

MBARARA UNIVERSITY OF SCIENCE AND TECHNOLOGY



2017 AMENDED STUDENTS' GUILD CONSTITUTION

FORWARD

The Students' Guild Constitution is one of the legal instruments and one of the most valued leadership canon used to guide the Guild. Considering the purpose and urgency of constitutional review by all members of the Guild, recommendations and trials of very many governments we have succeeded, we therefore embarked on a long, painstaking, time-consuming process of amending the mighty Guild constitution.

Therefore with great honor, I present to you the amended **MUST Students' Guild Constitution 2017**. I cannot claim the sole amendment of this constitution, but rather as a witness that all additions, rescissions, modifications, repeals from the 2008 Guild Constitution were as a result of selfless, commitment and hard work of various Guild members and other stakeholders.

This amended Constitution was forwarded to and approved by the University Council during the **2016/2017 MUST Guild Government**.

I hope this Constitution will receive a humble consideration and acceptance and shall exit as alluded in SUPREMACY, to be the supreme policy making instrument of the Guild.

I am grateful to everyone who supported me throughout this amendment process. I would particularly like to thank the following people who helped turn this work into a reality.

First and foremost, the almighty God for the wisdom, knowledge and strength he provided me. This gave me courage to persevere amidst all challenges from the very beginning to the completion of the process.

I as well acknowledge and extend my sincere gratitude to the University Council, Students' Welfare and Disciplinary Committee, University Top Management, **Dean of Students Mr.Kyagaba Emmanuel** and Chairperson Students' Welfare and Disciplinary Committee **Associate Professor Winifred Tarinyeba Kiryabwire** for the encouragement, guidance, enthusiasm and assistance rendered to the Guild to make this Constitution what it is now. May God reward you abundantly.

I am also grateful to my predecessors: Minister of Justice and Constitutional affairs 2013/2014, Mr. Tumusiime Apollo and Birungi Deus 2015/2016, the **2016/2017 MUST Guild Government**

led by **H.E Obore Charles**, The Cabinet Ministers, The Guild Representative Councilors and Secretaries, the Guild Speaker and his deputy.

Space cannot forbid the mention of Constitutional review committee 2016/2017, Hon. Ruta Fansio, Hon. Nuwarinda Osbert, Mr. Allan Atugonza, H.E Ntege Moses.

Also all former Guild leaders some of whom are, Mr. Bataringaya Julius, Mr. Blaise Rugamba who contributed to the making of this amended Constitution and to all members of the MUST Guild. Your contributions and kindness will surely be rewarded.

For God and My country

Succeed We Must

HON. TUSHABE RONARD

MINISTER FOR JUSTICE AND CONSTITUTIONAL AFFAIRS

MUST STUDENTS' GUILD 2016/2017.

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PREAMBLE

We members of the Mbarara University of Science and Technology Students' Guild having firmly resolved in harmony with our inalienable right to choose the manner in which we should be governed;

By being in one of the few universities in our motherland;

Having in mind that this is a University of Science and Technology;

In sympathy with our Endeavor to instill, promote and preserve all desirable aspects of sound scientific and technological education and establish good will and accept moral codes among members of the Guild on one hand, and the University Administration, the government and/ or any other persons connected with the Guild in whatever manner, on the hand;

Do hereby Declare, Adopt and Bind ourselves and our successors by this Constitution approved by the University Council in accordance with sections 23 and 24(i) of the Mbarara University of Science and Technology Act as;

The Constitution of Mbarara University of Science and Technology students' Guild on this 23rd day of May the year 1992.

ARTICLE 1: NAME

The student body comprising of full, associate, honorary and life members, shall be called and known as Mbarara University of Science and Technology Student's Guild (MUST- SG) herein after referred to as "THE GUILD"

ARTICLE 2: HEADQUARTERS

The headquarters shall be at the main campus of Mbarara University of Science and Technology

ARTICLE 3: PURPOSE

The purpose of the Guild shall be to promote and protect the interests and rights of all its members.

ARTICLE 4: AIMS AND OBJECTIVES

The aims of the Guild shall be to:

- i. Establish a vibrant a students' organization and Government.
- ii. Cultivate values among its members and to train and prepare them for future service in the community.
- iii. Work with the University Administration in all matters affecting the Guild members and to promote matters of interest to the University.
- iv. Represent the Guild on the organs of the University Administration.
- v. Work in co-operation with other students' organizations and to establish friendly relations and understanding with other external organizations when, where and while desirable provided always that such co-operation is not detrimental to the University and the country.
- vi. Negotiate with Government or other bodies, through the University Administration on matters affecting the Guild and /or its members
- vii. Represent the Guild at National and International level.

ARTICLE 5: MEMBERSHIP

Section I: Full membership

All students duly registered with the University and the Guild shall be full members of the Guild.

Section II: Associate members

All Alumni of the University shall be associate members of the Guild.

Section III: Honorary members

A person who is neither an associate nor full member may be elected by the Guild Representative Council as honorary member of the Guild.

Section IV: Life members

Any associate member who pays subscription fees as prescribed by the Guild shall be a life member.

ARTICLE 6: RIGHTS AND OBLIGATIONS

Section I: Rights of full members

Any person who is a full member of the Guild has the right to:

- a) Fully participate in the proceedings of the General Assembly.
- b) Elect and be elected to any office of the Guild as provided for in article 9 save for members of the University Staff.
- c) Be elected, nominated or appointed to be a delegate or representative of the Guild in any of the Guild undertakings.

Section II: Rights of Associate, Honorary and Life members

Every Associate, Honorary or Life Member shall have the right to make use of the facilities of the Guild in the manner prescribed by the Guild Executive and the GRC.

Section III: Obligations of all members

Every member shall:

- i. Preserve the dignity of the University Anthem, Motto and Flag.
- ii. Abide by the letter and spirit of the Guild Constitution.
- iii. Abide by the University rules and regulations.
- iv. Associate and Honorary members may be called upon to support and assist the Guild.

ARTICLE 7: ORGANS OF THE GUILD

Section I: The General Assembly

1. The General Assembly shall be a meeting of all members of the Guild and shall:
 - a) be the decision making organ of the Guild.
 - b) be the formal informative and consultative forum for the Guild and all decisions which require action by the University Council or Government, shall be communicated through the Guild Representative Council.
 - c) be composed of all members of the Students' Guild, presided over by the Guild Speaker.

- d) receive matters for discussion raised by any member of the Guild or referred to it by the GRC or Executive if supported by 2/3 majority in the respective meetings.
 - e) in the case of an ordinary assembly, be held after giving at least 5 working days' or 24 hours' notice in case of an extra ordinary or emergency assembly.
 - f) convene at least once every semester.
2. All members of the Guild shall be under duty to attend in person all meetings lawfully convened by the Guild Government and to meaningfully contribute within the limits of their abilities and powers.
 3. Have the responsibility to resolve contentious matters arising from the Guild Administration and to receive reports from the Guild Government.

