

Stellenbosch University
Constitution
of
Amnesty International Stellenbosch Chapter

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CHAPTER 1

1. Preamble

- 1.1. The name of this society shall be “Amnesty International Stellenbosch Chapter” hereafter referred to as “Society”.
- 1.2. The Society works to educate people about Human Rights, campaigns to counteract and raise awareness of the violations of Human Rights, and strives to prevent such violations.
- 1.3. Our vision is a world in which every person enjoys all the Human Rights enshrined in the United Nations Universal Declaration of Human Rights of 1948 and other international human rights standards.

2. Mission Statement

Keeping in line with the motto of the organisation, “It is better to shine a light than to cause darkness,” the Society aims to address Human Rights violations in Stellenbosch and the surrounding areas by creating sustainable community-led initiatives, assessing the success of these initiatives bi-annually to ensure that they continue to benefit communities and improve them where necessary and allowing for the existence of channels where communities or community-based organisations can make suggestions to the chapter regarding the kinds of projects they would like to see created.

Beyond the Western Cape, the chapter will voice its opposition to Human Rights violations through organising and/or participating in demonstrations including but not limited to marches and boycotts petitions.

3. Definitions

In this Constitution, unless the context otherwise indicates:

- 3.1. “Council” means the Council of the University;
- 3.2. “Majority” should be understood as 50 percent plus one of the members present who are voting;
- 3.3. “Member” means an ordinary member of the Society who is not in arrears with the payment of the membership fee, and who has not been excluded or suspended from the Society or from the University;
- 3.4. “MGD” means Matie Gemeenskapsdiens (Matie community Service);
- 3.5. “Portfolio” means a membership position on the Executive Committee of the Society, as outlined in section 11;
- 3.6. “Quorum” for any meeting, except where exception is provided for, shall be one-quarter of the total number of members in the society;
- 3.7. “Society notice board” should be understood as ‘Society’s Announcement Page Mailing List.’ Any posting on the notice board shall be done in such a manner that all members receive;
- 3.8. “Societies’ Council” means the committee constituted by the Council and students responsible for the control of University student societies;
- 3.9. “Society” means the Society, Club, Association, Union or Organisation duly constituted in terms of this Constitution;
- 3.10. “SRC” means the Students’ Representative Council recognised by the Council as the body representing the students of the University;
- 3.11. “Staff member” means a person employed by the University on a full-time basis, or temporarily;
- 3.12. “Student” means a person registered as a student of the University for the current academic year in any course;
- 3.13. “University” means Stellenbosch University;
- 3.14. “Vice-Chancellor” means the Vice-Chancellor of the University; and
- 3.15. Words in the singular number include the plural, and words in the plural number include the singular.

CHAPTER 2

4. Members

4.1. Members of the Society may be either ordinary members or honorary members;

4.2. Ordinary Members

The following persons may be ordinary members of the Society:

4.2.1. Any registered student of the University;

4.2.2. Any staff member;

4.3. Honorary Members

4.3.1. The Society may, on the recommendation of the Executive Committee, nominate any person to be an honorary member of the Society. Any nomination for an honorary member will be submitted by the Society for the approval of the Societies' Council;

4.3.2. An honorary member may be elected for life;

4.3.3. An honorary member shall not be:

a) entitled to vote at any meeting of the Society;

b) entitled to be a member of the Executive Committee of the Society;

c) obliged to pay any membership fee;

4.3.4. When considering a person for election as an honorary member, the Society shall also take into account whether the person has made any significant contribution to the promotion of the objectives of the Society;

