



## **THE TECHNICAL UNIVERSITY OF KENYA**

# **CONSTITUTION OF THE STUDENTS ORGANIZATION OF THE TECHNICAL UNIVERSITY OF KENYA**

**2016**

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## FOREWORD

The Students' Organization of the Technical University of Kenya (*SOTUK*) has created a positive impact to the institution. The students were guided by a standard formulated constitution that directed the democratic governance of their official responsibilities, and having come of age, the constitution was due for review to keep in tune with the conventional management of students' organizations and tenets of leadership.

The new students' constitution promises a revival for students' leadership at the Technical University of Kenya. The constitution was reviewed under the guidance of a committee whose membership comprised eight members of staff and thirty students' representatives. The representatives were nominated directly by the students to present their various interests. **The University Council approved the constitution and subsequently the Vice Chancellor promulgated the Constitution, in the presence of students, on \_\_\_\_\_ 2016 in the Main Hall.**

Our special gratitude goes to the following members of staff and students for their contributions towards the success of this review.

1. Prof. Omondi Oketch	Chairman
2. Prof. Peter Maina Matu	Member
3. Dr. Elyjoy Micheni	Member
4. Dr. Patrick M. Dikirr	Member
5. Rev. Fr. Dr. Ndikaru Wa Teresia	Member
6. Mrs. Ruth Kirwa	Member
7. Linda Okola	Secretariat
8. Ms. Eucabeth Kwasu	Secretariat
9. Brayan Ricky E. Ambuli	SATUK Chairperson
10. Charlyne Jepkosgei Rop	Deputy Chairperson
11. Mark Oyieyo Oroko	Secretary General
12. Doreen Wangui Njagi	Finance Secretary
13. Antony Mutinda Mwikali	Constitution Affairs Secretary
14. Paul Kamau Mureithi	Academic Secretary
15. Belinda Cheram Rono	Gender Affairs Secretary
16. James Akoko Ogum	Social Welfare Secretary
17. Mark Too Opondo	Sports Secretary
18. Esther Mukami Muchena	Special Needs Secretary
19. Valentine Wesonga Sanyah	Speaker
20. Ronny Odhiambo Odiwuor	Deputy Speaker
21. Flora Wangui	Rep. Faculty of Engineering Sciences and Technology
22. Nick Migoti O.	FEST
23. Oscar Kipgenoh	FEST
24. Japheth Karisa	FEST
25. John Waweru Minywe	FEST
26. Sarah Njoroge Wanjiru	Rep. Faculty of Social Sciences and Technology
27. Peter Chesaro Robert	FSST
28. Washington Oginga Omollo	FSST

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| 29. Lucy Nzomba Ndunge        | FSST   |
| 30. Eve Marleen Awuor         | FSST   |
| 31. Jelding Wanjiku Gatururi  | Rep. Faculty of Applied Sciences and Technolgy |
| 32. Mark Ombima               | FAST   |
| 33. Monicah Ahadi             | FAST   |
| 34. Geoffrey Ochieng Odhiambo | FAST   |
| 35. Michael Nthome Kihara     | FAST   |
| 36. Munira W. Oloo            | Chairlady, Muslim Students                     |
| 37. Peter Gitonga Ileri       | Chairman, Young Catholic Students              |
| 38. Robert Joseph Maisha      | Chairman, Christian Union                      |

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**THE UNIVERSITIES' ACT 2012  
(Cap 42 of 2012 of the Laws of Kenya)**

**CHARTER OF THE TECHNICAL UNIVERSITY OF KENYA, 2013  
AND THE STATUTES OF THE UNIVERSITY, 2013**

**THE CONSTITUTION OF STUDENTS ORGANIZATION OF THE TECHNICAL  
UNIVERSITY OF KENYA**

SOTUK CONSTITUTION DRAFT 1

THE UNIVERSITIES ACT, 2012  
[Cap 42 of 2012 of the Laws of Kenya]

CHARTER OF THE TECHNICAL UNIVERSITY OF KENYA, 2013

AND

THE STATUTES OF THE UNIVERSITY, 2013

**In exercise of the legal provisions of the instruments mentioned hereinbefore, THE CONSTITUTION OF STUDENTS ORGANIZATION OF THE TECHNICAL UNIVERSITY OF KENYA has been promulgated on this \_\_\_ day of \_\_\_\_\_ 2016.**

## PART ONE

### PRELIMINARY

#### ARTICLE 1: SHORT TITLE

This Students' Organization Constitution may be cited as the "the Constitution of Students Organization of the Technical University of Kenya."

#### ARTICLE 2: INTERPRETATION

In this Constitution, unless the context requires otherwise:

**"Act"** means

the *Universities Act, Number 42 of 2012* of the Laws of Kenya;

**"bona fide student"** means

a student who is legally registered at Technical University of Kenya and fully paid SOTUK subscription

**"disability"** includes

any physical, mental, visual impairment or any other impairment, condition or illness that has, or is perceived by significant sectors of the community to have, a substantial or long-term effect on an individual's ability to carry out ordinary day to day activities;

**students with disability are those registered by the National Council for Persons With Disabilities (NCPWD).**

**"Class representatives"**

Shall mean an individual elected by a simple majority by the respective class members on the basis of one member one vote.

And their jurisdiction shall be restricted to their respective classes by which they are elected.

**"Charter"** means

the Charter of the Technical University of Kenya under the Act;

**"Congress"**

Unless otherwise stated, Congress shall mean a body established under the articles of this Constitution;

**"SOTUK"** means

Students Organization of the Technical University of Kenya;

**"Students' Council"** means

the SOTUK Students' Council as referred to in Article 8 of Chapter 3;

**"Statutes"** means

Statutes of the Technical University of Kenya;

**“Student with special needs”** means

a student with motor, hearing or visual or other impairment which requires adaptive support to access education;

**“University”** means

Technical University of Kenya, established under *Section 19* of the Act;

**“University Council”** means

the Council of Technical University of Kenya;

**“Vice –Chancellor”** means

the Vice Chancellor of the Technical University of Kenya;

### **ARTICLE 3: MANDATE**

To represent, advocate for, and enhance the interest and welfare of students and also to provide selected services, and provide moral and academic leadership to the students of the Technical University of Kenya.

To aspire to the highest ethical standards, integrity, honesty and transparency in all matters related to this Constitution.

To accomplish this goal, the association must be accountable to its constituents: the students.

### **ARTICLE 4: OBJECTIVES**

1. To promote and protect the rights of the students in academics, disciplinary actions, administration and health services, catering and accommodation, social welfare services and security.
2. To work in solidarity with the students’ fraternity in championing and promoting the enjoyment of the freedom of rights, privileges and in developing a sense of responsibility towards the society and the nation.
3. To ensure equitable gender participation in students’ affairs.
4. To promote the integration of persons with special needs in Technical University of Kenya.
5. In consultation with the University’s management, to honour members of the students’ body who have made outstanding contributions to the University in academic and extracurricular activities.
6. To promote and enhance flow of information in the University through a central information dissemination centre.
7. To strengthen and broaden external linkages in collaboration with the office in charge of Networks, Partnerships and Linkages.
8. To encourage students to engage in creative and innovative academic technological research, present research papers and/or participate in symposiums, seminars and conferences locally and internationally.
9. To raise funds through lawful means for the purposes of achieving the aims and objectives of SOTUK.



