

STELLENBOSCH UNIVERSITY

# TYGERBERG STUDENT CONSTITUTION

2013 Revision

This Constitution was adopted by the Tygerberg Student Representative Council on xx xxxx 2013, adopted by the students in a referendum on xx xxxx 2013 and was approved by the Student Court on xx xxxx 2013. The English version of this document will take precedence in case of any interpretation disputes.

Key: the superscript ‡ indicates a fundamental chapter, part, section or provision, which can only be mended by means of a referendum (see section 100).



# TABLE OF CONTENTS

|            |  |    |
|------------|--|----|
| Chapter 1  | Basic Provisions                               | 1  |
| Chapter 2  | Bill of Student Rights                         | 6  |
| Chapter 3  | The Tygerberg Student Representative Council   | 11 |
| Part 3.1.  | General  | 11 |
| Part 3.2   | Other duties and powers of the Tygerberg       | 22 |
| Part 3.3   | Executive Committee of the Tygerberg Student   | 27 |
| Part 3.4   | Tygerberg Student Representative Council       | 30 |
| Part 3.5.  | Evaluation of Tygerberg Student Representative | 33 |
| Chapter 4  | Tygerberg Student Parliament                   | 38 |
| Chapter 5  | The Student Court and the Appeal Court         | 41 |
| Chapter 6  | The Tygerberg Academic Affairs Council         | 48 |
| Chapter 7  | The Tygerberg Prim Committee                   | 51 |
| Chapter 8  | The Tygerberg Societies Council                | 53 |
| Chapter 9  | The Tygerberg Postgraduates Student Council    | 55 |
| Chapter 10 | Publications                                   | 57 |
| Chapter 11 | Elections                                      | 60 |
| Chapter 12 | Commencement, repeal and amendment             | 65 |
| Schedule 1 | Tygerberg Student Representative Council       | 68 |
| Part S1    | Tygerberg Election Convenor(s) and Election    | 68 |
| Part S2    | Nominations and criteria for candidature       | 70 |
| Part S3    | Format and marketing of the election           | 77 |
| Part S4    | Results and complaints                         | 82 |
| Schedule 2 | TSR Honorary President                         | 86 |
| Schedule 3 | Honorary Awards                                |    |



## PREAMBLE ‡

We, the students of the Faculty of Medicine and Health Sciences of Stellenbosch University, conscious of our diverse cultural heritage and the historical context of Stellenbosch University and our country, the Republic of South Africa, unite to build a multicultural, non-discriminatory and democratic community in conformity with the Bill of Student Rights in chapter 2 of this Constitution and the Constitution of the Republic of South Africa.

We commit ourselves to the raison d'être of the University of Stellenbosch, namely; the academic ideal of excellence in the pursuit of science, to create an environment where knowledge can be created, shared and applied to the benefit of the community. We believe in the spirit of academic freedom in the pursuit of critical and rational thinking.

We acknowledge our responsibility to participate in the democratic systems recognized by this Constitution.

Subject to the provisions of the Constitution of the Republic of South Africa, the Higher Education Act, the Student Constitution, the Statute of Stellenbosch University and University regulations, we accept this as our binding Constitution.



# CHAPTER 1 BASIC PROVISIONS<sup>‡</sup>

## 1 Definitions

In this Constitution, unless the context indicates otherwise –

- (1) “accept”, “decide”, or “elect” refer to a decision taken with an ordinary majority of votes;
- (2) “*ex officio* member of the Tygerberg Student Representative Council” means a member serving on the Tygerberg Student Representative Council by virtue of holding another position, such as the Tygerberg Student Representative Council members indicated under section 19(b)-(f);
- (3) “positive vote” refers to the following process:
  - (a) When one candidate receives a majority (50%+1) of the vote, he or she is elected.
  - (b) If no candidate receives a majority (50%+1) of the vote, the following steps are followed:
    - (i) A new election takes place.
    - (ii) For this election, the candidates who received the least votes in the previous election are removed, but the sum of the removed candidates’ votes may not exceed fifty percent (50%) of the total number of votes in the previous election.
    - (iii) This process is repeated until one candidate receives a majority (50%+1) of the vote.
- (4) “student” means a student registered at the Faculty of Medicine and Health Science;
- (5) “student body” means an organized group of students formally associated with the University;
- (6) “University” means Stellenbosch University; and
- (7) “University day” means a weekday (Monday to Friday) during the academic year which is not a public holiday.
- (8) “SRC” refers to the Student Representative Council
- (9) “SP” refers to Student Parliament
- (10) “TSP” refers to Tygerberg Student Parliament
- (11) “House” refers to both Private Student Organizations (PSO’s) and Residences
- (12) “TSR Manager” is a member appointed by the TSR but does not have voting power
- (13) “TSR” refers to Tygerberg Student Representative Council
- (14) “majority” normally refers to fifty percent plus one (50% +1)



## 2 Status of this Constitution

- (1) All constitutions, regulations, rules, codes, documents, motions and decisions adopted by any Tygerberg student body are subject to this Constitution and invalid in as far as they are inconsistent with it.
- (2) This Constitution is called the "Tygerberg Student Constitution of Stellenbosch University", provided that any references in other documents to the "Tygerberg Student Union Constitution of Stellenbosch University" refer to this document.

## 3 Bodies constituted by this Constitution

The following student bodies are constituted by this Constitution:

- (a) the Tygerberg Student Representative Council (TSR);
- (b) the Tygerberg Student Parliament (TSP);
- (c) the Tygerberg Societies Council (TSC);
- (d) the Tygerberg Academic Affairs Council (TABR);
- (e) the Tygerberg Prim Committee (TPK);
- (f) the Tygerberg Election Committee;
- (g) the Tygerberg Evaluation Panel;
- (h) the Tygerberg Postgraduate Student Council (TPSC);



## CHAPTER 2 BILL OF STUDENT RIGHTS<sup>‡</sup>

### 4 Applications

- (1) The rights in the Bill of Student Rights bind all student bodies of the University and all such bodies have the duty to respect protect and promote these rights.
- (2) The student bodies constituted by this Constitution in section 3 must take reasonable steps to ensure the protection and promotion of these rights, including through engagement, where necessary, with the University authorities.

### 5 Equality

No student shall be unfairly discriminated against.

### 6 Human dignity

Every student has inherent human dignity and the right to have his or her dignity respected and protected.

### 7 Confidentiality of student records

- (1) Every student has the right to the confidentiality of his or her University records.
- (2) No information contained in such records may be disclosed without the consent of the student in Question.

### 8 Student success

- (1) Every student has the right to an enabling environment in which student success and academic excellence are encouraged and pursued.
- (2) Every student has the right to quality education, academic support, and transparent and justifiable assessment procedures.
- (3) The bodies constituted by this Constitution in section 3 have a duty to identify and work towards the eradication of barriers to the exercise of these rights.



## 9 Freedom of religion, belief and opinion

Every student has the right to freedom of religion, belief and opinion.

## 10 Freedom of expression

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

- (a) freedom of academic expression and scientific research;
- (b) freedom of the student media; and
- (c) freedom to receive and impart information and ideas.

## 11 Assembly, demonstration and petition

Every student has the right, peacefully and unarmed, to assemble and demonstrate on campus, and to present petitions to the Tygerberg Student Representative Council and/or Student Representative Council and to the Faculty Management and/or University management.

## 12 Freedom of association

Every student has the right to freedom of association on campus, including the right to form any student group, association or society.

## 13 Participation in TSR and Student Representative Council elections

- (1) Every student has the right to vote in elections for the Tygerberg Student Representative Council, and to do so in secret, subject to chapter 10 and schedule 1 of this constitution
- (2) Every student has the right to vote in elections for the Student Representative Council, and to do so in secret and subject to chapter 11 and schedule 1 of the Student Constitution
- (3) Every registered student has the right to stand for election to the Tygerberg Student Representative Council, subject to fair and relevant eligibility requirements and subject to the provisions of this Constitution, subject to chapter 10 and schedule 1 of this constitution
- (4) Every registered student has the right to stand for election to the Student Representative Council, subject to fair and relevant eligibility requirements and subject to chapter 11 and schedule 1 of the Student Constitution



## 14 Administrative action

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 –

- (a) be notified of the nature and purpose of the proposed action;
- (b) a reasonable opportunity to make representations;
- (c) adequate notice of any right of review or internal appeal, where applicable; and
- (d) request reasons for the decision and to be furnished with written reasons within a reasonable time.

## 15 Limitation

- (1) 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.
- (2) 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.
- (3) 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.

## 16 Enforcement

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.

## 17 Interpretation

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





## CHAPTER 3

### THE TYGERBERG STUDENT REPRESENTATIVE COUNCIL

#### Part 3.1 General

#### 18 Status of the Tygerberg Student Representative Council ‡

The Tygerberg Student Representative Council is the highest policy-making and representative student body at the Faculty of Medicine and Health Sciences.

#### 19 Composition of the Tygerberg Student Representative Council ‡

The Tygerberg Student Representative Council consists of the following members:

- (a) nine (9) members elected by the students in terms of the provisions of chapter 10 of this Constitution;
- (b) the Chair of the Tygerberg Academic Affairs Council; in terms of Section 70(3)
- (c) the Chair of the Tygerberg Prim Committee; in terms of Section 74(3)
- (d) the Chair of the Tygerberg Societies Council; in terms of Section 78(3)
- (e) the Chair of the Tygerberg Postgraduate Student Council; in terms of Section 82(3)
- (f) the TSR Managers as decided by the newly elected Tygerberg Student Representative Council. Unlike the members in (a) – (d) these members will not enjoy voting rights.

