



# Capri Constitution

## Stellenbosch University

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**PREAMBLE**

Capri PSO, although a private student organization, is assigned as a Stellenbosch University Residence, therefore obligated to follow all university residence rules. We have positioned ourselves as the most innovative and modern PSO on campus. As a co-ed PSO we focus on providing all members equal student rights, a diverse environment, a democratic community and growth as an individual.

Our vision and mission are ingrained within our values: Innovation, Ubuntu and Trots. We acknowledge our responsibility to participate in the democratic structures as stated in our binding Constitution.

## CHAPTER 1: BASIC PROVISIONS

### 1. Definitions

In this Constitution, unless the context indicates otherwise –

- (1) “**Accept**”, “**decide**”, or “**elect**” refers to a decision taken with an ordinary majority of votes.
- (2) “**House Committee**” means the House Committee of the Capri PSO in terms of **Part 3.2** of this Constitution.
- (3) “**PSO**” means a Private Student Organisation.
- (4) “**The PSO**” means the Capri PSO.
- (5) “**SRC**” means the Student Representative Council.
- (6) “**Student**” means a student registered at the University.
- (7) “**House Member**” means any student that is a member of the Capri PSO in terms of **Chapter 8** of this Constitution.
- (8) “**House Leadership**” means the Capri Leadership structure in terms of **Chapter 3** of this Constitution.
- (9) “**University**” means Stellenbosch University.
- (10) “**University authorities**” means any employee, or body consisting of employees, of the University including faculties, the Rector’s Management Team, and the University’s Council.
- (12) “**University day**” means a weekday (Monday to Friday) during the academic year which is not a public holiday.

### 2 Status of this Constitution

- (13) All regulations, rules, codes, documents, motions and decisions adopted by the PSO are subject to this Constitution and are invalid as far as they are inconsistent with it.
- (14) This Constitution is called the “**Capri PSO House Constitution**”.
- (15) This Constitution is subject to the Student Constitution of Stellenbosch University; and
- (16) The Bill of Student Rights, and the South African Constitution and are invalid as far as they are inconsistent with it.

### 3 Bodies Constituted by this Constitution

The following bodies are constituted by this Constitution:

- (17) The House Committee;
- (18) The First Years Committee;
- (19) The Crisis Management Committee;
- (20) The Mentors Committee;
- (21) The Committee of Sports Representatives; and
- (22) Any other committees set up within the PSO or by the directive of house leadership

## CHAPTER 2: BILL OF STUDENT RIGHTS

### Reference for this constitution

(23) The following bill of student rights for the Capri Private Student Organization has been conceived with reference to the Stellenbosch University Constitution's Bill of Student Rights as well as the Stellenbosch Disciplinary Code;

(24) It is hereby ensured that the adherence to this code will not infringe on any of the foundational requirements stipulated in both the before mentioned documents;

(25) What follows is a context within which rights are to be exercised, and thereafter the Student Rights.

### The Values of Stellenbosch University

(26) Stellenbosch University operates on the basis of a set of values which every Student is expected to respect and promote, and which ought to inform and underline the interpretation of all its constitutions:

- a. **Excellence:** Students of the University strive for excellence;
- b. **Shared Accountability:** Students are responsible along with all other members of the University Community for the achievement of the University's vision;
- c. **Empathy:** Human dignity is promoted through a culture and behaviour that are characterised by self-respect, respect for other people, and respect for the physical environment;
- d. **Innovation:** Students strive to think and act in new and different ways and make better choices and decisions for everyone;
- e. **Leadership in the Service of Others:** Students strive for the wellness of people and the world by leading with humility, responsibility and understanding;

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f. **Inclusivity:** This institution is one that is open to all ideas. No one shall be excluded explicitly or implicitly. Specifically, what is expected from the university and from this PSO, is that it will be self-aware of its systemic nature in the lives of students who affiliate themselves with it. The institution will therefore be flexible and accommodating to change, and this is in turn expected of the students who form part of the PSO Capri.

### **Bill of Student Rights:**

#### **27) Application**

a. The rights in the Capri Bill of Student Rights bind all student bodies of the PSO and all such bodies have the duty to respect, protect and promote these rights; and

b. The student bodies constituted in this Constitution must take reasonable steps to ensure the protection and promotion of these rights, including through engagement, where necessary, with the University authorities.

#### **28) Equality**

a. No student shall be unfairly discriminated against.

#### **29) Human dignity**

a. Every student has inherent human dignity and the right to have their dignity respected and protected.

#### **30) Student success**

a. Every student has the right to an enabling environment in which student success and academic excellence are encouraged and pursued. This clause speaks to the priority of the PSO as being an inclusive environment in which all students are enabled and encouraged to flourish academically;

b. The bodies constituted by **Part 36 and 37** of this Constitution have a duty to identify and work towards the eradication of barriers to the exercise of these rights.

**31) Freedom of religion, belief and opinion**

a. Every student has the right to freedom of religion, belief and opinion, given that said religious beliefs do not impose on the rights of others around them who do not share their beliefs. Religious practice is therefore to be foremost a private, individual endeavour;

b. Religiously based moral code and ethics is not to be understood as a foundational component of the beliefs of this institution or the beliefs of its members, implicitly or explicitly, on any grounds whatsoever. This is a secular institution.

**32) Freedom of expression**

a. Every student has the right to freedom of expression, which does not extend to hate speech, and which includes –

- i) Freedom of academic expression and scientific research;
- ii) Freedom of the student media;
- iii) Freedom to receive and impart information and ideas;
- iv) Freedom of expression of religious beliefs.

b. [Hate speech can be classified as any speech, writing, or other form of signification that is premised on prejudice against any other groups.]

**33) Assembly, demonstration and petition**

a. Any student has the right to apply to the House Committee with any queries or complaints;

b. If necessary, to follow with demonstration or petition as long as it falls in line with the regulation of the Stellenbosch University Disciplinary code and the Stellenbosch University constitution; and

c. The institution does however encourage an open environment of discussion regarding issues of any kind, thereby recognizing also systemic issues.

**34) Participation in Capri PSO election**

a. Every Capri member has the right to vote in election for the House Committee and to do so in secret;

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b. Every member has the right to stand for election to the House Committee, subject to fair and relevant eligibility requirements and subject to the provisions of this Constitution; and

c. Every member has the right to stand for election to the First Years Committee, Mentorship or Sub-Committee, subject to fair and relevant eligibility requirements and subject to the provisions of this Constitution.

### **35) Participation in Capri PSO events**

a. Every Capri member has the right to participate in organized Capri events, subject to fair behaviour to the provisions of the event and venue.

### **36) Access to amaMaties student facilities**

a. Every Capri member has the right to access all amaMaties student facilities, subject to fair behaviour to the provisions of the amaMaties Cluster.

### **37) Access to Capri HK house**

a. Every Capri member has the right to access the Capri HK house, subject to the access rights and fair behaviour as set by the current appointed HK; and

b. Every Capri member has the right to sleep over in the Capri HK house if need be, subject to approval and period as decided by the current elected HK and subject to fair behaviour to the provisions of the Capri HK house rules.

### **38) Administrative action**

a. Every student whose rights or legitimate expectations are materially and adversely affected by any decision taken by a student body or a member of a student body, has the right to –

- i) Be notified of the nature and purpose of the proposed action;
- ii) A reasonable opportunity to make representations;
- iii) adequate notice of any right of review or internal appeal, where applicable; and

iv) Request reasons for the decision and to be furnished with written reasons within a reasonable time.