Section II: The Executive

Shall be composed of the: -

- i. President
- ii. Vice President
- iii. Prime Minister
- iv. Deputy Prime Minister
- v. Minister of Education
- vi. Minister of Social Affairs
- vii. Minister of Off – Campus Affairs
- viii. Minister of Finance
- ix. Minister of Campus Affairs
- x. Minister of Health
- xi. Minister of Information and Technology
- xii. Minister of Foreign Affairs and Public Relations
- xiii. Minister of Justice and Constitutional Affairs
- xiv. Minister of Gender and Guidance

Section III: The Guild Representative Council

There shall be an organ of the Guild known as the Guild Representative Council here in after referred to as the GRC. The GRC shall be composed of the:

- a) Speaker
- b) Deputy Speaker
- c) Executive
- d) Clerk to GRC
- e) Chairperson Sports and Games Union
- f) constituency GRC's and secretaries in proportion to the number of non-resident and resident students as determined by the Electoral Commission.

Section IV: Standing Committees

1. Every standing committee shall be responsible for the task entrusted to it and shall consist of five (5) members including the chairperson, except the standing committees for Constituency management, Disciplinary committee, and professional affairs which shall be constituted in accordance with in Article 8 section VII. The committees shall be presented to the GRC in the second GRC meeting for approval.

2. Standing committees shall be as follows:

- a) Committee for Finance
- b) Committee for Social Affairs
- c) Committee for Off- Campus Affairs
- d) Committee for Health
- e) Committee for Justice and Constitutional Affairs
- f) Committee for Information and Technology
- g) Committee for Professional Affairs
- h) Guild Disciplinary Committee
- i) Committee for Campus Affairs
- j) Committee for Property management and business establishment.
- k) Committee for Foreign Affairs and Public relations
- l) Committee for Constituency Management
- m) Committee for Gender and Guidance

Section V: The Caretaker Government

1. The caretaker Government shall be the Government formed after the Executive has resigned or been voted out before their term expires, shall undertake responsibilities, financial and or otherwise, on the behalf of the Guild and only serve until next Government is put in place as indicated in Article 10 and article 9.

2. The caretaker Government shall be composed of the;

- i. Speaker as Chairperson
- ii. Dean of Students
- iii. Financial Advisor
- iv. Legal Advisor
- v. Chairperson MUST Convocation
- vi. Constituency secretaries.
- vii. Chairperson Sports and Games Union

Section VI: The sports and Games Union

- i. There shall be an independent body called the Sports and Games Union that shall be responsible for all sports and games activities at MUST and shall be under the general supervision of the University officer in charge of sports.
- ii. The organization and functions of the Sports and Games Union shall be as specified in its Constitution whose aims and aspirations shall be in line with those of the Guild.
- iii. The Executive of the Union shall present their budgets and accountabilities of all expenditures of the Union funds to the GRC at least twice including the first and last GRC meeting.
- iv. The Constitution of the union shall not contravene the Guild codes and/or the Guild Constitution.
- v. The Officers and Secretaries of the Union shall remain answerable to the GRC through the Sports and Games Union Council, in the event of financial impropriety, incompetence and/or exploitation of Guild members.
- vi. The Guild President shall appoint any member of the Guild Executive to represent the Guild on the sports and games union

- vii. The Chairperson of the union shall attend every GRC meeting to deliberate on the issues of the union.

Section VII: The MUST –SG Editorial Board

1. The MUST -SG Editorial Board shall consists of: -

- i. The Chief Editor who shall be appointed by the Minister of Information and Technology and presented to the GRC for approval at its second meeting after general elections and swearing in of the new Guild Executive.
- ii. 5 other members of the board as the Chief Editor may appoint with the approval of the Minister of Information and Technology.

2. The chief Editor shall be responsible to the GRC through the Minister of Information and Technology.

3. The Chief Editor, shall in liaison with the Minister of Information and Technology, be in charge of Guild magazine and all other Guild publications.

4. The Chief Editor shall attend the GRC meetings at the invitation of the GRC through the Guild Speaker.

Section VIII: The MUST-Forum

1. The MUST Forum shall consists of:

- i) The Chairperson MUST Forum who shall be appointed by the Minister of Justice and Constitutional Affairs and presented to the GRC for approval at its second meeting.
- ii) 5 other members as the Chairperson may appoint with the approval of the Minister of Justice and Constitutional Affairs.

2. The Chairperson Must Forum shall be responsible to the GRC through Minister of Justice and Constitutional Affairs.

3. The Chairperson Must Forum in liaison with the Minister of Justice and Constitutional affairs be in charge of all Guild debates and forums.

4. Shall attend the GRC meeting only at the invitation of the GRC through the Guild Speaker.

ARTICLE 8: FUNCTIONS AND POWERS

Section I: The Guild Representative Council (GRC)

The GRC shall:

- i. Elect officers as provided for in this Constitution and has powers to remove them by a simple majority vote.
- ii. Be the legislative organ of the Guild.
- iii. Initiate policies to be supported by the least two thirds (2/3) of those present during the meeting.
- iv. Sanction and approve policies of the Executive.
- v. Ratify and have the powers to pass a vote of no confidence in Executive as provided for in article 10 section III (A).
- vi. Deliberate on all matters that affect the members of the Guild and resolve in measures to be taken by the Guild delegates, representatives and observers to conferences.
- vii. Elect ad hoc- standing committees.
- viii. The GRC shall refer to the General Assembly all matters that require approval of the General Assembly.

Section II: Guild Executive

A) COLLECTIVE RESPONSIBILITY

The Executive shall:

- i. Be answerable to the GRC and General Assembly.
- ii. Be responsible for the day to day running of the affairs of the Guild.
- iii. Implement decisions of the GRC.
- iv. Initiate policies/ policy and carry them/ it and after the approval of the GRC.
- v. Have powers to deal with emergency matters and take decisions but shall report to and seek approval of the GRC at its next session.

B) THE PRESIDENT

The President shall:

- i. Be the Executive head of the Guild.
- ii. Be the head of the Executive.
- iii. Preside over meetings of the Executive.
- iv. During Executive meetings, have a casting vote.
- v. Be an ex- officio member of the Guild Committees.
- vi. In the event of a temporary absence of a member of the Executive, delegate duties of the absentee to another member of the Executive save when the absentee is the Minister for Finance when the President shall be in-charge.
- vii. Be co-signatory to all Guild financial transactions.
- viii. Be one of the Student's Representatives on organs of the University Administration such as the University Council.
- ix. Have the following emergency powers:
 - a. To call emergency meetings of the Executive.
 - b. In consultation with the University Dean of Students and the Legal Advisor, take emergency decisions on behalf of the Guild in extraordinary circumstances. He/she shall seek approval of the Executive and GRC as specified in article 8, section II (A).
- x. Have the powers to reshuffle Executive, suspend, or replace any member(s) of the Executive in accordance with article 10 section II (i) .
- xi. Shall chair any students General Assembly, in the event there being no Speaker.
- xii. Once elected, the Guild President must become a resident student in case he/she is a non – resident.
- xiii. Appoint student representatives to the various University Committees.

C) THE VICE PRESIDENT

The vice President shall;

- i. Deputize the President and act as President in his/her absence.
- ii. Be students' representative on various Guild Committees.

- iii. Perform any duty as shall be assigned to him or her by the Guild President
- iv. Be a member of the Finance Committee.
- v. Be the Chairperson of the Guild Disciplinary Committee.
- vi. Represent the Guild on the University Senate, Students/ Staff Consultative Committee and University Disciplinary Committee.