#### 20 Term of office of the Tygerberg Student Representative Council

- (a) The term of office of the Tygerberg Student Representative Council starts on 1 September in the year that the Tygerberg Student Representative Council members were elected subject to section 25
- (b) A hand-over period will take place from the date the newly elected TSR members are announced for a period of two weeks.
- (c) The outgoing Chair and outgoing Executive Committee of the Tygerberg Student Representative Council must ensure that this formal handover period is implemented between the outgoing and incoming council.
- (d) The outgoing Tygerberg Student Representative Council members must ensure that they are available during the hand-over month when requested by the out-going chair
- (e) The terms of (b) (c) and (d) will be determined by the outgoing Tygerberg Student Representative Council of that year, Student Affairs and other stakeholders. The provisional programme must be finalized by the



last day of voting wherein the incoming Council will be elected

## 21 Core functions of the Tygerberg Student Representative Council ‡

The core functions of the Tygerberg Student Representative Council include –

- (a) to act in the best interest of students-
  - (i) to actively promote students' rights under chapter 2;
  - (ii) through execution of any administrative activity which may be required to serve interest of Tygerberg students
- (b) to represent students at –
  - (i) the Faculty Management;
  - (ii) on the Faculty Board
  - (iii) the Committee for Undergraduate Teaching;
  - (iv) the Committee for Community-based Teaching
  - (v) other committees, bodies and functionaries of the Faculty of Medicine and Health Sciences and where appropriate the University; and
- (c) to evaluate University and Faculty policy and give input in the formulation thereof;
- (d) to consider the advice of the Tygerberg Student Parliament; and in the case when such advice is rejected by the Tygerberg Student Representative Council, this decision must be communicated to the Speaker of the Tygerberg Student Parliament within ten (10) university days.
- (e) to facilitate projects and initiatives to the benefit of students;
- (f) to inform and consult students continuously, and obtain feedback, about its activities; and
- (g) to formulate and maintain policy in order to ensure that the Tygerberg Student Representative Council performs its functions and duties effectively.
- (h) To have at least three public feedback sessions during their term in office. These include but are not limited to;
  - (i) One session at which the Tygerberg Student Representative Council will present their Year Plans, Budget for the year, portfolio allocations and representation on University and Faculty Committees;
  - (ii) One session at which a half year report back is held. This would serve as a half year caucus;
  - (iii) Final session at which a concise overview of the entire term of office
- (i) call together the Honorary Awards Committee, in terms of the regulations as stipulated in Schedule 3, which will consider and award Tygerberg Honorary Awards to all deserving students.



- (j) To ensure that the views and opinions of the Tygerberg Prim Committee are sought before any decision is made which may affect the interests of the Houses at Tygerberg.
- (k) To ensure that the views and opinions of the Tygerberg Academic Affairs Council are sought before any decision is made which may affect the academic interests of students.
- (l) To ensure that the views and opinions of the Tygerberg Societies Council are sought before any decision is made which may affect the interests of Societies at Tygerberg.
- (m) To appoint a member of the Tygerberg Student Representative Council to ensure that this constitution is made available to TSU members and updated regularly
- (n) To submit proper and complete reports on their portfolios within fourteen (14) days after the end of their term to their successors and to make these available to the TSU
- (o) To ensure that the Elections Convenor(s) receives the compulsory nominations of the candidates for the Tygerberg Student Representative Council election, referred to in Schedule 1 section 10

## 22 Compulsory portfolios

The Tygerberg Student Representative Council must maintain at least the following portfolios:

- (a) The Chair –
  - (i) is the chief executive officer of the Tygerberg Student Representative Council;
  - (ii) is the chair of Executive Committee of the Tygerberg Student Representative Council;
  - (iii) acts as the spokesperson to the Tygerberg Student Representative Council and is responsible for making statements concerning the viewpoint of the Tygerberg Student Representative Council over any affairs to any individual, including the media;
  - (iv) is ultimately responsible for the finances of the Tygerberg Student Representative Council.
  - (v) ensuring that students are continuously and fully informed of the activities of the Tygerberg Student Representative Council in accordance with section 21(f);
  - (vi) obtaining feedback from students in accordance with section 21(f); and
  - (vii) ensuring that the advice of Tygerberg Student Parliament reaches the Tygerberg Student Representative Council.
  - (viii) Serve as coordinator for enquiries from the media as delegated to this person by the TSR Executive Committee



(b) The Vice-Chair-

- (i) is the deputy chief executive officer of the Tygerberg Student Representative Council;
- (ii) is the Manager of Portfolios
- (iii) Will fulfill the role of Policy Unit Chair if no TSR member makes themselves eligible for this portfolio, this will be allocated to the TSR vice-chair

(c) The Secretary is at least responsible for –

- (i) maintaining internal communication within the Tygerberg Student Representative Council;
- (ii) managing knowledge and institutional memory within the Tygerberg Student Representative Council;
- (iii) ensuring that Tygerberg Student Representative Council meetings, and any other meetings or consultations where the Tygerberg Student Representative Council desires record keeping, are properly recorded; and
- (iv) updating, safekeeping and making available records, policies and other documents of the Tygerberg Student Representative Council.

(d) The Treasurer

- (i) is the chief financial officer of the Tygerberg Student Representative Council and is at least responsible for ensuring that the financial resources of Tygerberg Student Representative Council are used in a transparent and responsible manner.
- (ii) Will liaise with the treasurers of Tygerberg ex officio bodies in line with their respective constitutions.

(e) The Policy Unit--

- (i) Consists of;
  - (1) TSR member who is elected as Policy Officer and thus Chair;
  - (2) Chair of TSR;
  - (3) Vice Chair of TSR;
  - (4) Additional member elected by the TSR
  - (5) Secretary, who may be any Tygerberg student as appointed by the TSR Exec, of the Policy unit who receives remuneration from the TSR



- (ii) ensuring that policy of the Tygerberg Student Representative Council and the students is formulated and revised in accordance with section 21(g);
- (iii) assisting the other Tygerberg Student Representative Council members in evaluating and giving input in the formulation of University policy in accordance with section 21(c); and
- (iv) ensuring that this Constitution is-
  - (1) revised and amended in terms of this constitution;
  - (2) marketed, especially in the period before the Tygerberg Student Representative Council elections
- (v) If no TSR member makes themselves available for this portfolio, this will be allocated to the TSR vice-chair

### 23 Fulfillment of duties <sup>‡</sup>

- (1) Tygerberg Student Representative Council members must comply with the provisions of this Constitution, policies and regulations of the Tygerberg Student Representative Council.
- (2) If a Tygerberg Student Representative Council member contravenes subsection (1), or if reasonable grounds exist to believe that a member will contravene subsection (1), then –
  - (a) the Student Court can grant an appropriate order on request from any student, and if that order is not complied with, the member concerned can be discharged from office in terms of section 25(1)(g); and
  - (b) the Evaluation Panel can take it into account in its decision whether or not to decrease the honorarium of the member in terms of section 46.

### 24 *Ex officio* members

An *ex officio* member of the Tygerberg Student Representative Council –

- (a) may, in addition to his or her *ex officio* position, only accept one portfolio on the Tygerberg Student Representative Council, whether that portfolio is compulsory or not;
- (b) may not accept any portfolios if he or she serves on the Executive Committee of the Tygerberg Student Representative Council; and
- (c) may not hold the position of Chair or Vice-Chair on the Tygerberg Student Representative Council.



## 25 End of membership of the Tygerberg Student Representative Council

- (1) The membership of a Tygerberg Student Representative Council member comes to an end when
  - (a) the member's term of office expires;
  - (b) the member dies;
  - (c) the member presents a written resignation to the Secretary of the Tygerberg Student Representative Council. This written resignation will become binding after five (5) days if not withdrawn.
  - (d) the member ceases to be a member of the student body that he or she represented *ex officio* on the Tygerberg Student Representative Council.
  - (e) the member ceases to be a registered student;
  - (f) the member is absent without reason from a total of three (3), this being a combination of, Tygerberg Student Representative Council meetings and/or compulsory activities. The compulsory activities will be determined by the Tygerberg Student Representative Council Executive Committee;
  - (g) the Student Court finds on application that the member has not complied with an order of the Court;
  - (h) Tygerberg Student Parliament adopts a motion of no confidence in the member; subject to section 54(2)(b)
  - (i) the Tygerberg Student Representative Council Executive Committee adopts a motion of no-confidence, in accordance with the Tygerberg Student Constitution and/or the Tygerberg Student Representative Council's Code of Conduct, and the motion is ratified by the Tygerberg Student Representative Council through a majority vote
  - (j) a member fails his or her current academic year, and is required to repeat the academic year in the year following their election on to the Tygerberg Student Representative Council.'
  - (k) the member is sentenced to imprisonment without the option of a fine in the Republic of South Africa or elsewhere; or
  - (l) the member is sentenced by the Central Disciplinary Committee, the University Council's Disciplinary Committee or the University Council's Disciplinary Appeal Committee to –
    - (i) permanent suspension from the Tygerberg Student Representative Council; or
    - (ii) suspension from the University for a fixed or unfixed time.



- (2) If an *ex officio* member of the Tygerberg Student Representative Council ceases to be a member of the Tygerberg Student Representative Council during his or her term of office, then –
  - (a) that member loses chairpersonship of the student body he or she was representing on the Tygerberg Student Representative Council; and
  - (b) that student body must elect a new Chair, who will take the place of the previous Chair on the Tygerberg Student Representative Council.
- (3) If any other member of the Tygerberg Student Representative Council ceases to be a member of the Tygerberg Student Representative Council during his or her term of office, then the Tygerberg Student Representative Council must decide whether that member's position is to be filled, and if the Tygerberg Student Representative Council decides that the position is to be filled and –
  - (a) less than forty (40) University days have passed between the election of the member in question and the day he or she ceased to be a member, then the available candidate who received the most votes in the election (in which the out-going Tygerberg Student Representative Council member was elected), but was not elected to the Tygerberg Student Representative Council, must fill the position; or
  - (b) forty (40) or more University days have passed between the election of the member in question and the day he or she ceased to be a member, or there is no available candidate in terms of paragraph (a), the Tygerberg Student Representative Council must call a by-election to fill the position.

### ***Part 3.2 Other duties and powers of the Tygerberg Student Representative Council***

#### **26 Reports ‡**

- (1) Each Tygerberg Student Representative Council member must submit a complete report regarding his or her representative responsibilities and other activities to the Secretary after every academic quarter, not later one (1) week after the start of the next quarter, and the Secretary must, upon receiving them, make these reports available to all students.
- (2) Each Tygerberg Student Representative Council member must present a complete report regarding his or her representative responsibilities and other activities to his or her successor within fourteen (14) days after the end of his or her term of office, and these reports must also be stored centrally and be available



to future Tygerberg Student Representative Council members and students on request.

## 27 Announcement of programme and budget ‡

- (1) The newly elected Tygerberg Student Representative Council must, before the start of their term of office, make a document available to all students which at least –
  - (a) sets out clearly and in detail how the Tygerberg Student Representative Council aims to fulfill its core functions;
  - (b) contains a complete budget; and
  - (c) indicates which portfolios, including the compulsory portfolios, are assigned to which Tygerberg Student Representative Council members or managers.
- (2) As soon as this document is made available, the Tygerberg Student Representative Council must make reasonable attempts to make students aware of its availability.

## 28 Representatives of the Tygerberg Student Representative Council on other bodies

Representatives of the Tygerberg Student Representative Council on other bodies must, as far as possible, state the position of the Tygerberg Student Representative Council at said bodies and must consult the Tygerberg Student Representative Council on any important decisions to be taken by said bodies.

