

RULES OF THE STUDENTS’ IMBIZO

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PREAMBLE

We, the members of the Students’ Imbizo of the Stellenbosch University Student Parliament, accept this document as the Rules of the Students’ Imbizo and bind ourselves to the guidelines set out in it and the principles outlined in the Bill of Student Rights and the provisions in the Stellenbosch University Student Constitution.

We acknowledge our responsibility to facilitate the participation of students in the democratic processes recognised by the Student Constitution.

We further commit ourselves to being a body that advocates for the progressive realisation of the rights enshrined in the Bill of Student Rights and a beacon of cooperative governance.

These rules are subject to the provisions of the Constitution of the Republic of South Africa, 1996, the Higher Education Act 101 of 1997, the Statute of Stellenbosch University Number 42636 of 2019, and University regulations. We accept this as our binding internal regulatory framework.

CHAPTER 1: BASIC PROVISIONS

1. Definitions

- (1) **“Accept”**, **“decide”**, or **“elect”** means a decision taken with a simple majority of votes.
- (2) **“Convenor”** means the Convenor of Student Imbizo.
- (3) **“Day”** means a calendar day.
- (4) **“Deputy Speaker”** means the Deputy Speaker of Student Assembly as serving ex officio on the Imbizo Committee.
- (5) **“Point of order”** means a point meant to rectify an action or statement made by a delegate: Provided that —
 - (i) Such a point must be premised on a violation of the Constitution or the Code of conduct; and
 - (ii) Reference to the applicable section which is alleged to have been violated must be made when a point of order is raised.
- (6) **“Point of exigency”** is –
 - (i) A point that brings attention to a matter that might threaten the continuation of the meeting.
- (7) **“Positive Vote”** means the following process:
 - (a) When one candidate receives a simple majority of the vote, they are elected.
 - (b) If no candidate receives a simple majority of the vote, the following steps are followed:
 - (i) A new election takes place on the same day.
 - (ii) For this election, the candidates who received the smallest number of votes in the previous election are removed, but the sum of the removed candidate’s votes may not exceed 50% of the total number of votes in the previous election.
 - (iii) This process is repeated until one candidate receives a simple majority of the votes.
- (8) **“Positional Student Leader”** means a student elected or appointed to any structure recognised by the Student Constitution or any of its substructures’ constitutions.

- (9) **“Rules”** means the Stellenbosch University Student Imbizo Rules.
- (10) **“Simple majority vote”** means a 50% plus one (1) vote.
- (11) **“Super majority vote”** means 75% of votes.
- (12) **“SRC”** means the Students’ Representative Council.
- (13) **“Student body”** means an organised group of students formally associated with the University.
- (14) **“Student”** means a student registered at the University.
- (15) **“University authorities”** means any employee, or structure consisting of, University employees and including any Statutory Body.
- (16) **“University day”** means a weekday (Monday to Friday) during the academic year which is not a public holiday.
- (17) **“University”** means Stellenbosch University.

CHAPTER 2: MEMBERSHIP

2. Delegation to the Student Imbizo

- (1) The Student Imbizo must consist of the specified delegates, appointed from the student leadership structures as given in Section 71 of the Student Constitution.
- (2) A delegate must -
 - (a) Be a registered student at the University of Stellenbosch;
 - (b) Have been a registered student for more than a semester; and
 - (c) Not have a standing guilty finding from the CDC or DAC.
- (3) The Chief Administrator must request delegate names from the relevant student leadership structures by the end of the first week of the fourth academic term.
- (4) The student leadership structures must submit the delegate names by the end of the 2nd week of the fourth academic term to the Student Imbizo’s email box.
- (5) No member of the Student Assembly Committee may have membership in the Student Imbizo in any capacity, except the Deputy

Speaker of the Student Assembly who shall only serve ex officio on the Student Imbizo Committee.

- (6) If a delegate of the Student Imbizo can no longer fulfil their duties, the structure which delegated that member must ensure the vacancy is filled within 10 university days.

3. Sanctions

- (1) All structures, as per the Student Constitution and section 2.1 of these Rules, are obligated to delegate a student to the Student Imbizo or delegate a student after a vacancy arises.
- (2) Structures must be sanctioned if they do not comply with section 3.1 within 3 weeks of being informed of this obligation in writing by the Convenor.
- (3) The sanction for non-compliance is a recommendation to the relevant structure to have no more than 5% of the member's customary honorarium withheld. This sanction may only be imposed after a finding of non-compliance by an investigation in terms of Addendum A.

4. Term of Office

- (1) The term of the Student Imbizo members runs from the first day of the fourth academic term to the last day of the third academic term.

5. Powers of Delegates

- (1) All delegates to the Student Imbizo have equal voting powers at a meeting of the Imbizo.
- (2) A delegate may request any document from any positional student leader -
 - (a) The request must be made through the Convenor who must obtain the document and share with all members of the Imbizo.
 - i The information contained in the document shall be kept confidential amongst those in the Student Imbizo.
 - ii Permission needs to be obtained in writing from the Convenor to share the document's information.

