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**INSTITUTIONAL REGULATORY CODE**

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<b>Policy Framework</b>		<b>Regulations/rules</b>	
<b>Policy</b>		<b>Terms of Reference</b>	<b>X</b>
<b>Procedure (manual)</b>		<b>Local document</b>	
<b>Guidelines</b>		<b>Other (name)</b>	

**Title:** Terms of Reference of the Students' Representative Council (SRC)

**Category:** Governance

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**Approved by:**

Executive Committee of Council

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Signature of approval:



# TERMS OF REFERENCE OF THE CENTRAL UNIVERSITY OF TECHNOLOGY, FREE STATE (CUT)'S STUDENTS' REPRESENTATIVE COUNCIL (SRC)

## PREAMBLE

The students of the Central University of Technology, Free State (hereinafter referred to as "CUT") are committed to promoting a non-racial and non-sexist democratic society, as envisioned in the section 1 of the Constitution of the Republic of South Africa, 1996.

The Students' Representative Council (hereinafter referred to as "the SRC") will act as the primary student governing body on all matters of student governance falling within its jurisdiction. The SRC is determined to instill and foster a culture of learning, tolerance and understanding within the CUT community, and is committed to supporting all efforts geared towards responding to the country's socio-economic challenges, which require intense and conscious programmes geared towards sustainable development.

The SRC will strive to:

- promote and embrace the vision and mission of CUT;
- uphold the CUT's code of conduct and core values, namely customer service, integrity, diversity, innovation and excellence;
- ensure that the Constitutional right of access to education as enshrined in the Bill of Rights is restored, protected and preserved; and
- build a strong, disciplined and committed SRC leadership.

## 1. DEFINITIONS AND ABBREVIATIONS

In these Terms of Reference, any word or expression to which a meaning has been assigned by the Higher Education Act, (Act No. 101 of 1997), as amended (hereinafter referred to as "the Act"), shall have the same meaning as in the Act, unless the context indicates otherwise:

<b>"Academic Calendar Days":</b>	All days excluding recess and weekends
<b>"the Act":</b>	The Higher Education Act (Act No. 101 of 1997) as amended.
<b>"Amendment":</b>	Any alteration effected to 2 (TWO) or less provisions of this Term of Reference.
<b>"Appoint":</b>	To assign or designate to someone an office or function.
<b>"Campaign Period"</b>	The period which nominees shall be allowed to campaign for elections before the Election Day.

**“Code of Conduct for committee members”:** The Code of Conduct for members of the Council, standing committees of Council, Senate, standing committees of Senate, the Mancom, and any other official committee of CUT. The Code of Conduct shall be applicable to the SRC, unless the context indicates otherwise.

**“Council”:** The CUT Council, which is the highest governing body of CUT as contemplated in CUT Statute.

**“CUT”:** The Central University of Technology, Free State;

**“Days”:** All calendar days including Saturdays, Sundays and public holidays.

**“Domestic Rules”:** Any rules established by the SRC which seek to regulate the relationship between the SRC and the student populous.

**“Election Day”:** the date the elections are scheduled to take place.

**“Employee”:** any academic or a support service person employed by CUT, excluding an independent contractor, who is employed at CUT on a full-time or part-time basis, in a permanent or temporary capacity, and who receives, or is entitled to receive, any remuneration, a House Committee member, an SRC member or external Council member.

**“Executive Committee”:** The Executive Committee of the SRC, composed and elected in terms of these Terms of Reference.

**“Faculty Student Representatives”:** Class and faculty representative structures, as regulated in accordance with **“Schedule F”**.

**“General Student Meetings”:** All meetings involving the general student populous excluding mass meetings.

**“Institutional Forum”:** The Institutional Forum (IF) of CUT as contemplated in the CUT Statute.

**“Majority”:** 50% (FIFTY PER CENT) plus ONE of the SRC members present at a meeting of the SRC.

**“Mancom”:** The Management Committee of CUT as may be determined from time to time.

**“Mass meeting”:** A meeting of CUT students, organised and conducted by the SRC in accordance with these Terms of Reference.



<b>“Months”:</b>	Calendar months.
<b>“Nominate”:</b>	The action of submitting names for election in accordance with these Terms of Reference.
<b>“Organisational Report”:</b>	A report on how the SRC performed as a structure of governance and management of student matters.
<b>“Party agent”:</b>	CUT students who are identified by their own organisation to ensure that the voting and counting procedures during elections are free and fair.
<b>“Political Report”:</b>	A report on the state of institutional politics regarding student matters. It provides an overview of current affairs directly or indirectly affecting the youth, students and potential students in respect of higher education.
<b>“Revision”:</b>	An entire overhaul review of every clause, including the underlying principles.
<b>“Rules”:</b>	The institutional rules of CUT, formulated in terms of Section 32 of the Act.
<b>“Standard Rules of Order for Committee Members”:</b>	The Standard Rules of Order as approved by the Council, which are applicable to the SRC.
<b>“Sabbatical/Secretary-General”:</b>	The person elected to the portfolio of Student Sabbatical, and who, for the duration of his/her term, serves as the Secretary-General of the SRC, and who complies with all other requirements as contained in these Terms of Reference.
<b>“Semester”:</b>	ONE half of a calendar year, approved by the Council on the recommendation of Senate, for the academic activities of CUT.
<b>“Sports Council”:</b>	The Sports Council of CUT, as regulated in terms of <b>“Schedule H”</b> .
<b>“SRC”:</b>	The Students’ Representative Council of CUT, as democratically elected by CUT students in terms of these Terms of Reference.
<b>“SRC Code of Conduct”:</b>	The CUT-approved Code of Conduct of the CUT SRC, as outlined in <b>“Schedule A”</b> .
<b>“SRC meeting”:</b>	Any meeting scheduled in accordance with these Terms of Reference including Mass meetings.
<b>“Statute”:</b>	The institutional Statute of CUT.



- “Student”:** A person registered for a course/module or qualification at CUT.
- “Student activities”:** All academic and extracurricular activities of CUT.
- “Student organisations”:** Any officially registered and recognised students’ formation duly functioning within CUT, which is solely intended to address the diverse aspirations of students at an academic, social, religious and political level.
- “Student Parliament”:** The body of student leaders, elected from all recognised structures, who meet to discuss University matters that affect the students, and who serves as an advisory body to the SRC, as regulated in terms of **“Schedule D”**.
- “Student Services Council”:** The statutory body that reports to the CUT, in accordance with Section 27(3) of the Act.
- “Residence and Accommodation Forum”:** The Student Residence and Accommodation Forum of CUT, as regulated in terms of **“Schedule G”**.
- “Valid student card”:** The latest endorsed student card that is acceptable to CUT and provided to all registered students of CUT.
- “Vice-Chancellor and Principal”:** The Chief Executive and Accounting Officer of CUT, and the person who is responsible for the management and administration of the University in his absence, whoever is acting as the Chief Executive and Accounting Officer of CUT.
- 1.1. Unless otherwise indicated in these Terms of Reference, if a quorum or required majority of votes is expressed as a mathematical fraction in these Terms of Reference, and it happens that the consequent quorum or majority is not an integral number, the next greater integral number shall constitute the quorum or majority of votes.
- 1.2. In these Terms of Reference, unless there is something in the context that repudiates such construction, words denoting the masculine gender or singular number shall be construed to include the feminine gender and plural number, respectively, and vice versa.
- 1.3. If a dispute arises regarding the correct interpretation of any provision of these Terms of Reference, the correct interpretation of these Terms of Reference is vested with the Registrar of CUT.
- 1.4. In so far as a provision has been made or duty placed, in terms of these Terms of Reference, on the Manager: Governance and Student Life (Bloemfontein), in the absence of an equivalent provision for the Welkom Campus, the duty will vest with the Deputy Director: Welkom Campus.

## 2. PURPOSE

- 2.1. The SRC has been established in order to ensure that communication between CUT and all students occurs through a representative student body on behalf of the students, and that such representative student body pledges to uphold the pursuit of academic freedom at CUT.
- 2.2. The Terms of Reference of the SRC serves the purpose of outlining the details and the procedural implementation of aspects of the Act (as amended) and the Statute of CUT with regards to the establishment and composition, manner of election, term of office, functions and privileges of the SRC.

### **3. OBJECTIVES OF THE SRC**

- 3.1. To represent the interest of the students in a manner that is not bias, prejudicial or discriminatory in any form.
- 3.2. To ensure that communication with all students occurs through a representative student body, and that such a representative student body pledges to maintain high standards of academic excellence, thus upholding the pursuit of academic freedom at CUT.
- 3.3. To ensure that students understand their rights with regard to voting and nominating students for the election of the SRC.
- 3.4. To support the development of good student governance by encouraging student participation in various student structures.
- 3.5. To enhance and promote debate amongst students, thus creating a culture of openness and tolerance.
- 3.6. To serve as an ambassador of CUT to other institutions, organisations and entities from time to time and as may be required by the circumstance.

### **4. COMPOSITION**

- 4.1. The SRC inclusive of the Bloemfontein and Welkom Campus SRC's shall consist of not more than 28 (TWENTY EIGHT), and not fewer than 11 (ELEVEN) members on each respective campus.
- 4.2. The Sabbatical of the SRC shall act as Secretary at the meetings of the SRC and shall discharge all duties of the secretary as contemplated in this Terms of Reference.
- 4.3. The SRC shall comprise of the following members:
  - 4.3.1 **Bloemfontein campus:**
    - 4.3.1.1 Campus President;
    - 4.3.1.2 Deputy President;
    - 4.3.1.3 Sabbatical/Secretary-General;
    - 4.3.1.4 Finance Officer;



- 4.3.1.5 Academic and Quality Enhancement Officer;
- 4.3.1.6 Constitution and Legal Affairs Officer;
- 4.3.1.7 Sports and Recreation Officer;
- 4.3.1.8 Public Relations Officer;
- 4.3.1.9 Residence and Accommodation Officer;
- 4.3.1.10 Health and Welfare Officer;
- 4.3.1.11 Projects and Campaign Officer;
- 4.3.1.12 Student Affairs Officer;
- 4.3.1.13 Transformation, Equity, and Diversity Officer; and
- 4.3.1.14 Arts, Culture and International Students Officer.
  
- 4.3.2 **Welkom campus:**
- 4.3.2.1 Campus President;
- 4.3.2.2 Deputy President;
- 4.3.2.3 Sabbatical/Secretary-General;
- 4.3.2.4 Finance Officer;
- 4.3.2.5 Academic and Quality Enhancement Officer;
- 4.3.2.6 Sports and Recreation Officer;
- 4.3.2.7 Public Relations Officer;
- 4.3.2.8 Health and Welfare Officer;
- 4.3.2.9 Constitution and Legal Affairs Officer;
- 4.3.2.10 Projects and Campaign Officer;
- 4.3.2.11 Residence and Accommodation Officer; and
- 4.3.2.12 Student Affairs Officer;
- 4.3.2.13 Transformation, Equity, and Diversity Officer; and
- 4.3.2.14 Arts, Culture and International Students Officer.



4.4 The Executive Committee of the SRC comprises of the following:

4.4.1 **Bloemfontein campus:**

- 4.4.1.1 Campus President;
- 4.4.1.2 Deputy President;
- 4.4.1.3 Sabbatical/Secretary-General;
- 4.4.1.4 Finance Officer;
- 4.4.1.5 Academic Quality Enhancement Officer; and
- 4.4.1.6 Constitution and Legal Affairs Officer

4.4.2 **Welkom campus:**

- 4.4.2.1 Campus President;
- 4.4.2.2 Deputy President;
- 4.4.2.3 Sabbatical/Secretary-General;
- 4.4.2.4 Finance Officer; and
- 4.4.2.5 Academic Quality Enhancement Officer; and
- 4.4.2.6 Constitution and Legal Affairs Officer

4.5 The functions and responsibilities of the portfolios provided in paragraph 4.3 above are outlined in **"Schedule C"**.

## 5 FUNCTIONS

5.1 Pursuant to the functions of the SRC as contained in Paragraph 38 of the CUT Statute, the SRC:

5.1.1 is the highest body of authority amongst students, and agreements between the SRC and the Council, Senate, the IF, Mancom and the Student Services Council shall be binding on all students;

5.1.2 act on behalf of CUT including concluding agreements with any other entity or individual not bound by the Rules only with prior approval of the Vice-Chancellor and Principal;

5.1.3 represents, co-ordinates and promotes students' interests, and shall be accountable at all times to the student mass and the relevant CUT governance structure when exercising delegated power;

5.1.4 must uphold the pursuit of academic freedom, which includes the following:

5.1.4.1 preserving and promoting the best interests of CUT, and the student community in particular;





- 5.1.4.2 performing all duties and responsibilities as agreed upon in meetings of the SRC, within the rules, policies, codes of conduct and procedures of CUT;
- 5.1.4.3 respecting and upholding the Terms of Reference and the SRC Code of Conduct, regulated in terms of "**Schedule A**" of these Terms of Reference;
- 5.1.4.4 protecting and promoting the good image of the SRC at all times;
- 5.1.4.5 enhancing unity and co-operation amongst students;
- 5.1.4.6 managing student societal and organisational life on campus, and rendering assistance to students, or any other CUT structure, where necessary;
- 5.1.4.7 convening all general student meetings on campus;
- 5.1.4.8 remaining subject to the final authority of the Council at all times;
- 5.1.4.9 promoting an environment conducive to the holistic development of CUT students, in accordance with the policies, rules, codes of conduct and procedures of CUT;
- 5.1.4.10 representing students when involved in discussions with any other CUT structure including Council, Senate the IF, Mancom, and the Student Services Council , when serving on any committee of CUT, and during public appearances;
- 5.1.4.11 establishing structures, systems and domestic rules as may be necessary for students to articulate and express their opinions on all matters to be dealt with by the SRC on behalf of the students, provided that any such structure established by the SRC shall report to the SRC only, and shall have no official CUT status; provided further that the constitutional authority of the SRC is not inhibited in any way, and that the institutional policies, rules, regulations, procedures and codes of conduct of CUT are respected and adhered to at all times by both the SRC and any structures established in accordance with this provision;
- 5.1.4.12 further allocating the budget for all student structures in consultation with the Registrar of CUT or his/her nominee;
- 5.1.4.13 operating on a non-discriminatory basis, and facilitating a culture of tolerance, peace and reconciliation amongst students;
- 5.1.4.14 adhering to, and ensuring the implementation of the approved language policy of CUT in all documents and activities of the SRC; and
- 5.1.4.15 promoting the transformation of CUT in accordance with the vision of CUT, and assisting, where possible, in the effective implementation of all resolutions of, but not limited to, the Council and official authoritative managerial structures, committees, and structures, where such resolutions are applicable to students.



- 5.2 As the SRC is not a legal entity, and with due regard to the CUT Statute, the SRC shall have no contractual capacity or legal competence of any nature on behalf of CUT. However, as a body mandated by all students, upon registration at CUT, to act on their behalf, and in accordance with the CUT Statute, any agreement between the SRC and the Council, Senate, the IF and Mancom, shall be legally enforceable.
- 5.3 The budget of the SRC shall be administered by CUT, as part of CUT's central budget, and in accordance with the financial policies, procedures and rules of CUT. No funds in the SRC budget may be used without the prior written approval of the Registrar or his/her nominee. No request for permission to use funds may be submitted to the Registrar of CUT before the SRC Finance Officer, the SRC President and the SRC Sabbatical/Secretary-General have been consulted.
- 5.4 The outgoing SRC members shall be held individually and collectively accountable for any and all financial irregularities during their terms of office.
- 5.5 Any request for permission to use funds made to the Registrar of CUT for the expenditure of funds in the SRC budget must be made in writing, after a two-thirds majority resolution has been passed in this regard by the SRC.
- 5.6 The SRC shall present recommendations with regard to the SRC budget for the next financial year to the Registrar of CUT on a date and at a time as indicated by the Registrar of CUT. The Registrar must, upon receipt of a written request for a different date and time received from the SRC at least 7 (SEVEN) days before the meeting, postpone the meeting to a different date and time as he/she may determine.
- 5.7 Money collected through fundraising efforts, as approved by CUT, or any other form of income generated by the SRC or any student organisation, must be handed over to CUT, and shall be dealt with in accordance with the policies, procedures, rules, regulations, of CUT. No such funds or income shall be paid out to any member of the SRC or a student organisation.
- 5.8 A financial statement, which must comprise of all the expenditure incurred and the income received by the SRC throughout its term of office and must be a true reflection of the state of the SRC's financial affairs, shall be submitted by the SRC to the Registrar of CUT at the end of the SRC's term of office.
- 5.9 At every scheduled SRC meeting, a report must be submitted by the Finance Officer regarding the SRC's use of funds from the SRC budget, and such a report must be made available upon written request at any time for inspection by any student, or by the Registrar of CUT and must be provided to within a reasonable time following the request.
- 5.10 SRC members shall receive honoraria as determined by CUT from time to time, and such honoraria may be withheld by CUT if the SRC or a particular SRC member has failed to act in accordance with these Terms of Reference and the SRC Code of Conduct. The receipt of such honoraria by the SRC does not imply that the SRC or any member of the SRC is an employee of CUT.
- 5.11 For purposes of the implementation of the CUT Statute or any of the Rule, the SRC may arrange, facilitate and co-ordinate student affairs on campus, as authorised in writing by the Registrar of CUT.