## 29 Code of conduct

The Tygerberg Student Representative Council and all bodies as constituted in terms of section 3(b) – (f) must adopt a code of conduct to lay down the rules of conduct and a disciplinary procedure for its members and make reasonable attempts to make these available to Tygerberg students

## 30 Tygerberg Student Representative Council managers (TSR managers)

- (1) The Tygerberg Student Representative Council may, if required, appoint a minimum of one (1) up to a maximum of five (5) students as TSR managers to run portfolios that entail chiefly organizational or administrative functions on behalf of the Tygerberg Student Representative Council.
- (2) Each TSR manager must be accountable to a specific Tygerberg Student Representative Council member and the Tygerberg Student Representative Council as a whole.

TSR managers enjoy access to the same facilities as the Tygerberg Student Representative Council and





can appoint their own committees.

- (3) The remuneration of each TSR manager must be determined before he or she is appointed, after which the amount in question can be adjusted downwards by both the Tygerberg Student Representative Council and the Evaluation Panel.
- (4) TSR managers are subject to evaluation by the Evaluation Panel.
- (5) TSR managers do not have the right to vote at and are not compelled to attend Tygerberg Student Representative Council meetings, with the exception that –
  - (a) TSR managers must attend at least one Tygerberg Student Representative Council meeting per month in order to report back to the Tygerberg Student Representative Council regarding their activities; and
  - (b) a TSR manager must attend a Tygerberg Student Representative Council meeting if asked to do so through a written request of the Executive Committee of the Tygerberg Student Representative Council.

### 31 Task teams

- (1) The Tygerberg Student Representative Council can appoint task teams from among its own members to address *ad hoc* or continuous issues.
- (2) In addition to Tygerberg Student Representative Council members any student can be appointed to a task team.
- (3) Unless the urgency of the issue demands otherwise, any student must have the opportunity to apply to serve on a task team.
- (4) The Tygerberg Student Representative Council can delegate the authority to finalize an issue to a task team subject to ratification by TSR.

### 32 Mass meetings

- (1) The Tygerberg Student Representative Council can call mass meetings to consolidate its mandate, as a platform for debate and to ensure accountability.
- (2) All students can attend mass meetings and have voting rights at mass meetings.



The Tygerberg Student Representative Council must, not less than one (1) week before a mass meeting, give adequate notice of the date, time, place and agenda of the mass meeting to students.

- (4) Students can request a mass meeting by means of a petition that has been signed by at least thirty (30) students, in which case the Tygerberg Student Representative Council must arrange that the mass meeting takes place within ten (10) University days after the petition is filed.

### 33 Other duties

The Tygerberg Student Representative Council has the duty to –

- (a) make this Constitution available to students and to make them aware of its availability; and
- (b) fulfil any other duties required of it by this Constitution
- (c) to engage with Tygerberg Student Parliament in a constructive manner, whilst safeguarding its independence, and to assist it in fulfilling its constitutional mandate
- (d) ensure that Tygerberg Student Representative Council members attend all Tygerberg Student Parliament sessions unless providing valid reasons to the TSR Chair to be excused and subject to this request being granted.

### *Part 3.3 Executive Committee of the Tygerberg Student Representative Council*

### 34 Composition

The Executive Committee of the Tygerberg Student Representative Council consists of –

- (a) the Chair of the Tygerberg Student Representative Council;
- (b) the Vice-Chair of the Tygerberg Student Representative Council;
- (c) the Treasurer of the Tygerberg Student Representative Council;
- (d) the Secretary of the Tygerberg Student Representative Council; and
- (e) one (1) additional member of the Tygerberg Student Representative Council as elected amongst themselves

### 35 Duties and powers



- (1) The Executive Committee –
  - (a) sets the agenda for Tygerberg Student Representative Council meetings;
  - (b) compiles the Tygerberg Student Representative Council budget;
  - (c) manage the day-to-day issues of the Tygerberg Student Representative Council;
  - (d) makes important decisions in urgent cases where it is not practically feasible to convene the Tygerberg Student Representative Council;
  - (e) decides on the portfolio allocation of the Tygerberg Student Representative Council, excluding the compulsory portfolios;
  - (f) appoints one (1) or more Tygerberg Election Convenor(s) in terms of section 94(5);
  - (g) fulfils any duties that the Tygerberg Student Representative Council delegates to it; and
  - (h) must fulfil any other functions that this Constitution assigns to it.
  - (i) Serve as Disciplinary Committee of the TSR and manage internal disciplinary matters of the TSR in terms of its internal Code of Conduct
- (2) Decisions taken by the Executive Committee in terms of paragraphs (1)(b), (1)(d), (1)(e), (1)(f) and (i) must be approved by the Tygerberg Student Representative Council at a later Tygerberg Student Representative Council meeting in order to come into effect.
- (3) Any other decisions by the Executive Committee can be set aside by the Tygerberg Student Representative Council at a later Tygerberg Student Representative Council meeting.

### 36 Meetings and minutes

- (1) The Executive Committee meets at least once before every ordinary Tygerberg Student Representative Council meeting.
- (2) All decisions of the Executive Committee must be minuted and the minutes of an Executive Committee meeting must be made available to the Tygerberg Student Representative Council five(5) University days after the meeting.
- (3) If at least three (3) members of the Tygerberg Student Representative Council requests the Chair to call a meeting within one (1) University day after the minutes are made available, the Chair must, within two (2) University days of the submission of the request, convene a Tygerberg Student Representative Council



meeting, where the only items on the agenda will be the issues in question from the minutes of the Executive Committee meeting.

### 37 Quorum

Three (3) members of the Executive Committee constitute quorum at meetings of the Executive Committee.

## *Part 3.4 Tygerberg Student Representative Council meetings*

### 38 Frequency

The Tygerberg Student Representative Council usually meets at least once a month, but is not compelled to meet during official examination and holiday periods.

### 39 Notice of meetings

Adequate notice of an ordinary Tygerberg Student Representative Council meeting is given to members at least two (2) University days before the meeting and states at least –

- (a) the date, time and place of the meeting; and
- (b) the complete agenda.

### 40 Quorum ‡

- (1) Eight (8) voting Tygerberg Student Representative Council members constitute quorum at Tygerberg Student Representative Council meetings.
- (2) No decision of the Tygerberg Student Representative Council will be valid if at least eight (8) voting members were not present at the meeting where the decision was taken.

### 41 Transparency ‡

- (1) An abbreviated agenda, which states at least all the points on the agenda, as well as the date, time and place of the meeting, must be made available to all students at least two (2) University days before each



### Tygerberg Student Representative Council meeting.

- (2) Any student, or any other person invited by the Tygerberg Student Representative Council, may attend Tygerberg Student Representative Council meetings.
  
- (3) A person who is not a member of the Tygerberg Student Representative Council may only get an opportunity to speak, the duration of which is determined by the Chair, at a Tygerberg Student Representative Council meeting if –
  - (a) he or she notifies the Secretary of his or her intention to speak at least one (1) University day before the meeting; or
  - (b) the Chair approves it.
  
- (4) The Chair can rule the discussion of a specific point on the agenda *in camera* if he or she believes it to be in the best interests of students, provided that –
  - (a) the Chair must do it before the agenda is set;
  - (b) the point must still appear in the agenda and abbreviated agenda;
  - (c) the discussion of the point must still be minuted, while the relevant part of the minutes need only be made available internally to the Tygerberg Student Representative Council; and
  - (d) the Tygerberg Student Representative Council can decide to overturn the decision of the Chair by a simple majority, fifty percent plus one (50% +1) of voting members present

### 42 Minutes ‡

- (1) All decisions of the Tygerberg Student Representative Council must be minuted.
- (2) They must ensure that the complete minutes of each Tygerberg Student Representative Council meeting is made available to all students electronically and at the Tygerberg Student Representative Council office, not later than five (5) University days after the meeting.

### 43 Seconds from Tygerberg Prim Committee, Tygerberg Academic Affairs Council and Tygerberg Societies Council

- (1) If the Chair cannot attend a Tygerberg Student Representative Council meeting, he or she may appoint a member of his or her committee or council (whichever is applicable) in writing to the Secretary as a second



to attend the meeting before the start of said meeting

- (2) Said second may exercise all the rights and powers at the meeting that the person that he or she represents would have been able to exercise had he or she been present.
- (3) The right to appoint a second may not be exercised consecutively for more than two (2) Tygerberg Student Representative Council meetings.

### ***Part 3.5 Evaluation of Tygerberg Student Representative Council members by the Tygerberg Evaluation Panel<sup>‡</sup>***

#### **44 Nature and convening of the Evaluation Panel**

The Evaluation Panel is convened by the Vice-Chair of the Tygerberg Student Representative Council, or a Tygerberg Student Representative Council member delegated by the Chair, to evaluate how the Tygerberg Student Representative Council members performed their duties and in so doing keep them accountable.

#### **45 Composition of the Evaluation Panel**

- 1) The Evaluation Panel consists of the following members:
  - a) The Head of Student Affairs or his or her delegate will act as Chair;
  - b) the Chair of the Student Court or another member of the Court appointed by him or her;
  - c) the Tygerberg Student Parliament Speaker or another member of the Committee appointed by him or her;
  - d) one (1) student who attended Tygerberg Student Parliament during the year concerned, selected at random by the Speaker from Tygerberg Student Parliament attendance lists;
  - e) One (1) person, whether a student, University member of staff or other person, who are not Tygerberg Student Representative Council members, appointed by the Tygerberg Student Representative Council, taking into account their knowledge of the duties of the Tygerberg Student Representative Council.
- 2) The Dean of the Faculty Medicine and Health Sciences may appoint one (1) University member of staff, who has no voting rights on the Panel, to serve on the Panel in an advisory capacity.
- 3) The Vice-Chairperson of the Tygerberg Student Representative Council or the member delegated as per



section 44 must arrange the first meeting of this panel

- 4) Additional members may be appointed to the Evaluation Panel if they will make a constructive contribution to the process. The member(s)
  - a) May be either-
    - i) Students; or
    - ii) Personnel
  - b) And may only be appointed by Panel after consultation with the Tygerberg Student Representative Council
  - c) And will not have voting rights

#### **46 Duties and powers of the Evaluation Panel**

- (1) The Evaluation Panel can decide to –
  - (a) withhold up to 20% of the customary honorarium of a Tygerberg Student Representative Council member if that member's annual report is, in the opinion of the Panel, not adequate and complete; and
  - (b) withhold up to 40% of the customary honorarium of a Tygerberg Student Representative Council member if the Panel is of the opinion that that member did not perform his or her duties properly and competently.
- (2) The Panel can conduct a short interview with each Tygerberg Student Representative Council member about the performance of his or her duties and the performance of the other Tygerberg Student Representatives
- (3) The Panel can conduct interviews or obtain written representations of any person they deem relevant to be able to properly evaluate a Tygerberg Student Representative Council member or office-bearer
- (4) When making a decision in terms of paragraph (1)(b), the Panel must also take the following into account:
  - (a) the provisions of this Constitution;
  - (b) the code of conduct and other regulations of the Tygerberg Student Representative Council;
  - (c) any representations that any person may direct in writing to the Chair of the Panel;
  - (d) the reports of Tygerberg Student Representative Council members, copies of which must be supplied



to the Panel no later than five University days before the first sitting to evaluate these reports or an earlier date as determined by the TSR Executive Committee; and

(e) the principles of natural justice.