- iii Sharing this information and failure to obtain permission from the Convenor will result in the termination of the delegate's membership.
- (b) This power's scope only excludes institutional documents that are deemed confidential by a secretariat within the Registrar's division.
- (c) The document must be provided to the Convenor by the relevant positional leader within 7 days of receiving the request.

6. Powers of Special Delegates

- (1) Special delegates have the same powers as delegates but may only exercise the powers during a meeting of the Imbizo when present in the meeting.
 - (a) The right to be counted in quorum is limited to their attendance in a meeting.
 - (b) The right to have their vote count is limited to their attendance in a meeting.

7. Code of Conduct

- (1) The Student Imbizo must adopt the Code of Conduct set out in Addendum C, at the beginning of its term and no later than 2 weeks after being elected to the position.
- (2) Delegates of the Student Imbizo must comply with the provisions of these Rules and that Code of Conduct.
- (3) If a delegate contravenes the Rules or if reasonable grounds exist to believe that a member will contravene them then –
 - (a) The Delegate's alleged conduct may be referred to the Executive Committee who must process the complaint according to the Disciplinary procedure set out in these Rules; or
 - (b) The Student Court may grant an appropriate order on application of any Delegate.

CHAPTER 3: STUDENT IMBIZO COMMITTEE

8. Electing the Student Imbizo Committee

The Student Imbizo Committee (“Committee”) members are elected as follow:

- (1) The Convenor is elected from applying students-
 - (a) In the third academic term of an academic year
 - (b) By a simple majority vote of:
 - (I) The outgoing Student Imbizo; and
 - (II) Two other students appointed by the outgoing Convenor
 - (c) At an Imbizo meeting presided over by the outgoing Convenor
- (2) The other members of the Committee shall be appointed by the incoming Convenor-
 - (a) After an application-interview process.
 - (b) The panel shall include the outgoing Student Imbizo Committee; and
 - (c) The appointments must be ratified or nullified by a simple majority vote of the outgoing Student Imbizo at an Imbizo meeting presided over by the incoming Convenor.
- (3) The outgoing Convenor must send a mass email to all students advertising the applications for the Student Imbizo Committee.
 - (a) Applications must be sent out no later than a month after the date upon which newly elected SRC members have been announced.
 - (b) Interviews of the applicants are to take place within the week after applications have closed.
 - (c) The executive members need to be appointed within 10 days of the interview process being completed.

9. Compulsory Portfolios

The Student Imbizo Committee must maintain at least the following portfolios with the respective duties and powers:

- (1) Convenor-
 - (a) Is a member of all Student Imbizo Committees, Forums, and Task Teams.
 - (b) Is ultimately responsible for the finances of the Student Imbizo.

- (c) Must ensure that meetings take place.
 - (d) Works with the Chief Administrator to compile the agenda.
 - (e) Presides over the Student Imbizo Committee.
 - (f) Must attend all Student Assembly Meetings.
 - (g) Works with the Administrator to ensure that the minutes of all meetings of all Student Imbizo bodies are released and made available on the relevant website and other relevant media platforms.
 - (h) Is an ex-officio member of the Students' Assembly Committee.
 - (i) May delegate any additional duties to the other executive members as it is deemed necessary.
- (2) Accountability Officer-
- (a) Serves as the Chairperson of the Accountability Committee
 - (b) Is required to attend all SRC meetings as far as reasonably possible.
- (3) Chief Administrator-
- (a) Collaborates with the Convenor to develop the agenda for Student Imbizo meetings.
 - (b) Curates and manages all internal and external communication on behalf of the Student Imbizo.
 - (c) Acts as the secretariat of Student Imbizo meetings and all subcommittee meetings.
 - (d) Processes all financial transactions for the Student Imbizo.
- (4) Deputy Speaker of Students' Assembly-
- (a) Acts as liaison between the Students' Assembly and Student Imbizo.
 - (b) Represents the interests of Students' Assembly at the Student Imbizo.

10. Term of Office

- (1) The term of the Student Imbizo Committee shall begin on the first day of appointment, 10 days after the interview process has been completed.

11. Filling Vacancies

If a vacancy arises for the position of:

(1) Convenor-

- (a) The Accountability Officer shall act as the convenor until such time that a new Convenor can be appointed.
- (b) The position of Convenor shall be advertised to all students within 10 days of the position falling vacant.
- (c) The Student Imbizo shall elect a new convenor in a meeting presided over by the Speaker of Students' Assembly within two weeks of the application closing.

(2) Other members of the Student Imbizo Committee-

- (a) The Convenor shall appoint a person to fill the vacancy after advertising and interviewing applicants.
- (b) The Student Imbizo shall ratify or nullify the appointment at the subsequent Imbizo meeting.

12. Powers of the Student Imbizo Committee

- (1) Appoint additional members to the Student Imbizo Committee.
- (2) Manage the day-to-day operations of the Student Imbizo Committee.
- (3) Receive submissions to the Student Imbizo and direct it accordingly to the Imbizo meetings.

