**MINUTES OF**

**THE CONSTITUTIONAL REVIEW COMMITTEE**

**HELD ON** Monday 26 August **IN** Speaker of Student Parliament’s Office **AT** 17h00

**IN ATTENDANCE**

KEITUMETSE LEBESA (SPEAKER OF STUDENT PARLIAMENT)

NHLAKANIPHO SIYANDA MKHIZE (DEPUTY SPEAKER INTERNAL)

NTINA MTHOMBENI (NON-SPC MEMBER)

OMOLEMO MOTALE (NON-SPC MEMBER)

**ABSENT**

THATEGO SELAHLE (DEPUTY SPEAKER EXTERNAL)

TSHENOLO NTWAGAE (SPC COMMUNICATIONS OFFICER)

THULANI HLATSHWAYO (MEMBER OF STUDENT GOVERNANCE)

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**AGENDA**

1. Resignation of Mr Andrews
2. Approval of the proposed mandate of the Constitutional Review
3. Public Consultation
4. Can members of the SPC submit proposals
5. Amendments to the SP Constitution
6. Problems with the SP Constitution
7. Proposed amendments from the public
8. Proposed amendments by Students
9. Proposed dates and time for next meeting

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1. **OPENING**

The speaker opens the meeting at 17:14.

The speaker announces the resignation of Mr Anthony Andrews. The speaker announces the absence of the deputy speaker external, member of student governance and SPC Communications Officer who have provided a reason for their absence. Her excuse is due to personal reasons and she will be unavailable for the whole week.

1. **ATTENDENCE**

All attendees were present with the exception of the Secretary General, Ms. Thatego Selahle; SPC Communications Officer, Ms Tshenolo Ntwagae and Member of Student Governance, Mr Thulani Hlatshwayo who, prior to the meeting, submitted excuses for their absence. In Ms. Selahle’s place is Ms Motale.

1. **APPROVAL OF THE PREVIOUS MINUTES**

Unanimous decision

1. **DISCUSSION POINTS**

a) Approval of the proposed mandate

The Speaker brings forward the fact that the members of the committee submitted proposed drafts of the committee’s mandates as discussed in the previous meeting. It is agreed that all the drafts are substantially the same.

Question: What happens if the amendments are rejected by the house?

Response: The Committee will present the amendments before the House during and extraordinary seating. If the House rejects the amendments, they would have to provide reasons for the rejection. The committee would then have to go back while taking into consideration the reason for the rejection and fix the amendments. The Committee would then propose the new amendments in front of Parliament and if it is approved, it will be referred to the Student Court for final approval.

Question: If Parliament rejects one amendment, does that mean we would have to begin the process again?

Response: Yes, the committee would have to go back while taking into consideration the reason for the rejection and fix the amendments. The Committee would then propose the new amendments in front of Parliament and if it is approved, it will be referred to the Student Court for final approval.

Question: How can the public reject the amendments?

Response: If there are not enough votes at the extraordinary seating, the public has rejected it

Question: Does the mandate need to be approved by the student court?

Response: Policies that are created must be approved by the Policy Unit Chairperson, but the Secretary General of the committee is unavailable therefore the SPC will have to approve the mandate by voting during their meeting on the 27th of August 2019. It is also confirmed that the final mandate needs to be completed by the 5th of September 2019.

POINT OF DEPARTURE:

The Communications Officer will draft the final mandate for the Committee. The final draft is due on the 1st of September and each member of the Review committee will vote on the 2nd of September on the final draft of the mandate.

 (b) Public Consultation

The Committee has received one response for possible amendment of the SP Constitution relating to the duties of the treasurer.

Committee’s suggestion: The duty of the Treasurer should be to facilitate the Treasurer’s Forum. Considering the Treasurer has many duties and responsibilities it would not be best for them to act as Chairperson of the Treasurers Forum

Committee’s suggestion: It would easier to reach a decision if we get input from the Treasurer related to this matter. Therefore, it was unanimously agreed that we would not vote on this matter today.

c) Can members of the SPC submit proposals

 All students of Stellenbosch University are allowed to submit possible amendment to the SP Constitution. Therefore, this should also extend to the members of the SPC because they are students who have an interest in the document. The SRC last year submitted proposals during the amendment of the Student Constitution. The chairperson announced that the committee should put this to a vote.

Voting: It was a unanimous decision

POINT OF DEPARTURE:

Each member of the SPC will be able to submit proposals for the amendment of the SP Constitution seeing as they are students of the University and have an interest in the document

d) Amendments to the SP Constitution

1. Problems with the SP Constitution

Issue: It was highlighted that one of the issues in the SP Constitution is that it is too prescriptive. This refers to some deadlines that need to be met where not sufficient time is allocated to complete the task efficiently.

Suggestion: The Committee needs to find ways to ensure that it is not too prescriptive

Issue: There needs to be a seating every term but sometimes there are not any agenda point, therefore, is it important for Student Parliament to have a seating every term?

Issue: The constitution is not very specific when it comes to whether the SPC is permitted to submit agenda point for SP.

Suggestion: It was held that the SPC can submit agenda points, however it needs to be clearly written in the Constitution to ensure there is legal certainty.

1. Proposed amendments from the public
2. Proposed amendments by Students

**5. PROPOSED DATES AND TIME FOR NEXT MEETING**

2nd September 2019, 17:00

The purpose of the next meeting is to approve the final draft of the mandate of the Review Committee.

Additional Remarks:

* Worries about the deadline for the Committee’s mandate on the 5th of September 2019

Homework:

* Speaker will inform Communications Officer of the drafting of the mandate.

**6. CLOSING**

The speaker reiterates the importance of finalizing the committee’s amendment before the 5th September so that the committee is able to proceed with the amendment process.

Meeting adjourned at 18:16.