.1.4 The Head Cluster Convener and
- 5.4.1.5 Three (3) additional members, elected from the members of the SPC

5.4.2 The additional members are elected at the first SPC meeting of the new term.

5.4.3 The Executive Committee (EC) meets, weekly or as often as the Chair and Vice Chair deems necessary.

5.4.4 All members of the EC, excluding the Secretary, have voting rights within the EC.

5.4.5 The EC's main objective is to make the SPC more effective; it represents the SPC, discusses urgent matters, advises the Chair, Vice-Chair and Head Cluster Convener, sets the agenda for the SPC meetings and fulfils other roles and functions as the Chair and Vice-Chair deems fit.

5.4.6 The EC does not have the right or the authority to substitute the powers and privileges of the SPC unless the authority is delegated to the EC by a simple majority vote of the SPC.

5.4.7 All decisions of the EC must be made available to the SPC within 24 hours and must be ratified at the next ordinary meeting of the SPC.

5.4.8 Quorum for EC meetings constitutes 50% plus one of the members with voting Rights.

Announcement of programme and budget Ω

1. The newly-elected Executive Committee must, before the start of their term of office, make a document available to all members which at least –

1.1. Sets out clearly and in detail how the Executive Committee aims to fulfil its core functions and realize the decisions as determined at the AGM;

1.2. Contains a complete budget; and

1.3. Indicates which portfolios, including the compulsory portfolios, are assigned to which Executive Committee members or managers.

2. As soon as this document is made available, the Executive Committee must make reasonable attempts to make all members aware of its availability. This must be accessible on its website and one other social media platform.

## 5.5 Other members of the SPC

5.5.1 Each member of the SPC acts as a representative for his/her House but also as a member of the Senior Prim Committee.

## Part 2.4 Election of Office-bearers

### 1. Election of the executive committee ‡

(1) The Election of the Chairperson of the Senior Prim Committee will take place before the elections for the Students' Representative Council closes at a special meeting convened by the outgoing Chairperson.

(2) The election is administered by a Students' Representative Council Election Convenor.

1. Every registered resident from Senior Housing is a registered voter in the election of a new Executive committee.

2. The registered voters elect a new Executive Committee comprising a chairperson and six (6) members during the annual general meeting (AGM).

3. If six (6) or less members stand in the election, after the election of the Chairperson, they will automatically be considered elected onto the Executive.

4. The Executive Committee will elect the committee positions amongst themselves at their first meeting by the end of October.

5. Only members are eligible for nomination, and the nomination must be received by the latest one week before the AGM where the election will take place and every nomination must be seconded by at least two (2) members.

6. The outgoing executive committee appoints an by means of an application process and this may be a member or non-member of the Election Convenor committee.

7. The election takes place by means of a secret ballot.

8. The Election Convenor has all the powers to manage an election which is free, fair and democratic which includes convening an extraordinary meeting.

9. The Chairperson is elected at the AGM by means of a positive vote.

10. The other six (6) members are the ones who received the six highest votes in the voting which takes place after the Chairperson has been elected.

11. A member who cannot be present during the election may stand as candidate in proxy and/or may vote in proxy. The absent candidate may nominate another person to read his/her motivation. The Convenor must receive the letter of proxy from a registered voter, either in writing or by email, at least one (1) day before the election takes place for it to be valid.



(7) The outgoing Chairperson remain as such until the Students' Representative Council term expires.

(8) The single Senior Prim Committee representative on the Students' Representative Council must consist of either a residence or a PSO representative.

#### 1. Vacancies

1. If the position of Chairperson becomes vacant for any reason, the Vice-Chairperson will automatically become Chairperson.

2. If any other position of the Executive Committee becomes vacant for any reason, the Executive will decide if –

2.1. the responsibility will be allocated to another member of the Executive; or

2.2. to co-opt the member(s) with the highest number of votes in the election wherein they were elected to join the Executive; or

2.3. to hold a by-election in which must comply with all the requirements of an ordinary election similar fashion to an extraordinary meeting

### CHAPTER 3: MEETINGS ‡

#### 6. Meetings

##### 6.1 Ordinary meetings

6.1.1 Ordinary meetings are held once a month, excluding examination and holiday Periods.

6.1.2 An additional development session for the SPC will take place once a month, excluding examination and holiday periods.