D) THE PRIME MINISTER

The Prime Minister shall:

- i. Be the chairperson of the Committee for property management and business establishment.
- ii. Be the leader of Guild Cabinet business.
- iii. Keep a register of and be responsible for all Guild property.
- iv. Be in charge of all employed staff of the Guild.
- v. Be in charge of and keep records of production facilities and equipment.
- vi. Liaise with the Guild Executive and the GRC on the marketing of products.
- vii. Perform any other duties as assigned to him/ her by the Guild.
- viii. Present the position or decision of the Cabinet to the GRC which shall call for debate if found viable by the Guild Speaker.

E) THE DEPUTY PRIME MINISTER

The Deputy Prime Minister shall;

- i. Be Secretary to the Executive
- ii. In consultation with the President, call meetings of the Executive and be responsible for preparation and circulation of Executive agenda.
- iii. Deputize the Prime Minister and act in his/her absence.
- iv. Perform any other duties assigned to him/her by the Guild President.

F) MINISTER OF EDUCATION

The minister of Education shall;

- i. Chair the Professional Affairs Committee.
- ii. Liaise between Academic Registrar's office and the students' body and heads of departments.
- iii. Be Guild representative to the Professional organizations.
- iv. Co-ordinate matters pertaining to the Professional clubs, associations' / or affairs in the University.
- v. Register all Professional / academic organizations affiliated to the Guild upon payment of a non- refundable standard annual registration fee to the Guild.
- vi. After registration, issue a certificate of registration to each of the Professional/ academic organizations affiliated to the Guild.
- vii. Perform any other duties assigned to him/her by the Guild.

G) MINISTER FOR SOCIAL AFFAIRS

The Minister for Social Affairs shall;

- i. Chair the Social Affairs Committee.
- ii. Organize all entrainment in co-ordination with the Executive members.
- iii. Co-ordinate the activities of clubs, association and societies that are not Professional clubs.
- iv. Register all societies that are not Professional/Academic organizations upon payment to the Guild of the prescribed fees.
- v. After registration, issue a certificate of registration to each of the Professional societies affiliated to the Guild.
- vi. Perform any other duties assigned to him/her by the Guild.

H) MINISTER OF OFF – CAMPUS AFFAIRS

The Minister of off-campus affairs shall;

- i. Chair the Off- Campus Affairs Committee.

- ii. Be responsible for students' welfare outside campus.
- iii. Be a member of students' welfare Committee.
- iv. In conjunction with the Administration and local authorities, co-ordinate accommodation for students.
- v. Be a member of the students' /staff consultative Committee
- vi. Perform any other duties assigned to him/her by the Guild.

I) THE MINISTER FOR FINANCE

The Minister for Finance shall;

- i. Chair the Finance Committee.
- ii. Look after financial interests of the Guild.
- iii. Be- cosignatory to all Guild financial transactions.
- iv. Take initiative of raising Guild Funds with approval of the Executive and GRC.
- v. Seek advice on Guild financial affairs from the GRC, Finance Committee, financial advisor and University Administration and act accordingly.
- vi. Be a member of the Professional Affairs Committee.
- vii. Perform any other duties assigned to him/her by the Guild.

J) THE MINISTER FOR CAMPUS AFFAIRS

The Minister for Campus Affairs shall;

- i. Chair the Students' Welfare Committee
- ii. Be responsible for the day to day operation of the students' rights and facilities on the campus.
- iii. Be a member of the Professional Affairs Committee
- iv. Be a member of the students' /staff consultative committee
- v. Be in charge of matters pertaining to mess affairs.
- vi. Be responsible for passing information concerning mess affairs from the responsible organs of the university administration to the students or vice versa.
- vii. Perform any other duty assigned to him/her by the Guild President.

K) THE MINISTER FOR HEALTH

The Minister for Health shall;

- i. Chair the Committee for Health.
- ii. Be responsible for the day to day monitoring of the medical facilities for the students' community.
- iii. Liaise with the University clinic and Administration on health matters generally.
- iv. Report on causality cases among the student's community.
- v. Deal with such other matters concerning students' health.
- vi. Perform any other duty assigned to him/her by the Guild president.

L) THE MINISTER FOR INFORMATION AND TECHNOLOGY

The Minister for information and Technology shall;

- i. Chair the Committee for Information and Technology.
- ii. Be in-charge of Guild communications.
- iii. Appoint the chief editor and his/her name presented to the GRC for ratification.
- iv. Monitor and supervise all the activities of the Editorial Board.
- v. Be responsible for the day to day monitoring of the ICT facilities for the students' community.
- vi. Liaise with the University Administration and Computing unit on ICT matters generally.
- vii. Deal with other matters concerning ICT in the students' community.
- viii. Perform any other duty assigned to him/her by the Guild President.

M) THE MINISTER OF FOREIGN AFFAIRS AND EXTERNAL RELATIONS

The Minister for Foreign Affairs and external relations shall;

- i. Chair the Committee for foreign affairs and external relations.
- ii. Establish relations with other student organizations and the public outside campus for the benefit of the Guild.
- iii. Be responsible for foreign affairs in the Guild.

- iv. Perform any other duty assigned to him/her by the Guild President.

N) THE MINISTER FOR JUSTICE AND CONSTITUTIONAL AFFAIRS

The Minister for Justice and Constitutional Affairs shall;

- i. Chair the Justice and Constitutional Affairs Committee
- ii. Advise on matters pertaining to interpretation of the Constitution.
- iii. Appoint the chairperson MUST Forum and his/her name presented to the GRC for ratification.
- iv. Be member of the Guild Disciplinary Committee.
- v. Keep custody of the flag and official records of the University motto and anthem.
- vi. Monitor and supervise all the activities of the MUST Forum.
- vii. Perform any other duty assigned to him/her by the Guild President.

O) THE MINISTER FOR GENDER AND GUIDANCE.

The Minister for Gender and Guidance shall;

- i. Chair the Committee for Gender and Guidance.
- ii. Be concerned with matters pertaining to Gender and equity and Coordinate various gender empowerment activities in the University.

Section III: Special officers

A. The speaker

The speaker shall;

- i. In consultation with the Guild President call for GRC and General Assembly meetings, except for meetings called in accordance with Article 10 section IV
- ii. Preside over General Assembly and GRC meetings
- iii. Hold office till the end of the GRC meeting in which a new Speaker has been democratically elected.
- iv. Be elected from and by the GRC at its first meeting after the general elections and swearing in of new Guild Executive

- v. Be the other students' representative on the University Council
- vi. Be chairperson of caretaker Government
- vii. Be returning officer and chairperson of the Electoral Commission of the Guild elections
- viii. In the event of the Speaker and Deputy Speaker being absent at a GRC meeting, members forming a quorum shall elect an acting Speaker for that particular session.
- ix. Keep a register of attendance of G.R.C meetings
- x. Have the power to discipline late coming, absenteeism, misconduct and/or use of improper language during meetings in accordance with the Constitution.
- xi. Be responsible for appointing the Clerk to the G.R.C whose composition is defined in clause (C) below.

B. Deputy Speaker

- a) In absence of the Speaker the Deputy Speaker shall preside over Students' Guild meetings and GRC meetings.
- b) The Deputy Speaker shall hold office till the end of the GRC meeting in which a new Deputy Speaker has been democratically elected.

C. The Clerk to GRC

The Clerk to GRC shall:

- i) Be appointed from the members of the Guild.
- ii) Be Secretary to the GRC and General Assembly.
- iii) Hold office till the new Clerk to GRC has been appointed.
- iv) Ensure due attendance and voting at GRC meetings
- v) Organize the business in the house and ensure that all members are adequately refreshed during meetings.
- vi) Have no voting rights and does not participate in the proceedings.
- vii) Be under the office of the Guild Speaker.
- viii) Be accountable to the GRC.

