

CONSTITUTION OF THE STUDENTS' REPRESENTATIVE COUNCIL; UNIVERSITY OF THE WITWATERSRAND, JOHANNESBURG

PREAMBLE

The Students' Representative Council is committed to exemplary student leadership in defining the African Century. To this end it aims to encourage academic excellence and promote equality of opportunity through effective, accountable and transparent student leadership. In striving for the holistic advancement and development of the student community, it will uphold and safeguard the rights of all the students of the University of the Witwatersrand, Johannesburg.

CHAPTER 1: FOUNDING PRINCIPLES

SECTION 1: LEGAL FOUNDATIONS

The Student Representatives Council (SRC) derives its existence from part 6 of the Statute of the University of the Witwatersrand, Johannesburg (amended institutional statute of the University of the Witwatersrand as published in GG 41445 dated 16 February 2018) and is bound by all applicable directives contained in that Statute, as well as in applicable provisions of the Higher Education Act 101 of 1997 and the Constitution of the Republic of South Africa, 1996.

- (1) The SRC recognises the authority of the University Council and is bound by the University rules, policies and procedures. The SRC shall cooperate with Council in order to achieve the objectives of good student governance.
- (2) The University will create an enabling environment to facilitate the furtherance of the objectives and goals of the SRC.
- (3) The SRC and the relevant officers at the University shall co-operate in order to achieve the objectives of the SRC and of the University.

SECTION 2: FOUNDING VALUES

The SRC is committed to:

- (1) Upholding, respecting and promoting the founding values of the Constitution of the Republic of South Africa, 1996 and the rights contained in the Bill of Rights.
- (2) Providing democratic, transparent, effective, accountable and coherent student leadership.
- (3) Creating and sustaining an enabling academic environment and vibrant student community striving for excellence, tolerance and respect for diversity.
- (4) Representing the best interests of the student community.
- (5) Recognising and redressing the injustices of the past within the University and in society in general.

SECTION 3: SUPREMACY OF THIS CONSTITUTION

Subject to the provisions of sections 1 and 2 above, this Constitution is the supreme authority in relation to student governance affairs at the University of the Witwatersrand, Johannesburg. The founding principles and applicable provisions of this Constitution binds the SRC and its members, all other student organisations and structures, as well as all students registered at the University.

SECTION 4: CO-OPERATIVE GOVERNANCE

- (1) The SRC is committed to the values of co-operative and good governance.
- (2) All student organisations and structures shall uphold these founding principles and shall co-operate with the SRC in providing democratic, transparent, effective, accountable and coherent student leadership.
- (3) Subject to such exceptions as are provided for in terms of this Constitution, all student bodies are subject to the authority and control of the SRC.

SECTION 5: DEFINITIONS

- (1) "*Administration*" means temporarily putting the operations and control of student bodies under the SRC in terms of Section 27.

- (2) “*All Residence Sub-Council (ARSC)*”, “*The Wits Sports Sub-Council (WSSC)*”, International Students Sub-Council (ISSC) and the “*Post Graduate Association (PGA)*” means the sub-councils and associations contemplated in Section 20 of this Constitution.
- (3) “*Cluster*” means any group of clubs, societies or organisations that has been designated as a cluster by the Clubs and Societies Officer (or any SRC member tasked with overseeing such bodies) in accordance with the subordinate rules.
- (4) Consultation: “*After consultation with*” means that the person or body being consulted must be consulted but does not have to agree to the issue under discussion.
“*With concurrence of*” means that the issue under discussion must be agreed to by the person or body being consulted.
- (5) “*Council*” means the Council of the University of the Witwatersrand, Johannesburg.
- (6) “*Electoral Rules*” means the procedure for the holding of annual SRC General Elections.
- (7) “*Faculty Student Council*” (*FSC*) means the body which represents the interests of students within a particular faculty of the University.
- (8) (a) (i) “*A simple majority of the members present*” means 50% plus one of the members present at a meeting voting in favour of the motion, abstentions not taken into account.
(ii) “*A two-thirds’ majority of the members present*” means at least two-thirds of the members present at a meeting voting in favour of the motion, abstentions not taken into account.
(iii) “*A two-thirds’ majority of the total number of members of the SRC*” means the number of members present at a meeting voting in favour of a motion being at least two-thirds of the complement of the number of the SRC members, abstentions not taken into account.
- (9) (a) “*Notice*”, means written notice placed on the Official SRC notice-boards including official digital platforms as specified in the standing orders, and recorded in the records of a minutes book to be kept for this purpose by the Secretary-General of the SRC, which must be available for inspection by any member of the University at all reasonable times.
(b) “*Official Digital Platforms*” means any communications platform designated as the University’s official digital platform from time to time
(c) “*Ordinary Notice*” means notice of three working days.
(d) “*Special Notice*” means notice of seven working days.
- (10) “*Official SRC notice board*” means the notice-board situated immediately outside the SRC offices.
- (11) “*Political mobilisation*” means any peaceful attempt by any member of the University community to influence other members of the University community for the purpose of bringing about change.
- (12) “*Present*” in relation to meetings of the SRC, means any of the following:
(a) physical presence at the meeting venue at the time of the meeting; or
(b) participation via digital means at a meeting held at a physical venue. Digital means may include telephones, cellphones, computers or any other device that allows participation without physical presence; or
- (13) “*President*” means the President of the SRC and includes the acting President.
- (14) “*Programme of Action*” means the plan of the year’s activities and formulation of portfolios and the budget allocated thereto.
- (15) “*Student Forum*” means a body that holds the SRC accountable and plays an oversight role in the interest of students.
- (16) “*Rules for student discipline*” means the University’s rules which provide for the discipline provisions and disciplinary measures which are applicable to Students as amended from time to time.
- (17) “*School Student Council*” (*SSC*) means the body which represents the interests of students within a particular school of the University.
- (18) (a) “*Student*” means any person registered at the University full-time or part-time for a degree, diploma, licentiate or certificate of the University or registered or enrolled for any course or programme of instruction of the University, provided that a person so registered or enrolled who is also a full-time or part-time employee of the University is not a student for the purpose of this Constitution.