6.1.3 Each member of the SPC should be present.

6.1.3.1 The Tygerberg Senior Prim Committee must send at least one representative.

6.1.4 Quorum for SPC meetings is a minimum of two thirds of the SPC members (including representatives with proxy letters).

6.1.5 Excuses must be submitted to the Secretary for approval, at least 24 hours before the start of the meeting.

6.1.6 Members may miss a maximum of three meetings without a valid excuse.

6.1.7 Representatives who stand in for an absent SPC member must be disclosed to the Secretary before the start of the meeting.

6.1.8 Should there be any official matters to be voted on (such as motions or any matters for decision), representatives are to hand in a proxy letter from the SPC member, to the Chairperson (or Vice Chairperson, if the Chairperson is unavailable) before the start of the meeting.

6.1.9 Representatives have no voting rights, unless a proxy letter has been handed in and accepted.

6.1.10 The Secretary must give written notice (including time) of a SPC meeting, at least seven days before the meeting is scheduled.

6.1.11 The minutes of the meeting must be sent to the members no later than seven days after the meeting took place.

6.1.12 Revised minutes are available on request.

6.1.13 Constitutional motions and matters for discussion must be sent in to the Secretary at least 48 hours before the scheduled meeting.

6.1.14 Members must receive the agenda no later than 24 hours before the start of the scheduled meeting.

6.1.15 Procedures:

6.1.15.1 The previous minutes must be accepted;

6.1.15.2 The next SPC meeting date must be determined;

6.1.15.3 Attendance must be taken;

6.1.15.4 The agenda must be closed at the beginning of the meeting.

## 6.2 Extraordinary Meetings

6.2.1 Extraordinary meetings are held at the request of the Chairperson, Vice Chairperson or when more than 50% of the members of the SPC request such a meeting.

6.2.2 Quorum for an extraordinary meeting is two thirds of the voting members of the SPC (including representatives with proxy letters).

6.2.3 The agenda for the extraordinary meeting must be sent along with the notice of the meeting.

## 6.3 Executive Committee Meetings

6.3.1 Executive Committee meetings can be determined by the Chairperson.

6.3.2 Feedback from the meetings must be given at the next SPC meeting to the SPC Members.

## 6.4 Voting

6.4.1 If it appears that the SPC cannot reach consensus on a matter, the matter can be put to a vote, where a simple majority is needed.

6.4.2 Only the Chairperson, Vice Chairperson, Tygerberg SPC Chair, Head Cluster Convener and Senior Prims of the Houses (as set out in Addendum A) have voting rights.

6.4.3 Each member has one vote. In the situation of a deadlock in votes, the Chairperson has to withdraw his/her vote.

## 1. Annual General Meeting (AGM)

1. This is the highest decision-making meeting of the committee.

2. This takes place during the third academic term on a date determined by the outgoing Executive Committee.

3. Members are to be notified in writing of a pending annual general meeting at least seven (7) days, which excludes weekends, in advance and such notice must include the agenda for the meeting and invite members to submit additional agenda points

4. The Final Agenda must be sent to members at least two (2) days before the AGM.

5. A quorum is defined by the thirty (30) members.

6. If quorum is not met, another meeting must be called where only the agenda of the previously invalid AGM may serve, within five (5) days and irrespective of whether quorum is met shall be deemed to have been met. The date must be decided at the invalid AGM.
7. The Executive may choose any format they wish as long as it allows for members to be physically present and allows for meaningful engagement with all reports delivered by Chairperson and Treasurer.
8. The Chairperson will chair the meeting
- 8.1. In the absence of the Chairperson, the Executive Committee will elect a Chairperson for the meeting amongst their members.
9. The Executive Committee is elected at the AGM; this point is chaired by the Election Convenor.
10. The AGM must adopt a broad mandate which must inform the year-plan of the incoming Executive.

