



CONSTITUTION

of the

STUDENTS' REPRESENTATIVE COUNCIL

of the

UNIVERSITY OF CAPE TOWN

Approved by UCT Council on 28 June 2025

PREAMBLE

We, the students of the University of Cape Town, acknowledge our historical context within the African continent, South Africa and the Western Cape and resolve to unite in the pursuit of a university and society based on equality, social justice and democracy.

We therefore proclaim the Students' Representative Council (SRC) of the University of Cape Town as the primary governing body on all issues of student governance. Its role shall be to:

Promote the vision and mission statement of the University of Cape Town;

Affirm and promote the right of students to embark on the acquisition, dissemination and advancement of knowledge and academic excellence;

Promote and protect the principles entrenched in the Bill of Rights of the Constitution of the Republic of South Africa;

Uphold principles of transparency, accountability, responsiveness, fairness and participation in the student community;

Articulate the aspirations of students within the University's co-operative governance structures including the Council, Senate, Institutional Forum and University committees; and

Strive for social redress, increased access and active transformation within the University of Cape Town and the broader society.

In performing their role, the elected representatives must collectively and individually exercise appropriate care, diligence and respect for the authority of this constitution.

In adopting this constitution for Student Governance at the University of Cape Town, we affirm the principles, values and provisions of the Higher Education Act (101 of 1997) as amended, and of the Statute of the University of Cape Town.

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DEFINITIONS

1. In this Constitution,

- (a) “**Absolute majority**” means a majority of the total membership or, in the case of a body that does not have a fixed membership, a majority of those present when the vote is taken.
- (b) “**Act**” means the Higher Education Act No. 101 of 1997 as amended.
- (c) “**Assessor members**” refers to students, staff or external experts invited by the Student Governance Court for specific matters or issues.
- (d) “**By-election**” means an election conducted outside the regular electoral cycle for the purpose of filling a vacancy or vacancies that have arisen in a student governance structure due to resignation, termination or any other cause, in accordance with the Election Regulations.
- (e) “**Conflict of interest**” refers to a situation when an individual’s personal interests have the potential to interfere with or unduly influence their judgment, decisions or actions in their official capacity within the University.
- (f) “**Co-option**” means the process by which a student governance body fills a vacancy by appointing a competent student in accordance with the procedures and conditions set out in this constitution without holding an election.
- (g) “**Council**” means the Council of the University of Cape Town.
- (h) “**Election Regulations**” are the regulations that govern the elections of the SRC and of each Faculty Council as approved by Council.
- (i) “**First-past-the-post**” refers to an electoral system under which the individuals who have received the most votes are deemed to have been elected.
- (j) “**Graduate student**” means a student who holds a degree and is registered for a postgraduate diploma, honours or postgraduate certificate course.
- (k) “**House committees**” include Executive Committees or Residence Associations which perform the function set out in section 106.
- (l) “**Institution**” refers to the University of Cape Town
- (m) “**Poll**” as in the Election Regulations means 25% of all students eligible to vote.
- (n) “**Postgraduate student**” means a student registered for a master’s or doctoral degree programme.
- (o) “**Residences Committee**” refers to the USAC committee responsible for advising USAC and Council on policy and funding related to the residences.
- (p) “**Simple majority**” means a majority of the members present and voting, excluding those who abstain.
- (q) “**Sports Council**” refers to the USAC committee responsible for advising USAC on policy and funding related to student sport.
- (r) “**Statute**” means the Institutional Statute of the University promulgated under the Act.
- (s) “**Student**” means a person registered as a student at the University.

- (t) **“Student Governance Court Advocate”** means a student who is responsible for initiating proceedings before the Student Governance Court and leading evidence against student leaders, and for representing complainants in such proceedings.
- (u) **“Student governance legislation”** means all the constitutions, standing rules, codes of conduct and any other documents that regulate the functioning of student structures.
- (v) **“Student Societies and Organisations Committee”** (SSOC) refers to the USAC committee responsible for advising USAC on policy and funding related to societies and student organisations.
- (w) **“University community”** refers to students, staff and members of University committees
- (x) **“University Student Affairs Committee”** (USAC) means the Council committee responsible for advising Council on policy in the area of student development and services.

CHAPTER 1: OVERVIEW OF STUDENT GOVERNANCE

Name

2. The name of the body shall be the Students’ Representative Council of the University of Cape Town, hereinafter referred to as the SRC.

Legal status and indemnity

3. Subject to the provisions of the Constitution of the Republic of South Africa, the Higher Education Act, the Statute and the authority of the Council, this constitution binds the SRC, student structures and all students of UCT.
4. The SRC is not a juristic person and is not the bearer of its own rights except insofar as it exists as a structure according to the provisions of the Act, with powers delegated to it by the Council. This provision applies to all student structures.
5. The constitution of the SRC has no legal force and effect unless the constitution and the amendments thereto have been approved by the Council.
6. Members of the SRC must declare any conflicts of interest and act in accordance with Chapter 15.
7. Every member of the SRC is indemnified from all costs, losses and expenses which they may incur or become liable for by reason of any act or omission in discharging their duties, unless the loss in question is caused by their own gross negligence, dishonesty and/or intentional conduct.
8. SRC members do not have the authority to enter into contracts on behalf of the SRC or the institution.