Section IV: The Financial Advisor

1. The financial advisor shall be;

- (i) a senior staff member of the University elected from the finance department.
- (ii) a non- voting member of the Finance Committee
- (iii) an advisor to the Guild on financial matters
- (iv) a non – voting ex officio member of the GRC

2. Serve in such capacity till the end of the first GRC meeting at which a new Financial Advisor is elected.

Section V: The Legal Advisor

1. The legal advisor shall:

- i) Be a non-voting ex official member of the GRC
- ii) Be a non-voting member of the Committee for Justice and Constitutional Affairs
- iii) Be elected by the GRC at its first meeting from amongst members of the academic staff who has the required legal expertise.
- iv) Be a non-voting member of the Guild Disciplinary Committee.
- v) Advise the Guild on legal matters.

2. Serve in that capacity till the end of the first GRC meeting in which a new Legal Advisor is elected.

Section VI: The Guild Standing Committees

a) Committee for Finance

Shall watch over finances of the Guild and undertake all such financial duets as GRC may determine from time to time

b) Committee for social affairs

Shall be responsible for organizing and supervising all forms of entertainment

c) Committee for Foreign Affairs and Public Relations

Shall deal with Guild matters pertaining to foreign affairs and public relations.

d) Committee for Information and Technology

Shall be in-charge of Guild Communications, and matters concerning ICT in the students' community.

e) Guild Disciplinary Committee

Shall Consist of the Vice President as its Chairperson, Minister of Campus Affairs, Chairperson of Committee for Constituency Management, Minister of Off Campus Affairs, Minister of Gender and Guidance, Legal Advisor as non- voting member, Minister of Justice and Constitutional Affairs and 3 Guild Representative Council (GRC) members to be elected by GRC at its first meeting after general Elections and swearing in of the new Guild Executive

The Committee shall deal with:

- i) Conduct of and disciplinary matters of Guild members.
- ii) Mismanagement of Guild finances. If the measure required to deal with such people are unavoidably outside the power and jurisdiction of the Guild, the Guild shall request the Students Welfare and Disciplinary Committee for appropriate measures on its behalf.

f) Committee for Health shall;

- i) Be concerned with matters related to health of the students' community
- ii) Be composed of five members including the GRC member for people with disabilities (PWDs).

g) Committee for Professional Affairs shall;

- (i) Co-ordinate professional affairs and activities in the University
- (ii) Consists of all class presidents and chairpersons of professional clubs registered with the Guild

h) Committee for Constituency Management shall;

- (i) Consist of all the constituency secretaries who shall elect their own leader to be chairperson of the Committee

(ii) Be concerned with general welfare and constituency administration in the University.

i) Committee for Gender and Guidance shall;

i) Be concerned with matters pertaining to gender and equity

ii) Consist of 5 members, three of whom shall be women.

j) Committee for Justice and Constitutional Affairs shall:

Be concerned with civil justice among the students' community and the interpretation of the Guild Constitution

k) Committee for Off- Campus Affairs shall:

i) Be concerned with matters pertaining to students' welfare off campus.

ii) Consist of five members who shall be members of GRC in their different areas of residence outside campus. A resident student does not qualify to be on this committee.

l) Committee for Campus Affairs shall:

i) Be concerned with matters pertaining to students' welfare at campus

ii) Be responsible for mess affairs

M) Committee for Property Management and Business Establishment shall:

i) Be concerned with the control, monitoring, supervision and management of all Guild property.

ii) Generate business aimed at bringing incomes to the Guild.

iii) Consist of the Prime Minister as its chairperson, Minister of Finance as a member and three other GRC members appointed by the Prime Minister from the Guild.

iv) Account all the Guild property in the second GRC meeting of the new Guild council and first GRC meeting in the second academic semester.

ARTICLE 9: ELECTIONS AND ELECTORAL REGULATIONS

Section I: General Procedures

- i. All Guild Elections shall be by secret ballot on simple majority system on the basis of one member one vote.
- ii. Whenever there is a tie amongst any of the candidates during Guild Elections, there shall be a re-run of the Election until a candidate obtains a simple majority
- iii. Elections of the Guild President and GRC members shall take place during the 9th – 12th week of the 2nd academic semester.

Section II: Eligibility for Nomination to Guild Offices

- i) Only students that are duly registered with the University shall be eligible for nomination.
- ii) A student who has been the subject of disciplinary proceedings and found guilty shall not be eligible for nomination.
- iii) A student seeking nomination shall not be in breach of the fees policy.
- iv) A student who has failed up 15% of courses offered in an academic year shall not be eligible for nomination.
- v) A student who has been convicted by court of law of an offence involving moral turpitude shall not be eligible for nomination to Guild offices.

Section III: Composition and conduct of Electoral Commission

The Electoral Commission shall comprise of five members whose duties and responsibilities are outlined below:

(a) The Chairperson shall:

- i) Be the Guild Speaker. In a situation where there is no Guild Speaker, the Chairperson shall be elected from and by the GRC not later than fifteen days to the general Elections.
- ii) Coordinate all the Commission work and that of his or her officers;
- iii) Preside over all meetings of the Commission.
- iv) Ensure that regular, free and fair Elections are held.
- v) Present a report to the GRC in a GRC meeting before and after general Elections.

- vi) Appoint and present other members of the Commission for ratification in the first GRC meeting of the second academic semester and thereafter sworn-in by the Guild Speaker before the commencement of their duties.
- vii) Supervise and oversees the duties of the Commissioners and other members of the Commission.

(b) The Vice Chairperson, whose duties shall be:

- (i) To assist the Chairperson on all matters of the Commission
- (ii) To serve as the Chairperson and act on his/her absence
- (iii) To perform any other duties that may be assigned by the Commission Chairperson

(c) The Secretary to the Commission, whose duties shall be:

- (i) To take and keep minutes of the Commission meetings
- (ii) To manage and keep a proper register of all voters
- (iii) To handle all correspondences of the Commission.
- (iv) To perform any other duties that may be assigned by Commission Chairperson

(d) The Commissioner for Finance, whose duties shall be:

- i) To receive and manage all Commission finances;
- (ii) To keep proper records of the Commission's account books
- (iii) To prepare a financial report of the Commission.
- (iv) To perform any other duties assigned by the Chairperson

(e) The Commissioner for Public Relations, whose duties shall be:

- (i) To disseminate information about Elections.

(ii) To liaise with the media on behalf of the Commission.

(iii) To perform any other duties that may be assigned by the Commission Chairperson.

Section IV: Functions and powers of Electoral Commission:

1. The Electoral Commission shall:

- i) Organize and oversee the Guild Elections
- ii) Publish the results of the elections not more than one hour after receiving results from the polling station.
- iii) Be responsible for resolving issues during Elections and in a situation where a candidate accuses the Electoral Commission of improper conduct, a candidate shall lodge a petition to the Electoral Commission Tribunal as provided in this article section XII.
- iv) In consultation with the outgoing President
 - a. announce nomination day of candidates
 - b. invite constituencies to nominate the names of the elected GRC representatives.
- v) Budget for resources for the Commission to enable it perform its functions effectively and shall be presented to the GRC in the first GRC meeting of the second academic semester for approval.
- vi) Determine the criteria for selecting other polling officers.