4.4. The Executive Committee may, for good cause, exclude or suspend any honorary member;

- 4.5. Members that during the year terminates membership or are expelled from the Society will forfeit their membership fee;
- 4.6. Any member who has been excluded or suspended may, within seven days of receipt of written notification of such exclusion or suspension, appeal against such decision to Student Court;
- 4.7. Any decision of the Student Court is subject to appeal to the Vice-Chancellor (or his/her deputy) within seven days of receipt of written notification thereof;
- 4.8. The appeals in terms of sections 4.5 and 4.6 above, shall be subject to, and in accordance with, the provision of section 20 below;
- 4.9. The Society may not give any of its money or property to its members or office-bearers, other than to reimburse persons for expenses incurred on behalf of the Society or to pay persons for the work that was done for the Society.
- 4.10. Members or office-bearers of the Society do not have rights over belongings of the Society.
- 4.11. All persons by becoming members of the Society submit themselves to the rules and discipline of the Society and the University.

CHAPTER 3

5. Meetings of the Society

- 5.1. A meeting of the Society may be either the Annual General Meeting, an Executive Committee meeting, a General meeting or a Special meeting;
- 5.2. All meetings, excluding Executive Committee meetings, shall be well advertised on the society notice board;
- 5.3. A special meeting shall be convened at the written request of at least a quorum of all members of the Society or by a quorum of the Executive Committee:

- 5.3.1. The request to convene a special meeting shall state the business to be considered at the meeting;
- 5.3.2. At least seven days' notice shall be given of the date of a special meeting on the society's notice board;
- 5.4. All meetings of the Society shall be presided over by the Chairperson of the Society:
 - 5.4.1. In the absence of the Chairperson, the meeting shall be presided over by the person upon whom the powers and duties of the Chairperson have devolved in terms of section 14.2;
 - 5.4.2. In the event of all persons referred to above being absent from the meeting, the members present shall elect their own presiding officer by a common majority vote;
- 5.5. The presiding officer at any meeting shall have a deliberative vote.

6. Quorum for Meetings of Society

- 6.1. Except where otherwise provided in this Constitution, the quorum for any meeting shall be one-quarter of the total number of the members;
- 6.2. Quorum for an Annual General Meeting shall be one-quarter of the total number of members in the Society;
- 6.3. Quorum for an Executive Committee meetings shall be two-thirds of the total number of Executive Committee members;
- 6.4. In the absence of the required quorum at any meeting, such meeting must be scheduled for a new date.

7. Annual General Meeting

- 7.1. The Annual General Meeting of the Society shall be held during the third quarter of each year;
- 7.2. The agenda for the Annual General Meeting shall be advertised at least two weeks before the meeting on the society's notice board;
- 7.3. The Executive Committee for the ensuing year shall be elected at the Annual General Meeting;
- 7.4. At every Annual General Meeting, the following reports shall be presented to the meeting:
 - 7.4.1. The Chairperson's report on the activities of the Society over the past year;
 - 7.4.2. The Treasurer's report on the financial state of the Society.

CHAPTER 4

8. Voting

- 8.1. Only ordinary members of the Society may vote at any meeting;
- 8.2. Voting shall be by show of hands, or, if the meeting so decides, by open or secret ballot;
- 8.3. No voting may be affected by proxy;
- 8.4. Except where otherwise provided in this Constitution all matters determined by a vote shall be decided by a majority of those present and voting;
- 8.5. The provisions of this section shall also apply, mutatis mutandis, to meetings of the Executive Committee of the Society;
- 8.6. Except where otherwise provided in this Constitution, in case of a tied vote, the presiding officer of the meeting as per section 5.4 shall be granted the right to a deciding vote.

