

RULES OF THE STUDENTS' IMBIZO

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PREAMBLE

We, the members of the Students' Imbizo of the Stellenbosch University Student Parliament accept this document as the Rules of the Students' Imbizo; bind ourselves to the guidelines set out in it and the principles outlined in the Student Bill of Rights and the provisions in the Stellenbosch University Student Constitution.

We acknowledge our responsibility to facilitate the participation of students in the democratic processes recognised by the Student Constitution.

We further commit ourselves to being a body that advocates for the progressive realisation of the rights enshrined in the Student Bill of Rights and a beacon of cooperative governance.

These rules are subject to the provisions of the Constitution of the Republic of South Africa, 1996, the Higher Education Act, the Statute of Stellenbosch University, and University regulations. We accept this as our binding internal regulatory framework.

CHAPTER 1: BASIC PROVISIONS

1. Definitions

- (1) **“Accept”**, **“decide”**, or **“elect”** means a decision taken with a simple majority of votes.
- (2) **“Convenor”** means the Convenor of Student Imbizo.
- (3) **“Day”** means a calendar day.
- (4) **“Deputy Speaker”** means the Deputy Speaker of Student Assembly as serving ex officio on the Imbizo Committee
- (5) **“Positive Vote”** means the following process:
 - (a) When one candidate receives a simple majority of the vote, they are elected.
 - (b) If no candidate receives a simple majority of the vote, the following steps are followed:
 - (I) A new election takes place.
 - (II) For this election, the candidates who received the smallest number of votes in the previous election are removed, but the sum of the removed candidate’s votes may not exceed 50% of the total number of votes in the previous election.
 - (III) This process is repeated until one candidate receives a simple majority of the votes.
- (6) **“Positional Student Leader”** means a student elected or appointed to any structure recognised by the Student Constitution or any of its substructures’ constitutions.
- (7) **“Rules”** means the Stellenbosch University Student Imbizo Rules
- (8) **“Simple majority vote”** means a 50% plus one (1) vote.
- (9) **“SRC”** means the Students’ Representative Council.
- (10) **“Student body”** means an organised group of students formally associated with the University.
- (11) **“Student”** means a student registered at the University.
- (12) **“University authorities”** means any employee, or structure consisting of, University employees and including any Statutory Body.
- (13) **“University day”** means a weekday (Monday to Friday) during the academic year which is not a public holiday.

- (14) “**University**” means Stellenbosch University.

CHAPTER 2: MEMBERSHIP

2. Delegation to the Student Imbizo

- (1) The Student Imbizo must consist of the specified delegates, appointed from the student leadership structures as specified in Section 71 of the Student Constitution.
- (2) Delegates must -
 - (a) Be a registered student at the University of Stellenbosch
 - (b) Have at least been a registered student for more than a semester
 - (c) Not have a standing guilty finding from the CDC or DAC
- (3) The Chief Administrator must request delegate names from the relevant student leadership structures by the end of the first week of the fourth academic term.
- (4) The student leadership structures must submit the delegate names by the end of the 2nd week of the fourth academic term to the Student Imbizo’s email box.
- (5) No member of the Student Assembly Committee may have membership in the Student Imbizo in any capacity, except the Speaker of the Student Assembly who shall only serve ex officio on the Student Imbizo Committee
- (6) If a delegate of the Student Imbizo can no longer fulfil their duties, the structure which delegated that member must ensure the vacancy is filled within 10 university days.

3. Sanctions

- (1) All structures, as per the Student Constitution, and as per Part 2.1 of these Rules, are obligated to delegate a student to the Student Imbizo or delegate a student after a vacancy arises.
- (2) Structures must be sanctioned if they do not comply with (1) within 3 weeks of being informed of this obligation in writing by the Convenor.
- (3) The sanction is a recommendation to the relevant structure to have no more than 5% of the member’s customary honorarium withheld.