CHAPTER 4: STANDING COMMITTEES OF THE STUDENT IMBIZO

13. The Accountability Committee

- (1) The body is responsible for conducting investigations, mediations, and arbitrations on behalf of the Imbizo. The Accountability Officer shall serve as the Chairperson of the committee. Members of the Accountability Committee shall be:
 - (a) The Accountability Officer, who shall act as the Chairperson.
 - (b) The Convenor.
 - (c) The Chief Administrator.
 - (d) Up to 3 students that may be appointed by the Committee and
 - (e) 2 members of the Imbizo elected internally.
- (2) The committee shall have the following powers and responsibilities:

- (a) Investigate and report on complaints referred to it by the Imbizo;
 - (b) Conduct arbitration and mediation of matters referred to it by the Imbizo; and
 - (c) Perform any other power or duty delegated to it by the Imbizo.
- (3) Addendum F stipulates the mandate and functioning of the Accountability Committee.

14. The Constitutional Review Committee

- (1) Is the committee that reviews proposed amendments to the Student Constitution, Student Parliament Constitution, and these rules upon receipt thereof by the Chief Administrator.
- (2) Is constituted by the following members:
 - (a) The Convenor, who shall act as the Chairperson;
 - (b) The Chief Administrator;
 - (c) The Accountability Officer; and
 - (d) 2 members of the Student Imbizo.
- (3) Where there is a proposed amendment -
 - (a) A meeting of the Committee shall be called within 5 University days to discuss the proposed amendment.
 - (b) The committee shall deliberate and recommend to the Student Imbizo whether to accept the amendment.

CHAPTER 5: EXERCISING OF POWERS, RESPONSIBILITIES, JURISDICTION, AND FUNCTIONS

15. Investigation

- (1) Upon receipt of a complaint or allegation the Chief Administrator shall direct the complaint to the Accountability Committee.
- (2) Upon receipt of the report, the Chief Administrator shall table it for a meeting of the Student Imbizo to discuss and decide on.
- (3) The Accountability Officer shall provide the Imbizo members with the report at least 7 days before the meeting where it shall be discussed.
- (4) At the meeting above, the student leader in question may be requested to attend and account for the allegations.

- (5) The Student Imbizo must decide whether to accept, amend, or reject recommendations from the report and where the recommendation includes remedial action, 75% of the Student Imbizo must support the recommendation to be binding.
- (6) The outcomes of the investigation must be shared with the Student Assembly in a manner that is respectful.
- (7) The procedure for an investigation is given in Addendum A.

16. Mediation and Arbitration

- (1) The Student Imbizo shall, where the need arises, offer mediation and arbitration between any two conflicting parties, provided that -
 - (a) The conflict involves a student leader;
 - (b) The service is offered during a formal investigation by the Accountability Committee;
 - (c) The conflict is due to circumstances that are deemed impractical to investigate; or
 - (d) The complainant of a complaint lodged against a student leader explicitly requests mediation and arbitration.
- (2) The process of mediation and arbitration must be referred to the Accountability Committee.
- (3) A mediation agreement, provided in Addendum D, must be signed by both parties before a mediation can take place.

17. Motions of No Confidence

The Student Imbizo shall –

- (1) Attend Students' Assembly plenary sessions in an observatory capacity, where a motion of no confidence will be voted on.
- (2) Review motions of no confidence that were passed by the Students' Assembly at a subsequent meeting.
- (3) The review shall take no longer than 7 days after receipt from the Students' Assembly -
 - (a) Determine, through a simple majority vote, whether the motion of no confidence was: Made in good faith, meaning it is based on a valid concern about the student leader's performance or conduct; and

- (b) Procedurally fair, meaning it followed the established procedure for bringing a motion of no confidence.
- (4) If the requirements in subsection (3) are met, the Student Imbizo shall remove the student leader from their position and inform all relevant parties of the removal.

18. Impeachment

- (1) Impeachment proceedings of a student leader can begin via –
 - (a) The advice by the Students' Assembly, as prompted by
 - (i) The term report of such leader, or
 - (ii) Any reason deemed fit by the Students' Assembly.
 - (b) Submission to the Student Imbizo in writing that include at least
 - (i) The date of the submission;
 - (ii) The structure of which the student leader forms part of;
 - (iii) The reason for impeachment;
 - (iv) The Constitutional obligations being contravened, as well as the relevant section(s);
 - (v) Proof of breach of the Constitution; and
 - (vi) The full names and student numbers of the mover and seconder, who must sign the submission
 - (c) A failed motion of no confidence.
 - (d) A recommendation made by the Accountability Committee
- (2) An investigation into the complaint should be carried out according to Addendum A. The investigation must determine which of the following grounds for impeachment exist –
 - (a) a serious violation of the Student Constitution or structure constitution;
 - (b) serious misconduct;
 - (c) the inability to perform the duties of the office they hold.
- (3) The impeachment proceeding is to run for no more than 14 days after it was initiated via a process in subsection (1).
- (4) The final outcome shall be determined with a simple majority vote by the Student Imbizo.
- (5) The reporting of such proceeding is to be made available within 14 days to:
 - (a) The complainant;

- (b) The accused;
 - (c) Student Court; and
 - (d) The accused's leadership structures they serve on.
- (6) Should the report find the leader guilty, the leader must write a letter of resignation and table it to the relevant structure within 3 days after the Student Court has reviewed and confirmed the impeachment.