(5) The Panel may not withhold an excess of 60% of the honorarium

#### **47 Review**

The decisions of the Evaluation Panel can be reviewed by the Appeal Court, but not by the Student Court.

#### **48 Procedure**

The Panel determines its own procedure which must be drawn up amidst consultation with Tygerberg Student Representative Council, Tygerberg Student Parliament Committee and Student Affairs, These procedures must be drawn up after the election of the Panel Chair yet before their first meeting to evaluate the members of the Tygerberg Student Representative Council

#### **49 Notice and reasons**

The Panel must inform a member of the Tygerberg Student Representative Council as soon as possible of its decision and, in writing, for the reasons for that decision if it has been decided to withhold any portion of the member's honorarium.

#### **50 Timeframe**

The Panel is constituted annually to perform its duties and powers between 1 September and 31 October of the year concerned





## CHAPTER 4 TYGERBERG STUDENT PARLIAMENT ‡

### 51 Nature of Tygerberg Student Parliament

- (1) Tygerberg Student Parliament is an independent quarterly forum for all students and serves as a public feedback and consultation mechanism for interaction between the Tygerberg Student Representative Council and students and, where applicable, Faculty and University management.
- (2) Tygerberg Student Parliament also serves to ensure that the Tygerberg Student Representative Council fulfils its constitutional mandate and to keep the Tygerberg Student Representative Council accountable and transparent.
- (3) Tygerberg Student Parliament is under the guidance of Student Parliament, if necessary.

### 52 Tygerberg Speaker

A Speaker is elected annually by Tygerberg Student Parliament, and his or her duties include –

- (a) to ensure that Tygerberg Student Parliament takes place;
- (b) to ensure that an agenda is compiled and marketed to all students at least one (1) week before Tygerberg Student Parliament takes place;
- (c) to ensure that the minutes of Tygerberg Student Parliament are made available not more than two (2) weeks after each meeting; and
- (d) to preside over meetings of Tygerberg Student Parliament impartially and in such a manner as to promote orderly and democratic debate.

### 53 Constitutions, rules and regulations

- (1) Tygerberg Student Parliament may adopt any constitutions, rules or regulations to organize its activities.
- (2) Such constitutions, rules or regulations are subject to approval and ratification by the Student Court, and can be referred back to Tygerberg Student Parliament by the Court on the grounds of –
  - (a) procedural unfairness; or
  - (b) incompatibility with Tygerberg Student Parliament's constitutional mandate or the constitutional framework of student leadership within the University.



## 54 Powers

- (1) Unless otherwise provided in this Constitution, decisions of Tygerberg Student Parliament do not bind the Tygerberg Student Representative Council.
- (2) Tygerberg Student Parliament has the power to –
  - (a) request one or more Tygerberg Student Representative Council members to explain any of their actions, activities, or lack thereof in person at Tygerberg Student Parliament;
  - (b) institute a motion of no confidence in one or more Tygerberg Student Representative Council members, on the ground that they are not fulfilling their constitutional obligations, subject to review by the Student Court;
  - (c) determine a list of broad priorities which the next Tygerberg Student Representative Council must adhere to in compiling their budget and planning their activities;
  - (d) hold extraordinary meetings;
  - (e) appoint task teams to discuss and investigate specific matters and to report back and make recommendations to the plenary session and other bodies and representatives, including those of the University; and
  - (f) adopt any other measures to ensure that it fulfils its mandate effectively.
- (3) The powers described in paragraphs (2)(b), (2)(c) and (2)(d) are subject to Tygerberg Student Parliament accepting a Tygerberg Student Parliament Constitution which –
  - (a) sets out the procedures to be followed in exercising these powers; and
  - (b) ratified by Student Court before it comes into force.



## CHAPTER 5

# THE STUDENT COURT AND THE APPEAL COURT ‡

### 55 Nature and functioning of the Student Court

- (1) The Student Court –
  - (a) functions as an administrative tribunal; and
  - (b) is independent and subject only to this Constitution, which the Court must apply impartially and without fear, favour or prejudice.
- (2) All student bodies must contribute to ensuring the independence, impartiality, dignity and accessibility of the Student Court.

### 56 Nomination and appointment of members of the Student Court

- (1) The Chair of the Student Court must request nominations for the members of the Student Court from law students and lecturers at the start of the third quarter
- (2) The opening of nominations must be advertised clearly to all eligible students, whether by means of electronic communication or otherwise.
- (3) The Chair must submit the nominations to the Faculty Board of the Faculty of Law, which appoints the members of the Court before the end of August each year in consultation with the lecturers of the law students who will be in their penultimate or final year of study for an LLB, or studying for an LLM, in the following year.

### 57 Composition and membership

- (1) The Student Court consists of five (5) LLB or LLM students, provided that –
  - (a) a minimum of one (1) to a maximum of two (2) LLB students in their penultimate year (in the calendar year following their appointment) serve on the Court;
  - (b) a minimum of two (2) to a maximum of four (4) LLB students in their final year (in the calendar year following their appointment) serve on the Court; and
  - (c) and a maximum of one (1) LLM student (in the calendar year following his or her appointment) serves on the Court.



(2) No member of the Court may be a Student Representative Council member.

## 58 Chair

The Chair of the Student Court is elected within ten (10) days after the appointment of the members of the Student Court at a meeting which is convened by the former Chair of the Student Court.

## 59 Term of office

The term of office of the Student Court coincides with that of the Student Representative Council, except in extraordinary circumstances where practical considerations require other measures.

## 60 Jurisdiction of the Student Court

The Student Court has the power to –

- (a) give an interpretation, or to confirm the interpretation of a party before the Court, regarding –
  - (i) this Constitution; or
  - (ii) any empowering provision in terms of which a student body or a member of a student body exercises power;
- (b) decide on the constitutionality of any action or omission of a student body or a member thereof;
- (c) review any decision of a student body or a member thereof whereby the rights or legitimate expectations of a student or group of students are materially and adversely affected;
- (d) make a final decision regarding any matter where the parties consent to the jurisdiction of the Court; and
- (e) decide on all other matters which this Constitution places under the jurisdiction of the Student Court.

## 61 Remedies

The Student Court can –

- (a) grant an interdict or any other interim relief if material injustice would otherwise result;
- (b) grant a declaratory order;
- (c) set aside any decision or action that is inconsistent with this Constitution, or a constitution, policy, regulation or any empowering provision of a student body, in so far as it is inconsistent with it, provided that in case of setting aside –



- (i) the retroactive effect of the order must be limited as far as possible; and
- (ii) the order can be suspended for a fixed time or on any conditions so as to allow the person or body in question to rectify the fault; or
- (d) grant any order, including a combination of the abovementioned remedies, that is fair and equitable.

## 62 Applications to and standing before the Student Court

- (1) All students and student bodies can bring cases before the Student Court, and only students and student bodies can bring cases, unless –
  - (a) this Constitution gives standing to another person or body; or
  - (b) all the parties before the Court consent to giving another person or body standing.
- (2) The procedure according to which cases are brought before the Court is set out in the rules of the Student Court.

## 63 Procedure of the Student Court

- (1) The Student Court determines its own procedure, with due consideration of –
  - (a) the rules of natural justice; and
  - (b) the need for the Student Court to be accessible.
- (2) The Student Court must, after consultation with the Student Representative Council and subject to approval by the Appeal Court, adopt rules that set out its procedure, which must at least provide that –
  - (a) after the Court receives an application, the Chair of the Court must ensure that any person who may have a material interest in the proceedings is notified;
  - (b) the time when and the place where an application will be heard must be advertised timeously in the Ou Hoofgebou and at the Student Representative Council office, as well as electronically.
- (3) The rules contemplated in subsection (2), and the identity and contact details of the Chair of the Student Court, must be readily available electronically and in hard copy to all students.

## 64 Representation at the Student Court

- (1) Any party before the Student Court may appear before the Court with or without representation.
- (2) Only students may act as representatives before the Student Court.



## 65 Decisions of the Student Court

- (1) All decisions of the Student Court are binding.
- (2) The Court must provide, in writing, reasons for its decisions, which must be signed by all the members of the Court
- (3) Where a minority of members of the Court do not concur with the majority, the minority must provide reasons for why their deviation.
- (4) All decisions of the Student Court must be made available to all students as soon as possible after they have been handed down, both –
  - (a) electronically; and
  - (b) in hard copy at –
    - (i) the Student Representative Council office; and
    - (ii) the Secretary of the Dean of the Law Faculty.
- (5) The Chair of the Student Court must ensure that all decisions of the Student Court are stored both in hard copy at the Student Representative Council office and on an electronic database, and that all students can readily access the previous decisions of the Student Court.

## 66 Composition of the Appeal Court

The Appeal Court consists of two (2) lecturers of the Faculty of Law, who are appointed by the Dean of the Faculty of Law.

## 67 Jurisdiction of the Appeal Court

- (1) The Appeal Court hears appeals against the decisions of the Student Court.
- (2) The Appeal Court can review any decision or omission of the Student Court.
- (3) The Appeal court can review decisions of the Evaluation Panel.
- (4) The Appeal Court can decide on any other matters that are placed under its jurisdiction by this Constitution.

## 68 Lodging appeals or applications for review at the Appeal Court

- (1) An appeal or an application for review at the Appeal Court is lodged at the Dean of the Faculty of Law, who will appoint an Appeal Court.



- (2) The appeal must be lodged within thirty (30) days after the decision against which is being appealed was taken, unless this Constitution provides otherwise.

## 69 Procedure of the Appeal Court

The procedure of the Appeal Court is the same as that of the Student Court, with the necessary adjustment.



## CHAPTER 6

### THE TYGERBERG ACADEMIC AFFAIRS COUNCIL

#### 70 Composition

- (1) The Tygerberg Academic Affairs Council consists of a Chair, a Vice-Chair, one (1) student from each undergraduate class in the faculty offered on Tygerberg campus, as well as any additional members that are provided for in the constitution of the Tygerberg Academic Affairs Council.
- (2) Members of the Tygerberg Academic Affairs Council are elected in the way prescribed in the constitution of the Tygerberg Academic Affairs Council and the election of the Chair is run by the Election Convenor(s) in accordance with section 94.
- (3) The Chair of the Tygerberg Academic Affairs Council will serve in an ex officio basis on the Tygerberg Student Representative Council

#### 71 Duties and powers

- (1) The Tygerberg Academic Affairs Council represents the academic interests of students at the Tygerberg Student Representative Council, the Faculty management and where appropriate University Management.
- (2) The Tygerberg Academic Affairs Council has the powers necessary for the performance of its duties.

