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PREAMBLE

We, the students of Midlands State University;

Acknowledging that all students are equal and that, on the basis of equality, have inalienable rights.

And that principal among those rights are academic freedom and excellence, prosperity and access to equal opportunities,

Therefore, to secure those rights, Student Representative Councils must be established among students deriving their powers from the consent of the students,

Affirming the mission of the Midlands State University which upholds a commitment to a culture of problem solving and the vision thereof which is to be a unique, development oriented and pace setting university.

We therefore determine the Student Representative Council of the Midlands State University as the primary governing body on all issues of student governance whose role shall inter alia be to:

Affirm and protect the principles entrenched in the Bill of Rights of the Constitution of the Republic of Zimbabwe;

- uphold principles of transparency, accountability, responsibility and participation within the student community;
- protect and promote gender equality and equity;
- articulate the aspirations of students within the University corporate governance structures including the Council, Senate, and the University Committees;
- strive for social redress, increased access and active transformation within Midlands State University and the broader society;
- provide representation for the students in matters that affect their interests both as individuals and as a body;
- provide an effective channel of communication between the students’ body and the University authorities and Zimbabwe in general.
- organise the students on the basis of love for peace, democracy, progress, the elimination of racism, tribalism, regionalism and despotism;
- promoting and maintaining the cooperation its members with other students at national and international level and;
- advance, promote and protect academic freedom and social justice.

And, imploring the guidance and support of Almighty God, hereby make this Constitution and commit ourselves to it as the fundamental law governing the Students community as read with the Midlands State University Act [Chapter 25:21]

PART I

Article 1
1. INTERPRETATION

**Absolute majority** means a majority of the total membership.
**By laws** are laws set out in the schedule to this constitution.
**Council** means those members of the student council elected to implement and represent student council policies.
**Executive** means those members of the council elected to implement and represent council policies.
**Member** means a registered student of the Midlands State University.
**Semester** has the same meaning as given under the Midlands State University Regulations.
**Simple majority** means a majority of the members present and voting.
**Statute** means the Midlands State University Act Chapter 25:21.
**Student** means a person registered with the university for the current semester.
**University** means Midlands State University.

Article 2

The name of the body shall be the Student Representative Council of Midlands State University (hereinafter referred to as the SRC).

1. FOUNDING PROVISIONS

Subject to the constitution of the Republic of Zimbabwe, the Statute and the authority of the council, this constitution shall bind and guide the Student Representative Council, student structures and all the students of Midlands State University.

a) The Student Representative Council shall be properly constituted if it operates with the committees provided for in the constitution.
b) An act or transaction entered by an improperly constituted Council shall be null and void and the office shall not exercise their powers and duties, if such an act or omission of improperly constituted Council results in loss to third parties, the office shall be liable in their individual capacity.

Article 3

1. MEMBERSHIP

i. Membership of the council shall be open to all registered students of the Midlands State University, who have fully paid their membership fees in terms of this Article.

2. MEMBERSHIP FEE
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i. Membership fee for members shall be agreed in fees revision meeting as part of the University fees breakdown.

ii. The fee is payable to and collected by the University on behalf of the SRC.

iii. In consultation with the Dean of Students and relevant approvals, the Student Representative Council, may rule that a proportion of the membership fees be for a specific purpose.

3. TERMINATION OF MEMBERSHIP

   a) A member of the Student Representative Council shall cease to hold office if and when:

      i. He/she cease to be a student of the University.

      ii. He/she tenders his/her resignation in writing and such resignation is accepted by the Student Representative Council or;

      iii. He/she has had two motions of censure passed on him/her during a single term of office the Student Representative Council on one or more of the following grounds:

          iv. Failure to attend two consecutive meetings of the Student Representative Council without an acceptable written apology or reason.

          v. Failure without excuse acceptable to the Student Representative Council to carry out duties entrusted to him/her by the Student Representative Council.

          vi. Failure to submit quarterly and financial reports to the Student Representative Council or;

          vii. Bringing the name of the Student Representative Council into disrepute by being found guilty of a serious offence by the University Disciplinary Committee

Article 4

1. AUTHORITY AND MANDATE
i. a) The Student Representative Council is the highest decision making student body in the university subject to the powers of the Council of Ministers representing the students in terms of statute.

ii. The Student Representative Council shall continue as body corporate with perpetual succession and may sue or be sued in its corporate name. However, the Council is subject at all times to the overall control and direction of the University Council exercised primarily through the office of the Vice Chancellor.

iii. Unless a referendum is requested, the vote of the general meeting shall be recognized as possession higher authority than the decision of any other student organization, body, committee or any individual within the University.

iv. The business of the Student Representative Council shall be discharged by an ordinary or extraordinary General Meeting or the Student Representative Council or any Committee of the Student Representative Council.