**39) Limitation**

a. The rights in this chapter may only be limited in terms of legal rules of general application, which, for purposes of this section, are deemed to include University regulations, rules and policies.

b. Limitations must be designed to achieve objectives that are consistent with the values of an open and democratic community based on human dignity, equality and freedom.

c. Limitations may not limit the rights in this chapter more than necessary, and the impact they have on the rights of students must be proportionate to their objectives.

**40) Enforcement**

a. Any student, any student body or any group of students, whether acting in their own interest or in the interest of a group or class of students, may approach the Student Court for appropriate relief in the event of an alleged violation of their rights under this Constitution.

**41) Interpretation**

a. The Bill of Student Rights for Capri must be interpreted in conformity with: Chapter 2 of the Constitution of Stellenbosch, the Constitution of the Republic of South Africa, the Higher Education Act, the Statute of Stellenbosch University and University policy and regulations.

## CHAPTER 3: LEADERSHIP STRUCTURE

### 42) PSO Coordinator

(43) The University appoints a PSO coordinator. The Primarius/Primaria and the PSO coordinator are accountable to the Director: Centre for Student Communities;

(44) The PSO coordinator serves as the link between the University and the House Committee. In this role they enforce the University rules, policies and regulations, as and where necessary;

(45) All PSO leadership structures are under the authority of the PSO coordinator. Full authority is vested in them to decide how they reconcile the PSO's customs and traditions within the guidelines of the University;

(46) At House Committee meetings, as well as in other decision-making processes about PSO activities, they fulfil a guiding and advisory role. In order to facilitate this process, the PSO coordinator attends House Committee meetings and House meetings; and

(47) The PSO coordinator has the authority to approve or prohibit any function.

### 48) Primarius/Primaria

(49) By virtue of this office (*ex officio*), the Primarius/Primaria is a member of:

- a. The House Committee;
- b. The Executive Committee of the House Committee; and
- c. The House Disciplinary Committee (if they do not have to appear in front of the committee or have any other conflicts of interest regarding the disciplinary case);

(50) A House Member is elected to Primarius/Primaria according to the election procedures set out in **Chapter 9 Part 171-190** of this Constitution.

(51) The Primarius/Primaria is responsible for:

- a. The PSO's interests being represented at all SU structures and forums;
- b. Carrying out the University's policy in the PSO;
- c. Representing the PSO and the House Committee on the Prim Committee;
- d. Serving as the chairperson of the House Committee;
- e. Defining and allocating, in conjunction with the Vice-Primaria/Vice-Primarius, the portfolios for the House Committee members during their term;
- f. Determining, in consultation with the House Committee, the composition and membership of all PSO committees for that House Committee term;

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- g. Maintaining the PSO's daily management;
- h. Serving as a link between the University's management and the PSO;
- i. Acting as Chairperson of the PSO Disciplinary Committee, except if they are expecting to appear in front of the committee or has any other conflicts of interest regarding the disciplinary case;
- j. Drawing up an annual report at the end of their term and accepting the responsibility to ensure a Financial Report is prepared by the Treasurer; and
- k. Acting in the absence of the PSO coordinator. If the PSO coordinator is on leave or absent for an extended period, then an Acting PSO coordinator will be appointed.

(52) As Chairperson of the House Committee:

- a. The Primarius/Primaria deals with the delegation of tasks as well as the overall management of the Committee, but they may only take strategic decisions after consultation with the Committee;
- b. They must request the House Committee's opinion on operational matters and ensure that the majority Committee is involved in decisions;
- c. They may, in exceptional cases, make urgent decisions after consultation with the Executive Committee of the House Committee;
- d. They take final responsibility for the state of the House Fund; and
- e. They can approve the expenditure of funds, up to and including the maximum that is specified in the PSO Financial Practices.

(53) The PSO coordinator, in consultation with the Vice-Primarius/Vice-Primaria can withhold:

- a. Up to 25% (twenty five percent) of the normal honorarium of the Primarius/Primaria if their report is inadequate or incomplete; and
- b. Up to 50% (fifty percent) of the normal honorarium of the Primarius/Primaria if they do not perform their duties adequately and competently; and
- c. A disciplinary committee can however decide to withhold the full honorarium if it is found to be an appropriate sanction according to the Disciplinary committee.

### 54) Vice-Primarius and Vice-Primaria

(55) The primary responsibility of the Vice-Primarius/Vice-Primaria is to support the Primarius/Primaria in carrying out their tasks. The Vice-Primarius/Vice-Primaria serves in an advisory capacity to the Primarius/Primaria.

(56) If, for any reason, the Primarius/Primaria is no longer able to perform the duties and responsibilities assigned to them, the Vice-Primarius/Vice-Primaria will stand in as acting Primarius/Primaria.

(57) By virtue of this office (*ex officio*) the Vice-Primarius/Vice-Primaria is a member of:

- a. The House Committee;
- b. The Executive Committee of the House Committee; and
- c. The House Disciplinary Committee, except if they have to appear before the committee or have any other conflicts of interest regarding the disciplinary case;
- d. Conducting the newcomers' Welcoming Programme in consultation with the Welcoming Coordinator, the House Committee and the Head of Residence;

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- (58) A member is elected Vice-Primarius/Vice-Primaria according to the election procedures set out in **Chapter 9 Part 171-190**;
- (59) The Vice-Primarius/Vice-Primaria is responsible for:
- a. Assisting the Primarius/Primaria;
  - b. The compilation of rosters for House Committee duty at the beginning of each quarter;
  - c. Performing tasks, such as those agreed on with the Primarius/Primaria at the beginning of their term; and
  - d. Acting as the PSO's Safety and Risk Management Officer.
- (60) The Secretary and Financial Manager are appointed by the Primarius/Primaria and Vice Primarius/Primaria during the determination of the House Committee portfolios;
- (61) The Executive committee, of the House committee consisting out of the Primarius/Primaria, Vice-Primarius/Vice-Primaria, Secretary, Financial Manager, PSO coordinator, Head Mentor and one other member of the House Committee, has the responsibility and authority to:
- a. Discuss and finalise matters of urgency, which cannot wait until the next House Committee meeting or cannot be settled by way of the House Committee WhatsApp Group because of the urgent nature of the action needed; and
  - b. Approve portfolio budgets, in consultation with the House Committee members, as well as approve financial expenditure outside the budget (as determined by the PSO Financial Practices).
- (62) Where decisions are to be taken, two (2) members and the Primarius/Primaria will form a quorum. Where the Primarius/Primaria is absent, the Vice-Primarius/Vice-Primaria will fulfil their role;
- (63) All Executive Committee decisions must be communicated to the rest of the Committee at the first normal House Committee meeting.

### **64) Secretary of the House Committee**

- (65) The Secretary of the House Committee is appointed by the Primarius/Primaria, in consultation with the Vice Primarius/Primaria, during the assignment of portfolios at the start of a House Committee's term.
- (66) By virtue of this office (*ex officio*), the Secretary is a member of:
- a. The Executive Committee of the House Committee; and
  - b. The Disciplinary Committee where they may also contribute to the conversation and have a vote, except if they need to appear in front of the committee during an inquiry or have any other conflicts of interest regarding the disciplinary case.
- (67) The Secretary is responsible for:
- a. The general administrative arrangements of the House Committee and should therefore be well informed at all times about all the official PSO activities;
  - b. The keeping of minutes of House Committee, Executive Committee meetings as well as House meetings;
  - c. Setting up the birthday calendar; and
  - d. Sending PSO's electronic mail.

