



# TYGERBERG STUDENT CONSTITUTION

## 2021 Revision

This Constitution was adopted by the Tygerberg Student Representative Council on 26 May 2021, after the Tygerberg student community had voted for it in a referendum held on 06 August 2021 and the Student Court had approved it on xx xxxx 2021. The English version of this document takes precedence in case of any disputes regarding interpretation.

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## PREAMBLE

We, the students at the Faculty of Medicine and Health Sciences (FMHS) at Stellenbosch University (SU), conscious of our diverse cultural heritage and the historical context of the University and our country, the Republic of South Africa, unite to build a multicultural, non-discriminatory and democratic community in conformity with the Bill of Student Rights in Chapter 2 of this Constitution and with the Constitution of the Republic of South Africa.

We commit ourselves to the academic ideal of excellence in the pursuit of science with a view to create a holistic environment where knowledge can be created, shared and applied to the benefit of the Tygerberg Student Union. We believe in the spirit of academic freedom in the pursuit of critical and rational thinking. We commit ourselves to the values of the FMHS at SU, which are inclusivity, accountability, excellence, compassion, respect and equity (ICARE2).

We acknowledge our responsibility to participate in the democratic systems recognised by this Constitution. Subject to the provisions of the Constitution of the Republic of South Africa, the Higher Education Act, the Student Constitution and the Statute of Stellenbosch University and SU regulations, we accept this as our binding Constitution.

## CHAPTER 1: BASIC PROVISIONS

### 1. Definitions

In this Constitution, unless the context indicates otherwise, the terms in this list are defined as follows:

- (1) **'Accept'**, **'decide'** and **'elect'** refer to a decision taken with an ordinary majority of votes.
- (2) **'CSLEEC'** refers to the Centre for Student Leadership, Experiential Education and Citizenship.
- (3) **'Day'** means a calendar day.
- (4) **'Ex officio member'** of the TSRC means a member serving on the TSRC by virtue of holding another position, such as the TSRC members indicated under subsections 19(2) to (5).
- (5) **'FMHS'** refers to the Faculty of Medicine and Health Sciences.
- (6) **'House'** refers to both PSOs and residences on Tygerberg Campus.
- (7) **'Positional student leader'** means a student elected or appointed to the following structures: structures established by this Constitution, House Committees, Tygerberg student societies and executive committees, and cluster convenors.
- (8) **'Positive vote'** refers to the following process:
  - (a) When one candidate receives a majority (50% + 1) of the votes, they are elected.
  - (b) If no candidate receives a majority (50% + 1) of the votes, the following steps are followed:
    - (i) A new election takes place.
    - (ii) For this election, the candidates who received the least votes in the previous election are removed from the list; provided that the sum of the removed candidates' votes may not exceed 50% of the total number of votes in the previous election.
    - (iii) This process of elimination is repeated until one candidate receives a majority (50% + 1) of the votes.
- (9) **'PSO'** means the Private Students' Organisation.
- (10) **'Simple majority vote'** refers to 50% + 1 of the votes.
- (11) **'SRC'** refers to the Student Representative Council.
- (12) **'Student'** means a student enrolled at the FMHS.
- (13) **'Student body'** means an organised group of students formally associated with the University.
- (14) **'TAAC'** refers to the Tygerberg Academic Affairs Council.

- (15) '**TEC**' refers to the Tygerberg Electoral Commission.
- (16) '**TPC**' refers to the Tygerberg Prim Committee.
- (17) '**TPSC**' refers to the Tygerberg Postgraduate Student Council.
- (18) '**TSC**' refers to the Tygerberg Societies Council.
- (19) '**TSP**' refers to the Tygerberg Student Parliament.
- (20) '**TSRC**' refers to the Tygerberg Student Representative Council.
- (21) '**TSRC Portfolio Manager**' means a member appointed by the TSRC Executive Committee to manage a specific portfolio. This individual does not have the vote.
- (22) '**University**' means Stellenbosch University.
- (23) '**University day**' means a weekday (Monday to Friday) during the academic year that is not a public holiday.

## **2. Status of this Constitution**

- (1) All constitutions, regulations, rules, codes, documents, motions and decisions adopted by any Tygerberg student structure are subject to this Constitution and are invalidated by this Constitution should there be any discrepancies.
- (2) This Constitution is called the 'Tygerberg Student Constitution of Stellenbosch University'.

## **3. Bodies constituted by this Constitution**

The following student bodies are constituted by this Constitution:

- (1) the TSP,
- (2) the TSC,
- (3) the TAAC,
- (4) the TPC,
- (5) the TEC,
- (6) the Tygerberg Evaluation Panel and
- (7) the TPSC.

## **CHAPTER 2: BILL OF STUDENT RIGHTS**

### **4. Applications**

- (1) The rights in the Bill of Student Rights bind all student bodies of the University, and all such bodies have the duty to respect, protect and promote these rights.
- (2) The student bodies constituted by section 3 of this Constitution must take reasonable steps to ensure the protection and promotion of these rights. Such steps may include, where necessary, engagement with University authorities.

### **5. Equality**

No student may be the object of unfair discrimination.

### **6. Human dignity**

Every student possesses inherent human dignity and the right to have their dignity respected and protected.

### **7. Confidentiality of student records**

- (1) Every student has the right to the confidentiality of their University records.
- (2) No information contained in such records may be disclosed without the consent of the student in question in accordance with the Protection of Personal Information Act 4 of 2013.

### **8. Student success**

- (1) Every student has the right to an enabling environment in which student success and academic excellence are encouraged and pursued.
- (2) Every student has the right to quality education, academic support, and transparent and justifiable assessment procedures.
- (3) The bodies constituted by section 3 of this Constitution have a duty to identify and work towards the eradication of barriers to the exercising of these rights.

### **9. Freedom of religion, belief and opinion**

Every student has the right to freedom of religion, belief and opinion.

**10. Freedom of expression**

Every student has the right to freedom of expression, which does not extend to hate speech and which includes the following:

- (1) freedom of academic expression and scientific research;
- (2) freedom of the student media;
- (3) freedom to receive and impart information and ideas, and
- (4) freedom of gender expression and sexual identity.

**11. Assembly, demonstration and petition**

Every student has the right to assemble and demonstrate peacefully and unarmed on campus and to present petitions to the TSRC and/or the SRC, and to the Faculty and/or University management.

**12. Freedom of association**

Every student has the right to freedom of association on campus, including the right to form any student group, association or society.

**13. Participation in Tygerberg Student Representative Council and Student Representative Council elections**

- (1) Every registered student has the right to vote in elections for the TSRC and to do so in secret, subject to Chapter 11 of this Constitution and to schedules 1 and 2 to this Constitution.
- (2) Every registered student has the right to vote in elections for the SRC and to do so in secret, subject to Chapter 11 of this Constitution and schedules 1 and 2 of this Constitution.
- (3) Every registered student has the right to stand for election to the TSRC, subject to fair and relevant eligibility requirements as well as to Chapter 11 of this Constitution.
- (4) Every registered student has the right to stand for election to the TSRC, subject to fair and relevant eligibility requirements, as well as to Chapter 11 of this Constitution.

**14. Administrative action**

Every student whose rights or legitimate expectations are materially and adversely affected by any decision taken by a student body or member of a student body has the right to –

- (1) be notified of the nature and purpose of the proposed action;
- (2) a reasonable opportunity to make representations;
- (3) adequate notice of any right of review or internal appeal, where applicable; and



- (4) request reasons for the decision and to be provided with written reasons within a reasonable time.

### **15. Limitations**

- (1) The rights in this chapter may be limited only by means of legal rules of general application, which, for the purposes of this section, are deemed to include University regulations, rules and policies.
- (2) Limitations must be designed to achieve objectives that are consistent with the values of an open and democratic community based on human dignity, equality and freedom.
- (3) Limitations may not limit the rights mentioned in this chapter more than necessary, and the impact that they have on students' rights must be proportionate to the objectives of such limitations.

### **16. Enforcement**

- (1) Any student, student body or group of students, whether acting in their own interest or in the interest of a group or class of students, may approach the Student Court for appropriate relief in the event of an alleged violation of the rights under this Constitution.
- (2) The TSRC must take reasonable steps to aid the enforcement of an order of the Student Court.

### **17. Interpretation**

The Bill of Student Rights must be interpreted in conformity with the Bill of Rights of the Constitution of the Republic of South Africa 1996, the Higher Education Act 108 of 1999, the Statute of Stellenbosch University, and University policies and regulations, where applicable.



## CHAPTER 3: THE TYGERBERG STUDENT REPRESENTATIVE COUNCIL

### Part 3.1 General

#### 18. Status

The TSRC is the highest representative and policy-making student body at the FMHS.

#### 19. Composition

The TSRC consists of the following members:

- (1) nine members elected by the students as set out in Chapter 11 of this Constitution,
- (2) the TAAC chair, as per section 88(3),
- (3) the TPC chair, as per section 93(3), (4) the TSC chair, as per section 97(3) and
- (5) the TPSC chair, as per section 101(3).

#### 20. Term of office

- (1) The term of office of the TSRC starts on 1 September in the year that the TSRC members were elected, subject to section 25.
- (2) A handover period of two weeks will be in effect from the date that the newly elected TSRC members are announced.
- (3) The outgoing chair and outgoing Executive Committee of the TSRC must ensure that this formal handover period be implemented between the outgoing and incoming TSRC members.
- (4) The outgoing TSRC members must ensure that they be available during the handover period when requested by the outgoing chair.
- (5) The terms of (2), (3) and (4) will be determined by the outgoing TSRC members of that year, the CSLEEC and other stakeholders. The handover programme must be finalised by the last day of voting whereby the incoming TSRC members will be elected.

#### 21. Core functions

The TSRC's core functions include the following:

- (1) To act in the best interest of students by –

- (a) actively promoting students' rights under Chapter 2; and
  - (b) executing any administrative activity that may be required to serve the interests of Tygerberg students.
- (2) To represent students at – (a) the Faculty management,
    - (b) the Faculty Board,
    - (c) the Committee for Undergraduate Teaching,
    - (d) the Committee for Community-based Teaching,
    - (e) the Institutional Forum and
    - (f) other committees, bodies and functionaries of the FMHS and, where appropriate, the University.
  - (3) To evaluate University and Faculty policy and provide input for its formulation.
  - (4) To consider the advice of the TSP. Should the TSRC reject such advice, this decision must be communicated to the speaker of the Tygerberg Student Assembly within ten University days.
  - (5) To facilitate projects and initiatives to the benefit of students.
  - (6) To inform and consult students continuously and obtain feedback on TSRC activities.
  - (7) To formulate and maintain policy that ensures the TSRC perform its functions and duties effectively.
  - (8) To hold at least three public feedback sessions during its term of office. These include but are not limited to the following:
    - (a) one session at which the TSRC presents its portfolio year plans, budget for the year, portfolio allocations and representation on University and Faculty committees;
    - (b) one session for midyear report-back, which will serve as a six months' caucus, and
    - (c) a final session, for a concise overview of the entire term of office.
  - (9) To convene the Honorary Awards Committee, which will consider and award Tygerberg Honorary Awards to deserving students.
  - (10) To ensure that the views and opinions of the TPC be sought before taking any decision that may affect the interests of student houses on Tygerberg Campus.
  - (11) To ensure that the views and opinions of the TAAC be sought before taking any decision that may affect students' academic interests.
  - (12) To ensure that the views and opinions of the TSC be sought before taking any decision that may affect the interests of societies on Tygerberg Campus.
  - (13) To appoint a TSRC member to ensure that this Constitution be made available to Tygerberg Student Union members and updated regularly.

- (14) To submit, within 14 days after the end of TSRC members' term of office, proper and complete reports on their portfolios to their successors. These reports must be made available to the Tygerberg Student Union, too.
- (15) To appoint one or more electoral commissioners for the following TSRC term.

## **22. Compulsory portfolios**

The TSRC must maintain at least the portfolios described below.

- (1) The TSRC chair –
  - (a) is the Chief Executive Officer of the TSRC;
  - (b) chairs the Executive Committee of the TSRC;
  - (c) acts as spokesperson for the TSRC and is responsible for making statements concerning the TSRC's view on any affairs to any individual, including the media;
  - (d) takes ultimate responsibility, together with the Executive Committee, for the TSRC's finances;
  - (e) ensures that students be continuously and fully informed of TSRC activities as per section 21(6);
  - (f) obtains student feedback as per section 21(6);
  - (g) ensures that advice from the TSP be communicated to the TSRC; and
  - (h) coordinates enquiries from the media in accordance with the relevant powers delegated to the chair by the TSRC Executive Committee.
  
- (2) The vice-chair –
  - (a) is the deputy chief executive officer of the TSRC;
  - (b) supports the chair in all administrative roles and fulfils any or all duties of the chair should the latter be incapacitated or unavailable;
  - (c) is responsible for the internal monitoring and evaluation of the TSRC;
  - (d) is responsible, together with the Executive Committee, for the internal relations and discipline of the TSRC;
  - (e) appoints the TSRC managers together with the Executive Committee;
  - (f) is the TSRC Manager: Portfolios, and
  - (g) chairs the Policy Unit should no TSRC member or TSRC portfolio manager accept responsibility for this portfolio.