## PART TWO

### MEMBERSHIP AND MEMBERSHIP FEE

#### ARTICLE 5: MEMBERSHIP AND MEMBERSHIP FEE

There shall be two (2) categories of membership, *viz.*

- a) Ordinary Membership;
- b) Honorary membership.

##### 1. Ordinary Membership

It shall be open to all students admitted to the university *and its campuses* as per university regulations, and they shall pay an annual subscription fee of Kenya Shillings **one thousand (Kshs.1,000/=)** which is subject to review from time to time. **(REVISION)**

##### 2. Honorary Membership

- a) A person(s) will be granted honorary membership upon recognition by the student association for the outstanding contribution and distinguished services to industry, as long as the award of this membership shall be in consultation with the University Council.
- b) A person(s) may be invited to join the association as an honorary member and will be required to pay an annual subscription fee as agreed upon by the student association and as approved by the University Council.
- c) An honorary member shall be allowed to serve a 2-year term, which is renewable upon approval of the student organization and the University Council.

##### 3. Associate Member

**An associate member refers to a member who has made himself/herself a partner by paying a subscription fee as will be determined by the SOTUK Congress. (NEW CLAUSE)**

##### 4. Rights of members

- a) Each member is entitled to a free copy of the SOTUK constitution upon registration. Copies in Braille and large font shall be available to those in need.
- b) Each member is entitled to active participation in the legal, valid and legitimate activities of the association.
- c) Each ordinary member is entitled to seek an elective position established in this constitution.
- d) Each registered member is eligible to vote with the exception of honorary members.
- e) An ordinary member shall have the right to access all relevant information relating to affairs of the association including books and records of accounts, audit reports and minutes of meetings so far as it is reasonable.
- f) Each member shall have the right to express opinions, suggestions, complaints, compliment and ideas in a right and lawful manner.
- g) **Each member shall have the right to access all university services as long as one is a bonafide student. (NEW CLAUSE)**

##### 5. Obligations of Members

- a) All members shall recognize the *SOTUK* officials as the valid and legitimate representatives of the student body, and shall abide by all constitutional decisions as agreed upon.
- b) Every member shall respect the property of *SOTUK*, the university and the public.
- c) Every member shall be required to honour his/her financial obligation to *SOTUK*.

## **6. Discipline and Suspension of Membership**

- a) Every member shall respect the property of *SOTUK*, the university and the public. Any member who causes damage to the aforementioned properties shall be liable to disciplinary action by the University and/or the laws of Kenya.
- b) Every member shall ensure that his/her conduct does not adversely affect the reputation or dignity of *SOTUK*, the university and the public. Any member whose behaviour is adverse shall be liable to disciplinary action by the University and/or the laws of Kenya.
- c) Any member(s) accused of indiscipline shall be summoned in writing.

## **7. Cessation of Membership**

Membership shall cease for an ordinary or honorary member upon:

- a) Completion of programmes at the University, or voluntarily as in the case of honorary members.
- b) Transfer to another university, death, expulsion or discontinuation or for any other reason including mental infirmity.

## **ARTICLE 6: FINANCES OF *SOTUK***

### **1. Sources**

*SOTUK* shall secure revenue from the following sources **which will be remitted** to the *SOTUK* account and the remittance reported to the Students' Council and Congress:

- a) Membership fee
- b) Donations and fundraising
- c) Grants
- d) Allocations from the University; and
- e) Lawful business undertakings

### **2. Signatories to the *SOTUK* Account**

There shall be four (4) mandatory signatories to the *SOTUK* account in the following sequence: Finance Secretary, Secretary General, President and the Director Students Support Services or a designated officer thereof. The Director of Students Support Services or a designated officer thereof, shall be the last signatory.

### **3. Expenditure**

The Finance Committee shall draft a budget for *SOTUK*, which shall be approved by the Congress according to the University's academic year.

The funds of *SOTUK* shall be used for the following purposes:

- a) Bursary allocation to needy students.

- b) General administration of the association including meetings, stationery, correspondence, workshops and reimbursement of travelling expenses.
- c) Supporting any publications i.e. magazines, journals, periodicals which will be used to further the objectives of the association.
- d) Financing clubs, society and religious groups in furthering the objectives of the associations.
- e) Any other expenditures of SOTUK shall be approved by the university management board on the recommendation of the congress and the university finance officer.
- f) Financing students with special needs, according to the policies of the National Council of Persons with Disabilities (NCPWD).

#### 4. Allowances (REVISIONS)

- a) During *SOTUK* workshops, trips and related activities **organized by the students' organization**, the University shall cater for accommodation expenses of the students and will provide pocket money of **not more than Kenya Shillings one thousand (Kshs.1,000/=)** per student per day, which is subject to review from time to time.
- b) Each committee member is entitled to a sitting allowance of Kenya Shillings **one thousand (Kshs. 1000/=)** per meeting. Each committee shall hold a maximum of three (3) meetings per semester.
- c) ***SOTUK* workshops, trips and related activities taking place outside Nairobi shall attract an allowances of not more than Kenya Shillings one thousand five hundred (Kshs.1,500/=) per student per day. (NEW CLAUSE)**

SOTUK officials shall enjoy a stipend at the rates shown below:

POSITION	KSHS PER MONTH	KSHS PER YEAR
President	4,000	48,000
Deputy President	3,000	36,000
Secretary General	3,000	36,000
Speaker	3,000	36,000
Other Secretaries	2,500	30,000
Deputy Speaker	2,200	26,400
Clerk	2,200	26,400
Sergeant at Arms	2,200	26,400
Hostel/Hall Representatives	2,000	24,000
School Representatives	2,000	24,000
Class Representatives	500	6,000

#### 5. Audit of *SOTUK* Account

- a) *SOTUK*'s financial statements shall be subjected to audit by the University internal auditor one month before the AGM.
- b) The audited accounts and balance sheet shall be published after approval by the Congress, and not later than seven (7) days before the AGM.
- c) *SOTUK* shall maintain proper records of books of accounts and all financial documents relevant thereto and shall be available for audit and scrutiny.