Article 5

1. REFERENDUM

i. The Student Representative Council shall be called upon to hold a referendum on any motion which has been discussed at a general meeting.

ii. A referendum shall be held if requested by a vote without dissent of the Student Representative Council with requisition signed by two thirds of the members of the Student Representative Council or a requisition signed by the equivalent of the quorum for a general meeting.

iii. In the case of a referendum requested the following a general meeting, notice of the request shall be made not later than two days after the meeting at which the motion on which the referendum is requested has been discussed.

iv. In any event, the Student Representative Council shall hold a referendum within seven (7) days of the request for a referendum having been received by the secretary of the Student Representative Council.

v. Voting of the referendum shall be YES, NO, or ABSTENTION.

vi. The Student Representative Council shall ensure that full publicity is given to the referendum and those who opposes the motion shall have the opportunity to lay down their arguments on all accredited University notice boards.
vii. A decision of the general meeting which is challenged by a referendum shall be held abeyance until the result of the referendum is known.

viii. In the case where a referendum is held on a motion discussed at a general meeting the decision of the referendum shall only be binding if the number of votes cast at a general meeting on the motion in question. In the case of a tie the President has a casting vote.

ix. Results of a referendum shall be determined by a minimum poll of thirty three per cent of the members, failure of which a second referendum will be held. If the thirty three per cent is not achieved, three quarter majority of the members who voted shall determine the results.

PART II

Article 7

1. STUDENT REPRESENTATIVE COUNCIL TERMS OF OFFICE

   i. The Student Representative Council shall hold office for one calendar year.

   ii. The Student should have completed at least one full semester before seating in as a member of the SRC.

   iii. The SRC shall exercise its power until the Election Day for the forthcoming council.

Article 8

2. STUDENT REPRESENTATIVE COUNCIL EXECUTIVE COMMITTEE

   a) The Executive committee shall consist of members of the Student Representative Council designated by the Student Representative Council.

   b) The Student Representative Council must at its first meeting acknowledge from among its members in the manner prescribed in the By – Laws, the following officers who shall comprise the Student Representative Council Executive Committee:

      i. President

      ii. Vice President

      iii. Secretary General
iv. Minister of Finance
v. Minister of Information and Publicity
vi. Minister of Academic Affairs

Article 9

1. FUNCTIONS, POWERS, DUTIES OF THE STUDENT REPRESENTATIVE COUNCIL EXECUTIVE COMMITTEE

a) Subject to the provisions of the constitution, the Student Representative Council Executive Committee may;
   i. Convene meetings of the Student Representative Council.
   ii. Deal with any matter of emergency.
   iii. Act as the administrative committee of the Student Representative Council.
   iv. Execute any mandate, transferred to it by the Student Representative Council.
   v. Shall monitor and regulate the powers of the Student Parliament.

b) Meeting of the Student Representative Council Executive Committee must take place once a month.

c) Fifty per cent plus one members of the Student Representative Council Executive Committee shall constitute a quorum.

Article 10

1. COMPOSITION OF THE STUDENT REPRESENTATIVE COUNCIL

a. The Student Representative Council shall consist of a total number of fourteen elected members;
   i. President
   ii. Vice President
   iii. Secretary General
   iv. Minister of Finance
   v. Minister of Academic Affairs
   vi. Minister of Information and Publicity
   vii. Minister of Legal and Constitutional affairs
   viii. Minister of Gender and Social Affairs
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ix. Minister of Sports and Recreation
x. Minister of Health and Food
xi. Minister of International Affairs
xii. Minister of Cultural and Religious Affairs.
xiii. Minister of Physically Challenged
xiv. Minister of Resident and Non-Resident students

Article 11

1. FUNCTIONS, DUTIES, AND POWERS OF THE EXECUTIVE

a) The Presidency

i. The President and Vice President may vacate their offices:

ii. Through personal resignation properly tendered to the Secretary General and accepted by the Student Representative Council or;

iii. Automatically by failure to attend two consecutive meeting of the Student Representative Council without acceptable excuses or;

iv. Where a vote of no confidence is passed by three quarters majority vote of ordinary union members present at a lawfully constituted meeting convened by the Student Representative Council or;

v. Where the Student Representative Council makes a finding of gross misconduct and the report is ratified by Executive Council members present at the lawfully constituted general meeting of the Student Representative Council.

1.1 POWERS AND DUTIES OF THE PRESIDENT

a) The president shall be the chairperson of the Student Representative Council and shall:

i) Convene and preside over meeting of the Executive Committee.

ii) Make representations on behalf of the Student Representative Council after consultation with Council of Ministers to the Vice Chancellor or any other responsible administrative official on any matter that concerns the interest of students but must consult the Dean of Student before meeting the officials.

iii) The President shall have the power to delegate his duties to the relevant portfolio.

iv) Shall be the final signatory of all documents, minutes for circulation and financial requests and release of SRC funds.

v) Has power to preside, after submitting a written notice 72 hours before proceedings to the Executive Dean of Students and the Vice Chancellor, over
every demonstration or March within the university or that involve students. Otherwise, such is illegal and will attract disciplinary measures.

vi) Shall be the mouthpiece of the student representative to and as member of the University Council.

vii) Shall submit calendar of events for the semester to the Executive Dean Of Students.

viii) Shall submit an academic report to the Senate in every before or in every seating.

ix) Shall be accountable to all proceedings of the SRC.

x) Must uphold and respect the office assumed even after vacating the position, protect and safeguard confidential information and documents of the university and the SRC.