#### 72 Constitutional mandate

The Tygerberg Academic Affairs Council has a constitutional mandate to actively promote the rights of students contained in chapter 2, and specifically the right, under section 8(2), to quality education, academic support and transparent and justifiable assessment procedures.

#### 73 Constitutions, rules and regulations

- (1) The Tygerberg Academic Affairs Council may, upon approval by the Tygerberg Student Representative Council, accept any constitutions, rules or regulations, or amendments thereto, that organize its activities.
- (2) The Tygerberg Student Representative Council may refuse to approve new constitutions, rules, regulations or amendments submitted by the Tygerberg Academic Affairs Council on the grounds of –





- (a) procedural unfairness; or
  - (b) incompatibility with the Tygerberg Academic Affairs Council's constitutional mandate or the constitutional framework of student leadership at the University.
- (3) The Tygerberg Academic Affairs Council may appeal to the Student Court against a refusal by the Tygerberg Student Representative Council under subsection (2).

## CHAPTER 7

### THE TYGERBERG PRIM COMMITTEE

#### 74 Composition of the Tygerberg Prim Committee

- (1) The Tygerberg Prim Committee consists of a Chair, a Vice-Chair and the Prim, or his or her nominee, of each House as well as any other members that are provided for in the constitution of the Prim Committee.
- (2) The election of the Prim Committee Chair and Vice-Chair is run by the Tygerberg Election Convenor(s) according to section 94.
- (3) The Chair of the Tygerberg Prim Committee will serve in an ex officio basis on the Tygerberg Student Representative Council

#### 75 Duties and powers

- (1) The Tygerberg Prim Committee represents the interests of the residents of residences and members of private student organisations (PSOs), in that capacity, at the Tygerberg Student Representative Council, Faculty Management and the University management.
- (2) The Tygerberg Prim Committee has the powers necessary for the performance of its duties.

#### 76 Constitutional mandate

The Tygerberg Prim Committee has a constitutional mandate to actively promote the rights of students contained in chapter 2, and specifically the right, under section 8(1), to an enabling campus environment in which student success and academic excellence are encouraged and pursued.



## 77 Constitutions, rules and regulations

- (1) The Tygerberg Prim Committee may, upon approval by the Tygerberg Student Representative Council, accept any constitutions, rules or regulations, or amendments thereto, that organise its activities.
- (2) The Tygerberg Student Representative Council may refuse to approve new constitutions, rules, regulations or amendments submitted by the Tygerberg Prim Committee on the grounds of –
  - (a) procedural unfairness; or
  - (b) incompatibility with the Tygerberg Prim Committee’s constitutional mandate or the constitutional framework of student leadership at the University.
- (3) The Tygerberg Prim Committee may appeal to the Student Court against a refusal by the Tygerberg Student Representative Council under subsection (2).

## CHAPTER 8

### THE TYGERBERG SOCIETIES COUNCIL

#### 78 Composition of the Tygerberg Societies Council

- (1) The Tygerberg Societies Council consists of a Chair, its Executive Committee and the Chair, or his or her representative, of each of the societies recognized in terms of the constitution of the Tygerberg Societies Council, as well as any other members that are provided for in the constitution of the Societies Council.
- (2) The election of the Tygerberg Societies Council Chair and Vice-Chair is run by the Tygerberg Election Convenor(s) according to section 98.
- (3) The Chair of the Tygerberg Societies Council will serve in an ex officio basis on the Tygerberg Student Representative Council

#### 79 Duties and powers

- (1) The Tygerberg Societies Council represents the interests of all recognized student societies and that of the members of all recognized student societies of the University, in that capacity, at the Tygerberg Student Representative Council and the University management.
- (2) The Tygerberg Societies Council has the powers necessary for the performance of its duties.



## 80 Constitutional mandate

The Tygerberg Societies Council has a constitutional mandate to actively promote the rights of students contained in chapter 2, and specifically the right to freedom of religion, belief and opinion under section 9 and the right to freedom of association under section 12.

## 81 Constitutions, rules and regulations

- (1) The Tygerberg Societies Council may, upon approval by the Tygerberg Student Representative Council, accept any constitutions, rules or regulations, or amendments thereto, that organize its activities.
- (2) The Tygerberg Student Representative Council may refuse to approve new constitutions, rules, regulations or amendments submitted by the Tygerberg Societies Council on the grounds of –
  - (a) procedural unfairness; or
  - (b) incompatibility with the Tygerberg Societies Council’s constitutional mandate or the constitutional framework of student leadership at the University.
- (3) The Tygerberg Societies may appeal to the Student Court against a refusal by the Tygerberg Student Representative Council under subsection (2).

## CHAPTER 9

### THE TYGERBERG POSTGRADUATE STUDENT COUNCIL

#### 82 Composition of the Tygerberg Postgraduate Student Council

The TPSC consists of the following members:

- (1) Nine (9) members elected by the students in terms of the provisions of Chapter 4 of Tygerberg Postgraduate Student Council Constitution; The chair of the M.Med SRC; The chair of the PhD SRC; The chair of the MSc/Hons.
- (2) The election of the Prim Committee Chair and Vice-Chair is run by the Tygerberg Election Convenor(s) according to section 98.
- (3) The Chair of the Tygerberg Postgraduate Student Council will serve in an ex officio basis on the Tygerberg Student Representative Council.



### 83 Duties and powers

- (1) The Tygerberg Postgraduate Student Council is the highest policy-making and representative student body at the FMHS, for and representing registered postgraduate students. The TPSC will work within the TSR to help represent the entire student body.
- (2) The Tygerberg Postgraduate Student Council has the powers necessary for the performance of its duties.

### 84 Constitutional mandate

The Tygerberg Postgraduate Student Council has a constitutional mandate to actively promote the rights of students contained in chapter 2, and specifically the right, under section 8(1), to an enabling campus environment in which student success and academic excellence are encouraged and pursued.

### 85 Constitutions, rules and regulations

- (1) The Tygerberg Postgraduate Student Council may, upon approval by the Tygerberg Student Representative Council, accept any constitutions, rules or regulations, or amendments thereto, that organise its activities.
- (2) The Tygerberg Student Representative Council may refuse to approve new constitutions, rules, regulations or amendments submitted by the Tygerberg Prim Committee on the grounds of –
  - (a) procedural unfairness; or
  - (b) incompatibility with the Tygerberg Postgraduate Student Council’s constitutional mandate or the constitutional framework of student leadership at the University.
- (3) The Tygerberg Postgraduate Student Council may appeal to the Student Court against a refusal by the Tygerberg Student Representative Council under subsection (2)



## CHAPTER 10

### PUBLICATIONS

#### 86 Nature

Although the campus newspaper is publicized under the protection of the Tygerberg Student Council it enjoys editorial independence.

#### 87 Composition of the Editorial

The editorial consists of the Editor and other portfolios as determined in the regulations of the campus newspaper.

#### 88 Appointment of Editorial

The outgoing Editorial is responsible for advertising and recruitment of nominations for the new editorial team. If required the outgoing Editorial team may enlist the assistance of the outgoing Tygerberg Student Representative Council member responsible for Media and/or Communications. This takes place in terms of the provisions of the regulations of the campus newspaper.

#### 89 Finances

- (1) The Tygerberg Student Representative Council allocates an annual subsidy to the campus newspaper. This amount is determined by the Tygerberg Student Representative Council but may not be less than the amount granted in the previous TSR term, unless-
  - (a) The Editorial provides written agreement to such a request from the Tygerberg Student Representative Council; or
  - (b) The funds as received from the University administration have been decreased from that of the previous term. If this occurs, the decrease in the campus newspaper subsidy may not exceed the percentage with which the allocation from the University management has been reduced.



(2) The campus newspaper retains the right to acquire additional and/or alternative funding

## 90 Responsibility of campus newspaper

This is the same as determined in the regulations of Die Matie

## 91 Term of Office

The term of office will coincide with that of the Tygerberg Student Representative Council unless it is practically not feasible then this period shall be determined in terms of the regulations of campus newspaper.

## 92 Honorarium

- (1) The honorarium is determined by the TSR and Student Affairs in accordance to the adjusted formula of Die Matie as set out in the regulations of Die Matie.
- (2) The Tygerberg Student Representative Council will pay an annual honorarium to the editor. This honorarium is subject to an evaluation of the editor.
- (3) The evaluation panel will consist of-
  - (a) Tygerberg Student Representative Council member for Media or Communications who shall act as Chair
  - (b) Editor of Die Matie or his or her representative
  - (c) Head of Student Affairs or his or her representative
  - (d) One (1) member of the campus newspaper as appointed by Editorial
  - (e) Speaker of Tygerberg Student Parliament or his or her representative
- (4) The final amount is at the discretion of this Panel
- (5) The decision made by this Panel may be appealed to the Student Court

## 93 Complaints

The campus newspaper is subject to the Code of conduct of Die Matie and any complaints will be handled in terms of these provisions.



## CHAPTER 11

### ELECTIONS

#### 94 Tygerberg Student Representative Council general election <sup>‡</sup>

- (1) The nine (9) Tygerberg Student Representative Council members referred to in section 19(a) are elected once every calendar year in a free and fair general election in which all students may vote, with due observance of the provisions of Schedule 1.
- (2) Each student may cast his or her vote only once in a particular election and each student's vote carries the same weight.
- (3) The Tygerberg Student Representative Council election, the voting thereof, must –
  - (a) take place during the third academic quarter;
  - (b) may be held over, but not exceeding, a maximum of two (2) week.
- (4) The Executive Committee of the Tygerberg Student Representative Council must –
  - (a) advertise the position(s) of Tygerberg Election Convenor(s) for at least two (2) weeks on Tygerberg campus;
  - (b) appoint, every year before the end of March, one or more independent, autonomous, neutral and competent Tygerberg Election Convenor(s), who is or was at no time a member of the Tygerberg Student Representative Council in office at the time, to run the election; and
  - (c) determine the election dates in consultation with the Tygerberg Election Convenor(s), and, where necessary, other stakeholders, before the end of May every year, with due consideration of subsection (3).
- (5) The format of the election, who qualifies to run for the Tygerberg Student Representative Council, the duties and powers of the Tygerberg Election Convenor(s), the election complaints procedure and the announcement of results are determined in Schedule 1 to this Constitution, and this section must be implemented in accordance with Schedule 1.