- d) **Quarterly financial reports shall be availed to Congress and posted on the students' website.**

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## **PART THREE**

### **ORGANS OF *SOTUK***

#### **ARTICLE 7: ORGANS OF *SOTUK***

The organs of the *SOTUK* shall be

- i. The Students' Council
- ii. The Congress

#### **ARTICLE 8: THE STUDENTS' COUNCIL**

##### **ESTABLISHMENT OF THE STUDENTS' COUNCIL**

1. There is established the Students' Council of *SOTUK*.
2. Subject to the provisions of this constitution, the Students' Council shall be the chief administrative and managerial organ of *SOTUK*.
3. The office of the Students' Council shall be located at the main campus of Technical University of Kenya.
4. Meetings of the Students' Council shall be held, unless otherwise indicated, at the main campus of the University.

##### **COMPOSITION OF THE STUDENTS' COUNCIL**

The Students' Council shall consist of: **(REVISION OF TITLES)**

- 1. President**
- 2. Deputy President**
3. Secretary General
4. Finance Secretary
5. Academic Secretary
6. **Legal Affairs Secretary**
7. Special Needs Secretary
- 8. Health and Gender Affairs Secretary**
9. Sports Secretary
10. Social Welfare Secretary
- 11. Speaker**
- 12. Deputy Speaker**

A member of the Students' Council shall cease to hold office if he/she ceases to be a member of *SOTUK* as provided for in this constitution.

#### **ARTICLE 9: FUNCTIONS OF THE STUDENTS' COUNCIL**

The Students' Council shall have the authority and responsibility provided for it in this Constitution and in particular shall:

- a) Be responsible for the day to day running of *SOTUK*;
- b) Implement decisions of the Congress;

- c) Have powers to deal with emergency matters, but shall report to and seek the ratification of the Congress at the next meeting;
- d) Ensure that accurate records of the properties, income, liabilities and expenses of *SOTUK* are well kept together with other documents and books of accounts;
- e) Announce any vacant position in the Students' Council **two weeks after the seat has been declared vacant in accordance with Article 18 of this Constitution**;
- f) Table before the Annual General Meeting a statement of financial position and financial statement of accounts of *SOTUK*;
- g) Authorize all investments and control expenses of *SOTUK* as sanctioned by the Congress;
- h) Ensure that all members uphold this constitution, its by-laws, rules and regulations and that this constitution is free from all willful interference;
- i) Appoint members of the sub committees as provided for in this Constitution and delegate to them such of its powers and duties as allowed under its bylaws;
- j) Perform such other duties as the Congress shall delegate from time to time;
- k) Have four (4) members of the Students' Council entitled to attend Senate as long as the deliberations of the Senate are not touching on matters which are considered by the Chairperson of the Senate to be confidential or which relate to examinations, the general discipline of students, and other related matters. That membership shall include the **President, Secretary General, Academic Secretary and any other representative from the Council noting gender considerations; (CLAUSE REVISION)**
- l) The further functions of the Students' Council are as enumerated in *Section 41* of the *Universities Act, 2012, viz.:*
  - Oversee and plan, in consultation with the Senate, Students' activities for the promotion of academic, spiritual, moral, harmonious communal life and social well being of all students;
  - Draw to the attention of the appropriate authority, where necessary, special needs form particular students;
  - Offer suggestions to the Senate or its equivalent on matters affecting the well being of students; and
  - Undertake such other functions as provided in its governance instrument as approved by the Council.

#### **ARTICLE 10: MEETINGS OF THE STUDENTS' COUNCIL.**

1. Meetings of the Students' Council shall be held **as many times as the Council deems fit. Allowances shall be paid [(as stipulated in Article 6: 4 (b)]. The extra meetings shall not attract any allowance. (CLAUSE REVISION)**
2. The President shall convene every meeting of the Students' Council in a manner to be determined by the Students' Council during its first meeting following inauguration into office.
3. The quorum for the commencement and holding of a meeting by the Students' Council shall be two thirds (2/3) of the members who should be present for not less than half the entire duration of the meeting.
4. The Secretary General shall record all relevant deliberations of the meeting as Minutes, which shall be signed by the President at the next meeting. If there are alterations to the

Minutes, they shall be made below the President's signature so as not to interfere with the original record. The President will then sign again and therefore update the final record.

5. A member who fails to attend **any** meetings of the Council without a reasonable excuse recorded in writing, shall lose his/her financial allowance for the month in which he/she is absent from.
6. At a meeting of the Students' Council, the following shall preside;
  - a) The President
  - b) In the absence of the President, the Deputy President,
  - c) In the absence of the President and the Deputy President, any other member of the Students' Council elected by members at that time.

## **ARTICLE 11: ROLES AND RESPONSIBILITIES**

### **A. THE PRESIDENT**

1. There shall be a President of *SOTUK*.
2. The President shall have authority and responsibility as provided in this constitution and in particular shall;
  - a) Preside over all meetings of The Students' Council, The Annual General Meeting, any Special General Meetings and any emergency meetings.
  - b) Address at the invitation of the University, public functions of the University.
  - c) Be a co signatory to all *SOTUK* cheques and other negotiable instruments.
  - d) Represent *SOTUK* at Senate and the Students' Disciplinary Committee, unless he/she is the subject of a disciplinary hearing, then provisions of this Constitution shall apply.
  - e) Represent the students' interests in all university decision-making organs and meetings provided by the university statutes.
  - f) With the consent of the Students' Council, Congress and the management of the University, represent *SOTUK* at the national and international levels on issues relevant to *SOTUK*'s interests.
  - g) Ensure proper and cordial relations among the various organs of *SOTUK* and the University's administration.
  - h) In consultation with the Council, identify exemplary students in different fields for an award. (NEW CLAUSE)**
  - i) Be a cosignatory to all *SOTUK* cheques, expenditure and other negotiable instruments. (NEW CLAUSE)**

### **B. THE DEPUTY PRESIDENT**

1. There shall be a Deputy President of *SOTUK*.
2. The Deputy President shall;
  - a) Deputize the President in the execution of the President's functions and perform the functions conferred by this Constitution and any other functions of the President as the President may assign.
  - b) In the absence of the President, assume the roles and the responsibilities of the President and act as such with his/her authority.
  - c) In conjunction with Club officials, coordinate all activities of registered clubs/movements/associations in the University.

- d) In liaison with the Director Students Support Services, initiate cooperation with organizations and institutions outside the University subject to approval by the Congress.
- e) Advise the student Congress on matters related to external relations.
- f) Develop and organize leadership training programs.
- g) Prepare and present *SOTUK* semester progress reports at the general meetings.