- (b) The period of registration of a student, who is not in the final year of study, extends from the date of registration in one year to the last date of the registration period in the next year in which the student has to renew his/her registration, unless such registration has been cancelled or suspended at an earlier date.
- (19) “*Subordinate rules*” means the rules and standing orders of the SRC which elaborate and expand on the provisions of this Constitution. These rules are available at the office of the Dean: Student Affairs..
- (20) “*The Vice-Chancellor*” means the Vice-Chancellor and Principal of the University.
- (21) “*University*” means the University of the Witwatersrand, Johannesburg.
- (22) “*University Community*” means all students and employees of the University, persons officially associated with the University, former students and alumni of the University, as well as invitees, visitors and guests.
- (23) “*University Rules*” means the University’s rules, regulations, policies, procedures and standing orders as may be amended from time to time.
- (24) “*Employee*” means any person specified in the University’s Conditions of Service.
- (25) “*Member*” means a student of the University elected/appointed into the SRC in terms of the SRC Constitution.

CHAPTER 2: COMPOSITION, POWERS AND DUTIES OF THE SRC

SECTION 6: MEMBERSHIP OF THE SRC

- (1) The SRC consists of the following 22 members all of whom have the right to vote:
- (a) 13 general representatives elected by secret ballot by the students from among their number in the manner prescribed by the Electoral Rules;
 - (b) One representative from the Chairpersons of the FSCs;
 - (c) Two representatives of the ARSC; one undergraduate and one postgraduate;
 - (d) Two representatives of the WSSC; one undergraduate and one postgraduate;
 - (e) Two representatives from the PGA;
 - (f) One representatives of ISSC;
 - (g) One representative from the students with disabilities.
- (2) The continuation of the SRC is not affected if any of the aforementioned representatives are not appointed. Provided that should the membership of the SRC fall below eight, the Council may exercise its power under section 28 of this Constitution.
- (3) To be eligible for nomination as a candidate of the SRC for an elective portfolio or appointed in an *ex officio* portfolio in any SRC election, a candidate must meet all of the following requirements:
- (a) Be a full-time student;
 - (b) Be registered for a degree or a postgraduate qualification;
 - (c) In the case of an undergraduate student, s/he must be at least registered in the second year of study at the University when s/he takes office and have attained an average of at least sixty percent of the semester preceding the election;
 - (d) In the case of a postgraduate student enrolled for a coursework qualification , s/he must have at least obtained an average a sixty five percent in the semester preceding the election;
 - (e) In the case of a postgraduate Student who is registered for a research degree present written confirmation by the Faculty administration from the Faculty in which s/he is registered that sufficient progress has been made by the student in order to complete the degree within the prescribed minimum period;
 - (f) Not have been found guilty by the disciplinary committee;
- (4) Once elected to office, participate in any mandatory training as set out by the Vice-Chancellor, with the concurrence of the SRC-elect

SECTION 7: POWERS AND DUTIES OF THE SRC

- (1) The SRC has the following powers, duties and privileges:
- (a) To represent the student body of the University on the relevant University committees and externally.