- 5.12 No SRC member other than the Campus President may act as the official SRC spokesperson without the prior written approval of the Campus President, and no media statements may be made in the name of the SRC without the prior written approval of the Registrar of CUT, provided that all media statements are made with due regard to the policies, procedures, rules and regulations of CUT.
- 5.13 The SRC must liaise with the Student Parliament, where the Student Parliament will act as an advisory body to the SRC. The debate of the Student Parliament will be guided by the Code of Conduct for the Student Parliament, as regulated by "**Schedule E**".
- 5.14 The SRC President: Bloemfontein Campus and SRC President: Welkom Campus shall both represent the students on the CUT Council and other institutional structures of CUT until the end of the applicable year:
- 5.14.1 internally; and
- 5.14.2 externally with the prior written approval of the Registrar of CUT.
- 5.15 Members of the SRC are committed, collectively and individually, to:
- 5.15.1 protect, promote and maintain the honour of CUT and its students;
- 5.15.2 at all times, act with due regard to the principles of fairness, justice, respectability, unity, dignity and equity;
- 5.15.3 assist in the protection of the basic human rights of all students;
- 5.15.4 execute resolutions of the SRC, and shall be held accountable to the SRC and the student mass;
- 5.15.5 strive for co-operation and communication between the students and other constituencies within CUT, and assisting in the co-ordination of activities that are of common interest to CUT and the students; and
- 5.15.6 perform the duties and functions as allocated to them by the SRC.

## 6 DELEGATIONS

- 6.1. The SRC may not delegate any accountability with regard to the functions and responsibilities of the SRC, as stipulated in these Terms of Reference.
- 6.2. The SRC may delegate responsibility for the execution of any function of the SRC, as stipulated in these Terms of Reference, to any one or more SRC members, on the conditions decided upon by the SRC at an SRC meeting. Full reports on such delegated responsibilities must be presented at the next SRC meeting by the member whom the responsibility was delegated to.
- 6.3. The Executive Committee of the SRC shall have the following delegated powers, which may be withdrawn at any time by the Vice-Chancellor and Principal or by a majority decision of the SRC, either wholly or in part:

- 6.3.1. to effectively and efficiently exercise those powers delegated to it by the SRC;
  - 6.3.2. to establish and select standing or portfolio committees, which shall be chaired by non-Executive members of the SRC, in terms of the Terms of Reference;
  - 6.3.3. to attend to the day-to-day administration of the SRC in representing student matters and interests;
  - 6.3.4. to report regularly to the SRC and the Registrar of CUT with regard to its activities, and to promptly provide the SRC and the Registrar of CUT with the minutes of all meetings after each meeting;
  - 6.3.5. to promote effective communication within its own ranks, as well as with the SRC, established committees and subcommittees;
  - 6.3.6. to administer all funds received, in accordance with the policies, procedures, rules and regulations of CUT;
  - 6.3.7. to prepare and present quarterly and annual reports on all the activities performed during its term of office;
  - 6.3.8. to keep comprehensive minutes of all its meetings, and to submit these, as official minutes, to the SRC;
  - 6.3.9. to ensure maximum distribution or sharing of responsibilities (division of labour) amongst members in order to effectuate broad representation and participation by each member of the SRC; and
  - 6.3.10. to receive quarterly reports from all SRC members on all their activities, and submit these to the responsible staff member at Student Services, as well as to the Registrar of CUT.
- 6.4. Where an SRC member has been appointed to represent the SRC on an official managerial or governing committee of CUT (including any official board/Council/Senate/working group), such a member shall represent the SRC on such a committee with full delegated powers, provided that the person's appointment has been executed and performed in accordance with the procedures stipulated in the CUT Statute, or by a majority vote of the SRC. An SRC member representing the SRC on such a committee must provide full reports on the activities of the committee at every SRC meeting.

## **7. ELIGIBILITY AND ELECTION OF SRC MEMBERS**

- 7.1. To be eligible for nomination as a candidate for the SRC, the candidate must:
- 7.1.1. identify and associate himself/herself with the mission and vision of CUT;
  - 7.1.2. be a full-time registered student at CUT;
  - 7.1.3. not have been previously found guilty and convicted of an offence by CUT or a court of law;
  - 7.1.4. not have been found guilty of a misconduct by CUT or any higher education institution;
  - 7.1.5. have been a student for a minimum of 3 (THREE) semesters;

- 7.1.6. have passed at least 60% (SIXTY PERCENT) of his/her registered credit-bearing subjects (including non-diploma/degree purpose modules) in the previous year (in the case of year-course students) or semester (in the case of semester students) at CUT, and, once elected, such a member will have to maintain the 60% (SIXTY PERCENT) pass rate for all such subjects (and non-diploma/degree purpose modules) registered for the exam period ending in the academic year following elections, and such standard should be maintained for the duration of his/her term in office;
- 7.1.7. not be undergoing any practical training exceeding 1 (ONE) calendar month for any part of the period referred to in terms of paragraph 7.1.2; and
- 7.1.8. SRC members who meet the eligibility requirement may be re-elected, and may serve for a maximum of 2 (TWO) terms.
- 7.2. In addition to Paragraph 7.1 the following additional provisions apply to the portfolio of the Sabbatical/Secretary General:
- 7.2.1. The candidate must be in possession of any postgraduate qualification when he or she assumes office in January of the applicable year.
- 7.2.2. The term of office of the Sabbatical/Secretary-General shall extend from January to December of the applicable year.
- 7.2.3. The Sabbatical/Secretary-General of the SRC shall suspend his/her studies for the duration of the year in question to occupy the office full time except where the Sabbatical/Secretary-General is studying a Master's level course in which case he/she may resume his/her studies.
- 7.3. The SRC President: Bloemfontein Campus and SRC President: Welkom Campus shall both serve as Council members until the end of December of the applicable year.
- 7.4. Subject to Paragraph 7.2.2 and Paragraph 7.3 above the term of office of SRC members shall be from September of the current year till September of the following year.
- 7.5. The procedure for the election of SRC members is outlined in "**Schedule B**" of these Terms of Reference.

## 8 ELECTIONS

- 8.1 Nomination forms, nominating a student for any portfolio of the SRC must be signed by 8 (EIGHT) students with the right to vote, and must be countersigned by the nominee.
- 8.2 A student shall have the right to vote if, and so long as he/she is registered as a student at CUT, as on the day of the election, or is undergoing practical training.
- 8.3 The system of election of the SRC shall be that of non-proportional representation (NPR). Therefore, any student eligible for nomination as an SRC member shall be eligible to stand and contest for a position in the SRC as an individual student or as the representative of a student organisation.

- 8.4 If an organisation is found guilty of contravening the electoral regulations or any of the rules pertaining to the elections such an organisation will be immediately suspended from participating, in any manner or form, in the current elections.
- 8.5 If an individual student is found guilty of contravening the electoral regulations or any of the rules pertaining to the current elections or if the student is directly involved in the conduct of an organisation as contemplated in paragraph 8.4 such Student will be disqualified from the current elections and may be subject to the disciplinary processes of CUT.
- 8.6 Elections of the SRC must be conducted by secret ballot.
- 8.7 The Vice-Chancellor and Principal or his/her nominee may, after consultation with the existing SRC, outsource the management and co-ordination of the SRC election to a reputable supplier, to be selected and appointed in terms of CUT's policies, procedures, rules and regulations to administer the process of elections.
- 8.8 Following the election process, all successful candidates who are to serve on the SRC shall, from time to time, be required to complete a performance tool and/or performance indicator, as developed by CUT and which performance tool/indicator shall be used to review the performance of an SRC member as and when necessary.
- 8.9 Students from the Bloemfontein campus and students from the Welkom campus shall be entitled to vote for their respective SRC members.

## 9 MEETINGS

- 9.1 The Standard Rules of Order and the Code of Conduct for Committee Members of Council are applicable to the SRC, unless inconsistent with the context of, and/or unless otherwise stipulated in, these Terms of Reference in which case these Terms of Reference shall take precedence.
- 9.2 Except during official CUT holidays, the SRC shall convene a meeting at least once every 21 days, including Saturdays, Sundays and public holidays. The meetings shall be scheduled in advance by the Sabbatical/Secretary-General in the official Year Programme of CUT, which shall be provided by the Sabbatical/Secretary-General to every SRC member at the beginning of the respective member's term of office. SRC members shall, through a letter, be notified by the Sabbatical/Secretary-General of the date, time, venue and agenda of every meeting at least 48 (FORTY EIGHT) hours prior to such meeting.
- 9.3 An urgent SRC meeting must be convened by the Sabbatical/Secretary-General on instruction of the SRC President or the Executive Committee, or on the written request of any 4 (FOUR) SRC members within 5 (FIVE) working days of receipt of such instruction or request. SRC members shall be informed in writing by the Sabbatical/Secretary-General of the date, time, venue and agenda of the urgent meeting at least 12 (TWELVE) hours prior to such a meeting.



- 9.4 The agenda of an SRC meeting shall be compiled by the Sabbatical/Secretary-General in consultation with members of the SRC, and must include documents and matters referred by the Registrar to the SRC for comments or action.
- 9.5 50% (FIFTY PERCENT) plus ONE of the SRC members in office shall constitute a quorum. If a quorum is not constituted, the meeting shall be postponed and rescheduled.
- 9.6 Absence from an SRC meeting, as scheduled in the SRC Year Programme, may constitute misconduct if no valid reason for such absence is provided in writing to the Registrar of CUT or his/her nominee within 3 (THREE) working days.
- 9.7 Decisions of the SRC shall be taken by the SRC at an SRC meeting through a voting process, where the decision receiving the highest number of votes from the SRC members eligible to vote and in attendance at the SRC meeting shall be the decision of the SRC. Each SRC Member attending the meeting shall be entitled to 1 (ONE) vote on that specific matter. In the event of a tie the Chairperson's vote shall be the deciding vote.
- 9.8 All decisions taken at SRC meetings must be executed before the subsequent meeting, which is not an urgent meeting as contemplated in paragraph 9.3, is convened.
- 9.9 The Sabbatical/Secretary-General of the SRC must ensure that minutes of the proceedings of each SRC meeting are kept, and that they are made available to SRC members and the Registrar of CUT within 7 (SEVEN) days after the conclusion of the meeting.
- 9.10 The minutes of every SRC meeting shall be tabled for approval at the next scheduled SRC meeting as contemplated in the SRC Year Programme, and thereafter signed by the Chairperson of the previous meeting. The minutes thus approved and signed shall be made available by the Sabbatical/Secretary-General at the reasonable written request of any interested party within 5 (FIVE) days after approval thereof.
- 9.11 A student who is not an SRC member may attend a meeting of the SRC after submitting a formal letter at least 7 (SEVEN) days prior to the meeting, requesting approval to attend such a meeting. Once approval has been granted by the SRC, he/she shall only have such speaking rights as decided upon by the SRC. The SRC reserves the right to reject any request by any student who is not an SRC member to attend an SRC meeting.

## 10 MASS MEETINGS

- 10.1 The SRC may convene a mass meeting in compliance with the policies, procedures, rules and regulations of CUT.
- 10.2 Notice of the date, time and venue of a mass meeting, as well as the proposed agenda, shall be given to the Registrar of CUT by the Sabbatical/Secretary-General, and shall be placed on all CUT



noticeboards at least 7 (SEVEN) days prior to such a meeting, provided that the Registrar may condone a shorter notification period if valid grounds, as determined by the Registrar, exist.

- 10.3 The SRC must hold at least 1 (ONE) mass meeting per semester during their term of office which should be arranged in such a manner not to interfere with the academic programme.
- 10.4 The SRC President shall deliver a Political Report; the SRC Sabbatical/Secretary-General shall deliver an Organisational Report; and the SRC Finance Officer shall deliver a Financial Report at the scheduled mass meeting of the SRC.
- 10.5 The SRC President or, in his/her absence, a person appointed by the SRC through a majority vote of the SRC members present at an SRC meeting preceding the mass meeting shall chair a mass meeting. The Sabbatical/Secretary-General of the SRC shall act as Secretary at a mass meeting.
- 10.6 Unless inconsistent with the context, CUT's Standard Rules of Order and Code of Conduct for students and the General Rules for students shall apply at all mass meetings.
- 10.7 If the SRC receives a written request for a mass meeting, signed by at least 1 000 (ONE THOUSAND) students, and accompanied by a written motion for consideration by the meeting, the SRC may, in consultation with the Registrar of CUT, and in compliance with the policies, procedures, rules, policies, codes of conduct and procedures of CUT, convene a mass meeting, provided that only the matter that necessitated the meeting shall be discussed at such a mass meeting and that the provisions of paragraph 10.2 above are complied with. Disciplinary measures may be taken against any student who signed the request for such a meeting if such students should fail to attend the subsequent mass meeting without providing written reasons to the SRC for such failure.
- 10.8 An attendance of 5% (FIVE PER CENT) of all CUT students shall constitute a quorum at a mass meeting.
- 10.9 If a quorum is not constituted at the mass meeting, the President must postpone and reschedule the mass meeting.
- 10.10 A resolution shall be adopted by a majority of votes of the students present, except in the case of motions of no confidence, which shall be passed by a TWO-THIRDS majority of the votes of the students present at the mass meeting.
- 10.11 As a mass meeting has decision-making powers, resolutions passed at a mass meeting shall be regarded as mandates to the SRC, and must be discharged by the SRC within a reasonable period following the mass meeting.
- 10.12 At the subsequent scheduled SRC meeting following the mass meeting, the resolutions of the mass meeting shall be discussed by the SRC, and the matters shall be dealt with in accordance with the functions of the SRC.
- 10.13 The Sabbatical/Secretary-General of the SRC must make the draft minutes of the mass meeting available to the students by means of publication on the noticeboards, and must submit the draft





minutes to the Registrar of CUT, within 7 (SEVEN) days after the mass meeting. The notice must also indicate the date of the next SRC meeting.

- 10.14 Minutes of the mass meeting must be confirmed as the first item on the agenda at the subsequent scheduled SRC meeting. Students who were present at the particular mass meeting have speaking and voting rights during the approval of the minutes of the mass meeting, after which such students shall be excused from the SRC meeting.
- 10.15 The minutes of a mass meeting during which a motion of no confidence was tabled shall be submitted to the subsequent meeting of the student masses, which shall be chaired by an appointee of the Student Services, for approval, and shall thereafter be signed by the Chairperson. Students who were present at the initial mass meeting in question have speaking and voting rights during the approval of such minutes. The minutes thus approved and signed shall be the only official account of the proceedings of the relevant meeting, and shall be available at the reasonable request of any interested party within 7 (SEVEN) days after the approval of the minutes.
- 10.16 The Sabbatical/Secretary-General of the SRC shall keep a register of all resolutions of all mass meetings held for his/her term, as well as copies of all documents considered by the students during a mass meeting, and this register, including the documents, shall be available at the reasonable request of any interested party.

## **11 RIGHT TO VOTE**

- 11.1 A student as defined in these Terms of Reference and the CUT Statute may vote during mass meetings and SRC elections if, and so long as he/she is registered as a full-time/part-time year or semester student for a learning programme at CUT as on the day of the election, or he/she is undergoing practical training through CUT..
- 11.2 No student shall have the right to vote by proxy.
- 11.3 The President of the SRC shall for all other voting processes have an ordinary vote and only have a deciding/casting vote at SRC meetings.



## 12 SUSPENSION AND TERMINATION OF MEMBERSHIP

- 12.1 The membership of any member of the SRC shall be suspended or automatically terminated if:
- 12.1.1 he/she is no longer a student at CUT;
  - 12.1.2 he/she submits a written resignation to the Registrar of CUT;
  - 12.1.3 he/she fails to attend 3 (THREE) consecutive meetings of the SRC, unless the reasons provided for his/her absence are considered to be valid by the Registrar of CUT;
  - 12.1.4 his/her term of office expires;
  - 12.1.5 he/she has been found guilty of a criminal offence for which the sentence is imprisonment without the option of a fine;
  - 12.1.6 he/she, during his/her term of office fails to meet any of the eligibility requirement in terms of paragraph 7;
  - 12.1.7 Death or incapacity; and
  - 12.1.8 he/she is found guilty of a misconduct.
- 12.2 Where any SRC member becomes aware that an SRC member is in breach of any of the provisions contained in paragraph 12.1, the SRC member who is aware of the breach must inform the Registrar without delay.
- 12.3 In the event of a pending investigation against an SRC Member, the SRC member may be provisionally suspended pending the outcome of a DC hearing and in consideration of the gravity of the alleged offense.
- 12.4 Where the Registrar becomes aware that an SRC member is in breach of any of the provisions contained in paragraph 12.1 the Registrar must inform the relevant SRC member in writing of the reasons for the provisional suspension of the services of an SRC member.
- 12.5 Any alleged violation of the Code of Conduct for Committee Members must be investigated in accordance with the procedures as stipulated in the Code of Conduct for Committee Members, unless otherwise decided by the Registrar. Thereafter, the SRC may, by way of a majority vote, refer such alleged violation for disciplinary investigation, which may, amongst other possible penalties, result in the removal as an SRC member.
- 12.6 Any alleged violation of the Standard Rules of Order for Committee Members must be dealt with in accordance with the provisions of the Rules of Order for Committee Members, unless otherwise decided by the Registrar. The President of the SRC may refer persistent violation of the Standard Rules of Order by an SRC member for disciplinary investigation, which may, amongst other possible penalties, result in the removal as an SRC member.