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- (68) As a member of the Executive Committee and House Committee the Secretary is responsible for:
- a. Drawing up an agenda for each meeting;
  - b. Record keeping of each meeting which may be delegated to a scribe;
  - c. Keeping a calendar of all scheduled PSO events to facilitate decision-making; and
  - d. Ensuring facilities for meetings or house events are booked which may be delegated to a House Committee member.
- (69) With regard to House meetings the Secretary is responsible for:
- a. Ensuring that the House is given at least ten (10) calendar days' notice of the meeting;
  - b. General arrangements necessary for the House meeting to take place;
  - c. Fixing the meeting's agenda at least three (3) days prior to the meeting, to be signed off by the Primarius/Primaria and distributing the agenda at least two (2) days before the meeting ;
  - d. Ensuring that attendance is recorded during the meeting;
  - e. Taking the minutes of the meeting; and
  - f. Making the minutes of the previous House meeting available to house members.
- (70) As Secretary of the Disciplinary Committee they need to appear on the Disciplinary Committee and carries the following responsibilities:
- a. The taking of the minutes of all Disciplinary Committee meetings;
  - b. Noting all decisions with reasons in the disciplinary hearings record;
  - c. Sending notices of Disciplinary Committee meetings to residents whose presence is required;
  - d. Conserving all correspondence relating to a disciplinary hearing; and
  - e. Completing the report of each case in cooperation with the Chairperson of the Disciplinary Committee, and sending these to the PSO coordinator. They may also contribute to the conversations and has a vote.

### **71) Financial Manager of the House Committee**

(72) The Financial Manager of the House Committee is appointed at the assignment of portfolios at the start of a House Committee's term.

(73) By virtue of this office (*ex officio*), the Financial Manager is a member of the Executive Committee of the House Committee.

(74) This portfolio includes:

- a. Complete book-keeping of the PSO's finances;
- b. Administering incomes and expenses;
- c. Ensuring that the University, PSO and country's regulations and rules relating to finance are met;
- d. Setting up a complete budget for the House Fund at the beginning of a House Committee term along with the Financial Manager of the previous House Committee term and in consultation with the Primarius/Primaria;
- e. Giving quarterly feedback about the PSO's financial status to the Primarius/Primaria;
- f. Explaining to and advising House Committee members how to handle expenses for their portfolios in the correct manner;

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- g. Approving budgets for all House Committee portfolios and events before ticket sales can start; and
- h. Ensuring during Connect time that all money raised is dealt with in the correct way and in accordance with the rules set out in the Connect guide.

### 75) Welcoming Coordinator

(76) A welcoming coordinator is chosen by the current House Committee and, if agreed upon by the welcoming coordinator, House Committee and PSO coordinator, can choose to pair with another member of the House Committee;

(77) Activities are organised in the PSO with the intention that newcomers may easily get to know each other and the House Committee better;

(78) No activities are enforced on newcomers. Participation is however strongly encouraged to cultivate and promote a team spirit among the newcomers;

(79) The duties of the Welcoming Coordinator consist mainly of the compiling of the Welcoming Programme and arranging socials for newcomers with other PSO's newcomers;

(80) Following the Primarius/Primaria's welcoming, it is the duty of the Welcoming Coordinator to introduce the PSO's history, traditions and rules, and to make the newcomers comfortable with the set-up of the PSO and their new environment. The Primarius/Primaria and Welcoming Coordinator may delegate these respective duties to their House Committee members; and

(81) The protection of the newcomers' dignity and rights is of utmost importance both within and outside the PSO. It is consequently the duty of the Welcoming Coordinator to accompany them during Welcoming, unless the newcomers are accompanied by mentors and/or other House Committee members with his/her consent.

### 82) House Committee

(83) PSO's House Committee is elected for a term of one (1) year. This election is regulated by the Election Procedures in this Constitution as specified in **Chapter 9**.

(84) The House Committee consists of ten (11) members, including:

- a. The Primarius/Primaria;
- b. The Vice Primarius/Primaria;
- c. Head Mentor; and
- d. Eight (8) other members.

(85) All members of the House Committee are officials of the University and are responsible for the execution of all and any policies determined by the institutions of the University.

(86) Training of new office bearers:

- a. Each new House Committee member receives an electronic manual (Constitution and Rules of PSO) in which the duties of the House Committee members are explained. The former House Committee members also explain to the new House Committee members exactly how their duties must be carried out.

(87) House Committee meetings:

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- a. Will take place at least once a week during the academic term until the start of the examinations, unless changed at the discretion of the Primarius/Primaria;
  - b. Attendance at these meetings is compulsory for all House Committee members. If a House Committee member fails to attend these meetings, or arrives later than ten (10) minutes after the scheduled starting time of the meeting, there will be a penalty imposed on the member concerned as determined by the House Committee at the beginning of their term;
  - c. Excuses for absence from House Committee meetings must be submitted to the Primarius/Primaria before the meeting for consideration;
  - d. The PSO coordinator must be notified of all meetings. If they wish, they can attend. They must be made aware of decisions taken at meetings where they are not present, or receive minutes for their inspection;
  - e. The Primarius/Primaria acts as Chairperson at all meetings, they may delegate this responsibility if they are not available for a meeting, and formally excused;
  - f. Each member is entitled to vote. An absent House Committee member will have no vote. Six (6) House Committee members are required for a quorum. If the members with voting rights are an even number and there is an equal number of votes on either side, then the Primarius/Primaria will have a casting vote in addition to their normal vote. The House Committee can refer such a decisive vote of the Primarius/Primaria to the PSO if they deem the Primarius/Primaria's decision is substantially or procedurally unfair;
  - g. The Primarius/Primaria can convene extraordinary House Committee meetings if considered necessary;
  - h. Thorough minutes of the House Committee meetings must be held at all times. House Committee meetings take place *in camera* [not open to the public or PSO] (and this therefore only for the House Committee to attend except if the House Committee invites any other person to address the committee or attend the meeting) unless otherwise decided; and
  - i. At every meeting, the previous minutes must be approved.
- (88) The House Committee is responsible for:
- a. Determining the strategic direction of the PSO;
  - b. The administration of the PSO;
  - c. The maintenance of good order and discipline, in the interests of the PSO, in line with the Disciplinary Procedures and the SU Student Disciplinary Code;
  - d. Promoting unity and PSO involvement;
  - e. The completion of any and all tasks necessary to ensure that PSO functions effectively;
  - f. Completion of all reasonable tasks and requests received from the PSO;
  - g. The holding of House meetings;
  - h. The acceptance of co-responsibility for PSO's buildings and grounds;
  - i. Preserving and developing PSO's heritage and history; and
  - j. Compliance with all the requirements and provisions of this Constitution.
- (89) The duties of the House Committee:
- a. At the end of the third quarter (just after the new House Committee is elected), an existing House Committee member will go on duty with a new member in order for the new member to learn the duties. The outgoing House

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Committee members still receive an honorarium for the third quarter of the year, and continue to be responsible for the fulfilment of House Committee obligations until the end of the recess after the end of the quarter. The new House Committee takes over at the beginning of the fourth quarter. However, the House Committee will start their duties immediately after their appointment to the new House Committee; and