2. THE VICE PRESIDENT OF THE STUDENT REPRESENTATIVE COUNCIL

i. The Vice President shall be elected in terms of by laws. The Vice President shall chair the Finance Committee.

ii. The Vice President shall have the right to inspect and examine all financial records and report immediately to the President if there are any irregularities.

iii. In the absence of the President due to any reason and cause the Vice President shall assume office as acting President.

iv. The Vice President shall exercise all or any of the powers delegated to him by the President.

v. In the absence of the Minister of Finance, The Vice President shall sign for SRC funds or make request upon the approval of the President.

vi. must uphold and respect the office assumed even after vacating the position, protect and safeguard confidential information and documents of the university and the SRC

3. THE SECRETARY GENERAL

a) The Secretary General shall be the Chief Administrator of the union and among other duties he shall:

i. conduct all correspondence

ii. keep proper records of all general and Student Representative Council meetings, he /she shall have the power to call meetings and shall be the chairperson of all communication
iii. Keep a record of the Constitutions of student Clubs and Associations.

iv. Assist the President and other Student Representative Council members in carrying out their work in a proper and efficient manner and ensure in general the Council’s efficient all round administration.

v. Ensure the proper discharge and conduct of the SRC members on their duties.

vi. Shall receive reports from all ministers and submit a combined monthly report to the President not later than 72 hours before the senate meeting.

vii. In the absence of the Vice president the powers of the President may be delegated to the Secretary General.

viii. He/she shall be the chair of all Associations, Clubs and Societies on Campus.

ix. must uphold and respect the office assumed even after vacating the position, protect and safeguard confidential information and documents of the university and the SRC

4. MINISTER OF FINANCE

i. The Minister of Finance shall be a student from the Commerce Department or with accounting experience and shall be responsible for the keeping and administration of union funds.

ii. Shall be the Secretary of the Finance Committee.

iii. Be charged to keep in proper accounting form records of all financial statements.

iv. Be required to give a monthly financial report, to the SRC, and upon request to the Finance Committee and the University Council.

v. Be charged to ensure that funds allocated to the Student Representative Council are spent only as directed by the Student Representative Council and the proper and accurate records and of all receipts and expenditure are kept.

vi. He/she shall sign for all the finances from the SRC Fund, and when absent shall be signed by the Vice President, before the final approval of the President.

vii. Be required to report any suspicious financial irregularities to the Vice President in the presence of the President. s
viii. Be required, upon relinquishing office, to give a full and accurate financial report to the Student Representative Council a record of which must be approved and deposited within the bursar’s office of the University.

5. MINISTER OF ACADEMICS

   i. Call meetings of class representatives and faculty representatives
   ii. Deliberate on service delivery pertaining to academic affairs,
   iii. Ensure that the academic rights of students enshrined in this Constitution are realised and ensure that students are not manipulated,
   iv. Preside over public lectures,
   v. Shall receive petitions from students in need of financial assistance,
   vi. Ensure that the academic needs of part-time and full-time students are addressed by the SRC and the University.
   vii. Ensure that all students are properly represented in faculties and departmental committees and in the Senate,
   viii. Liaise with students service departments to ensure and contribute to the provision of effective students support and developmental programmes ,
   ix. Attend to matters relating to the academic projects including; registration, financial aid and student credit management.
   x. Submit monthly report to the secretary general 5 working days before the senate meeting.
   xi. must uphold and respect the office assumed even after vacating the position, protect and safeguard confidential information and documents of the university and the SRC

6. MINISTER OF RELIGION

   i. Shall be the chair of Christian Campus Association (CCA)
   ii. Register all Churches on Campus with the Chaplin’s Office.
   iii. Should monitor churches events and ensure equitable access to venues and resources.
   iv. Ensuring elimination of all forms of cultural and religious discrimination and promoting cultural diversity within the student body.

7. MINISTER OF INFORMATION AND PUBLICITY

   i. Information dissemination,
   ii. Connectivity issues
   iii. Shall be the chairperson of the information and publicity committee
   iv. Collect and disseminate accurate information to students
   v. Shall be responsible for ensuring that connectivity issues ,in connection with responsible institutional offers

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vi. Shall manage the production of all SRC publication of all SRC publications notices and other communication.

vii. Shall submit relevant information and publication to the Director of PR and the Director of IT with the knowledge of the Executive Dean Of Students.

8. MINISTER OF INTERNATIONAL AFFAIRS

i. Shall be the chair of the International Students Committee (ISC),

ii. Shall appoint members of the ISC,

iii. Shall deal with issues pertaining to international students.

9. MINISTER OF RESIDENCES

i. Shall be the chair of the Residence Committee,

ii. Shall represent on and off campus students

iii. Shall assist students with disabilities in accessing accommodation

iv. Shall be present in the selection the sub wardens and convene a meeting with the President of sub wardens and the committee of sub wardens.

10. MINISTER OF LEGAL AND CONSTITUTIONAL AFFAIRS

i. Duties of the Committee

ii. Represent the members of the union in all disciplinary hearing proceedings

iii. Advise the Union on all legal and constitutional matters

iv. Carry out investigations on alleged breaches of legal and constitutional matters on its own initiative or upon receipt of a complaint by a member of the Student Representative Council and thereafter come up with a recommendation which shall be forwarded to the Student Representative Council

11. MINISTER OF FOOD, HEALTH AND ENVIRONMENTAL AFFAIRS

i. Ensure the availability of adequate medical facilities and the provision of healthy food

ii. Carry out investigations on alleged outbreaks of diseases and investigations pertaining to the quality of food served to the students and ensure rapid response on discovering any irregularities.

iii. Determine the price, quantity and quality of food which constitutes a meal

iv. Carry out any other incidental to the provision of health services and food or any other activity that might be delegated to it.