### **C. THE SECRETARY GENERAL**

1. There shall be a Secretary General of *SOTUK*.
2. The Secretary General shall have authority and responsibility as provided in this Constitution and as delegated to him/her by the Students' Council and in particular shall;
  - a) Be the Secretary of the Students' Council and keep in a businesslike manner, true and accurate records of the proceedings of every meeting of the Students' Council, AGM, SGM and any emergency meeting.
  - b) In consultation with the President , communicate to all members and/or Students' members, the venue, dates and agenda of the Students', General or other meetings as the case may be and also conduct all general correspondences on behalf of *SOTUK*.
  - c) Manage and regularly update the *SOTUK* website and liaise with the University's Public Relations Office.
  - d) Be a cosignatory to all *SOTUK* cheques and other negotiable instruments.
  - e) With the authorization of the Vice Chancellor the Secretary General may make public statements to the media and institutions outside the University.
  - f) **Be a representative to the Senate and the University Disciplinary Committee. (NEW CLAUSE)**

### **D. THE FINANCE SECRETARY**

1. There shall be a Finance Secretary of *SOTUK*.
2. The Finance Secretary shall have authority and responsibility as provided in this Constitution and in particular shall;
  - a) Serve as the chair of the Finance Committee of Congress.
  - b) Keep in a businesslike manner, true, accurate, and timely record of the proceedings of every financial transaction of *SOTUK*.
  - c) Ensure that *SOTUK*'s books of accounts including requisitions, receipts and vouchers are safe.
  - d) Ensure that every payment and expenditure is duly authorized.
  - e) Be a mandatory signatory of the *SOTUK* account.
  - f) At the beginning of the academic year, prepare and present the annual budget to Congress.
  - g) Present annual audited financial statements to Congress at its last sitting before the AGM.
  - h) **Present quarterly financial reports to the Congress. (NEW CLAUSE)**

### **E. THE ACADEMIC SECRETARY**

1. There shall be an Academic Secretary of *SOTUK*.
2. The Academic Secretary shall have authority and responsibility as provided in this Constitution and in particular shall;
  - a) Chair the Academic committee.
  - b) Address issues arising directly from the academic interests of the members.
  - c) Participate in allocation of bursaries to needy students



- d) Enhance the provision of high quality academic facilities, resources, and services for world class academic programs at the University.
- e) Be the second representative of SOTUK at the Senate meetings.
- f) Create awareness among the members regarding student related policies, procedures and regulations of the University.
- g) Liaise with school congress persons on academic matters.
- h) Participate in planning, organizing and management of academic, social, counseling, career and work study Programs
- i) Subject to this Constitution perform duties as delegated to him/her by the Students' Council.
- j) Be a representative of SOTUK in the Senate. (NEW CLAUSE)**

#### **F. HEALTH AND GENDER AFFAIRS SECRETARY**

There shall be a Gender Affairs Secretary of *SOTUK* who shall perform the following functions;

- a) Be the *SOTUK* Secretary in charge of **health and** gender affairs.
- b) Develop and implement **health and** gender policies of *SOTUK*.
- c) Liaise with university officials managing health and gender services to organize awareness and training programmes on health and gender issues. (NEW CLAUSE)**
- d) Liaise with the univertsiy management to monitor the effective implementation of insurance cover for students. (NEW CLAUSE)**
- e) Promote and enhance gender sensitivity through inviting organizations that deal with the empowerment of both the boy and girl child.
- f) Subject to this constitution, perform other duties as delegated to him/her by the President and/or the **Students Council. (REVISION)**
- g) Promote gender equity in *SOTUK* and the University at large.

#### **G. SPORTS SECRETARY**

There shall be a Sports Secretary of *SOTUK* who shall perform the following functions:

- a) Be the *SOTUK* secretary in charge of the Sports Committee.
- b) Develop the sports policy of *SOTUK*.
- c) Liaise with the University sports department to ensure members' welfare in the matters pertaining to sports is realized.
- d) Facilitate and encourage the formation of clubs.
- e) Represent *SOTUK* in the management of the University sports team.
- f) Subject to this Constitution, perform duties as delegated to them by the Students' Council.

#### **H. SPECIAL NEEDS SECRETARY**

There shall be a Special Needs Secretary of *SOTUK* who shall perform the following functions;

- a) Preside as the chair of the Special Needs committee.
- b) Represent members with special needs in the Students' Council.
- c) Deal with matters related to the welfare of members with special needs.
- d) Maintain updated records of members with special needs.
- e) Promote the integration of members with special needs in the University community.
- f) Research and disseminate information on programs, facilities and services available to persons with special needs.
- g) Coordinate the International Day of Persons with Disabilities and related activities.

- h) Advise SOTUK and the appropriate University bodies on ways of implementing progressive national and international policies regarding persons with special needs within the university.
- i) Facilitate registration of persons with disability, from, TUK to the National Council of People with Disabilities (NCPWD).

#### **I. LEGAL AFFAIRS SECRETARY (REVISION)**

There shall be a Constitutional Affairs secretary of SOTUK who shall perform the following duties:

- a) Be the *SOTUK* secretary in charge of legal affairs.
- b) Shall chair the Legal Affairs Committee(NEW CLAUSE)**
- c) Be the liaison between *SOTUK* and the University Secretary of TUK.
- d) Be the advisor of *SOTUK* on legal matters.
- e) Subject to this Constitution perform duties as delegated to them by the Students' Council.

#### **J. SOCIAL WELFARE SECRETARY**

- a) Be the *SOTUK* Secretary in charge of social welfare of its members
- b) Shall receive and record member's grievances and requests and forward them to the Students' council for deliberation.
- c) Shall liaise with the Director Students Support Services and address matters arising from various services.
- d) Supervise all *SOTUK* activities directly related to social welfare of its members and, in particular, network with organizations concerned with social welfare issues.
- e) Shall prepare and present semester progress report about social welfare of its members at the general meeting.
- f) Shall perform other duties as directed by the congress from time to time.
- g) Liaise with the Director Students Support Services office to participate in charitable activities.
- h) Co-ordinate social welfare services for members and in particular, transportation, benevolence at times of bereavement, hardship or depression, assistance for needy students and related services.

#### **K. CLERK**

- a) Taking minutes during congress meetings
- b) Keeping records of the Minutes and any other congress records
- c) Reading the minutes of the previous meeting
- d) Perform other duties as allocated by the Speaker
- e) Disseminate information in, or outside of, congress through an order from speaker or notify and set dates for next meetings in consultation with the Speaker.

#### **L. SERGEANT AT ARMS**

- a) Maintain law and order in the congress
- b) Ensure housekeeping duties, that is, allocation and booking of venues, cleaning of the house and supply of stationeries
- c) Any other duties assigned to him/ her by the speaker.

## **M. HOSTEL/ HALL REPRESENTATIVES**

- a) Liaise with Social Welfare Secretary to ensure that accommodation for students is catered for.
- b) Liaise with Director Students Support Services to get information about student's accommodation.
- c) Ensure high standard of hygiene in the Hostels at all times.
- d) Perform any duty assigned to him/ her by the President.
- e) Facilitate channel of communication between Director of Students Support Services and Students living in the hostels.

## **N. SCHOOL REPRESENTATIVES**

- a) Shall be members of the congress and perform all functions of the congress under this constitution.
- b) Shall generally articulate the special academic needs, aspirations and interests of their respective schools.
- c) Shall present all grievances of their schools to the respective authority without fear of victimization.
- d) Shall be a link between the students and the Administration
- e) Shall represent SOTUK in the strategic management unit of their respective schools.
- f) Shall collect views from their respective schools and present them to congress for appropriate action.
- g) Shall represent and co ordinate their respective class representatives in the congress.
- h) Shall, subject to this constitution, perform any other duties as delegated to them by the Students' Committee.