19. Amendments of the Student Constitution

- (1) The amendment of the Student Constitution may be done via –
- (a) A submission by any student or structure, in writing, with the
 - (i) Section(s) to be amended;
 - (ii) Reason for amendment; and
 - (iii) Interpretation of proposed amendments.
 - (b) Submission by the Students' Assembly.
- (2) Proposed amendments shall be referred to the Constitutional Review Committee for deliberation by the Chief Administrator.
- (3) Upon receipt of the recommendation by the Constitutional Review Committee, the Chief Administrator shall table it as a motion to be voted on within 14 days.
- (4) If the Student Imbizo passes the amendment with 60% of its members, it shall be referred to the Students' Assembly within 7 days for adoption.

CHAPTER 6: REPORTING

20. Student Imbizo Committee members

- (1) All members of the Student Imbizo Committee must submit term reports to the Chief Administrator for publishing to the Student Imbizo webpage, no later than 2 weeks after the start of the following term.

21. Student Imbizo subcommittees

- (1) All subcommittees of the Student Imbizo shall submit reports in a termly basis to the Chief Administrator, no later than 2 weeks after the start of the following term.

CHAPTER 7: MEETINGS OF THE STUDENT IMBIZO

22. Frequency

- (1) The Student Imbizo meets at least once every month, but it is not compelled to meet during official examination and holiday periods.
- (2) A meeting must also take place if called by:
 - (a) Convenor of Student Imbizo;
 - (b) Deputy Speaker (ex-officio) of the Students' Assembly; or
 - (c) 3 members of the Student Imbizo.

23. Notice of Meetings

Notice of an ordinary Student Imbizo meeting must be given to members at least 5 days before the meeting takes place, and must include at least:

- (1) The date, time, and location of the meeting; and
- (2) The complete agenda with supporting documentation.

24. Attendance

- (1) Attendance of Student Imbizo meetings is compulsory.
 - (a) If a member will be absent from a meeting of the Student Imbizo, the member must submit a written apology stating the reason for their absence to the Admin Officer at least 3 days before the meeting.
 - (b) The validity of the reason is determined by the Chief Administrator, provided that—
 - (i) The reason is presumed to be valid if it relates to a medical issue, a community specific engagement, prior determined academic commitments, or a family emergency.
 - (ii) Delegates may only submit an apology at least 3 days before the meeting.
- (2) The Chief Administrator must, before the meeting begins, present the Convenor with a list of members who have submitted an apology and the reasons thereof, which will remain confidential.
- (3) A Delegate of the Student Imbizo may designate a member of their structure's leadership body to attend a meeting of the Student Imbizo on their behalf.

- (4) The Delegate, upon designating a member of their structure's leadership body to attend on their behalf, must specify the following –
- (a) The name, student number, and signature of both the Delegate and the representative;
 - (b) The Structure being represented;
 - (c) Whether the representative will attend as a representative for the full duration of the meeting or otherwise; and
 - (d) The Administrative Officer must inform the Convenor in writing of any delegations by members of the Student Imbizo.

25. Quorum

- (1) Two thirds of the Delegates of the Student Imbizo constitute quorum at Student Imbizo meetings.

26. Rules of Engagement

- (1) A member of the Student Imbizo must first be recognised by the Convenor before they may speak.
- (2) A Delegate of the Student Imbizo must behave in a manner that is respectful and dignified.
- (3) Delegates of the Student Imbizo should note that the Convenor may rule that a question is non-sensical.
 - (a) A question that has already been answered is regarded as a non-sensical question.
 - (b) Clarity may be provided on a question; should clarity be required.
- (4) A Delegate of the Student Imbizo may interrupt a Delegate by raising either a point of order or a point of exigency.
- (5) If a member acts or behaves in an unruly manner, any delegate of the Student Imbizo may request by a simple majority vote that the member be requested to leave the meeting.

27. Motions and Voting

- (1) The Student Imbizo may make a binding or non-binding resolution which must be decided on by way of motion .
- (2) A motion must be submitted and voted on in terms of the procedure in Addendum E.

- (3) Resolutions that bind Delegates of the Student Imbizo must be adopted through a motion supported by a special majority vote of the members of the Student Imbizo.
- (4) Resolutions that bind structures represented on the Student Imbizo must be adopted by a motion supported by a super majority vote, whereby –
 - (a) Such a motion may only be voted on by Delegates of the Structures represented on the Student Imbizo.
- (5) Non-binding resolutions may be adopted by a simple majority of the members of the Student Imbizo.
- (6) Any previous resolution of the Student Imbizo may be rescinded by the Student Imbizo through a motion supported by a special majority vote of the members of the Student Imbizo.