## 2. Extraordinary meetings

1. An extraordinary meeting will take place at the written request of:-
  - 1.1. the Chairperson and Vice Chairperson; or
  - 1.2. Four (4) members of the Executive Committee; or
  - 1.3. At least fifteen (15) members make such a request in writing to the Secretary
2. The reasons for the request must contain:-
  - 2.1. All relevant information for such a request;
  - 2.2. In the event of motions of no confidence all pertinent details must be contained therein;
  - 2.3. Name and surname of person(s) requesting the meeting.
3. A quorum is defined by thirty (30) members.
4. If quorum is not met, another meeting must be called within five (5) days and irrespective of whether quorum is met is shall be deemed to have been met.
5. The notice must be communicated to members at least five (5) days before the meeting
6. The Chairperson will chair the meeting
- 6.1. In the absence of the Chair the Executive Committee will elect a Chair for the meeting amongst their members.

## CHAPTER 4: DISCIPLINARY ‡

### 7. Disciplinary Procedures

- 7.1 Any member of the SPC may lodge a complaint with the Chairperson.
  - 7.1.1 The discretion lies with the Chairperson and Vice Chairperson to handle the complaint and the EC may be consulted in this regard.
- 7.2 If the member who lodged the complaint is unhappy with the outcome of the complaint, they are able to approach the EC.
  - 7.2.1 The EC appoint an ad hoc disciplinary committee to handle the matter.
- 7.3 In the case of a serious breach in duty or responsibility, the disciplinary committee, in consultation with the Director of CSC, is to make recommendations to the CDC, for them

to take further action if necessary.

7.4 The SPC's disciplinary committee consists of:

7.4.1 The Chairperson;

7.4.2 The Vice Chairperson; and

7.4.3 Three additional members.

7.5 The three additional members are appointed on an ad hoc basis by the EC.

7.6 The disciplinary committee investigates the matter and takes a decision with recommended punishment which serves as a recommendation to the CDC. These recommended punishments may include temporary suspension of membership or expulsion. The member concerned must be included in this process.

7.7 The procedures followed by the CDC and outlined in the General Yearbook, will be Followed.

## CHAPTER 5: COMMENCEMENT, REPEAL AND AMENDMENT Ω

### 1. General

1. Irrespective of the applicable section in terms of which this Constitution is revised and/or amended; the methodology and practice must ensure it conforms to the principles of Ethical Good Governance and Constitutional democracy; with specific focus on:-

1.1. Transparency; and

1.2. Accountability; and

1.3. Consultative governance; and

1.4. Openness; and

1.5. Participative democratic process.

### 2. Commencement and repeal

1. All provisions of this Constitution come into effect once approved by the Student Court.

2. No part of this Constitution will have effect retroactively.

### 3. Normal amendment process

1. The following provisions are fundamental and may only be amended at an AGM with two-thirds (2/3) of members present voting in favour of amendments: Chapter 1, Section 4.14.

2. A proposed amendment to the fundamental provisions must be accepted by two-thirds (2/3) members of the Executive Committee voting for the proposed amendment during an Executive Committee meeting before an AGM will be held.

2.1. Independent observers must be invited to attend this meeting and must include at least:

2.1.1. Head of Office for Equality Unit (EU) or nominee; and

2.1.2. Two members of the Executive Committee of the SRCI or nominee(s) as decided by SRC Executive; and

2.1.3. Speaker of Student Parliament or nominee.

3. All provisions not mentioned in subsection (1) and not mentioned in section 40(1) can be amended by two-thirds (2/3) members of the Executive Committee voting for the proposed

amendment during an Executive Committee meeting but only after members have been given at least one (1) week to deliver written commentary and/or objections.

3.1. Independent observers must be invited to attend this meeting and must include at least:

3.1.1. One member from the Executive Committee of the SRC or nominee as decided by the SRC Executive; and

3.1.2. Speaker of Student Parliament or nominee as decided by Student Parliament Committee.

4. The fundamental provisions listed in subsection (1) take precedence over all other ordinary provisions of this Constitution.

5. The super fundamental provisions in 40(1) take precedence over both fundamental and ordinary provisions of this Constitution.