2. The GRC may remove a commissioner from office on the following grounds;

- a) Inability to perform his or her duties arising out of physical or mental incapacity;
- b) Indiscipline or Misconduct
- c) Incompetence.

3. This arrangement shall operate until such a time when constituencies at Kihumuro Campus are in existence. When constituencies are instituted, the GRC shall devise the new mode of representation.

Section V: Electoral Rules and Regulations

- i) The nominations of candidates for Presidential Elections signed by the candidates, proposer and seconder shall be submitted in writing to the Electoral Commission on nomination day.
- ii) A campaign program shall be drawn after the nomination day and every candidate in co-operation with other Guild members shall abide by it
- iii) During campaigns and polling exercise:
 - a) A candidate or his/her supporters who shall be accused with irrefutable evidence of instigating any form of violence during the Electoral exercise shall be disqualified forthwith
 - b) No campaigns shall take place beyond the time set by Electoral Commission
 - c) No campaigns shall be allowed on polling day.
 - d) Wardens shall be required to compile and produce nominal rolls
 - e) One day before polling day, there shall be an open air campaign where each candidate shall have an opportunity to address students and the details of the campaign shall be communicated in due time.
 - f) Each voter shall have proper and valid identifications before polling, any voter with wrong or invalid identification shall be expelled from the voting exercise.
 - g) On identification, any voter shall have one ballot paper, sign against his/her name in the nominal roll and shall not carry the ballot paper beyond the radius of five (5) meters from the polling desk.
 - h) A voter shall tick against the name of one candidate of his/her choice. Any ambiguity such as ticking two or more names or unclear cancelling shall lead to nullification of the vote.
 - i) Each ballot shall bear a serial number with Returning Officer's signature and a respective stamp.
 - j) The voting exercise shall not go beyond time set by Electoral Commission
 - k) At each station, a ballot box shall be openly displayed and not placed more than three (3) meters from the polling desk.
 - l) The counting of votes shall start soon after the time set by the electoral commission. The Exercise shall be conducted by the polling assistants (at each station) who shall

be determined by electoral commission and supervised by the representatives of Electoral commission

- m) Each candidate shall send at most two representatives to each polling station. A candidate shall make known and register with the Returning Officer all agents at least one day to the polling day
- n) No ballot paper and other relevant documents whether nullified or genuine shall be destroyed but shall be kept for subsequent scrutiny until the swearing in ceremony is over.

Section VI: Presidential Elections

The election of Guild President shall have to follow all regulations and procedures in the above (section V)

- i. No member of the Guild who has not been a full member of the Guild for at least one full academic year shall be eligible to stand for Elections to the Presidency of the Guild
- ii. Any member of the Executive shall be eligible to stand for Elections to the President of the Guild.
- iii. No candidate shall be allowed to withdraw from the candidacy to the Presidency within 12 hours to the open air campaigns as provided in the regulations.
- iv. The Guild President shall be elected to office for a maximum of one term only, the term being equivalent to not more than 12 calendar months.
- v. No member of the Guild who has less than one full academic year to cease being a full member of the Guild shall be eligible to stand for Elections for the Presidency of the Guild or for Guild Speaker.

Section VII: GRC Elections

- i. Shall take place fifteen days before Guild Presidential Elections.
- ii. Every constituency shall elect its members to the GRC as per article 7 section III(f).
- iii. By virtue of their position, constituency secretaries shall be GRC members but shall not be eligible for other executive posts.
- iv. Shall have to follow all regulations and procedures in (section V)

Section VIII: Election of other Guild Officers

A. The Speaker

- i. Shall be elected democratically at the first GRC meeting after the general Elections and swearing in of the new Guild Executive
- ii. Shall be elected by and from the GRC's, and thereafter sworn in by the outgoing Speaker and shall assume his/her duties immediately.

B. The Deputy Speaker

- i. Shall be elected democratically in the first GRC meeting after general Elections and swearing in of the new Guild Executive,
- ii. Shall be elected by and from the GRC's, thereafter sworn in by the outgoing Speaker and shall assume his/her duties immediately.

C) The Executive

- i) The Executive members shall be appointed from GRC members to their specific ministries by the President elect who shall make known his/her choice before he/she is sworn in.
- ii) The President shall table these appointees to the GRC for ratification.
- iii) The President shall have powers to nominate not more than two (2) members outside the GRC.

D) The Clerk to the GRC

- i. The clerk to GRC shall be appointed from the members of the Guild by Guild Speaker and his/her name shall be presented to the GRC for ratification.
- ii. A member of the GRC shall not be appointed to the position of Clerk to GRC.
- iii. The Speaker shall appoint the acting Clerk to GRC where there being no Clerk to GRC in the GRC meeting who shall be in charge of only that particular meeting.

E) The Committees

- i) Members of the various Committees shall be appointed by respective chairpersons and presented in the first GRC meeting, at least two GRC members shall be appointed to be Committee members.
- ii) Each Committee shall consist of five (5) members including the Chairperson save for: Guild Disciplinary Committee, Committee for Professional Affairs, Committee for Constituency Management and Administration and students/staff consultative Committee whose composition is given in Article 8 section VII and article 13.

Section IX: The Financial Advisor

- i) Shall be elected by GRC at the first GRC meeting from a list of three names submitted by Minister of Finance.
- ii) The President shall approach each member of that list for acceptance of office according to the number of votes they obtained in a descending order.

Section X: The Legal Advisor

- i) Shall be elected by GRC in the first GRC meeting from a panel of three names submitted by Minister of Justice and Constitutional Affairs.
- ii) The President shall approach each member of that panel for acceptance of office according to the number of votes they obtained in a descending order

Section XI: Bye- Elections

Bye- elections shall;

- i) Take place whenever an office falls vacant.
- ii) Take place within fourteen (14) days of the seat falling vacant.

Section XII: Election petitions:

All Election petitions shall be addressed to the Dean of Students who shall constitute a petition tribunal whose ruling shall be final.

A. Election petitions tribunal

The tribunal shall comprise of:

- i. the Dean of Students who shall chair the tribunal;
- ii) the University Lawyer;
- iii) the University Bursar;
- iv. the Financial Advisor;
- v. the Legal Advisor;
- vi. the Chairperson Deans Committee;
- vii. the Warden.

B. Functions and responsibilities of the tribunal

- i) Any member of the Guild may lodge a petition to the tribunal whenever he/she thinks there have been substantial irregularities during the Elections.
- ii) The petition shall be lodged within three (3) days after the Elections and signed by at least (1/5) one fifth of Guild members.
- iii) The proceedings of the tribunal shall be held in camera and the ruling shall be made not later than five days after submission of the petition.
- iv) The tribunal shall observe basic principles of natural justice. However, neither the petitioner nor the respondents shall engage legal representatives for purposes of the proceedings before the tribunal.

Section XIII Swearing In

- i) The President elect, the Guild Executive and GRC members shall be sworn in in that order by the Speaker in presence of Vice Chancellor or his/her representative.
- ii) The ceremony shall take place in public at least 48 hours after the first GRC meeting.
- iii) The President elect shall notify members of the Guild at least three (3) days before the ceremony.
- iv) All those taking the oath shall swear to abide by the Constitution (see Appendix).