Structures of student governance

9. The SRC is the highest decision-making structure of student governance and has the following substructures:
 - 9.1. SRC standing committees;
 - 9.2. SRC sub-councils; and
 - 9.3. any other sub-committees it wishes to establish.

10. The Student Parliament;
11. The Student Governance Court;
12. The Constitutional Committee;
13. The Dispute Resolution Management Committee;
14. Undergraduate faculty councils;
15. Postgraduate faculty councils;
16. Residence house committees;
17. Societies;
18. Sports clubs;
19. Development agencies;
20. The International Students Sub-Council; and
21. The Students for Disability Rights Sub-Council.

CHAPTER 2: SRC

Composition of the SRC

22. The SRC consists of 16 registered students elected annually in the manner prescribed in the Election Regulations.

SRC term of office

23. The SRC holds office from 1 November after the SRC elections until 31 October in the following year.

Termination of membership

24. A member of the SRC ceases to hold office if and when:
 - 24.1. they cease to be a student of the University;
 - 24.2. they tender their resignation in writing to the SRC Secretariat;
 - 24.3. their membership is terminated as a sanction by the Student Governance Court, the Special Tribunal for Sexual Offences or the University Student Disciplinary Tribunal; or
 - 24.4. they are convicted of any crime by any court of law in the Republic of South Africa or elsewhere and have been sentenced to imprisonment without the option of a fine.
25. An SRC Member who has been academically excluded will remain in the SRC pending appeal. Should the appeal not be finalised by the first day of lectures, that SRC member will be suspended from their duties and responsibilities pending finalisation of the appeal.

Functions, powers and duties of the SRC

26. Subject to the provisions of this constitution, the SRC:
 - 26.1. makes representations on behalf of students, in particular to the Council, Senate, Institutional Forum, and other bodies and officers of the University;

- 26.2. transparently administers in the interests of students of the University such funds and assets as may be allocated to it from time to time by the Council, or as may be received by it from any other source;
- 26.3. makes recommendations to the SSOC for the recognition or withdrawal of recognition of any student society or organisation;
- 26.4. convenes meetings of students;
- 26.5. conducts referenda to ascertain student opinion;
- 26.6. affiliates to bodies and organisations outside the University and represents students in such structures;
- 26.7. administers the use of premises provided by the University for promoting student activities;
- 26.8. publishes progress reports to the student body and the Council once a semester or more frequently if so decided, which reports must include policy decisions and positions taken in University committees;
- 26.9. initiates, undertakes or stimulates discussion, debate and action or makes views known on matters of general concern or matters that are likely to be of interest to or affect students or a group of students;
- 26.10. deploys students to University committees;
- 26.11. proposes amendments to this constitution;
- 26.12. establishes sub-committees, working groups or task teams as may be deemed necessary;
- 26.13. provides progress reports to Student Parliament on recommendations made to the SRC and/or the implementation of binding decisions of the Student Parliament; and
- 26.14. ensures that it remains accessible to students and provides timely and effective services in response to student needs.

Meetings of the SRC

- 27. Meetings of the SRC take place from time to time in the manner prescribed in the standing rules.
- 28. Meetings of the SRC are open to students as observers or students seeking to address the SRC on a particular matter. Requests to attend meetings must be made in writing to the SRC Secretary-General. The SRC may decline the request to allow for sensitive or confidential matters to be discussed behind closed doors.
- 29. 50% +1 of the members of the SRC shall constitute a quorum. This quorum must be maintained throughout the duration of the meeting for it to remain quorate.
- 30. In the event that a meeting is not quorate or loses a quorum, the remaining members may decide to postpone or continue the meeting. Should the meeting continue, a Chairperson's circular must be sent to all members and sufficient time must be allowed for objections to be received to proposed decisions. Should an objection be received, the matter must be discussed at the next meeting. In the absence of an objection, the proposed decision is deemed approved.

31. An SRC decision may be reviewed by or appealed to the Student Parliament, the Student Governance Court or the Constitutional Committee subject to the roles and responsibilities prescribed for these structures in their standing rules.

CHAPTER 3: SRC PRESIDENCY

Composition of the SRC Presidency

32. The SRC Presidency consists of the following SRC members:

- 32.1. President;
- 32.2. Vice-President;
- 32.3. Secretary-General;
- 32.4. Deputy Secretary-General; and
- 32.5. Treasurer General.

Functions, duties and powers of the SRC Presidency

33. Subject to the provisions of this constitution, the SRC Presidency may:

- 33.1. convene meetings of the SRC;
- 33.2. deal with any urgent matter;
- 33.3. act as the executive and administrative committee of the SRC; and
- 33.4. execute any mandate delegated to it by the SRC.