### 13 VACANCIES

- 13.1 Subject to Paragraph 13.2 to Paragraph 13.4 when a vacancy arises in the SRC, for whatever reason, the candidate who secured the second-highest number of votes for such a vacant portfolio during the election will be appointed to the SRC to fill the vacancy, provided that such a candidate accepts the appointment to the SRC, and that he/she meets all the eligibility requirements in terms of paragraph 7.
- 13.2 In the event that a vacancy arises in the portfolio of the President, the Deputy President shall assume the portfolio of President, following which the SRC shall vote from within its ranks for a new Deputy President, following which voting process the portfolio previously occupied by the new Deputy President shall be subject to the provisions of Paragraph 13.1.
- 13.3 In the event that a vacancy arises in the portfolio of the Deputy President the SRC shall vote from within its ranks for a new Deputy President, following which the portfolio previously occupied by the new Deputy President shall be subject to the provisions of Paragraph 13.1.
- 13.4 In the event that a vacancy arises in the portfolio of both the President and the Deputy President the SRC shall vote from within its ranks for a new President and Deputy President following which the portfolios previously occupied by the new President and Deputy President shall be subject to the provisions of Paragraph 13.1.
- 13.5 In the event that the candidate who secured the second-highest number of votes is unable to occupy such a position, for whatever reason, the person who secured the third-highest number of votes will be appointed to the SRC to fill the vacancy, provided that he/she accepts the appointment, and that he/she meets the eligibility requirements in terms of paragraph 7.
- 13.6 In the event that no candidate, as contemplated in paragraph 13.1 and 13.5 above, is available or eligible to fill the vacancy, the Election Commission shall be requested to hold a by-election to fill the vacancy, and shall do so within a period of FOUR weeks (excluding weeks falling in examination or recess periods) of being requested to do so, and provided further that no by-election shall be held after 1 June of every calendar year, unless more than 50% (FIFTY PER CENT) of the SRC members have vacated office.
- 13.7 When a vacancy arises, as contemplated in paragraphs 13.1 to 13.6 above, the Executive Committee of the SRC must inform the Student Development Officer of the vacancy. The Student Development Officer must also inform the Manager: Governance and Student Life (Bloemfontein) and/or the Deputy Director: Welkom Campus of the vacancy, in the event that the Student Development Officer suspects that a vacancy exists within the SRC however the Executive Committee of the SRC has failed to inform the Student Development Officer of the vacancy, the Student Development Officer may proceed to inform the Manager: Governance and Student Life (Bloemfontein) or the Deputy Campus Director (Welkom) of his suspicion following which the SRC will have to prove that such a vacancy does not exist, failure by the SRC to prove that such a vacancy does not exist will be deemed as a contravention of paragraph 2.2 of Schedule A of the SRC Terms of Reference.

### 14 RESHUFFLING



- 14.1 The Executive Committee of the SRC may propose to reshuffle the portfolios of SRC members by way of recommendation, in writing, to the SRC, for purposes of optimum performance of the SRC, and which recommendation must be based on, but not limited to, the following considerations:
- 14.1.1 poor performance in respect of a member's portfolio;
  - 14.1.2 failure to contribute to mass student development, as envisaged by the CUT Statute;
  - 14.1.3 promotion of self-development whilst serving as a member of the SRC; and
  - 14.1.4 failure by the SRC to meet any performance tools or performance indicators, as developed by CUT from time to time.
- 14.2 The Executive Committee must provide its recommendation(s) in writing to the SRC within 7 (SEVEN) days of reaching its decision to propose a reshuffle.
- 14.3 The Executive Committee must convene a meeting of the SRC within 2 (TWO) days of submitting its recommendation(s) to the SRC, where a final decision of the SRC must be made by a majority of its members present regarding the proposed reshuffling.
- 14.4 Should the majority of the SRC agree to a reshuffle, the Sabbatical/Secretary-General of the SRC must, through the Office of the Student Development Officer, inform the Manager: Governance and Student Life (Bloemfontein) and/or the Deputy Campus Director: Welkom Campus of the proposed reshuffling within 7 (SEVEN) days of the SRC's decision to reshuffle the respective SRC portfolios. If the majority of the SRC disagrees to the proposed reshuffle then the SRC may not proceed with the proposed reshuffle.
- 14.5 Should the majority of the SRC agree to a reshuffle and following the process contemplated in paragraph 14.4 above the Manager: Governance and Student Life (Bloemfontein) and/or the Deputy Director: Welkom Campus must, through the Office of the Deputy Registrar: Student Services, inform the Registrar of the decision of the SRC to reshuffle its portfolios, and must keep the Registrar abreast of the process to unfold.
- 14.6 The Student Development Officer, in consultation with the Manager: Governance and Student Life (Bloemfontein) and/or the Deputy Director: Welkom Campus, must oversee and/or preside over the reshuffling process, and, in so doing, assess the reason(s) for the decision to reshuffle against the considerations listed in terms of paragraph 14.1 above.
- 14.7 The reshuffling of any portfolios within the SRC may only take place after 1 March, but by no later than 1 June, of every calendar year.

## **15 PORTFOLIO RESPONSIBILITIES**

- 15.1 SRC members shall be collectively and individually responsible for the proper implementation of, and adherence to these Terms of Reference. To this end, the SRC must divide tasks and responsibilities

amongst its members in a manner compatible with these Terms of Reference, and resolutions in this regard shall always be passed by way of a majority vote.

15.2 The Sabbatical/Secretary-General of the SRC shall keep and update an index of the tasks and responsibilities of each SRC member in addition to the responsibilities listed, in "**Schedule C**", and must make this list available to every member of the SRC, as well as to the Registrar of CUT.

15.3 The functions and responsibilities of each of the portfolios of the SRC are outlined in "**Schedule C**".

## 16 INTERNAL DISPUTE RESOLUTION

In the event of any dispute arising between SRC members in connection with the functions of the SRC, as described in these Terms of Reference, the members shall comply with the provisions of the following dispute-settlement procedure:

### 16.1 Declaration of dispute (Step 1)

The aggrieved member(s) shall declare the dispute in writing, through a Dispute Resolution Notice provided to the Dispute Resolution Committee of the SRC setting out the nature of the dispute, as well as the proposed date and arrangements for a dispute meeting, which date and arrangement shall be determined by the Dispute Resolution Committee. The Dispute Resolution Committee must provide the Dispute Resolution Notice to the SRC member whom the dispute is against within 3 (THREE) days of receipt of the Dispute Resolution Notice.

### 16.2 Answering statements (Step 2)

Unless otherwise agreed upon in writing by all the members who are party to the dispute, the answering member(s) must serve the aggrieved member(s) with an answering statement, responding to the allegations in the Dispute Resolution Notice, within 5 (FIVE) days of receipt the Dispute Resolution Notice.

16.3 Meeting of the members (Step 3)

16.3.1 The members who are party to the dispute shall meet before the Dispute Resolution Committee within 5 (FIVE) working days after the answering statement has been received by the aggrieved member and on a date determined by the Dispute Resolution Committee.

16.3.2 Further meetings of the members who are party to the Dispute may be held, if deemed necessary to resolve the dispute, and by mutual agreement between the parties to the dispute and the Dispute Resolution Committee.

16.4 Further dispute-settlement options (Step 4)

16.4.1 If, following the meetings contemplated in paragraph 16.3, the parties to the dispute are unable to resolve the dispute, any of the parties to the dispute may, through a written letter, refer the dispute to the Registrar for either mediation or arbitration, in which case the Registrar shall act as mediator/arbitrator.

16.5 Types of disputes

16.5.1 Disputes regarding the interpretation of the SRC Terms of Reference shall be referred to the Registrar. If the dispute is not resolved, the matter will be referred to Mancom. If Mancom is unable to resolve the dispute, the matter will be referred to the Executive Committee of Council.

16.5.2 Disputes pertaining to matters of policy and principle, as contained in these Terms of Reference, shall be settled by the SRC by means of a majority decision, subject to the approval of the Registrar.

16.5.3 The Registrar or his/her nominee shall monitor, facilitate and ensure the smooth settlement of any dispute, in accordance with the procedures specified in this paragraph (paragraph 16).

16.6 Composition of the Dispute Resolution Committee

16.6.1 The SRC Deputy Presidents from both the Bloemfontein and Welkom campuses shall serve as members of the Dispute Resolution Committee of the SRC of the respective campus, and shall be guided by the SRC's Code of Conduct.

16.6.2 The Sabbatical/Secretary-Generals from the Bloemfontein and Welkom campuses shall chair the Dispute Resolution Committee for their respective campuses.

16.6.3 The Constitution and Legal Affairs Officers from both campuses shall be members of the Dispute Resolution Committee for their respective campuses, and shall be responsible for the initiation of the dispute-resolution proceedings, and the facilitation of the Dispute Resolution Process contemplated in paragraph 16.1 to 16.4.

16.6.4 The Student Development Officer: Student Governance (Bloemfontein) and Student Development Officer: Student Life (Welkom) shall form part of the Dispute Resolution Committee for their respective campuses.

16.6.5 In the event that the procedures stipulated in this paragraph are initiated against a member of the Dispute Resolution Committee, then that member shall be replaced by a temporary member, as elected by the Manager: Governance and Student Life (Bloemfontein campus) and/or Deputy Director: Welkom Campus.

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## **17 DISSOLUTION**

17.1 the SRC shall be dissolved if:

17.1.1 Council dissolves the SRC;

17.1.2 The SRC elections do not, for whatever reason are not held and the term of the outgoing SRC has elapsed; and

17.1.3 Through a motion of no confidence taken at a mass meeting.

17.2 In the event of a dissolution an interim SRC structure must be appointed by the Deputy Registrar: Student Services in consultation with the Manager: Governance and Student Life: Bloemfontein with regard to the Bloemfontein Campus and in consultation with the Deputy Director: Welkom with regard to Welkom campus.

17.3 The process contemplated in paragraph 17.2 must be completed in consultation with the offices of the Registrar and the Vice Chancellor.

## **18 AMENDMENT AND REVIEW OF THE TERMS OF REFERENCE**

18.1 With due regard to the Act and the CUT Statute, any proposed amendment or addition to, or deletion from, these Terms of Reference must be considered at an SRC meeting.

18.2 After consultation with the SRC, the Registrar of CUT must refer the Terms of Reference to Council for approval.

18.3 The SRC Terms of Reference will be reviewed after every 5 (FIVE) years, at the consent of the Registrar, or earlier by way of notice to the Registrar from the SRC, informing him/her of the need for premature review.

## **19 REGULATIONS, RULES AND PROCEDURES**

Regulations, rules and procedures to bring expression to certain clauses in the Terms of Reference may be developed by the SRC as addendums to the SRC Terms of Reference.

## **20 RELATED DOCUMENTS**

20.1 CUT Statute;

20.2 CUT Standard Rules of Order;

20.3 CUT Code of Conduct for Committee Members;

20.4 CUT language policy; and



20.5 Schedule A-H of the SRC Terms of Reference.

**21 COMPLIANCE OFFICER**

The Registrar is the Compliance Officer as contemplated in the Institutional Policy Framework.

**22 RESPONSIBLE OFFICER**

The Deputy Registrar: Student Services is the Responsible Officer as contemplated in the Institutional Policy Framework.



## SCHEDULE A: CODE OF CONDUCT OF THE SRC

In the event of an inconsistency between the provisions of this schedule and the SRC Terms of Reference, the provisions of the SRC Terms of Reference shall prevail.

### 1. PURPOSE OF A CODE OF CONDUCT

- 1.1 The purpose of this Code of Conduct is to contribute to the development of high ethical standards within the SRC. Whilst the Code contains rules and procedures which must be adhered to by the members of the SRC, its values and principles should underpin the behaviour of SRC members.
- 1.2 An awareness, understanding and adherence to the Code of Conduct are important to enhance professionalism within the processes of the SRC, and assists to ensure confidence in the SRC.
- 1.3 The Code of Conduct is intended to complement and reinforce, the principles of the SRC contemplated in the Terms of Reference and as a consequence must be read and interpreted in accordance with the Terms of Reference.

### 2. VALUES AND PRINCIPLES

The terms values, ethics and conduct are often used interchangeably. In order to minimise misunderstanding of the terminology used in this Code, the following definitions will apply:

- Ethics: What ought to be the ideals of what is just, good and proper.
- Values: The commonly held beliefs that guide judgement about what is good and proper, and from which ethical principles derive,
- Code of Conduct: The rules that translate ideals and values into everyday practice.
- Conduct: The actual behaviour and actions of members.

Certain values and principles, such as integrity, impartiality, transformation, discipline, freedom of association and freedom of thought, have always been part of the ethical standards of the student community. Values reinforce each other, and provide the basis for a stronger ethical culture.

Rules also play a role in safeguarding ethical standards, as they will govern aspects of SRC members' behaviour. Rules play a crucial role in guiding one's conduct, and where rules have been put in place, they must be adhered to, which entails a socio-political consciousness.

#### 2.1 Responsiveness and impartiality

The SRC exists to, *inter alia*, promote, protect and advance the interests of all students, regardless of, their, to race, class, gender, nationality, sexual orientation, religion, age, political affiliation or ideology, and to give effect to the policies of the SRC. Decisions made, or seen to be made, must be impartial, and must be free from any direct or indirect discrimination and/or prejudice.



## **2.2 Accountability**

Accountability is fundamental to good governance, and is one of the essential elements of ethical administration and conduct. The perception of the student body on the state of the SRC's governance and administration is principally determined by whether the SRC is seen to account for its actions.

### **2.2.1 SRC members:**

2.2.1.1 must adhere to laws of the Republic of South Africa and all policies and rules applicable to the SRC, and must not unlawfully or unethically pursue their own interests;

2.2.1.2 are accountable for their conduct; and

2.2.1.3 are required to deal equitably, justly and responsibly with all students and student groups.

## **2.3 Leadership**

2.3.1 It is of the utmost importance that a culture of ethical behaviour is manifested in the SRC, and that SRC members exhibit the highest ethical standards in carrying out their duties. In this regard, SRC members must provide leadership in the area of ethics and promote understanding of the Code of Conduct.

2.3.2 The SRC must treat all people they interact with in their official capacity, fairly, and with courtesy and sensitivity.

## **2.4 Communication**

2.4.1 Effective communication is vital to enable the effective planning, organising and performing of the SRC's activities.

2.4.2 It is important to note that members of the SRC may only communicate with the media if they are authorised to do so in terms of the SRC Terms of Reference and the policies of CUT. Thus an SRC member may not release information obtained as a consequence of their portfolio to any third party if he/she does not have the necessary authority to do so in terms of an enabling provision.

2.4.3 SRC members who make public comments in their personal capacity must make it clear that they act in their personal capacity. When making public comments in their personal capacity, SRC members must avoid using the resources, available to them as a consequence of their position as SRC members or referring to information obtained as a result their portfolio or any conduct which may put the reputation of the SRC or CUT into disrepute.

2.4.4 Members of the SRC shall not engage themselves in hate speech, or utter racist, sexist, insulting and disparaging remarks about individuals or organisations. Any member who engages in behaviour referred to above shall be brought before the disciplinary committee.

## **2.5 Management of misconduct**



- 2.5.1 An ethical culture cannot be developed in an environment where there is no effective mechanism for the detection, investigation and institution of misconduct.
- 2.5.2 Prompt and decisive disciplinary action should be seen as a means of reinforcing high standards. Action in this regard can demonstrate to the student body and the general public that the SRC is committed to eliminating unethical conduct.

## **2.6 Confidentiality of official information**

- 2.6.1 SRC members should not misuse information gained in their official capacity as SRC members in seeking to take advantage for personal reasons. SRC Members should take care to maintain the highest integrity and secrecy with regards to any official information and/or documents which they are responsible for. A fundamental rule on the use of confidential information, including internal CUT correspondence and minutes of meetings, is that members of the SRC must not disclose any official information to any persons unless they are acting:
  - 2.6.2 in the course of their official duties;
  - 2.6.3 with the authority of the SRC in terms of the SRC Terms of Reference or CUT Statute; or
  - 2.6.4 for any other lawful purposes.

## **2.7 Disciplinary code and procedures**

The Disciplinary Rules for Students applies equally to all SRC members.

## **3. PRINCIPLES OF DISCIPLINE**

The following principles inform the disciplinary code and procedures of the SRC:

- 3.1 discipline is a corrective measure, and not a punitive one;
- 3.2 discipline must be applied in a prompt, fair and consistent manner;
- 3.3 if a member of the SRC commits misconduct that is also a criminal offence, the criminal procedure and the disciplinary procedure shall continue as separate procedures; and
- 3.4 disciplinary proceedings do not replace or seek to imitate court proceedings.

## **4. ACTS OF MISCONDUCT**

This code of conduct recognises general offences as misconduct by members of the SRC.



#### **4.1 General offences**

An SRC member found guilty of any of the offences listed below will be guilty of having committed a general offence, and will be subject to a disciplinary enquiry:

- 4.1.1 rowdy and aggressive behaviour;
- 4.1.2 abusive and disrespectful behaviour to other SRC members and/or office bearers;
- 4.1.3 gossiping maliciously to sow disharmony within the SRC;
- 4.1.4 intentionally and maliciously sabotaging the activities of the SRC;
- 4.1.5 deliberately acting on behalf of other organisations, groups or persons to the detriment of the SRC;
- 4.1.6 wilfully and intentionally destroying resources belonging to CUT which are used by the SRC;
- 4.1.7 wilfully and intentionally creating divisions within the ranks of the SRC;
- 4.1.8 behaving dishonestly in respect of the property of the SRC;
- 4.1.9 wilfully disclosing confidential information of the SRC to any third party;
- 4.1.10 behaving in such a way that aims to seriously divide and breakdown unity in the SRC;
- 4.1.11 persistently and without cause undermining the respect for, or impeding the functioning of, the structures of the SRC;
- 4.1.12 engaging in organised factional activity that goes outside the recognised norms of free debate in a manner that threatens the unity of the SRC;
- 4.1.13 negligent disregard of SRC and CUT property;
- 4.1.14 interfering and disrupting the orderly functioning of the SRC; and
- 4.1.15 any negligent behaviour that harms or threatens to harm the SRC and/or its members.