- (3) The secretary is responsible for at least the following:
- (a) maintaining internal communication within the TSRC;
  - (b) managing knowledge and institutional memory within the TSRC;
  - (c) ensuring that TSRC meetings and any other meetings or consultations where the TSRC requires record-keeping be properly recorded, and
  - (d) updating, safe-keeping and making available records, policies and other documents of the TSRC, subject to the TSRC's internal rules.
- (4) The treasurer –
- (a) is the Chief Financial Officer of the TSRC and must at least ensure that the TSRC's financial resources be used in a transparent, responsible and sustainable manner;
  - (b) is responsible for formulating policies that ensure the transparent, responsible and sustainable use of the TSRC's financial resources, and for ensuring that such policies be implemented after they have been approved by the TSRC;
  - (c) must prepare the draft TSRC budget for consideration by the TSRC Executive Committee;
  - (d) liaises with the treasurers of Tygerberg ex officio bodies in accordance with their respective constitutions and
  - (e) must provide a financial report at the end of their term of office.
- (5) The Policy Unit consists of:
- (a) the TSRC member who is elected as Policy Officer and thus as the Unit's chair,
  - (b) the TSRC chair,
  - (c) the TSRC vice-chair,
  - (d) an additional member, elected by the TSRC and
  - (e) a secretary, who may be any Tygerberg student appointed to this position by the TSRC Executive and whom the TSRC will remunerate for work done.
- (6) The Policy Officer's responsibilities:
- (a) ensuring that the policy of the TSRC be formulated and revised in accordance with section 21(7);
  - (b) assisting the other TSRC members in evaluating and providing input for the formulation of University policy in accordance with section 21(3);
  - (c) ensuring that this Constitution be –

- (i) revised and amended according to this Constitution, and
- (ii) marketed, especially in the period before TSRC elections;
- (d) ensuring that a resolution passed by the Tygerberg Student Imbizo to amend this Constitution be considered by the TSRC for ratification;
- (e) providing opinions to the TSRC on the interpretation of this Constitution and other SU policies, bearing in mind that such opinions are not binding;
- (f) ensuring the safekeeping of all Tygerberg student-related constitutions, and
- (g) allocating this portfolio, in the absence of any TSRC members choosing to take it on, to a TSRC Portfolio Manager according to section 22(2)(g).

### **23. Fulfilment of duties**

- (1) TSRC members must comply with the provisions of this Constitution and the policies and regulations of the TSRC.
- (2) If a TSRC member contravenes subsection 1 or if reasonable grounds exist to believe that a member will contravene subsection 1 –
  - (a) the Student Court can grant an appropriate order on request from any student; and, should the TSRC member concerned not comply with such order, they may be discharged from their office under section 25(1)(h); and
  - (b) the Evaluation Panel may take this into account in its decision whether or not to decrease the member’s honorarium under section 46.

### **24. Ex officio members**

Ex officio members of the TSRC –

- (1) may take on, in addition to their ex officio position, only one TSRC portfolio, whether that portfolio be compulsory or not;
- (2) may not accept any portfolios if they serve on the TSRC Executive Committee; and
- (3) may not hold the position of chair, vice-chair, secretary or treasurer of the TSRC.

### **25. Termination of membership of the Tygerberg Student Representative Council**

- (1) TRC membership comes to an end when: (a) the member’s term of office expires;
- (b) the member dies;

- (c) the member presents a written resignation to the TSRC secretary, which will become binding after five University days if not withdrawn;
  - (d) the member fails to comply with the handover process as guided by the TSRC Executive according to article 21(14);
  - (e) the member ceases to be a member of the student body that they represent ex officio;
  - (f) the member ceases to be a registered student;
  - (g) the member is absent without reason from three consecutive TSRC meetings;
  - (h) the Student Court finds on application that the member has failed, whether intentionally or negligently, to comply with an order of the Court;
  - (i) the Tygerberg Student Assembly adopts a motion of no confidence in the member and the Tygerberg Student Imbizo accordingly resolves to impeach the member, in which case –
    - (i) the TSRC Executive Committee may adopt a motion of no confidence in a TSRC member for failure to fulfil their duties in accordance with the Tygerberg Student Constitution and/or the TSRC's Code of Conduct,
    - (ii) the motion must be ratified by the TSRC by means of a majority vote and
    - (iii) in the final instance, the Tygerberg Student Imbizo must adopt a resolution to impeach the member;
  - (j) the member fails the current academic year and is required to repeat it in the year following their election to the TSRC;
  - (k) the member is sentenced to imprisonment without the option of a fine, whether in the Republic of South Africa or elsewhere; or
  - (l) the member is sentenced by the Central Disciplinary Committee, the University Council's Disciplinary Committee or the University Council's Disciplinary Appeal Committee to either permanent suspension from the TSRC or suspension from the University for a fixed or unfixed period.
- (2) Should an ex officio TSRC member lose their TSRC membership before their term of office at the other student body has come to an end:
- (a) that persons loses their chairpersonship of the student body that they were representing on the TSRC, and
  - (b) that other student body must elect a new chair, who will take the place of its previous chair on the TSRC within ten days or as per its own constitution.



- (3) Should any other TSRC member lose their TSRC membership during their term of office, the TSRC must decide whether that person's position is to be filled.

Should the TSRC decide that the position is to be filled:

- (a) If less than 60 University days have elapsed between the election of the member in question and the day that they ceased to be a member, the available candidate who had received the most votes in the election (in which the outgoing TSRC member was elected) but had not been elected to the TSRC must fill the position.
- (b) If there is no available candidate as per subparagraph 3(a)60 or if more University days have elapsed between the election of the member in question and the day that they ceased to be a TSRC member, the TSRC must call a by-election to fill the position.

## **Part 3.2 Other duties and powers of the Tygerberg Student Representative Council**

### **26. Reports**

- (1) Each TSRC member must submit a complete report regarding their responsibilities and other activities to the vice-chair at the end of every academic quarter, no later than one week after the start of the next quarter. Upon receiving these reports, the secretary must:
- (a) submit the reports to the Tygerberg Student Imbizo;
- (b) liaise with the Tygerberg Student Imbizo to ensure that the TSRC members present themselves at an accountability meeting to testify on the reports submitted if required, and
- (c) make these reports available to all students.
- (2) Each TSRC member must present a complete report regarding their responsibilities and other activities to their successor within 14 days after the end of their term of office, and these reports must also be stored centrally and be available to future TSRC members and students on request.

### **27. Announcement of programme and budget**

- (1) The newly elected TSRC must, within the first week of the commencement of the new academic year, make a document available to all students that –
- (d) sets out clearly and in detail how the TSRC aims to fulfil its core functions;
- (e) contains a complete budget, and

- (f) indicates which portfolios, including the compulsory portfolios, are assigned to which TSRC members or managers.
- (2) As soon as this document is made available, the TSRC must make reasonable attempts to make students aware of its availability.

## **28. Representatives of the Tygerberg Student Representative Council on other bodies**

Representatives of the TSRC on other bodies must, as far as possible, state the TSRC's position at said bodies and must consult the TSRC on any important decisions to be taken by said bodies.

## **29. Code of conduct**

The TSRC and all bodies as constituted under subsections 3(2) to (7) must adopt a code of conduct to lay down the rules of conduct and a disciplinary procedure for its members, and must take reasonable measures to make these documents available to Tygerberg students.

## **30. Tygerberg Student Representative Council Portfolio Managers**

- (1) The TSRC may, if required, appoint at least one (1) and at most ten (10) students as TSRC portfolio managers to manage on the TSRC's behalf portfolios that entail chiefly organisational or administrative functions.
- (2) Each portfolio manager is held accountable to the TSRC as a whole. Portfolio managers have access to the same facilities as TSRC members and may appoint their own committees.
- (3) The remuneration of each portfolio manager must be determined before they are appointed. Thereafter, the amount can be adjusted downwards by the TSRC together with the Evaluation Panel.
- (4) The portfolio managers are subject to evaluation by the Evaluation Panel.
- (5) The portfolio managers do not have the right to vote at and are not compelled to attend TSRC meetings, with the following exceptions:
  - (a) Each portfolio manager must attend at least one TSRC meeting per month in order to report back to the TSRC regarding their activities.
  - (b) Portfolio managers must attend a TSRC meeting upon written request by the TSRC Executive Committee.
  - (c) Portfolio managers must provide valid reasons for their absence at a mandatory meeting.

- (d) In the event that a portfolio manager misses three consecutive TSRC meetings, they will experience the same repercussions as other TSRC members as per section 25(1)(g).

### **31. Task teams**

- (1) The TSRC may appoint task teams from among its own members to address ad hoc or continuous issues. The TSRC must approve the establishment of a task team by means of a simple majority vote.
- (2) Any student may be appointed to a task team, not only TSRC members.
- (3) Unless the urgency of the issue demands otherwise, all students must get the opportunity to apply to serve on a task team.
- (4) The TSRC may delegate the authority to finalise an issue to a task team subject to ratification by the TSRC.

### **32. Mass meetings**

- (1) The TSRC may call mass meetings to consolidate its mandate, to provide a platform for debate and to ensure accountability.
- (2) All students may attend mass meetings and have the right to vote at such meetings.
- (3) The TSRC must give the student community adequate notice of the date, time, place and agenda of a proposed mass meeting, no less than one week beforehand.
- (4) Students may request a mass meeting by means of a petition that has been signed by at least 30 students, in which case the TSRC must arrange for a mass meeting to take place within two weeks after the petition has been filed.

### **33. Other duties**

- (1) The TSRC must:
  - (a) make this Constitution available to students and make them aware of its availability;
  - (b) fulfil any other duties required of it by this Constitution;
  - (c) engage with the TSP in a constructive manner whilst safeguarding the TSRC's independence, and assist the TSP in fulfilling its constitutional mandate, and

- (d) ensure that TSRC members attend all TSP sessions, unless they have provided valid reasons to the TSRC chair to be excused and such request has been granted.
- (2) TSRC members may:
- (a) appoint portfolio subcommittees;
  - (b) appoint a personal assistant, subject to approval by the TSRC Executive Committee;
  - (c) initiate portfolio-specific projects, and
  - (d) adjust the spending of their allocated budget, subject to the TSRC's financial guidelines.

### **Part 3.3 Executive Committee of the Tygerberg Student Representative Council**

#### **34. Composition**

The Executive Committee of the TSRC consists of:

- (1) the TSRC chair,
- (2) the TSRC vice-chair,
- (3) the TSRC treasurer,
- (4) the TSRC secretary and
- (5) one additional member, elected from the TSRC among its members.

#### **35. Duties and powers**

- (1) The Executive Committee's duties and powers include:
  - (a) setting the agenda for TSRC meetings;
  - (b) compiling and, later on, amending the TSRC budget;
  - (c) managing the day-to-day business of the TSRC;
  - (d) taking important decisions cases of urgency where convening the full TSRC is not practically feasible – such decisions come into effect immediately, and the TSRC must be notified of such decisions immediately;
  - (e) deciding on the allocation of TSRC portfolios, excluding the compulsory portfolios;
  - (f) appointing one or more Tygerberg electoral commissioners;
  - (g) fulfilling any duties that the TSRC delegates to it;
  - (h) fulfilling any other functions that this Constitution assigns to it, and

- (i) serving as the TSRC's Disciplinary Committee and managing internal disciplinary matters of the TSRC in accordance with its internal Code of Conduct.
- (2) Decisions taken by the Executive Committee in terms of subsections (1)(b), (d), (e), (f) and (i) may be subject to review by the TSRC at a later TSRC meeting.
- (3) Any other decisions by the Executive Committee can be set aside by the TSRC at a later TSRC meeting.

### **36. Meetings and minutes**

- (1) The Executive Committee meets at least once before every ordinary TSRC meeting, but is not obligated to meet during examination times and holidays.
- (2) All decisions of the Executive Committee must be minuted, and the minutes of an Executive Committee meeting must be made available to the TSRC five University days after the meeting.
- (3) If at least three members of the TSRC put a request in writing to the chair within one University day after the minutes have been made available, the following must occur:
  - (a) The TSRC chair must convene a special TSRC meeting within two University days of the submission of the request.
  - (b) The only item(s) on the agenda will be the matter(s) in question from the minutes of the Executive Committee meeting.
  - (c) A simple majority of TSRC members is required to set aside a decision by the Executive Committee.
- (4) The Executive Committee may invite any person who is relevant to any number of agenda points to simplify the discussions.

### **37. Quorum**

Three Executive Committee members constitute a quorum at Executive Committee meetings.

## **Part 3.4 Tygerberg Student Representative Council meetings**

### **38. Frequency**

The TSRC usually meets at least twice a month, but is not compelled to meet during official examination times and holidays.

**39. Notice of meetings**

TSRC members must receive adequate notice of an ordinary TSRC meeting, which means at least two University days before the proposed meeting. The notification must state at least the following:

- (1) the date, time and place of the meeting and
- (2) the full agenda.

**40. Quorum**

- (1) Eight TSRC members who have the vote constitute a quorum at TSRC meetings.
- (2) No decision of the TSRC will be valid if the decision was taken at a meeting where the attendees did not constitute a quorum.