Meetings of the SRC Presidency

34. Meetings of the SRC Presidency take place from time to time in the manner prescribed in the standing rules.
35. 50% +1 of the members of the SRC Presidency constitute a quorum. This quorum must be maintained throughout the duration of the meeting for it to remain quorate.
36. In the event that a meeting is not quorate or loses a quorum, members may decide to postpone or continue the meeting. Should the meeting continue, a Chairperson's circular must be circulated to all members and sufficient time must be allowed for objections to be received to proposed decisions. Should an objection be received, the matter must be discussed at the next meeting. In the absence of an objection, the proposed decision is deemed approved.

CHAPTER 4: SRC STANDING COMMITTEES

SRC standing committees

37. The SRC must constitute, within one month of taking office, the following standing committees, of which the composition, functions and duties must be prescribed in standing rules:
- 37.1. the Finance Committee;
 - 37.2. the Vacation Committee;
 - 37.3. the Deployment Committee; and

- 37.4. the Advocacy and Awareness Committee.

CHAPTER 5 SRC SUB-COUNCILS

Constituting SRC sub-councils

38. The SRC must constitute sub-councils to represent:
- 38.1. undergraduate students in faculties, designated the Undergraduate Academic Sub-Council (UASC) for undergraduate students;
 - 38.2. postgraduate and graduate students in faculties, designated the Postgraduate Academic Sub-Council (PASC) for postgraduate and graduate students;
 - 38.3. students in residences, designated the Residences Sub-Council;
 - 38.4. students in societies, designated the Societies Sub-Council;
 - 38.5. students in sports codes, designated the Sports Sub-Council; and
 - 38.6. students in development agencies, designated the Development Agencies Sub-Council (DASC).
 - 38.7. students with disabilities, designated the Students for Disability Rights Sub-Council; and
 - 38.8. international students, designated the International Students Sub-Council.

Composition of sub-councils

39. The composition of each sub-council is determined in accordance with the provisions of its own standing rules.

Chairperson, Vice-chairperson and Secretary of a sub-council

40. Each sub-council is chaired by the SRC member with the relevant portfolio.
41. Each sub-council must elect a Vice-chairperson and a Secretary from among its members.

Powers and duties of sub-councils

42. A sub-council is accountable to the SRC and responsible to its constituency.
43. A sub-council:
- 43.1. must aim to represent the interests of its constituency;
 - 43.2. must perform duties in the manner prescribed in its standing rules;
 - 43.3. must submit minutes of its meetings and quarterly organisational and financial reports to the SRC;
 - 43.4. must communicate matters affecting students within its respective constituency to the SRC;
 - 43.5. may make representations and/or presentations on particular matters to the SRC;
 - 43.6. may make representations and/or presentations on particular matters to the Student Parliament;
 - 43.7. must deploy representatives to the Student Parliament in the manner prescribed in its standing rules;

- 43.8. must administer funds and assets raised for its own affairs in accordance with its standing rules and approved budget; and
- 43.9. must collate and submit organisational and financial reports from all recognised student structures under its jurisdiction to the SRC once a semester.

CHAPTER 6: STUDENT PARLIAMENT

Function

44. The Student Parliament:

- 44.1. is independent of the other student governance structures and subject to this constitution and its standing rules;
- 44.2. is the collective voice of the UCT student community;
- 44.3. holds the SRC and its sub-structures accountable and plays an oversight role in the interests of students;
- 44.4. holds Student Governance Court and Constitutional Committee members accountable for performing their duties but cannot influence the outcome of their decision making; and
- 44.5. is the forum for debate and discussion on issues affecting students, making recommendations and/or decisions that bind the SRC in order to ensure that the students are served with integrity.

Composition

45. The Student Parliament consists of the following, as determined in the Student Parliament's standing rules:

- 45.1. the members of the Students' Representative Council;
- 45.2. members of the Postgraduate Academic Sub-Council appointed by it;
- 45.3. members of the Undergraduate Academic Sub-Council appointed by it;
- 45.4. members of the Residences Sub-Council appointed by it;
- 45.5. members of the Societies Sub-Council appointed by it;
- 45.6. members of the Sports Sub-Council appointed by it;
- 45.7. members of the Development Agencies Sub-Council appointed by it;
- 45.8. members of the International Students Sub-Council appointed by it;
- 45.9. members of the Students for Disability Rights Sub-Council; and
- 45.10. the Student Parliament Management Committee (SPMC).

Student Parliament term of office

- 46. The Student Parliament holds office from 1 November until 31 October in the following year.

Roles and responsibilities

- 47. The Student Parliament serves to keep the SRC and its sub-structures accountable and transparent and rooted in the principles and values of this constitution.

48. Decisions taken by two-thirds of the full membership of the Student Parliament bind the SRC.
49. The Student Parliament may require any student structure described in this constitution to make submissions before the Student Parliament or one of its sub-committees.
50. The Student Parliament is responsible for appointing the members of the Student Governance Court, the Constitutional Committee and the Dispute Resolution Management Committee.