12. MINISTER OF THE PHYSICALLY CHALLENGED

13. MINISTER OF GENDER AND SOCIAL AFFAIRS

14. MINISTER INTERNATIONAL AFFAIRS

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Article 12

1. MEETINGS OF THE STUDENT REPRESENTATIVE COUNCIL

i. Meetings of the Student Representative Council must take place from time to time subject to the constitution and at least once every semester.

ii. Fifty per cent plus one of the members of the Student Representative Council shall constitute a quorum.

iii. All Student Representative Council members are charged with the strict observance of the code of conduct for students (Ordinance 2: 2000)

1.1 GENERAL MEETING

i. An ordinary meeting shall be held at least once in every university semester.

ii. The date(s) of the General Meeting of the subsequent semester shall be published on the recognised notice board during the last week of the preceding semester.

iii. Notice of a General Meeting together with an agenda paper thereof, shall be published on the notice board not less than 72 hours before the time of the meeting.

iv. Provided that in a matter of emergency not involving amendment to the constitution or a vote of no confidence in any officer, a meeting may be called as soon as possible giving at least 36 hours’ notice.

v. Every meeting shall be convened by the President whenever he/she deems it necessary or upon receipt of a written request either by at least five members of the Student Representative Council or by at least such number of students which shall equate to two per cent of the members.

vi. At a General Meeting the quorum shall be one third of the membership at any one time. If the quorum is challenged the meeting is inquorate then it shall be abandoned.

vii. A vote of no confidence on any officer or body of the Union may only be passed on a motion of which proper notice has been given and by a three quarter majority vote of those members present at the general meeting.

PART III

Article 13

1. COUNCIL OF MINISTERS

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a) **COMPOSITION OF THE COUNCIL**

a) The Secretary General shall Chair the meeting of ministers

b) Council of Ministers of Midlands State University shall have ministers who would have been voted into office and shall consist of:

- Members of the Student Representative Council Executive Committee
- Minister of Legal and Constitutional Affairs
- Minister of Gender and Social Affairs
- Minister of Sports and Recreation
- Minister of Food, Health and Environmental Affairs
- Minister of External Affairs and International Affairs
- Minister of Religious and Cultural Affairs
- Minister of Physically challenged and vulnerable groups.
- Minister of Resident and Non Resident Students.

**Article 14**

1. **AIMS AND OBJECTIVES OF THE COUNCIL OF MINISTERS**

a) The Council of Ministers of Midlands State University shall;

i. Serve as a collective voice of all students’ committees and sub committees.

ii. Serve to keep the Student Representative Council and its sub structures accountable and transparent, rooted in the principles and values of this constitution.

2. Decisions taken by the Council of Ministers shall be submitted to the Executive Council for recommendation and/or approval.

**Article 15**

1. **MEETING OF THE COUNCIL OF MINISTERS**

i. The President shall chair the council of Ministers.
ii. The convener of the Council of Ministers shall be the Student Representative Council Vice President.

iii. Student Representative Council members and the Ministers’ sub-committees must attend meetings of the Council of ministers.

iv. Meetings of the Council of Ministers are open to the students to observe and participate without any voting powers.

v. Ordinary meetings of the Council of Ministers shall be held at least once every month.

vi. The chairperson shall give at least seven (7) days notice of the date, time, venue and provisional agenda of such a meeting.

vii. The chairperson shall request the chairpersons/Ministers committees to submit reports of progress, proposals and progress or projected progress during this meeting. The Agenda shall be determined by the ministerial committees present there.

Article 18

1. DUTIES OF THE COUNCIL OF MINISTERS

   i. Formulation and propose of policies related to their ministries and submit to the Executive Council.

   ii. Forwarding recommendations and items for deliberation in the Council of Ministers.

   iii. Meet, deliberate and vote in the council of Ministers.

   iv. Compile and submit reports every month or when so requested by the chairperson of the Council of Ministers.

   v. Supervise, chair and monitor the deliberations and implementation of policies by Committees under their ministries.

Article 19

1. SUB-COMITEES
i. Each minister shall have at least four students that he/she works with as assistance to his/her ministry. Preferably, students who have whose study are relevant to the ministry or issues peculiar to the ministry.

ii. The President and the Vice President shall monitor these subcommittees under the supervision of the Secretary General.

iii. Each Minister is entitled to Chair the committees.

ARTICLE 20

1. COMPOSITION AND DUTIES OF SUBCOMMITTEES

a) THE FINANCE COMMITTEE

i. The Committee shall comprise of four members who shall be elected by the Student

ii. Representative Council General meeting. At least two shall be from the Faculty of Commerce.

iii. The Committee shall be chaired by the Vice President of the Student Representative Council.

iv. The Minister of Finance shall be the Secretary of the Finance Committee.

v. The President and the Dean of Students shall be ex officio members of the Finance Committee but shall not have the right to vote.

vi. The Finance Committee may consult the University Bursary through the Dean of Students on matters of Council accounts and statements.

Article 21

1. DUTIES OF THE FINANCE COMMITTEE

i. Submit a report to the Minister of Finance.

ii. Ensure the proper operation of the union system of financial control and accounting.

iii. Make recommendations and advice on financial affairs to the Minister of Finance and other committees of the Union.

iv. Coordinate and oversee all financial affairs of the union.

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v. Maintain a sound system of internal financial management and control.

vi. Plan and conduct the Student Representative Council’s financial affairs so as to ensure that annual income is sufficient to meet total annual expenditure, with any divergence from this requirement requiring prior approval of the University.