#### 95 Election of the Tygerberg Student Representative Council Chair

- (1) After the validity of the election results is confirmed in terms of Schedule 1, the Tygerberg Election Convenor(s) convene the first meeting of the newly elected Tygerberg Student Representative Council.



- (2) The newly elected Tygerberg Student Representative Council, including the *ex officio* members, elect a new Tygerberg Student Representative Council Chair by means of a positive vote under the chairpersonship of (one [1] of) the Tygerberg Election Convenor(s).
- (3) Any member of the newly elected Tygerberg Student Representative Council, excluding the *ex officio* members, may make him or herself available for election to the position of Student Representative Council Chair and Vice-Chair.
- (4) The chair of the meeting must allow candidates reasonable time to address the meeting and answer questions before voting begins.

### **96 Election of the rest of the Tygerberg Student Representative Council Executive Committee**

- (1) After the election of the newly elected Tygerberg Student Representative Council Chair, under the chairpersonship of the Tygerberg Student Representative Council Chair, the newly elected members elect the other members of the Executive Committee by means of a positive vote.
- (2) Any newly elected member of the Tygerberg Student Representative Council may make him or herself available for election for any of the remaining positions on the Executive Committee.
- (3) Should the newly elected Tygerberg Student Representative Council so choose, the Executive Committee may also be elected during a later Tygerberg Student Representative Council meeting, on condition that the Executive Committee is elected not more than one (1) month after the Tygerberg Student Representative Election results are announced.
- (4) The chair of the meeting must allow candidates reasonable time to address the meeting and answer questions before voting begins.

### **97 Election of the Policy Officer and representatives of the Tygerberg Student Representative Council on statutory bodies of the University**

- (1) The election of the Policy Officer and representatives of the Tygerberg Student Representative Council on the various University committees must take place –
  - (a) at a Tygerberg Student Representative Council meeting;
  - (b) not later than one (1) month after the results of the Tygerberg Student Representative Council election are announced;





- (c) under the chairpersonship of the newly elected Tygerberg Student Representative Council Chair; and
  - (d) by means of a positive vote.
- (2) Any member of the newly elected Tygerberg Student Representative Council, including members of the Executive Committee can make him or herself available for one or more of these positions.
  - (3) The Chairperson must allow candidates reasonable time to address the meeting and answer questions before voting begins.
  - (4) If the Chair should to make himself or herself available for any of the University Committees, during the vote for said committee another member must assume the position of Chair. Following the vote for said committee he or she would resume the position of Chairperson.

### **98 Election of the Chairs of the Academic Affairs Council and the Societies Council, and the Chair of the Prim Committee and the chair of the Tygerberg Postgraduate Student Council**

- (1) The Tygerberg Election Convenor(s) convenes the election of the Chairs and Vice Chair of the Tygerberg Academic Affairs Council, Tygerberg Societies Council, and the Tygerberg Prim Committee and the Tygerberg Postgraduate Student Council.
- (2) The election date and time is scheduled by the Tygerberg Election Convenor(s) in consultation with the Chairs in office at the time.
- (3) The Tygerberg Election Convenor(s) must allow candidates reasonable time to address the meeting and answer questions before voting begins.



## CHAPTER 12

# COMMENCEMENT, REPEAL AND AMENDMENT<sup>‡</sup>

### 99 Commencement and repeal

- (1) The provisions of this Constitution come into effect the latest of 1 November 2013 and when this Constitution is ratified by Student Court
- (2) This Constitution repeal all previous Tygerberg student constitutions.
- (3) No part of this Constitution will have effect retroactively.

### 100 Normal amendment process

- (1) The following provisions are fundamental and may only be amended in a referendum: the preamble, chapter 1, chapter 2, sections 18, 19, 21, 23, 26, 27, 40, 41, 42, part 3.5, chapter 4, chapter 5, section 94, and chapter 12.
- (2) A proposed amendment to the fundamental provisions must be accepted by eight(8) members of the Tygerberg Student Representative Council voting for the proposed amendment during a Tygerberg Student Representative Council meeting before a referendum will be held.
- (3) All provisions not mentioned in subsection (1) can be amended by eight (8) members of the Tygerberg Student Representative Council voting for the proposed amendment during a Tygerberg Student Representative Council meeting.
- (4) The fundamental provisions listed in subsection (1) take precedence over any other provision of this Constitution.

### 101 Special amendment process

Notwithstanding section 100, any proposed amendment to any part of this Constitution will be put to referendum if –

- (a) the signatures of at least one fifty (50) students have been obtained in favour of the proposed amendment; and



(b) Tygerberg Student Parliament has voted in favour of the proposed amendment.

### 102 Referendum

- (1) The fundamental provisions of this Constitution listed in section 100(1), as well as any provision in terms of section 101, can only be amended by acceptance of the proposed amendment by the students in a referendum.
- (2) A referendum takes place during a Tygerberg Student Representative Council election as described in Schedule 1, unless the issue is time sensitive and cannot wait until a Tygerberg Student Council Election, and is organized by the Election Convenor(s).
- (3) Each student must get a reasonable opportunity to vote in a referendum.

### 103 Mandatory referendum

- (1) At least every five (5) years, starting in 2016, a referendum must be held in which students vote on whether this constitution is to be revised.
- (2) If a majority of votes for revision is obtained, the following procedure must be followed:
  - (a) The Student Court must order the Tygerberg Student Representative Council to ensure that this Constitution is revised in a transparent and participative process.
  - (b) If, by the middle of its term the Tygerberg Student Representative Council has not taken reasonable steps to revise this Constitution, the Student Court must take steps it deems necessary to ensure that this constitution is revised.
  - (c) The revised Constitution must be put to referendum again during the following Tygerberg Student Representative Council election.



## SCHEDULE 1

### TYGERBERG STUDENT REPRESENTATIVE COUNCIL GENERAL ELECTION

#### *Part S1 Tygerberg Election Convenor(s) and Election Committee*

#### **1 Duties and powers of the Tygerberg Election Convenor(s)**

- (1) The Tygerberg Election Convenor(s) has all the duties and powers that this Constitution ascribes to him or her.
- (2) The Tygerberg Election Convenor(s) must ensure that every student who votes does so only once in a particular election and that each student who makes reasonable attempts will be able to vote if it is practically feasible.

#### **2 Appointment and duties of Election Committee**

- (1) The Tygerberg Election Convenor(s) must appoint at least five (5) persons every year before the second Friday of May as members of the Tygerberg Election Committee, after this position has been advertised for at least two (2) weeks on Tygerberg campus.
- (2) The Tygerberg Election Committee, in cooperation with and under supervision of the Tygerberg Election Convenor(s), must ensure that the Tygerberg Student Representative Council election runs smoothly.

#### **3 Term of office**

The term of office of the Tygerberg Election Convenor(s) and Election Committee extends from appointment until the report to which reference is made in item 5 of this Schedule is submitted to all the parties concerned, but ends no later than 31 September of the year in which the Tygerberg Student Representative Council election concerned takes place.

#### **4 Independence**

- (1) The Tygerberg Election Convenor(s) is independent and is not under the authority of any student organization or University management.



- (2) He or she must perform his or her duties impartially and without prejudice.
- (3) Neither the Tygerberg Election Convenor(s) nor any members of the Election Committee may run in the Tygerberg Student Representative Council election in the year of their appointment, even if they stop acting in these positions or are replaced before the election takes place.

## 5 Report

The Tygerberg Election Convenor(s) does not receive his or her remuneration unless he or she has submitted a complete report on his or her activities to the Chair of the Tygerberg Student Representative Council, the Chair of the newly elected Tygerberg Student Representative Council, Speaker of Tygerberg Student Parliament and Student Affairs before 30 September of the year in which the election concerned takes place. The Election Convenor report, respecting the integrity of the candidates, must be presented at Tygerberg Student Parliament and must be made available to Tygerberg Students on request.

## 6 Remuneration

- (1) The Tygerberg Election Convenor(s) and Election Committee are remunerated in accordance with the guidelines available at Student Affairs.
- (2) The Student Court may upon application decrease the remuneration of the Tygerberg Election Convenor(s) with an amount that is fair and reasonable in the circumstances, if he or she has materially neglected one or more of his or her duties as described by this Constitution.

## 7 Interaction with Stellenbosch Convenors

- (1) The Convenor for Tygerberg campus, in cooperation with and under supervision of the Election Convenor(s) for Stellenbosch campus, must ensure that the Student Representative Council election runs smoothly on Tygerberg campus.

### ***Part S2 Nominations and criteria for candidature***

## 8 Nomination period

The nomination period must last for a period of minimum of two (2) weeks and a maximum of six (6) weeks unless extended in accordance with item 8(3) or item 9. Which must end on the last Friday of July.



- (1) All voting and nomination dates must, unless made impossible by extraordinary circumstances, coincide with those of the election of the Stellenbosch Student Representative Council.
- (2) If the Tygerberg Election Convenor(s) is of the opinion that it would be in the interest of representivity and participation, he or she may decide to postpone the last day for nominations for a period of one (1) week.

## 9 Procedure where too few nominations are received

If, by the last day for nominations, the number of suitable nominations received is equal to or less than the number of members to be elected to the Tygerberg Student Representative Council at that election, then –

- (a) the Tygerberg Election Convenor(s) must re-open nominations for a period of one (1) week; and
- (b) should the number of nominations still be equal to or less than the number of available positions after the re-opening of nominations contemplated in paragraph (a), the Tygerberg Election Convenor(s) must declare the following students to be duly elected Tygerberg Student Representative Council members:
  - (i) the nominated candidates; and
  - (ii) as many additional members as the newly elected candidates wish to appoint, limited to the number of available positions.

## 10 Required nominations

- (1) The Tygerberg Election Convenor must approach the persons as described in this subsection for nominations. Such persons must supply the Tygerberg Election Convenor with at least their prescribed number of complete nomination documents before or at the latest, on the last day of the nomination process. The following persons must nominate members of the TSU-
  - (a) The Tygerberg Student Representative Council must nominate at least three (3) candidates;
  - (b) The Tygerberg Prim Committee must nominate at least two (2) candidates;
  - (c) The Tygerberg Academic Affairs Council must nominate at least two (2) candidates
  - (d) The Tygerberg Societies Council must nominate at least two (2) candidates
- (2) If the bodies as specified in 1(a)-(d) cannot fulfill the stated duties in section (1), they may be excused with proper motivation to the TSR Election Convenor



## 11 Prescribed nomination form and availability of nomination form

The prescribed nomination forms must be available at the Tygerberg Student Representative Council office and electronically for the duration of the nomination period. The Tygerberg Election Convenor(s) must prescribe nomination forms that contain at least the following information:

- (a) the criteria according to which academic selection takes place and the right to appeal against the academic selection, as well as the place where such an appeal can be lodged;
- (b) the rules on the placement of, distribution of and other restrictions regarding campaign material; and
- (c) the time and place of the first meeting of the candidates.