#### **5. DISCIPLINARY INQUIRY**

- 5.1. Upon receipt of an allegation against an SRC member alleging that the SRC member has failed to comply with this code of conduct, the Executive Committee must lodge a formal inquiry.
- 5.2. The Sabbatical Secretary General must appoint someone to investigate the allegations, and to lead the evidence in a hearing.
- 5.3. The Deputy President shall be the Chairperson of the disciplinary hearing. If the Deputy President cannot be the Chairperson for whatever reason the Executive Committee must nominate from amongst



the Executive Committee members who shall be the Chairperson of the hearing barring the Sabbatical/Secretary General

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#### **5.4. Notice of inquiry**

- 5.4.1. An SRC member accused in terms of paragraph 5.1 must be given written notice of the charges being levelled against him/her at least 5 (FIVE) working days before the date of the hearing.
- 5.4.1. The member must sign receipt of the notice contemplated in paragraph 5.1. If the member refuses to sign receipt of the notice, it must be given to the member in the presence of a fellow member or student who shall sign in confirmation that the notice was conveyed to the member.

#### **5.5. The written notice of the disciplinary hearing must contain:**

- 5.5.1. a description of the allegations of misconduct levelled against the accused member;
- 5.5.2. the main evidence which the SRC will rely on against the accused member;
- 5.5.3. details of the time, place and venue of the hearing; and
- 5.5.4. The rights of the member to be represented by a fellow SRC member or student, and to bring witnesses to the hearing in his/her defence.

### **6. CONSTITUTING A DISCIPLINARY COMMITTEE**

The Disciplinary Committee ("DC") of each respective campus is responsible for adjudicating the matter and shall constitute of the following members:

- 6.1 The Deputy President who shall be the convener and Chairperson of the DC;
- 6.2 President, who shall be the Deputy Chairperson of the DC; and
- 6.3 Constitution and Legal Affairs Officer.
- 6.4 In the event that a member of the DC is charged the President of the other campus shall form part of the DC for purposes of adjudicating the matter.

### **7. CONDUCTING THE DISCIPLINARY HEARING**

- 7.1 The disciplinary hearing must be held within 10 (TEN) working days after the notice of inquiry is delivered to the member.
- 7.2 the Deputy President shall be the chairperson for all disciplinary hearings. If the Deputy President is unable to be the Chairperson for any reason, he/she must nominate any other member of the SRC to be the Chairperson for the disciplinary hearing.
- 7.3 the accused member may elect to represent him/herself or to be represented by a fellow SRC member or student.



- 7.4 In a disciplinary hearing, neither the SRC, nor the accused member, may only be represented in terms of by a fellow SRC member or a student.
- 7.5 If the accused member fails to attend the hearing, the accused member must, before the hearing, provide a reason to the Chairperson in writing explaining his reason for not attending the hearing. If the Chairperson concludes that the member did not have a valid reason for such absence, the hearing may continue in the member's absence.
- 7.6 The Chairperson must keep a record of the notice of the disciplinary hearing, and of the proceedings of the meeting.
- 7.7 The proceedings of the disciplinary hearing shall be as follows:
- 7.7.1 The Chairperson must initiate the proceedings of the hearing by reading the notice contemplated in paragraph 5.5 for the record;
- 7.7.2 The designated representative of the SRC will lead evidence to prove the alleged misconduct by the accused member including but not limited to calling witnesses, documentary evidence, physical evidence or evidence on any media format. The accused member or his/her representative may, after the designated SRC member has led the evidence, question any witness introduced by the designated representative of the SRC;
- 7.7.3 The accused member will be given an opportunity to lead evidence to corroborate their version of events including but not limited to calling witnesses, documentary evidence, physical evidence or evidence on any media format. The designated representative of the SRC may, after the accused member has led the evidence, question any witness introduced by the designated representative of the SRC;
- 7.7.4 The Chairperson and members of the DC may, throughout the hearing, ask any witness questions for purposes of obtaining clarity on an aspect of the evidence presented by that witness.
- 7.7.5 Following the process contemplated in paragraph 7.7.1 to 7.7.4 the DC must consider the evidence brought before the hearing, deliberate and pronounce on whether the accused member is found guilty of the alleged misconduct within 3 (THREE) working days following the hearing;
- 7.7.6 If the accused member is determined guilty by the DC, the Chairperson and DC must give the member an opportunity to present relevant circumstances to mitigate the sanction to be imposed whilst the designated representative of the SRC must be given an opportunity to present relevant circumstances to aggravate the sanction. The Chairperson must inform the accused member of the sanction imposed within 5(FIVE) working days following the hearing.
- 7.8 The Chairperson must communicate the final outcome of the hearing to the accused member and the SRC within 10 (TEN) working days after the conclusion of the disciplinary hearing.





## 8 SANCTIONS

- 8.1. A member of the SRC or an SRC candidate who is found guilty of an offence may, depending on the gravity of the offence, be sanctioned by the DC as follows,
- 8.1.1. Corrective counselling or reprimand, entailing the SRC members advising the guilty member in the presence of fellow SRC members. The objective of a reprimand shall not be to humiliate the person, but to remind him/her and the entire membership of the standards expected of SRC members, and to reinforce a sense of unity and shared values ;
  - 8.1.2. verbal warning;
  - 8.1.3. written warning;
  - 8.1.4. final written warning;
  - 8.1.5. Community Service;
  - 8.1.6. loss of SRC privileges, and exclusion from activities and official functions of the SRC for a minimum of 2 (TWO) weeks and a maximum of 2 (TWO) months calculated using calendar days; and
  - 8.1.7. suspension from occupying the SRC's office.
- 8.2. If the disciplinary hearing finds a member to have committed misconduct by committing an offence against the SRC, the case must be referred to the Registrar, by the SRC.

## 9 APPEAL

- 9.1 A member who, following the process contemplated in paragraph 7, has been found guilty of an offence shall have the right to appeal to the Deputy Registrar: Student Services.
- 9.2 A member must submit a written appeal to the Office of the Deputy Registrar: Student Services within 10 (TEN) working days following the formal decision of the DC.
- 9.3 In the appeal document submitted, the member must state the following:
- 9.3.1 the decision being appealed;
  - 9.3.2 the reasons for the appeal, together with supporting documentation; and
  - 9.3.3 the remedy being sought.
- 9.4 In the event that an appeal process is followed the Deputy Registrar must deal with the Appeal and determine its decision based on the evidence provided at the initial hearing.
- 9.5 The Office of the Deputy Registrar: Student Services must finalise the appeal of the member within 10 (TEN) working days of receipt of the appeal.

## **SCHEDULE B: ELECTORAL REGULATIONS**

In the event of an inconsistency between the provisions of this schedule and the SRC Terms of Reference, the provisions of the SRC Terms of Reference shall prevail. The contents of this schedule shall take precedence over any other schedule in relation to Electoral matters.

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## **CHAPTER 1: PURPOSE AND OBJECTIVES**

### **1.1 Purpose**

This schedule serves to regulate the activities of students, student organisations, independent SRC candidates, and the Independent Service Providers mandated to assist in the administration of the SRC election during CUT SRC election period.

### **1.2 Objectives**

The objectives of these regulations are to strengthen the notion of constitutional democracy and transparency within CUT, and to promote a democratic electoral process for the election of SRC members.

## **CHAPTER 2: APPOINTMENT AND COMPOSITION OF THE COMMISSION**

### **2.1 Appointment of an Independent Service Provider**

The Vice-Chancellor and Principal or his/her nominee, in consultation with the SRC in office, shall annually procure the services of an independent service provider to administer the SRC elections.

### **2.2 Composition of the independent service provider**

The service provider shall be constituted similarly to the internal structure of the IEC of South Africa..

### **2.3 Appointment of the Logistical Support Team ("LST")**

The LST will account to the Manager: Governance and Student Life (Bloemfontein) and the Deputy Campus Director (Welkom) who shall be responsible for the administration of resources relating to elections.

### **2.4 Composition of the LST:**

- 2.4.1 SRC President (not standing for elections);
- 2.4.2 SRC Sabbatical/Secretary-General; and
- 2.4.3 1 (ONE) representative from the Office of the Manager: Governance and Student Life (Bloemfontein) and the Deputy Campus Director (Welkom)..

## **CHAPTER 3: FUNCTIONS OF THE INDEPENDENT SERVICE PROVIDER**

- 3.1 The duties of the independent service provider shall include, *inter alia*, to:
  - 3.1.1 facilitate and manage the SRC election process in its entirety, in accordance with these electoral regulations;
  - 3.1.2 use the services of students not running for election or CUT staff members, as and when it deems it necessary;



- 3.1.3 determine and execute any other electoral logistical matters which may be necessary for the successful completion of the elections, including but not limited to designing ballot papers, ballot boxes and voting compartments; appointing election officials; and educating voters;
- 3.1.4 maintain a voters' roll consisting of the students as provided by CUT;
- 3.1.5 ensure and promote conditions that are conducive for free and fair elections, and make a declaration at the end of the election process, declaring/announcing whether or not the elections were free and fair;
- 3.1.6 declare the election results within the period specified in these regulations, unless expressly prohibited thereto by a court order from a competent Court of law;
- 3.1.7 develop an SRC Election Programme of Action in line with the CUT annual calendar;
- 3.1.8 compile and maintain a register for candidates contesting elections;
- 3.1.9 promote co-operation between students, electorates and student organisations;
- 3.1.10 inform students running for elections of all relevant laws and procedures relating to the dispute adjudication process; and
- 3.1.11 fairly and promptly adjudicate any disputes that may arise from or between parties contesting elections..
- 3.1.12 compile and issue registration forms to all student organisation seeking to be registered as student organisations for purposes of the election.

**3.2 Duties of the Presiding Officer**

The Presiding Officer is accountable to the Provincial Head of the IEC of South Africa or his/her nominees/ Head of the service provider, and his/her duties are, *inter alia*, to:

- 3.2.1 co-ordinate and supervise voting at the polling station;
- 3.2.2 represent the IEC Provincial Head/head of the service provider at the polling station;
- 3.2.3 ensure that voting is conducted in a free, fair and orderly manner;
- 3.2.4 ensure a steady movement of voters through the polling stations;
- 3.2.5 record objections by voters, agents and observers;
- 3.2.6 report any disturbance to the Provincial Head/head of the service provider, after consultation with the Registrar;
- 3.2.7 record voter turnout during specified time slots; and



3.2.8 perform any other duty as the Provincial Head/head of the service provider may determine and allocate.

### **3.3 Duties of the LST**

The duties of the LST are, *inter alia*, to:

3.3.1 Set up the voting station on the CUT campus;

3.3.2 Compile a schedule of election activities;

3.3.3 Meet with the officials of the IEC/service provider to explain the practical processes to be followed in the execution of ensuring a successful election;

3.3.4 Facilitate the marketing of the election on campus;

3.3.5 Provide support in obtaining and advertising the voters' roll;

3.3.6 Distribute or make nomination forms available to candidates on request from the candidate;

3.3.7 Ensure that materials, equipment and resources required for elections are available;

3.3.8 Manage the election budget; and

3.3.9 Perform administrative and logistical tasks to ensure the success of a free and fair election.

## **CHAPTER 4: APPOINTMENT AND DUTIES OF PARTY AGENTS**

### **4.1 Appointment of Party Agents**

4.1.1 Student organisations shall be entitled to appoint a maximum of 2 (TWO) party agents.

4.1.2 The following information must be submitted to the Independent Service Provider for a person to be appointed as a party agent:

4.1.2.1 full name(s), surname(s) and student number(s) of the person(s) appointed as party agent(s);  
and

4.1.2.2 name of the organisation appointing such a person(s) as party agent(s).

### **4.2 Eligibility of/criteria for party agents**

4.2.1 A party agent must not have a criminal record or record of any institutional misconduct at CUT.

4.2.2 Only registered students who have been students for a minimum of 3 (THREE) semesters will be eligible to serve as party agents.

### **4.3 Duties of the party agents or Independent representatives**



- 4.3.1 Party agents must :
  - 4.3.1.1 observe proceedings concerning results, voting, counting of votes, and determining and declaring results;
  - 4.3.1.2 represent their student organisations and candidates at all meetings of, and interactions with, the Independent Service Provider and
  - 4.3.1.3 encourage credible, free and fair elections.
- 4.3.2. Agents may not interfere with the proceedings.
- 4.3.3. The absence of party agents does not invalidate election proceedings.
- 4.3.4. Party agents must:
  - 4.3.4.4 comply with orders issued by an Independent Service Provider.
  - 4.3.4.5 encourage their members and supporters to display tolerance towards other organisations and candidates;
  - 4.3.4.6 support the right of organisations and candidates to campaign freely; and
  - 4.3.4.7 refrain from behaving disorderly or in any manner that hinders the smooth running of the election proceedings.

#### **4.4 Sanctions**

Party Agents who fail to adhere to the provisions of this code of conduct, in so far as it relates to Party Agents may be subjected to the following sanctions depending on the magnitude and nature of the misconduct:

- 4.4.1 Automatic removal from the voting station by the Presiding Officer;
- 4.4.2 institutional disciplinary processes and criminal charges;
- 4.4.3 In the event that the behaviour of the party agent substantially seeks to undermine the election processes, the party agent may be suspended from CUT with immediate effect;
- 4.4.4 The party agent should be afforded an opportunity to give reasons, in writing, why the suspension should not remain in force for the duration of the campaign period and the election day..

#### **CHAPTER 5: SRC MODEL OF ELECTIONS**

The system of elections shall be by non-proportional representation (**NPR**) in that any student shall be eligible to stand and contest for a position in the SRC as an individual student. Thus, a candidate with the most student votes in an SRC election becomes the incumbent SRC member for the portfolio for which the candidate has contested.



## **CHAPTER 6: REGISTRATION OF STUDENT POLITICAL ORGANISATIONS AND INDEPENDENT CANDIDATES**

- 6.1 Student organisations must submit a fully completed registration form, as provided by the independent service provider, to be recognised as a student organisation for purposes of the election.
- 6.2 In addition to the registration form contemplated in paragraph 6.1 student organisations and independent candidates must submit the following details:
- 6.2.1 The name of the student organisation/independent candidate.
- 6.2.2 The distinguishing mark or logo of the student organisation, face of student organisation/independent candidate.
- 6.2.3 The abbreviation of the name of the student organisation/independent candidate or full name of an independent candidate.
- 6.2.4 Proof of registration as a student organisation and/or any other information required by the independent service provider.
- 6.3 The aforementioned requirements apply equally to the independent candidates.
- 6.4 The SRC elections shall be contested by parties and independent candidates as the case may be.

## **CHAPTER 7: NOMINATIONS/WITHDRAWALS AND/OR OBJECTIONS OF CANDIDATES**

### **7.1 Eligibility of nominees**

- 7.1.1 In order to be eligible for nomination, a candidate must:
- 7.1.1.1 identify and associate himself/herself with the mission and vision of CUT;
- 7.1.1.2 be a full-time registered student at CUT;
- 7.1.1.3 not have been previously found guilty and convicted of an offence by CUT, any other higher education institution, or a court of law;
- 7.1.1.4 have been a student for a minimum of 3 (THREE) semesters in the case of semester students or must be at least completing their second year in the case of year students;
- 7.1.1.5 must have passed at least 60% (SIXTY PER CENT) of his/her registered credit-bearing subjects in the previous year (in a case of year course students) or semester (in case of semester students) at CUT, and, once elected, such a member will have to maintain the 60% (SIXTY PERCENT) pass rate for all such subjects obtained during the exam period ending



in the academic year following the elections, and such a standard should be maintained for the duration of his/her term in office; and

- 7.1.1.6 must not be undergoing any practical training exceeding 1 (ONE) continuous month at a time for any part of the period referred to in terms of paragraph 7.1.1.2.
- 7.1.2 SRC members who meet the eligibility requirements may be re-elected, and may serve for a maximum of 2 (TWO) terms.
- 7.1.3 To be eligible for nomination as a candidate for the Sabbatical/Secretary-General position, the candidate must be in possession of any postgraduate qualification; and
- 7.1.4 The term of office of the Sabbatical/Secretary-General shall extend from January to December of the applicable year.
- 7.1.5 The Sabbatical/Secretary-General of the SRC shall suspend his/her studies for the duration of the year in question to occupy the office full time except where the Sabbatical is studying a Master's level course in which case he/she may resume his/her studies.
- 7.1.6 The SRC President: Bloemfontein campus and SRC President: Welkom campus shall both serve as Council members until the end of December of the applicable year.

## **7.2 Determining the election timetable**

- 7.2.1 The dates on which all the different elements of the election process will take place, including the day on which the voting will take place, will be determined and approved by the Office of the Manager: Governance and Student Life (Bloemfontein) or Campus Director (Welkom), in consultation with the SRC and subsequently reflected in the election timetable. The election timetable is necessary to inform students and interested parties of the most important steps and procedures that must be followed on specific dates leading up to the day on which voting will take place.
- 7.2.2 The SRC shall notify all associations, governance structures and residence committees of the approved election timetable within 5 (FIVE) working days.
- 7.2.3 The proposed election timetable shall contain specific dates for, at least, the following items:
  - 7.2.3.1 opening and closing dates and times of nominations;
  - 7.2.3.2 announcement of nominations;
  - 7.2.3.3 commencement and duration of campaigning period by nominated candidates;
  - 7.2.3.4 date of SRC elections; and
  - 7.2.3.5 proposed commencement date of the new SRC term.