**Article 22**

**1. CULTURAL AND RELIGIOUS AFFAIRS COMMITTEE**

a) The Committee shall be chaired by the Minister of Religious and Cultural Affairs. The Committee shall comprise of four members two of which shall be elected from religious societies, groups and organisations on campus and the other two from cultural groups.

b) Duties of the Religious and Cultural Committee shall include, inter alia:

   i. Discuss and make recommendations on matters pertaining to religion and culture to the Minister of Cultural and Religious Affairs.

   ii. To ensure the elimination of all forms of cultural and religious discrimination.

   iii. To assist all the cultural and religious groups on campus in pursuing their legitimate goals.

   iv. Refer all matters pertaining to religious and cultural activities to the Council for deliberations.

c) Cultural and Religious Affairs Committee shall work in consultation of the Faculty of Arts.

**2. LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE**

a. The Legal and Constitutional affairs Committee shall be comprised of four members with at least two senior students from the Faculty of Law.

b. The chairperson shall be the Minister of Legal and Constitutional Affairs.

**Article 23**

**3. RESIDENCE COMMITTEE**
a) The minister of Residence and Non Residence shall be chairperson of the Residence Committee.

b) The committee shall comprise of four (4) members. Of the four (4) members two shall be residence sub-wardens and two shall be non-resident sub-wardens.

c) Duties of the Residences Committee shall include, inter alia:

i. Assist the vulnerable students to secure accommodation within or outside campus.

ii. Shall make recommendations to the University on how to to keep student welfare improved.

iii. Reporting matters arising to the Director of Residence

iv. Receive reports from the sub-warden and effect changes.

Article 24

1. MINISTER OF SPORTS AND RECREATION COMMITTEE

a) Shall have a committee Committee which includes four students active in sports.

b) Duties of the Sports and Recreation Committee shall be:

i. To promote and coordinate sporting activities both in and outside the University with the assistance of the Sports Director.

ii. Advance the sporting interests of the students and cultivate and interest in sport among students with the assistance of the Sports Director.

iii. Facilitate awards to any outstanding club or sports person of the union through consultation with the Sports Director.

iv. Approve all applications for affiliation from students’ sports clubs.

Article 25

1. SPECIAL REPRESENATION

a) The special committee shall consist of:

i. Two representatives from each affiliate and satellite campuses of MSU i.e. Zvishavane, Kwekwe, Harare Campuses. The Campus Representatives shall be appointed, one male and one female by the SRC.
b) The committee shall be set to ensure communication, success of academic and non-academic programs throughout the semester. The SRC President shall call and convene a meeting with representatives at least once a semester. They shall be referred to as Campus Representatives and shall be appointed by the Student Representative Council Executive in respect of gender equality.

c) The meeting of these representatives shall be convened and Chaired by the President. Reports of matters of interests shall be submitted to the President and feedback to each reported case shall be communicated.

**Article 26**

1. **STUDENT ASSEMBLY**

   a) **REGULATIONS**

      i. The Student Assembly shall be representative in nature, inclusive in character and consistent in its operation.

      ii. It shall operate in pursuit of student driven solution, thus identifying problems, debate and provide possible solutions.

   b) **COMPOSITION**

     i. The SRC President shall be chairperson of the Assembly

     ii. There shall be a Student Assembly comprising 0f the SRC cabinet and 30 representatives from the following:

         ➢ President of Sub wardens  
         ➢ Chairman of all Churches on Campus  
         ➢ Chairman of all Clubs and Associations.

Two Faculty Representative of each:

➢ Commerce  
➢ Law  
➢ Social Sciences  
➢ Arts  
➢ Education  
➢ Science and Technology  
➢ Medicine  
➢ Agriculture  
➢ SRC Alumina, former SRC cabinet members present at MSU for the current term may be appointed by the SRC or the Dean of Students or by request of the members of the Student Assembly

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2. **POWERS AND FUNCTIONS**

a) The Student Assembly shall:

i. Deliberate on matters broadly affecting student governance ranging from administrative issues to policy matters. The outcome(s) as a result of robust debates or discussions shall be forwarded to the SRC as recommendations and not as instructions.

ii. Shall disseminate information to and from grassroots or class level.

iii. Representative of faculties shall serve as ambassadors of all departments in their faculties hence equality and fair representation must be observed.

iv. Promote equality and equity in all areas that involves student participation.

v. No member shall have the right to express, promote or show political affiliation. The Student Assembly shall be strictly apolitical.

vi. The Assembly shall not assume power over and above the SRC.

vii. Act in accordance with the mission statement of the MSU when exercising its powers.

viii. Strive for cooperation and communication between the different student governance substructures.

ix. Serve as a consultative forum.

x. Members shall individually and collectively serve the interests of the Student Body when formulating policy;

xi. Perform the duties and functions allocated to them by the Constitution.

3. **MEETINGS OF THE ASSEMBLY**

i. The rules pertaining to meetings of the SRC shall apply at all Student Parliament meetings.

ii. Attendance of meetings of the Student Parliament is compulsory for all SRC members and other members

iii. Meetings of the Student Parliament shall be open for ordinary students to observe

iv. The Parliament shall seat at least twice in every semester.

4. **QUORUM**

a) The quorum for the Student Parliament shall be 50% +1 of the voting members of the Assembly

i. In the event of a quorum not being present, the meeting shall be postponed by the chairperson to a day within the next five (5) working days and the members then present shall be a quorum.
ii. In the event of such a postponement notice of at least forty eight (48) hours shall be given to all members of the date, time and venue of the postponed meeting.