**41. Transparency**

- (1) An abbreviated agenda that states at least all the items on the agenda as well as the date, time and place of the meeting must be made available to all students at least two University days before each TSRC meeting.
- (2) Any student or any other person invited by the TSRC may attend TSRC meetings.
- (3) A person who is not a member of the TSRC may be granted an opportunity to speak, the duration of which is determined by the chair, at a TSRC meeting only if:
  - (a) the non-TSRC member has notified the secretary in writing of their intention to speak at least one University day before the meeting and the chair has approved the request; or
  - (b) the chair is of the opinion that the person's input will be valuable to the discussion.
- (4) The chair can rule that a specific agenda item be discussed in private if they believe it to be in the best interest of students, subject to the following conditions:
  - (a) The chairperson must make such ruling during an Executive Committee meeting.
  - (b) The item must still appear on the full agenda and the abbreviated agenda.
  - (c) The discussion must still be minuted; the relevant part of the minutes need be made available only to the TSRC internally.
  - (d) The TSRC can decide to overturn such decision by the chair by a simple majority; that is, 50% + 1 of voting members present.
- (5) The following pertain to special TSRC meetings:
  - (a) An abbreviated agenda that states at least all agenda items as well as the date, time and place of the proposed meeting must be made available to all students at least two hours beforehand.

- (b) Special meetings is a device that allows the TSRC to meet, when necessary, to discuss urgent or pertinent issues without delay.
- (c) The TSRC Executive can rule that a special meeting must also be a closed meeting, provided that:
  - (i) it be necessary for the discussion, in the best interest of students or necessary for the TSRC to agree on an issue; and
  - (ii) the minutes of the discussion be made available to students within five University days.
- (d) If at least three TSRC members put a request in writing to the chair within two University days after the minutes have been made available, the matter that was discussed is tabled at the very next ordinary TSRC meeting.

#### **42. Minutes**

- (1) All decisions and conclusions that the TSRC reaches at meetings must be minuted.
- (2) The secretary must ensure that the full minutes of each TSRC meeting be made available to all students electronically, no later than five University days after the meeting.

#### **43. Seconds for ex officio members**

- (1) If ex officio members cannot attend a TSRC meeting, they may appoint a member of their specific committee in writing as a second to attend the meeting.
  - (a) This written communication must reach the TSRC secretary no later than one day before the meeting.
    - (i) If it is not possible to comply with subsection 1(a), the ex officio member must submit a written apology with the secretary no later than one day after the meeting.
- (2) The second appointed as per section 43(1) may exercise all the rights and powers at the meeting that the person whom they represent would have been able to exercise had they been present.
- (3) The right to appoint a second may not be exercised for more than two consecutive TSRC meetings.
- (4) Seconds representing ex officio members count towards a quorum.

#### **44. Proxies for general Tygerberg Student Representative Council members**

- (1) Any TSRC member who will be absent from a meeting may appoint a proxy vote beforehand.
- (2) The member must inform the TSRC secretary in writing of the proxy vote no later than one day before the meeting.
  - (a) If it is not possible to comply with subsection 2 above, the ex officio member must submit a written apology with the secretary no later than one day after the meeting.
- (3) The right to appoint a proxy vote may not be exercised for more than two consecutive TSRC meetings.
- (4) Proxy votes do not count towards a quorum.

### **Part 3.5: Evaluation of Tygerberg Student Representative Council members by the Tygerberg Evaluation Panel**

#### **45. Purpose and convening**

- (1) The Evaluation Panel is convened by the Director of the CSLEEC or their nominated alternate to evaluate how the TSRC members performed their duties and, in doing so, to hold them accountable.
- (2) The Evaluation Panel must convene within two weeks of the end of a TSRC term.

#### **46. Composition**

- (1) The Evaluation Panel consists of the following members:
  - (a) the Director: CSLEEC or their nominated alternative, who chairs the Evaluation Panel,
  - (b) the Chief Justice or other member of the Student Court, appointed by the Court,
  - (c) the speaker of the Tygerberg Student Assembly,
  - (d) the convenor of the Tygerberg Student Imbizo and
  - (e) two persons – whether students, staff or other persons – who are not TSRC members, appointed by the TSRC in light of their knowledge of the duties of the TSRC.
- (2) Additional members may be appointed to the Evaluation Panel if they will make a constructive contribution to the process. Such members –
  - (a) may be either SU students or staff;
  - (b) may be appointed by the Panel only after consultation with the TSRC; and (c) have no voting rights.



- (3) The Dean of the FMHS may appoint one staff member to serve on the Panel in an advisory capacity without having the vote.
- (4) The TSRC vice-chair or the member delegated as per section 44 must arrange the first meeting of the Evaluation Panel.

#### **47. Duties and powers**

- (1) The Evaluation Panel may:
  - (a) withhold up to 20% of the customary honorarium of a TSRC member if that member's annual report is, in the opinion of the Panel, inadequate and incomplete; and
  - (b) withhold up to 40% of the customary honorarium of a TSRC member if the Panel is of the opinion that that member did not perform their duties properly and competently.
- (2) The Panel can conduct a short interview with each TSRC member about the performance of their duties and/or the performance of other TSRC members.
- (3) The Panel can conduct interviews with or obtain written representations from any person whom it deems relevant with a view to evaluate a TSRC member or office bearer properly.
- (4) When making a decision under subsection 1(b), the Panel must also take the following into account:
  - (a) the provisions of this Constitution;
  - (b) the TSRC Code of Conduct and its other regulations;
  - (c) any representations that any person may direct in writing to the Panel chair;
  - (d) the reports by TSRC members, copies of which must be provided to the Panel no later than five University days before its first sitting or by an earlier date as determined by the TSRC Executive Committee, which would allow the Panel to evaluate these reports, and
  - (e) the principles of natural justice.

#### **48. Review**

The decisions of the Evaluation Panel can be reviewed by the Appeal Court but not by the Student Court.

**49. Procedure**

The Panel determines its own procedures, which must be drawn up in consultation with the TSRC, the TSP Committee and the Student Affairs Division after the Panel chair has been elected but before the Panel meet for the first time to evaluate the TSRC members.

**50. Notice and reasons**

Should the Panel decide to withhold any portion of a TSRC member's honorarium, it must inform the person of such decision as soon as possible, and provide in writing the reasons for the decision.

**51. Timeframe**

The Panel is constituted annually to perform its duties and exercise its powers between 1 September and 31 October of the year concerned.

**CHAPTER 4: TYGERBERG STUDENT PARLIAMENT****Part 4.1 General****52. Functioning**

- (1) The TSP is an independent quarterly forum for all students and serves as a public feedback and consultation mechanism for interaction among the TSRC, TAAC, TSC, TPC and TPSC and students and, where applicable, Faculty and University management.
- (2) The TSP serves to ensure that the TSRC, TAAC, TSC, TPC and TPSC fulfil their constitutional mandate and act in an accountable and transparent manner.
- (3) The TSP facilitates cooperation among student leadership at the FMHS, and focuses on policy revision and creation as pertaining to student leadership.
- (4) The TSP is the forum at which amendments to this Constitution are discussed and approved.
- (5) The TSP is bicameral, consisting of the Tygerberg Student Assembly and the Tygerberg Student Imbizo.

## Part 4.2 The Tygerberg Student Assembly

### 53. Establishment and functioning

- (1) The Tygerberg Student Assembly is established as an independent body, subject only to this Constitution and the institutional rules applicable to its functions.
- (2) The Assembly serves as a discussion forum for student issues between student leaders and other students, and these discussions can take the form of public feedback or consultation.

### 54. Responsibilities

The Tygerberg Student Assembly must:

- (1) promote the values of the University and promote cooperative governance among student structures;
- (2) participate in the legislative process as outlined in this Constitution;
- (3) monitor, lobby, educate and advise on issues of adherence to the provisions of this Constitution, and
- (4) facilitate discussions on matters of importance to the Tygerberg student body.

### 55. Jurisdiction

The jurisdiction of the Tygerberg Student Assembly is limited to the structures established by this Constitution.

### 56. Functions and powers

The Tygerberg Student Assembly has the following powers as regulated by this Constitution and the rules of the Tygerberg Student Assembly:

- (1) Amend this Constitution through the processes outlined in this constitution.
- (2) Summon any member of the structures established by this Constitution to appear before it to explain any of their actions, activities or lack thereof in person at a sitting of the Tygerberg Student Assembly.
- (3) Receive petitions, representations or submissions from any person or student structure.
- (4) Make any binding resolutions that, unless otherwise provided for in this Constitution, bind the TSRC, TAAC, TSC, TPC and TPSC if it is passed with an 80% majority and a minimum of 30 votes cast.
- (5) Request one or more TSRC members to explain any of their actions, activities or lack thereof in person at a sitting of the Tygerberg Student Assembly.

- (6) Institute a motion of no confidence in one or more TSRC members, subject to review by the Tygerberg Student Imbizo, which shall determine whether to impeach said TSRC member(s) within seven days of the motion being passed.
- (7) Determine a list of broad priorities after the incoming TSRC is elected that the TSRC must adhere to in compiling its budget and planning its activities.
- (8) Hold extraordinary meetings.
- (9) Appoint task teams to discuss and investigate specific matters and to report back and make recommendations to the Tygerberg Student Assembly.
- (10) Adopt any other measures to ensure that it fulfils its mandate effectively.
- (11) Recommend policy changes to the bodies constituted by this Constitution who must present a report to the Tygerberg Student Assembly if the recommendations are not implemented and the reasons thereof.
- (12) The powers described in subsections 56(1) to (11) are subject to the Tygerberg Student Assembly's establishing and adopting rules that –
  - (a) set out the procedures to be followed in exercising these powers, and (b) are to be approved by the Student Court before they come into force.

## **57. Membership**

- (1) The Tygerberg Student Assembly consists of the following persons:
  - (a) all TSRC members,
  - (b) one TAAC member,
  - (c) one TPC member,
  - (d) one TSC member,
  - (e) one TPSC member,
  - (f) one house committee member from each house,
  - (g) one cluster convenor,
  - (h) one member across all student society committees, appointed by the TSC and (i) all students who attend a sitting of the Tygerberg Student Assembly.
- (2) The relevant ex officio structures must submit a list of the members to the Tygerberg Student Assembly speaker one week after the commencement of the Assembly Committee's term of office.
- (3) The Tygerberg Student Assembly must take reasonable measures to ensure that the members described in section 57(1) attend Assembly sittings.
- (4) No person may fill more than one seat at any given time.
- (5) If a member of the Tygerberg Student Assembly can no longer fulfil their duties, the Assembly Committee must ensure that the vacancy be filled.

## **58. Speaker**

The Tygerberg Student Assembly annually elect a speaker, whose duties include:

- (1) ensuring that plenary sessions take place;
- (2) ensuring that an agenda be compiled and be made available to all students at least one week before a plenary session takes place;
- (3) ensuring that the minutes of plenary sessions be made available no later than two weeks after each meeting;
- (4) presiding over meetings of the Tygerberg Student Assembly impartially and in such a manner as to promote orderly and democratic debate; (5) chairing the Tygerberg Student Assembly Committee, and
- (6) participating in the Stellenbosch Student Assembly.

## **59. Tygerberg Student Assembly Committee**

- (1) The Tygerberg Student Assembly Committee consists of the speaker and at least four other members elected or appointed according to a procedure laid out by the Assembly.
- (2) The convenor of the Tygerberg Student Imbizo serves ex officio on the Assembly Committee.
- (3) The Tygerberg Student Assembly Committee must ensure that the Assembly fulfil its mandate. This includes taking reasonable measures to ensure participation by compulsory members and students.

## **60. Constitutions, rules and regulations**

- (1) The Tygerberg Student Assembly may adopt any constitutions, rules and regulations to organise its activities.
- (2) Such constitutions, rules and regulations are subject to approval by the Student Court. The Court may refer these back to the Tygerberg Student Assembly on the grounds of –
  - (a) procedural unfairness or
  - (b) incompatibility with the TSP's constitutional mandate or the constitutional framework of student leadership within the University.

## **Part 4.3 The Tygerberg Student Imbizo**

**61. Establishment**

- (1) The Tygerberg Student Imbizo is established as an independent body, subject only to this Constitution and the institutional rules applicable to its functions.
- (2) The Tygerberg Student Imbizo must be impartial and must exercise its powers and perform its responsibilities without fear, favour or prejudice.
- (3) All the structures established by this Constitution must, by means of legislation and other measures, assist and protect the Tygerberg Student Imbizo to ensure its independence, impartiality, dignity and effectiveness.

**62. Responsibilities**

The Tygerberg Student Imbizo must –

- (1) promote the values of the University and promote cooperative governance among student structures;
- (2) participate in the legislative process as outlined in this Constitution;
- (3) monitor, lobby, educate and advise on issues of adherence to the provisions of this Constitution;
- (4) monitor and assess the observance of University rules and guidelines as well as adherence to this Constitution, and
- (5) meet at least once a month.

**63. Jurisdiction**

- (1) The Tygerberg Student Imbizo has limited jurisdiction over the structures established by this Constitution.
- (2) The Imbizo may not investigate Student Court decisions.
- (3) The Imbizo may investigate only conduct related to the performance or neglect of the duties of student leaders in the structures established by this Constitution.
- (4) The Imbizo may discuss and make resolutions only on conduct related to the performance or neglect of the duties of student leaders in the structures established by this Constitution.