- 7.2.4 All SRC election procedures must strictly follow the approved election timetable.
- 7.2.5 The Independent Service Provider may, in exceptional circumstances and with prior consultation with the SRC, effect amendments to the proposed election timetable.
- 7.2.6 SRC shall, with the assistance of the Student Development Officer, notify all associations, governance structures, residence committees and duly nominated candidates of the amended election timetable.

### **7.3. Nomination procedure**

- 7.3.1. Calls for nominations must be placed on all forms of noticeboards in accordance with the approved SRC Timetable.
- 7.3.2. Nomination forms must be obtainable at a central point on campus, and must be submitted to the Chairperson of the independent service provider, who will issue confirmation of receipt to the party concerned.
- 7.3.3. Nomination forms should be hand-delivered by the Chairperson or Secretary of the organisation contesting elections or the individual contesting elections in their own personal capacity.
- 7.3.4. 10 (TEN) working days must be allocated for the submission of nominations.
- 7.3.5. No changes to the nominations will be allowed after the closing date published by the Independent Service Provider.
- 7.3.6. No nomination forms will be accepted after the final submission date and time set by the election timetable.
- 7.3.7. The following must be submitted by a nominee in order to qualify for nomination of any portfolio:
- 7.3.7.1. 2 (TWO) colour ID-sized photos of the candidate;
- 7.3.7.2. nomination form, signed by the nominee and nominator;
- 7.3.7.3. signatures of 10 (TEN) students in support of the nomination on the prescribed nomination form; and
- 7.3.7.4. proof of nominee's academic record.
- 7.3.8. The Independent Service Provider must determine the validity and eligibility of all nominations for elections.
- 7.3.9. The Independent Service Provider must decline to accept a nomination if a nomination fails to meet the requirements for registration of elections.
- 7.3.10. A list of all nominated and eligible candidates must be placed on the noticeboards for student public consumption.



7.3.11. All nomination lists must contain details of all candidates contesting such elections, where such a list will indicate the portfolios contested per election period.

#### **7.4. Withdrawals and/or cancellations**

7.4.1. Any notification or intention to withdraw from nomination must be in writing and must be signed by the Candidate.

#### **7.5. Objections to nominations**

7.5.1. Objections to any nomination must be in writing, stating the reasons for objection, and must be signed by the structure objecting and submitted within 2 (TWO) working days of posting the nominations list.

7.5.2. Objections must be submitted to the office specified in the notice calling for nominations.

7.5.3. The independent service provider, must afford the objectors an opportunity to present their objections, and will then consider the validity of the objections before the voting dates.

7.5.4. Where the independent service provider, determines that the nomination submitted by a candidate does not meet all of the nomination requirements, the independent service provider must notify the nominator and nominee of the said default in writing, and must allow for the default to be rectified within 72 (SEVENTY TWO) hours after the closing date of the nominee has been informed.

7.5.5. The independent service provider must accept all corrected nominations contemplated in paragraph 7.5.4 until the expiry of the 72 (SEVENTY TWO) hour period despite being submitted after the closing time for nominations, and such corrected nomination submission shall be deemed to have been validly submitted.

7.5.6. If a nomination is declared invalid, and is not rectified within 72 (SEVENTY TWO) hours, the nominee will be disqualified as a candidate, and must be notified in writing within 2 (TWO) business days of such disqualification taking place. .

#### **7.6. Unopposed nominations**

7.6.1. If only 1 (ONE) candidate is nominated in a particular portfolio, she/he shall be automatically elected in that particular portfolio.

7.6.2. If no candidate has been nominated in a particular portfolio, then a by-election must be held at a later stage as determined by the Registrar for the sole purpose of electing that portfolio.

#### **7.7. Campaigning**

7.7.1. Following the close of nominations, nominated candidates shall follow a structured programme of campaigning in accordance with the election timetable.



- 7.7.2. Campaigning shall begin on the day allocated for campaigning on the SRC election timetable and close on the last day prior to the SRC election day, after which no candidate may be involved in any formal or informal campaigning for votes.
- 7.7.3. External organisations, external persons and third parties, including political leaders, are expressly prohibited from assisting in campaigns or attempting to influence the outcome of an election.
- 7.7.4. Student groups or organisations and candidates may not ask for assistance from external organisations, external persons or third parties, and must take reasonable steps to prevent external organisations, external persons or third parties from campaigning on their behalf, or from otherwise influencing the outcome of an election.
- 7.7.5. Student organisations, groups or candidates may not host events with external organisations, external persons or third parties during the campaign period as contemplated in paragraph 7.7.2.
- 7.7.6. A candidate for SRC elections may be sanctioned in accordance with Schedule A paragraph 8 "Sanctions" should he or she be found guilty of transgressing any of the clauses contemplated in paragraph 7.7.1 to paragraph 7.7.5.

## CHAPTER 8: VOTING AND COUNTING PROCEDURES

### 8.1 Voting procedure

- 8.1.1 Voting will take place in 1 (ONE) day, unless otherwise ordered by the independent service provider.
- 8.1.2 Voting will take place between 09:00 and 21:00 on the day allocated for voting.
- 8.1.3 Prior to the commencement of the voting process, the delegated staff of the independent service provider must show party agents that the ballot boxes are empty, after which they must seal the ballot boxes.
- 8.1.4 Voters must produce a valid student card and proof of registration when voting, and they should appear on the voters' roll.
- 8.1.5 Where a student's name does not appear on the voters' roll, but valid proof of registration is provided, the student's name may be added to the roll, together with an accompanying note, explaining that proof of registration was produced.
- 8.1.6 Voting must be by secret ballot.
- 8.1.7 Candidates and voters may not canvass votes in the vicinity of the voting stations. Strict control measures must be put in place by the independent service provider in the vicinity of the voting booths to ensure that elections are free and fair.
- 8.1.8 Within the boundaries of a venue/voting station, no party agent or candidate may:

- 8.1.8.1 display or distribute any names, pamphlets or posters on election day; or
- 8.1.8.2 attempt to induce, influence or persuade any voting delegate to vote for, or not to vote for, any particular candidate.
- 8.1.9 Each voter must be given 1 (ONE) ballot paper indicating all the nominated candidates.
- 8.1.10 Each voter may have 1 (ONE) vote for each portfolio.
- 8.1.11 A voter may only vote once in an election
- 8.1.12 A line must be drawn through the name of the voter on the voters' roll as an indication that the voter has cast his vote.
- 8.1.13 The fingers of both hands of the voter must be inspected to ensure that the voter has not voted already.
- 8.1.14 Election contestation shall be based on a principle of first pass the post. (One vote to one candidate in each portfolio.)
- 8.1.15 Students must vote by placing a cross or identifiable mark within a specified column corresponding with their preferred candidate.
- 8.1.16 In the future, an electronic voting system could be utilised upon the implementation of the system by CUT in this regard.



## **8.2 Voting stations**

8.2.1 The independent service provider must establish an appropriate location(s) to be utilized as voting station(s) within the campus.

8.2.2 The following factors must be taken into consideration by the independent service provider when considering the venue and number of voting station:

8.2.2.1 the need for free, fair and orderly conduct of the elections;

8.2.2.2 The number of students anticipated to participate in the elections and the need to avoid congestion;

8.2.2.3 The number of entry and exit points at the designated venue.

8.2.2.4 Heavily populated areas such as the Student Centre, faculties and residences, should be avoided however may be utilised if deemed necessary by the independent service provider.

## **8.3 Spoilt papers (under counting)**

8.3.1 All ballot papers must have the official stamp. A ballot paper will be deemed spoilt, and will thus be rejected, if:

8.3.1.1 It is determined by the independent service provider that a voter has voted more than once; or

8.3.1.2 if the stamp does not appear on the ballot paper.

8.4.2. Where the voter's intention is not clearly detectable, due to the lack of visibility of the mark or for any other reason that may be determined and agreed upon by the parties.

## **8.4 Closing of polling station**

8.4.1 The polling station shall close at 21:00. In the event that there is a person in the queue at 21:00, such a person will be permitted to vote before the close of the polling station however no person shall be allowed to join the queue after the closing of the polling station.

8.4.2 The Presiding Officer shall seal the top slot of the ballot box, and shall record the serial number of the seal.

8.4.3 In addition to the presiding officer sealing the ballot box as contemplated in paragraph 8.4.2 Party agents may affix their own seals to the ballot box in alphabetical order. Party agents may not remove, tear or compromise in any way any of the seals on the ballot box.

8.4.4 Party agents who opted to fix their seal to the ballot box in terms of paragraph 8.4.3 shall be recorded as such by the Independent Service Provider.

8.4.5 After the ballot box has been sealed the election officers shall then transport the ballot papers to the counting station.

8.4.6 Party agents may, after voting has taken place, ask the Presiding Officer for the following information:

8.4.6.1 an indication of how many students voted for the day; and

8.4.6.2 the number of ballot papers issued by the election officers.

## **8.5 Counting**

8.5.1 The voting station shall be converted into a counting station immediately after voting.

8.5.2 The ballot papers shall be counted manually by the independent service provider. The party agents will merely observe, and not interfere or participate with the counting processes.

8.5.3 Disputed and rejected ballot papers will not be counted, and will be kept separate, unless the Presiding Officer makes a determination that the Disputed Ballots are valid based on complying with the requirements for validity.

8.5.4 Once the counting process is completed, the result for each organisation must be recorded by the independent service provider.

## **8.6 Objections to voting or counting**

8.6.1 Any party agent may register an objection, in writing, in respect of voting at a particular voting station or counting, with a Presiding Officer.

8.6.2 Party agents may object to any alleged irregularities or inaccuracy in the verification process.

8.6.3 Objections to voting must be dealt with during the voting process, and counting during the counting process, if possible.

8.6.4 Following receipt any written objection the presiding officer shall objectively assess the merits of the objection and make a ruling on the validity of the objection as well as the appropriate remedy to be followed

## **8.7 Election declaration**

8.7.1 The results of the elections shall be announced by the IEC Provincial Head/head of the independent service provider.

8.7.2 Announcement of election results by the IEC Provincial Head/head of the independent service provider shall be done immediately after the counting process has been completed.

8.7.3 The announcement of the results must be kept confidential until the results are announced in accordance with paragraphs 8.8.1 and 8.8.2 above. In the event that this clause is not adhered to, the person guilty of disclosing the election results will be subjected to the normal CUT disciplinary procedures.



## 9 ELECTION APPEALS COMMITTEE

- 9.1.1 The Registrar, as a custodian of institutional policies, or his/her nominee shall be responsible for constituting the *ad hoc* Election Appeals Committee.
- 9.1.2 The Election Appeals Committee is an independent and impartial body that must adjudicate appeals against decisions of the Independent Service Provider.
- 9.1.3 The Election Appeals Committee must be established at the same time as the Independent Service Provider is constituted.
- 9.1.4 The Election Appeals Committee consists of individuals appointed by Registrar or his/her nominee and shall include:
  - 9.1.4.1 Chairperson; and
  - 9.1.4.2 2 (TWO) members appointed based on their expertise; No member of the Election Appeals Committee may be a member of the Independent Service Provider, stand for election, or assist in the campaigning of a student standing for election.
- 9.1.5 The Election Appeals Committee must:
  - 9.1.5.1 act in a lawful, reasonable and procedurally fair manner; and
  - 9.1.5.2 receive, consider and determine any appeal against a decision of the Independent Service Provider.
- 9.1.6 The Election Appeals Committee may summon any person to make written submissions, or appear before it to give evidence.
- 9.1.7 Appeals must proceed in the following manner:
  - 9.1.7.1 Appeals must be submitted to the Election Appeals Committee in writing within 24 (TWENTY FOUR) hours of the publication of an Independent Service Provider's decision.
  - 9.1.7.2 The Committee must acknowledge all appeals within 48 (FORTY EIGHT) hours.
  - 9.1.7.3 The appellant must submit the appeal accompanied by all supporting evidence with the appeal.
  - 9.1.7.4 All Parties to the appeal must be given an opportunity to respond to the appeal and must do so within 24 (TWENTY FOUR) hours.
  - 9.1.7.5 The Committee must adjudicate the appeal within 5 (FIVE) working days.
  - 9.1.7.6 The Committee must inform all interested parties of its decision, and must publish its decision within 2 (TWO) days after the adjudication process has been completed.



9.1.7.7

Any aggrieved parties following the decision of the Election Appeals Committee will have exhausted all internal dispute resolution processes and may approach a competent court of law.





## **SCHEDULE C: FUNCTIONS AND RESPONSIBILITIES OF OFFICE BEARERS**

**In the event of an inconsistency between the provisions of this Schedule and the SRC Terms of Reference, the provisions of the SRC Terms of Reference shall prevail.**

### **1. PRESIDENT**

The SRC President shall:

- 1.1 preside as the Chairperson at all SRC meetings, mass meetings and at SRC Executive Committee meetings;
- 1.2 be responsible for the overall co-ordination of the duties and functions of SRC members;
- 1.3 represent students in Council, Senate, Institutional Forum (IF) as well as meetings of all other relevant structures ;
- 1.4 represent the SRC and the student community at the highest level in decision-making with CUT Management on matters relating to CUT students;
- 1.5 Shall serve as Co-Chairperson of the Student Services Council along with the Deputy Registrar: Student Services. The Bloemfontein president shall serve as the Co-Chairperson of the Student Services Council for the 1<sup>st</sup> (FIRST) Semester and the Welkom President shall serve as the Co-Chairperson of the Student Services Council for the 2<sup>nd</sup> (SECOND) semester.
- 1.6 be responsible for issuing guidance in the formulation of policies and principles of the SRC;
- 1.7 together with the Finance Officer and the Sabbatical/Secretary-General, be responsible for the preparation of the costing for the SRC programme of action (PoA), and shall be responsible for submission of the PoA to the Student Development Officer.

### **2 DEPUTY PRESIDENT**

The Deputy President shall:

- 2.1 preside as the Chairperson at all SRC meetings, mass meetings and SRC Executive Committee meetings in the absence of the President;
- 2.2 co-ordinate the policy development process for the SRC;
- 2.3 lobby relevant stakeholders for the establishment of exchange programmes for CUT; and
- 2.4 administer and manage the operational functions of the SRC in accordance with the directives of the SRC President.

### **3 SABBATICAL/SECRETARY-GENERAL**

The Sabbatical/Secretary-General shall:



- 3.1 be responsible for the day-to-day running of the SRC;
- 3.2 be responsible for circulating all important information, notices and agendas of all meetings;
- 3.3 keep records of all proceedings of the meetings of the SRC, and ensure that the minutes of the meetings are circulated to the Office of the Registrar for safekeeping as well as to the other SRC Members;
- 3.4 liaise between the administrative section of all departments and both campuses of the SRC;
- 3.5 be the convener of, and circulate notices and agendas of the Student Parliament;
- 3.6 compile a monthly SRC progress reports;
- 3.7 together with the Finance Officer and the President, be responsible for the preparation of the costing for the SRC PoA, and shall be responsible for submission of the PoA to the Student Development Officer;
- 3.8 Investigate and lead evidence in a Disciplinary inquiry in accordance with paragraph 5 of **Schedule A**; and
- 3.9 Where any of the SRC members who serve a function on a specific structure are not available, the Sabbatical/Secretary General must serve in their place for an interim period.

#### **4 FINANCE OFFICER**

The Finance Officer shall:

- 4.1 be responsible and accountable for the finances of the SRC;
- 4.2 keep record of all financial transactions of the SRC;
- 4.3 co-ordinate the compilation and submission of budgets of all CUT student organisations and associations to the Student Development Officer;
- 4.4 together with the President and the Sabbatical/Secretary-General, ensure that all financial transactions of the SRC, organisations and associations conform to the financial rules, policies and procedures of CUT;
- 4.5 be responsible for raising funds for the general activities and special projects of the SRC, in line with CUT policies and in conjunction with the Project and Campaigns Officer;
- 4.6 together with the Finance Officer and the President, be responsible for the preparation of the costing for the SRC PoA, and shall be responsible for submission of the PoA to the Student Development Officer;
- 4.7 present a financial report to the Student Parliament, Council and the SRC, whenever required, provided that he/she is given at least 7 (SEVEN) working days' notice to do so; and
- 4.8 constitute a Finance Committee



## **5 ACADEMIC AND QUALITY ENHANCEMENT OFFICER**

The Academic and Quality Enhancement Officer shall:

- 5.1 be a representative of the student body and the SRC at Senate;
- 5.2 co-ordinate all transformation-related matters/issues of the SRC;
- 5.3 participate in curriculum development and quality assurance activities at CUT in order to ensure that the appropriate curriculum matters are addressed to the benefit of the student body;
- 5.4 ensure prevalence of quality platforms for teaching and learning;
- 5.5 submit a quarterly report to the SRC; and
- 5.6 attend meetings of Senate, the IF and all other related structures.

## **6 CONSTITUTION AND LEGAL AFFAIRS OFFICER**

The Constitution and Legal Affairs Officer shall:

- 6.1 co-ordinate institutional workshops on CUT policies and statutes;
- 6.2 be the legal advisor to the SRC, and the student populace at large;
- 6.3 together with the campuses' Deputy Presidents, organise the institutional Student Parliament and the Constitutional Summit;
- 6.4 have a seat at disciplinary proceedings taken against any student;
- 6.5 promote the SRC Terms of Reference, and the values and principles underlying it, to the student body; and
- 6.6 promote the Code of Conduct of the SRC, as provided for in "**Schedule A**", amongst SRC members.

## **7 SPORTS AND RECREATION OFFICER**

The Sports and Recreation Officer shall:

- 7.1 liaise with relevant stakeholders regarding all sports and recreation related matters;
- 7.2 be responsible for the promotion and development of sports and recreation at CUT;
- 7.3 organise programmes aimed at uniting students through sports and recreation;
- 7.4 organise recreational events and activities of CUT; and
- 7.5 prepare and submit monthly reports to the Sabbatical/Secretary-General.