5. MINUTES OF MEETINGS

a) The Secretary General shall keep minutes of the proceedings of each Student Assembly meeting.
b) The minutes thus approved and signed shall be the only official account of the proceedings of the meeting and shall be submitted to the Dean of Students Affairs and be available at the reasonable request of any interested party.

6. RESOLUTIONS

a) Resolutions may only be adopted in respect of matters disclosed by the agenda, provided that other matters may be added to the agenda if there is no objection thereto by any member present.
b) A resolution shall be adopted by an ordinary majority of votes of the members present.
c) All resolution shall be considered by the SRC as recommendations

Article 27

1. FINANCIAL ADMINISTRATOR

a) The Financial Administrator shall be appointed by the University through the bursar’s office.
b) Duties and power of the Financial Administrator

i) To monitor the Student Representative Council.

ii) Provide a monthly statement showing total of each vote to avoid over expenditure

iii) All financial transactions must be referred to the Administrator prior to any order or credit being obtained

iv) Vote administrator shall not enter into any transaction without the Financial Administrator
v) Any variation which exceeds total budget of the Student Representative Council shall be referred to the University Bursar.

Article 28

1. THE PATRON/MATRON

   i. There shall be a patron of the Student Representative Council who shall be the Dean of Students whose duties shall be to advise the Student Representative Council.

   ii. He or she shall also be responsible for ensuring that the conduct of the Student Representative Council is not in breach of the principles and values espoused in this constitution.

   iii. The patron shall also be signatory to all financial transactions carried out by the Student Representative Council in furtherance of its business.

   iv. The Patron has power to appoint and monitor members of the Electoral College.

   v. The Patron shall be responsible for inauguration, orientation and farewell dinner for the SRC.

   vi. The Patron shall invite, in writing parents/ guardians to the elected members and the University relevant authorise on these gatherings. Family members of shall be exempted to take part during the orientation.

PART IV

Article 29

1. CONSULTATIVE FORUM

   a) The Student Representative Council may convene a consultative forum with student’s body to consolidate its mandate, provide a platform for debate and to serve as a tool to translate the principles of democracy, accountability and transparency of student governance into action.

2. CONVENING A CONSULTATIVE FORUM

   i. The Student Representative Council may convene at least one consultative forum per semester in order to account to the student body on the progress made and report must be given at such a meeting.

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ii. An emergency forum may be called by the Student Representative Council, should an urgent matter affecting students arise and inform the Dean of Students on such a meeting.

iii. Students may request a consultative forum through a petition signed by at least five hundred students and handed over to the Student Representative Council Secretary General. The Secretary General must after receiving this petition, inform the Student Representative Council and the Dean of Students to convene such a meeting within two weeks after the petition has been received.

iv. The Student parliament must be present and respond to matters arising during the consultative forum.

v. The President or Speaker of the Parliament can Chair the consultative forum.

**Article 30**

1. AMENDMENT OF THE CONSTITUTION

   a) In consultation with the Executive Dean of Students, this constitution may be amended with the approval of 50% +1 member of council present and voting at a properly called meeting. Subject to the following conditions:

   i. That the Minister of Legal and Constitutional Affairs has given Council members at least four (4) weeks written notice of the precise terms of the amendment, and advertised the details of the proposed change on the appropriate Student Representative Council and University notice Boards;

   ii. Not less than two-thirds of the actual membership of Council of Ministers are present;

   iii. No amendment to the Constitution will come into effect unless and until the University Council gives its written approval to the President and Vice President through the Dean of students;

   iv. Where a proposed amendment to the Constitution has been unsuccessful, a similar proposal may not be moved again until a period of at least six months has elapsed. The Chairperson of the Council of Ministers, whose decision under this sub-paragraph in consultation with the Dean of Students is final, will decide the question of whether a proposal is similar to an unsuccessful proposal.

   v. The amended constitution shall serve at least three terms (6 consecutive semesters) before another amendment is made.

**Article 31**
1. BY LAWS TO THE STUDENT REPRESENTATIVE COUNCIL

CONSTITUTION

i. The By-laws constitute a part of the Constitution of the Student Representative Council and may only be amended, added to or repealed in the manner set forth in this constitution.

Article 32

2. ELECTORAL COLLEGE

a. The Electoral College (EC) must supervise and control any Student Representative Council election or By-elections, and such other elections as may be specified by the Student Representative Council, and must carry out the responsibilities and duties assigned to it in terms of these By-Laws

b. The EC must consist of four members and the Executive Dean of Students who shall be the Chief Electoral Officer.

c. The Electoral College shall:

   i. Co-ordinate the nominations process.
   ii. Monitor the conduct of candidates and voters.
   iii. Arrange publicity for the entire election process.
   iv. Educate the candidates before the elections.
   v. Announce the results (including the percentage poll) of the election.
   vi. submit regular reports to and make recommendations Chief Electoral Officer and relevant structures regarding the election and
   vii. Receive and act upon complaints regarding irregularities in connection with nominations, voting or candidates’ conduct or generally in the election.
   viii. Screen the real time votes in a place accessible to students and candidates.

d. The Chief Electoral Officer and the Election officers are responsible for:

   i. Advertising that nominations are open, together with a closing date;
   ii. Preparing nomination forms;
   iii. Compiling a complete list of candidates;
   iv. arranging meetings with candidates to explain the rules for election confirming deadlines for which banners, posters, manifestos, photographs, and curricula vitae must be prepared;
   v. Ensuring that venues are booked for speeches, questions and answer sessions and any other events pertaining to the elections;
   vi. Ensuring that the election publication carrying relevant information about candidates are distributed prior to the elections;
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e. 

i. Liaising with campus media about information on the candidates to be published in the media prior elections;

ii. Making recommendation to the Student Representative Council for the efficient running of the election;

iii. Keeping a record of the Results and make them published by the university media.

iv. Undertaking such tasks as the Electoral College may request from time to time.