- b. The House Committee follows a uniform and consistent policy with respect to the imposition of fixed penalties when house members fail to act within the provisions of the Constitution. The House Committee decides at the beginning of their term on the fixed penalties that will apply and these should be made known to all house members;

(90) Furthermore, each individual House Committee member also has the following responsibilities:

- a. To manage their assigned portfolios to the best of their ability within reasonable measure, to ask for advice and assistance if they do not know how to execute their responsibilities;
- b. To accept responsibility for all activities of their portfolios and the committees that operate within those portfolios;
- c. To spend their portfolio budget responsibly and to comply with all financial rules and practices of the PSO and University;
- d. To represent the House Committee in the portfolio they are assigned to by the House Committee;
- e. To manage their Portfolio and arrange their participation in PSO activities;
- f. To ensure that house members in their portfolio obey the PSO rules;
- g. To take responsibility for the content posted on portfolio Whatsapp groups(or portfolio groups on other social media platforms) and take appropriate sanctions against individuals who post content that transgresses the values of the house;
- h. To issue all necessary penalties to members of their portfolio; and
- i. At the end of their term to hand in a full report of their portfolio to the Primarius/Primaria (for their term).

(91) Vacancies on the House Committee are managed as follows:

- a. A House Committee member's membership expires when they submit their resignation in writing to the PSO coordinator and either receives approval or leaves the PSO;
- b. When in the course of the year there is a vacancy on the House Committee, the House Committee and the PSO coordinator must decide whether the vacancy must be filled. If they decide that it must be filled, they must also decide on an appropriate procedure for the appointment of a new member. This decision must be approved by the PSO. If an urgent decision is required, a House meeting must be arranged so that the PSO can vote on it. A quorum of twenty five (25) Capri members must be present to validate the decision and declare this as binding on the PSO by a simple majority vote of those present; and
- c. The House Committee reserves the right to discharge any member of the House Committee from their office under the following circumstances:

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i. When they have been absent without accepted written excuses from three (3) consecutive meetings of the House Committee;

ii. Once the House Committee, at a properly constituted meeting, notes that the person refuses or neglects to carry out a task allocated to them by the House Committee except if the refusal stems from an ethical objection to take on the task;

iii. Once the House Committee, at a properly constituted meeting, notes that the person has been found guilty of misconduct and sanctioned accordingly by the PSO Disciplinary Committee or the Central Disciplinary Committee of the University;

iv. If a candidate is already aware before the election that academic commitments later in the term will arise that will affect their work as a House Committee member (e.g. practical sessions), such a candidate is advised not to stand for House Committee;

vi. Where illness or unforeseen circumstances causes the absence of a House Committee member, the remaining members of the House Committee, in consultation with the PSO coordinator, can investigate whether another current House Committee member can assist the absent House Committee member in their activities during that period; or

vii. Any situation that suggests the possibility of expelling a House Committee member from office shall immediately be referred to and handled in cooperation with Centre for Student Communities and the Head: Student Discipline;

viii. The above mentioned is not a closed list and will be in the direction of the executive team to decide when any other transgression will be subject to disciplinary measures.

### **92) Mentors**

(93) A call for applications must be sent out a minimum of three (3) weeks before the closing date of the applications. At least one (1) of these weeks must fall within the academic calendar of Stellenbosch University. A small panel-based voting must be held for all applicants within two weeks of the selection of the new HK. The panel must consist of: the new Primarius/Primaria, the new Head Mentor, the PSO coordinator, one HK member as selected by the current HK, the new Vice Primarius/Primaria, the old Head Mentor one mentor as selected by the current mentors;

(94) The mentor elections can only take place after the election of the Head Mentor;

(95) Mentors are appointed by the panel, as set out in **Part 93** above, to the internal procedure and by the date specified by the University;

(96) The Head Mentor and all mentors should be available for all training sessions as determined by the Centre for Student Communities and the Head Mentor;

(97) Although Mentors specifically work in the PSO and also play a role in the welcoming and integration of newcomers in PSO culture, their functions and responsibilities are primarily set according to the Policy as determined by the University;

(98) The specific functions and interactions of the Mentors are discussed annually and agreed upon by the Head Mentor and the Primarius/Primaria;

(99) The primary functions of the Mentors are:

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- a. To provide information to newcomers during the Welcoming Programme;
- b. To serve as a communication channel between newcomers and the House Committee and/or University;
- c. To note any problems with the Welcoming Programme and to bring it to the attention of the Primarius/Primaria who will address these issues;
- d. To assist and advise newcomers regarding their social and academic adjustment within PSO and the University; and
- e. Referring newcomers to the relevant units or institutions within the SU if specific help is needed.

## **CHAPTER 4: HOUSE EVENTS**

### **100) General**

(101) All members of Capri may attend organized Capri events, on their own behalf, subject to fair behaviour to the provisions of the venue and event;

(102) Every Capri member making use of personal transport to and from a Capri event are to do so at own risk;

(103) All members of the current elected HK are to attend an organized Capri event for the first hour of the event; and

(104) Any member to not attend an organized Capri event, if requested to attend due to responsibility over event, are subject to make a valid excuse forty eight (48) hours prior to the event to the responsible leader of the event.

### **105) Dances**

(106) Every Capri member attending is allowed to invite one partner of preferred gender, on their own behalf, to an organized Capri dance subject to fair behaviour to the provisions of the venue and event;

(107) Every Capri member attending is allowed to make use of organized transport, if included in event price and paid for by member, subject to fair behaviour to the provisions of the transport services; and

(108) At least 5 of the current elected HK are to supervise and attend an organized Capri dance for the full period of time.

### **109) Capri week**

(110) Capri week which includes various activities throughout the week, date and activities as chosen by the current appointed HK, is to be organized annually; and

(111) Every Capri member is allowed to participate in events, on their own behalf, subject to fair behaviour to the provisions of the venue and event.

## CHAPTER 5: HOUSE MEETINGS

(112) The House meeting is a gathering of Capri PSO members which is convened for the purpose of possible discussions on issues, events that have/will take place, motions, decisions, to give advice, to assess the actions of the elected House Committee and/or to oversee their actions;

(113) During a House meeting it is expected of all members to behave in an orderly manner. The Chairperson reserves the right to request any person who is acting inappropriate or improper, to leave the meeting;

(114) A house meeting:

- a. Takes place quarterly in accordance to the rules of SU; and
- b. Notice shall be given at least ten (10) calendar days in advance, with the final date confirmed at least five (5) days before, and the agenda available at least two (2) days before the start of the meeting.

(115) A special House meeting will be convened on:

- a. Request of the PSO Coordinator; or
- b. Request of the House Committee; or
- c. No longer than three (3) university working days after forty (40) residents submit such a written request to the Primarius/Primaria, in which case only the issues indicated on the petition may be discussed; and
- d. Notice of a special meeting as described in section (4) with particular reference to the reason for the meeting, should be given at least forty-eight (48) hours before the start of the meeting to all members of Capri PSO.

(116) An emergency House meeting will be convened on:

- a. Request of the PSO Coordinator; or
- b. Request of the House Committee in case of urgent matters at shorter notice than stated in **Part 115(c)**; and
- d. Attendance of at least twenty five (25) within half an hour after the scheduled starting time, which will serve as the minimum quorum for the emergency meeting. No decisions taken at the meeting shall be in force if stated quorum is not present.