ARTICLE 10: TERMINATION OF OFFICE

Section I: Resignation

- i) Resignation of the Guild Executive shall be effected by the President tendering formal resignation letter duly signed by all the members of the Executive to the GRC through the Speaker.
- ii) A member of the Executive who wishes to resign from office shall tender his/her resignation in writing to the President giving at least a seven (7) days' notice.
- iii) A Constituency Secretary, GRC member or a member of a Guild Committee may resign by tendering his/her resignation in writing to the Speaker.

Section II: Suspension and Dismissal from GRC

- i) The President shall have powers to suspend or dismiss any member of the Executive in accordance with the Constitution. The duration of the suspension shall be at the President's discretion but shall not exceed 21 days.
- ii) The Speaker shall have powers to suspend any member who fails to attend two (2) consecutive GRC meetings without satisfactory reason. The suspension period shall not exceed more than two successive GRC meetings.
- iii) Where the GRC is of the view that a member merits dismissal, the matter shall be referred to the constituency that the member represents to the GRC which shall determine whether the member be withdrawn or not. The ruling of the GRC shall be upheld where views of the constituency are contrary to the GRC.
- iv) Members of a given constituency have a right to recall any of their GRC representatives with the support of $2/3$ majority.

Section III: Vote of no Confidence in the Executive

A vote of no confidence in the Executive can originate from the GRC or any member of the Guild.

A. Vote of no confidence by the GRC

- i) Any member of the GRC has a right to move a vote of no confidence in the President and or the Executive.

- ii) A person who intends to move a motion for a vote of no confidence shall notify the Speaker in writing at least seven (7) days prior to convening a meeting.
- iii) Upon receipt of the notice, the Speaker, shall publish the notice within 24 hours and issue a notice of the meeting at which the notice shall be tabled.
- iv) The motion shall be carried if supported by two thirds (2/3) of the members in secret ballot.
- v) The President or Executive have a right to appeal against the motion on grounds of undue process. The appeal must be in writing, made within 2 (two) days to the Speaker.
- vi) In a situation where the vote of no confidence has been carried as in Article 10, Section III A (ii), the Executive or President shall be expected to resign within 24 hours.
- vii) In an event of failure to resign as in Article 10 section III A (v) as above, the Speaker shall arrange the vote of no confidence to be voted by the Guild within ten (10) days.
- viii) In case the Executive fails to resign within 24 hours without appeal, it shall be deemed out of office and the caretaker Government shall assume immediately after 24 hours.
- ix) Presidential Elections shall follow within 14 days of the Executive being voted out and resigning.
- x) Where the vote of no confidence by the GRC is rejected by the Guild by secret ballot, then members of the Executive shall resume their positions within 14 days.

B. Vote of no confidence by the Guild

- i) A vote of no confidence in the President and/or the Executive by the Guild shall require a petition signed by at least one fifth (1/5) of the Guild members to the Speaker.
- ii) The Speaker shall cause the list of signatories of the petition to be displayed on constituency notice boards within forty-eight (48) hours of receipt of the petition.
- iii) After twenty-four (24) hours display of the signatories, the Speaker shall give notice of a students' General Assembly to take place within seven (7) days to hear the petition of the President and the Executive.
- iv) The quorum of such meetings shall be one quarter (1/4) of the total Guild membership. If on quorum is realized, the petition shall be deemed lost.

- v) No voting shall take place at the meeting.
- vi) After the General Assembly the Speaker shall conduct a secret ballot on the motion of no confidence within forty-eight (48) hours.
- vii) The vote of no confidence shall be carried if at least two thirds (2/3) majority of the members of the Guild vote for it in the secret ballot.
- viii) In the event of the vote of no confidence being carried as provided for in (vii) above, the Executive shall vacate their offices within 24 hours and new Elections of the President shall be held within 14 days. The President shall form his/her Executive from the GRC present.
- ix) A caretaker Government shall assume office till a new Executive is formed

Section IV: Voting of No Confidence in the Speaker

- i) A vote of no confidence in the Speaker shall be moved after a petition duly signed by at least one quarter (1/4) of the members of the GRC.
- ii) The petition shall be presented to the President of the Guild who shall publish the petition and chair the GRC meeting to discuss the petition within (14) fourteen days.
- iii) The quorum of such a meeting shall be at least three fifth (3/5) of the members of GRC present during the meeting, if no quorum is raised, the petition shall be deemed lost.
- iv) The motion of no confidence shall be carried if at least two thirds (2/3) of the members present vote for it in a secret ballot.
- v) A new Speaker shall be elected fourteen days (14) after a successful vote of no confidence as clause (IV) above.
- vi) The President shall organize and oversees the elections of new Guild Speaker.

ARTICLE 11: SOCIETIES

1. A society shall be any student organization, club, association or group registered by the MUST- SG. Each of these societies shall be affiliated to the students' Guild on its application for affiliation to the Executive, having been approved by the GRC and the Dean of Students on the following conditions :
 - i) All its members are members of the Guild.

- ii) No members of the Guild are denied membership due to their tribal, racial, political or professional identity.
- iii) Its Constitution does not contravene the Guild codes and / or Guild Constitution.
- iv) The society pays a non- refundable standards registration fee to the MUST- SG through the concerned Guild Minister as stipulated in Article 8 Section II (F), section II (G) and section VII (g).
- v) The minimum number of its members is 15.

2. Any affiliated society may be eligible for financial assistance from the Guild on application to the minister of finance and on approval by the Executive.

ARTICLE 12: FINANCE

Section I: Source of Revenue

Source of revenue shall be;

- a) Subscription from the members of the Guild as agreed upon by the GRC
- b) Fund-raising activities of the Guild.
- c) Grants and donations as approved by GRC.
- d) Interest and profit from the Guild capital.
- e) Any legal entitlement to the Guild.
- f) Money in form of nomination fees, registration fees, etc. collected from members of the Guild by any organ of the Guild Government during Elections or otherwise.
- g) Any other source or means approved by the GRC and/ or the General Assembly.

Section II: Authorization of expenditure

- a) The Executive may authorize the realization of the funds within the heads of expenditure and must report such expenditure to the following GRC meeting for approval.
- b) Copies of the approved budgets shall be presented to the Committee for Finance of the Guild for scrutiny before they are made available to the University officer concerned.

Section III: Supervision of Finances

- a) Guild funds shall be kept on a bank account approved by the University bursar.
- b) The Minister for Finance shall keep up to date accounts indicating the income and expenditure of the Guild through or by any Minister or official or any members of the Guild.
- c) The Minister for Finance shall deposit the cash and/ or cheques with the University bursar, and shall not keep more than an equivalent of 10 US dollars (\$10) of the collected revenue. All monies advanced must be accounted for within three (3) days after the event.
- d) No other Guild official shall keep Guild monies for longer than two (2) days unless specific authority has been granted by the Minister of Finance in any case, not exceeding five days.
- e) The authority to withdraw or authorize withdrawing Guild money shall rest with the Minister for Finance in conjunction with the President and the Financial Advisor.
- f) Guild cheques shall be signed by the Minister for Finance, the President and the Financial Advisor.
- g) All financial transactions shall be made in the name of Guild.
- h) The Minister of Finance shall issue a receipt for any monies received by him in the name of Guild.
- i) The Executive shall present a balance sheet signed by the Finance Minister and Financial Advisor to the GRC meeting towards the end of their term of office.
- j) Any Committee of the Guild, on incurring any expenditure, should furnish the Minister of Finance and the Guild President with the necessary and accurate accountability.
- k) The Minister of Finance shall submit a monthly report to the Financial Advisor.
- l) In the event of the Minister for Finance resigning before his term of office comes to an end, the Minister shall handover a signed financial statement to his successor. The Executive must approve such financial statement.