Article 33

1. ELECTION TIME FRAME

i. The election for the President and Vice Presidents shall be held on one day and the election for the twelve remaining posts shall be held after the expiry of seven (7) consecutive days following the presidential elections.

ii. The candidates who would have failed to make it in the presidential elections shall not be eligible to contest for the Vice Presidency or any other posts save for appointment as committee members in the various portfolio committees.

iii. The dates for elections shall be set and announced by the Dean of Students as Chairperson of the Electoral College. On the same day, the EC members shall be announced.

iv. SRC elections shall be conducted before semester break.

Article 34

2. CRITERIA FOR STANDING FOR STUDENT REPRESENTATIVE COUNCIL ELECTION

a) Every student who is registered in terms of the University Registration process shall have the right to stand for any elections of the Student Representative Council.

b) Notwithstanding the proviso in 4(1), a student shall not be deemed to have been unfairly deprived of his/her right to stand for elections if,

i. He/she has carried one or more modules in the preceding semester(s)

ii. He/she is a fourth year second semester OR fifth year second semester depending with the degree program,

iii. He/she is going for work-related learning in the succeeding semester.

iv. He/she is on work-related learning.
v. The student was found guilty of gross negligence or misconduct by the University Disciplinary Committee in his/her previous semesters.
vi. The student has not completed at least one full semester at MSU.

Article 35

3. NOMINATIONS

i. Nominations of candidates for the Election must be lodged with the Electoral College through the chief Electoral Officer not less than ten (10) days before the first day of the election.
ii. A nomination form must be endorsed by not less than ten (10) students entitled to vote.
iii. A voter may not withdraw his/her nomination once the nomination form has been lodged by the Electoral College.
iv. The Electoral College must decide the validity of all nominations for election.
v. The Electoral College must prepare a list of nominations together with recent photographs of nominees for the elections.
vi. Objections to nominations must be lodged with the Electoral College not less than seven (7) days before the first day of the elections.
vii. All submissions shall be made online.

Article 36

4. CANDIDATES’ CONDUCT AND RESPONSIBILITY

a. Candidates are required to:
   i. Submit a photograph, biographical details (as required in the nomination from) course of study, nominators, a brief curriculum vitae and a 250 word long manifesto for publication on campus/Website.
   ii. Design their posters and pamphlets.
   iii. Distribute campaigning material approved by the Electoral College.
   iv. Prepare for question and answer sessions.
   v. Attend all meetings or workshops arranged by the Electoral College.
   vi. Communicate all campaign plans to the Electoral College before implementing them.
   vii. Register candidate support team members with the Electoral College.
   viii. Adhere to call deadlines set by the Electoral College.
   ix. Provide any relevant information as requested by the Electoral College.

b. No individual may claim alliance with another or with a group without the approval of the Electoral College.

c. A candidate may be held responsible for the conduct of his/her support team members.

Article 37

5. VOTERS’ CONDUCT

i. All registered students have the right to vote for candidates in the election.
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ii. Voters are required to vote once, and in the manner set out in section 9.
iii. No voter shall be allowed to give their password and registration numbers to
the prospective candidates.
iv. Voters shall be held accountable if found promoting illegal way of voting.
v. A voter whose details have been used for voting without consent or have been
hacked must report to the EC before real time election close.

Article 38

6. REQUIRED POLL

i. A Student Representative Council election shall be declared invalid if the total
number of students who vote is less than 25 present of registered students for the
current semester.
ii. The Electoral College must announce the percentage poll obtained in any election
subject to the provision of clause 8.2 and 8.4.

Article 38

7. VOTING

i. The voting process shall be electronic/ real time with various securities as
maybe necessary to be put in place by the University I.T department to
ensure transparency and to avoid rigging.
ii. Voting shall take place at such hours as may be fixed by the Electoral
College,
iii. A voter may vote for up to a maximum number of candidates in any
Student Representative Council Election.
iv. All votes cast in the election shall carry equal weight and candidates who
obtain the highest number of votes (fourteen in a Student Representative
Council Election) shall be deemed elected
v. In the event of a tie in the votes for the final to be filed in any election, the
members of the incumbent Student Representative Council shall cast their
votes to resolve the tie under the supervision of the Electoral College,

8. RESULTS AND REPORTS

i. The Electoral College shall announce the results attained within 24 hours.
The announcement shall be made through the official media sites of the
university.
ii. Objection to the election or by-election must be in writing and shall reach
the Chief Electoral Officer within 24 hours of the declaration of the result.
iii. The report on results/article/ announcement shall consist of the total
number of students who vote and the votes each candidate acquired.

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iv. A partition shall be valid if 50% of the candidates taking part in that election are signatories. It should be endorsed by at least 25% of total voters.