(117) Written motions must be submitted to the Primarius/Primaria and Secretary at least five (5) days before the start of the House meeting and must be signed by the nominator and at least two (2) seconders:

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- a. No motion shall be accepted after this deadline has expired;
- b. If a member wants to submit a motion anonymously, it must be signed by the PSO Coordinator. All motions will be published in the agenda by electronic mail at least twenty-four (24) hours before the meeting;
- c. Amendments to motions will be heard at a House meeting;
- d. For the adoption of a motion that does not modify the Constitution, thirty (30) of Capri members will constitute as quorum. A simple majority vote of the members present is required for the motion to be passed. Such a vote will be taken as conclusive and binding. The Primarius/Primaria, in addition to their normal vote, will also have a casting vote; and
- e. Decisions and motions carried at a House meeting are to be considered as binding, providing they are not inconsistent with this Constitution, the Rules for Students, Student Disciplinary Code and other relevant SU policies or existing legislation.

(118) The Primarius/Primaria serves as Chairperson of the House meeting with responsibility:

- a. To lead the House meeting; and
- b. To determine that the procedure followed is in accordance with approved procedures and practices at meetings; and
- c. To use their own judgement to authorise speaking turns to members. All members have the right to participate in discussions, but the Chairperson will use their discretion to ensure that a balanced discussion takes place and that individuals do not dominate the discussion.

(119) The Secretary serves as the Secretary of the House meeting with responsibilities as stated in **Chapter 3 Part 67**.

## CHAPTER 6: DISCIPLINARY ACTIONS

The point of departure for disciplinary procedures within CAPRI PSO is value driven management and restorative justice. The purpose of disciplinary procedures within CAPRI PSO is to facilitate a process whereby members who did not act in accordance with our or the university's values can be held accountable for their actions and be brought back to a good standing within the house. The responsibility for managing disciplinary procedures ultimately rests with the HK member responsible for the Discipline portfolio, usually the Onder Prim. A disciplinary committee will be formed at the beginning of each leadership term and will facilitate and decide on matters regarding discipline when needed. This committee usually consists of the Prim, Onder prim and PSO Coordinator, as well as the Secretary and one other member of leadership.

### 120) JURISDICTION AND STATUS OF THE DISCIPLINARY COMMITTEE

- a. The Disciplinary Committee is the only body within Capri PSO that may be approached to give judgment based on actions or lack thereof of any member or office-bearer within Capri PSO;
- b. If the jurisdiction of the Disciplinary Committee is questioned, the final decision within Capri PSO will rest with the Chairperson of the Disciplinary Committee;
- c. The Disciplinary Committee has limited jurisdiction to act against the following:
  - i. An act or lack thereof which boils down to the practice of 'Hazing' or deviation from the approved welcoming program; and
  - ii. An act or negligence which the PSO coordinator considers to be of a serious nature; or any act of vandalism; and any act which is of a criminal nature and which is, as such, deemed to be in breach with an existing law of South Africa.
- d. The Disciplinary Committee has the right to refuse to consider any case and to refer it to the Centre for Student Communities or the Student Court for a judgement;
- e. The Committee should try to resolve the issue internally first.

### 121) COMPOSITION OF THE DISCIPLINARY COMMITTEE

- a. The Disciplinary Committee consists of:
  - i) Primarius/Primaria, Vice-Primarius/Vice-Primaria as chair, Secretary, Financial Manager, PSO coordinator and an external Primarius/Primaria;
  - ii) The external prim is invited, by the permanent members of the Disciplinary Committee, to sit in for the duration of the case;

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- b. No member of Capri PSO who has been found guilty by the Capri Disciplinary Committee is eligible to serve on this committee;
- c. The names of the committee members must be communicated to the House in a timely manner in a way determined by the chair of the Disciplinary Committee;
- d. Quorum for a valid meeting to take place is the presence of:
  - i. The Chairperson (or Vice-Chairperson who acts as Chairperson);
  - ii. The Secretary (or another person nominated as Secretary);  
and
  - iii. Any other member of the Disciplinary Committee.
- e. All parties are expected to clearly indicate any possible areas of conflict given a case laid before them. The Chairperson also has the authority to request that a member remove herself from a specific case if conflicts are a possibility. Disciplinary Committee members may also remove themselves from a specific case on moral grounds; and
- f. No member of the Disciplinary Committee except the PSO coordinator has the right to abstain from voting.

### 122) PROCEDURES

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

### 123) PRIOR TO THE DISCIPLINARY HEARING

- a. Any member of Capri PSO may lay a complaint with the Disciplinary Committee (a complaint may be lodged with the Chairperson, Prim or Secretary);
- b. The Disciplinary Committee must sit as a whole, meeting quorum as set out in **Part 121 (d)** above, to decide whether a case will be heard by them or be referred to the House Committee;
- c. Any person who lodged a complaint has the right to request to be anonymous and this right must be respected. The following must then be done:
  - i. A written account (e-mail or paper) must be delivered to the Chairperson who must thus know who the person is;
  - ii. The Chairperson will not disclose the person's identity to any person.
- d. Where a meeting of the Disciplinary Committee takes place, all accused parties must be informed at least forty-eight (48) hours before the meeting;

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- e. All charges must be resolved by the Disciplinary Committee within thirty (30) University days;
- f. The written notice to all involved parties must contain the following:
  - i. A full brief as to the lodged complaint to the Ethos of Capri and the relevant section of University legislation;
  - ii. The time and place of hearing; and
  - iii. The right to assistance.
- g. The notice must be e-mailed to the accused student who must acknowledge receipt; and
- h. If the accused student fails to attend the hearing without informing the Chairperson beforehand, the hearing will proceed in their absence.

### **124) DURING THE DISCIPLINARY HEARING**

- a. The Disciplinary Hearing takes place in private;
- b. Mutual respect must be shown to all present, both the accused and the Disciplinary Committee;
- c. The accused must be fully informed as to the complaint against them. Witnesses may also be called to ensure that all parties present are fully informed as to the case. The accused must be given a fair chance to test the merits of the complaint against them, to present their own case and to call witnesses;
- d. An accused has the right to request assistance from another House Member in preparation and presentation of their case;
- e. The guilt of the accused party must be proven; hence reasonable doubt must not exist after the hearing; and
- f. If the accused admits guilt, the Disciplinary Committee may choose not to hear the case and immediately move to penalty.

### **125) AFTER THE DISCIPLINARY HEARING**

- a. Minutes must be properly recorded. All results will be handled and deemed to be confidential.

### **126) DISCIPLINARY MEASURES FOR CAPRI PSO HOUSE COMMITTEE AND OFFICE BEARERS**

- a. This policy serves as a measure with regards to the discipline of all Capri office bearers (anyone who is affiliated with the leadership structure of Capri);

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- b. A Capri PSO office bearer can be removed from office if it is felt by the majority of the relevant structure on which the office bearer serves that they have not adequately fulfilled their portfolio commitments or actively participated in the fulfilment of the aims of the PSOs Constitution and year plans;
- c. Discipline of a Capri PSO office bearer must follow the following procedure:
  - i. The first warning is given to the respective member by the head of the committee on which they serve;
  - ii. They will be put on a probationary period which is limited to one (1) month;
  - iii. Any further neglect of duties by the member will result in a second warning given to the member by the Chair of the Disciplinary committee; and
  - iv. Any further neglect of duties by the member will result in disciplinary procedures being instituted and the disciplinary committee will convene in order to make the appropriate decision.
- d. The appeal process for the office bearer is as follows:
  - i. The member can appeal to the Disciplinary Committee;
  - ii. Thereafter to the Student Court; and
  - iii. Finally, to the Appeals Court.
- e. Notice of appeal must be given in writing to the parties in the following order:
  - i. The first notice of appeal must be given to the Disciplinary Committee within five (5) University days;
  - ii. Should the removal be upheld by the Disciplinary Committee, an appeal may be made to the Student Court within five (5) University days; and
  - iii. Should the removal be upheld by the Student Court, a final appeal may be made to the Appeals Court within five (5) University days.
- f. All decisions resulting in a member vacating his or her position must be ratified by the relevant Capri PSO structure at their next meeting after the decision has been taken.