- (b) To communicate its views on matters to the Council, the Senate, the University Forum, and any other relevant body on its own initiative or at the request of any such body affecting student affairs.
- (c) To encourage student activities, including the activities of the Student Forum, student councils, clubs, societies and organisations recognised by the SRC in terms of this Constitution.
- (d) To administer in the interests of the students of the University, and in the manner prescribed by the Financial Rules, such funds or other assets as may be allocated to it from time to time by the Council, or as it may receive from any other source.
- (e) To carry out financial activities (including fundraising) that are strictly connected to the exercise of its powers in terms of this Constitution or any other powers conferred on or delegated to it by the Council from time to time. All financial activities carried out by the SRC must adhere to the Financial Rules.
- (f) To request and receive from the Council, at the end of each calendar year, details of the financial allocations made by the Council to the SRC subject to the approval of a budget submitted by the SRC with the concurrence of the Student Forum.
- (g) To submit to the Vice-Chancellor such minutes and other records of proceedings as s/he may from time to time require in terms of section 17(1).
- (h) To exercise such disciplinary powers as may be delegated to it by the Vice-Chancellor in terms of the Rules for Student Discipline.
- (i) Subject to the authority of the Vice-Chancellor and in so far as it may consider it necessary for the proper execution of its functions:
 - (i) To elect or appoint officers;
 - (ii) To appoint persons who are not remunerated to committees and other bodies as provided for in this Constitution and to make any other appointments that it may consider necessary;
 - (iii) To make recommendations to the Vice-Chancellor on the engagement and employment by the Council of paid personnel of the SRC;
 - (iv) To appoint students, whether members of the SRC or not, to serve as members or observers on the Council, the Senate, the Executive Committee of Convocation, the University Forum, committees and sub-committees of these bodies, and any other University bodies that are so constituted as to include students as members or observers through nomination by the SRC.
- (j) Subject to the authority of the Council, to recommend the design of colours and badges representing the SRC and its clubs and societies, to supervise the wearing and use thereof and to control the award thereof for activities other than sporting activities.
- (k) To convene and conduct meetings of students and to conduct referenda to ascertain student opinion.
- (l) Subject to the provisions in chapter 3 of this Constitution and with the concurrence of the Student Forum, to extend recognition to or withdraw recognition from any organisation under its control and authority.
- (m) Subject to section 29, to consider any objection from a student against the decision of any office-bearer, committee or sub-committee of the SRC or of any student organisation under its control and authority, or from any office-bearer or committee of such organization; and to arbitrate in disputes involving any of the foregoing.
- (n)(i) With concurrence of the Student Forum, to propose to the Council amendments to this Constitution and to the subordinate rules. Such proposal shall be by resolution approved by a two-thirds' majority of the total number of members of the SRC; and
 - (ii) With concurrence of the Student Forum, by resolution approved by a simple majority of members present and voting, and to state its opinion to the Council upon any amendment which the Council may propose to make to this constitution and to the sub-ordinate rules.
- (o) Subject to the approval of the Council, and for the better conduct of its affairs, to make or amend standing orders consistent with this Constitution and University Rules. Any amendments made under this clause shall be approved by a two-thirds' majority of the total number of members of the SRC with the concurrence of the Student Forum and after consultation with the Dean of Student Affairs.

- (p) For the better conduct of the SRC's own meetings, and those of its committees, sub-committees, student bodies under its control and authority and the committees thereof, to make or amend rules for the conduct of meetings which are consistent with this Constitution. Such rules may only be made or amended by a resolution approved by a two-thirds' majority of the members present at a meeting.
 - (q) To initiate undertake or stimulate discussion or debate or action, or to make its views known on matters of general concern that are likely to be of interest to and/ or affect students.
 - (r) With the concurrence of the Student Forum, to propose the annual SRC Programme of Action and budget to Council.
 - (s) To place subordinate structures under administration in terms of section 27.
- (2) Each member of the Executive Committee has the right to apply to the Vice-Chancellor to have her/his studies suspended for a period necessary to enable her/his to carry out her or his duties as an SRC member. The Vice-Chancellor shall make a decision after consultation with the SRC.
 - (3) Each SRC member should set up a portfolio committee to be chaired by the SRC member and comprising the appropriate members of the relevant student governance structure. Joint portfolio committees may be established. These committees must meet at least twice per semester.
 - (4) In the event of a vacancy arising before the last day of the first block in any year for whatever reason in any of the elective portfolios during the SRC's term of office, the Dean of Student Affairs must appoint the next available runner-up candidate of the previous SRC election, provided that such candidate is eligible in terms of section 6(3).
 - (a) If no suitable candidate can be found in terms of the above out-lined process, the SRC must, for the remainder of its term, reallocate the functions of the vacant portfolio amongst the remaining SRC members holding elective portfolios.
 - (b) In the event of a vacancy arising for whatever reason in any of the in *ex officio*, the relevant constituency or sub-council to which the vacant *ex officio* portfolio relates, must, as soon as possible following the occurrence of the vacancy, appoint a replacing SRC member, provided that such candidate is eligible in terms of section 6(3). The Chief Electoral Officer must appoint this candidate to the specific vacant *ex officio* portfolio and s/he shall be appointed for the remainder of the SRC term
 - (5) The Programme of Action as agreed upon by each SRC during its term of office is binding on every SRC member.

SECTION 8: COMPOSITION OF THE SRC EXECUTIVE COMMITTEE

- (1) At its first ordinary meeting the SRC elects from among its members the following officers, who form the SRC Executive Committee:
 - (a) a President;
 - (b) a Deputy President, who will deputise for the President when necessary;
 - (c) a Treasurer-General;
 - (d) a Secretary-General; and
 - (e) a Deputy Secretary-General, who will deputise for the Secretary-General, and head up all communication and information tasks within the SRC, as well as oversee any SRC member to whom marketing duties are allocated..
- (2) Additional office bearers (portfolios) must be designated at the first ordinary meeting of the SRC, taking into account the applicability of existing portfolios to issues and affairs which the SRC deems are of relevance to the University Community, and in particular, students.

SECTION 9: POWERS AND DUTIES OF THE SRC EXECUTIVE COMMITTEE

- (1) The Executive Committee has the power to:
 - (a) Deal with matters that arise in the periods between ordinary SRC meetings and which, in the opinion of the President, are urgent and should not be held over for the following ordinary SRC meeting or any extraordinary meeting that s/he may wish to call. All decisions on such matters must be reported to the SRC at its following ordinary meeting;

- (b) Conduct financial transactions that in the opinion of the President and the Treasurer-General are urgent and should not be held over for the following ordinary SRC meeting or any extraordinary meeting that the President may wish to call. The Treasurer-General must be present at any meeting at which any such transaction is considered and at least three members of the Executive Committee must agree to it. Every such transaction must be reported to the SRC at its following ordinary meeting;
- (c) Within any mandate granted by the SRC, act for and represent the SRC and deal with such other matters as the SRC may from time to time determine;
- (d) Members of the Executive committee are *ex officio* members of the Student Forum.