Composition of the Student Parliament Management Committee

51. The SPMC consists of:
 - 51.1. The Speaker, Deputy Speaker, Secretary and Convenor of the Student Parliament; and
 - 51.2. the SRC Secretary-General

Election of the Speaker, Deputy Speaker, Secretary and Convenor of the Student Parliament

52. The election of the Speaker, Deputy Speaker, Secretary and Convenor of Student Parliament takes place in the third semester of the year in which the parliament's term commences.

Meetings of the Student Parliament

53. Meetings of the Student Parliament are governed by its standing rules.
54. Any student may attend meetings of the Student Parliament as observers, subject to the standing rules of the Student Parliament.
55. Ordinary meetings
 - 55.1. Ordinary meetings of the Student Parliament must be held at least once a quarter.
 - 55.2. The Speaker must give at least seven days' notice of the date, time, venue and provisional agenda of such a meeting to all members of the Student Parliament and to the student body in general.
 - 55.3. The Speaker must invite members of the Student Parliament to submit agenda items for the meeting at least two weeks before giving notice of a meeting.
56. Extraordinary meetings
 - 56.1. An extraordinary meeting of the Student Parliament must be held if and when
 - 56.1.1. the Speaker in consultation with the SRC calls such a meeting; or
 - 56.1.2. a sub-council of the SRC submits a written request to the Speaker for such a meeting, accompanied by a written motivation concerning the matters to be considered at the meeting.
 - 56.2. Notice of the date, time, venue and agenda of an extraordinary meeting must be given to all members of the Parliament at least 24 hours before such a meeting.
57. The quorum for the Student Parliament is 50% + 1 of the members. This quorum must be maintained throughout the duration of the meeting for it to remain quorate.

58. In the event that a meeting is not quorate or loses a quorum, members may decide to postpone or continue the meeting. Should the meeting continue, a Chairperson's circular must be circulated to all members and sufficient time must be allowed for objections to be received to proposed decisions. Should an objection be received, the matter must be discussed at the next meeting. In the absence of an objection, the proposed decision is deemed approved.

Amendments to the Student Parliament's standing rules

59. Amendments to the standing rules of Student Parliament must be adopted by two-thirds of the full membership of the Student Parliament and submitted to the Constitutional Committee for approval.

CHAPTER 7: STUDENT GOVERNANCE COURT

Function

60. The Student Governance Court:

- 60.1. is independent of the other student governance structures and subject to this constitution and its standing rules, which the Court must apply impartially and without fear, favour or prejudice;
- 60.2. is accountable to Student Parliament in terms of performing its function;
- 60.3. presides over disciplinary matters lodged against student structures and/or members of student structures who have allegedly contravened any rule contained in the student governance legislation or who are accused of misconduct in their capacity as student leaders; and
- 60.4. must constitute the following sub-structures:
 - 60.4.1. Student Governance Court Advocate; and
 - 60.4.2. Student Governance Investigations Team.

Composition

61. The Student Governance Court consists of:

- 61.1. Seven students, of whom at least three must be registered in the Law Faculty, appointed by Student Parliament in the third semester of the year in which its term of office commences. A matter before the Student Governance Court must be heard by no fewer than three and not more than five judges; and
 - 61.2. Assessor members who may be appointed for particular matters for their expert knowledge and who do not have voting rights in determining the outcome of a matter.
62. The Student Governance Court must appoint five students of whom two must be law students to its substructures as contemplated in section 60.4.
63. Once appointed to the Student Governance Court or its substructures, members are ineligible to stand for election in any other student governance structure or serve in any leadership position in any such structure for the duration of their term.

Chairperson, Secretary and Treasurer of the Student Governance Court

64. The Student Governance Court must elect a Chairperson, a Secretary and a Treasurer from among its members.

Student Governance Court term of office

65. The Student Governance Court holds office from 1 November until 31 October in the following year.

Roles and responsibilities

66. The Student Governance Court must:
- 66.1. act in a lawful, reasonable and procedurally fair manner;
 - 66.2. exercise all powers, duties and functions as properly entrusted or assigned to it as prescribed in its standing rules;
 - 66.3. protect the anonymity of a complainant where this is requested by the complainant and it is considered appropriate and feasible to do so;
 - 66.4. receive any complaints from any member of the University community, acknowledge complaints, and deal with complaints and/or conduct hearings expeditiously and in the manner prescribed in its standing rules;
 - 66.5. maintain confidentiality in ongoing cases to protect the integrity of the process;
 - 66.6. refer student governance legislation interpretation matters to the Constitutional Committee; and
 - 66.7. submit a report to Student Parliament once a semester.
67. All complaints shall be submitted in writing by and through the Student Governance Court Advocate to the Student Governance Court, accompanied by any supporting evidence relevant to the complaint.
68. Should relevant new evidence come to light after the Student Governance Court has made a decision, the matter may be reopened for consideration by the Student Governance Court.
69. Appeals against any decision of the Student Governance Court may be made to the University Student Disciplinary Tribunal.