CHAPTER 8: COMMENCEMENT, REPEAL, AND AMENDMENT

28. Commencement and repeal

- (1) The Rules and any amendments thereto will come into effect upon approval by the Student Court, as well as any constitution, rules, and/or regulations for both the Students' Assembly and Student Imbizo as contemplated in section 66 and section 74 of the Student Constitution, respectively.

29. Amending the Student Imbizo Rules

- (1) Amendments may be proposed by:
 - (a) Any member of the Student Imbizo,
 - (b) Any member of the Student Representative Council, or
 - (c) The Speaker of Students' Assembly.
- (2) Proposed amendments must be referred to the Constitutional Review Committee for deliberation.
- (3) Upon receiving the recommendations, the Student Imbizo shall vote on the proposal in a meeting.
- (4) Amendments shall be passed at a meeting with a 60% majority vote.

ADDENDUM A: INVESTIGATION PROCEDURE

Should a complaint allege that a student leader has acted in contravention of the Student Constitution or their structure's Constitution, the Student Imbizo has the duty to investigate the matter and refer it to the appropriate disciplinary body.

1. Lodgement of Complaint

- (a) A complaint alleging improper conduct must be submitted to Student Imbizo via email, who will pass it to the Accountability Committee for consideration.
- (b) The complaint must contain the following information:
 - (i) Complainant's name and student number;
 - (ii) The Respondent's name and student number;
 - (iii) The relevant facts and evidence to support the allegation of improper conduct; and
 - (iv) Reference to the specific provisions in both the Student Constitution and the relevant structure's Constitution that are believed to have been violated.
- (c) The Accountability Committee must decide on pursuing an investigation within 3 weeks of receiving the complaint.

2. Interview

- (a) The Accountability Committee must interview but is not limited to interviewing –
 - (i) The complainant;
 - (ii) The respondent;
 - (iii) Anyone affected by the actions of the respondent;
 - (iv) The staff coordinator of the structure to which the respondent belongs if they consent; and
 - (v) Any individual with expert knowledge on the conduct and structural knowledge relevant to the matter.
- (b) The investigation must be minuted by the Chief Administrator for record-keeping purposes.
- (c) The respondent is allowed representation at the interview.
- (d) The interview must take place in the presence of 75% of the Accountability Committee.

3. Summoning

- (a) The Accountability Committee may exercise its discretion to maintain the anonymity of the information provided by the summoned individual.
- (b) The summoned individual is required to appear before the Accountability Committee no more than 5 days after being summoned.

4. Findings

- (a) The Accountability Committee must establish its findings of the investigation in a report and deliver it to the Student Imbizo with its recommendations, no later than 3 weeks since the commencement of the investigation.
- (b) The Accountability Committee must inform the respondent of its finding through a hearing.
- (c) The respondent is allowed representation at the hearing.
- (d) The respondent must be allowed to deliver comment on the provisional findings of the Accountability Committee to substantiate why the relevant findings and recommendations should not be made final.
 - (i) The Accountability Committee must consider the respondent's comments and may subsequently alter its recommendations to the Student Imbizo.

ADDENDUM B: ACCOUNTABILITY COMMITTEE

The Accountability Committee shall conduct its functions according to this addendum.

1. Investigation

- (1) Investigations may only commence upon referral from the Chief Administrator.
- (2) Such investigation is to be commenced within five (5) University days after referral.
- (3) The investigation should include representation from all relevant parties, including the person being investigated.
- (4) The investigation may include, but is not limited to the following procedures:
 - (a) Summoning individuals to appear in-person before the committee and provide a testimony and
 - (b) Requesting documents and other evidence relevant to the investigation.
- (5) A detailed report outlining the findings of the investigation is to be provided to the Imbizo upon completion of the investigation.
- (6) The report shall include at least the following:
 - (a) The nature of the allegation;
 - (b) The evidence gathered during the investigation;
 - (c) The findings of the Accountability Committee; and
 - (d) The recommendations made by the Accountability Committee.
- (7) All aspects of the investigation shall remain confidential and only the report shall be shared with Student Imbizo.

2. Mediation and Arbitration

- (1) The committee shall conduct a process of mediation or arbitration upon referral by the Student Imbizo.
- (2) The outcomes of the process shall be shared via a report with the Student Imbizo for their information.
- (3) All aspects of the process, outside of the report, shall remain confidential.

- (4) Any outcome or agreement post-arbitration and conciliation are binding to all parties involved.

ADDENDUM C: CODE OF CONDUCT

1. Purpose

Delegates of the Student Imbizo are expected to display exemplary conduct at any and all times. The Student Imbizo is committed to ensuring that its leaders behave in a manner that is consistent with its values. This addendum outlines conduct which the Student Imbizo considers inconsistent with its values and thus constitutes misconduct for which any member may be held accountable.

2. Interpretation

- 1) When interpreting the Code of Conduct due consideration must be given to the rights set out in the Student Constitution Bill of Student Rights.
- 2) This Code of Conduct does not exclude any other act of misconduct that is defined by other institutional policies.