CHAPTER 5

9. Term of Office of Executive Committee Members

- 9.1. The Executive Committee shall serve for one year, or until the election of a new Executive Committee, whichever period is the shorter;
- 9.2. Any person shall cease to be an Executive Committee member if:
 - 9.2.1. he/she ceases to be a member of the Society;
 - 9.2.2. he/she is excluded or suspended from the Society;
 - 9.2.3. he/she tenders his/her resignation in writing and such resignation is accepted by the Executive Committee;
 - 9.2.4. The Executive Committee may, by a two thirds majority vote of the total number of Executive Committee members and via secret ballot, suspend indefinitely or for a determined period any committee member that is deemed no longer fit to hold a position in the committee;
 - 9.2.4.1. Reasons for expulsion from the committee include the consistent breaking of society rules, consistent unreliability, unruly and/or unlawful behaviour, and any other reasons deemed relevant via discussion in an Executive Committee meeting. Reasons for expulsion must be consistent with warnings issued as per section 9.2.4.2;
 - 9.2.4.2. The Executive Committee member in question must have been issued with 2 formal verbal warnings, followed by a formal written warning, within his/her term – received from the Chairperson and/or Vice-Chairperson – before expulsion from the committee can be considered;
 - 9.2.4.3. Any discussion of and voting on the expulsion of an Executive Committee member shall be placed on the meeting's agenda, freely available for viewing by all Executive Committee members, at least 5 days before the meeting in question. The matter may not be raised in a meeting as a special order;
 - 9.2.4.4. At least two thirds of the Executive Committee members, rounded up to the nearest whole number, need to be present at the meeting

where the proposed expulsion is discussed, and a decision is voted upon;

- 9.2.4.5. The Chairperson must read out the reasons for the consideration of the expulsion of the Executive Committee member before the commencement of the discussion. The Executive Committee member in question will be given adequate time, within reason, to respond, after which the discussion will commence;
- 9.2.4.6. The final decision on whether or not to formally hold a vote regarding the proposed expulsion of an Executive Committee member rests with the Chairperson, who will grant/deny permission to host such a vote after the discussion. All committee members must cast a secret ballot, where they can either vote ‘for’; ‘against’; or ‘abstain’;
- 9.2.4.7. The result of the vote is effective immediately. The expelled Executive Committee member will be asked to leave the meeting. Record of the expulsion will be made by the Secretary. Protocol as per section 10.4 shall apply;
- 9.2.4.8. In the event that the Executive Committee member in question is the Chairperson, the Vice-Chairperson shall preside over all proceedings regarding section 9.2.4. The vote with regard to the expulsion of the Chairperson will be formally referred to as a ‘vote of no confidence’;
 - 9.2.4.8.1. A vote of no confidence needs to be supported by the Vice-Chairperson and two other Executive Committee members before it can commence. All formal proceedings with regard to section 9.2.4 are to be followed, mutatis mutandis;
 - 9.2.4.8.2. A vote of no confidence may be raised by any member of the Society;
 - 9.2.4.8.3. Upon the expulsion of the Chairperson, the Vice-Chairperson will fill the role of Chairperson as ‘Acting Chairperson’ for a period up to 40 days after expulsion. Before the end of this period; donation made by sections 14.2 and 10.4 should be followed, mutatis mutandis;

9.2.4.8.4. A special general meeting of the Society's ordinary members must be held within 40 days of the expulsion of the Chairperson, where a new Chairperson is to be elected (refer to sections 5, 6, and 8).

10. Functions of the Executive Committee

- 10.1. The functions of the Executive Committee shall be the following:
 - 10.1.1. To convene meetings of the Society;
 - 10.1.2. To deal with matters of urgency;
 - 10.1.3. To co-opt any member of the Society to the Executive Committee either generally or for a special purpose;
 - 10.1.4. To conduct, generally, the affairs of the Society;
 - 10.1.5. To create and constitute Executive Committees as may be necessary for the better running of the affairs of the Society;
 - 10.1.5.1. The head of such Committees will be held accountable by the Executive Committee;
 - 10.1.5.2. The head of such Committees shall not, by virtue of being the head of the Committee, be an Executive Member;
 - 10.1.6. To open such accounts with the MGD as are necessary for the better conducting of the affairs of the Society and to nominate the members who are permitted to draw upon such accounts;
 - 10.1.7. To make, amend and suspend the by-laws of the Society in terms of section 21 hereof;
 - 10.1.8. To recommend the annual membership fee, if any, payable by the members of the Society;
 - 10.1.9. To exclude or suspend any member, for good cause in accordance with section 9.2.4;
 - 10.1.10. To recommend to the Society, persons for election as honorary members;
- 10.2. The Executive Committee shall each year apply to MGD for such grants as it deems necessary for the ensuing year;