### **127) ACCOUNTABILITY, TRANSPARENCY AND CONSULTATIVE GOVERNANCE**

- a. House Committee Meetings;
  - i. All minutes of House Committee meetings, Capri PSO structures and committees that Capri PSO office bearers serve

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on based on their position on said Capri structure will be available on request to all members;

- ii. Any Capri member may attend a House Committee meeting subject to the person informing the Secretary-General at least twenty-four (24) hours in advance of the meeting. The person may have speaking rights if this is indicated;
- b. At least twenty-four (24) hours in advance, or
  - c. With the permission of the Prim;
- iii. The House Committee may rule any point on the agenda as subject to:
    - a. The point being ruled so at the sending out of the agenda;
    - b. The House Committee having the right to overrule this at the meeting; and
    - c. An abbreviated description must be made of the point in order to mention it for the sake of transparency.

## CHAPTER 7: RESIGNATIONS AND TERMINATIONS

(128) a. The membership of a House Committee member is terminated if:

- i. The House Committee member hands in their written resignation to the Secretary-General with fourteen (14) days' notice;
  - ii. The House Committee removes the member from office with a two thirds (2/3) majority of votes. In such a case the House Committee must report to the house at the next House Meeting; or
  - iii. A House Committee member is absent from two (2) consecutive House Committee meetings or a total of three (3) House Committee meetings without leave, an apology or valid reason.
- b. If a member's membership is terminated in accordance with **Part 128 (a.iii)**, they have the right to appeal to the House Committee, so that they can decide whether the reasons for absence without leave were valid;
- c. If the position of Primarius/Primaria or Vice-Primarius/Vice-Primaria becomes vacant, the Secretary-General shall convene a House Committee meeting. At the meeting the vacancy shall be filled by electing a member of the House Committee by means of secret ballot. This election will be conducted by the PSO coordinator and a member of the previous Polling Committee (i.e. the Polling Committee which handled the current House Committee's election as stipulated in **Chapter 9 Part 147**); and
- d. If any position except that of Primarius/Primaria or Vice-Primarius/Vice-Primaria falls vacant, the House Committee has the right to fill the vacancy by co-opting a new member, with the exception of the position of Financial manager. In such a case, a House Committee member must be trained to fulfil this role.

### 129) CO-OPTING A NEW MEMBER

- a. A new House Committee member is co-opted by means of the following procedure:
- i. Applications are opened to the House for at least one (1) week;
  - ii. The current House Committee interviews all eligible candidates; and
  - iii. The current House Committee cast votes in an election convened by the PSO coordinator and a member of the previous Election Committee. The co-opted member must have received two-thirds (2/3) of the votes cast to be successfully elected.

**130) SUCCESSION UPON RESIGNATION**

- a. If the Primarius/Primaria wishes to resign during their term of office, they must tender their resignation in writing to the Secretary-General, and the resignation becomes valid as soon as it has been tendered. Furthermore,
  - i. If the post of Primarius/Primaria falls vacant, the Vice-Primarius/Vice-Primaria shall perform their duties until a new Primarius/Primaria has been elected in accordance with the stipulations of this document;
  - ii. If both the Primarius/Primaria and Vice-Primarius/Primaria resign, they shall continue to perform their duties until new office bearers have been elected; and
  - iii. If the entire House Committee resigns, they shall continue to perform their duties until new office bearers have been elected.
- b. The succession plan as outlined above will come into immediate effect as determined by the House Committee given the urgency of the current state.

## CHAPTER 8: HOUSE MEMBERS

- 131) A person will be deemed to be a house member of Capri PSO, if that person:
- a. Is a registered full-time student at the University; and
  - b. Is allocated as a member of Capri PSO by the Centre of Student Communities; or
  - c. Leaves a residence (within the amaMaties cluster), before the completion of their full-time studies and is allocated to the PSO by the Centre of Student Communities for the duration of their full-time studies.
  - d. House members cannot elect to revoke or rescind their membership;
  - e. Membership is terminated upon completion or discontinuation of full-time studies at the University; or
  - f. By termination of membership by the disciplinary committee, in these circumstances students are not relieved of their obligation to pay full PSO fees;
  - g. House members of Capri is obligated to pay PSO fees as stipulated in the Student Fees (Calendar, Part 3) of the University; and
  - h. House members of Capri are seen as the most important structure of the PSO and are strongly encouraged to use all facilities offered through the PSO.

## CHAPTER 9: VOTING RIGHTS AND ELECTION PROCEDURES

### 132) Voting rights

- (133) House members, only those registered as Capri house members, have equal voting rights;
- (134) All eligible voters will only have one vote, for each vacancy, with equal weight;
- (135) The PSO coordinator will also be considered eligible to vote; and
- (136) A house members' vote will only count if present throughout the whole duration of the election process.

### 137) Nominations

- (138) Notice for the call for nominations for a position on a committee must be published at least one (1) week before the closing date of submission;
- (139) Nominations close at least three (3) days before the election and must appear on the identified notice board at least two (2) days before the caucus;
- (140) The nominations should be submitted to the PSO coordinator to establish if the nominee has the required HEMIS credits to stand for the leadership position;
- (141) If, during the application period, a sufficient number of candidates have not applied for the number of vacancies available, the nomination process should be extended for a period determined by the Polling Committee;
- (142) Only house members of Capri may nominate or second candidates;
- (143) Nomination forms must contain at least the following:

- a. The full name and student number of the nominee;
- b. The signature of the nominee;
- c. The full name and student number of the proposer;
- d. The signature of the proposer;
- e. The full name and student number of one (1) seconder;
- f. The signature of the seconder;
- g. The position or positions for which the nominee is available; and
- h. A brief CV.

- 144) Each nominee's signed nomination confirms that they are:
  - a. Willing to accept the nomination;
  - b. Available for mandatory training as called for by the University and PSO office; and
  - c. If elected as a leader, will be willing to serve Capri PSO and undertake to perform their duties unconditionally and wholeheartedly.

**145) Polling Committee**

(146) In order to ensure the fairness of the election process, the election will be managed by an independent Polling Committee;

(147) The Polling Committee consists of the PSO coordinator and members as chosen by the PSO coordinator;

(148) The Polling committee has the power to manage the order of the election and can make decisions on:

- a. The validity of ballots;
- b. Improper lobbying;
- c. The initiation of by-elections; and
- d. The questions posed to candidates.

(149) The Polling Committee has the responsibility to:

- a. Administer the election and nomination process;
- b. Always act under the provisions of this Constitution;
- c. Keep the house informed of all aspects of the election process;
- d. Ensure that all candidates are treated fairly; and
- e. Act neutrally, independently and fairly.