Section IV: Auditing

- a) A balance sheet prepared, signed by the Finance Minister and Financial Advisor together with the accountabilities of the activities carried out under the respective ministries shall be presented to the GRC for scrutiny in the subsequent GRC meetings, thereafter the GRC

within three days through the Guild Speaker shall present a report to the internal auditor which shall call for re-auditing in case financial miss management is detected.

- b) The account of the Guild shall be audited by the University internal auditor within two weeks before the swearing in and handover of new Guild Council.
- c) The audited accounts and balance sheet shall be approved and signed by the Financial Advisor before being presented to the GRC.
- d) The audited accounts and balance sheet signed by the Financial Advisor and approved by the GRC shall be published after not later than seven (7) days before Swearing in and handover of new Guild council.
- e) The swearing in and handover shall not take place in the Guild unless all the accountabilities have been approved by the GRC.

ARTICLE 13: THE STUDENT / STAFF CONSULTATIVE COMMITTEES (SCC)

The students'/ staff consultative committees shall consist of joint student/ staff consultative committee composed of the members of the Guild and University staff.

- i. The SCC shall hold consultative Committee meetings on all matters affecting the students.
- ii. By virtue of his/her position, the Vice – Chancellor shall be given copies of the proceedings of the Committee where he/she is not a member of the SCC.
- iii. Members to represent the Guild shall be elected by the Executive.
- iv. Meetings shall be held at the request of the University, SCC, its Chairperson or the Guild President.

ARTICLE 14: MEETINGS

Section I: Convening of Meetings

- i. Meetings of the GRC shall be open to all full members of the Guild unless the GRC decides otherwise.

- ii. All meetings of GRC shall be convened by the Speaker in consultation with the Guild President except when a vote of no confidence in the Speaker is being carried when the President presides over.
- iii. The Speaker shall be responsible for convening General Assembly and meetings to debate a motion of no confidence in the executive as in Article 10 section III.
- iv. Standing Committee meetings shall be convened by the respective Chairpersons.
- v. All meetings of the Guild shall preferably be held after working hours.

Section II: Frequency and notice of Meetings

- i. All notices of the Guild meetings shall be dated.
- ii. The Executive and Committees shall meet as often as necessary as but not less than three (3) times during an Academic semester.
- iii. Any other students' Guild meeting shall be held only when necessary save for emergency meetings that can be held at appropriate moments.
- iv. The Executive members shall be given at least three (3) days' notice for ordinary meetings and six (6) hours' notice for emergency meetings.
- v. For Students' General Assembly, members shall be given
 - a. At least five (5) days' notice for ordinary meetings.
 - b. Twenty-four (24) hours' notice for emergency meeting.
- vi. GRC meetings shall be given at least
 - a. Four (4) days' notice for ordinary meetings.
 - b. Twenty-four (24) hours' notice for emergency meetings.

Section III: Presiding at Meeting

- i. The Speaker shall preside over subsequent Students' General Assembly meetings and motion of no confidence in Executive as provided for in this constitution
- ii. In absence of the Speaker and the Deputy Speaker, the members' present and forming quorum shall elect an acting Speaker from among themselves to preside over the students Guild meetings.
- iii. The Election of the Acting Speaker in clause (ii) above shall be supervised by the prime minister.

- iv. The President shall preside over Executive meetings.
- v. The Speaker shall preside over GRC meetings.

ARTICLE 15: STANDING ORDERS

Section I: Quorum

- i. The Executive shall have a quorum of two thirds (2/3) of its members.
- ii. The GRC shall have a quorum of one half (1/2) of its members.
- iii. The General Assembly shall require a quorum of a tenth (1/10) of the members of the Guild except for:
 - a. a meeting to vote on a motion of no confidence either in the executive or the President, where quorum shall be one quarter (1/4) of the members of the Guild;
- iv. Where quorum is not realized within 20 minutes after the time appointed for the meeting to start, the meeting shall be cancelled and rescheduled.
- v. At any meeting, should the attention be called at any time after the commencement of the business to the fact that a quorum is lacking, the person presiding over the meeting shall order the verification of members present and if less than the required quorum, shall adjourn the meeting.

Section II: Order of Business

- i. All business shall be conducted and recorded in English.
- ii. The Agenda shall be read by whoever is presiding over the meeting at the beginning of each meeting.
- iii. All matters thereon shall take precedence over all business.
- iv. Every agenda shall provide for “Matters arising from Minutes” with question time not exceeding fifteen (15) minutes.
- v. The questions shall be allowed only for information but no debate on the policy outlined by the minutes shall be allowed.
- vi. Minutes of all meetings of the Executive, GRC and the General Assembly shall be submitted to the Dean of students by the Clerk to GRC within twenty-one (21) days from the meeting.

- vii. Minutes of all standing Committee meetings signed by the chairperson and the Guild President shall be submitted to the Dean of students within seven (7) days from the meeting.
- viii. Notice of motion to be discussed at a further meeting may be given.

Section III: Suspension of Standing orders

A standing order may be suspended where;

- i. An urgent matter which overrides the standing order is set in motion.
- ii. The mover of the motion states clearly the nature of the urgency and the time affected.
- iii. The motion is supported by two thirds (2/3) of those present during the meeting.

Section IV: Selection of Speakers

- i. When members raise their hands to speak, the first to be seen by the Speaker shall be given precedence.
- ii. Every member except the Speaker shall speak while standing save in Executive and Committee meetings and shall address the chair as Mr. Speaker, sir or Madam Speaker.

Section V: Order of Precedence

During any meeting, the following points may be accepted by the Speaker in the following order:

- a) Points of order (when a member contravenes order).
- b) Motions.
- c) Points of information (when giving information).
- d) Point of information (when seeking information).
- e) Point of privilege.
- f) Point of guidance.

Section VI: Speeches

- i. A member shall speak only once upon any subject during the meeting save for point of order, information or guidance.
- ii. A member may speak again on amendments.

- iii. Members wishing to raise points of order or information or ask for a point of privilege, must first obtain the Speaker's permission and must rise immediately the alleged breach has occurred.
- iv. A member may formally second a motion or amendment and reserve his or her speech until a later stage of the debate.
- v. A member may start a speech and end with a motion or amendments.

Section VII: Breaches of Order

A. A member shall be guilty of breach of order if he/she:

- i. Uses unparliamentary language and refuses to withdraw it with a satisfactory apology.
- ii. Disobeys a lawful order from the chair.
- iii. Conducts him/herself in a manner unbecoming of a GRC member.

B.

- i. Where the Speaker rises to call a member to order or for any purpose connected with the proceeding, the member speaking shall thereon resume his/her seat and no other member shall rise until the Speaker resumes his/her seat.
- ii. The Speaker shall maintain order during the meeting.
- iii. The Speaker shall rule out of order all matters that do not pertain to the question before the meeting or the business.
- iv. The Speaker's ruling on any question shall be final unless successfully challenged by at least two thirds (2/3) of the members voting contrary to the matter in question.

Section VIII: Minutes

Minutes of previous meetings shall be read at every meeting before discussing other items on the agenda:

- i. The minutes shall be circulated to members at least three days before the next GRC meeting.
- ii. Minutes may not be circulated for emergency meetings.