Amendments to the Student Governance Court standing rules

70. Amendments to the standing rules of the Student Governance Court must be submitted to the Constitutional Committee for approval.

CHAPTER 8: CONSTITUTIONAL COMMITTEE

Function

71. The Constitutional Committee:
- 71.1. is independent of the other student governance structures and subject only to this constitution and its standing rules; and accountable to Student Parliament in terms of performing its function;
 - 71.2. is the custodian of all student governance legislation;

- 71.3. is the final authority in interpreting student governance legislation; and
- 71.4. has the authority to review conflict of interest matters, determine whether a conflict of interest exists, and, where necessary, compel the recusal of the member in question in order to preserve the integrity, impartiality and fairness of student governance proceedings.

Composition

72. The Constitutional Committee consists of:

- 72.1. Seven students, of whom at least three must be registered in the law faculty, appointed by Student Parliament in the third semester of the year in which its term of office commences. A matter before the Constitutional Committee must be decided by no fewer than three and not more than five members of the committee.
73. Once appointed to the Constitutional Committee, members are ineligible to stand for election in any other student governance structure or serve in any leadership position in any such structure.

Chairperson, Secretary and Treasurer of Constitutional Committee

74. The Constitutional Committee must elect a Chairperson, a Secretary and Treasurer from among its members.

Constitutional Committee term of office

75. The Constitutional Committee holds office from 1 November until 31 October in the following year.

Roles and responsibilities

- 76. The Constitutional Committee is responsible for making recommendations on the approval and amendment of the constitutions of all student structures before submission to the relevant student structures or University committees for final approval.
- 77. The Constitutional Committee is responsible for considering and approving the standing rules of all sub-councils.
- 78. The Constitutional Committee is responsible for ensuring constitutional alignment of all student structures to the SRC constitution, including the values and principles outlined in the preamble of the SRC constitution.
- 79. The Constitutional Committee may provide student organisations with pro-forma constitutions drafted by it.
- 80. The Constitutional Committee must submit a report to Student Parliament once a semester.

Interpretation

81. The Constitutional Committee must provide interpretations of all student governance legislation should the meaning of the legislation be unclear, and may make a binding ruling where there is a dispute over interpretation.

Standing rules

82. The SRC may create or amend SRC standing rules to regulate its activities and submit these to the Constitutional Committee for approval.
83. The SRC must make standing rules for:
 - 83.1. SRC meetings and mass meetings;
 - 83.2. SRC portfolios;
 - 83.3. SRC standing committees; and
 - 83.4. SRC sub-councils.

Amendments to the Constitutional Committee's standing rules

84. Amendments to the standing rules of the Constitutional Committee must be submitted to the Student Parliament for approval.

CHAPTER 9: DISPUTE RESOLUTION MANAGEMENT COMMITTEE

Function

85. The Dispute Resolution Management Committee:
 - 85.1. is independent of the other student governance structures and subject only to this constitution and its own standing rules;
 - 85.2. oversees and manages dispute resolution processes among student governance structures and members through a mediation and arbitration process;
 - 85.3. determines the most suitable mechanism for the resolution of each dispute, whether by means of mediation or arbitration, in accordance with the nature and circumstances of the dispute;
 - 85.4. is responsible for the appointment of competent mediators and arbitrators; and
 - 85.5. must submit a report to Student Parliament once a semester.

Composition

86. The Dispute Resolution Management Committee consists of seven students, of whom at least three must be registered in the law faculty, appointed by Student Parliament in the third semester of the year in which its term of office commences.
87. Once appointed to the Dispute Resolution Management Committee, members are ineligible to stand for election in any other student governance structure or serve in any leadership position in any such structure.

Chairperson, and Secretary and Treasurer of Dispute Resolution Management Committee

88. The Dispute Resolution Management Committee must elect a Chairperson, a Secretary and Treasurer from among its members.

Dispute Resolution Committee term of office

89. The Dispute Resolution Management Committee holds office from 1 November until 31 October in the following year.

Roles and responsibilities

90. The Dispute Resolution Management Committee shall:
 - 90.1. receive and review disputes submitted to it;
 - 90.2. determine the most appropriate mechanism for resolving each dispute;
 - 90.3. appoint competent and impartial mediators and arbitrators as needed;
 - 90.4. facilitate the scheduling and conduct of dispute resolution processes;
 - 90.5. manage and oversee the mediation and arbitration of the dispute resolution; and
 - 90.6. ensure that all parties are treated fairly and given an opportunity to be heard.

Mediation procedure

91. Mediation shall be a voluntary, confidential and non-binding process undertaken with the aim of reaching a mutually acceptable resolution between/among the parties.
92. A mediation session shall not proceed unless the appointed mediator and all parties to the dispute are present.
93. The appointed mediator shall convene a joint session with all parties involved for the purpose of clarifying the issues in dispute and facilitating the exploration of potential resolutions.
94. The mediator shall be entitled, as necessary, to conduct separate sessions with each party in order to facilitate open communication and constructive engagement.
95. Each party shall be afforded a fair opportunity to propose resolutions and to participate meaningfully in the development of a mutually agreeable outcome.
96. In the event that a resolution is achieved, a written Mediation Agreement shall be drafted and duly signed by all parties to record the terms of the settlement.
97. Should the parties fail to reach an agreement through mediation, the matter shall be referred to arbitration in accordance with Dispute Resolution Management Committee standing rules.