## **TENURE OF OFFICE FOR OFFICE BEARERS**

- a) The tenure of office for office bearers shall be one academic year and can only be eligible for one further term. **(Members of the council and congress shall only serve for a maximum of two terms.) (CLAUSE REVISION)**
- b) All Students' Council members shall not serve in the same position for a period exceeding two terms of office.

## **ARTICLE 12: THE CONGRESS**

### **A. ESTABLISHMENT OF THE CONGRESS**

1. There is established a Students' Congress of *SOTUK*.
2. Subject to the provisions of this constitution, the Students' Congress shall be the supreme policy making organ of *SOTUK*.
3. Ordinarily, sittings of the Congress shall be held at the main campus of the University.

### **B. COMPOSITION OF CONGRESS**

Congress shall consist of:

1. \*Hostel/Hall representatives (of each gender)<sup>1</sup>

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<sup>1</sup> These are the elected members of Congress besides the Executive Council

2. \*School representatives (a school shall be represented by two representatives, one of either gender, of different departments, **each contesting independently**)<sup>2</sup> (REVISION)
3. Students' Council
4. Speaker
5. Deputy Speaker
6. Clerk
7. Sergeant at Arms

### C. FUNCTIONS OF CONGRESS

Congress shall have such authority and responsibility as provided in this constitution and, in particular, shall:

- a) Elect its own Speaker, Deputy Speaker, Clerk and Sergeant At Arms at its first meeting after the general elections from the congress persons;
- b) As the supreme legislative and policy making organ of SOTUK, debate and approve SOTUK policies, proposals and decisions tabled by committees, the Students' Council or the Speaker (ex officio member);
- c) Monitor the implementation of its resolutions by the Students' Council;
- d) Debate, approve and adopt budgetary proposals;
- e) Appoint the third representative to Senate and ensure that the one third constitutional rule applies to gender.

### D. SUMMONING OF CONGRESS

The first meeting of Congress must take place seven (7) days following the inauguration of the Students' Council. Thereafter, the Congress Clerk in consultation with the Speaker shall convene the subsequent sitting.

### E. CONGRESS MEETINGS

1. The Speaker will preside over the entire Congress meeting. In case of his/her absence, the Deputy Speaker will preside, and in the absence of both any other congress person elected by the Congress shall preside.
2. The Congress should meet at least once a semester.

### F. SPEAKER AND THE DEPUTY SPEAKER

1. The Speaker and the Deputy Speaker shall be elected by the Congress, from members of the Congress, except from the **Students' Council**.
2. The election of the Speaker and the Deputy Speaker shall be by secret ballot conducted in line with the standing orders of the Congress.
3. The Speaker and the Deputy Speaker should be sworn in by the chairperson of the electoral body in the presence of the University Secretary and the Director Students Support Services.(**DELETION VC**)

The offices of the Speaker and Deputy Speaker shall become vacant when;

1. The Speaker or the Deputy Speaker informs the Congress in writing of his/her resignation as the Speaker or Deputy Speaker.
2. The Speaker or Deputy Speaker ceases to be a member of the Congress.

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<sup>2</sup> Ibid

3. The Congress passes a motion of no confidence of either the Speaker or the Deputy Speaker.

The Congress person elected to be the Speaker or Deputy Speaker shall continue to represent the Congressional area that he/she represents. If the office of the Speaker or Deputy Speaker becomes vacant, Congress shall not transact any other business until another speaker or deputy speaker is elected and sworn in. But the vacancy in the office of the speaker shall not affect the work of the congressional committee.

### **G. ROLE OF THE SPEAKER**

The Speaker shall have the authority and responsibility to:

1. Preside over meetings in the Congress;
2. Maintain order in the Congress;
3. Address Congress in its first meeting;
4. Communicate with the Congress matters relevant to its business;
5. Perform any other duty Congress may recommend, that will enhance its efficiency and conduct;
6. He/she shall represent the President at the Senate Disciplinary Committee, if the President is the subject of disciplinary action or is not able to carry out his/her duty for whatever reason. However, in the event the President or the Speaker are not able to represent SOTUK, then the Students' Council will nominate a representative to represent them at the Senate Disciplinary Committee.

### **H. DEPUTY SPEAKER**

The Deputy Speaker shall have the authority and the responsibility to:

1. Assume the role of the Speaker in his/her absence.
2. From time to time perform any duty as may be assigned to him/her by the Speaker.
3. Be in constant consultation with the Speaker in related matters.

### **I. QUORUM IN CONGRESS**

The quorum needed to commence and conduct business in the Congress should be two thirds (2/3) of the members. However, in the case that:

1. 30 minutes after the scheduled time for the beginning of the meeting the quorum is not attained, the Speaker shall postpone the meeting.
2. If the quorum is not attained at the next scheduled meeting, then the Speaker shall commence and conduct business and the resolutions made in the sittings will be binding on all members.
3. Any member absent in two (2) consecutive meetings in a semester without prior permission from the Speaker shall be deemed to have resigned from the Congress.
4. A member shall be deemed to have failed to attend congressional meetings without the Speaker's permission if the member is absent for more than half the duration of the meeting.

### **J. VOTING IN CONGRESS**

Secret ballot shall be used in voting for special bills. On any question proposed for a vote in Congress whose outcome results in a tie the member presiding at the sitting shall;

1. 1) If the member presiding is the Speaker or the Deputy Speaker either will have the deciding vote and not an original vote to unlock the tie.
2. 2) If the member presiding is not the Speaker or the Deputy Speaker either will have both the original and deciding vote to unlock the tie.

#### **K. REGULATIONS AND PROCEDURES IN CONGRESS**

Subject to this Constitution Congress shall make rules to regulate the conduct, procedures and proceedings of:

- a. The Students' Council;
- b. Congress; and,
- c. Committees.

#### **L. COMMITTEES OF CONGRESS**

Committee members will be nominated by the Students' Council from Congress and approved by the Congress subject to this Constitution. Each committee should not exceed six (6) members. No member shall be in more than one committee at a time.

The Committees shall be as follows;

- a. Academic committee.
- b. Social welfare committee
- c. Sports committee.
- d. Finance committee.
- e. Special needs committee.
- f. Audit committee.
- g. Gender committee

#### **M. FUNCTIONS OF THE ADVISORY COMMITTEE**

1. There shall be established a special committee of *SOTUK* known as the Advisory Committee, whose role will be:
  - a. To deal with matters of *SOTUK*.
  - b. Provide legal interpretation of this Constitution.
  - c. The Advisory Committee shall realize such other
  - d. duties and responsibilities as may be specified by the Vice Chancellor from time to time.
2. The Advisory Committee shall consist of appointees of the Vice Chancellor.