- 7.6 Together with the Arts and Culture and International Student Officer assist in the co-ordination of logistical issues in relation to inter and intra varsity tournaments, working in hand with the SDO.

## **8 PUBLIC RELATIONS OFFICER**

The Public Relations Officer shall:

- 8.1 be responsible for the public relations of the SRC, and ensure that the SRC cultivates and projects a positive image throughout the CUT Community and with relevant stakeholders;
- 8.2 Subject to the approval of the Student Development Officer co-ordinate the production of all SRC publications and notices, in any form of communication;
- 8.3 in conjunction with the Project and Campaigns Officer create awareness and encourage participation in any campaigns of the SRC;
- 8.4 prepare and submit monthly reports to the Sabbatical/Secretary-General; and
- 8.5 Serve as a board member on the CUT Radio Station Board.

## **9 RESIDENCE AND ACCOMMODATION OFFICER**

The Residence and Accommodation Officer shall:

- 9.1 ensure efficient communication with the Student Residence and Accommodation Forum in respect of matters relating to residences and accommodation;
- 9.2 ensure that the Terms of Reference of the Student Residence and Accommodation Forum, as provided for in "**Schedule G**", is adhered to;
- 9.3 prepare and submit monthly reports to the Sabbatical/Secretary-General; and
- 9.4 co-ordinate the living, learning and recreational activities of off-campus students in consultation with the relevant offices within the Students Services.

## **10 HEALTH AND WELFARE OFFICER**

The Health and Welfare Officer shall:

- 10.1 promote the health and welfare of the students and develop an SRC driven programme in this regard;
- 10.2 investigate and attend to matters that relate to the health and welfare of the student community and in conjunction with the Wellness Unit develop programmes to address any health and welfare threats identified;

- 10.3 represent the SRC in all matters relating to safety, security and accessibility of buildings to physically challenged students; and
- 10.4 prepare and submit monthly reports to the Sabbatical/Secretary-General.

**11 PROJECT AND CAMPAIGNS OFFICER**

The Project and Campaigns Officer shall:

- 11.1 co-ordinate all projects of the SRC;
- 11.2 In conjunction with the Public Relations Officer create awareness within the student community about SRC campaigns on campus;
- 11.3 identify community projects to be initiated and supported by the SRC;
- 11.4 in conjunction with the Finance Officer, raise funds for projects of the SRC;
- 11.5 co-ordinate projects that are aimed at building capacity and developing students; and
- 11.6 prepare and submit monthly reports to the Sabbatical/Secretary-General.



## **12 STUDENT AFFAIRS OFFICER**

The Student Affairs Officer shall:

- 12.1 inform students about membership to all registered student associations including cultural, academic and sports associations;
- 12.2 receive registered student associations' annual applications for affiliation to the SRC;
- 12.3 establish a Chairpersons' Committee of all registered student associations in order to co-ordinate activities of the respective associations;
- 12.4 keep record of all relevant information concerning all registered student associations, societies and organisations affiliated to the SRC;
- 12.5 co-ordinate the affiliation to the SRC of any newly registered student association, society or organisation on campus, according to The Policy on Allocation of Budget to officially Registered and Recognised Student Organisations; and
- 12.6 organise leadership training for registered student associations, organisations and structures.

## **13 TRANSFORMATION, EQUITY AND DIVERSITY OFFICER**

The Transformation, Equity and Diversity Officer shall:

- 13.1 plan and coordinate SRC academic transformation related programmes in cooperation with the SRC Academic and Quality Enhancement Officer;
- 13.2 ensure empowerment for positive impact in the CUT transformation trajectory by organising seminars and workshops on higher education transformation and social transformation;
- 13.3 represent the SRC in the Institutional Forum and any relevant institutional structure appointed by the SRC Executive and
- 13.4 advance equity, diversity and transformation principles in various platforms of the SRC and CUT at large.
- 13.5 Ensure non-discriminatory practice in the SRC, its committees and societies, and on campus in general by developing SRC programmes that denounces any form of discrimination and unfair students' treatment;
- 13.6 be an advocate of differently abled students and minority groups and ensure that their plight is highlighted for relevant support by CUT;
- 13.7 liaise with the institutional unit responsible for the disability for the necessary support and joint programmes;



- 13.8 Run programmes aimed at creating gender - Transformation, Equity and Diversity Officer sensitivity in order to establish harmony on the campus;
- 13.9 develop SRC programmes that focus on creating a conducive university environment that promote institutional diversity and institutional student cohesion;
- 13.10 Organise seminars and conferences to educate students on equity and diversity related matters;
- 13.11 Liaise with gender focal bodies for the purpose of networking and enrichment of students related programmes;
- 13.12 In conjunction with the Student Development Officer ensure that CUT inculcate a culture of human rights through relevant student programmes to promote responsible citizenship.

#### **14 ARTS AND CULTURE AND INTERNATIONAL STUDENTS OFFICER**

The Arts, Culture and International Student Officer shall:

- 14.1 Co-ordinate inter-campus cultural days;
- 14.2 Ensure the promotion of multi-culturalism in cultural activities;
- 14.3 Advise the campus on social activities, including festivals, seminars and symposiums related to arts and culture;
- 14.4 Together with the Sports and Recreation Officer assist in the co-ordination of logistical issues in relation to inter and intra varsity tournaments, working in hand with the SDO;
- 14.5 Organise trips and tours of interest to the student community across campuses;
- 14.6 Interact with international students for the purposes of determining their common problems and concerns and advising the SRC accordingly;
- 14.7 Establish and chairing an international students' committee;
- 14.8 Participate in the arrangements of the university's international office of the annual international students' day;
- 14.9 Draft, implement and coordinate an annual programme of events and projects designed to promote the interests of international students;
- 14.10 Liaise with internal and external stakeholders to assist with the annual orientation of international students.



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## **SCHEDULE D: TERMS OF REFERENCE OF THE STUDENT PARLIAMENT**

**In the event of an inconsistency between the provisions of this schedule and the SRC Terms of Reference, the provisions of the SRC Terms of Reference shall prevail.**

### **STUDENT PARLIAMENT**

#### **1 PREAMBLE**

- 1.1 The disregard and contempt for human rights has resulted in barbarous acts, which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech, belief, conscience and freedom from fear, and want has been proclaimed as the highest aspiration of the common people.
- 1.2 Recalling that the Constitution of the Republic of South Africa asserts the principle of non-discrimination based on gender, disability and race In honour and respect of the stalwarts who fought for the liberation of this country, to the demise of the unjust Apartheid system, we therefore uphold and maintain the democratic norms and values that underpin an open and democratic society based on freedom, equality and humanity dignity.
- 1.3 We, as the Student Parliament of CUT, are committed to the attainment of the aforementioned ideals, and maintain the democratic norms and values that underpin an open and democratic society based on freedom, equity and human dignity.

#### **2. PURPOSE OF THE STUDENT PARLIAMENT**

- 2.1 The Student Parliament shall:
  - 2.1.1 function as a subsidiary body to the SRC, where such functions are reconcilable with the SRC Terms of Reference;
  - 2.1.2 advise the SRC on policy matters, and assist it in the implementation of such policies through the SRC;
  - 2.1.3 be the body to which affiliated student organisations/clubs/societies and House Committees report quarterly;
  - 2.1.4 disseminate information from students to Management, and from Management to students;
  - 2.1.5 establish standing committees and commissions for investigation and enquiries that directly reside under the SRC, and submit annual and final reports in this regard;
  - 2.1.6 be the body that determines students' needs, and gives direction to student life on campus, through the SRC; and
  - 2.1.7 debate recommendations made by the SRC to the Student Services Council (SSC).



### **3 COMPOSITION AND ELECTION OF THE STUDENT PARLIAMENT**

3.1 The Student Parliament shall consist of:

3.1.1 Speaker;

3.1.2 Deputy Speaker;

3.1.3 Convener;

3.1.4 Deputy Convener;

3.1.5 Sabbatical/Secretary-General at the host campus;

3.1.6 1 (ONE) representative from the Student Residence and Accommodation Forum;

3.1.7 1 (ONE) representative of every registered student organisation;

3.1.8 The SRC; and

3.1.9 1 (ONE) representative of the Alumni Association.

3.2 The election of the Speaker, Deputy Speaker, Convener and Deputy Convener shall take place at the first sitting, where the SRC will determine and facilitate the procedure for the said elections.

### **4 DUTIES/RESPONSIBILITY AND POWERS OF CABINET**

The cabinet shall:

4.1. ensure the implementation of the resolutions taken in the Student Parliament, through the SRC President and Sabbatical/Secretary-General;

4.2. through the SRC, make representation to the Student Services Council;

4.3. scrutinise and discuss the registered student associations, societies and organisations, as well as the proposed budget, before being forwarded to the SRC; and

4.4. be an advisory structure to the SRC Executive Committee, for purposes of developing a Parliament Programme.

### **5 DUTIES OF THE STUDENT PARLIAMENT CABINET MEMBERS**

5.1 **The Speaker shall:**

5.1.1 preside and chair the Parliament meeting and the Cabinet;

- 5.1.2 convene special sittings of the parliament in consultation with the convener, the Cabinet and the SRC;
- 5.1.3 be responsible for ensuring that Cabinet is accountable to Parliament;
- 5.1.4 account to the Cabinet;
- 5.1.5 have the discretionary powers to decide whether the motion passed should form part of the agenda in sitting;
- 5.1.6 in consultation with the Deputy President of the SRC, be able to convene any meeting necessary, subject to compliance with the Rules, to give effect to its mandate; and
- 5.1.7 ensure that Parliamentarians are protected from personal attacks and verbal abuse by other representatives.

**5.2 The Deputy Speaker shall:**

- 5.2.1 preside over Parliament and Cabinet meetings in the absence of the Speaker;
- 5.2.2 enforce discipline during meetings of student Parliament; and
- 5.2.3 oversee the operations and functionality of standing committees.

**5.3 The Convener shall:**

- 5.3.1 communicate with all Parliamentarians in consultation with the Sabbatical/Secretary General;
- 5.3.2 convene the Student Parliament, as directed by Cabinet and in consultation with the Sabbatical/Secretary General; and
- 5.3.3 inform the Deputy Speaker of ill-disciplined behaviour with regard to Parliamentarians.

**5.4 The Deputy Convener shall:**

- 5.4.1 take over the role and responsibilities of the Convener in the absence of the Convener;
- 5.4.2 Give effect to the directives of the Convener.

**5.5 The Secretary shall:**

- 5.5.1 act as the administrative head of the Parliament;
- 5.5.2 compile the agenda for the Parliament meeting
- 5.5.3 be responsible for circulating all important information, notices and agendas of all meetings of parliament;



- 5.5.4 keep records of all proceedings of the meetings of the Student Parliament, and ensure that the minutes of the meetings are circulated to the Office of the Registrar for safekeeping;
- 5.5.5 circulate notices and agendas of Student Parliament;
- 5.5.6 compile SRC progress reports; and

## **6 DUTIES/RESPONSIBILITIES OF STUDENT PARLIAMENT**

The Student Parliament must serve a consultative body to the SRC and shall:

- 6.1 provide general guidance to the SRC;
- 6.2 contribute to the formulation of student policies and the SRC;
- 6.3 protect the rights of students, and expose any form of student exploitation;
- 6.4 encourage the interests, awareness and participation of CUT in community development, social upliftment, research and projects;
- 6.5 promote the democratic participation of students in CUT governance structures;
- 6.6 promote the accountability of the student leadership to students and to the broader community; and
- 6.7 provide a forum for exchange of information and ideas in order to promote unity and solidarity amongst students, and achieve this by facilitating communication and co-operation, liaison and good relations amongst affiliates.

## **7 MEETING PROCEDURES**

- 7.1 The Student Parliament should hold a sitting at least once per semester, unless there are pressing matters that may require the SRC to seek advice from Parliament, in which case the meeting must be approved by the Registrar.
- 7.2 If after 30 minutes of the set time for the start of the meeting, a quorum is not met, the meeting will be postponed.
- 7.3 If there is a need for a special sitting, the Secretary of the Student Parliament, together with the SRC Sabbatical/Secretary-General, must issue notices SEVEN days before the said date and time of the meeting.
- 7.4 Any member in good standing of the Student Parliament may call an extraordinary meeting, provided that one-third of the Student Parliament members have consented to the requested meeting.
- 7.5 The request for such a meeting must be in writing, stating the items to be discussed, and the date and time of the meeting.



- 7.6 The SRC Sabbatical/Secretary-General must issue a notice 14 (FOURTEEN) days prior a scheduled sitting of the Student Parliament.
- 7.7 The meetings of the Student Parliament are subject to the Standing Rules of Order.

## **8 MINUTES**

All the minutes of Student Parliament sittings should be made available by the Secretary. within 14 (FOURTEEN) days after the date of the sitting.

## **9 QUORUMS**

A quorum of Student Parliament shall be 50% (FIFTY PERCENT) + 1 (ONE) of the recognised student organisations for the relevant academic year.

## **10 TERMS OF OFFICE**

The term of office of Student Parliament members shall be 1 (ONE) academic year.

## **11 TERMINATION OF MEMBERSHIP OF STUDENT PARLIAMENT**

Membership of the Student Parliament members shall terminate when:

- 11.1 When the student organisation the member represents ceases to exist for whatever reason..
- 11.2 When an individual voluntarily terminates his/her membership in writing.
- 11.3 When a student organisation recalls the member from the Student Parliament in writing.
- 11.4 Subject to disciplinary decision in the case of misconduct within such a student organisation, or the internal process of disciplinary measures by CUT.

## **12 LINE OF REPORTING**

The Sabbatical/Secretary General shall provide the Cabinet with a quarterly report on all the activities of the SRC.

## **13 ELECTIONS**

- 13.1 The Cabinet shall be elected by a TWO-THIRDS/67% (SIXTY-SEVEN PERCENT) majority of Student Parliament sitting amongst its members.
- 13.2 The Cabinet shall be elected by the show of hands at the first sitting of the Student Parliament.
- 13.3 The President of the SRC shall preside over the election of the Cabinet.

## **14 FUNDING**

The activities of the Student Parliament will be funded from the budget of the SRC.

**15 AMENDMENTS TO THE TERMS OF REFERENCE**

- 15.1 After consultation with the Student Parliament, the Registrar of CUT refers the Terms of Reference to the CUT Council for approval.
- 15.2 The Student Parliament Terms of Reference must be reviewed after every 5 (FIVE) years, at the consent of the Registrar of CUT, or earlier by way of notice to the Registrar, informing him/her of the need for premature review.

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## **SCHEDULE E: STANDING ORDERS FOR MEETINGS OF THE CUT STUDENT PARLIAMENT**

**In the event of an inconsistency between the provisions of this schedule and the SRC Terms of Reference, the provisions of the SRC Terms of Reference shall prevail.**

### **1. INTERPRETATION**

It is the intention of CUT that all gatherings that involve CUT stakeholders are managed in an effective, efficient and orderly manner. The adoption of the Standing Orders of the CUT Student Parliament is to ensure that there is free, open and equal debate, and that such is to be interpreted in that spirit.

### **2 CONDUCT**

A member of the SRC Parliament must at all meetings of the SRC parliament address the Speaker of the Parliament or whomever shall act as the Chairperson of the respective Parliament session, and who shall remain objective and impartial.

- 2.1 Subject only to a challenge, as provided in this Standing Orders for Student Parliament, rigorous engagement shall be encouraged. However, based on time limitations and objective reality, the Speaker's ruling on any matter discussed by the Student Parliament shall be final on any procedural aspect of the meeting.
- 2.2 The Speaker must facilitate and ensure that the meeting is in order, and that remarks are relevant to the question under debate.
- 2.3 If any member of the Parliament causes a disturbance, the Speaker may request that the offenders name be recorded in the minutes by the Secretary. If that member persists, he/she shall be expelled from that sitting, and may not return until an apology to the satisfaction of the Parliament has been given in writing.

### **3 MEETINGS AND PROCEDURES AT MEETINGS**

- 3.1 A minimum of 2 (TWO) meetings should be convened per year where 1 (ONE) will be held at each campus (Bloemfontein and Welkom) and in different semesters.
- 3.2 Decisions are taken on a consensus basis. If a 100% (ONE HUNDRED PER CENT) consensus cannot be obtained after the matter has been referred to specific commission, a TWO-THIRDS/67% (SIXTY-SEVEN PER CENT) consensus of those representatives' present will be sufficient.
- 3.3 During discussions a caucus may allowed for a maximum of 15 (FIFTEEN) minutes per request.
- 3.4 The Parliament can postpone a discussion on a specific matter, or refer points of conflict or disputes to a Cabinet, rather than allow a debate to go on for too long.
- 3.5 Personal and unfounded statements against a member of the Student Parliament are prohibited during parliament meetings.



- 3.6 Agendas should be circulated through electronic mail at least 5 (FIVE) working days before a meeting of the Student Parliament.
- 3.7 Items on the agenda may be supported by documents explaining the matters.
- 3.8 Draft minutes of the Parliament meetings shall be made available to all participants as soon as possible, for them to report back to their constituencies.
- 3.9 Normal meeting procedures must be adhered to, namely:
- 3.9.1 opening and welcome by the speaker;
  - 3.9.2 an attendance register must be circulated and signed by all members in attendance;
  - 3.9.3 amendment and approval of the agenda;
  - 3.9.4 approval of the minutes of the previous meeting of the SRC parliament;
  - 3.9.5 matters arising from the minutes of the previous meeting of the SRC parliament;
  - 3.9.6 discussion of matters on the amended and approved agenda;
  - 3.9.7 report by the SRC President, if any;
  - 3.9.8 reports from the Sabbatical/Secretary General and the Finance Officer, if any; and
  - 3.9.9 the speaker must declare the meeting closed.
- 3.10 The agenda of the Parliament shall be finalised 7 (SEVEN) days prior to the date of the meeting.