**64. Functions and powers**

- (1) Unless otherwise provided for in this Constitution, remedial action by the Tygerberg Student Imbizo binds the TSRC, TAAC, TSC, TPC and TPSC, subject to the following:
  - (a) There must have been an investigation into alleged misconduct, incompetence and/or negligence.
  - (b) The remedial action must relate to misconduct, incompetence and/or negligence.

- (c) The remedial action must be agreed upon by 75% of the Tygerberg Student Imbizo.
- (2) The Tygerberg Student Imbizo can summon any Tygerberg student to appear before it to explain any of their actions, activities or lack thereof in person at an Imbizo meeting. This power is limited to the following students:
    - (a) members of the structures established by this Constitution,
    - (b) any student performing a public function, including all committees and forums where students are represented by fellow students and
    - (c) any student holding an office that confers positional authority or representation.
  - (3) The Tygerberg Student Imbizo can investigate any conduct relating to the performance of the functions of positional student leaders that is alleged or suspected to be improper or to have resulted in any impropriety or prejudice, and to report on such conduct.
  - (4) The Tygerberg Student Imbizo can investigate any conduct by positional student leaders that is alleged or suspected to be a breach of relevant internal policies and rules or of the Tygerberg Student Constitution, and to report on such conduct.
  - (5) The Tygerberg Student Imbizo can act as mediator or arbitrator within or between the structures established by this Constitution if the relevant parties agree. The Imbizo's arbitration award is binding on the parties.
  - (6) The Tygerberg Student Imbizo can review motions of no confidence in TSRC members and to determine whether or not to remove such members from office.
  - (7) The Tygerberg Student Imbizo can impeach members of the TSRC, TAAC, TSC, TPC and TPSC on the grounds that they are not fulfilling their constitutional obligations. Impeachment by the Imbizo is subject to review by the Student Court.
  - (8) The Tygerberg Student Imbizo must hold regular public accountability hearings at which members of the TSRC, TAAC, TSC, TPC and TPSC present reports and present evidence on the performance of their structures.
  - (9) The Tygerberg Student Imbizo must receive and consider all proposed amendments to the Tygerberg Student Constitution and submit them to the Tygerberg Student Assembly for adoption within seven University days after receiving them.
  - (10) The Tygerberg Student Imbizo can adopt any other measures to ensure that it fulfil its mandate effectively.
  - (11) The powers described above are subject to the Tygerberg Student Imbizo's establishing and adopting rules that –
    - (a) set out the procedures to be followed in exercising these powers, and (b) are to be approved by the Student Court before they come into force.

## 65. Membership

- (1) The Tygerberg Student Imbizo consists of delegates from the following structures, appointed at the discretion of the structures concerned:
  - (a) one student appointed by the TSRC,
  - (b) one student appointed by the TAAC,
  - (c) one student appointed by the TPC,
  - (d) one student appointed by the TSC,
  - (e) one student appointed by the TPSC and
  - (f) one student appointed by the Tygerberg Student Assembly.
- (2) The following members are special delegates at the Tygerberg Student Imbizo, and all their powers are subject to their being in attendance:
  - (a) one student from each house committee that has been appointed by the TPC ,  
and
  - (b) one student each from the executive committees of all Tygerberg student societies, that have been appointed by the TSC.
- (3) No person may fill more than one seat at any given time.
- (4) If a member of the Tygerberg Student Imbizo can no longer fulfil their duties, the Imbizo Committee must ensure that the vacancy be filled.

## 66. Convenor

The Tygerberg Student Imbizo annually elect a convenor, whose duties include:

- (1) ensuring that Tygerberg Student Imbizo meetings take place;
- (2) ensuring that an agenda be compiled and be made available to all Imbizo delegates at least one week before a Tygerberg Student Imbizo meeting takes place;
- (3) ensuring that the minutes of Imbizo meetings be made available no later than two weeks after each meeting;
- (4) presiding over Imbizo meetings impartially and in such a manner as to promote orderly and democratic debate;
- (5) chairing the Imbizo Committee, and
- (6) serving as ex officio member of the Tygerberg Student Assembly Executive Committee.

## 67. Tygerberg Student Imbizo Committee

- (1) The Tygerberg Student Imbizo Committee consists of the convenor and at least two other members appointed by the convenor from the Imbizo delegates according to a procedure laid out by the Tygerberg Student Imbizo rules.



- (2) A deputy speaker of the Tygerberg Student Assembly must serve ex officio on the Imbizo Committee.
- (3) The Imbizo Committee must ensure that the Tygerberg Student Imbizo fulfil its mandate, which includes taking reasonable steps to ensure participation by delegates.

#### **68. Constitutions, rules and regulations**

- (1) The Tygerberg Student Imbizo may adopt any constitutions, rules and regulations to organise its activities.
- (2) Such constitutions, rules and regulations are subject to approval by the Student Court. The Court can refer such decisions back to the Imbizo on the grounds of –
  - (a) procedural unfairness or
  - (b) incompatibility with the TSP's constitutional mandate or the constitutional framework of student leadership within the University.

## **CHAPTER 5: THE STUDENT COURT**

#### **69. Purpose and functioning**

- (1) The Student Court –
  - (a) functions as an administrative tribunal, and
  - (b) is an independent body, subject only to this Constitution, the provisions of which the Court must apply impartially and without fear, favour or prejudice.
- (2) All student bodies must contribute to ensuring the independence, impartiality, dignity and accessibility of the Student Court.

#### **70. Nomination and appointment of members**

- (1) The Chief Justice must request nominations for members of the Student Court from all law students and law lecturers three weeks before the end of the third academic term.
- (2) The opening of nominations must be advertised clearly among all eligible students, whether by means of electronic communication or otherwise.
- (3) Nominations must remain open for at least seven days.

- (4) Members of the Student Court are appointed by a committee appointed by the Dean of the Faculty of Law. The Appointment Committee must consist of the following persons:
  - (a) the Dean of the Faculty of Law or their designated representative,
  - (b) the incumbent Chief Justice, provided that they have not been nominated again,
  - (c) two members of the Faculty Board of the Faculty of Law, and (d) two students designated by the SRC.
- (5) The Chief Justice must submit the nominations to the Dean of the Faculty of Law before the beginning of the fourth academic term.

## **71. Composition and membership**

- (1) The Student Court consists of five LLB students or LLB graduates, who must include the following persons:
  - (a) at least one and at most two LLB students who will be in their penultimate year of study in the calendar year following their appointment,
  - (b) at least two and at most four LLB students who will be in their final year in the calendar year following their appointment and
  - (c) at most one LLB graduate who is an enrolled student at Stellenbosch University.
- (2) No member of the Court may be a positional student leader, except for positions permitted by this Constitution.
- (3) Membership of the Student Court comes to an end in the following instances:
  - (a) when a member's term of office expires;
  - (b) if a member dies;
  - (c) if a member presents a written resignation to the Chief Justice of the Student Court and the Dean of the Faculty of Law;
  - (d) if a member ceases to be a registered SU student, or
  - (e) if a member is removed under section 78 of the Student Constitution.

## **72. Removal**

- (1) The Tygerberg Student Imbizo may impeach a member of the Student Court by means of a resolution supported by two-thirds of the Imbizo's members, in the following instances:
  - (a) The Student Court member has contravened a rule or code set out in the Disciplinary Code of Stellenbosch University.
  - (b) The Student Court member has failed to perform their duties on more than two occasions and has been unable to provide a valid excuse for such failure.

- (2) An impeachment in terms of section 72(1) comes into effect only after it has been approved by the Dean of the Faculty of Law.

### **73. Appointment of new member members**

- (1) Should the membership of a Student Court member be terminated before the end of their term, the Chief Justice must request nominations for a replacement within five University days after receiving the resignation.
- (2) Nominations must remain open for at least seven and at most ten days.
- (3) The Chief Justice must submit the nominations to the Dean of the Faculty of Law, who will present them to the Appointment Committee within seven days after having received them.
- (4) The Appointment Committee must appoint a new member within seven days after having been convened.
- (5) Should the Chief Justice resign, the Dean of the Faculty of Law must appoint an interim Chief Justice until a new incumbent has been elected.
- (6) The interim Chief Justice must open nominations for a new member.
- (7) The Chief Justice is elected within ten days after the appointment of the new member of the Student Court at a meeting convened by the interim Chief Justice.

### **74. Student Court Committee**

- (1) The Student Court Committee is elected by Court members from among their own ranks, and consists of the following persons:
  - (a) the Chief Justice of the Student Court,
  - (b) the Deputy Chief Justice of the Student Court,
  - (c) the secretary of the Student Court and
  - (d) two additional members, subject to their portfolios applicability and ability to do so.
- (2) The Student Court Committee must be elected within ten University days after the appointment of the members of the Student Court, at a meeting convened by the former Chief Justice.
- (3) The Student Court Committee must adopt a Code of Conduct within ten University days after the appointment of the Chief Justice, which Code must prescribe the Court's powers, duties and functions and the privileges of its members.

**75. Term of office**

The Student Court's term of office commences upon appointment by the Appointment Committee and terminates when the Appointment Committee has appointed the new members.

**76. Current Student Court roll**

- (1) Should there be outstanding judgements or cases at the end of the outgoing Student Court's term of office, the outgoing Court must finalise these before leaving office.
- (2) If 76(1) should not be feasible, the Student Court rules must provide contingency plans for cases still pending during the transition period.

**77. Responsibilities**

In addition to resolving disputes falling within its jurisdiction, the Student Court also must:

- (1) approve constitutions, rules, regulations and amendments subject to the Student Constitution,
  - (a) which revision must be performed by the Court within one month after having received the documents, and
- (2) provide training as prescribed by the Student Constitution.

**78. Jurisdiction**

The Student Court may:

- (1) formulate an interpretation or confirm the interpretation of a party before the Court regarding –
  - (a) this Constitution or
  - (b) any provision of competence in terms of which a student body or member of a student body exercises power;
- (2) decide on the constitutionality of any act or omission by a student body or a member thereof;
- (3) review any decision by a student body or a member thereof whereby the rights or legitimate expectations of a student or group of students are materially and adversely affected;
- (4) deliver a final decision regarding any matter in which the parties consent to the jurisdiction of the Court, and
- (5) decide on all other matters that this Constitution places under the jurisdiction of the Student Court.

**79. Remedies**

The Student Court may issue the following remedies:

- (1) Grant an interdict or any other interim relief if material injustice would result otherwise.
- (2) Grant a declaratory order.
- (3) Set aside any decision or action that is inconsistent with this Constitution or with a constitution, policy, regulation or any provision of competence by a student body in so far as the decision or action is inconsistent with the sources mentioned; provided that –
  - (a) the retroactive effect of the order to set aside be limited as far as possible, and
  - (b) the order to set aside can be suspended for a fixed time or on any conditions to allow the person or body in question to rectify the fault.
- (4) Grant any order that is fair and equitable, which may include a combination of the abovementioned remedies.

**80. Applications to and standing before the Student Court**

- (1) All students and student bodies can bring cases before the Student Court, and only students and student bodies can bring cases, unless –
  - (a) this Constitution grants another person or body such standing, or
  - (b) all parties before the Court consent to granting another person or body such standing.
- (2) The procedure according to which cases are brought before the Court is set out in the Student Court rules.

**81. Procedure**

- (1) The Student Court determines its own procedure, with due consideration of:
  - (a) the rules of natural justice and
  - (b) the need for the Student Court to be accessible.
- (2) The Student Court must, after consultation with the SRC and subject to approval by the Appeal Court, adopt rules that set out its procedure, which must provide for at least the following:
  - (a) After the Court has received an application, the Court chair must ensure that any person who may have a material interest in the proceedings be notified.
  - (b) The time when and the place where an application will be heard must be advertised timeously in the Ou Hoofgebou (Old Main Building, Stellenbosch Campus) and at the SRC Office, as well as electronically.

- (3) The rules contemplated in section 81(2) and the identity and contact details of the Student Court chair must be readily available, electronically and in hard copy, to all students.

## **82. Representation**

- (1) Any party before the Student Court may appear before the Court with or without representation.
- (2) Only students may act as representatives before the Student Court.

## **83. Decisions**

- (1) All decisions by the Student Court are binding.
- (2) The Court must provide reasons for its decisions in writing, which document must be signed by all Court members.
- (3) Should a minority of members not concur with the majority, the minority must provide their reasons for dissenting.
- (4) All decisions by the Student Court must be made available to all students as soon as possible after they have been handed down. This is to be done both electronically and as hard copy; the latter at the SRC Office and with the secretary to the Dean of the Faculty of Law.
- (5) The Student Court chair must ensure that all Student Court decisions be stored both as hard copy at the SRC Office and on an electronic database, and that all students can readily access previous decisions by the Student Court.

# **CHAPTER 6: THE APPEAL COURT**

## **84. Composition**

The Appeal Court consists of two lecturers from the Faculty of Law, who are appointed by the Dean of the Faculty of Law.

## **85. Jurisdiction**

The Appeal Court has the following powers:

- (1) hearing appeals against decisions by the Student Court;
- (2) reviewing any decision or omission by the Student Court;
- (3) reviewing decisions by the Evaluation Panel, and

- (4) deciding in any other matter that resorts under its jurisdiction according to this Constitution.

#### **86. Lodging appeals or applications for review**

- (1) An appeal to or an application for review at the Appeal Court is lodged with the Dean of the Faculty of Law, who will appoint members to the Appeal Court.
- (2) The appeal must be lodged within 30 days after the decision that is being appealed was taken, unless this Constitution provides otherwise.