**150) Election procedure**

(151) The election of committee members takes place annually, by secret ballot, in accordance with the procedure set out, and within the time-frame, specified by the Centre for Student Communities;

(152) The current House Committee has the responsibility of confirming this time-frame and to start the election process as early as possible;

(153) The election procedure is carried out through panel-based voting or a caucus;

(154) Election procedures conducted through panel-based voting includes the election of Mentors, First Years Committee, Constitution Committee and any other portfolio based committee as decided on by portfolio holders of the House Committee;

(155) Election procedures conducted through a caucus includes the election of the Primarius/Primaria, Vice-Primarius/Vice-Primaria, Head Mentor and remaining eight (8) House Committee members;

(156) All candidates for election of a specific position(s) will appear on a ballot and every house member must vote for a number of candidates according to the number of vacancies;

(157) Ballots with more votes than the number of available vacancies will not be counted as an eligible vote;

(158) If voting results in a tie, a re-election of the relevant candidates must take place as soon as possible as decided on by the Polling Committee;

(159) The election procedure of mentors are followed as stated in **Chapter 3 Part 93** ;

(160) The election procedure of the Constitution Committee will be panel-based voting as decided on by the newly elected House Committee and PSO coordinator;

(161) The First Years Committee election procedure will be panel-based voting as decided on by the newly elected House Committee and PSO coordinator;

(162) The election procedure of any other portfolio based committee will be panel-based voting as decided on by the newly elected House Committee and PSO coordinator.

**163) House Committee Caucus**

(164) A caucus (presentation meeting) of candidates standing for Primarius/Primaria-, Vice-Primarius/Vice-Primaria-, Head Mentor- or House Committee positions is arranged for the house to have the opportunity to pose questions to the candidates and hear their policy declarations;

(165) The caucus takes place under the chair of the current Primarius/Primaria, unless they are a nominated candidate, whereas the caucus will then take place under the newly designated chairperson (another current House Committee member);

(166) The chairperson may also take part in posing of questions to candidates;

(167) All candidates must be granted the same amount of time allowed to deliver their policy statement and to answer questions from the house members;

(168) The chairperson and Polling Committee has the discretion to refuse an unreasonable or irrelevant question posed to a candidate. The candidate may still answer if they wish to do so;

(169) House members can give anonymous questions for candidates to the chairperson before the caucus which will then be posed to the candidates during the caucus if they find the questions relevant;

(170) The chairperson introduces the candidates (a powerpoint presentation is used along with introduction) and after that the candidate is given the opportunity to make their policy statement within a set time, followed by limited questions from the house members.

**171) Election of the Primarius/Primaria, Vice-Primarius/Vice-Primaria and Head Mentor**

(172) The election of the Primarius/Primaria, Vice-Primarius/Vice-Primaria and Head Mentor is only conducted through a caucus, in that order;

(173) A house member may only apply for the position of Primarius/Primaria if they have served on the House Committee for at least one working term as specified in **Chapter 3 Part 83** (served as a Primarius/Primaria, Vice-Primarius/Vice-Primaria, Head Mentor or House Committee member for Capri PSO);

(174) A house member may only apply for the position of Vice-Primarius/Vice-Primaria if they have served on the House Committee, as stated in **Part 173** above, or as a mentor for Capri PSO for at least one working term as specified in **Chapter 3 Part 83**;

(175) The Primarius/Primaria, Vice-Primarius/Vice-Primaria and Head Mentor caucus will be held on the same evening, and will be a separate evening from the House Committee caucus;

(176) If, during the application period, a sufficient number of candidates have not applied for the position of Primarius/Primaria, Vice-Primarius/Vice-Primaria or Head Mentor, the nomination process should be extended for a period determined by the Polling Committee;

(177) The candidates for Primarius/Primaria will first have the opportunity to state their policy statements and be questioned by house members, as stated in **Part 167**;

(178) The announcement of the Primarius/Primaria will follow after policy statements and questions, as stated above;

(179) The candidates for Primarius/Primaria that is unsuccessful retains the right to stand for the position of Vice-Primarius/Vice-Primaria, Head Mentor or House Committee member;

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- (180) The candidates for Vice-Primarius/Vice-Primaria will have the opportunity to state their policy statements and be questioned by house members after the announcement of the Primarius/Primaria;
- (181) The announcement of the Vice-Primarius/Vice-Primaria will follow after policy statements and questions, as stated above;
- (182) The candidates for the Vice-Primarius/Vice-Primaria that is unsuccessful retains the right to stand for the position of Head Mentor or House Committee member;
- (183) The candidates for Head Mentor will have the opportunity to state their policy statements and be questioned by house members after the announcement of the Vice-Primarius/Vice-Primaria;
- (184) The candidates for the Head Mentor that is unsuccessful retains the right to stand for the position of House Committee member;
- (185) If voting results in a tie a re-election of the relevant candidates must take place as determined by the Polling Committee;
- (186) If only one (1) candidate is nominated for a Primarius/Primaria, Vice-Primaria/Vice-Primarias or Head Mentor position, the house member will have a confidence vote (“yes” or “no”) and if the candidate receives a majority of “yes” votes, they will be appointed the position. If not, the application process will be reopened and another caucus will be held with all the candidates that make themselves available for the position (including the original applicant if they are still willing to stand for the position);
- (187) If two (2) candidates are nominated for a Primarius/Primaria, Vice-Primarius/Vice-Primaria or Head Mentor position, the candidate that receives a majority (50% + 1) of the votes will be appointed the position;
- (188) If three (3) or more candidates are nominated for a Primarius/Primaria, Vice-Primarius/Vice-Primaria or Head Mentor position, and none of the candidates receive 60% of the votes in the first round of voting, the candidate with the least amount of votes will be eliminated so that the top two (2) candidates remain for the voting of round two (2). The one (1) candidate of the remaining two receiving a majority (50% +1) of votes in the second round is appointed for the position;
- (189) The appointment of Primarius/Primaria, Vice-Primarius/Vice-Primaria and Head Mentor is solely based on the number of votes and will not be based on a minority gender ratio (all three (3) or two (2) out of the three positions can be of the same gender);
- (190) The Primarius/Primaria, Vice-Primarius/Vice-Primaria and Head Mentor automatically form part of the House Committee.

### **191) Election of the eight (8) remaining members of the House Committee**

- (192) A house member may only apply for a position as a House Committee member if they have been a member of Capri PSO for one (1) full academic year, ie. only second years and onwards;
- (193) Election of candidates for the remaining eight (8) positions on the House Committee is only conducted through a caucus, after the announcement of positions filled for Primarius/Primaria, Vice-Primarius/Vice-Primaria and Head Mentor;
- (194) If, during the application period, a sufficient number of candidates have not applied for the number of House Committee vacancies available, the nomination process should be extended for a period determined by the Polling Committee;
- (195) If, after the extended period as stated in **Part 194** above, a sufficient number of candidates have not applied for the number of House Committee vacancies available,

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nominations to apply for a House Committee position will be opened to house members that have not yet completed one (1) full academic year as a Capri PSO member and has served on a committee of Capri PSO, ie. first years that has served on a committee of Capri PSO;

(196) If, after the extended period as mentioned in **Part 195** above, a sufficient number of candidates have not applied for the number of House Committee vacancies available, the decision to secure only the number of members that have applied for House Committee to fill the open vacancies, can be made by the PSO coordinator and the current House Committee;

(197) In such case, as stated in **Part 196** above, members applying for available House Committee vacancies will be voted onto the House Committee through a confidence voting procedure, as stated in **Part 186**;

(198) All candidates for election for the specific position(s) will appear on a ballot and every house member must vote for a number of candidates according to the number of vacancies available;

(199) All candidates will have a limited time to state their policy statements and thereafter answer questions from house members as specified in **Part 167**;

(200) A minority of four (4) genders are stipulated to be appointed to fulfil the positions on the House Committee (there must be at least four (4) males or four (4) females appointed to the House Committee out of the eleven (11) available House Committee positions);

(201) Vacancies will be filled according to the number of votes that each candidate received, until all positions are filled, according to the number of availability that fulfils the specifications as set out in **Part 198** above;

(202) If voting results in a tie, another vote will take place between the particular candidates as soon as possible as determined by the Polling Committee;

(203) The announcement of the new House Committee will take place as soon as possible after the election as determined by the Polling Committee.