SECTION 10: OFFICE BEARERS OF THE SRC

(1) The President

- (a) The President is the chief executive officer of the SRC and shall preside over all meetings of the SRC. The President may attend all meetings including executive committee meetings of all structures that are under the control and authority of the SRC.
- (b) If the Deputy President is unable for any reason to serve as Acting President in terms of section 8(1)(b) then the executive committee shall by two thirds majority of the executive appoint another member of the executive to serve as the Acting President. An Acting President may only serve for a cumulative period of 90 calendar days in any term of office of the President. If the President is unable for any reason to appoint another member from the executive committee to serve as the Acting President then the executive committee shall by two thirds majority of the executive appoint another member of the SRC to serve as the Acting President. An Acting President may only serve for a cumulative period of 90 calendar days in any term of office of the President.
- (c) The President may call an extraordinary meeting of the SRC or the Executive Committee on 24 hours' notice.
- (d) The President of the SRC must, on the day nominations open for the next election of general representatives to the SRC in terms of the Electoral rules, publish on the official SRC notice-board, and submit to the Student Forum and Vice Chancellor, a report of the work of the SRC during its term of office.

(2) The Treasurer-General and Secretary-General

- (a) During any temporary period of absence of the Secretary-General, the Deputy Secretary-General becomes the acting Secretary-General. In the case of absence of the Treasurer-General the Secretary-General becomes the acting Treasurer-General. If neither of these officers is available, the President appoints an acting Treasurer-General and/or an acting Secretary-General among the members of the SRC.
- (b) The powers, duties and functions of the Secretary-General are specified in the standing orders.
- (c) In addition to the powers specified in the SRC standing orders, the Treasurer-General, with the concurrence of the Vice-Chancellor, may investigate the financial records and practices of any student organization under the control and authority of the SRC. Any documents which s/he may consider relevant must be made available for her/his inspection. S/he must ensure that all organisations under the control and authority of the SRC abide by the financial rules.

SECTION 11: TENURE AND CESSATION OF MEMBERSHIP OF THE SRC AND REMOVAL FROM OFFICE

- (1) The annual election of general representatives of the SRC in terms of the Electoral rules must take place before the end of September of each year.
- (2) The term of office of members of the SRC is for 12 months. The term of office will commence on the first day of November of the year in which the election is held and will end on the last day of October of the following year.
- (3) During the period between the election of the general representatives of the SRC and the commencement of the term of office of the SRC, an SRC-elect shall be constituted. The SRC-elect must, during this period:
 - (a) elect its Office-Bearers;
 - (b) call for nominations for its members in terms of section 6(1)(b) to (g);
 - (c) undertake such training as is required by the Vice-Chancellor; the format and content of training will be decided with the concurrence of the SRC elect;

- (d) With the concurrence of the Student Forum, prepare a Programme of Action for noting by the Vice-Chancellor;
 - (e) subject to section 7(1)(r), prepare a budget for the approval of Council.
- (4) A member of the SRC ceases to be a member if and when:
- (a) s/he ceases to be a student of the University; or
 - (b) s/he ceases to hold the office by virtue of which s/he was appointed to the SRC, or her/his appointment is terminated by the body that appointed her/him in accordance with its constitution; or
 - (c) s/he resigns in writing to the President of the SRC; or
 - (d) s/he absents herself/himself, without reason considered satisfactory by a two-thirds majority of the members present at a meeting of the SRC, from two successive ordinary meetings of the SRC during her/his term of office; or
 - (e) The Student Disciplinary Committee (excluding an ad hoc committee) has, in terms of the Rules for Student Discipline, determined that the SRC member be found guilty of misconduct, and should be expelled or excluded unconditionally from the University for a period of one year or more, subject to:
 - (i) Such member being allowed an opportunity to lodge within two working days her/his notice of appeal in terms of section 11(4)(c) of the Rules, and to within five working days of handing in this notice to appeal or review in writing this immediate removal from office to the Vice Chancellor or her/his nominee; and
 - (ii) That within two working days of receiving the SRC member's application, the Vice-Chancellor or her/his nominee has made a decision on whether and/or to what extent such member may be allowed to remain in office pending the outcome of her/his appeal or review in terms of section 8 of the Rules.
 - (f) s/he is removed at the option of the Vice-Chancellor following a recommendation of a two-thirds' majority of SRC members who are of the opinion that s/he has brought the SRC into disrepute.
- (5) A member of the SRC including a member of the executive committee may be removed from her/his executive office by resolution approved by a two-thirds' majority of the total number of members of the SRC at a special meeting called for this purpose; special notice of the motion must be given. The member concerned must be given reasonable written notice (including by electronic means) of not less than five full working days before the date of the meeting, delivered to the latest address furnished by the student to the University.
- (6) The SRC may be removed from office by way of a motion of no-confidence by the Student Forum in terms of section 24(4).
- (7) A member of the SRC who has been elected in terms of section 6(1) (b) to (g) and who ceases to hold office for any reason, shall be replaced by the body which appointed her/him.
- (8) In the event of any executive or other office falling vacant, the SRC must elect one of its members to such office by no later than the next ordinary meeting.
- (9) The Vice-Chancellor must be notified of any cessation of membership or removal from office.
- (10) No person may serve as a member of the SRC, the Executive Committee, the Student Forum, any sub-council or on the committee of any club, society or organisation for a period which cumulatively exceeds three terms of office. Provided that any period of tenure resulting from an appointment in terms of section 7(4) is deemed not to be a term of office: provided further that a person who resigns her/his membership is deemed to have completed her/his term of office.