- 10.3. The Executive Committee shall satisfy the SRC by 31 March of each year in writing that the Society is still operative. (For this purpose, it is sufficient that the SRC is advised of the names of the office-bearers that have been elected at the Annual General Meeting or a special meeting convened for this purpose and that the Society has at least the minimum number of members as determined by the Societies' Council from time to time);
- 10.4. In the event of a vacancy on the Executive Committee, the Executive Committee may transfer the functions entrusted to the absent member to one or more of the remaining members of the Executive Committee or to a co-opted member.

11. Members of the Executive Committee

- 11.1. The Executive Committee shall consist of at least the following seven members:
 - 11.1.1. Chairperson;
 - 11.1.2. Vice-Chairperson;
 - 11.1.3. Treasurer;
 - 11.1.4. Secretary;
 - 11.1.5. Human Rights Educator;
 - 11.1.6. Marketing;
 - 11.1.7. Social-events Co-ordinator;
 - 11.1.8. Additional Member(s);
 - 11.1.9. 'Additional Members' positions may be added or removed by the Executive Committee as it deems fit, aligning with the requirements of that committee's term, as per section 21;
- 11.2. Any vacancy on the Executive Committee may be filled at a meeting of the Society or by co-option;
- 11.3. A person co-opted to the Executive Committee in terms of sections 10.1.3 or 11.2 shall have all the rights, including the right to vote, of an Executive Committee member excepting that:
 - a) co-opted persons may not exceed more than one-third of members of the Executive Committee in number;
 - b) only members of the Society may be co-opted to the Executive Committee;

- c) the term of office of a co-opted person shall not exceed that of the Executive Committee;
- 11.4. In addition to and notwithstanding sections 14, 15 and 16, the core responsibilities of each Executive Committee member, referred to as ‘portfolios’, must be outlined at the beginning of each committee’s term and be drawn up as a ‘portfolio responsibilities’ document;
 - 11.4.1. The portfolio responsibilities document is to be kept in the minutes book, freely available for viewing by all the Society’s members. It serves as a record of Executive Committee member’s obligations.

12.Election of Executive Committee Members

- 12.1. The Executive Committee members shall be elected at the Annual General Meeting;
 - 12.1.1. Nominations may occur in advance or at an allocated time at the Annual General Meeting.
- 12.2. Any ordinary member of the Society may be nominated for membership of the Executive Committee;
- 12.3. Any ordinary member of the Society may self-nominate for membership of the Executive Committee;
 - 12.3.1. In the event that the member in question is unable to attend the Annual General Meeting, he/she may self-nominate by sending a written motivation of nomination to be read out at the Annual General Meeting;
- 12.4. Nominations for membership of the Executive Committee must be for a specific portfolio, as per section 11;
- 12.5. Motivation for the election onto the Executive Committee must be made by nominees during allocated times only. No debate or discussion will be entered into. This includes provisions made in section 12.3.1;
- 12.6. Election voting is to be made via secret ballot, the results of which are to be announced at the Annual General Meeting;
- 12.7. Members of the Executive Committee are elected by a common majority of votes;

- 12.8. In the event of a tie, the Executive Committee will be tasked with delivering a tie-breaking vote;
- 12.9. Voting results are effective immediately. Any appeal against the outcome of the vote shall be made in accordance with section 20;
- 12.10. An ordinary member of the Society, excluding those who are nominees for the Executive Committee, should be designated to administer voting;
 - 12.10.1.1. The designated administrator of voting shall be appointed by the outgoing Chairperson.
 - 12.10.1.2. In the event that the outgoing Chairperson is a nominee for the new Executive Committee, the members present shall elect the administrator of voting from themselves by common majority.