3. Enforcement

- 1) This Code must be enforced by the Executive Committee with strict adherence to the principles of fairness, impartiality, and objectivity.
- 2) Any person listed below has the right to approach the Executive Committee or any appropriate body, alleging that the Code has been infringed, violated, or threatened. These persons include –
 - (a) Any member of the Student Imbizo.
 - (b) Any person acting in the interest of the Student Body.
 - (c) Any association acting in the interests of its delegates.

4. Misconduct

- (1) Any delegate of the Student Imbizo accused of committing or attempting to commit one or more of the following acts of misconduct is subject to disciplinary procedures imposed by the CDC or criminal justice system.
 - (a) Bringing the reputation of the Student Imbizo into disrepute:
 - (i) Conduct that has the potential to diminish the integrity and reputation of the Student Imbizo.
 - (ii) Including but not limited to; engaging in disorderly conduct or indecent behaviour; destroying, damaging, or vandalizing property; or conduct that is contrary to the mission and vision of the Student Imbizo.

- (b) Collusion:
 - (i) Helping or allowing another student to commit any act of misconduct.
 - (ii) Acting with any other person or group to perform an act of misconduct or any unlawful act.
 - (iii) Failing to subject a Student Imbizo member to disciplinary action for violating the Student Imbizo Constitution or Code of Conduct.
 - (iv) Inciting others to engage in misconduct or any unlawful activity.
- (c) Dangerous or potentially dangerous behaviour or situations: Conduct which is unreasonably dangerous to the health or safety of other persons or oneself.
 - (i) Causing physical harm to any person.
 - (ii) Verbal abuse, threats, intimidation, harassment, coercion, or other conduct that threatens or endangers the well-being or safety of any person.
 - (iii) Behaving in a manner that a reasonable person would consider alarming, disorderly, or indecent.
 - (iv) Any other action which recklessly or intentionally endangers the mental or physical health or safety of a student.
- (d) Disruptive behaviour that hinders or interferes with the working or processes of the Student Imbizo:
 - (i) Conduct that creates disunity and division within the Student Imbizo.
 - (ii) Conduct that impedes the proper functioning of the Student Imbizo.
 - (iii) Failing or neglecting to perform duties and responsibilities that have been assigned by the Student Imbizo Constitution.
- (e) Disruptive or obstructive behaviour:
 - (i) Placing another person in reasonable fear of their personal safety through words or actions directed at that person, or substantially interfering with the working environment of the person.
 - (ii) Physical or verbal conduct which causes unreasonable interference or creates a hostile or offensive working environment, including the use of offensive, disrespectful, or hateful language or actions which could impact another person's dignity negatively.
- (f) Forgery, falsification, alteration, or misuse of documents:
 - (i) Providing false or misleading information to the Student Imbizo or university, including but not limited to intentionally withholding required information from the Student Imbizo.
 - (ii) Forgery, alteration, or unauthorized use of Student Imbizo documents, records, identification, or resources.

- (iii) Forgery, alteration, replication, or misuse of any document, record, or identification upon which the Student Imbizo relies, regardless of the medium.
- (iv) Disclosing information explicitly regarded by the Student Imbizo as private, confidential, or sensitive.
- (g) Improper use of position and privileges
- (h) The improper use of a Student Imbizo member's official position to obtain personal benefit or gain for any other person.
- (i) Confidentiality and use of social media:
 - (i) Members of the Student Imbizo may not disclose or discuss any information related to the proceedings, findings, or commentary on any aspect of the proceedings. This includes any information pertaining to incidents or parties involved.
 - (ii) The rule applies to all social media platforms, including public posts and private messages to ensure the credibility and impartiality of the Student Imbizo in handling incidents.
 - (A) Parties must refrain from using social media to disclose or provide commentary on any aspect of the proceedings, including the parties involved.
 - (B) This is to prevent any potential biases or conflicts of interest that may arise from the discussion or social media post.
 - (iii) Any exceptions to the confidentiality obligations must be approved by the Accountability Committee prior to the disclosure of any information.
 - (A) Exceptions may only be made in cases where it is necessary for the purposes of conducting the proceedings or to ensure the safety of any person involved.
Members must not disclose any information until approval has been granted by the Accountability Committee.
- (j) Misuse of alcohol or other intoxicants:
 - (i) The unlawful or unauthorized possession, distribution, delivery, dispensing, manufacturing, or sale of an intoxicating substance.
 - (ii) Disorderly public conduct associated with the use of an intoxicating substance.
 - (iii) Behaviour, while under the influence of intoxicants, that endangers any person.
- (k) Misuse of property or services:
 - (i) Being in possession of or using Student Imbizo property without expressed permission.