Arbitration procedure

98. A dispute referred to arbitration shall be adjudicated by a panel consisting of no fewer than three and no more than five duly appointed arbitrators.
99. The arbitration panel must be properly constituted before proceedings may commence or any ruling may be issued.
100. The arbitration panel shall determine the procedure to be followed, guided by the Dispute Resolution Management Committee standing rules, due process and principles of fairness.
101. All parties shall have the right to present evidence, call witnesses and make both oral and written submissions in support of their case.
102. The arbitration panel shall issue a written Arbitration Ruling within ten university days of the conclusion of the proceedings.
103. The decision of the arbitration panel shall be final and binding on all parties, subject only to review by the Student Governance Court on procedural grounds.

104. Any failure to comply with an Arbitration Ruling shall constitute a misconduct charge and shall be referred by the Dispute Resolution Management Committee to the Student Governance Court, which shall have the authority to impose appropriate sanctions in accordance with its powers and standing rules.

Amendments to the Dispute Resolution Management Committee's standing rules

105. Amendments to the standing rules of the Dispute Resolution Management Committee must be submitted to the Constitutional Committee for approval.

CHAPTER 10: RESIDENCE HOUSE COMMITTEES, FACULTY COUNCILS, SOCIETIES, SPORTS CLUBS AND DEVELOPMENT AGENCIES

Residence house committees

106. A Residence House Committee is a student structure elected by students in a relevant residence, which, in accordance with its own constitution, provides sports, social, academic, cultural and community outreach activities and opportunities, and addresses any other needs of students in that particular residence.
107. Residence house committees are subject to this constitution as well as the University's rules and policies and the rules and policies of the Residences Committee.
108. A Residence House Committee must be elected in a manner that complies with the principles outlined in the preamble of this constitution and in accordance with the provisions of the constitution of that residence.
109. A Residence House Committee must submit quarterly organisational and financial reports to the Residences Sub-Council.
110. The constitution of a Residence House Committee must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution and recommend appropriate changes to the Residences Committee for approval.

Undergraduate faculty councils

111. An Undergraduate Faculty Council is a student structure elected annually by undergraduate students registered in the relevant faculty in the manner prescribed in the Election Regulations. It provides for community outreach and addresses the academic and any other needs of students in that particular faculty.
112. Undergraduate faculty councils are subject to this constitution as well as the University's rules and policies and the rules and policies of the Student Societies and Organisations Committee.
113. An Undergraduate Faculty Council is responsible for ensuring that there is a functioning system of class representatives.
114. An Undergraduate Faculty Council must submit quarterly organisational and financial reports to the Undergraduate Academic Sub-Council.
115. The constitution of an Undergraduate Faculty Council must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution and recommend any appropriate changes to the Student Societies and Organisations Committee for approval.

Postgraduate faculty councils

116. A Postgraduate Faculty Council is a student structure elected annually by postgraduate and graduate students registered in the relevant faculty in the manner prescribed in the Postgraduate Faculty Council Election Standing Rules. It provides for community outreach and addresses the academic and any other needs of postgraduate and graduate students in that particular faculty.
117. Postgraduate faculty councils are subject to this constitution as well as the University's rules and policies and the rules and policies of the Societies and Student Organisations Committee.
118. A Postgraduate Faculty Council must submit quarterly organisational and financial reports to the Postgraduate Academic Sub-Council.
119. The constitution of a Postgraduate Faculty Council must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution and recommend any appropriate changes to the Student Societies and Organisations Committee for approval.

Societies

120. A society is a student structure registered with the Student Societies and Organisations Committee, which has a specific purpose in relation to social, political, religious, academic, cultural and community outreach or any other needs of students who join as members.
121. Societies are subject to this constitution as well as the University's rules and policies and the rules and policies of the Societies and Student Organisations Committee.
122. A society must elect an executive committee.
123. A society must submit quarterly organisational and financial reports to the Societies Sub-Council.
124. The constitution of a society must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution before submission to the Societies and Organisations Committee for approval.

Sports clubs

125. A sports club is a student structure registered with the Sports Council and affiliated to the Students' Sports Union, which has a specific purpose in relation to sports and any other needs of students who join as members.
126. Sports Clubs are subject to this constitution as well as the University's rules and policies and the rules and policies of the Sports Council.
127. A sports club must elect an executive committee.
128. A sports club must submit quarterly organisational and financial reports to the Sports Sub-Council.
129. The constitution of a sports clubs must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution and recommend appropriate changes to the Sports Council for approval.