4. Special amendment process

1. Aside from sections 35(1) and section 40(1) any proposed amendment to any other part of this Constitution will be put to a vote if the terms of section 25 are met to call an extraordinary meeting if –

1.1. the signatures of at least 50%+1 of registered members have been obtained in favour of the proposed amendment; and

1.2. Two-thirds (2/3) of the members present at such an extraordinary meeting votes in favour thereof.

2. Independent observers must be invited to attend this meeting and such meeting must include at least:

2.1. Head of Office for Equality Unit (EU) or nominee; and

2.2. Two members of the Executive Committee of SRC or nominee(s) as decided by the SRC Exec; and

2.3. Speaker of Student Parliament or nominee.

5. Constitutional Amendment at AGM

1. The fundamental provisions of this Constitution listed in section 35(1), as well as any provision in terms of section 36, can only be amended by acceptance of the proposed amendment by two-thirds (2/3) of the members at an AGM.

2. A constitutional amendment normally takes place during the AGM where the new Executive Committee is elected, unless otherwise provided, and is organized by the Election Convenor.

3. The Election Convenor must ensure that each member must get a reasonable opportunity to vote in a referendum.

4. Independent observers must be invited to attend this meeting and must include at least:

4.1. Head of Office for Equality Unit (EU) or nominee; and

4.2. Two members of the Executive Committee of SRC or nominee(s) as decided by SRC Exec; and

4.3. Speaker of Student Parliament or nominee.

6. Mandatory Constitutional Revisions

1. At least every three (3) years, starting in 2020, a special meeting must be held in the first three weeks of the second academic term in which members vote on whether this constitution is to be revised.

2. Independent observers must be invited to attend this meeting and must include at least:
  - 2.1. Head of Office for Equality Unit (EU) or nominee; and
  - 2.2. Two members of the Executive Committee of the SRC or nominee(s) as decided by the SRC Exec; and
  - 2.3. Speaker of Student Parliament or nominee.
3. If a majority of votes for revision is obtained, the following procedure must be followed:
  - 3.1. The SRC must order the Senior Prim Executive Committee to ensure that this Constitution is revised by means of a transparent, accountable and participative democratic process.
  - 3.2. If, by the middle of its term, the Executive Committee has not taken reasonable steps to revise this Constitution, the SRC must take steps it deems necessary to ensure that this constitution is revised.
  - 3.3. The revised Constitution must be put to the vote at the AGM during the following Executive Committee members' election.
7. Certification of Constitution and Constitutional Amendments
  1. If a constitutional amendment has taken place, the Chairperson must submit the text of the constitutional amendment to the Student Court for certification.
  2. No text comes into effect until the Student Court has certified that-
    - 2.1. the text has been passed in accordance with applicable provisions in Chapter 5; and
    - 2.2. the whole text complies with the values of Bill of Rights of the Constitution of the Republic of South Africa; and
    - 2.3. specifically complies with section 33 of this Constitution.
8. Super fundamental amendments:
  1. Notwithstanding any provision in this Constitution; the preamble, Chapter 2, Chapter 3, and Chapter 4-:
    - a. can only be amended by acceptance of the proposed amendment by three-quarters (3/4) of members at the annual AGM; and
    - b. After members received notice of the proposed amendment(s) and reasoning thereof at least ten (10) business days before the annual AGM.

#### Addendum A

The Prims of the following Houses are considered as member of the Senior Prim Committee due to their relationship with CSC:

Senior Residences    Senior PSOs  
 Concordia  
 Huis de Villiers  
 Huis MacDonald  
 Lobelia\*\*\*

be invited to attend this meeting and must include at least:

2.1.1. Head of Office for Equality Unit (EU) or nominee; and

2.1.2. Two members of the Executive Committee of the SRCI or nominee(s) as decided by SRC Executive; and

2.1.3. Speaker of Student Parliament or nominee.

3. All provisions not mentioned in subsection (1) and not mentioned in section 40(1) can be amended by two-thirds (2/3) members of the Executive Committee voting for the proposed amendment during an Executive Committee meeting but only after members have been given at least one (1) week to deliver written commentary and/or objections.