## PART FOUR

### ELECTIONS

#### ARTICLE 13: ELECTIONS

##### A. DISSOLUTION OF CONGRESS

- i. **The Speaker through a motion introduced by the President two (2) weeks before the elections shall dissolve Congress.**
- ii. If the President fails to dissolve Congress, two (2) days after the date which it should have passed the motion of dissolution, then Congress stands dissolved automatically.
- iii. The existing Students Council shall run the affairs of *SOTUK* from the day the Congress is dissolved up to the swearing in and handing over of the new Congress.

##### B. GENERAL PRINCIPLES

- i. Elections shall be held on the second week of **February**, on a Thursday, every year, failure to which the provisions of this Constitution shall apply. **(DATE REVISION)**
- ii. Elections shall be free, fair and conducted by secret ballot. There shall be an electoral body, which shall have the power to formulate rules and regulations for proper conduct of elections and implementations of this chapter.
- iii. Any by elections due to seats falling vacant after elections of the Speaker, Deputy Speaker and Clerk from the Congress shall be done within two (2) weeks from the date of vacancy.
- iv. Any other seat declared vacant by the Speaker of the Congress, shall allow room for by elections, which shall be conducted two (2) weeks after declaration of the seat vacant.
- v. **The election of *SOTUK* officials shall be conducted according to the provisions of this Constitution and electoral board's rules and regulations governing the elections. (FOR DELETION???)**

##### C. ELECTORAL BOARD

- a) There shall be an Electoral Board to conduct and supervise *SOTUK*'s elections.
- b) The Electoral Board shall be appointed by the Vice Chancellor before the dissolution of the congress.
- c) The Electoral Board shall begin working officially when the elections are called.
- d) The Electoral Board is mandated to undertake the activities related, or incidental, to *SOTUK*'s election.
- e) **Four outgoing *SOTUK* council members who are not vying and two students nominated from among the students population shall constitute coopted members of the Electoral Board.(NEW CLAUSE)**

##### D. FUNCTIONS OF THE ELECTORAL BOARD

Subject to the provisions of this Constitution, the electoral board shall:

1. Conduct and supervise *SOTUK*'s elections
2. Promote free and fair elections
3. Determine the date of submissions for applicants of candidacy and clearance
4. Supervise the preparation of the voter register, ballot papers and boxes, and designation of polling stations

5. Facilitate observation and evaluation of SOTUK's elections
6. Promote civic education within the university
7. Provide a voting procedure that is understandable and precise
8. Regulate the method of campaigning
9. Prepare and post a list of candidates qualified for election, and a list of applicants disqualified and reasons for the disqualification
10. Verify all nominations for candidates according to the procedure it shall establish on the election code
11. Conduct a one day seminar for cleared candidates to familiarize them with the university's statutes, regulations, this Constitution, the student guide or any subsequent student guide and the electoral code
12. The electoral board shall declare a seven (7) day campaign period upon the release of the names of the qualified candidates. All qualified candidates shall be allowed to peacefully and lawfully conduct their campaign within the campus
13. Entitled to release and announce the results of the voting by the presiding officer of and at each polling station
14. The electoral board has the power to warn candidates of disqualification and disqualify them for violating the electoral code as established by this constitution and the board
15. The electoral board chairperson will ensure that order is maintained during and after the elections. Once counting is completed, the electoral board chairperson shall officially announce the results of the elections within 24 hours.
16. In case of a tie, electoral board chairperson shall order a recount. If there is still a tie after a recount, the returning officer shall declare a new date for by election. Only the tying candidates will contest in such a by election
17. The electoral board chairperson shall submit to the Director of Students Support Services the names of the elected officials within 24 hours of announcing the election results.

#### **E. QUALIFICATIONS FOR THE CANDIDATES FOR ELECTION**

An ordinary member is qualified for election to Congress if at the time of election he/she:

- a) Is a registered and *bona fide* student at TU-K.
- b) Has at least two semesters left for study, with a minimum of 10 units; has at least completed two semesters, with a full load of academic study totaling to at least 12 units.
- c) Is registered in the congressional area he/she represents;
- d) Must have passed the previous university examination;
- e) Shall be a paid up ordinary member.
- f) **Shall have successfully passed their examinations in the academic semester immediately preceding the elections. (FOR DELETION??)**
- g) No candidate shall contest for more than one elective position in the same election.
- h) A candidate contesting for a post of school representative shall be a student of the same faculty or school they are contesting for.
- i) A candidate contesting a post as a hall representative shall be a resident of the hall he/she is contesting in.
- j) No student shall contest for any Students' post unless he/she has been a member of *SOTUK* for at least one academic year with completion of at least twelve (12) academic units.
- k) No candidate who has contested and won a Students' post shall succeed himself/herself more than once.



- l) All candidates shall submit a certificate of clearance and good conduct from the office of the Director Students Support Services, Librarian, Finance Officer, and Chief Security officer (those who are residing in the hostel will have also an additional certificate of clearance from the Cateress and Housekeeper), and a certificate of good academic record from the office of his dean or director of relevant faculty, school or campus.
- m) Candidates contesting for the post of Sports Secretary shall be a member who has participated in extracurricular activities.
- n) Candidates contesting for the post of Special Needs Secretary shall provide proof from the National Council of People with Disabilities (NCPWD) or any other relevant university authority that they are physically challenged.
- o) **A bonafide student shall contest any post provided he/she (NEW CLAUSE)**
  - i. **Has been a member of *SOTUK* for at least one academic year**
  - ii. **Has registered as a continuing student transitioning from a Diploma to a Degree course or from one Degree course to another**

#### **F. DISQUALIFICATION FOR ELECTION**

The following categories of members are not eligible to vie for any electoral posts in SOTUK:

1. A member of the Election Board
2. A person who has been convicted of a criminal offence in a court of law.
3. Honorary members of *SOTUK*.
4. Students admitted to TUK on transfer from other university(they have to be in TUK for at least two semesters)
5. Those who have been subjected to any disciplinary sanctions by the University for violation of the student code of conduct, and have not been cleared by University Management.