13.Meetings of the Executive Committee

- 13.1. Meetings of the Executive Committee shall be held regularly, but no less than four times during any Executive Committee's normal term of office;
- 13.2. Notice of Executive Committee meetings shall be given to all its members by the Secretary;
- 13.3. Agenda points for the meeting may not be submitted less than 48 hours before the meeting;
- 13.4. The agenda shall be sent out to the Executive Committee 24 hours before the meeting;
- 13.5. The quorum for a meeting of the Executive Committee shall be two-thirds of the Executive Committee;
- 13.6. Every decision of the Executive Committee shall require a majority vote of those present in its favour;
- 13.7. A meeting of the Executive Committee shall be convened at the request of the Chairperson or two of its members;
- 13.8. Every meeting of the Executive Committee shall be open for members of the Society to attend, within reasonable limitations;
- 13.9. The provision of section 5.4 shall apply, mutatis mutandis, to a meeting of the Executive Committee.

14.The Chairperson

- 14.1. The Chairperson of the Society shall preside at all meetings of the Executive Committee and of the Society;
- 14.2. In the absence of the Chairperson, all his/her powers and duties shall devolve on the Vice-Chairperson, and if he/she too is absent, upon the Secretary or such a person as appointed by the Chairperson in the previous Executive Committee meeting;
- 14.3. The Chairperson shall submit a report on the Society's activities over the past year to the Annual General Meeting;
- 14.4. The Chairperson may convene a meeting of the Executive Committee or the Society whenever he/she deems it necessary;

15.Secretary

- 15.1. The Secretary of the Society shall have charge of the Society's records and Minute Book;
- 15.2. The secretary shall keep minutes of all meeting of the Society and the Executive Committee;
- 15.3. The Secretary shall keep a copy of the Society's Constitution, as amended from time to time, in the Minute Book;
- 15.4. The Secretary shall, at the end of each year, submit the following to the Secretary of the Societies' Council:
 - 15.4.1. A statement of income and expenditure for the past year;
 - 15.4.2. The Chairperson's report of the Societies activities over the past year.

16.Treasurer

- 16.1. The Treasurer of the Society shall be responsible to the Executive Committee for all the income and expenditure of the Society during his/her term of office;
- 16.2. The Treasurer shall be entitled to draw upon the accounts of the Society;

- 16.3. The Treasurer will prepare the financial statements of the Society's accounts for the Mid-Term Report and the Annual General Meeting.

CHAPTER 6

17.Membership Fee

- 17.1. An annual membership fee payable by all members of the Society may be fixed by the Executive Committee;
- 17.2. All membership fees levied shall be subject to the approval of the Society in general meeting, the Societies' Council.

18.Publications

- 18.1. All publications of the Society must comply with the by-laws of the SRC Constitution;
- 18.2. The Society shall each year apply to the Societies' Council for such publication grant as it deems necessary for the ensuing year.

19.Affiliations

- 19.1. The Society may be affiliated for a period not exceeding one year at any time to any body if such affiliation could assist it in pursuing and attaining its objectives;
- 19.2. Before seeking any affiliation in terms of section 19.1 above, the Society shall obtain the approval of Societies' Council;
- 19.3. Only a member of the Society may be its delegate to any body to which it is affiliated.

20.Appeals

- 20.1. Whenever provision is made in this Constitution for an appeal against any decision, the provisions of this section shall apply;
- 20.2. An appeal must be lodged within the stated period of time or such right of appeal shall lapse;
- 20.3. Every notice of appeal must succinctly set out the grounds of appeal;
- 20.4. In the case of an appeal to the SRC, the notice of appeal must be lodged with the Secretary of the SRC, and in the case of an appeal to the Vice-Chancellor (or his/her deputy) the notice of appeal must be lodged with the Vice-Chancellor (or his/her deputy);
- 20.5. Whenever the SRC or the Vice-Chancellor (or his/her deputy) hears and determines an appeal it/he/she may in its/his/her absolute discretion decide whether or not any evidence and/or any representations from any party to the appeal will be permitted;
- 20.6. The decision of the Vice-Chancellor (or his/her deputy) in all cases shall be final and binding on all the interested parties.