SECTION 12: MEETINGS

- (1) At least one ordinary combined meeting of the SRC and SRC-elect must be held in the period between September and October of each year.
- (2) An ordinary meeting of the SRC must be held at least once every month. The first of which must be held on or before 28 November in that year.
- (3) The date and time for the second and each subsequent SRC meeting is fixed at the preceding meeting.

- (4) At least one ordinary meeting of the Student Forum must be held every semester, consistent with the provisions of section 24(4)(a) of this constitution.
- (5) Subject to the provisions of this Constitution and of the subordinate rules, any student is entitled to attend and to address, but not to vote, at any SRC meeting: Provided that:
 - (a) any student accordingly present at an SRC meeting may be required by the chairperson to show her/his student registration card and to record her/his surname and forenames, faculty and year of study in a register kept for that purpose by the Secretary-General;
 - (b) any person who is not a student may only be admitted to a meeting of the SRC (with or without the right to speak) with the permission of two-thirds of the members of the SRC present and voting, provided that the identity and purpose of the visit is declared to the meeting;
 - (c) the chairperson of the meeting, with a motion carried by a simple majority of the members of the SRC present and voting may require any person who is not a member of the SRC to leave the meeting;
 - (d) the SRC may be empowered by a motion carried by two-thirds of the members present and voting to appoint students as observers. Such students are appointed in accordance with the provisions of the standing orders and have such rights as are laid down in the Rules for Conduct of Meetings and Debate: Provided that no such observer is permitted to vote, the provisions of sub-sections (a) and (c) are not affected by the provisions of this section, and any such observer may be removed from office by motion carried by a simple majority of the members present;
 - (e) The SRC is empowered, by a resolution of a simple majority of the members present, to withdraw the speaking rights of any non-SRC member.

SECTION 13: QUORUM

- (1) During the course of any university semester, two thirds of the members of the SRC form a quorum.
- (2) During the period of any vacation, independent study break or mid-term break half or more of the then current members of the SRC form a quorum.
- (3) Should members leave while a meeting is in progress and quorum is lost, the chairperson may with the consent of those present proceed with the meeting on the understanding that any decisions reached will be subject to ratification at the next SRC meeting at which a quorum is present.
- (4) Subject to the provisions of section 28(2), in the event of there being no quorum at the start of any SRC meeting, the meeting stands adjourned and reassembles not less than 24 hours and not more than seven calendar days from the date of the said meeting as determined by the President, and 50% plus one of the members of the SRC form a quorum.
- (5) In the event of there being no quorum pursuant to section 13(4) above, the meeting stands adjourned and reassembles not less than 24 hours and not more than two calendar days from the date of the said meeting as determined by the President, and whatever members are then present are deemed to form a quorum.
- (6) These provisions apply to the Student Forum and any other subordinate structures.
- (7) Three members of the Executive Committee form a quorum for the purposes of an Executive Committee meeting.

SECTION 14: VOTING

- (1) Subject to the provisions of this Constitution and subordinate rules, every appointment and election and every other action, decision or resolution of the SRC is by a simple majority of the members present and voting at a meeting and must be recorded in the SRC minutes.
- (2) The chairperson of any meeting has a deliberative vote. In the event of an equality of votes, the Chairperson has a casting vote, but she/he is not obliged to exercise her/his casting vote

SECTION 15: MEETING OF STUDENTS

- (1) The SRC must call a mass meeting of students at least once a semester.
- (2) A mass meeting of students may also be called by the SRC or the SRC Executive Committee at its own instance within ten working days after receipt of a petition signed by at least 500 students.
- (3) The SRC may call a special meeting of students, which may be attended only by students with a valid student card, unless the SRC provides otherwise.
- (4) The purpose of a meeting described in section 15(1) or 15(2) must be stated by the SRC or by the SRC Executive Committee, as the case may be.
- (5) A meeting of students shall not be open to the public, but the Press and any other member of the public may be permitted to attend at the discretion of the SRC.
- (6) A meeting of students is quorate if at least 500 students are present at such meeting. Any matter raised in such meeting will be taken under consideration at a subsequent meeting of the SRC.
- (7) A meeting of students is conducted in accordance with the Rules for Conduct of Meetings and Debate.
- (8) Other than in exceptional circumstances and with the approval of the Vice-Chancellor, no meetings of students may be held in the period one week before nominations close for the next SRC election and the date on which the results of the election are announced.

SECTION 16: REFERENDA

- (1) A referendum may be called at the instance of the SRC or by the SRC Executive Committee, and must be conducted within 30 calendar days, on a date to be determined by the SRC.
- (2) Any matter voted upon in any referendum may not form the subject-matter of any motion to be voted upon at a meeting of students (other than a motion to give effect to the result of a referendum) or of any question to be answered in any subsequent referendum, for a period of one year and one day after the result of the referendum has been determined.
- (3) Other than in exceptional circumstances and with the approval of the Vice-Chancellor, no referendum may be called within the period of one week before nominations close for the next SRC election up until the date on which the results of the election are announced.