#### **ARTICLE 14: ELECTION RULES AND PROCEDURES**

1. Voting shall commence at 6am and end at 5pm on the polling day;
2. Every *SOTUK* election shall be by secret ballot, on the principle of one member one vote;
3. The electoral roll/register shall be prepared by the Electoral Board;
4. Every voter shall be required to produce a valid student identity card **or any other document certified by the institution** to be verified against the nominal roll after which the name shall be crossed out;(REVISION)
5. The ballot boxes shall be transparent, of a fixed number, clearly labeled, counted, certified and recorded. They shall also have an opening large enough to receive a ballot paper;
6. No campaign of any kind will be allowed within the polling station on Election Day. Candidates, agents or supporters will not conduct campaigns on Election Day. Contravention of this rule shall disqualify the candidate from the election.
7. No member in possession of campaign materials (e.g. photos, leaflets, portraits and any other campaign material) will be allowed within the polling station and its vicinity. However stickers bearing only the name of the candidate may be pinned by the candidate or his/her agent for identification within the voting station.
8. Each candidate shall be allowed to register agents with the electoral board. Each candidate shall not have more than one (1) agent at a time inside a polling station. Candidates and/or their agents have the right to witness the counting and tallying of votes;
9. A voter shall cast his/her vote by use of a ballot paper, or electronically, provided that in the case of electronic elections, the electoral board will three (3) months before such

election, publicize throughout the University, through all available means, guidelines that shall apply in such voting ;

10. Each voter shall be issued with one ballot paper bearing names of all contesting candidates, and he/she shall mark in the box against the name of the candidate of choice by either putting a cross (x) or a tick (√). He/she shall then fold the ballot paper so as to conceal the vote and put it into the ballot box;
11. A voter who is unable to vote owing to disability, impairment restricting the use of his/her hands, or is indisposed may be assisted or supported by a person of the voter's own free choice after permission is sought from the presiding officer;
12. A voter who has by mistake spoilt his/her ballot paper may obtain another ballot paper. The spoilt ballot paper shall be immediately cancelled and the counterfoil thereof marked accordingly **by the Presiding Officer; (REVISION)**
13. The presiding officer shall seal any ballot box that is full in the presence of candidate(s) or their agents
14. Counting shall be done at the respective polling station, immediately after voting, by the presiding officer in the presence of the candidates and /or one agent. The presiding officer shall open each ballot box and empty its contents onto the table or any other facility provided for the purpose and, shall for every ballot paper, announce the candidate in whose favour the vote was cast, display to the candidates and/or agent the ballot paper and put the ballot paper at a place on the counting table, or other facility provided for this purpose;
15. Ballot papers shall be rejected during counting if they are not designed for that particular election, marks have been made in respect of more than one candidate per post, marks identifying the voter have been made or they are unmarked;
16. Immediately after the results of the poll from all polling stations in a constituency have been received by the returning officer, the returning officer shall, in the presence of candidates and/or agents and members of the election board, tally the results at places as may be determined from time to time by the electoral board so long as they are within the University precincts;
17. The winner shall be the candidate who gets a simple majority. But in the event of a tie, the President of the Electoral Board shall declare a rerun of the election between the tied candidates and supervise the same within five (5) days after the announcement of a tie until one candidate obtains a simple majority;
18. Upon the request of a candidate or agent who was present when the counting was completed, the presiding officer may have the votes rechecked and recounted. A candidate shall be entitled to a maximum of two recounts;
19. The Electoral Board shall announce the results within 24 hours of the elections and cause them to be prominently published within the University immediately thereafter;
20. The Electoral Board shall have discretionary powers to make other rules, regulations and procedures to govern elections.
21. The presiding officer may order the removal of any person who misconducts himself/herself at the polling station, or fails to obey any lawful instructions or orders of the presiding officer, and such person shall be removed by the security officer present. A person removed from the polling station under sub-regulation (2) shall not re enter the polling station during the continuance of the poll without the permission of the presiding officer.

## **ARTICLE 15: ELECTION PETITION PANEL**

1. There shall be established an Independent Election Petition Panel, hereinafter referred to as “The Panel”.
2. The Panel shall consist of five (5) members who are members of the University Staff and are not members of the Electoral Board. **Two students representatives appointed by the outgoing SOTUK Council shall be coopted into the Petition Panel (REVISION)**
3. The Panel shall be appointed by the Vice Chancellor.
4. **At least one member of the Panel shall have a background in legal matters and he/she shall chair the panel. (NEW CLAUSE)**
5. The Panel shall be constituted before the dissolution of Congress.

### **Functions of the Panel**

1. Formulate rules and regulations for proper conduct of its business and the procedures of election petitions.
2. Receive any written petition against the election results within 72 hours of announcement of the election results.
3. Within fourteen (14) days of receiving a petition, uphold or nullify the contested vote and forward written notification of its judgment to the electoral board.
4. Rulings of the Panel shall be final and binding.
5. If the Panel does not receive any written petitions within 72 hours then the Panel stands dissolved.

## **ARTICLE 16: ELECTION PETITIONS**

1. A petition may be lodged with the Panel by a candidate or any member of SOTUK (the petitioner) challenging nominations, campaigns or elections on any of the following grounds:
  - a) Whenever such a candidate or member has reason to believe or has evidence that there has been a contravention of any election rules and procedures during the election period.
  - b) Whenever there is an allegation of bribery, intimidation and/or harassment of voters and or candidates;
  - c) Whenever there is an allegation that a candidate has otherwise breached this Constitution.
2. A petition must be lodged within seventy two (72) hours after the Electoral Board announces the results;
3. Upon receipt of a petition, the Panel shall peruse the petition and if it
  - a) Considers that it is frivolous, malicious or has not disclosed sufficient grounds, it may reject the petition summarily and inform the petitioner of its decision within twenty four (24) hours; provided that such petitioner will have leave to present an amended petition within twenty-four (24) hours in order to supply to the Panel a more comprehensive and comprehensible petition;
  - b) Is apparent that there is a reasonable case to be heard, the chairperson of the Panel shall notify the parties concerned of the lodging of the petition within forty-eight (48) hours of such lodging.
4. The Panel shall sit at such places as it may determine from time to time;
5. The Panel shall determine petitions regarding nominations, campaigns and elections expeditiously and in any case within seven (7) days;
6. During the hearing of petition, all parties shall be present provided that

- a) Where a petitioner fails to attend the hearing by himself/herself without any reasonable excuse or prior notification to the Panel, the respondent may request the Panel to dismiss the petition.
  - b) Where the respondent fails to attend the hearing by himself/herself without any reasonable excuse or prior notification to the Panel, the petitioner may be heard in full and a date set for judgment;
7. The decision of the Panel shall be final and binding and shall be submitted to the Electoral Board for execution.

#### **ARTICLE 17: SWEARING IN**

1. The University's Legal Officer shall swear in the elected officials within forty-eight (48) hours.
2. The swearing in ceremony shall take place in an open and public place within the university before **3pm. (REVISION)**
3. Elected officials shall take office immediately upon being sworn in.