9. CONTRAVENTION OF ELECTION BY-LAWS.

   i. Any irregularity in connection with nominations, voting or in the conduct of candidates, or generally in the election, must be reported to the Electoral College which must take steps as it deems necessary. These may include disqualification of candidates or, submission to the University Disciplinary Committee.

   ii. Any appeal from any decision or ruling given by the Electoral College shall lie with the incumbent and ultimately to the Vice Chancellor, whose decision shall be final.

10. VACANCIES IN THE STUDENT REPRESENTATIVE COUNCIL

   1. Vacancies in the Student Representative Council may be filled by a By-election or another method deemed appropriate by the SRC, with the endorsement of the Dean of Students.

   2. Vacancies occurring after the University calendar year need not to be filed or may be filled as determined by the Student Representative Council with the endorsement of the Chief Electoral Officer.

11. THE CONSTITUTING MEETING OF THE STUDENT REPRESENTATIVE COUNCIL

   1. The first meeting of the newly elected Student Representative Council shall be called by the President of the incoming Student Representative Council which shall be held within 7 days.

12. CODE OF CONDUCT

   Conduct of members

   1. All students must treat other members with courtesy and respect. They must show the same consideration to the University employees or guests.

   2. In addition to the requirement of paragraph 1, members must also adhere to the following additional standards:

      2.1 Act in the interests of students and in doing so uphold the aims of the university Act Ordinance 2, particularly and act in accordance with its By-Laws.

      2.2 Contribute to and share responsibility for collective decisions, and represent the Council’s policies on appropriate public occasions. Any member unwilling to so should resign.

      2.3 Prepare for and attend all meetings of committees of which they are a member. Members who miss more than two meetings of Council will be deemed to have resigned unless they have provided good reasons to the satisfaction of the Chair.
2.4 Be accessible and accountable to the people whom they have been elected to serve and to represent their interests conscientiously. In representing people’s interests, members have a duty to respect individual privacy, unless there are overwhelming reasons in the wider public interest for disclosure to be made to a relevant authority.

2.5 Ensure that confidential information acquired as a result of their position is not disclosed to anyone other than those who have the right to that information. Ensure that confidential information is not used for the personal advantage of either he or her or of others known to them.

2.6 Take decisions solely in terms of the interest of students. They may not act in order to gain financial or other material benefit for themselves, their family or friends. Where a financial or material conflict arises during a decision or discussion this should be disclosed and the Council member should refrain from participating further on the matter.

2.7 Council members have a duty not to place themselves under any financial or other obligation to any individual or organisation that might reasonably be thought to influence them in the performance of their duties.

2.8 Act honestly and declare any private interests relating to their duties and take steps to resolve any conflicts arising in a way that protects the interests of the Student Representative Council.

2.9 Be accountable and open about their decisions and actions to students. To consider issues on their merits, taking account of the views of others.

2.9.1 Abide by the University Laws and Student Representative Council’s constitution.

2.9.2 Ensure their actions do not cause a nuisance or harassment to others. Never use language that is likely to offend the reasonable person, such as racist, tribalism or sexist terms. Avoid any language or behaviour likely to cause offence to others.

2.10 Foster mutual respect between fellow Council members.

2.11 Not consume or be under the influence of alcohol or any illegal drugs during Student Representative Council meetings or whilst representing the Student Representative Council whether in an official capacity or otherwise (with the exception of alcohol where it is provided as part of a social event).

Complaint Procedure

3. The procedure for dealing with a code of conduct complaint consists of four stages.

3.1 Stage 1 – (admissibility) – A complaint should be set out in writing and sent to the Minister of Legal and Constitutional affairs that will then investigate and determine the admissibility of the complaint.

3.2 Stage 2 – (investigation) – If a complaint is admissible, an investigation into the complaint will be carried out by the President, or the Secretary General if the President is the subject of the complaint, decline to act, or have a conflict of interest. The Secretary General will then report his or her findings to the Vice President and the Dean of Students Affairs.
3.3 Stage 3 – (decision) – The Minister will invite the person complained against to respond to the findings in fact before the Committee reaches its decision. Where a complaint is upheld the Committee may impose sanctions against a member. Such will be recommended by the President and Approved by the Dean Of Students.

3.4 Stage 4 – (appeal) – Where a complaint is dissatisfied with a decision made by the Minister or Committee they may appeal to the The Dean of Students or The Registrar.

**NOTIFICATION**

4. After receiving a complaint, the Minister will notify the member who is the subject of the complaint. Notification will inform the member of the nature and details of the complaint. In considering whether or not it would be appropriate to inform the member of the name of the complainer, the Minister will have regard to whether or not the complainer is or appears to be a vulnerable person; any reasons given by the complainer as to why the member should not be given the name of the complainer; and, whether giving the name of the complainer would prejudice an investigation into the complaint.

**Report**

5. At the conclusion of an investigation into a complaint at Stage 2, the Committee will make a report to the Minister upon the outcome of the investigation. The report must be submitted not later than two months from notification of the decision on admissibility. The report by the Committee to the Minister will include –

- Details of the complaint
- Details of the investigation carried out by the Committee
- Copies of any written statements and recorded evidence
- The facts found by the Committee in relation to whether or not the conduct complained about was committed by the member; and
- The Committee’s conclusion in relation to the complaint.

Before making a report, the Minister will give the member concerned a copy of the Committee’s draft report and will give the member concerned the opportunity to make representations about any alleged breach and on the draft report. The representations of the member will be annexed to the report in as far as they are not given effect to in the report.
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