#### **87. Procedure**

The procedure of the Appeal Court is the same as that of the Student Court, *mutatis mutandis*.

## **CHAPTER 7: THE TYGERBERG ACADEMIC AFFAIRS COUNCIL**

#### **88. Composition**

- (1) The TAAC consists of a chair, a vice-chair, six student programme coordinators, two administrative ex officio members, three class representatives (ex officio) and one student representative from each undergraduate class at the FMHS, and any additional members whom the TAAC Constitution provides for.
- (2) Members of the TAAC are elected in the way prescribed in the TAAC Constitution, and the election of the chair and vice-chair is managed by the electoral commissioner(s) in accordance with section 109.

- (3) The TAAC chair serves ex officio on the TSRC and the Academic Affairs Council. The TAAC vice-chair serves ex officio on the Academic Affairs Council.

## 89. Functioning and duties

### (1) Chair

- (a) The TAAC chair is elected annually, before or during the TSRC elections, from the existing ranks of the TAAC at a meeting facilitated by the Tygerberg electoral commissioner(s). The outgoing TAAC chair retains their position up until the expiry of their term of office as TSRC member for Academic Affairs.
- (b) A candidate may stand for the position of TAAC chair only if they meet the following criteria: medical students must be in their third or a later year in the year in which the elections take place; allied health sciences students must be in their second or a later year the year in which the elections take place.
- (c) The Tygerberg electoral commissioner(s) must launch a nomination procedure within two weeks of the start of the election cycle. Voting is done by secret ballot. Should circumstances necessitate, the two-week period can be extended by means of a simple majority vote of the outgoing TAAC Council.
- (d) The procedure for electing the chair is outlined in the TAAC Constitution.
- (e) The TAAC's duties and other obligations of the TAAC chair are set out in this Constitution. According to the Constitution, the TAAC chair cannot be compelled to accept any other portfolios or responsibilities of the TSRC outside of the scope of academic affairs, unless such practice be deemed fair and just by both the TAAC and the TSRC chair.

### (2) Vice-chair

- (a) The vice-chair is elected annually, before or during the TSRC elections, from the existing ranks of the TAAC at a meeting facilitated by the Tygerberg electoral commissioner(s).
- (b) A candidate may stand for the position of TAAC vice-chair only if they meet the following criteria: medical students must be in their third or a later year in the year in which elections take place; allied health sciences students must be in their second or a later year in the year in which the elections take place.
- (c) The Tygerberg electoral commissioner(s) must launch a nomination procedure within two weeks of the start of the election cycle. Voting is done by secret ballot. Should circumstances necessitate, the two-week period can be extended by means of a simple majority vote of the outgoing TAAC Council.
- (d) The procedure for electing the vice-chair is outlined in the TAAC Constitution.
- (e) The TAAC vice-chair may act as second for the TAAC chair where appropriate.



- (3) Class representatives
  - (a) The class representative's responsibilities do not include matters that are not academic in nature.
  - (b) Matters that are not academic in nature and, as such, do not resort under the class representative's responsibilities include but are not limited to: matters involving residences, including but not limited to residence placement; social issues and conflict in residences; matters involving conflict and/or social justice issues on campus; and matters involving students' physical and/or mental health and/or wellbeing.
  - (c) Should a student's physical and/or mental health influence their academic performance, the class representative must provide assistance in the form of referral to the necessary SU structures – namely the counselling services and the Assessment Office – for assistance with academic leave of absence.
  - (d) Class representatives must refer their class mates to the individuals who are responsible for the abovementioned matters (including but not limited to residence heads, house committee members, the TSRC and campus psychologists) where necessary and applicable.
- (4) The duties performed by student programme coordinators, class representatives and ex officio TAAC members are outlined in the TAAC Constitution.

## **90. Duties and powers**

- (1) The TAAC represents the academic interests of students at the TSRC, Faculty management and, where appropriate, University management.
- (2) The TAAC has the powers required for performing its duties as outlined in the TAAC Constitution.

## **91. Constitutional mandate**

- (1) The TAAC has a constitutional mandate to actively promote the rights of students as per Chapter 2 of this Constitution; specifically the right, under section 8(2), to quality education, academic support, and transparent and justifiable assessment procedures.
- (2) The TAAC facilitates the discussion and resolution of academic and other matters of communal interest that fall within the sphere of academia at the FMHS.
- (3) The TAAC empowers its members to:
  - (a) represent and further the academic interests of all students;
  - (b) inform students effectively, and

- (c) advise the TSRC via the TAAC chair.
- (4) The TAAC ensures that class representatives, student programme coordinators and ex officio members be elected annually by an organised and fair process.
- (5) The TAAC commits itself to effective communication with all students in order to make them aware of their rights, particularly those that apply to academia, with a view to ensuring just and fair conduct towards all students.

## **92. Constitutions, rules and regulations**

- (1) The TAAC may accept any constitutions, rules, regulations or amendments to organise its activities, subject to approval by the TSRC.
- (2) The TSRC may refuse to approve new constitutions, rules, regulations or amendments submitted by the TAAC on the grounds of –
  - (a) procedural unfairness, or
  - (b) incompatibility with the TAAC's constitutional mandate or the constitutional framework of student leadership at the University.
- (3) The TAAC may appeal to the Student Court against a refusal by the TSRC under section 92(2).
- (4) The TAAC may appeal to the Appeal Court against a refusal by the Student Court under section 92(3).
- (5) The TAAC must establish a committee for the purpose of approving any constitutions, rules, or regulations, or amendments thereto, by faculty committees.
  - (a) All constitutions, rules, or regulations, or amendments of TAAC committees constitutions must be approved by this committee.
  - (b) The committee must receive mandatory training facilitated by the Student Court to equip them with the skills necessary for the execution of its duties.
  - (c) Appeals of the decisions of the committee must be in accordance with the procedure set out in the TAAC constitution.

## **CHAPTER 8: THE TYGERBERG PRIM COMMITTEE**

### **93. Composition**

- (1) The TPC consists of a chair, a secretary and the prims of the all the houses at Tygerberg Campus.
- (2) The election of the TPC chair is managed by the Tygerberg electoral commissioner(s) according to section 109.
- (3) The TPC chair serves ex officio on the TSRC.
- (4) The TPC members also serve on the Stellenbosch Prim Committee, which represents all residences on Stellenbosch Campus, and the TPC chair is a member of the Stellenbosch Prim Committee's Executive Committee.

### **94. Duties and powers**

- (1) The TPC represents the interests of the residence dwellers and members of PSOs in that capacity at the TSRC, student communities management, Faculty management and University management.
- (2) The TPC is an autonomous student representational structure and has the powers required for performing its duties for as long as it is in the houses' best interest.
- (3) The TPC must meet biweekly, the alternating weeks being reserved for meeting with the Stellenbosch Prim Committee on the main campus.

**95. Constitutional mandate**

- (1) The TPC has a constitutional mandate to actively promote the rights of students as per Chapter 2 of this Constitution, specifically the right under section 8(1) to an enabling campus environment in which student success and academic excellence are encouraged and pursued.
- (2) The TPC serves as forum for house committee leaders, striving to protect and further the interests of all students by advising the TSRC via the TPC chair.

**96. Constitutions, rules and regulations**

- (1) The TPC may accept any constitutions, rules, regulations or amendments to organise its activities, subject to approval by the TSRC.
- (2) The TSRC may refuse to approve new constitutions, rules, regulations or amendments submitted by the TPC on the grounds of –
  - (a) procedural unfairness, or
  - (b) incompatibility with the TPC's constitutional mandate or the constitutional framework of student leadership at the University.
- (3) The TPC may appeal to the Student Court against a refusal by the TSRC under section 96(2).
- (4) The TPC may appeal to the Appeal Court against a refusal by the Student Court under section 96(3).
- (5) The TPC must establish a committee for the purpose of approving any constitutions, rules, or regulations, or amendments thereto, by house committees.
  - (a) All constitutions, rules, or regulations, or amendments of house committees constitutions must be approved by this committee.
  - (b) The committee must receive mandatory training facilitated by the Student Court to equip them with the skills necessary for the execution of its duties.
  - (c) Appeals of the decisions of the committee must be in accordance with the procedure set out in the TPC constitution.

## CHAPTER 9: THE TYGERBERG SOCIETIES COUNCIL

### 97. Composition

- (1) The TSC consists of:
  - (a) a chair and an Executive Committee,
  - (b) the chair or their representative of each of the societies recognised under the TSC Constitution and
  - (c) any other members whom the TSC Constitution provides for.
- (2) The election of the TSC chairperson and Executive Committee is managed by the Tygerberg electoral commissioner(s) according to section 109.
- (3) The TSC chair serves ex officio on the TSRC.

### 98. Duties and powers

- (1) The TSC represents the interests of all recognised student societies and of the members of all recognised student societies at the FMHS, in that capacity, at the TSRC and University management.
- (2) The TSC is an autonomous student representational structure and has the powers required for performing its duties as outlined in the TSC Constitution.

### 99. Constitutional mandate

The TSC has a constitutional mandate to

- (1) serve as forum for student leaders and to actively protect and promote the rights of students as per Chapter 2 of this Constitution; specifically the right to freedom of religion, belief and opinion under section 9, and the right to freedom of association under section 12, and
- (2) serve as forum for Tygerberg student society leaders, striving to protect and further the interests of all students by advising University management and the TSRC via the TSC chair.

### 100. Constitutions, rules and regulations

- (1) The TSC Constitution is binding on the constitutions of all Tygerberg student societies.
- (2) The TSC may accept any constitutions, rules, regulations or amendments to organise its activities, subject to approval by the TSRC.

- (3) The TSRC may refuse to approve new constitutions, rules, regulations or amendments submitted by the TSC on the grounds of –
  - (a) procedural unfairness, or
  - (b) incompatibility with the TSC's constitutional mandate or the constitutional framework of student leadership at the University.
- (4) The TSC may appeal to the Student Court against a refusal by the TSRC under section 100(2).
- (5) The TSC may appeal to the Appeal Court against a refusal by the Student Court under section 100(3).
- (6) The TSC must establish a committee for the purpose of approving any constitutions, rules, or regulations, or amendments thereto, by registered societies.
  - (a) All constitutions, rules, or regulations, or amendments of society constitutions must be approved by this committee.
  - (b) The committee must receive mandatory training facilitated by the Student Court to equip them with the skills necessary for the execution of its duties.
  - (c) Appeals of the decisions of the committee must be in accordance with the procedure set out in the TSC constitution.

## **CHAPTER 10: THE TYGERBERG POSTGRADUATE STUDENT COUNCIL**

### **101. Composition**

- (1) The TPSC consists of the following members:
  - (a) at least nine members elected by the student community as per Chapter 4 of the TPSC Constitution, and
  - (b) any other members whom the TPSC Constitution provides for.
- (2) The election of the TPSC chair and vice-chair is managed by the Tygerberg electoral commissioner(s) according to section 109.
- (3) The TPSC chair serves ex officio on the TSRC.

### **102. Duties and powers**

- (1) The TPSC is a policy-making and representative student body at the FMHS representing registered postgraduate students.
- (2) The TPSC is an autonomous student representational structure and has the powers required to perform its duties as outlined in the TPSC Constitution.

### **103. Constitutional mandate**

- (1) The TPSC has a constitutional mandate to actively promote the student rights as per Chapter 2 of this Constitution, specifically the right under section 8(1) to an enabling campus environment in which student success and academic excellence are encouraged and pursued.
- (2) The TPSC serves as forum for Tygerberg postgraduate leaders, striving to protect and further students' interests by advising University management and the TSRC via the TPSC chair.

### **104. Constitutions, rules and regulations**

- (1) The TPSC Constitution is binding on all Tygerberg postgraduate constitutions.
- (2) The TPSC may accept any constitutions, rules, regulations or amendments to organise its activities, subject to approval by the TSRC.
- (3) The TSRC may refuse to approve new constitutions, rules, regulations or amendments submitted by the TPSC on the grounds of –
  - (a) procedural unfairness, or

- (b) incompatibility with the TPSC's constitutional mandate or the constitutional framework of student leadership at the University.
- (4) The TPSC may appeal to the Student Court against a refusal by the TSRC under section 104(3).
- (5) The TPSC may appeal to the Appeal Court against a refusal by the Student Court under section 104(4).
- (6) The TPSC must establish a committee for the purpose of approving any constitutions, rules, or regulations, or amendments thereto, by TPSC committees.
  - (a) All constitutions, rules, or regulations, or amendments of TPSC committee constitutions must be approved by this committee.
  - (b) The committee must receive mandatory training facilitated by the Student Court to equip them with the skills necessary for the execution of its duties.
  - (c) Appeals of the decisions of the committee must be in accordance with the procedure set out in the TPSC constitution.