SECTION 17: PUBLICATION OF MINUTES OF SRC MEETINGS

- (1) The Secretary-General of the SRC must publish the minutes of each SRC meeting on the official SRC notice-board within two weeks of the meeting. A copy of the minutes must be sent to the Vice-Chancellor and the University archives.
- (2) Within four weeks of the end of the term of office of the SRC, the Treasurer-General must publish on the official SRC notice-board the financial statements accounting for all the funds or other assets administered by the SRC during its term of office. A copy of the financial statements must be sent to the Vice-Chancellor.

CHAPTER 3: STUDENT BODIES AND ACCOUNTABILITY MEASURES

SECTION 18: STUDENT BODIES UNDER THE CONTROL AND AUTHORITY OF THE SRC

- (1) With the exception of Student Forum, All student bodies contemplated in **section 20** of this Constitution, fall under the control and authority of the SRC
- (2) Where a student body falls under the control and authority of the SRC, such control and authority must be exercised reasonably.
- (3) The constitution and amendments thereto of every student body under the control and authority of the SRC, must be consistent with this Constitution and University Rules, and are subject to the approval of the SRC, which may on good cause shown, withdraw approval previously given by it until amendments as required by it have been made.

SECTION 19: SRC STANDING COMMITTEES, SUB-COMMITTEES, AD HOC COMMITTEES AND COMMISSIONS

- (1) The SRC may establish standing committees, standing sub-committees, ad hoc committees or ad hoc sub-committees for any function which the SRC is competent to perform, at any meeting of the SRC or SRC Executive.
- (2) The membership of the SRC standing committees must consist entirely of members of the SRC.
- (3) The membership of the SRC standing sub-committees, ad hoc committees or ad hoc subcommittees is not limited to persons who are also members of the SRC, provided that either the chairperson or at least one of the members of the executive committee of any standing sub-committee is also an SRC member.

- (4) The SRC may create commissions to investigate matters which fall within the functions that the SRC is competent to perform, by resolution approved at an ordinary meeting or at a special meeting called for this purpose; in each case notice is to be given of the motion.
- (5) The SRC may create or abolish existing standing committees and sub-committees by resolution approved by a two-thirds' majority at an ordinary meeting or at a special meeting called for this purpose; in each case special notice must be given of the motion.

SECTION 20: SUB-COUNCILS AND ASSOCIATIONS

The following sub-councils and associations are subject to the control and authority of the SRC.

- (1) The *All Residence sub-council* whose membership comprises representatives of each of the University's Residences and one SRC member, in accordance with the constitution of the All Residence sub-council. All members of the Council have the right to vote.
- (2) The *Wits Sports sub-council* whose membership comprises representatives of sporting clubs/codes in accordance with the constitution of the Wits Sports Council, and one SRC member. All members of the Council have the right to vote.
- (3) The *International Students sub-council* whose membership comprises representatives of international students, in accordance with the constitution of the International Students Sub-Council. All members of the Council have the right to vote.
- (5) The *Postgraduate Association* whose membership comprises students registered for postgraduate study and associated members as contemplated in its constitution. All members of the Association have the right to vote.

SECTION 21: CLUBS, SOCIETIES and ORGANISATIONS (CSO)

- (1) If the facilities available to a CSO are limited, that CSO may, subject to the approval of the SRC, impose a limit on the size of its membership.
- (2) Subject to the University rules and policies, any CSO may admit to membership persons who are not students as defined in this Constitution, if its constitution makes provision for the admission of such persons and their admission is formally approved by the CSO committee and ratified by the SRC.
- (3) In addition to the provisions of section 22(1)(c), recognition of the constitution of a club or society may be withdrawn under the following conditions:
 - (a) The SRC may after consultation with the Student Forum and having heard representation from the relevant club or society, withdraw recognition for a club or society if the club or society ceases to meet the criteria for recognition, and/or if the club or society is in breach of the SRC Constitution and/or any higher legislation.
 - (b) In exceptional circumstances, the Vice-Chancellor after consultation with the SRC and the Student Forum may require the SRC to withdraw recognition of a club or society if good cause is shown.

SECTION 22: POWERS OF THE SRC WITH REGARD TO THE STUDENT BODIES UNDER ITS CONTROL AND AUTHORITY

- (1) The SRC may:
 - (a) subject to section 29, vary or set aside any decision of any of its office-bearers or of any SRC committee, sub-committee or any other organization under its control and authority;
 - (b) subject to section 29, forbid any meeting of any organisation under its control and authority;
 - (c) withdraw recognition from organisations under its control and authority, by resolution approved by a two-thirds' majority if it is satisfied that such organization:
 - (i) is not being administered in accordance with its constitution or with this Constitution or the subordinate rules; or
 - (ii) is no longer functioning or serving the purpose for which it was created; or
 - (iii) has been responsible, directly or indirectly, for any breach of the University Rules or for the contravention of this Constitution or the subordinate rules.
 - (d) subject to section 27 place any student body under administration.

SECTION 23: POWERS OF THE SRC WITH REGARD TO STUDENT PUBLICATIONS AND BROADCASTS

Publications emanating from or purporting to emanate from organisations under the control and authority of the SRC must comply with the Media rules of the University. The SRC has such powers of control in regard to such publications and broadcasts as are specified in the Media rules.