#### **4 MOTIONS AND AMENDMENTS**

- 4.1 A motion shall be ruled out of order if it:
- 4.1.1 seeks to rescind any policy adopted by any institutional governance structure.;
  - 4.1.2 seeks to commit the SRC or Student Parliament, CUT Management and its staff to commit an illegal act, or seeks to commit the SRC or CUT resources to an illegal act; or
  - 4.1.3 seeks to amend the Terms of Reference, or is in contravention of the terms of the Terms of Reference, unless it is a Constitutional amendment submitted in accordance with the Standing Rules of Order.
- 4.2 An amendment to a resolution shall be ruled out of order if it:
- 4.2.1 seeks to discuss a motion or amendment already decided on in that meeting, unless the matter agreed upon lacked additional information; or
  - 4.2.2 is not on the same subject as the motion it seeks to amend.



- 4.3 The member proposing a motion or amendment may withdraw the motion or amendment, but it shall then be open to any member seconding the motion or amendment to propose that motion or amendment, provided that it is done immediately after the withdrawal.
- 4.4 The following time is allowed per speech on ordinary motions:
- 4.4.1 original motion proposer eligible to speak for 4 (FOUR) minutes;
  - 4.4.2 first speaker in opposition eligible to speak for 4 (FOUR) minutes;
  - 4.4.3 seconder eligible to speak for 3 (THREE) minutes;
  - 4.4.4 second speaker in opposition eligible to speak for 3 (THREE) minutes; and
  - 4.4.5 no organisation will be afforded more than 3 (THREE) speaking turns per tabled motion.
- 4.5 The Speaker may, at his/her discretion, allow another round of discussion, until such time that a decision or ruling is made.
- 4.6 No item shall be discussed for more than 1 (ONE) hour, if an hour elapses during the discussion a motion must be passed or the item must be deferred by the Speaker.
- 4.7 If an amendment is accepted by the proposer of the original motion, it shall be included in the original motion, and a further round of discussion against the motion shall be heard.
- 4.8 If an amendment is not accepted by the proposer of the original motion, the order and maximum duration of speeches on the amendment shall be as for the original motion.
- 4.9 No amendment shall be discussed for more than 1 (ONE) hour, and if no compromise is reached, the matter will then be referred to the relevant portfolio committee for further discussion.
- 4.10 If no decision is reached after recommendations from the relevant portfolio committee(s) have been discussed, the matter will be put to vote.

## **5 VOTING**

- 5.1 Each member shall have 1 (ONE) vote.
- 5.2 Members shall exercise the right to vote in person only.
- 5.3 If there are an equal number of votes both for and against a motion, the Speaker shall exercise the casting role. The Speaker shall otherwise not vote.

## **6 PROCEDURAL VOTING**

- 6.1 Except during voting, a member may raise a point of order by raising a hand and calling order. The Speaker shall immediately hear the point of order and rule on it. Points of order may be raised on the following topics (not in order of precedence):

- 6.1.1 Confirmation of quorum;
  - 6.1.2 challenge of the Speaker's ruling;
  - 6.1.3 assertion that the matter under question contravenes the Terms of Reference;
  - 6.1.4 clarification from or through the Speaker on the matter being discussed; and
  - 6.1.5 procedural motions.
- 6.2 A challenge to the Speaker's ruling shall be raised only on the grounds that it contravenes the Terms of Reference.
- 6.3 When a challenge to the Speaker's ruling(s) is made, the Speaker shall relinquish the chair, and the Deputy Speaker shall take over for the determination of the merits of the challenge. The proposer of the challenge and the Speaker shall briefly state their cases, and the procedural motion shall then be put to the vote. It shall require a simple majority to be passed.
- 6.4 Unless the Speaker considers it an infringement of reasonable debate, a member may move a procedural motion as a point of order. Should there be any objection, the proposer and the objector shall briefly state their cases, and the procedural motion shall then be put to the vote. It shall require a simple majority to be passed.
- 6.5 Procedural motions may be proposed on the following topics (not in order of precedence), and it may be raised that:
- 6.5.1 the question be taken in parts;
  - 6.5.2 the question now be put;
  - 6.5.3 the number and duration of speeches be reduced;
  - 6.5.4 the question be held over to a later meeting;
  - 6.5.5 the question be referred to a committee for an examination and report;
  - 6.5.6 the question be referred back to a committee for re-examination;
  - 6.5.7 the question not be put; or
  - 6.5.8 the meeting be adjourned temporarily.
- 6.6 If the meeting resolves, that the question now be put, the proposer shall sum up, and the question shall immediately be put to the vote.



## SCHEDULE F: TERMS OF REFERENCE OF THE CUT FACULTY STUDENT REPRESENTATIVE STRUCTURES AND FORUM

In the event of an inconsistency between the provisions of this schedule and the SRC Terms of Reference, the provisions of the SRC Terms of Reference shall prevail.

### DEFINITIONS

- "Class Representative":** A registered CUT student who has been duly elected by his/her respective class to act as their representative liaison with the respective department and the SRC.
- "Faculty Representative":** A registered CUT student who has been duly elected by his/her fellow Class Representatives to act as their representative and liaison with their respective faculty and the SRC.
- "Forum":** Student Representative Forum.
- "Faculty Forum member":** A registered CUT student who has been duly elected to act as students' representative with relevant CUT academic structures and the SRC.

### 1. PREAMBLE

- 1.1 CUT is committed to the principle of transparency and full participation of its students in the management and decision-making processes of the institution.
- 1.2 In order to uphold the mission and objectives of CUT, a Student Academic Affairs Working Group has been established, which enables students to participate in the management and decision-making processes that govern the academic process.
- 1.3 It is envisaged that faculty academic representative structures will serve to promote and encourage student participation at the levels of programmes, departments and faculties. It shall remain political at all times, and its link will be with academic structures.

### 2. OBJECTIVES

- 2.1 The objectives of the Terms of Reference are to ensure that:
- 2.1.1 the faculty and class representative structures are clearly and unambiguously defined;
- 2.1.2 the roles, duties and functions of the Faculty and Class Representatives are defined in a practical and unambiguous manner; and
- 2.1.3 the Faculty and Class Representatives are aware of the academic rights that are held by all students.



### 3. CLASS REPRESENTATIVES STRUCTURE

- 3.1 Every class shall elect a minimum of 1 (ONE) Class Representative.
- 3.2 A Class Representative is to be elected within the first 2 (TWO) weeks after the commencement of the course.
- 3.3 The electoral process is to be conducted by the Faculty Administrator or Faculty Officer or his/her nominee.
- 3.4 The electoral process shall run as follows:
- 3.4.1 the floor shall be opened for nominations from any of the students of that particular class nominating any of the other students registered for that class and present in class;
  - 3.4.2 a nominee shall either accept or decline the nomination;
  - 3.4.3 the nominees shall be afforded the opportunity to present a short motivational speech to the class; and
  - 3.4.4 the nominees are to leave the room while the class casts their votes by a show of hands.
- 3.5 The SRC Academic and Quality Enhancement Officer shall allow students a period of 1 (ONE) week after the elections in which to lodge any complaints with regards to any procedural irregularities pertaining to the elections.
- 3.6 In the event of a vacancy of a Class Representative, the candidate who secured the second-highest number of votes during the election process will be appointed to fill the vacancy, provided that such a candidate accepts the appointment.
- 3.7 In the event that the candidate who secured the second-highest number of votes is, for whatever reason, unable to occupy such a position, the person who secured the third-highest number of votes will be appointed to fill the vacancy, provided that he/she accepts the appointment.
- 3.8 In the event that no candidate, as stated in paragraphs 3.6 and 3.7 above, is available to fill the vacancy, the electoral process in paragraph 3.4 above shall apply.
- 3.9 First-year students must obtain a 60% (SIXTY PER CENT) pass rate in the June main assessment for the subjects for which they are enrolled in order to retain their status as Class Representative. Senior students are to be assessed on their results for the previous academic year or semester depending on the nature of the student's course.
- 3.10 **Roles, powers and duties of a Class Representative**
- 3.10.1 A Class Representative must be afforded the respect that comes from being a democratically elected representative.



- 3.10.2 **Class Representatives must:**
- 3.10.2.1 facilitate the efficient communication of their respective class' concerns to the lecturer, or the Faculty Administrator or Faculty Officer;
  - 3.10.2.2 actively participate in dispute resolutions between their class and the relevant department;
  - 3.10.2.3 effectively communicate to their class any information from the SRC, as directed by the SRC Academic and Quality Enhancement Officer;
  - 3.10.2.4 meet with their current lecturer regularly to maintain lines of communication, and to convey any class-related matters or concerns;
  - 3.10.2.5 patiently and equitably listen to any complaints or concerns relayed to them by their members of their class;
  - 3.10.2.6 uphold the highest level of studiousness and behaviour; and
  - 3.10.2.7 follow all reasonable directives promulgated by the SRC Academic and Quality Enhancement Officer.

3.10.3 **Class Representatives may:**

- 3.10.3.1 put forward suggestions as to the conduct and structure of their lectures and courses;
- 3.10.3.2 submit class objections, complaints and suggestions regarding academic resource material to the lecturer;
- 3.10.3.3 call a meeting of their classmates to facilitate discussion regarding class, course or academic matters; and
- 3.10.3.4 collaborate with lecturers and support staff to ensure a conducive learning environment, maximum tranquillity, cleanliness and discipline in their faculty buildings through their colleagues.

3.11 **Term of office**

A term Class Representative's tenure is for the period of an academic year or an academic semester depending on the class.

3.12 **Meetings**

- 3.12.1 The SRC Academic and Quality Enhancement Officer shall facilitate a general meeting of the Class Representatives once per semester.
- 3.12.2 The SRC Academic and Quality Enhancement Officer may call a special meeting of Class Representatives whenever necessary and with at least 1 (ONE) day notice to all the class representatives.

- 3.12.3 A quorum for a general or special meeting shall be 50% (FIFTY PERCENT) plus ONE.
- 3.12.4 All general and special meetings shall have an agenda. All records of the agendas shall be kept, and copies of these records are to be furnished to the Office of the SRC Academic and Quality Enhancement Officer.
- 3.12.5 Minutes of all general and special meetings are to be taken by an elected member of the meeting, and copies of these records herein are also to be kept and furnished to the Office of the SRC Academic and Quality Enhancement Officer.

#### **4. FACULTY REPRESENTATIVE STRUCTURE**

- 4.1 2 (TWO) Faculty Representatives for each faculty shall be elected from amongst the Class Representatives.
- 4.1.1 The Faculty Representatives are to be elected at the first meeting of the Class Representatives.
- 4.1.2 The electoral process is to be conducted by the SRC Academic and Quality Enhancement Officer in conjunction with the SRC Sabbatical/Secretary-General, in the presence of the relevant Head of Department (HoD) or anyone delegated by the HoD to carry out the task in his/her absence.
- 4.1.3 Any Class Representative is eligible to run for the position of Faculty Representative for their respective faculty.
- 4.1.4 The electoral process shall run as follows:
- 4.1.4.1 the floor shall be opened for nominations from the members in attendance;
- 4.1.4.2 a nominee shall either accept or decline the nomination;
- 4.1.4.3 the nominees shall be afforded the opportunity to present a short motivational speech to the members; and
- 4.1.4.4 the nominees are to leave the room while the Class Representatives cast their votes by a show of hands.
- 4.1.5 The SRC Academic and Quality Enhancement Officer shall allow Class Representatives a period of 1 (ONE) week after the elections in which to lodge any complaints with regards to any procedural irregularities pertaining to the elections.
- 4.2 In the event of a vacancy of a Faculty Representative, the candidate who secured the second-highest number of votes during the election process will be appointed to fill the vacancy, provided that such a candidate accepts the appointment.
- 4.3 In the event that the candidate who secured the second-highest number of votes is, for whatever reason, unable to occupy such a position, the person who secured the third-highest number of votes will be appointed to fill the vacancy, provided that he/she accepts the appointment.

4.4 In the event that no candidate, as stated in paragraphs 4.2 and 4.3 above, is available to fill the vacancy, the electoral process in paragraph 4.1.4 above shall apply.

**4.5 Roles, powers and duties of a Faculty Representative**

4.5.1 A Faculty Representative must be afforded the respect and value that comes from being a democratically elected student representative.

4.5.2 Faculty Representatives must:

4.5.2.1 conduct themselves in accordance with the Code of Conduct for Students;

4.5.2.2 facilitate a meeting of the Class Representatives in their respective faculties once a term;

4.5.2.3 patiently and equitably listen to any complaints or concerns relayed to them by the Class Representatives;

4.5.2.4 effectively communicate any concerns, complaints and suggestions from the Class Representatives to the relevant faculty; and

4.5.2.5 facilitate efficient communication of their respective class concerns to HoDs and the relevant Faculty Dean.

4.5.3 A Faculty Representative shall be a full sitting member of the Faculty Board of the respective faculty.

**4.6 Term of office**

A Faculty Representative's tenure is to be for a period of 1 (ONE) academic year.

**4.7 Meetings**

4.7.1 The SRC Academic and Quality Enhancement Officer shall facilitate a general meeting of the Faculty Representatives once a month.

4.7.2 The SRC Academic and Quality Enhancement Officer may call a special meeting of Faculty Representatives whenever necessary subject to providing the faculty representatives a minimum of 1 (ONE) day notice.

4.7.3 A quorum for a general or special meeting shall be 50% (FIFTY PERCENT) plus 1 (ONE).

4.7.4 All general and special meetings shall have an agenda. All records of the agendas shall be kept, and copies of these records are to be furnished to the Office of the SRC Academic and Quality Enhancement Officer.

4.7.5 Minutes of all general and special meetings are to be taken by an elected member of the meeting, and copies of these records herein are also to be kept and furnished to the Office of the SRC Academic and Quality Enhancement Officer.

## **5. Faculty Student Representative Forum (the "Forum")**

5.1 The Forum shall consist of 1 (ONE) representative per faculty, elected from amongst Faculty Representatives.

5.1.1 Within 2 (TWO) weeks of the announcement of the SRC election results, the Academic and Quality Enhancement Officer of the SRC shall convene the Faculty Representatives meeting to declare the Faculty Student Representative Forum duly constituted.

5.1.2 The elected Academic and Quality Enhancement Officer shall be the Chairperson of the Faculty Student Representative Forum..

## **5.2 Roles, powers and functions of the Faculty Student Representative Forum**

5.2.1 The Forum shall be responsible for effective and efficient handling of academically related student faculty affairs, and as such shall be regarded as competent.

5.2.2 The Forum shall discuss specific teaching and learning matters that have a bearing on students' academic performance, and general faculty affairs.

5.2.3 The Forum shall initiate such activities throughout each year as deemed necessary and feasible to create a conducive teaching and learning environment throughout faculties.

5.2.4 In consultation with the SRC, submit recommendations to the Student Academic Affairs Working Group and/or any other relevant CUT body for consideration.

## **6. TERM OF OFFICE**

The term of office of Forum members shall be 1 (ONE) academic year.

## **7. MEETINGS**

7.1 The SRC Academic and Quality Enhancement Officer shall convene general meetings of the Forum.

7.2 The SRC Academic and Quality Enhancement Officer shall convene a special Forum meeting whenever necessary.

7.3 A quorum for a general or special meeting shall be 50% (FIFTY PERCENT) plus ONE.

7.4 All general and special meetings shall have an agenda. All records of the agendas shall be kept, and copies of these records are to be furnished to the Office of the SRC Academic and Quality Enhancement Officer.

7.5 Minutes of all general and special meetings are to be taken by an elected member of the meeting, and copies of these records herein are also to be kept and furnished to the Office of the SRC Academic and Quality Enhancement Officer.

## **8 AMENDMENT OF THE TERMS OF REFERENCE**



An amendment or addition to the Terms of Reference must be accepted by at least a TWO-THIRDS/67% (SIXTY-SEVEN PERCENT) majority of the members present at a general meeting.

## **9 ACCOUNTABILITY**

The Forum and structures are accountable to the SRC through the Office of the SRC Academic and Quality Enhancement Officer.

## **10 RELATED DOCUMENTS**

10.1 SRC Terms of Reference;

10.2 Code of Conduct for Students (Chapter 11 of the CUT Calendar, as amended from time to time); and

10.3 Terms of Reference of the Student Academic Affairs Working Group.



## SCHEDULE G: TERMS OF REFERENCE OF THE CUT STUDENT RESIDENCES AND ACCOMMODATION FORUM

In the event of an inconsistency between the provisions of this Schedule and the SRC Terms of Reference, the provisions of the SRC Terms of Reference shall prevail.

### DEFINITIONS

<b>"Residences and Accommodation Forum":</b>	The Student Residences and Accommodation Forum of CUT.
<b>"Forum":</b>	The Student Residences and Accommodation Forum of CUT.
<b>"Student Residences and Accommodation Forum member":</b>	A registered CUT student who has been duly elected by his/her respective residence to act as their representative in the Forum to represent the residence's mandate.
<b>"SRC Residences and Accommodation Officer":</b>	A registered CUT student who has been duly elected by his/her fellow Housing Members to act as their representative and liaison with the SRC.
<b>"AMR":</b>	Assistant Manager: Residences at CUT.

### 1. INTRODUCTION

CUT is committed to the principle of transparency and full participation of its students in the management and decision-making processes of the institution.