21.By-Laws

- 21.1. The Executive Committee may make such by-laws for the Society as it deems to be in the interest of the better conduct of the affairs and management of the Society;
 - 21.1.1. Such by-laws should be kept in the Society minute book, freely available for viewing by all ordinary members of the Society;
- 21.2. The Executive Committee may, in the interest of the Society, amend or suspend the by-laws;
- 21.3. Any by-laws made by the Executive Committee shall not be inconsistent with this Constitution;
- 21.4. Any dispute with regard to the meaning or interpretation of the by-laws of the Society shall, mutatis mutandis, be dealt with as provided for in sections 22.4, 22.5 and 22.6;

- 21.5. Decisions regarding the implementation of sections 21.1 and 21.2 are to be made in a meeting of the Executive Committee via discussion and vote by secret ballot;
- 21.5.1. The discussion regarding the introduction or suspension of by-laws will be placed on the meeting's agenda at least 5 days before the aforementioned Executive Committee meeting. A special promulgation is to be made on the society's notice board exclusively regarding any decision taken as per sections 21.1 and 21.2;
- 21.5.2. A quorum of two thirds of the total number of Executive Committee members must be present at such a meeting;
- 21.5.3. The Chairperson is to read out the proposed by-law amendment, clearly stating its implications, formally commencing the discussion and the vote thereafter;
- 21.5.4. The result of the vote is final, and the by-law amendment becomes effective immediately;
- 21.5.5. The by-law amendment must be placed on the society's notice board within three days of passing;
- 21.5.6. Any passing, amending or suspending of by-laws as per sections 21.1 and 21.2 shall require a two-thirds majority vote of all members present at the Executive Committee meeting.

22. Constitution

- 22.1. A copy of the Society's approved Constitution shall be kept in the Society's Minute Book;
- 22.2. A copy of the Society's approved Constitution shall be lodged with both the SRC and the Council;
- 22.3. The copy of the Constitution lodged with the Council shall be regarded as correct and shall take precedence over all other copies in any dispute;
- 22.4. Any dispute with regard to the meaning or interpretation of this Constitution shall be referred to the Student Court for decision;
- 22.5. Any decision of the Student Court is subject to appeal within four days to the Vice Chancellor (or his/her deputy).

- 22.6. The appeal in terms of section 22.5 above shall, mutatis mutandis, be subject to and in accordance with the provisions of section 20 above.
- 22.7. This Constitution shall at all times be interpreted and read subject to the provisions of the SRC Constitution, its by-laws and standing orders.

23. Amendments to Constitution

- 23.1. Any amendment to this Constitution shall be considered only at an Annual General Meeting of the Society as per section 5 of this constitution and in accordance with the provisions of this clause;
- 23.2. At least fourteen days' notice must be given on the society's notice board of the meeting at which an amendment to this Constitution will be considered, as well as the reason for the proposed amendment;
- 23.3. The meeting considering the Constitutional amendments must take place at a reasonable time and place;
- 23.4. The quorum of one-quarter of all members of the Society must be met in order for an amendment to the Constitution is to be considered;
- 23.5. If a quorum does not exist as per section 23.4, then the meeting must be scheduled for a new date;
- 23.6. Any amendment to this Constitution requires a two-thirds majority vote of the total number of Executive Committee members in favour thereof and at least two thirds of the members present voting in the aforementioned meeting of section 23.1;
- 23.7. Every amendment to this Constitution shall be submitted for the approval of the Student Court, and the Societies' Council;
- 23.8. After the amendment has been approved it shall be entered in the copy of the Constitution in the Minute Book of the Society under the signature of the Chairperson of the Society.