SECTION 24: STUDENT FORUM

- (1) Composition:
The composition of the Student Forum is as follows:
 - (a) The President of the SRC;
 - (b) The other members of the Executive Committee of the SRC;
 - (c) Chairpersons of the Faculty Student Councils (FSC);
 - (d) Chairpersons of the School Student Councils (SSC) or a nominee if the chairperson is represented on the Faculty Student Council;
 - (e) One representative each from ARSC, WSSC, ISSC, and PGA who are not members of the SRC; and
 - (f) One representative from the students with disabilities who is not a member of the SRC;
 - (f) a maximum of six members, who must be registered students, each representing a different cluster of club, society and organization
- (2) Additional SRC members may attend the Student Forum as observers, or to report back on matters affecting their portfolios if the Student Forum so requires.
- (3) Powers, functions and duties
 - (a) The Student Forum must be consulted by the SRC on the matters listed in section 7(l) (n), (o) and (r);
 - (b) The Student Forum may advise the SRC on any other issue affecting students;
- (4) The Student Forum may propose a motion of no confidence in the SRC on the grounds of incompetence and/or non-compliance with the provisions of this Constitution. A two-thirds majority vote of members is required to pass a vote of no confidence which will be referred to the Vice-Chancellor for noting.
- (5) Term of Office
 - (a) A Student Forum must be constituted by no later than two weeks after all faculty council chairpersons have been elected and the term of office will be for one year until the next Student Forum has been constituted.
 - (b) No person may serve as a member of the Student Forum for a period that cumulatively exceeds three terms of office.
- (6) Meetings
 - (a) The Student Forum will elect a chairperson from amongst themselves by a two-thirds majority of members present.
 - (b) The chairperson of the Student Forum shall convene an ordinary meeting of the Student Forum once each semester on 14 working days' notice to consider the SRC Programme of Action, the SRC budget, SRC progress reports and any other matters brought before it.
 - (c) The provisions in section 13 relating to the Quorum of the SRC will apply to the Student Forum.
 - (d) Special meetings may be called by the chairperson of the Student Forum, the Executive Committee of the SRC or at least two thirds of the members of the Student Forum.

SECTION 25: FACULTY STUDENT COUNCILS

- (1) Composition
 - (a) Faculty Student Councils must be constituted in every faculty of the University
 - (b) Faculty Student Councils are comprised of the chairpersons of the School Student Councils of the relevant Faculty.
 - (c) Each Faculty Student Council must elect a chairperson who is also a member of the Student Forum.

- (d) The outgoing Faculty Student Council with the concurrence of the Dean of the relevant faculty and the Dean of Students will be responsible for ensuring that the next Faculty Student Council is elected.
- (2) Powers, functions and duties
- (a) To bring to the attention of the SRC and/or Dean of the Faculty issues affecting students within the schools of the Faculty.
 - (b) To represent the interests of the students within the Faculty on such governance bodies as appropriate.
 - (c) The chairperson of each Faculty Student Council must represent the interests of the students of the faculty at meetings of the Student Forum.
 - (d) Each Faculty Student Council must have a constitution which is aligned with this Constitution and conforms to a constitutional template that is approved by Council with the concurrence of the Student Forum.
- (3) Term of Office
- (a) The Faculty Student Councils must be constituted at the annual induction program of school student councils run by the SRC. The term of office of members serving on the school student council will be 12 months.
 - (b) No person may serve as a member of the Faculty Student Council for a period which cumulatively exceeds three terms of office.
- (4) Meetings
- Meetings must be held at least once a semester.
- (5) Minutes of Faculty Student Council meetings must be forwarded to the SRC Secretary-General, in a manner and form recommended by the SRC.

SECTION 26: SCHOOL STUDENT COUNCILS

- (1) Composition
- (a) A School Student Council must be constituted in every school at the University by way of an election of students registered for courses in that school.
 - (b) The outgoing School Student Council with the concurrence of the relevant Head of School and the Dean of Student Affairs will be responsible for ensuring that school councils are elected and constituted each year. The Dean of Student Affairs will appoint the Chief Electoral Officer to preside over the elections
 - (c) Each School Student Council must comprise a minimum of five office bearers, one of whom is the chairperson who is also a member of the Student Forum.
 - (d) The outgoing School Student Council, after consultation with the SRC, may call a general meeting of students within a particular School. Students who have complied with the electoral rules may be elected by way of a show of hands or secret ballot, to be determined by the meeting itself.
 - (e) School Councils must be elected and constituted by the end of March.
- (2) Powers, functions and duties
- (a) To bring to the attention of the SRC and/or the head of the relevant school any issue affecting students within the school.
 - (b) To represent the interests of the students within the school on such governance bodies as appropriate.
 - (c) The chairperson of the School Student Council must represent the interests of the students of the school on the Student Forum.
 - (d) Each School Student Council must have a constitution which must be aligned to this SRC Constitution
- (3) Term of Office
- (a) The School Councils must be constituted by the end of March of each year and the term of office of members serving on the school council will be 12 months.
 - (b) No person may serve as a member of the School Student Council for a period which cumulatively exceeds three terms of office.