In order to uphold the mission and objectives of CUT, a Student Services Council is established through which students may participate in the management and decision-making processes that promote good governance in the residences.

It is envisaged that the Residences and Accommodation Forum will serve to promote and encourage student participation at the levels of general residence matters. The Forum shall remain apolitical at all times, and shall be accountable to the SRC.

### 2. OBJECTIVES

The objectives of the Terms of Reference are to ensure that:

- 2.1 the Residences and Accommodation Forum structure is clearly and unambiguously defined;



- 2.2 the roles, duties and functions of the Residences and Accommodation Forum members are defined in a practical and unambiguous manner; and
- 2.3 the Residences and Accommodation Forum members are aware of the rights that are to be enjoyed by all residence students.

### **3 COMPOSITION OF STUDENT RESIDENCES AND ACCOMMODATION FORUM**

- 3.1 Every residence shall elect 2 (TWO) Student Residences and Accommodation Housing Forum members which members must be part of the residents of that residence
- 3.2 Every private student residence recognised by CUT as updated from time to time shall 2 (TWO) Student Residences and Accommodation Housing Forum members which members must be part of the residents of that the residence.

### **4 ELECTIONS OF MEMBERS**

- 4.1 The Residences and Accommodation Officer must ensure that within the first 3 (THREE) weeks after the reopening of the residences for the first quarter of the year the Residence Accommodation Forum is duly elected.
- 4.2 The electoral process is to be conducted by the Residence and Accommodation Officer with the support of the Assistant Manager: Residence or his/her nominee, in accordance with the provisions of these Terms of Reference.
- 4.3 The electoral process shall run as follows:
  - 4.3.1 the floor shall be opened for nominations;
  - 4.3.2 a nominee shall either accept or decline the nomination; and
  - 4.3.3 the nominees are to leave the room while the residents of that specific residence cast their votes by a show of hands.
- 4.4 The AMR shall allow students a period of 1 (ONE) week after the elections in which to lodge any complaints with regards to any procedural irregularities pertaining to the elections.
- 4.5 In the event of a vacancy of a member, the candidate who secured the second-highest number of votes during the election process will be appointed to fill the vacancy, provided that such a candidate accepts the appointment.
- 4.6 In the event that the candidate who secured the second-highest number of votes is unable to occupy such a position, for whatever reason, the person who secured the third-highest number of votes will be appointed to fill the vacancy, provided that he/she accepts the appointment.
- 4.7 In the event that no candidate, as stated in paragraphs 4.2 and 4.3 above, is available to fill the vacancy, the electoral process in paragraph 4.3 above shall apply.

- 4.8 The elected Residence and Accommodation Officer shall be the Chairperson of the CUT Student Residence and Accommodation Forum.

## 5 POWERS AND RESPONSIBILITIES

- 5.1 Residences and Accommodation Forum members must be afforded the respect and value that comes from being a democratically elected representative.
- 5.2 Residences and Accommodation Forum members must:
- 5.2.1 facilitate the efficient communication of their respective residences' concerns to the SRC Residences and Accommodation Officer;
  - 5.2.2 effectively communicate to their residents any information from the SRC as directed by the SRC Residences and Accommodation Officer;
  - 5.2.3 patiently and equitably listen to any complaints or concerns relayed to them by their residents;
  - 5.2.4 uphold the highest level of studiousness and behaviour; and
  - 5.2.5 follow all reasonable directives promulgated by the SRC Residences and Accommodation Office.

## 6 ADMINISTRATIVE FUNCTIONS

The Student Residences and Accommodation Forum is charged with the effective and equitable administration of residence affairs, and is therefore competent to:

- 6.1 discuss student residence and accommodation matters; and
- 6.2 in consultation with the SRC, submit recommendations to the Student Services Council for consideration.

## 7. TERM OF OFFICE

- 7.1 The term of office members of the Residences and Accommodation Forum shall ordinarily be a calendar year, beginning in January, and ending in December.
- 7.2 The Chairperson of the incoming Student Residences and Accommodation Forum of CUT shall, within 1 (ONE) week of the constituting of the newly elected Student Residences and Accommodation Forum as contemplated in paragraph 4.1 of **Schedule G**, constitute a meeting of the Student Residence and Accommodation Forum.

## 8 MEETINGS

- 8.1 Ordinary meetings of the Student Residences and Accommodation Forum must be held at least once per term. All members shall attend such meetings.

- 8.2 The Chairperson shall give at least 5 (FIVE) days' written notice of the date, time and venue of such a meeting, together with an accompanying provisional agenda.
- 8.3 Members shall be granted a reasonable opportunity to put matters on the agenda of the meeting for a period of not less than 3 (THREE) days before the said meeting.
- 8.4 The Chairperson shall act as Chairperson of the Student Residence and Accommodation Forum meetings, and shall have an ordinary vote unless the matter is tied in which instance he/she shall have a casting vote.
- 8.5 The generally accepted rules pertaining to meetings of the SRC shall apply at all Student Residences and Accommodation Forum meetings.
- 8.6 A special meeting shall be held if:
- 8.6.1 the Chairperson calls such meetings; and
- 8.6.2 at least 4 (FOUR) members submit a written request to the Chairperson for such a meeting, accompanied by a written motivation for consideration at the meeting.
- 8.7 All general and special meetings shall have an agenda.
- 8.8 Notice of the date, time and venue of a special meeting, together with disclosure of the agenda, shall be given at least 24(TWENTY FOUR) hours before such a meeting.
- 8.9 A quorum shall be 7 (SEVEN) members.
- 8.10 In the event of a quorum not being formed, the meetings shall be postponed by the Chairperson to a day within the next 5 (FIVE) days, and the members then present shall be deemed to be a quorum.
- 8.11 In the event of such a postponement, notice of the date, time and venue of the next meeting shall be given to members at least 24 (TWENTY FOUR) hours prior to the meeting.
- 8.12 The Student Residences and Accommodation Forum shall ensure that a designated person keep minutes of the proceedings of each meeting of the Forum.
- 8.13 The minutes of a Student Residences and Accommodation Forum meeting shall be submitted to the following ordinary meeting of the Forum, and an attendance register and the supporting documents shall be made available at the reasonable request of any interested party.
- 8.14 Resolutions may only be adopted in respect of matters disclosed on the agenda, provided that other matters may be added to the agenda if there are no objections thereto by any member present.
- 8.15 A resolution shall be adopted by an ordinary majority of votes of the members present.
- 8.16 A resolution adopted at a Residences and Accommodation Forum meeting shall, in consultation with the SRC, be submitted to the Student Services Council for consideration.

## **9 TERMINATION OF MEMBERSHIP**

- 9.1 A person shall cease to be member of the Student Residences and Accommodation Forum if:
- 9.1.1 written notification from the particular residence to that effect has been noted by the forum at its gathering;
  - 9.1.2 a person is absent, without a valid excuse, from 3 (THREE) consecutive meetings of the Forum;
  - 9.1.3 he or she resigns in writing as a member of the Student Residences and Accommodation Forum; and
  - 9.1.4 a person's Student Accommodation and Residences Forum membership is terminated as a result of disciplinary action taken by a disciplinary committee of CUT.
- 9.2 In the event that the Chairperson's membership is terminated, the remaining members of the Forum shall elect a Chairperson from its own ranks by an ordinary majority of votes in a secret ballot, and the President of the SRC shall preside over the election.

## **10 ACCOUNTABILITY**

The Student Residences and Accommodation Forum is accountable to the SRC, through the Office of the SRC Residence Officer.

## **11 RELATED DOCUMENTS**

- 12.1 SRC Terms of Reference;
- 12.2 Code of Conduct for Students; and
- 12.3 Residence Rules.



## **SCHEDULE H: TERMS OF REFERENCE OF THE CUT SPORTS COUNCIL**

**In the event of an inconsistency between the provisions of this schedule and the SRC Terms of Reference, the provisions of the SRC Terms of Reference shall prevail.**

### **1. PREAMBLE**

Sport plays an important role in student life at CUT. Although it is an accepted fact that not all students have an interest in, or ability to participate in, sport, they do have the right to expect a service and environment that will allow them to develop their skills and capabilities to their full potential.

It is, therefore necessary that an administrative sport structure that represents the various sport environments on campus be formed. This structure will be the consultative and advisory voice of participants, administrators, technical officials and other stakeholders attached to sport at CUT.

### **2. VISION**

To establish a body that can administer and facilitate all aspects relating to recreational and operational sport at CUT, whilst promoting the accessibility for all CUT students to participate in all forms of sport.

### **3. MISSION**

The mission of the CUT Sports Council shall be in line with that of CUT, as it seeks to recognise, acknowledge, nurture, develop and enhance the wealth of sporting talent resident in CUT students. The CUT Sports Council hopes to represent the interests and aspirations of students participating in both recreational and operational sport at CUT.

### **4. NAME AND STATUS**

- 4.1. The name of the organisation shall be the Central University of Technology, Free State Sports Council (the SC).
- 4.2. The SC shall operate in accordance with these Terms of Reference, the CUT Statute and/or any other rules or policies of CUT.

### **5. AIMS AND OBJECTIVES**

The aims and objectives of the SC are to:

- 5.1. promote maximum representation, transparency and accountability of all sporting codes;
- 5.2. promote academic excellence through sport;
- 5.3. enhance the spirit of healthy competition within CUT;
- 5.4. maximise students' participation in sport;
- 5.5. ensure broad participation of students in sport;



- 5.6. foster good relations between CUT and other higher education institutions through sport;
- 5.7. initiate and promote the development of sport within CUT and the surrounding communities;
- 5.8. pursue programmes that are aimed at uplifting sport;
- 5.9. promote a sense of unity and pride amongst members of the CUT community;
- 5.10. market and promote CUT through sport;
- 5.11. utilise sport as a contributing factor in the creation of a CUT culture;
- 5.12. utilise sport as a means to unite students as representatives of CUT, and to develop a sense of belonging amongst the CUT community;
- 5.13. bridge various cultures through sport;
- 5.14. assess the needs of students and the need for sporting codes on a continuous basis;
- 5.15. create opportunities and projects that will enable sportspersons to achieve and fulfil their personal ambitions;
- 5.16. create opportunities for sport participation and performance at local, provincial, national and international level;
- 5.17. assist all eligible CUT students in sport to attend the Universities Sport South Africa (USSA) Week;
- 5.18. advise on all matters pertaining to participation in, and awarding of, colours for representative individuals and/or teams;
- 5.19. assist in determining the criteria for awards in the field of sport;
- 5.20. debate matters of general sport policy that will affect all sportspersons and registered student associations;
- 5.21. provide a wider base for distribution of information about sport within CUT; and
- 5.22. tend to all matters pertaining to the acquisition of sporting facilities at CUT.

## **6. SPORTS COUNCIL**

### **6.1. COMPOSITION**

The SC shall be composed as follows:

- 6.1.1. 1 (ONE) CUT Student Services Council representative;
- 6.1.2. 1 (ONE) Sports and Recreation Officer from each respective campus;



- 6.1.3. The CUT Manager: Operational Sport;
- 6.1.4. All CUT Deputy Sport Managers;
- 6.1.5. SRC Sabbatical/Secretary-General; and
- 6.1.6. All Chairpersons of the various recognised sporting codes.

## 6.2. OFFICE BEARERS

- 6.2.1 The SC shall elect 4 (FOUR) individuals from amongst its members and comprising of not more than 2 (TWO) student representatives to serve as office bearers, which service shall entail dealing with operational sports related matters.
- 6.2.2 The role of the Chairperson shall be served by the CUT Manager: Operational Sport who shall be an office bearer by virtue of his position and shall serve in addition to the members referred to in paragraph 6.2.1.
- 6.2.3. The office bearers elected by the SC shall serve in their respective offices for a term of 1(ONE) year.
- 6.2.4. Should there be a vacancy in the SC due to the death, illness, resignation or removal of an office bearer, the SC shall elect another individual from amongst its members to fill the vacant position.
- 6.2.5. the office of the Manager: Operational Sport shall provide secretarial support to the SC.

## 6.3 POWERS AND DUTIES OF THE SPORTS COUNCIL

The SC shall have the authority to:

- 6.3.1 raise funds, through legitimate means, subject to CUT's policies, rules and procedures;
- 6.3.2 act as an advisory structure to the Student Services Council on matters relating to CUT sport and other related activities to be submitted by the Student Services Council to MANCOM for consideration;
- 6.3.3 take final decisions on matters falling within its jurisdiction;
- 6.3.4 contribute towards sport publications;
- 6.3.5 serve as an umbrella body for the different CUT sporting codes;
- 6.3.6 promote and implement all provisions contained in these Terms of Reference, the SRC Terms of Reference, the CUT Statute and all other CUT rules and procedures;
- 6.3.7 represent and promote students' participation in sporting activities, and be accountable to students at all times;
- 6.3.8 serve as a channel of formal communication between the different sporting codes and CUT;



- 6.3.9 individually and collectively make itself available to attend to the needs and problems of the sporting codes;
- 6.3.10 draft regulations for the promotion and efficient administration of sport at CUT;
- 6.3.11 monitor administration of the funds allocated to sports administration, and draft regulations for the proper governance of funds that are made available to the SC, or to registered student associations recognised by the SC;
- 6.3.12 do all such other things that as are consistent with the aims and objectives of these Terms of Reference, subject to all CUT policies; and
- 6.3.13 have disciplinary powers in respect of any person, registered student association, committee or any other body falling within the ambit of these Terms of Reference or the regulations of the SC.

#### **6.4 GENERAL MEETINGS AND ANNUAL GENERAL MEETING**

##### **6.4.1 GENERAL MEETINGS**

- 6.4.1.1 The meetings of the SC shall be convened at least 4 (FOUR) times per annum.
- 6.4.1.2 The meetings shall be attended by members of the SC and any such person invited by the Chairperson.
- 6.4.1.3 Accurate minutes of all meetings must be kept and provided to members of the SC and, on request, to sporting codes by the delegated office bearer.
- 6.4.1.4 The minutes of the SC meetings are public documents, and any student or interested party has the right, subject to fair procedural arrangements made by the Chairperson of the SC, to inspect the ratified minutes of all previous meetings of the SC.
- 6.4.1.5 The quorum for any meetings of the SC shall be 50% (FIFTY PERCENT) plus ONE. If the required quorum is not present at the beginning of a meeting, the Chairperson shall adjourn the meeting for not more than 30 (THIRTY) minutes. In the event that the quorum is still not present at the reconvening time, the meeting shall proceed, provided that ONE-THIRD of its members are present at the meeting.
- 6.4.1.6 Once a meeting has been declared quorated, it remains quorated, even if representatives leave during the course of the meeting.
- 6.4.1.7 All decisions of the SC shall be taken in duly constituted meetings of the SC through consensus, or 50% (FIFTY PERCENT) plus ONE of the members present and voting in the meeting.
- 6.4.1.8 Voting shall be by show of hands, unless a simple majority of members present in the meetings decide that the voting on all or certain matters should be by secret ballot.

6.4.1.9 The number of votes cast for, against and/or abstentions with respect to a resolution shall be recorded in the minutes.

## 6.5 ANNUAL GENERAL MEETING

6.5.1 The Chairperson of the SC shall convene an Annual General Meeting (**AGM**), by way of notice, and in writing, to all members of the SC at least 30 (THIRTY) days before the SRC elections.

6.5.2 The SC shall provide each delegate to the AGM with the agenda and the content of the AGM.

6.5.3 The Chairpersons of the different sporting codes shall provide the Secretary of the Manager: Operational Sport with their respective reports, for purposes of the inclusion thereof in the content of the AGM, at least 14 (FOURTEEN) days before the AGM.

6.5.4 The AGM shall review and decide on the recommendations made by the SC, sporting codes and individual members of the student community, especially on the policy and direction of CUT sport.

## 7 FINANCIAL MATTERS

7.1 The SC shall under no circumstances whatsoever allow funds to be made available for private use or purchase to any of its members.

7.2 The SC shall not be responsible for debts that clubs incur in respect of sports equipment, outfits or other items, unless the transactions are supported by the SC.

7.3 The Treasurers of the respective sporting codes will manage club accounts in accordance with the SC and CUT finance regulations.

## 8 DISCIPLINE

8.1 Should any club ignore the provisions of these Terms of Reference or the SC regulations, or act prejudicially to the interests of the SC and other clubs, the SC shall constitute a committee (the "Disciplinary Committee") within 14 (FOURTEEN) days of receiving written notification thereof, and shall ensure that the affected club chairperson is given at least 14 (FOURTEEN) days' notice of the intended hearing to take place.

8.2 In reaching its decision and formulation of its recommendation, the SC may, on recommendation of its Disciplinary Committee, which shall have adhered to the rules and regulations contained in the CUT Calendar, as amended from time to time, withhold funds from a club, withdraw recognition, or suspend such a club from operating during any year, or part thereof.

8.3 Any club aggrieved by a decision of the SC in terms of this clause (clause 8) shall have the right to appeal to the Office of the Deputy Registrar: Student Services of CUT, whose decision shall be final.

## 9 AMENDMENTS TO THE TERMS OF REFERENCE

- 9.1 A notice of motion to amend the Terms of Reference shall be submitted to the Chairperson of the SC in writing, and in sufficient time to enable the Deputy Chairperson to circulate it to all members of the SC at least 14 (FOURTEEN) days before the meeting at which the amendment will be discussed.
- 9.2 Any amendment to these Terms of Reference will come into force when approved by the SC AGM, with the support of at least TWO-THIRDS of its members present and voting.
- 9.3 Notwithstanding the provisions in these Terms of Reference, CUT Council may alter, repeal or suspend any clause of these Terms of Reference.