#### **ARTICLE 18: BY ELECTIONS**

1. A by election shall be held whenever an office or seat falls vacant by reason of;
  - a) A successful petition.
  - b) Cessation of studentship through expulsion from, or discontinuation by the University;
  - c) Imprisonment;
  - d) Death, or mental infirmity;
  - e) Contravention of the provisions of the Constitution, 2010, the Anti Corruption and Economic Crimes Act, 2003 or any other law of the land;
  - f) Resignation or suspension from the University for a period longer than ninety (90) days.
2. The by election shall take place within twenty one (21) days of the office or seat falling vacant, and shall follow the same procedure for elections as provided in this Constitution.
3. No by election shall be held ninety (90) days prior to the next General Election. Where the seat of a member of the Students' falls vacant, the remaining members of the Students' **Council** shall appoint another member in an acting capacity for the vacant seat, subject to the approval of the Congress. **(REVISION)**

#### **A. CATEGORIES OF MEETINGS**

There are four (4) categories of meetings, namely:

- a) General Meetings
  - i. Annual General Meeting (AGM).
  - ii. Special General Meeting (SGM).
- b) Students' Council Meetings
- c) Congress Meetings
- d) Committee Meetings

#### **B. GENERAL MEETINGS**

##### **i) ANNUAL GENERAL MEETING (AGM)**

1. *SOTUK* Annual General Meeting shall be held each year, and not later than twelve (12) months following the last AGM.
2. Notice in writing of such AGM, accompanied by the Annual Report and Accounts and the agenda for the meeting, shall be sent to all members of *SOTUK* by the Secretary General not less than fourteen (14) days before the date of the meeting and, where practicable, the notice of the meeting shall be widely advertised and publicized through all available media not less than seven (7) days before the date of the meeting.
3. The Annual Report and Accounts as set out in this Constitution shall be tabled at the AGM, and shall be open for inspection by members.
4. The Agenda of any AGM shall consist of the following;
  - i. Confirmation of the previous AGM minutes.
  - ii. Tabling and adoption of Annual Reports and Accounts. The annual report is usually presented by the President. The report should give an overview of the main achievements of the year. The accounts are presented by the Finance Secretary who gives a general overview of the financial position of *SOTUK*.
  - iii. Confirmation of any other management report on the activities of *SOTUK* during the past year.
  - iv. Confirmation or authorization of actions taken by the committees, and giving direction to the new committees.
  - v. Approval of the estimates of expenditure for the next financial year **and audited reports for the whole year. (REVISION)**
5. The Agenda may also deal with;
  - a) Motions put to an AGM. There should be a call for motions seven (7) days before the notice, inviting members for the AGM, circulated giving members seven (7) days to submit them to the Secretary General for the same to be included in the Agenda.
  - b) Any proposed amendments to this constitution already be deliberated upon by the Constitutional Affairs Committee.
  - c) Other business of *SOTUK* of which notice has been given to members, or any other business proposed with the approval of the President.

## ii) SPECIAL GENERAL MEETING

A Special General Meeting (SGM) may also be scheduled for a specific purpose by order in writing to the Secretary General by not less than half of the paid up members of *SOTUK* and such meetings shall be held within twenty one (21) days of the date of requisition.

A Special General Meeting (SGM) may also be scheduled for specific purposes by order in writing to the Secretary General and approved by the Students Council and such meetings shall be held within fourteen (14) days of the date of requisition.

## C. STUDENTS' COUNCIL MEETINGS

- i. The Students' Council shall meet as stipulated in Article 10(1).
- ii. The quorum for the meeting by the Students' Council shall be two-thirds (2/3) of the members who should be present for not less than half the entire duration of the meeting.
- iii. A copy of the minutes of each Student's Council meeting shall be provided to the Director Students Support Services.

#### **D. CONGRESS MEETINGS**

Congress meetings shall be held not more than four times in a semester and shall be presided over by the Speaker or, in his absence, the Deputy Speaker. The main agenda will be, *inter alia*:

1. To receive quarterly financial reports from the Finance Secretary;
2. To formulate the immediate future plans of SOTUK;
3. To transact any other business of SOTUK in the manner prescribed by this constitution.

SOTUK CONSTITUTION DRAFT 1

## PART FIVE

### TERMINATION OF OFFICE

#### ARTICLE 19: EXPIRY OF TERM OF OFFICE

1. The Students' Council shall be dissolved at the expiry of the term of office.
2. The term of office for all officials shall be one academic year (i.e. the same month after one calendar year of election).
3. In the event of failure to hold elections as required by this Constitution, the Vice-Chancellor in consultation with the University Council and the University Management Board will decide on the next election date and communicate the same within thirty (30) days.

#### ARTICLE 20: CESSATION OF *SOTUK*

In the event of dire threat to the operations of the University, the University Council may call for the cessation of *SOTUK*. (DELETE ARTICLE???)

#### ARTICLE 21: AMENDMENT

1. Any member of Congress may propose an amendment to this Constitution by bringing to the Congress for debate a motion to amend the Constitution.
2. The meeting to discuss an amendment/s shall have quorum of two-thirds (2/3) of the Congress members.
3. Any amendment to this Constitution shall be effected when approved by at least two-thirds (2/3) majority of the *SOTUK* members.
4. Any amendment of this Constitution can only be undertaken after at least two (2) years upon its implementation. Subsequent amendments shall only be undertaken bi annually.
5. A committee of students approved by two-thirds (2/3) of Congress shall review and amend the constitution.
6. The amended constitution

#### ARTICLE 22: BY LAWS

1. Subject to this Constitution, the Students' Council shall prepare the by laws and policies governing the functions of *SOTUK* and submit them to Congress for approval.
2. By laws and policies approved by Congress shall be binding on all members of *SOTUK*. Violators of these by laws and policies shall be subject to the disciplinary measures provided for in this Constitution.
3. Any member of the Congress may propose a by law or policy that he/she shall submit to the relevant congressional committee for discussion which if approved by that committee will be tabled in Congress.
4. Any member of Congress may propose amendments to existing bylaws, policies, and the various schedules annexed to this Constitution.

## PART SIX

### END OF THE TERM OF SOTUK OFFICIALS

#### ARTICLE 23: HONORARIA

At the end of the term, *SOTUK* Students' officials shall be paid honoraria. The said amount such shall not exceed **Kshs 20,000/=** per official. **(REVISION)**

#### ARTICLE 24: AFFILIATION

The Student Association of the Technical University of Kenya (*SOTUK*) shall operate under the auspices of the administration of the Technical University of Kenya. In the event that other campuses of Technical University of Kenya are established, branches of *SOTUK* shall accordingly be created and shall be mainly governed on the principles drawn from this Constitution.

#### ARTICLE 25: DECLARATION

This Constitution is the Constitution of Students Association of the Technical University of Kenya and shall have the force of law throughout the Association. If any Rule or Regulation prevailing under this Constitution is inconsistent with the *Universities Act, No. 42 of 2012* the *Charter of the Technical University of Kenya, 2013* and the *Statutes of the University*, the said Rule or Regulation in this Constitution shall to the extent of its inconsistency, be null and void.

#### ARTICLE 26: TRANSITIONAL PROVISIONS

1. This Constitution shall come into effect once the Council of the Technical University of Kenya has approved it.
2. Upon enactment of this Constitution, the Constitution of the student union of the Kenya Polytechnic University College (Revised in October 2010) shall immediately cease to apply.

Given under my hand this the \_\_\_\_\_ day of \_\_\_\_\_ 2016.