Development agencies

130. A development agency is a student structure registered by the Student Societies and Organisations Committee, which:
- 130.1. aims to serve the community in general and the diverse student body through delivery of a regular service or product; and
 - 130.2. operates in line with the standing rules of the Development Agencies Sub-Council.
131. A development agency is subject to this constitution as well as the University's rules and policies and the rules and policies of the Societies and Student Organisations Committee.
132. In the event that a development agency has a management committee or non-executive board:
- 132.1. the SRC is entitled to nominate student representatives to that management committee or non-executive board as provided in the organisation's constitution; and
 - 132.2. accountability to the SRC is exercised through this management committee or non-executive board.
133. The constitution of a development agency must be submitted to the SRC for its recommendation to the Constitutional Committee, which must consider the constitution and may recommend changes to the Student Societies and Organisations Committee for approval.
134. The SRC, or any other student governance structure must not limit the editorial and content independence of media development agencies, in accordance with Section 16 of the Constitution of the Republic of South Africa.

CHAPTER 11: MASS MEETINGS

Purpose of a mass meeting

135. Mass meetings may be convened:
- 135.1. to create an opportunity for the SRC to account to the student body for its work and progress on student-related policy;
 - 135.2. to create an opportunity for debate on issues concerning the student body;
 - 135.3. for the SRC to engage students on matters over which the SRC has jurisdiction; or
 - 135.4. for any other matter deemed appropriate by the SRC.

Convening a mass meeting

136. The SRC Secretary-General must convene a mass meeting or emergency mass meeting at the request of the SRC or a group of students in accordance with sections 137-140.
137. The SRC must convene at least one mass meeting per semester.
138. An emergency mass meeting may be called by the SRC should an urgent matter affecting students arise.

139. Students may request a mass meeting through a petition signed by at least 500 students and handed over to the SRC Secretary-General. The Secretary-General must, after receiving this petition, inform the SRC and convene such a meeting within two weeks of the petition having been received.
140. Notice of the date, time, venue and agenda of a mass meeting must be given to all students through email, noticeboards and social media at least seven university days before such a meeting by the SRC Secretary-General. In the event of an emergency mass meeting, a 24-hour notice period is required.

Chairperson, quorum and resolutions of a mass meeting

141. The Vice-President or nominee of the SRC serves as the Chairperson of any mass meetings.
142. Attendance at mass meetings is compulsory for all SRC members.
143. The SRC Deputy Secretary-General or their nominee is responsible for taking minutes of such a meeting and making the minutes publicly available.
144. A resolution taken by the majority of those present at a mass meeting of at least 500 students must be tabled at the next meeting of the SRC.
145. A resolution taken by at least two-thirds of a mass meeting of at least 1,000 students is binding on the SRC.

CHAPTER 12: SRC ELECTIONS

146. All eligible students will elect the following portfolios through a direct first-past-the-post election:
 - 146.1. President;
 - 146.2. Vice-President;
 - 146.3. Secretary-General;
 - 146.4. Treasurer General;
 - 146.5. Deputy Secretary-General;
 - 146.6. Labour and Student Services Co-ordinator;
 - 146.7. Corporate Relations Co-ordinator; and
 - 146.8. Advocacy and Awareness Co-ordinator.
147. Eligible students within the following student governance constituencies will elect the following portfolios:
 - 147.1. Sports and Recreation Co-ordinator elected by and from among students registered in all officially recognised sports clubs at the University;
 - 147.2. Undergraduate Academic Co-ordinator elected by and from among registered undergraduate students of the University;
 - 147.3. Postgraduate Academic Co-ordinator elected by and from among registered postgraduate and graduate students of the University;
 - 147.4. Societies Co-ordinator elected by and from among registered students in any officially recognised society at the University;

- 147.5. Social Responsiveness Co-ordinator elected by and from registered members of recognised development agencies;
 - 147.6. Residences and Housing Co-ordinator, elected by and from among the students residing in the University's residences;
 - 147.7. International Student Co-ordinator, elected by and from among the registered international students; and
 - 147.8. Disability Inclusion Student Co-ordinator, elected by and from among students with disabilities, as confirmed by Disability Services.
148. SRC elections must take place annually in the manner prescribed in the Election Regulations.

CHAPTER 13: VACANCIES

149. In the case of a vacancy in the directly-voted SRC portfolios:
- 149.1. Should a vacancy occur before the first day of the first semester of the following year, the SRC will automatically declare the student who obtained the next highest number of votes in the immediately previous election to be a member.
 - 149.2. Where a vacancy arises on or after the first day of the first semester, the SRC shall proceed as follows:
 - 149.2.1. First declare the student or students who received the next highest number of votes in the immediately preceding election to be duly elected to fill the vacancy or vacancies;
 - 149.2.2. In the event that no eligible student is available under subsection 149.2.1, the SRC may, as a measure of last resort, co-opt a student or students to fill the vacancy or vacancies provided that such co-option is endorsed by the Constitutional Committee and a simple majority of the Student Parliament; and
 - 149.2.3. If the SRC is unable to fill the vacancy or vacancies through either of the mechanisms provided for in subsections 149.2.1 or 149.2.2, it may, as a further last resort, request that the Election Commission conduct a by-election to fill the vacancy or vacancies, and the Election Commission must do so within four weeks (excluding weeks falling in examination or exam consolidation periods or vacations) of being asked to do so; and provided further that no by-election need be held after 1 June in any year unless there are ten or more vacancies to be filled; or
 - 149.3. Portfolio reassignment may occur:
 - 149.3.1. when mutually agreeing portfolios submit a proposal to the SRC Secretary-General to be tabled at the following general SRC meeting and the proposal is ratified by a two-thirds majority of voting SRC members and endorsed by Student Parliament; or
 - 149.3.2. as a result of a vacancy and such reassignment as supported by a two-thirds majority of voting SRC members.