## CHAPTER 11: ELECTIONS

### 105. Tygerberg Student Representative Council general election

- (1) The nine TSRC members referred to in section 19(1) are elected once every calendar year in a free and fair general election in which all students may vote, with due observance of the provisions of Schedule 2.
- (2) Each student may cast their vote only once in a particular election, and all students' votes carry the same weight.
- (3) Voting in the TSRC election –
  - (a) must take place during the third academic quarter, but (b) may be held over for two weeks at most, no longer.
- (4) The election of the representatives of the TAAC, TPC, TPSC, and TSC on the TSRC must precede the TSRC elections.
- (5) The TEC must ensure that those elections be free, fair and trustworthy.
- (6) The Executive Committee of the TSRC must appoint one or more Tygerberg electoral commissioners.
- (7) The Executive Committee of the TSRC must:
  - (a) advertise the position(s) of the Tygerberg electoral commissioner(s) for at least two weeks on Tygerberg Campus;
  - (b) appoint, every year before the end of March, one or more independent, autonomous, neutral and competent Tygerberg electoral commissioners to manage the election, which commissioners may not be or have been at any time a member of the TSRC who were in office at the time, and
  - (c) determine the election dates in consultation with the Tygerberg electoral commissioner(s) and, where necessary, other stakeholders before the end of May every year, with due consideration of section 105(3).
- (8) The format of the election, who qualifies to run for the TSRC, the duties and powers of the Tygerberg electoral commissioner(s), the election complaints procedure and the announcement of results are determined in Schedule 2 of this Constitution, and this section must be implemented in accordance with Schedule 2.

**106. Election of the Tygerberg Student Representative Council chair**

- (1) After the validity of the election results has been confirmed as per Schedule 2, the Tygerberg electoral commissioner(s) convene(s) the first meeting of the newly elected TSRC.
- (2) The newly elected TSRC, including the ex officio members, must elect a new TSRC chair by means of a positive vote under the chairpersonship of (one of) the Tygerberg electoral commissioner(s).
- (3) Any member of the newly elected TSRC, excluding the ex officio members, may make themselves available for election to the position of SRC chair or vice-chair.
- (4) The chair at the meeting must allow candidates reasonable time to address the meeting and answer questions before voting begins.
- (5) If only two candidates should remain and there be a tie after the fourth round of voting, the election of the chair will be decided by the Tygerberg Student Imbizo at a special meeting of the Imbizo chaired by the Chief Justice of the Student Court.

**107. Election of the rest of the Tygerberg Student Representative Council Executive Committee**

- (1) After a new TSRC chair has been elected, the newly elected members must elect, under the leadership of the TSRC chair, the other members of the Executive Committee by means of a positive vote.
- (2) Any newly elected TSRC member may make themselves available for election for any of the remaining positions on the Executive Committee.
- (3) Should the newly elected TSRC so choose, the Executive Committee may also be elected at a later TSRC meeting; on condition that the Executive Committee be elected no more than one month after the TSRC election results have been announced.
- (4) The chair at the meeting must allow candidates reasonable time to address the meeting and answer questions before voting begins.

**108. Election of the Policy Officer and representatives of the Tygerberg Student Representative Council on statutory bodies of the University**

- (1) The election of the TSRC Policy Officer and TSRC representatives on the various University committees must take place as follows:
  - (a) at a TSRC meeting;
  - (b) no later than one month after the results of the TSRC election have been announced;

- (c) under the chairpersonship of the newly elected TSRC chair, and (d) by means of a positive vote.
- (2) Any member of the newly elected TSRC, including members of the Executive Committee, may make themselves available for one or more of these positions.
- (3) The chair must allow candidates reasonable time to address the meeting and answer questions before voting begins.
- (4) If the chair should choose to stand for election to any of the University committees, another TSRC member must act as chair during the vote for the committee concerned. Once the voting process has been concluded, the official chair resumes their position as TSRC chair.

**109. Election of the chairs of the Tygerberg Academic Affairs Council, the Tygerberg Societies Council, the Tygerberg Prim Committee and the Tygerberg Postgraduate Student Council**

- (1) The Tygerberg electoral commissioner(s) convene(s) the election of the chairs and vicechairs of the TAAC, TSC, TPC and TPSC.
- (2) The election date and time are scheduled by the Tygerberg electoral commissioner(s) in consultation with the respective chairs in office at the time.
- (3) The Tygerberg electoral commissioner(s) must allow candidates reasonable time to address the meeting and answer questions before voting begins.

**110. Student leadership elections**

The Tygerberg Electoral Commission must manage the TSRC elections and must monitor, audit and investigate any complaints related to the elections of the TAAC, TPC, TPSC, TSC, student societies and house committees.

**CHAPTER 12: TYGERBERG ELECTORAL COMMISSION**

**111. Duties and powers**

- (1) The TEC has all the duties and powers that this Constitution ascribes to it.
- (2) The TEC must ensure that every student who votes does so only once in a particular election, and that each student who makes a reasonable effort will be able to cast a vote if practically feasible.
- (3) The TEC may lay down rules in addition to the Electoral Act (Schedule 1) to ensure proper conduct during elections.

**112. Appointment and duties**

- (1) The TEC must appoint at least five persons every year, before the end of the second academic term, as TEC assistants after these positions have been advertised for at least two weeks on Tygerberg Campus.
- (2) The TEC assistants, in cooperation with and under the supervision of the Tygerberg electoral commissioners, must ensure that all student leadership elections run smoothly.

**113. Interaction with the Electoral Commission for Stellenbosch Campus**

- (1) The Electoral Commission for Stellenbosch Campus must ratify the commissioner(s) appointed for Tygerberg before they will possess all the powers that this Constitution ascribes to them.
- (2) The commissioner(s) for Tygerberg Campus, in cooperation with and under the supervision of the Electoral Commission for Stellenbosch Campus, must ensure that the TSRC election is conducted professionally and effectively.

**114. Term of office**

The TEC's term of office extends from the time of appointment until the report as described in section 116 has been submitted to all parties concerned, but ends no later than the end of the fourth term of the year in which the relevant elections take place.

**115. Independence**

- (1) The TEC is an independent body; it is not under the authority of any student organisation or of University management.
- (2) The TEC must perform its duties impartially and without prejudice.
- (3) Neither the TEC nor any TEC assistant may run for election in the year of their appointment to the TEC, even if they stop acting in these positions or are replaced before the election takes place.

**116. Report**

TEC members do not receive their remuneration until they have submitted a complete report on their activities to the incumbent TSRC chair, the chair of the newly elected TSRC, the convenor of the Tygerberg Student Imbizo and the speaker of the Tygerberg Student Assembly, which must happen before the end of the fourth term of the year in which the relevant elections were held.

**117. Remuneration**

- (1) The TEC and TEC assistants are remunerated in accordance with the guidelines available at the Division of Student Affairs.
- (2) The Student Court may, upon application, decrease the remuneration of the TEC by an amount that is fair and reasonable if the members have materially neglected one or more of their duties as described in this Constitution.

**118. Election committees for other structures**

- (1) The governing structures of the TAAC, TPC, TPSC, TSC, student societies and house committees must appoint electoral committee(s)/commissioner(s) to conduct their elections, and must allow the TEC full access to monitor, audit, receive and investigate complaints relating to their respective election processes.
- (2) The electoral committees/commissioners of these structures must manage and facilitate elections within their respective structures.
- (3) The Tygerberg Electoral Commission performs an overseeing role in this process and may intervene in an election process only when –
  - (i) consequential irregularities have been noted in the election process;
  - (ii) there is prima facie evidence of electoral misconduct;
  - (iii) a complaint alleges electoral fraud; or
  - (iv) the relevant electoral committee(s)/commissioner(s) fail to comply with election regulations.

**119. Student leadership elections**

The TEC must manage the TSRC elections and must monitor, audit and investigate any complaints related to the elections of the TAAC, TPC, TPSC, TSC, student societies and house committees.

**120. Complaints procedure for all elections**

- (1) A complaint about the campaign of a specific candidate must be lodged with the TEC, which must investigate the complaint properly and announce its decision within 24 hours of the complaint being lodged.
- (2) Any complaint relating to any student leadership election, including any aspect that may jeopardise the freedom or fairness of the election, and to any decision or failure to make a decision by a Tygerberg electoral commissioner or the various electoral committees/commissioners must be lodged with the TEC.
- (3) Any unresolved complaint under section 120(2) – about the running of any student leadership election or any decision or failure to make a decision by a Tygerberg electoral commissioner or the various electoral committees/commissioners – must be lodged with the Student Court, as follows:
  - (a) within a reasonable time;
  - (b) before the fifth University day (calculated inclusively) after the results have been announced, and
  - (c) in accordance with the rules of the Student Court.
- (4) Should a complaint be lodged with the Student Court, the Court must:
  - (a) handle the complaint with the necessary speed if harm will result otherwise;
  - (b) consider the complaint with reference to the principles of a free and fair TSRC election that promotes representativity and participation;
  - (c) follow an investigate approach – which may include the recounting or revaluation of ballots – if it seems necessary in the specific case, and
  - (d) grant any remedy that is fair and equitable in the circumstances and that will ensure that the election be free and fair; which remedies may include –
    - (i) setting aside of a decision by the electoral commissioner(s),
    - (ii) invalidation of the results regarding a specific candidate,
    - (iii) invalidation or allowance of ballots and (iv) invalidation of the entire election.
- (5) An appeal against a decision by the Student Court under section 120(4) must be lodged with the Appeal Court within two University days after the decision has been announced; otherwise, the ruling of the Student Court will be final.

**121. Validity of election results**

The validity of the full election results is confirmed if no complaint about the validity of the election has been lodged with the TEC or the Student Court within three University days after the TEC announced the results.

**CHAPTER 13: COMMENCEMENT, REPEAL AND AMENDMENT**

**122. Commencement and repeal**

- (1) Chapter 5 and the sections relating to the TSP come into effect once the Student Court has approved the constitutions, rules and/or regulations for both the Tygerberg Student Assembly and the Tygerberg Student Imbizo as contemplated in section 60 and section 68, respectively.

- (a) The incumbent TSP Committee is responsible for developing the constitutions, rules and/or regulations for both the Tygerberg Student Assembly and the Tygerberg Student Imbizo.
  - (b) The incumbent TSP Committee must take reasonable measures to ensure that the constitutions, rules and/or regulations for both the Tygerberg Student Assembly and the Tygerberg Student Imbizo be developed and submitted to the Student Court for approval by 1 February 2022.
    - (i) In case the process be handed over, the new team must submit the constitutions, rules and/or regulations to the Student Court within three months after the commencement of its term.
  - (c) If the constitutions, rules and/or regulations have not been submitted to the Student Court for approval by 1 February 2022, the TSRC Policy Officer and/or the TSRC must establish a task team that will assume responsibility for developing the constitutions, rules and/or regulations of the Tygerberg Student Assembly and the Tygerberg Student Imbizo.
  - (d) Once the Student Court has approved the constitutions, rules and/or regulations of the Tygerberg Student Assembly and the Tygerberg Student Imbizo, the following must occur:
    - (i) The first sitting of the Tygerberg Student Assembly must take place at a time and on a date determined by the Chief Justice of the Student Court, which may not be more than 14 days after the constitution, rules and/or regulations for the Assembly have been approved.
    - (ii) At the first sitting of the Student Assembly, the Chief Justice of the Student Court must preside over the elections of the speaker of the Tygerberg Student Assembly and the convenor of the Tygerberg Student Imbizo.
    - (iii) The Chief Justice of the Student Court must request nominations for the speaker of the Tygerberg Student Assembly and the convenor of the Tygerberg Student Imbizo at least five days before the first sitting.
- (2) The remaining provisions of this Constitution come into effect on 1 February 2022 or a week after approval of the Constitution by the Stellenbosch University Council, whichever occurs last. Thereby, all previous Tygerberg Student constitutions are repealed.
- (3) No part of the Constitution will have retroactive effect.

## **Part 15.1 Legislative process**

### **123. Amending the Tygerberg Student Constitution**

- (1) This Constitution may be amended by a resolution passed by –



- (a) the Tygerberg Student Imbizo with a supporting vote of at least 60% of its members, and
  - (b) the Tygerberg Student Assembly with a supporting vote of at least 80% of the votes, with a quorum of at least 30 votes cast.
- (2) Any Tygerberg student may submit a petition to the Tygerberg Student Imbizo proposing an amendment to the Tygerberg Student Constitution.
- (a) The petition must be submitted to the convenor of the Tygerberg Student Imbizo, who must table the petition at the next Tygerberg Student Imbizo meeting as a resolution for consideration.
  - (b) Within seven days of the resolution being tabled, the Tygerberg Student Imbizo must –
    - (i) pass the resolution, or
    - (ii) pass the resolution subject to amendments proposed by the Imbizo, or (iii) reject the resolution.
  - (c) If the Tygerberg Student Imbizo passes the resolution, the convenor of the Imbizo must submit the resolution to the speaker of the Tygerberg Student Assembly within seven days.
  - (d) When a resolution amending the Constitution is introduced, the speaker of the Tygerberg Student Assembly must do the following:
    - (i) Publish all the particulars of the proposed amendments and call for public comment on the resolution within seven days of having received the resolution.
    - (ii) Call a Tygerberg Student Assembly sitting within seven days of having published the particulars of the resolution for public comment.
    - (iii) Submit, in accordance with the rules and orders of the Tygerberg Student Assembly, any written comments received from the Tygerberg student body and members of the Tygerberg Student Imbizo for a public debate at a sitting of the Tygerberg Student Assembly.
  - (e) A resolution for the amendment of the Tygerberg Student Constitution must be put to the vote at the first sitting of the Tygerberg Student Assembly after the public debate contemplated in section 122(2)(d)(iii). The voting process must –
    - (i) pass the resolution with a supporting vote of at least 80% of the votes cast, with a quorum of at least 30 votes, or
    - (ii) reject the resolution, or
    - (iii) refer the resolution back to the Tygerberg Student Imbizo for reconsideration.