### **204) Objections and withdrawals**

(205) Candidates retain the right to withdraw their candidacy up until the official announcement; thereafter they will have to resign formally if they wish to withdraw, in such case a vacancy arises;

(206) If a candidate withdraws after voting has begun, the votes for that person will not be counted. After the candidate has informed the Chairperson of the Polling Committee that they withdraw, they cannot revoke that decision.

## ADDENDUMS

### 1. Alcohol Policy

This addendum serves as the document for the processes and procedures that will be followed by the House Committee and members of Capri, at any Capri organized events and in the Capri HK house. These processes and procedures are set in place to address the drinking culture and dangers thereof in the Capri community, and Stellenbosch campus at large. These procedures are to run in alignment with the values of Capri, the Capri Constitution, CSC guidelines and the Stellenbosch University Constitution.

#### Critical Engagement

1.1 The following discussions must take place annually:

- 1.1.1 A critical engagement session during Welcoming Week to discuss the dangers of drinking culture and to educate Capri members on safe consumption of alcohol; and
- 1.1.2 A minimum of one (1) discussion on drinking culture, which forms part of the Critical Engagement portfolio.

#### Events

1.2 The following procedures must be in place during any organized Capri event:

- 1.2.1 A mocktail bar/organized non-alcoholic drinks at the event bar to accommodate non-drinkers,
- 1.2.2 A water station available at the location of the event,
- 1.2.3 No shooters are to be sold at a Capri event,
- 1.2.4 Hard liquor is not to be sold within the first hour of the event,
- 1.2.5 A rule set in place that, if any member attending the event causes disruption/danger before entering the form of transport to the event/premises of the event, may be refused,
- 1.2.6 A removal plan to escort any individual, that causes any form of disruption/danger at the event, off the premises,
- 1.2.7 With the removal plan, as mentioned above, a safety protocol must be set up to ensure that the member being escorted off the premises is not a danger to themselves/other due to overindulgence, and should be escorted to a safe location; and
- 1.2.8 A document to be distributed to all members attending the event, outlining the rules of the premises and removal plan, as stated above, at least twenty-four (24) hours prior to the event.

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### Capri HK House Rules

1.3 The following rules are to be followed by any individual residing or visiting the Capri HK House:

- 1.3.1 Any event, where there will be more than ten (10) guests and where alcohol will be consumed, must be approved by the majority of the residents in the Capri HK House, twenty-four (24) hours prior to the event,
- 1.3.2 Any visitor(s) causing disruption/danger in the Capri HK House facilities/or to members, will be escorted off the premises; and
- 1.3.3 Any resident(s) causing disruption/danger in the Capri HK House facilities/or to members, will be dealt with at the discretion of the residents in the Capri HK House.

1.4 Consequences for the disregard of these procedures and rules can be directed to **Chapter 6, Disciplinary Actions**, in the Constitution.

## 2. ANTI-GBV MEMORANDUM

This serves as Capri's PSO's formal response to the memorandum we received on the 18th of September 2019, by the Anti-GBV movement of Stellenbosch.

We, as Capri, will regard this as part of our Code of Conduct, which will serve as an Addendum in our Constitution.

- 2.1 We denounce all forms of gender-based violence,
- 2.2 We encourage all initiatives that align with our PSO's values, that aim to stop gender-based violence at Stellenbosch University, and in South Africa;
- 2.3 We acknowledge that PSO's have played a detrimental role in endorsing, perpetuating, and supporting a sexist, patriarchal culture that undermines womxn at Stellenbosch University, whether knowing or unknowingly;
- 2.4 We will include "Positive Masculinity" within our "Critical Engagement" portfolio, to ensure that toxic masculinity is addressed within our PSO and will encourage participation with regards to initiatives by Womxn Empowerment portfolios on campus;
- 2.5 We will include a Critical Engagement session on rape culture and gender-based violence during the Welcoming Week (Orientation Week) period, beside the one's facilitated in ResEd sessions;
- 2.6 We will hold our PSO's leadership and members accountable for sexist or dehumanising comments, statements, or actions when they're representing our PSO and or engaging in Capri activities;
- 2.7 We will ensure that our PSO provides safe and inclusive spaces for all members, including the LGBTQ community and disabled individuals, to the best of our PSO's abilities and resources;
- 2.8 We will report anyone who is guilty of discriminatory comments or statements within our PSO, when made aware of the situation, to the Equality Unit and ensure that internal disciplinary procedures are instituted against the individual;
- 2.9 We will host at least one critical engagement session per semester to discuss and engage in rape-culture, gender-based-violence and toxic masculinity;
- 2.10 We will temporarily place any student leader in our PSO on probation, who is accused, by way of a formal complaint made at the relevant university bodies or law enforcement agencies, of gender-based violence, pending investigation;
- 2.11 We will institute disciplinary proceedings against members who engage in any form of sexual harassment, whether it be physical or verbal;
- 2.12 We will adapt and alter or alternatively replace "skakels" which are perceived as sexist and heteronormative, so that they can be fruitful, inclusive and open to all;

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- 2.13 We will review all traditions that may dehumanise, oppress, or discriminate against womxn, men, the LGBTQ+ community, and disabled individuals and adapt it accordingly;
- 2.14 We will prohibit all traditions that supports the current sexist and patriarchal culture in Stellenbosch including the way that Welcoming Week is presented to newcomers;
- 2.15 We will have informative discussions with regards to drinking culture, and its negative effects on individuals, and how it relates to rape culture;
- 2.16 We will emphasise to our PSO members that rape is not the only thing that constitutes gender-based violence;
- 2.17 Each year, the newly elected House Committee members will attend mandatory sessions that educate the members on gender-based violence; and
- 2.18 Traditions that each PSO partake in should be approved by the University before they are continued with or infused into the PSO.

Consequences for a disregard of this policy;

See **Chapter 6 – Disciplinary Actions**.

## **Capri Logo**

The official Capri Logo, as inserted below, is to be used on all formal documents concerning Capri and, as wished, on Capri clothing to represent Capri PSO and the rules and regulations as set out in this Constitution.



## **Capri Values**

Our vision, mission and actions in Capri PSO are ingrained within our values: Innovation, Ubuntu and Trots.

Innovation: To not change because of change but being the change;

Ubuntu: I am because we are; and

Trots: Fulfilment in accomplishing our unified purpose, "Hoendervleis Oomblik".