

IN THE STUDENT COURT OF STELLENBOSCH UNIVERSITY

REPUBLIC OF SOUTH AFRICA

In the matter:

[SPEAKER OF STUDENT PARLIAMENT]	First Applicant
[DEPUTY SPEAKER EXTERNAL]	Second Applicant
[DEPUTY SPEAKER INTERNAL]	Third Applicant

NOTICE OF MOTION

KINDLY TAKE NOTICE THAT the above-mentioned Applicants intend to make an application to this Honourable Court for:

A declaratory order on the correct interpretation of S57 of the 2018 Student Constitution, final version 3.2. Student Parliament moves to argue that this provision cannot be practically interpreted to be a quorum provision based on the following grounds:

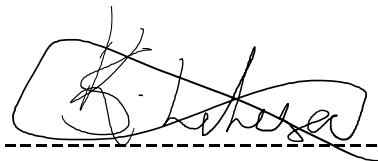
- a) The attendance requirement makes it practically impossible to ensure that a Student Parliament sitting / meeting will proceed because the given numbers are unreasonably ambitious. Parliament argues that:
 - i. should one SRC member fail to attend, notwithstanding a 'valid' excuse, Parliament proceedings would immediately be halted. This infringes on Parliament's independence in fulfilling its duties because it becomes largely dependent on the co-operation of certain executive members; and
 - ii. when reading each sub-section as to constitute quorum, it places an unreasonable expectation on Student Parliament to enforce attendance for each sub-committee/ body of student leadership mentioned since these bodies are not individually mandated to attend parliament as per their own constitutions.

Student Parliament requests the Court to declare that this provision is to be interpreted such that the specified numbers indicate the maximum number of student leaders from each body which may attend Student Parliament sittings/ meetings in their official capacities; bearing in mind the requirements stated in S23(c)(i) & (ii).

Find attached the affidavit of THE SPEAKER OF STUDENT PARLIAMENT which is to be used in support thereof.

TAKE FURTHER NOTICE THAT the Applicant will accept service of all documents to this matter at studpar@sun.ac.za.

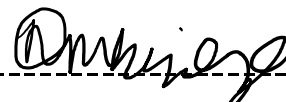
DATED AT STELLENBOSCH ON THIS 17th DAY OF AUGUST 2019.



[SPEAKER OF PARLIAMNT- K LEBESEEA]



[DEPUTY SPEAKER EXTERNAL- T SELAHLE]



[DEPUTY SPEAKER INTERNAL- N MKHIZE]