- (4) Meetings
Meetings must occur at least once a semester.
- (5) Minutes
Minutes of School Student Council meetings must be forwarded to the SRC Secretary-General, in a manner and form recommended by the SRC.

SECTION 27: Administration of student bodies under the control and authority of the SRC

- (1) A student body **under the control and authority of the SRC** may be placed temporarily under administration if it:-
 - (a) fails to hold three consecutive meetings; or
 - (b) fails to obtain a quorum for three consecutive meetings; or
 - (c) fails to draft and implement a programme of action for the year within one month after taking office; or
 - (d) fails to act in accordance with its constitution.
- (2) Upon receipt of a complaint signed by at least 20 students represented by the student body in question, the SRC must appoint an investigative committee which may include students who are not SRC members. Students of that body may not be members of the investigative committee.
- (3) The investigative committee must investigate the complaint/s by, *inter alia*, interviewing relevant personnel, the complainants, the members of student body, and any such other relevant persons.
- (4) The investigative committee shall present a written report to the SRC within two weeks.
- (5) If the SRC finds that the student body has failed to comply with the requirements set out in section 27(1), it will - :
 - (a) Meet with the members of that student body to discuss their specific deficiencies found in their performance, and ways in which the SRC can assist them;
 - (b) advise the student body that failure to comply with its obligations may result in being placed under administration.
- (6) If, following the meeting referred to in section 27(5)(a), the SRC is of the opinion that the student body is unwilling or unable to comply with its obligations, it may recommend in writing to the Dean of Student Affairs that that relevant student body must be placed under administration. The Dean of Student Affairs will call for written submissions from the relevant student body as to why it should not be placed under administration, and will thereafter make a determination. The SRC or the relevant student body may appeal to the Vice-Chancellor, whose decision will be final.
- (7) The SRC will appoint a committee to carry out the functions of the relevant student body which has been placed under administration. The sub-committee must include at least two constituents of the student body in question. The sub-committee will also make recommendations to the SRC on steps to be taken to enable the relevant student body to be taken out of administration, or including, if necessary, the election of the new leadership of the student body.
- (8) The student body will cease to be under administration upon -
 - (a) the SRC with the concurrence of the Dean of Student Affairs resolving, on the recommendation of the sub-committee, that the relevant student body is willing and able to function in terms of its constitution; or
 - (b) the expiry of the term of office of the incumbents of the student body.

CHAPTER 4: GENERAL

SECTION 28: CONTINUATION OF SRC FUNCTIONS IN THE ABSENCE OF AN SRC OR IN A SITUATION WHERE SRC MEMBERSHIP IS SUBSTANTIALLY REDUCED

- (1) In the absence of an SRC or in a situation where SRC membership is substantially reduced, the Council may dissolve the SRC and in that event:
 - (a) arrange for elections to be held within a period not exceeding three months from the date of such dissolution, for the purpose of electing a new SRC; and
 - (b) appoint officers at least half of whom are students who have served on any past SRC or any similar student structure, to administer the affairs of the SRC, in the stead of the SRC until the election of the new SRC.

- (2) Without prejudice to the Council's powers in terms of sub-section (1), if the membership of the SRC does not reach, or falls below the SRC quorum contemplated by section 13(1) or (2), as the case may be, the SRC is suspended and until such time as its membership reaches or exceeds the required quorum the Vice-Chancellor shall appoint an interim management committee of the remaining members of the SRC and such other persons as s/he may deem fit to appoint, and perform such functions of the SRC as s/he may determine.

SECTION 29: APPEALS AGAINST DECISIONS OF THE SRC OR ANY OTHER STUDENT GOVERNANCE STRUCTURE

- (1) Any student, student body, office-bearer or committee who is the subject of an unfavourable decision by the SRC has the right of appeal in writing to the Student Forum.
- (2) An appeal against the decision of the Student Forum may be made in writing to the Vice-Chancellor.
- (3) Any appeal against any decision taken by the Vice-Chancellor in terms of this Constitution must be made in writing to the Chairperson of the Council within 30 calendar days of notification of such decision. The appeal shall be heard by a sub-committee of the Council constituted for this purpose.

SECTION 30: FAILURE OF THE SRC OR THE STUDENT FORUM TO CARRY OUT ANY OF ITS FUNCTIONS OR DUTIES

- (1) After due notice of its failure to carry out any function or duty, should the SRC continue to fail in carrying out any of its functions or duties, the Vice-Chancellor has the power to carry out any such function or duty in the spirit and manner prescribed in this constitution.
- (2) In the event of the Student Forum failing to perform its functions in accordance with section 24(3)(a), the Vice-Chancellor has the power to carry out any such function or duty in the spirit and manner prescribed in this Constitution.

SECTION 31: AMENDMENTS TO THIS CONSTITUTION

- (1) This constitution may be amended by resolution of two-thirds of the SRC members present and voting at a SRC meeting called for this purpose.
- (2) The amendments proposed by the SRC must be published to the general student body on the SRC official notice-boards at least seven working days prior to the meeting of the Student Forum.
- (3) Written notice of the Student Forum meeting must be given to members at least seven working days prior to the meeting, together with details of the proposed amendments.
- (4) Voting at the Student Forum meeting may be by a show of hands or secret ballot; Provided that the results of the voting are recorded in the minutes.
- (5) All amendments at the Student Forum meeting must be approved by two-thirds of members present.
- (6) All amendments must be approved by the Council.