## 12 Completion of nomination forms

The Tygerberg Election Convenor(s) must reject the nomination of a candidate if it does not contain at least the following:

- (a) the full name of the candidate;
- (b) the signature of the candidate;
- (c) the signature of the nominator;
- (d) the signatures of at least ten (10) students who second the nomination;
- (e) a typed manifesto of no more than 300 words;
- (f) a list of the candidate's relevant experience; and
- (g) the candidate's University student number

## 13 Academic requirements for candidature in the Tygerberg Student Representative Council election

- (1) The academic requirements for candidature in the Tygerberg Student Representative Council election exist to prevent situations where a member of the Tygerberg Student Representative Council resigns during his or her term of office for academic reasons and to protect his or her academic performance
- (2) In order to qualify on academic grounds a candidate must in the year of TSR election comply with the minimum requirements;
  - (a) for each semester module a minimum mark of 50%; and
  - (b) for each year module a minimum class mark of 55%
- (3) If a candidate is at risk of non-compliance with the readmission requirements of the University, he or she



will not be granted candidature in the Tygerberg Student Representative Council election.

- (4) A candidate's official academic record can be accessed in order to determine whether the requirements under sub item (2) and (3) have been met.

#### 14 Academic disqualifications

- (1) Candidates who do not comply with the academic requirements stipulated in item 13 may are not eligible for election to the Tygerberg Student Representative Council.
- (2) The Tygerberg Election Convenor(s) must obtain the academic record of the candidates from the Registrar's office, and submit any cases where the candidate does not appear to comply with the provisions of item 13 to the committee contemplated in sub item (3).
- (3) The decision to reject the candidature of a candidate on academic grounds must be taken by a committee consisting of:
- the Head of Student Affairs;
  - the outgoing Chair of the Tygerberg Student Representative Council;
  - (one [1] of) the Tygerberg Election Convenor(s);
  - the Dean of the candidate's faculty or his secundus; and
  - one (1) additional member of the Tygerberg Election Committee, as delegated by the Tygerberg Election Committee.
- (4) The committee contemplated in sub item (3) must make its decision based on the criteria in item 13, but can also take the following factors into account in making its decision:
- the existence of special reasons, such as illness, injury, disability, et cetera, for the candidate's poor academic performance;
  - whether the candidate changed to a different programme and performed well in the new programme;
  - whether the candidate's results over the past three (3) years indicate a rising trend. (In other words, whether the candidate performed better and failed fewer modules, or did not fail any module in the past three (3) semesters.); and
  - whether the candidate followed a programme (for example B in Speech –Language and Hearing Therapy) in which failing a module meant that various other modules could not be followed or where failing a module necessitated that the year of study be repeated (for example MB.ChB).





## 15 Other grounds for disqualification of candidates

Apart from compliance with items 12 and 13, the Tygerberg Election Convenor(s) must also reject the nomination of a candidate if the candidate –

- (a) has not been a student for at least two (2) semesters;
- (b) has been sentenced to imprisonment in the Republic of South Africa or elsewhere for any misdemeanor without the option of paying a fine; or
- (c) has been found guilty of any offence by the Central Disciplinary Committee or the Disciplinary Appeal Committee of the University.

### ***Part S3***      ***Format and marketing of the election***

## 16 Format of the election

The Tygerberg Student Representative Council election takes place as follows:

- (a) Votes are cast electronically or by paper ballot.
- (b) If it is practically feasible, will promote representivity and participation, and does not impact negatively on the freeness or fairness of the election, the Tygerberg Election Convenor(s) may decide that –
  - (i) the voting will take place in a combination of ways; and
  - (ii) certain ways of voting are only available to certain categories of students.

## 17 Electronic Voting

Electronic voting takes place by means of a secure, confidential and anonymous electronic ballot on which the names and photographs of all the candidates appear.

## 18 Voting by paper ballot

Voting by paper ballot takes place at designated polling stations by means of a closed ballot on which the names and photographs of all the candidates appear.

## 19 Placement of polling stations

- (1) If all or certain categories of students cast their votes by paper ballot, the Tygerberg Election Convenor(s) must allocate at least five (5) polling stations on the Tygerberg.



- (2) Polling stations must be accessible and the placement thereof must ensure a free and fair election and promote participation and representivity.

## 20 Organization of polling stations

- (1) Polling stations are managed by competent and impartial persons who are appointed by the Tygerberg Election Convenor(s).
- (2) Polling stations must be clearly demarcated and ensure the confidentiality of votes.
- (3) No campaign material, apart from the election edition of T-Matie and the official election poster(s) of the Tygerberg Election Convenor(s), may be posted within an area, as determined by the Tygerberg Election Convenor(s), around the polling stations.

## 21 Notice and marketing of the election

- (1) The Tygerberg Election Convenor(s) must inform all students by means of the publication of an election edition of the T-Matie, electronic marketing, posters and in any other way, of the following aspects of the election:
  - (a) the period for which nominations are open and where the nomination forms are available;
  - (b) the voting day(s);
  - (c) the way(s) in which votes will be cast, including (if applicable) where polling stations will be located and the times when polling stations will open and close;
  - (d) the date, time and place of the public presentation meeting(s);
  - (e) the names, manifestos and experience of candidates;
  - (f) the document containing the rules and procedures (determined by the Tygerberg Election Convenor(s)) regarding the nomination forms and campaigning;
  - (g) any other material decisions that the Tygerberg Election Convenor(s) makes about any aspect of the election; and
  - (h) the manner in which a complaint can be lodged before, during or after the election about the Tygerberg Election Convenor(s), a specific election campaign or any other aspect of the election.
- (2) The information required by sub item (1) must also be made available electronically, on a single website, to all students before the start of the election.



## 22 Campaigns

- (1) Candidates may campaign in any way that does not violate the law; University rules, this Constitution, Tygerberg Student Representative Council regulations or such rules as may be laid down by the Tygerberg Election Convenor(s).
- (2) The Tygerberg Election Convenor(s) must place a limit on the monetary amount that candidates can spend on their campaigns and must lay down procedures and rules for the enforcement of that limitation.
- (3) If a candidate or the helpers or supporters of a candidate act in violation of sub item (1) or (2), the Tygerberg Election Convenor(s) may instruct said candidate to remove or destroy election material, or to abandon the activities in question, or, where the conduct constitutes a misdemeanor or is seriously detrimental to another candidate(s), declare the candidature of said candidate invalid.
- (4) A candidate can request financial assistance with his or her election campaign from the Tygerberg Election Convenor(s) if he or she qualifies for such assistance according to the means test used by the Division of Bursaries and Loans.

## 23 Presentation Meetings

- (1) The Tygerberg Election Convenor(s) must organize at least two (2) presentation meetings during which candidates have the opportunity to present themselves to students and students may ask the candidates questions.
- (2) An Tygerberg Election Convenor or his or her appointee acts as chair of a presentation meeting.
- (3) The conduct of students at a presentation meeting must comply with the code of conduct for presentation meetings, which may be attached as an addendum to this Constitution.
- (4) If the chair of a presentation meeting is of the opinion that a person at the meeting is violating the code of conduct or is asking questions that are irrelevant or that violate a candidate's rights, the chair may –
  - (a) rule a question out of order;
  - (b) interrupt a question and instruct the questioner to be silent; or instruct such a person to leave the room.
- (5) The duration of a presentation meeting is determined at the discretion of the chair, who may end the meeting at any time, provided that all candidates have had fair and reasonable opportunity to state their manifestos and answer questions.



## **Part S4 Results and complaints**

### **24 Results of the Election**

- (1) All votes must be counted by the Tygerberg Election Convenor(s) and the Election Committee as soon as possible after the last opportunity for voting.
- (2) Ballots may not be destroyed before the validity of the election has been confirmed.
- (3) The Tygerberg Election Convenor(s) may institute rules regarding and give a decision on the validity of ballots, provided that they comply with the principle of a free and fair election.
- (4) The full results of the election must be announced in public as soon as possible after all the votes have been counted and the full written results must be published electronically and sent to all the candidates.

### **25 Role of the Head of Student Affairs**

- (1) The Head of Student Affairs has the status of an observer during the Tygerberg Student Representative Council election.
- (2) The Head of Student Affairs has this status without any prejudice to the independence or autonomy of the Tygerberg Election Convenor(s).
- (3) For the purposes of this item, the Head of Student Affairs has standing before the Student Court and can bring complaints as described in item 26.

### **26 Complaints**

- (1) A complaint about the campaign of a specific candidate must be lodged with the Tygerberg Election Convenor(s), who must properly investigate the complaint and must announce his or her decision within twenty-four (24) hours after the complaint was lodged.
- (2) Any complaint about the running of the election, including any aspect that may jeopardise the freedom or fairness of the election, and any decision or failure to make a decision by the Tygerberg Election Convenor(s), must be lodged with the Student Court –
  - (a) within a reasonable time;
  - (b) before the fifth (5<sup>th</sup>) University day (inclusive) after the announcement of the results; and
  - (c) in accordance with the rules of the Student Court.
- (3) If a complaint is lodged with the Student Court, the Court –



- (a) must handle the complaint with the necessary speed if harm will otherwise result;
  - (b) must consider the complaint against the principles of a free and fair Tygerberg Student Representative Council election that promotes representivity and participation;
  - (c) may follow an investigative approach – which may include the recounting or re-evaluation of ballots – if it appears to be necessary in the specific case; and
  - (d) may grant any remedy that is fair and equitable in the circumstances and will ensure the freeness and fairness of the election, which may include –
    - (i) setting aside a decision by the Tygerberg Election Convenor(s);
    - (ii) the invalidation of the results with regard to a specific candidate(s);
    - (iii) the invalidation or allowance of ballots; or
    - (iv) the invalidation of the election as a whole.
- (4) An appeal against a decision of the Student Court in terms of this item must be lodged within two (2) University days after the decision was announced with the Dean of the Faculty of Law, otherwise the ruling of the Student Court will be final.

## 27 Validity of the Election Results

The validity of the full election results is confirmed if –

- (a) no complaint about the validity of the election is lodged with the Student Court within three (3) University days after the Tygerberg Election Convenor(s) has announced the election results; such a complaint is lodged, but the Student Court decides that the election results, or an election result as amended by the Court, are valid and no appeal has been lodged within two (2) University days after the decision; or
- (b) such an appeal was lodged, but the Appeal Court decides that the election results, or an election result as amended by the Court, are valid.