- (f) If a resolution is referred back to the Tygerberg Student Imbizo, the following must occur:
- (i) The speaker of the Tygerberg Student Assembly must send back the resolution with all the particulars collected from the Tygerberg student body and the debate.
  - (ii) The Tygerberg Student Imbizo must reconsider the resolution considering the amendments suggested by the Tygerberg Student Assembly, upon which the Imbizo may –
    - i.* pass the resolution with amendments and resubmit it to the Tygerberg Student Assembly for reconsideration, or
    - ii.* decide not to proceed with the resolution.
- (g) If the resolution is passed by the Tygerberg Student Assembly, the following must occur:
- (i) The speaker of the Tygerberg Student Assembly must submit the resolution to the TSRC chair within two days of the resolution being passed.
  - (ii) The TSRC chair must call a special meeting for the TSRC to assent to the resolution within five days of having received the resolution.
- (h) The resolution must be introduced to the TSRC as a motion to assent to a resolution to amend the Tygerberg Student Constitution, and the TSRC may –
- (i) pass the resolution with a supporting vote of eight TSRC members, or
  - (ii) refer the resolution to the Student Court for a decision on the constitutionality of the amendment process.
- (i) If the Student Court finds that the amendment process is constitutional, the TSRC must assent to the resolution.

#### **124. Publication of amended Tygerberg Student Constitution**

- (1) An amendment to the Tygerberg Student Constitution that has been assented to by the TSRC must be published promptly and takes effect when published or on the date determined by the Constitution.
- (2) An updated copy of the Tygerberg Student Constitution must be entrusted to the Policy Officer of the TSRC for safekeeping.

#### **125. Revision of the Tygerberg Student Constitution**

Every three years, the Tygerberg Student Imbizo must establish a task team for the following purposes:

- (1) to evaluate the relevance of the Tygerberg Student Constitution as it stands, and

- (2) to advise the Tygerberg Student Imbizo on whether the Tygerberg Student Constitution requires amending.

## **SCHEDULE 1: ELECTORAL ACT**

### **Part S1: Values and standards**

This Electoral Act aims to promote the following values and standards for student leadership structure elections by ensuring election processes that –

- (1) allow maximum accessibility to information regarding candidates and the election process;
- (2) allow maximum participation and engagement by the Tygerberg student body;
- (3) are democratic, non-discriminatory and inclusive;
- (4) are free and fair;
- (5) are relevant and transparent;
- (6) promote the interests of the structures concerned and/or the campus, and
- (7) stimulate quality debate and dialogue with candidates.

**Part S2: Rights**

All members of the entire student body, including all candidates for student leadership structures, have the right to:

- (1) cast their vote independently and in secret;
- (2) legally conduct election campaigns;
- (3) distribute the election and campaign materials authorised by the relevant election authority;
- (4) exercise their freedom of language;
- (5) exercise their freedom of speech;
- (6) hold public meetings;
- (7) put up the posters designed and provided by the relevant election authority;
- (8) recruit support from voters, and
- (9) use social media platforms to advertise their campaign.

**Part S3: Infringements**

- (1) During the election period, all persons bound by this Electoral Act must:
  - (a) comply with any instructions from the TEC and implement any just decisions by the TEC;
  - (b) avoid language or any kind of action that could result in violence or intimidation;
  - (c) refrain from actions or practices that discriminate unfairly or are aimed at humiliating someone on the grounds of race, gender, sexual orientation, ethnicity, class or religion in the context of the election;
  - (d) refrain from doing anything that would impede any person's right to gain reasonable access to voters for the sake of recruiting support;
  - (e) refrain from unlawfully removing or damaging or destroying any voting material or electoral material in any way;
  - (f) refrain from removing, damaging or destroying any candidate's campaign material; (g) spend no money on any marketing, which also precludes –
    - (i) using their own money, including Facebook, Instagram and Twitter sponsored pages, and any other form of sponsorship;
  - (h) refrain from any attempt at abusing power or misusing privileges or influence or using any form of coercion intended to persuade someone to vote for any candidate;
  - (i) refrain from making misrepresentations about themselves in any election material;
  - (j) refrain from making, publishing or repeating any racist, sexist, homophobic, false, libellous or any other allegations of this sort that would infringe on a person's human dignity with respect to the election;

- (k) refrain from offering any form of enticement or remuneration to any person for the purpose of obtaining such person's vote or nonvote in the election;
  - (l) refrain from voting in a way in which they know they are not entitled to vote, and
  - (m) refrain from doing anything that violates students' privacy or the right to a secret vote.
- (2) Responsibilities of candidates include the following:
- (a) Candidates have the freedom to post the posters provided by the TEC wherever they want to post them, subject to the following:
    - (i) It is the candidates' responsibility to ensure that posting their material does not violate any rules of the platform concerned.
    - (ii) Violation of this rule will result in disciplinary action being taken.

#### **Part S4: Social media and posters**

(1) Posters

The TEC or the relevant election authority is responsible for the photography, design and distribution of all marketing posters.

(2) Social media

Maximum usage of social media platforms such as Facebook, Instagram and Twitter is encouraged.

*Note:* In these media, too, the rules above must be adhered to strictly and will be enforced strictly.

(3) Additional rules

- (a) Additional marketing is restricted to social media platforms only.
  - (i) This implies that no candidate may use mass communication (SMS, email or any similar media) for marketing purposes.
  - (ii) The methods mentioned in section 3(a)(i) are in contravention of the Stellenbosch University Electronic Communications Policy paragraph 2.2.1.
- (b) Candidates may communicate with a closed group of friends, electronically or otherwise, but such communication must include a statement explicitly prohibiting that message being re-sent or forwarded as mass communication.
- (c) Candidates may upload pictures as well as videos on their campaign's social media platform showing themselves on campaign.

**Part S5: Enforcement**

- (1) Any infringement of these rules will render the perpetrator liable to an investigation by the TEC. If found guilty, the candidate will be disqualified.
- (2) Candidates will be held liable for any mass communication that violates this Act if such means (i.e. mass communication) were used to endorse them or help them with their campaign, unless the candidate can prove that they had nothing to do with such violation.

**SCHEDULE 2: TYGERBERG STUDENT REPRESENTATIVE COUNCIL  
GENERAL ELECTION**

**Part S1 Nominations and criteria for candidature**

**1. Nomination period**

- (1) Nominations must remain open for at least two weeks and at most six weeks, unless the period is extended in accordance with section 2 ("Procedure in case of too few nominations"), but no later than the last Friday of July.
- (2) All voting and nomination dates for the TSRC must precede those of the election of the SRC.
- (3) If the TEC is of the opinion that it would be in the interest of representativity and participation, the Commission may decide to postpone the closing date for nominations by one week.

## **2. Procedure in case of too few nominations**

If, by the last day for nominations, the number of suitable nominations received is equal to or smaller than the number of members to be elected to the TSRC in the coming election, the procedure below applies:

- (1) The TEC must reopen nominations for a period of one week.
- (2) Should the number of nominations still be equal to or smaller than the number of available positions after the nomination period has been extended as contemplated in section 2(1), the TEC must declare the following students to be duly elected TSRC members:
  - (a) the nominated candidates, and
  - (b) as many additional members as the newly elected candidates wish to appoint, limited to the number of available positions.

## **3. Prescribed nomination form and availability of nomination form**

The prescribed nomination forms must be available at the TSRC Office as well as electronically for the duration of the nomination period. The TEC must prescribe nomination forms that contain at least the following information:

- (1) the criteria according to which academic selection is done and the right to appeal against the outcome of the academic selection process, as well as the place where such appeals may be lodged;
- (2) the rules on the placement and distribution of campaign material, and other restrictions in this regard, and
- (3) the time and place of the first meeting of the candidates.

## **4. Completion of nomination forms**

The TEC must reject nomination forms that lack the following:

- (1) the candidate's full name,
- (2) the candidate's signature,
- (3) the nominator's signature,
- (4) the signatures of at least ten students seconding the nomination,
- (5) a typed manifesto of no more than 300 words,
- (6) a list of the candidate's relevant experience and the candidate's SU student number.

## **5. Academic requirements for candidature in the Tygerberg Student Representative Council election**

- (1) The academic requirements for candidature in TSRC elections have been set to prevent situations where TSRC members resign during their term of office for academic reasons and to safeguard their academic performance.
- (2) In order to qualify on academic grounds, candidates must meet the following minimum requirements in the election year:
  - (a) for each semester module a mark of at least 50% and (b) for each year module a class mark of at least 55%.
- (3) Candidates who are at risk of noncompliance with the readmission requirements of the University will not be granted candidature in TSRC elections.
- (4) Candidates' official academic records may be accessed to determine whether they meet the requirements under subsections 5(2) and (3).

## **6. Academic disqualification**

- (1) Candidates who do not comply with the academic requirements stipulated in section 5 are not eligible for election to the TSRC, either in general elections or through ex officio bodies.
- (2) Upon application to any student leadership position, candidates by default grant the electoral commissioner(s) permission to access their academic records for the purposes of section 5(3).
- (3) The Tygerberg electoral commissioner(s) must obtain candidates' academic records from the Registrar's Office at Tygerberg Campus to ensure that candidates do comply with the provisions of section 5. Any instances of seeming noncompliance must be submitted to the committee contemplated in this section.
- (4) The decision to reject a candidate on academic grounds must be taken by a committee consisting of the following:
  - (a) the Head of the CSLEEC or their delegate,
  - (b) the outgoing TSRC chair,
  - (c) (one of) the Tygerberg electoral commissioner(s),
  - (d) the dean of the candidate's faculty or their second,
  - (e) one additional member of the TEC, delegated by the Commission, and (f) the convenor of the Tygerberg Student Imbizo.
- (5) The committee contemplated in section 6(4) must base its decision on the criteria set out in section 5 but may also take the following factors into account in reaching a decision:



- (a) special reasons – such as illness, injury, disability and so forth – for the candidate’s poor academic performance;
- (b) the candidate having changed to a different programme and performing well in the new programme;
- (c) the candidate’s results over the past three years indicating an improving trend; that is, the candidate having performed better and having failed fewer modules in the past three years or having failed no module in the past three semesters, and
- (d) the candidate following a programme in which failing a module means that various other modules cannot be followed (e.g. BA in Speech-Language and Hearing Therapy) or a programme in which failing a module necessitates that the year of study be repeated (e.g. MBChB).

## **7. Other grounds for disqualification**

In addition to the conditions set out in sections 5 and 6, the Tygerberg electoral commissioner(s) must reject a nomination also if the candidate – (1) has not been enrolled as an SU student for at least two semesters;

- (2) has been sentenced to imprisonment in the Republic of South Africa or elsewhere for any misdemeanour without the option of paying a fine, or
- (3) has been found guilty of any offence by the Central Disciplinary Committee or the Disciplinary Appeal Committee of the University following an unsuccessful appeal.

## **Part S2 Format and marketing of the election**

### **8. Format**

TSRC elections take the following format:

- (1) Votes are cast electronically or by paper ballot.
- (2) If it is practically feasible, will promote representivity and participation, and does not impact negatively on the election being free and fair, the Tygerberg electoral commissioner(s) may decide that –
  - (a) voting will take place by various means, and
  - (b) certain means of voting will be available only to certain categories of students.

## 9. Electronic voting

Electronic voting takes place by means of a secure, confidential and anonymous electronic ballot that must display the names and photographs of all candidates.

## 10. Notice and marketing

- (1) The Tygerberg electoral commissioner(s) must inform all students of the following aspects of an election by means of electronic marketing, posters and other ways:
  - (a) the period during which nominations are open and where the nomination forms are available,
  - (b) the voting day(s),
  - (c) the way(s) in which votes will be cast, including (if applicable) where polling stations will be located and the times when polling stations will open and close,
  - (d) the date, time and place of (the) caucus(es),
  - (e) the names, manifestos and experience of the candidates,
  - (f) the document containing the rules and procedures determined by the Tygerberg electoral commissioner(s) regarding nomination forms and campaigning,
  - (g) any other material decisions that the Tygerberg electoral commissioner(s) has (have) made about any aspect of the election, and
  - (h) the manner in which a complaint can be lodged before, during or after the election about the Tygerberg electoral commissioner(s), a specific election campaign or any other aspect of the election.
- (2) The information required under section 10(1) must also be made available electronically, on a single website, to all students before the start of the election.

## 11. Campaigns

- (1) Candidates may campaign in any way that does not violate the law, University rules, this Constitution, TSRC regulations or such rules as may be laid down by the Tygerberg electoral commissioner(s).
- (2) The Tygerberg electoral commissioner(s) must ensure that candidates do not spend any money on their campaigns, and must lay down procedures and rules for the enforcement of this limitation.
- (3) If a candidate or the helpers or supporters of a candidate act in violation of subitems 11(1) or (2), the Tygerberg electoral commissioner(s) may instruct the candidate concerned to remove or destroy election material, or to abandon the activities in question. In case of conduct that constitutes a misdemeanour or is seriously detrimental to (an)other candidate(s), the commissioner(s) may declare the candidature of the candidate concerned invalid.