3.1. Independent observers must be invited to attend this meeting and must include at least:

3.1.1. One member from the Executive Committee of the SRC or nominee as decided by the SRC Executive; and

3.1.2. Speaker of Student Parliament or nominee as decided by Student Parliament Committee.

4. The fundamental provisions listed in subsection (1) take precedence over all other ordinary provisions of this Constitution.

5. The super fundamental provisions in 40(1) take precedence over both fundamental and ordinary provisions of this Constitution.

#### **4. Special amendment process**

1. Aside from sections 35(1) and section 40(1) any proposed amendment to any other part of this Constitution will be put to a vote if the terms of section 25 are met to call an extraordinary meeting if –
  - 1.1. the signatures of at least 50%+1 of registered members have been obtained in favour of the proposed amendment; and
  - 1.2. Two-thirds (2/3) of the members present at such an extraordinary meeting votes in favour thereof.
2. Independent observers must be invited to attend this meeting and such meeting must include at least:
  - 2.1. Head of Office for Equality Unit (EU) or nominee; and
  - 2.2. Two members of the Executive Committee of SRC or nominee(s) as decided by the SRC Exec; and
  - 2.3. Speaker of Student Parliament or nominee.

## **5. Constitutional Amendment at AGM**

1. The fundamental provisions of this Constitution listed in section 35(1), as well as any provision in terms of section 36, can only be amended by acceptance of the proposed amendment by two-thirds (2/3) of the members at an AGM.
2. A constitutional amendment normally takes place during the AGM where the new Executive Committee is elected, unless otherwise provided, and is organized by the Election Convenor.
3. The Election Convenor must ensure that each member must get a reasonable opportunity to vote in a referendum.
4. Independent observers must be invited to attend this meeting and must include at least:



- 4.1. Head of Office for Equality Unit (EU) or nominee; and
- 4.2. Two members of the Executive Committee of SRCI or nominee(s) as decided by SRC Exec; and
- 4.3. Speaker of Student Parliament or nominee.

## **6. Mandatory Constitutional Revisions**

1. At least every three (3) years, starting in 2020, a special meeting must be held in the first three weeks of the second academic term in which members vote on whether this constitution is to be revised.
2. Independent observers must be invited to attend this meeting and must include at least:
  - 2.1. Head of Office for Equality Unit (EU) or nominee; and
  - 2.2. Two members of the Executive Committee of the SRC or nominee(s) as decided by the SRC Exec; and
  - 2.3. Speaker of Student Parliament or nominee.
3. If a majority of votes for revision is obtained, the following procedure must be followed:
  - 3.1. The SRC must order the Senior Prim Executive Committee to ensure that this Constitution is revised by means of a transparent, accountable and participative democratic process.
  - 3.2. If, by the middle of its term, the Executive Committee has not taken reasonable steps to revise this Constitution, the SRC must take steps it deems necessary to ensure that this constitution is revised.
  - 3.3. The revised Constitution must be put to the vote at the AGM during the following Executive Committee members' election.

## **7. Certification of Constitution and Constitutional Amendments**

1. If a constitutional amendment has taken place, the Chairperson must submit the text of the constitutional amendment to the Student Court for certification.
2. No text comes into effect until the Student Court has certified that-
  - 2.1. the text has been passed in accordance with applicable provisions in Chapter 5; and
  - 2.2. the whole text complies with the values of Bill of Rights of the Constitution of the Republic of South Africa; and
  - 2.3. specifically complies with section 33 of this Constitution.

## **8. Super fundamental amendments:**

1. Notwithstanding any provision in this Constitution; the preamble, Chapter 2, Chapter 3, and Chapter 4-:
  - a. can only be amended by acceptance of the proposed amendment by three-quarters (3/4) of members at the annual AGM; and
  - b. After members received notice of the proposed amendment(s) and reasoning thereof at least ten (10) business days before the annual AGM.

# Addendum A

The Prims of the following residences are members of the Senior Prim Committee. In the case of the LLL programme, where there are interns only, it is required that one of the interns is to serve on the SPC. This SPC member is to be chosen by the LLL interns at their beginning of their term.

Senior Residences
Concordia
Huis de Villiers
Huis MacDonald
Lobelia
The Village
Huis Russel Botman
LLL