4. Term of Office

- (1) The term of the Student Imbizo members run from the first day of the fourth academic term to the last day of the third academic term

5. Powers of Delegates

- (2) All delegates to the Student Imbizo have equal voting powers at a meeting of the Imbizo
- (3) A delegate may request any document from any positional student leader
 - (a) The request must be made through the Convenor who must obtain the document and share with all members of the Imbizo
 - (b) This power's scope only excludes institutional documents that are deemed confidential by a secretariat within the Registrar's division
 - (c) The document must be provided to the Convenor by the relevant positional leader within 7 days of receiving the request

6. Powers of Special Delegates

- (4) Special delegates have the same powers as Delegates but may only exercise the powers during a meeting of the Imbizo when present in the meeting

CHAPTER 3: STUDENT IMBIZO COMMITTEE

7. Electing the Student Imbizo Committee

The Student Imbizo Committee members are elected as follow:

- (1) The Convenor is elected from applying students-

- (a) In the third Academic term of an academic year
 - (b) By a simple majority vote of:
 - (I) The outgoing Student Imbizo; and
 - (II) Two other students appointed by the outgoing Convenor
 - (c) At an Imbizo meeting presided over by the outgoing Convenor
- (2) The other members of the committee shall be appointed by the incoming Convenor-
- (1) After an application-interview process
 - (2) The panel shall include the outgoing Student Imbizo Committee
 - (3) That must be ratified or nullified by a simple majority vote of the outgoing Student Imbizo at an Imbizo meeting presided over by the incoming Convenor
- (3) Applications for all members of the Student Imbizo Committee must be advertised via a mail to all students sent by the outgoing Convenor

8. Compulsory Portfolios

The Student Imbizo Committee must maintain at least the following portfolios with the respective duties and powers:

- (1) Convenor-
 - (1) Is a member of all Student Imbizo Committees, Forums, and Task Teams
 - (2) Is ultimately responsible for the finances of the Student Imbizo
 - (3) Ensures that meetings take place
 - (4) Works with the Chief Administrator in compiling the agenda
 - (5) Presides over the Student Imbizo Committee
 - (6) Must attend all Student Assembly Meetings
 - (7) Works with the Administrator, makes sure that the minutes of all meetings of all Student Imbizo bodies are released and made available on the relevant website and other relevant media platforms
 - (8) Is an ex-officio member of the Students' Assembly Committee
- (2) Accountability Officer-

- (a) Acts as the Accountability Committee Chairperson with the attached right
- (b) Must attend all SRC meetings, where possible
- (3) Chief Administrator-
 - (a) Works with the Convenor in setting the agenda
 - (b) Curates all communication, both internal and external to the Imbizo
 - (c) Acts as the secretariat of Imbizo meetings and all subcommittee meetings
- (4) Speaker of Students' Assembly-
 - (a) Acts as liaison between the Students' Assembly and Student Imbizo
 - (b) Represent the interests of Students' Assembly at the Student Imbizo

9. Term of Office

- (1) The term of the Student Imbizo Committee shall run from the 1st day of November to the last day of October of the following year

10. Filling Vacancies

If a vacancy arises for the position of:

- (1) Convenor-
 - (a) The Accountability Officer shall act as the convenor until such time that a new convenor can be appointed
 - (b) The position of Convenor shall be advertised to all students within 10 days of the position falling vacant
 - (c) The Student Imbizo shall elect a new convenor in a meeting presided over by the Speaker of Students' Assembly
- (2) Other members of the Student Imbizo Committee-
 - (a) The Convenor shall appoint a person to fill the vacancy after advertising and interviewing applicants
 - (b) The Student Imbizo shall ratify or nullify the appointment at the subsequent Imbizo meeting

11. Powers of the Student Imbizo Committee

- (1) Appoint additional members to the Student Imbizo Committee

- (2) Manage the day-to-day operations of the Student Imbizo Committee
- (3) Receive submissions to the Student Imbizo and direct it accordingly to the Imbizo meetings