## **12. Presentation meetings**

- (1) The Tygerberg electoral commissioner(s) must organise at least two presentation meetings during which candidates have the opportunity to present themselves to the student body and students may pose questions to the candidates.
- (2) A Tygerberg electoral commissioner or their appointee chairs presentation meetings.
- (3) The conduct of students at a presentation meeting must comply with the code of conduct for presentation meetings, which may be attached as an addendum to this Constitution.
- (4) If the chair of a presentation meeting is of the opinion that a person at the meeting is violating the code of conduct or is asking questions that are irrelevant or that violate a candidate's rights, the chair may:
  - (a) rule a question out of order or
  - (b) interrupt a questioner and instruct the person to be silent or to leave the venue.
- (5) The duration of a presentation meeting is determined at the discretion of the chair, who may end the meeting at any time, provided that all candidates have had a fair and reasonable opportunity to state their manifestos and respond to questions.

## **Part S3 Results and complaints**

### **13. Election results**

- (1) All votes must be counted by the Tygerberg electoral commissioner(s) and the TEC as soon as possible after the last opportunity for voting.
- (2) Ballots may not be destroyed before the validity of the election has been confirmed.
- (3) The Tygerberg electoral commissioner(s) may institute rules regarding and issue a decision on the validity of ballots, provided that these comply with the principle of a free and fair election.
- (4) The full election results must be announced in public as soon as possible after all votes have been counted, and the full written results must be published electronically and sent to all the candidates.

### **14. Role of the Head of the Centre for Student Leadership, Experiential, Education and Citizenship**

- (1) The Head of the CSLEEC or their alternative has the status of an observer during the TSRC election.
- (2) The Head of the CSLEEC or their alternative has the status of an observer without any prejudice to the independence or autonomy of the Tygerberg electoral commissioner(s).

- (3) For the purposes of this item, the Head of the CSLEEC or their alternative has standing before the Student Court and can bring complaints as described in section 120 of the Constitution.
- (4) If the Head of the CSLEEC lodges a complaint, the Student Court decides whether the election results, or an election result as amended by the Court, are valid. Any appeal regarding the Court's decision must be lodged with them within two University days following the outcome.
- (5) If an appeal as contemplated in 14(4) is lodged, the Appeal Court decides whether the election results, or an election result as amended by the Appeal Court, are valid.

### **SCHEDULE 3: Tygerberg Student Representative Council Honorary President**

#### **1. Criteria for candidates**

Candidates must be current or past employees of the FMHS – i.e. the Dean, Deputy Dean or other staff members – or exceptional past students in addition to meeting all of the following requirements:

- (1) have made a demonstrable contribution to the Tygerberg student community;
- (2) have a proven and continual commitment to student success, and
- (3) have a proven and continual commitment to student leadership development.

## 2. Election

- (1) The Honorary President is elected by the members of the TSRC.
- (2) Eight voting TSRC members form a quorum.
- (3) A simple majority vote of 50% + 1 vote of TSRC members voting is required for the Honorary President to be elected.
- (4) This election must be held during either of the first two ordinary TSRC meetings.
- (5) Positive voting is undertaken in the following instances:
  - (a) if more than two candidates are eligible for election –
    - (i) a positive vote is conducted and the votes are calculated;
    - (ii) only the top two candidates will remain as candidates in a final round of voting, and
    - (iii) a simple majority vote of 50% + 1 vote determines the outcome; and
  - (b) if only one candidate is eligible for election, two thirds of the votes of TSRC members present and voting are required to elect the candidate.
- (6) Should the term of office be interrupted for any reason, including but not limited to section 6 of this Schedule, a new election must take place within a reasonable time as determined by the TSRC Executive Committee.

## 3. Duties and powers

- (1) Core duties:
  - (a) to act as the chief patron of the TSRC;
  - (b) to offer advice upon request by the TSRC;
  - (c) to preside over all honours awarding committees;
  - (d) to liaise between the TSRC and the teaching and administrative staff at the Faculty and University;
  - (e) to represent the TSRC in any matter delegated to the Honorary President by the TSRC, and
  - (f) to attend any meeting of the TSRC and any of its committees, including the Executive Committee.
- (2) Ceremonial duties:
  - (a) to be determined by each TSRC at the beginning of its term, and
  - (b) may include but are not limited to –

- (i) attending the annual Academic Student Day with the TSRC and (ii) attending the annual Tygerberg Honours Awards Evening.

#### **4. Appointment and duties**

Notwithstanding any specific duty as per section 6 above, the TSRC reserves the right to amend the duties and responsibilities of the Honorary President subject to the following:

- (1) The core duties as set out in section 4(1) may not be amended.
- (2) Any additional duties as determined by a previous TSRC may be abolished or continued as the current TSRC sees fit.
- (3) The TSRC chair is the chief liaison with the Honorary President .

#### **5. Term of office**

The Honorary President of the TSRC serve for a maximum term of three years. They may be reappointed at the end of their term, but may not serve for more than two consecutive terms.

#### **6. Termination of office**

The Honorary President's term of office comes to an end when:

- (1) the term of office expires;
- (2) the incumbent dies;
- (3) the incumbent presents a written resignation to the TSRC chair;
- (4) the TSRC adopts a motion of no confidence in the Honorary President for valid reasons, or
- (5) the incumbent is sentenced to imprisonment without the option of a fine, whether in the Republic of South Africa or elsewhere.

## **SCHEDULE 4: Honorary Awards**

### **Part 1: Academic, Leadership, Service and Culture**

#### **1. Purpose**

- (1) To acknowledge members of the TSU who have attained exceptional achievement in Academic, Leadership, Service and Cultural areas, by means of Honorary Awards.

## 2. Honorary Awards Committee

- (1) The TSRC member that is responsible for the awards portfolio is responsible for the administration of the TSRC awards unless the role is delegated by the Vice-Chairperson.
- (2) Consists of seven (7) members;
  - (a) Honorary President of TSRC;
  - (b) TSRC member responsible for the Honorary Awards portfolio
  - (c) TSRC Chairperson;
  - (d) Chairperson of from TPC
  - (e) Chairperson from TAAR
  - (f) Chairperson from TSC
  - (g) Speaker of Tygerberg Student Parliament
- (3) Will be chaired by the Honorary President of the TSRC;
- (4) The TSRC member responsible for the Honorary Awards portfolio will function as secretary members in section 1(c)- 1(g) may be represented by their respective as secondi
- (5) The panel may invite any additional person who may provide input on any/or all applicants to ensure a proper, fair and objective evaluation of all nominees and/or applications. The member(s) will not have voting rights.

## 3. Quorum

This is defined as having met when all members in section 2 is present.

## 4. Functioning

- (1) Candidates may be proposed for the following categories;
  - (a) Leadership;
  - (b) Service; (c) Culture.
- (2) Any current member or past member of the TSU may be nominated as candidates. Exceptional nominations by non-TSU members may be submitted. Nominations must have
  - (a) Full names;
  - (b) Course;
  - (c) Year of Study;
  - (d) Student number;
  - (e) Ten signatories of current TSU members.
    - (i) These must be Senior students (3rd academic year to 6th academic year members) of the TSU for the categories of Leadership, Service and Culture.
- (3) The mentioned nominations must contain the following written motivations
  - (a) Leadership
    - (i) Positions held on Tygerberg leadership structures
    - (ii) Specific contributions and leadership to the TSU (b) Academics
      - (i) Complete academic records to date
  - (c) Service

- (1) Explanation of participation in campus activities
- (2) Distinguishable service delivered to the TSU (d) Culture
- (3) Someone who has made an exceptional contribution in one or more of the following categories:
  - i. Tygerberg Gospel Choir
  - ii. Stellenbosch University Medical Orchestra;
  - iii. Stellenbosch University Acapella (SUAC)
  - iv. Photography, this is subject to publication in national newspaper and/or magazine;
  - v. Publication of writing in a national magazine and/or newspaper;
  - vi. Society member(s) for exceptional achievements on a national level;
  - vii. Other, this must be culturally related and/or culturally relevant and also on a national level
- (4) Those who did not make a contribution on campus, but who have attained exceptional achievement on provincial and/or national level may also be considered.
- (5) Academic Honorary Awards:
  - (a) The years of study that must be taken into consideration:
    - (i) Any three (3) years of a four (4) year course
      - i. The first year may also be taken into consideration
    - (ii) Any four (4) years of a five (5) year extended degree programme (EDP) course;
      - i. The first year may also be taken into consideration
    - (iii) Any four (4) years of a six (6) year course
      - i. The first year is not taken into consideration
    - (iv) Any five (5) years of a seven (7) year extended degree programme (EDP) course;
      - i. The first two years are not taken into consideration
    - (v) The total minimum weighted average of all applicable years of studies must be at least 75% to be considered.
- (6) An Honorary Award for Leadership must be awarded with care as this category is regarded as the most prestigious of the four categories. This must clearly be distinguished from the Service category and should not exclude exceptional positional leadership.
- (7) An individual may only receive the honorary award for both Service and Leadership in extremely exceptional cases
- (8) The TSRC member responsible for the Honorary Awards portfolio must ensure that notification and marketing must be done at least four weeks prior to the closing date for nominations. This TSRC member must also ensure that all candidates who are eligible for Academic Honorary Awards are actually nominated.



- (9) The TSRC member responsible for the Honorary Awards portfolio must convene a meeting of the Honorary Awards Committee after the period for handing in of nominations has expired
- (10) The Honorary Awards Committee must submit its proposals to the TSRC for final approval and ratification. The committee may also include any information they deem necessary concerning a nominated individual
- (11) Proposals must be accepted by five (5) out of the seven (7) members of the Committee
- (12) The TSRC member responsible for the Honorary Awards portfolio must ensure that the minutes and all information which appear before the Honorary Awards Committee are marked as 'Confidential' and are preserved in the archives of the TSRC.

**5. Nominations must be accompanied by a written motivation containing:**

- (1) The significance of the person's contribution to the University of Stellenbosch
- (2) The person's initiative and or originality
- (3) The person's role in, and significance for, the TSU
- (4) The person's academic performance
- (5) Form of Honorary Awards

This will take the form of a certificate, handed out at the Awards evening, as approved by the TSRC by the end of August at the latest, as determined by the TSRC member responsible for Honorary Awards.

## **Part 2: Sport**

### **7. Purpose**

- (1) To acknowledge members of the TSU who have attained exceptional achievement in Sport or have rendered exceptional service to the TSU in the area of Sport by means of Honorary Awards.

### **8. Sport Honorary Awards Committee**

- (1) Consists of seven (7) members;
  - (a) Honorary President of TSRC;
  - (b) Chair of the Tygerberg Sports Committee;
  - (c) Chair of the Tygerberg Sports Bureau;
  - (d) TSRC member responsible for the Honorary Awards portfolio;
  - (e) TSRC member responsible for the Sports portfolio;

- (f) Two chairs of the sporting clubs at Tygerberg as elected by the Tygerberg Sports Committee;
- (2) Will be chaired by the Honorary President of the TSRC;
- (3) The TSRC member responsible for the Honorary Awards portfolio will function as secretary members in section 1(c) - 1(f) may be represented by their respective as secondi
- (4) The panel may invite any additional person who may provide input on any/or all applicants to ensure a proper, fair and objective evaluation of all nominees and/or applications. The member(s) will not have voting rights.

## 9. Quorum

- (1) This is defined as having met when all members in section 7 is present.

## 10. Functioning

- (1) Any current member or past member of the TSU may be nominated as candidates. Exceptional nominations of non-TSU member may be submitted. Nominations must have:
  - (a) Full name;
  - (b) Course
  - (c) Year of study; and
  - (d) Student number
  - (e) Must be signed by:
    - (i) Chair of the relevant sport in which the individual attained significant achievement;
    - (ii) Two (2) official members of the club of the sport in which the individual attained significant achievement;
    - (iii) If the club is not affiliated to the University, the person may be nominated by any three members of the TSU;
    - (iv) Any member of a specific sport club may be nominated on grounds of sport achievement and/or sport administration.
- (2) The TSRC member responsible for the Honorary Awards portfolio must ensure that notification and marketing must be done at least four weeks prior to the closing date for nominations.
- (3) The TSRC member responsible for the Honorary Awards portfolio must contact the Sports Office well in advance to ensure that all candidates who are eligible for Sport Honorary Awards are actually nominated.

- (4) The TSRC member responsible for the Honorary Awards portfolio must convene a meeting of the Sport Honorary Awards Committee after the period for handing in of nominations has expired
- (5) The Sport Honorary Awards Committee must submit its proposals to the TSRC for final approval and ratification. The committee may also include any information they deem necessary concerning a nominated individual
- (6) Proposals must be accepted by five (5) out of the seven (7) members of the committee
- (7) The TSRC member responsible for the Honorary Awards portfolio must ensure that the minutes and all information which appear before the Sport Honorary Awards Committee are marked as 'Confidential' and are preserved in the archives of the TSRC.

**11. Nominations must be accompanied by a written motivation containing:**

- (1) The significance of the person's contribution to the University of Stellenbosch
- (2) The person's initiative and or originality
- (3) The person's role in, and significance for, the TSU
- (4) The person's academic performance

**12. Form of Sport Honorary Awards**

- (1) This will take the form of a certificate, handed out at the Awards evening, as approved by the TSRC by the end of August at the latest, as determined by the TSRC member responsible for Honorary Awards