- (ii) Intentionally misusing or permitting Student Imbizo property entrusted to his or her care to be misused, abused, or left unprotected.
- (iii) Knowingly accepting, using, or possessing improperly obtained property or services.
- (iv) Utilizing a service without authorization from its provider.
- (v) Malicious or unauthorized damage to or destruction of Student Imbizo property or property belonging to another.
- (l) Sexually related offenses:
 - (i) Non-consensual physical or verbal sexual conduct or any other indecent sexual behaviour that has the effect of creating a hostile or offensive environment for any member of the Student Imbizo, student, University staff member, or guest.
- (m) Theft of services or property:
 - (i) Theft or unauthorized possession or removal of university property or the property of any university member or guest that is located on property owned or controlled by the university; or
 - (ii) Unauthorized use of Student Imbizo or university services or funds.
- (n) Undermining or abusing disciplinary proceedings:
 - (i) Failing to complete sanctions assigned by an appropriate Disciplinary body or knowingly violating the terms of any disciplinary sanction imposed.
 - (ii) Disruption or interference with the functioning of the disciplinary procedure.
 - (iii) Attempting to influence the impartiality of, or intimidate a complainant, or a witness.
 - (iv) Providing false testimony or evidence during disciplinary proceedings..
 - (v) Intentionally discouraging or obstructing any person from using or participating in disciplinary procedures.
- (2) Violation of national, provincial, or municipal laws, including university policies.

ADDENDUM D: MEDIATION AGREEMENT

Each of X and Y, (collectively, the Parties and individually, a Party) agree as follows:

1. Role and Responsibilities of the Mediator

- (a) The Mediator is an impartial third party who does not represent either of the Parties. The Mediator's role is to help the Parties to negotiate a voluntary settlement of the issues in dispute between them.
- (b) The Mediator can offer non-binding legal advice and has a duty to protect the rights of any Party, they may not raise any issue not raised by the Parties themselves or determine who should participate in the mediation created by this Agreement (the Mediation).

2. Roles and Responsibilities of the Parties

- (a) The Parties voluntarily enter the Mediation to resolve a dispute between them. The signing of this Agreement is evidence that the Parties intend to conduct this Mediation in an honest and forthright manner and to make a serious attempt to resolve the dispute.
- (b) The Parties acknowledge that the primary responsibility for resolving the outstanding issues between them rests with them and not with the Mediator.
- (c) The Parties agree to disclose all information pertinent to issues contained within the mediation, including any necessary financial information.

3. Indemnity

The Parties agree that the Mediator is not liable for any act or omission in connection with the Mediation and agree to indemnify and hold the Mediator faultless from any claims for damages that may arise in any way from the Mediation.

4. Confidentiality

- (a) If the Mediator believes that information disclosed in a private discussion with one Party is significant to the mediation process, the Mediator may disclose the information to the other Party unless the Party making the disclosure clearly and specifically states that the disclosure is confidential.
- (b) Other than to the Parties, the Mediator will not voluntarily disclose anything that is said or takes place in the Mediation, with the following exceptions:

- (i) The Mediator may discuss the Mediation and information disclosed therein with a representative of a Party, except that which is divulged confidentially by one party in a private meeting with the Mediator.
 - (ii) The Mediator may disclose non-identifying information for research, educational or reporting purposes;
 - (iii) The Mediator may disclose information: with the written consent of both Parties; where ordered to do so by Student Court; where required to do so by the Student Constitution.
- (c) The Parties understand that mediation constitutes settlement discussions and that statements made during the course of the mediation are generally inadmissible in any legal proceeding relating to the matters being mediated.
- (d) The Parties agree not to introduce into evidence in any legal proceeding statements made by a Party or the Mediator in the Mediation. However, evidence that is otherwise discoverable or admissible does not become inadmissible or non-discoverable merely because of its use in the Mediation.
- (e) The Parties agree that neither of them may compel the disclosure of any documents received or prepared by the Mediator.
- (f) Neither of the Parties may compel the Mediator to testify in any legal proceeding regarding information disclosed during the Mediation or communicated to the Mediator in confidence.

5. Status of Matters during the Mediation

- (a) Prior to the conclusion of the Mediation, neither Party may initiate any legal action or pursue any prior action against the other party.
- (b) By signing this Agreement, each of the Parties acknowledges that he or she has read this Agreement and agree to proceed with the Mediation on the terms contained herein.

IN WITNESS WHEREOF, the parties have signed the request:

Signed by _____ representing _____	
(print name)	(name party)
on _____ in _____.	
(date)	(city, province)
_____	_____
Signature	Email address

Signed by _____ representing _____	
(print name)	(name party)
on _____ in _____.	
(date)	(city, province)
_____	_____
Signature	Email address

ADDENDUM E: MOTIONS AND VOTING

1. Premeeting procedure

- (1) Decisions of the Student Imbizo must be taken by way of motion; therefore, no decision can be taken unless it is put to the floor.
- (2) A motion must be submitted in writing at least 2 days before the meeting. The motion must indicate –
 - (a) The subject matter being discussed or considered.
 - (b) The decision that is being requested.
 - (c) The member submitting the motion.