- iii. The Speaker or whoever is chairing the meetings shall sign the minutes after confirmation through questions may be accepted in line with items of section II of this Article.

Section IX: Motion and Amendments

- i. All first formulations, if they are motions, shall have all succeeding formulation on them being called amendments.
- ii. All motions shall be affirmative in character and start with the word “that.”
- iii. All motions moved, amended or seconded by members’ present shall be in writing.
- iv. Agenda to motion shall be treated as amendments.
- v. The amended motion may be further amended if the amending portion covers what has not been covered by the initial amendment provided they are consistent with the business and have no connection with any motion previously rejected.
- vi. Resolutions shall not be rescinded or amended at the same meetings of passing
- vii. Resolutions concerning important financial or policy issues will not be amended or rescinded unless the concerned committees are notified and have not agreed in advance.
- viii. The disposal of amendments shall be one by one.
- ix. Motions, amendments or rescindments once set shall not be withdraw unless withdrawal is supported by at least two thirds (2/3) of members’ present.
- x. The motion and further amendments to any portion of it may be moved provided they are consistent with the business and have not been covered by amendments or motion previously rejected.
- xi. After the vote on succeeding amendment is carried the surviving proposition shall be put to the vote as the main question and if carried shall become resolution of the meeting.

Section X: Censure Motion

- i. A motion to censure of an Executive member can arise either from the General Assembly or GRC. In the event that it arises from the General Assembly, it shall be referred to the GRC as an approved motion through the Speaker.

- ii. The concerned Executive member shall be given audience at the subsequent GRC meeting to defend him/ her self
- iii. The motion shall be upheld if at least two thirds (2/3) of the members' present vote for it in a secret ballot
- iv. In the event that the motion is upheld, the President shall take a decision within a period of 14 days on the concerned Executive member.

Section XI: Notice of Motions, Amendments or Rescindments

- i. Notice of motion, amendments or rescindments shall be sent to the Prime Minister in writing not less than seven (7) days to the meeting where they shall be debated upon.
- ii. Such motions, amendments or rescindments shall be placed on the agenda in the order which they reached the Prime Minister.

Section XII: Exemption

Any Executive or other Committees of the Guild shall be exempted from standing orders that do not specifically mention them.

Section XIII: Voting

Save as otherwise provided in this Constitution,

- i. Voting on any motion shall be by show of hands unless otherwise decided.
- ii. Two members shall be appointed by the Speaker to act as retuning officers.
- iii. The Speaker shall have no right to vote.
- iv. Where there is a recount and the votes are equally divided, the motions shall be deemed lost.
- v. In the meeting, where applicable, the names of those voting for, against and absentees shall be recorded in the minutes, whenever a difference in opinion on the proposition occurs.
- vi. However, where inapplicable e.g. in the GRC or GA, only account for each of the above said categories will suffice.
- vii. Any motion or amendment voted on and carried shall be resolution of the meeting.

Section XIV: Right of Reply

- i. Any member who opens a debate reserves the right to reply at the close of the debate.
- ii. In the case of amended motions being moved, the mover of the original motion has the right to speak as stipulated in this article section VI (i) and (ii) and shall lose the right to reply when the amendment is carried.
- iii. No mover of an amendment reserves the right to reply.

Section XV: Closing Debate

- i. Any member during the meeting has the right to move a motion closing the standing order on discussion provided that he/she is seconded by members who had not previously contributed to the same standing order at any time during the debate.
- ii. Such motions shall be as in the motion that “the motion be lost, then we proceed to the next business”. “The vote shall be carried on this question”, et cetera et cetera.
- iii. Speeches shall not be allowed during such motions.
- iv. If such a motion is lost the mover of the original motion shall reserve the right to reply in accordance with section (XV) (i) and ii) of this article.

Section XVI: Adjournment

- i. No motion of adjournment shall be moved unless it is by a member who had not spoken on the same subject and who should confine his/her remarks to the subject only.
- ii. The motion of adjournment can be replied by the mover of the original motion on which adjournment is being moved.
- iii. Motion of adjournment once lost shall not be moved again on the same subject.
- iv. In accordance with section I of this Article, the Speaker shall declare the meeting adjourned if a necessary quorum is not being realized.

Section XVII: Referendum

- a) A referendum shall be held within forty – eight (48) hours after the recommendation of the General Assembly.
- b) The voting shall be direct and by secret ballot.
- c) The vote shall be either “Yes” or “NO”.

- d) The decision (yes or no) shall be carried if at least two thirds (2/3) of these who participate vote for it and at least seventy percent (70%) of all the members of the Guild shall have voted.
- e) The resulting decision made shall be final.

ARTICLE 16: INTERPRETATION AND AMENDMENT OF THE CONSTITUTION

Section I: Amendments

Amendments to the Guild constitution shall be initiated:

- a) By Guild members as provided in the Constitution below, in consultation with the Minister of Justice and Constitutional Affairs.
- b) Copies of the proposed changes shall be displayed on all notice boards for all members of the Guild to read at least (7) days before the GRC meeting which they are to be discussed is convened.
- c) Any proposed changes in the constitution shall first require the approval of the GRC by the two thirds (2/3) majority of all members present and the Minister of Justice and Constitutional Affairs.
- d) Upon receipt of a written endorsement of the changes from the University Council, the Guild President shall announce the approved changes as part of the Guild Construction.
- e) In situations where the view of the Minister for Justice and Constitutional Affairs conflicts with that of the two thirds (2/3) majority. The view of the two thirds (2/3) majority shall be upheld.
- f) Changes made shall not be used to settle constitutional disputes prior to their approval. Their use will be valid for matters arising after their approval.

Section II: Interpretation

- a) The power to interpret the constitution is vested in the Minister for Justice and Constitutional Affairs whose interpretation shall be final and conclusive provided that the interpretation is not challenged by at least two thirds (2/3) of the members present at the meeting.

- b) In case of the Minister of Justice and Constitutional Affairs interpretation being successfully challenged, the view of the two thirds (2/3) majority shall be upheld and final.

ARTICLE 17: BREACH OF CONSTITUTION

Any person or group of persons breaching the Guild constitution shall be subject to disciplinary proceedings of the Guild Disciplinary Committee as provided for in Article 8 Section (VII) (e).

ARTICLE 18: SUPREMACY

This Constitution shall be the supreme policy making instrument of the Guild. In case a conflict arises between it and any instrument within the Guild, this Constitution shall prevail over the other instrument.

APPENDICES:

Appendix I: Swearing In

- a) The President

ISwear that I shall discharge my duties as Guild President of Mbarara University of Science and Technology Students' Guild with all honesty and to the best of my ability, a binding fully by the constitution – so help me God.

- b) The Speaker

ISwear that I shall discharge my duties as Guild Speaker of Mbarara University of Science and Technology Students' Guild with all honesty and to the best of my ability, a binding fully by the constitution – so help me God.

c) The Executive and GRC Members

ISwear that I shall discharge my duties as..... Of Mbarara University of Science and Technology Students' Guild with all honesty and to the best of my ability, a binding fully by the constitution – so help me God.

Appendix II: Handing over

The out – going President

“I hereby affirm that the files and all other Guild property for which my Executive and I have been in – charge are correct and up to date in each and every portfolio.

Signed by:

.....

.....

Outgoing President

in- Coming President

Date...