CHAPTER 4: STANDING COMMITTEES OF THE STUDENT IMBIZO

12. The Accountability Committee

- (1) Is the body that conducts investigations, mediations, and arbitrations on behalf of the Imbizo
- (2) Is to be chaired by the Accountability Officer
- (3) Members of the Accountability Committee shall be:
 - (a) The Accountability Officer, who shall act as the Chairperson
 - (b) The Convenor
 - (c) The Chief Administrator
 - (d) Up to three (3) students that may be appointed by the Committee
 - (e) Two members of the Imbizo as elected internally
- (4) The Powers and responsibilities of the committee shall be:
 - (a) To investigate and report on complaints referred to it by the Imbizo
 - (b) To conduct arbitration and mediation of matters referred to it by the Imbizo
 - (c) Any other power or duty delegated to it by the Imbizo

13. The Constitutional Review Committee

- (1) Is the committee that reviews proposed amendments to the Student Constitution, Student Parliament Constitution, and these rules upon receipt thereof by the Chief Administrator
- (2) Is constituted by the following members:
 - (a) The Convenor, who shall act as the Chairperson
 - (b) The Chief Administrator
 - (c) The Accountability Officer
 - (d) 2 members of the Student Imbizo

- (3) Where there is a proposed amendment,
 - (a) There shall be a meeting of the Committee within 5 University days to discuss the amendment
 - (b) The committee shall deliberate and recommend to the Student Imbizo whether to accept the amendment

CHAPTER 5: EXERCISING OF POWERS, RESPONSIBILITIES, JURISDICTION, AND FUNCTIONS

14. Investigation

- (1) Upon receipt of a complaint or allegation the Chief Administrator shall direct the complaint to the Accountability Committee
- (2) Upon receipt of the report, the Chief Administrator shall table it for a meeting of the Student Imbizo to discuss and decide on
- (3) The Accountability Officer shall provide the Imbizo members with the report at least seven (7) days before the meeting where it shall be discussed
- (4) At the meeting above, the student leader in question may be requested to attend and account for the allegations
- (5) The Student Imbizo must decide whether to accept, amend, or reject recommendations from the report
 - (a) Where a recommendation includes remedial action, 75% of the Student Imbizo must support the recommendation for it to be binding
- (6) The outcomes of the investigation must be shared with the Student Assembly in a manner that is sensitive

15. Mediation and Arbitration

- (1) The Student Imbizo shall, where the need arises, offer mediation and arbitration between any two conflicting parties, provided that
 - (a) The conflict involves a student leader,
 - (b) The service is offered during a formal investigation by the Accountability Committee, or

- (c) The conflict is due to circumstances that are deemed impractical to investigate under Section 6, or
 - (d) The complainant of a complaint lodged against a student leader explicitly requests mediation and arbitration
- (2) The process of mediation and arbitration must be referred to the Accountability Committee

16. Motions of No Confidence

The Student Imbizo shall

- (1) Attend Students' Assembly plenary sessions, in an observatory capacity, where a motion of no confidence will be voted on
- (2) Review motions of no confidence that was passed by the Students' Assembly in a subsequent meeting
- (3) The review shall take no longer than 7 days after receipt from the Students' Assembly
- (4) The Imbizo shall determine, through a simple majority vote, whether the motion of no confidence was
 - (a) Made in good faith; and
 - (b) Procedurally fair
- (5) If the requirements in (4) are met, the Student Imbizo shall remove the student leader from their position and inform all relevant parties thereof

17. Impeachment

- (1) Impeachment proceedings of a student leader can begin via
 - (a) The advice by the Students' Assembly, as prompted by
 - (I) The term report of such leader, or
 - (II) Any reason deemed fit by the Students' Assembly
 - (b) Submission to the Student Imbizo in writing that include at least
 - i. The reason for impeachment
 - ii. The Constitutional obligations being contravened, as well as the section(s) relevant
 - iii. The date of the submission
 - iv. The structure of which the student leader is under
 - v. Proof of breach of Constitution

- vi. Signed by the mover and a seconder, identified in full names and student numbers.
- (c) A failed motion of no confidence.
- (d) A recommendation made by the Accountability Committee
- (2) The impeachment proceeding is to run for no more than 14 days after it was initiated via a process in (1)
- (3) The final outcome shall be determined with a simple majority vote by the Student Imbizo
- (4) The reporting of such proceeding is to be made available by the 14th day to:
 - a. The complainant
 - b. The accused
 - c. Student Court, and
 - d. The accused's leadership structures they serve on
- (5) Should the report find the leader guilty, the leader is to write a letter of resignation and table it to the relevant structure within 3 days after Student Court has reviewed and confirmed the impeachment