## SCHEDULE 2

### TSR HONORARY PRESIDENT

#### 1 Criteria for candidates:

Candidates, who may be current or past employees of the Faculty of Medicine and Health Sciences ie The Dean, Deputy Dean, staff members or exceptional past student must meet with all the following requirements

- (a) must have made a demonstrable contribution to the Tygerberg student body;
- (b) must have a proven and continual commitment to student success;
- (c) must have a proven and continual commitment to student leadership development

#### 2 Election:

- (a) The Honorary President is elected by members of the TSR;
- (b) A simple majority vote of fifty percent plus one (50%+1) vote of the voting TSR members is required to be elected;
- (c) This takes place within the first two ordinary TSR meeting;
- (d) Positive voting takes place
  - (1) Where more than two candidates are eligible for election:
    - (i) Have positive voting and calculate the votes
    - (ii) Only the top two candidates will remain as candidates in a final round of voting
    - (iii) A simple majority vote of fifty percent plus one (50%+1) vote remains in effect
  - (2) If there is only one candidate:
    - (i) Two thirds of the votes of the voting members of the TSR present is required to elect said candidate
- (e) If the term of office should be interrupted for any reason, including but not limited to section seven (7) of this schedule, a new election must take place within a reasonable time period as determined by the TSR Executive Committee



### 3 Quorum

This is defined as eight (8) voting members of the TSR

### 4 Duties and powers of the Honorary President of the TSR

(a) The honorary President of the TSR -

- (1) will act as the Chief Patron of the TSR;
- (2) will give advice on request from the TSR;
- (3) is president of all Honors Award committees
- (4) The person serves as a link between the TSR and the teaching and administrative staff of the faculty and university;
- (5) May represent the TSR in any matter as delegated to him or her by the TSR;
- (6) May attend any meeting of the TSR and any of its committees, including the Executive Committee

(b) The ceremonial duties of the Honorary President;

- (1) will be determined by each TSR at the beginning of their term;
- (2) these may include but are not limited to-
  - (i) Attending the annual Academic Student day with the TSR;
  - (ii) Attending the annual Tygerberg Honors Award evening;

### 5 Appointment and duties

Notwithstanding any specific duty, as contained in section 31 the TSR reserves the right to amend the duties and responsibilities of the Honorary President subject to-

- (a) His or her core duties as set out in section 4 may not be amended
- (b) Any additional duties as determined by a previous TSR may be ended or continued as the TSR sees fit
- (c) The chief liaison with the Honorary President will be the TSR chairperson

### 6 Term of office

The Honorary President of the TSR will serve for a term no longer than three years. He or she may be re-appointed at the end of their term.



## 7 End of office

The membership of the Honorary President comes to an end when –

- (a) the Honorary President's term of office expires;
- (b) he or she dies;
- (c) he or she presents a written resignation to the TSR Chairperson of the Tygerberg Student Representative Council;
- (d) If the Tygerberg Student Representative Council adopts a motion of no-confidence in the Honorary President with valid reasons
- (e) He or she is sentenced to imprisonment without the option of a fine in the Republic of South Africa or elsewhere

## SCHEDULE 3

### HONORARY AWARDS

#### **Part 1: Academic, Leadership, Service and Culture**

##### **1 Purpose**

To acknowledge members of the TSU who have attained exceptional achievement in Academic, Leadership, Service and Cultural areas, by means of Honorary Awards.

##### **2) Honorary Awards Committee-**

- (a) Consists of seven (7) members;
  - i) Honorary President of TSR;
  - ii) TSR member responsible for the Honorary Awards portfolio





- iii) TSR Chairperson;
  - iv) Chairperson of from TPK
  - v) Chairperson from TABR
  - vi) Chairperson from TSC
  - vii) Speaker of Tygerberg Student Parliament
- (b) will be chaired by the Honorary President of the TSR;
- (c) the TSR member responsible for the Honorary Awards portfolio will function as secretary
- (d) members in section 2(a)(iii)- 2(a)(vii) may be represented by their respective as secondi
- (e) The panel may invite any additional person who may provide input on any/or all applicants to ensure a proper, fair and objective evaluation of all nominees and/or applications. The member(s) will not have voting rights.

### 3) Quorum

This is defined as having met when all members in section 2 is present.

### 4) Functioning

- a) Candidates may be proposed for the following categories:
  - i) Leadership



ii) Service

iii) Culture

b) Any current member or past member of the TSU may be nominated as candidates. Exceptional nominations by non-TSU members may be submitted. Nominations must have

i) Full names;

ii) Course;

iii) Year of study;

iv) Student number;



- v) Ten signatories of current TSU members
  - (1) These must be Senior students (3<sup>rd</sup> academic year-6<sup>th</sup> academic year members) of the TSU for the categories of Leadership, Service and Culture;
- c) The mentioned nominations must contain the following written motivations
  - i) Leadership
    - (1) Positions held on Tygerberg leadership structures
    - (2) Specific contributions and leadership to the TSU
  - ii) Academics
    - (1) Complete academic records to date
  - iii) Service
    - (1) Explanation of participation in campus activities
    - (2) Distinguishable service delivered to the TSU
  - iv) Culture
    - (1) Someone who has made an exceptional contribution in one or more of the following categories:
    - (2) Tygerberg Children Choir;



- (3) The Stellenbosch University Medical Orchestra;
  - (4) Sêr, Mixed sêr group and small sêr group's performance at national level;
  - (5) Photography, this is subject to publication in national newspaper and/or magazine;
  - (6) Publication of writing in a national magazine and/or newspaper;
  - (7) Society member(s) for exceptional achievements on a national level;
  - (8) Other, this must be culturally related and/or culturally relevant and also on a national level
- d) Those who did not make a contribution on campus, but who have attained exceptional achievement on provincial and/or national level may also be considered.
- e) Academic Honorary Awards:

The years of study that must be taken into consideration:

- i) Any three (3) years of a four (4) year course;
  - (1) The first year may also be taken into consideration
- ii) Any four (4) years of a five (5) year extended degree programme (EDP) course;
  - (1) The first year may also be taken into consideration
- iii) Any four (4) years of a six (6) year course
  - (1) The first year is not taken into consideration
- iv) Any five (5) years of a seven (7) year extended degree programme (EDP) course



- (1) The first two (2) years are not taken into consideration



- v) The total minimum weighted average of all applicable years of studies must be at least 75% to be considered.
  
- f) An Honorary Award for Leadership must be awarded with care as this category is regarded as the most prestigious of the four categories. This must clearly be distinguished from the Service category and should not exclude exceptional positional leadership.
  
- g) An individual may only receive the honorary award for both Service and Leadership in extremely exceptional cases
  
- h) The TSR member responsible for the Honorary Awards portfolio must ensure that notification and marketing must be done at least four weeks prior to the closing date for nominations. This TSR member must also ensure that all candidates who are eligible for Academic Honorary Awards are actually nominated.
  
- i) The TSR member responsible for the Honorary Awards portfolio must convene a meeting of the Honorary Awards Committee after the period for handing in of nominations has expired
  
- j) The Honorary Awards Committee must submit its proposals to the TSR for final approval and ratification. The committee may also include any information they deem necessary concerning a nominated individual
  
- k) Proposals must be accepted by five (5) out of the seven (7) members of the Committee
  
- l) The TSR member responsible for the Honorary Awards portfolio must ensure that the minutes and all information which appear before the Honorary Awards Committee are marked as  
  
'Confidential' and are preserved in the archives of the TSR



**5) Nominations must be accompanied by a written motivation containing:**

- a) The significance of the person's contribution to the University of Stellenbosch
- b) The person's initiative and or originality
- c) The person's role in, and significance for, the TSU
- d) The person's academic performance

**6) Form of Honorary Awards**

This will take the form of a certificate, handed out at the Awards evening, as approved by the TSR by the end of August at the latest, as determined by the TSR member responsible for Honorary Awards.



## **Part 2      Sport**

### **7) Purpose**

To acknowledge members of the TSU who have attained exceptional achievement in Sport or have rendered exceptional service to the TSU in the area of Sport by means of Honorary Awards.

### **8) Sport Honorary Awards Committee-**

- (a) Consists of seven (7) members;
  - i) Honorary President of TSR;
  - ii) Chair of Tygerberg Sport Committee;
  - iii) Head of Tygerberg Sports Bureau;
  - iv) TSR member responsible for the Honorary Awards portfolio;
  - v) TSR member responsible for the Sport portfolio
  - vi) Two chairs of the sporting clubs at Tygerberg as elected by the Tygerberg Sports Committee
- (b) will be chaired by the Honorary President of the TSR;
- (c) the TSR member responsible for the Honorary Awards portfolio will function as secretary

### **9) Quorum**





This is defined as having met when all members in section 7 is present.

## 10) Functioning

- a) Any current member or past member of the TSU may be nominated as candidates. Exceptional nominations of non-TSU member may be submitted. Nominations must have
  - i) Full names;
  - ii) Course;
  - iii) Year of study; and
  - iv) Student number
  - v) Must be signed by;
    - (1) Chair of the relevant sport in which the individual attained significant achievement;
    - (2) Two (2) official members of the club of the sport in which the individual attained significant achievement;
    - (3) If the club is not affiliated to the University, the person may be nominated by any three members of the TSU;
    - (4) Any member of a specific sport club may be nominated on grounds of sport achievement and/or sport administration



- b) The TSR member responsible for the Honorary Awards portfolio must ensure that notification and marketing must be done at least four weeks prior to the closing date for nominations.
- c) The TSR member responsible for the Honorary Awards portfolio must contact the Sports Office well in advance to ensure that all candidates who are eligible for Sport Honorary Awards are actually nominated.
- d) The TSR member responsible for the Honorary Awards portfolio must convene a meeting of the Sport Honorary Awards Committee after the period for handing in of nominations has expired
- e) The Sport Honorary Awards Committee must submit its proposals to the TSR for final approval and ratification. The committee may also include any information they deem necessary concerning a nominated individual
- f) Proposals must be accepted by five (5) out of the seven (7) members of the committee
- g) The TSR member responsible for the Honorary Awards portfolio must ensure that the minutes and all information which appear before the Sport Honorary Awards Committee are marked as  
  
'Confidential' and are preserved in the archives of the TSR

**11) Nominations must be accompanied by a written motivation containing:**

- a) The significance of the person's contribution to the University of Stellenbosch
- b) The person's initiative and or originality
- c) The person's role in, and significance for, the TSU



d) The person's academic performance

## 12) Form of Sport Honorary Awards

This will take the form of a certificate, handed out at the Awards evening, as approved by the TSR by the end of August at the latest, as determined by the TSR member responsible for Honorary Awards.