2. Voting on a motion

- (1) Different types of motions require different thresholds, the Chief Administrator must advise the Convenor on the threshold required for a motion to succeed.
- (2) The Convenor must announce the threshold before the motion is voted on.
- (3) The thresholds are the following –
 - (a) A consensus vote is when a motion is passed by unanimous consent of the members of the Student Imbizo present at the meeting.
 - (b) A simple majority vote is when 50% plus one (1) votes of the number of votes cast support a motion, subject to –
 - (i) All members of the Student Imbizo who are present at the meeting may vote
 - (c) A special majority vote is when two-thirds (2/3) of the total number of members in the Student Imbizo support the motion, subject to –
 - (i) Absent members are regarded as having abstained
 - (ii) All members of the Student Imbizo may vote.
 - (iii) Only Delegates may vote, representatives may not vote, and Executive Committee members may not vote.
 - (d) The Convenor may determine that a vote takes place through an open vote, or by secret ballot. The Chief Administrator must ensure that both mechanisms of voting are provided for before the meeting begins.
 - (e) A motion that meets the necessary threshold becomes a resolution of the Student Imbizo. All resolutions must be minuted and noted for the purpose of providing a summary of resolutions at the end of the Student Imbizo term.
 - (f) When a vote has been concluded, the Convenor must announce the results of the vote.

ADDENDUM F: ACCOUNTABILITY COMMITTEE

1. Context within Student Parliament:

The Accountability Committee is an expression of Student Imbizo and serves as a mechanism to focus on fulfilling the constitutional mandate of Accountability and Transparency.

2. Mandate

The mandate of the Accountability Committee is to strengthen constitutional democracy by investigating and redressing improper and prejudicial conduct, maladministration and abuse of power; resolving administrative disputes or rectifying any act or omission in administrative conduct through mediation, conciliation or negotiation; advising on appropriate remedies or employing any other expedient means; reporting and recommending; advising and investigating violations of the Student Constitution and the constitutions of other bodies of Student Representative Council and discharging other responsibilities as mandated by the following legislation:

- (a) Constitution of the Republic of South Africa Act 108 of 1996;
- (b) Promotion of Access to Information Act 2 of 2000 (PAIA);
- (c) Stellenbosch Statute Number 42636 of 2019;
- (d) Student Constitution;
- (e) Student Parliament Constitution;
- (f) Military Academy Constitution;
- (g) Tygerberg Student Constitution;
- (h) Tygerberg Student Parliament Constitution;
- (i) Societies Council Constitution;
- (j) Academic Affairs Council Constitution; and
- (k) Prim Committee Constitution.

3. Vision

A trusted, effective, and accessible Accountability Committee that rights administrative wrongs and consistently acts with integrity to ensure fair, accountable, and responsive decision making, service and good governance in all matters of SRC and public administration in any sphere of Stellenbosch leadership on which a student sits in a representative capacity.

4. Mission

Our mission is to promote constitutional democracy by investigating, rectifying, and redressing any improper or prejudicial conduct in SRC affairs. We strive to resolve related disputes through mediation, conciliation, arbitration, negotiation, and other measures to ensure fair, responsive, and accountable decision-making and service delivery.

5. Values

- (a) Independence and Impartiality,
- (b) Human Dignity,
- (c) Equality,
- (d) Ubuntu,
- (e) Redress,
- (f) Accountability,
- (g) Integrity,
- (h) Responsiveness,
- (i) Transparency, and
- (j) Justice and Fairness

6. Jurisdiction

The Accountability Committee has the authority to investigate any matter as it pertains to matters of SRC subject to the limitations and exceptions as stated within this document, Student Parliament Constitution, and the Student Constitution.

7. Powers and duties

During an investigation, the Accountability Committee may, if it considers it appropriate or necessary:

- a) Request any person to appear before it to give evidence or to produce any document in his/her possession or under their control which, in the opinion of the Accountability Committee, has a bearing on the matter being investigated, and may examine such person for that purpose;
- b) Request any member of SRC or performing a public function, or otherwise related to student representation, to assist it in the performance of its duties regarding a specific investigation;
- c) Make recommendations for appropriate remedial action; and
- d) May mediate if relevant parties agree.

8. Reporting

- (a) The Accountability Committee, in the person of the Accountability Committee Chairperson is accountable to Student Parliament and must report on its activities and the performance of its functions to the House at least once a year. The Accountability Committee Chairperson must, however, at any time submit a report to Student Parliament on the findings of a particular investigation if:
 - (i) It deems it necessary;
 - (ii) It deems it in the public interest;
 - (iii) It requires the urgent attention of, or an intervention by, the Student Parliament;
 - (iv) It is requested to do so by the Speaker of Student Parliament;
 - (v) It is requested to do so by the Chairperson of Student Court; or
 - (vi) It is requested to do so by the Chairperson of Central Disciplinary Committee.
- (b) Any report issued by the Accountability Committee must be open to the public unless exceptional circumstances require that a report be kept confidential.

9. Meetings

- (a) The Accountability Committee shall meet at least once a month.
- (b) The Accountability Committee chairperson shall chair the meeting, investigations, mediations, and conciliations.
- (c) The Chief Administrator shall minute the Accountability Committee Meetings.

10. Quorum

- (a) Quorum for an Accountability Committee meeting shall be 60%.
- (b) Quorum for voting on matters shall be 75%.