18. Amendments of the Student Constitution

- (1) The amendment of the Student Constitution may be done via
 - (a) A submission by any student or structure, in writing, with the
 - (1) Section(s) to be amended
 - (2) Reason for amendment
 - (3) Interpretation of proposed amendments
 - (b) Submission by the Students' Assembly.
- (2) Proposed amendments shall be referred to the Constitutional Review Committee for deliberation by the Chief Administrator
- (3) Upon receipt of the recommendation by the Constitutional Review Committee, the Chief Administrator shall table it as a motion to be voted on within fourteen (14) days.
- (4) If the Student Imbizo passes the amendment with 60% of its members, it shall be referred to the Students' Assembly for adoption

CHAPTER 6: REPORTING

19. Student Imbizo Committee members

- (1) All members of the Student Imbizo Committee shall submit term reports to the Chief Administrator for publishing to the Student Imbizo webpage

20. Student Imbizo subcommittees

- (1) All subcommittees of the Student Imbizo shall submit reports in a termly basis to the Chief Administrator

CHAPTER 5: MEETINGS OF THE STUDENT IMBIZO

21. Frequency

- (1) The Student Imbizo meets at least once every month, but it is not compelled to meet during official examination and holiday periods.
- (2) A meeting must also take place if called by:
 - (a) Convenor of Student Imbizo;
 - (b) Deputy Speaker (ex-officio) of the Students' Assembly; or
 - (c) Three (3) members of the Student Imbizo;

22. Notice of Meetings

Notice of an ordinary Student Imbizo meeting is given to members at least five (5) days before the meeting takes place, and must include at least:

- (1) The date, time, and place of the meeting; and
- (2) The complete agenda with supporting documentation

23. Quorum

- (1) Two thirds of the Delegates of the Student Imbizo constitute quorum at Student Imbizo meetings.

CHAPTER 6: COMMENCEMENT, REPEAL, AND AMENDMENT

24. Commencement and repeal

- (1) The Rules will come into effect upon approval by the Student Court, as well as any constitution, rules, and/or regulations for both the Students' Assembly and Student Imbizo as contemplated in s66 and s74 of the Student Constitution, respectively.

25. Amending the Student Imbizo Rules

- (1) Amendments may be proposed by:
 - (a) Any member of the Student Imbizo,
 - (b) Any member of the Student Representative Council, or
 - (c) The Speaker of Students' Assembly
- (2) Proposed amendments must be referred to the Constitutional Review Committee for deliberation
- (3) Upon receiving the recommendations, the Student Imbizo shall vote on the proposal in a meeting
- (4) Amendments shall be passed at a meeting with a 60% majority vote

ADDENDUM A: ACCOUNTABILITY COMMITTEE

The Accountability Committee shall conduct its functions according to this addendum

1. Investigation

- (1) Investigations may only commence upon referral from the Chief Administrator
- (2) Such investigation is to be commenced within five (5) University days after referral
- (3) The investigation should include representation from all relevant parties, including the person being investigated
- (4) The investigation may include, but is not limited to:
 - (a) Summoning people to appear in-person before the committee
 - (b) Requesting documents
- (5) The report of such investigations is to be provided to the Imbizo upon completion of the investigation
- (6) The report shall include at least the following:
 - (a) The allegation
 - (b) The evidence gathered
 - (c) The findings
 - (d) The recommendations
- (7) All aspects of the investigation shall remain confidential and only the report shall be shared with Student Imbizo

2. Mediation and Arbitration

- (1) The committee shall undergo a process of mediation or arbitration upon referral by the Student Imbizo
- (2) The outcomes of the process shall be shared via a report with the Student Imbizo for their information
- (3) All aspects of the process, outside of the report, shall remain confidential
- (4) Any outcome or agreement post-arbitration and conciliation are binding to all parties involved.