150. In the case of a vacancy in the constituency-voted SRC portfolios:
- 150.1. Should a vacancy occur the SRC will automatically declare the student who obtained the next highest number of votes in the immediately previous election to be a member.
 - 150.2. In the event that no eligible student is available under subsection 150.1, the SRC may, as a measure of last resort, co-opt a student or students from within the sub-council to fill the vacancy or vacancies provided that such co-option is endorsed by the Constitutional Committee and a simple majority of the Student Parliament.
 - 150.3. If the SRC is unable to fill the vacancy or vacancies through either of the mechanisms provided for in subsections 150.1 or 150.2, it may, as a further last resort, request that the Election Commission conduct a by-election to fill the vacancy or vacancies, and the Election Commission must do so within four weeks (excluding weeks falling in examination or exam consolidation periods or vacations) of being asked to do so; and provided further that no by-election need be held after 1 June in any year unless there are ten or more vacancies to be filled.

CHAPTER 14: INTERIM SRC

151. An SRC election is invalid if a poll of 25% of all eligible registered students is not achieved.
152. Where an election is invalid because of an inadequate poll, the Election Commission must submit a report on the election to the Student Parliament and USAC. USAC must, having regard to the poll obtained and the views of the Student Parliament, make a recommendation to the Council as to whether to recognise the 16 members who received the most votes as an Interim SRC or take some other appropriate action to constitute an SRC or an interim SRC.
153. Should Council decide to establish an interim SRC, the interim SRC has the powers, rights and obligations of an SRC except that:
- 153.1. it may not propose amendments to the SRC constitution; and
 - 153.2. it will be bound by a simple majority of the Student Parliament at a meeting of the Student Parliament at which there is a quorum.

CHAPTER 15: CONFLICT OF INTEREST

Conflict of interest

154. Any member who has a conflict of interest in relation to a particular matter shall be required to declare such conflict to the relevant governance structure prior to any discussion or deliberation on the matter, and shall be disqualified from being present during, or participating in, any deliberation or decision-making of the relevant student governance structure in respect of that matter.

Conflict of interest test

155. A member of the student governance structure shall be considered to have a conflict of interest if the answer to any of the following questions is affirmative:

- 155.1. Does the member have a personal and/or vested interest in the outcome of the matter under consideration?
- 155.2. Does the member have any formal or informal personal relationship with any of the parties involved in the matter?
- 155.3. Has the member expressed or demonstrated any prejudice, bias, or pre-judgment toward any of the parties involved?
- 155.4. Has the member previously been involved in any matter that could compromise their impartiality in the current case?

Procedure for managing conflicts of interest

- 156. A member who has declared a conflict of interest shall recuse themselves from all deliberations, discussions and decisions relating to the matter in question.
- 157. Where a member recuses themselves in terms of section 156, a substitute member shall be appointed in accordance with the rules governing the constitution of the relevant body in order to ensure that the body remains properly and lawfully constituted.
- 158. Where a member fails to voluntarily recuse themselves despite the existence of a declared or apparent conflict of interest, the relevant student structure body shall submit a formal request to the Constitutional Committee to consider and, where appropriate, compel the recusal of the member concerned.

Appeal

- 159. Any student may challenge a decision made by a student governance structure on the grounds of a conflict of interest. Such a challenge shall be submitted to the Constitutional Committee, which shall review the matter and, as appropriate, order reconsideration of the decision or take any other remedial action it deems just and equitable.

CHAPTER 16: AMENDMENTS TO THE SRC CONSTITUTION

- 160. This constitution should be reviewed, and if necessary amended, on a five-yearly basis unless there are extraordinary circumstances that require urgent amendments to be made.
- 161. The process for amending the SRC constitution is as follows:
 - 161.1. Any student may submit proposals for such amendment to the Secretary-General of the SRC.
 - 161.2. The SRC must refer proposed amendments to the Constitutional Committee for its consideration.
 - 161.3. The Constitutional Committee must submit its recommendations to the Student Parliament for its consideration and decision.
 - 161.4. The Student Parliament must submit its recommendations to the University Student Affairs Committee for its consideration and decision.
 - 161.5. The University Student Affairs Committee must submit its recommendations to the Council for its approval.