



CONSTITUTION

of the

STUDENTS REPRESENTATIVE COUNCIL

(SRC)

of the

MALAWI UNIVERSITY OF BUSINESS AND APPLIED SCIENCES

(MUBAS)

CONTENTS

PART I	PRELIMINARY MATTERS AND INTERPRETATION
PART II	OBJECTIVES AND MEMBERSHIP
PART III	FINANCE
PART IV	COMPOSITION OF THE COUNCIL AND OFFICE BEARERS
PART V	ROLES AND FUNCTIONS OF OFFICE BEARERS
PART VI	ELECTIONS
PART VII	ANNUAL GENERAL MEETING
PART VIII	EXTRAORDINARY MEETING
PART IX	CONSTITUTION AMMENDMENT
PART X	CLUBS AND SOCIETIES
PART XI	MISCELLANEOUS

DECLARATION

We, the students of the Malawi University of Business and Applied Sciences (MUBAS) DO HEREBY approve and adopt **THIS CONSTITUTION** as an instrument governing conduct of business of the Students Representative Council (SRC) on this **7th** day of **September** in the year of **two thousand and twenty-two**.

Preamble

WE, students of the Malawi University of Business and Applied Sciences ('MUBAS') situated in Blantyre and other constituent campuses of MUBAS in Malawi;

Recognizing that governance of the University is vested in the University's Council provided under Section 8 of the MUBAS Act NO.19 of 2019;

Aspiring to further academic excellence; independently support student initiatives; promote values of an open society; offer the best of service, leadership; and democracy to SRC members;

Endeavouring to prevent discrimination, on any basis whatsoever and enable fruitful collaboration within the University and outside of it while preparing each individual student for a successful and inspiring future.

DO HEREBY REPOSE OUR POWERS to give rise to **THIS CONSTITUTION** thus, formally creating the **Students' Representative Council of MUBAS** as the cardinal instrument of student self-governance and administration at MUBAS.

PART I

1.0 PRELIMINARY

Establishment of
the Student
Representative
Council

1. There is hereby established, a **'Students' Representative Council'** for all students of the Malawi University of Business and Applied Sciences (hereinafter, The **SRC-MUBAS** or simply, the SRC.

Registered
address and
location of SRC

2. The postal address of the Student Representative Council is: **C/O MUBAS, Private Bag 303, Chichiri, Blantyre 3, Malawi.**

3. The physical address for SRC is located at the MUBAS in the City of Blantyre along the Masauko-Chipembere Highway at Ginnery Corner.

INTERPRETATION

Interpretation

4. In this Constitution, unless the context otherwise requires: -

"SRC-MUBAS" means the Students Representative Council of MUBAS - a representative body of MUBAS students

"SRC" is the abbreviation of Student Representative Council

"Council" means Council for the University established under Section 8 of MUBAS Act No. 19 of 2019. For purposes of clarity, it is tagged University Council;

'Council' shall also mean the Student Representative Council depending on the context of clauses. For purposes of clarity, it is herein tagged Students' Council;

"University" means Malawi University of Business and Applied Sciences;

"Practices or practicals or 'internship'" means all students on attachment to some job during any of the semesters;

"School days" means weekdays and shall not include Saturday, Sunday or public holiday, unless, the programme is specifically designed for weekend tuition delivery.

"Welfare" means the social, psychological and/or academic welfare of the SRC or individual, class or club members under the SRC ambit.

"MUBAS 'Management and Administration'" refers to the Academic and Administrative Staff considered as agents of Council in their positions of power;

"External" means anything from outside MUBAS.

"Registration fee" means a fee that is paid to the SRC to confirm membership.

"Student body" means all registered MUBAS Students

“Student Council” means Student leadership

“Constitution of Malawi” means the Constitution of the Republic of Malawi.

“SRC Constitution” means this Constitution.

“Entity Management team” means the team that will be managing SRC entities.

“School-Based Representative Board” means a board formed by the schools’ representatives

5. All reference to “days” shall be clear days and all reference to “weeks” shall mean full weeks i.e., seven days.

6. The power to interpret the Constitution vests in the General Secretary of the SRC. The interpretation of the Secretary General is not final, it can be challenged by an *Ad-hoc* Committee of the Schools.

7. Where, the General Secretary’s interpretation is challenged by the required votes, an *Ad-hoc* Committee of the Schools shall review the interpretation and give an interpretation that shall be regarded as final.

PART II

2.0 OBJECTIVES AND MEMBERSHIP

A. Aims and Objectives

Aims and
objectives of the
SRC

4.—(1) The aims and objectives of the SRC are:

- (a) Promote the advancement of the education of all students of MUBAS;
- (b) promote and protect the welfare of all students who are members of the SRC of MUBAS;
- (c) represent the interests of SRC members;
- (d) Provide a channel of communication between the students and MUBAS as well as other bodies;
- (e) Carry out awareness of the general rules and regulations to all students enrolled at MUBAS;
- (f) enhance unity, mutual understanding and cooperation between staff, students and the general public;
- (g) maintain a close-working relationship between students; students and staff; students and management and students and the industry/stakeholders for purposes of getting value for education investment.

- (h) Represent the students' body before any institution, including, the University Council where matters of rights or representation require being voiced.
 - (i) promote the spirit of diversity and openness among students, faculty and other staff.
 - (j) The aims and objectives in sub-article (I) shall be pursued without discrimination in any form, whatsoever, whether, race, sex, disability, ethnic origin, religion or creed, language etc in tandem with the edicts of the Constitution of the Republic of Malawi and the Laws of Malawi.
- (6) The SRC shall practice these aims and objectives independently from any political influence or interference as well as free from religious organizations' influence or interference.

B. Membership

(i) Active Members

Qualifications

- (1) All registered students with MUBAS Council shall be members of SRC. The term 'all students' shall mean all students who are on full-time programmes assessed by Senate of the University whether conventional, ODeL, parallel or mature entry or weekend mode of delivery.

(ii) Associate Members

- (2) Students on attachment, practicals, practices or internship (students on attachment during any of the semesters) shall be accorded the status of Associate Members.

(iii) Honorary Members

- (3) Honorary Membership to SRC shall be accorded to the following: -
 - (a) The Patron for SRC shall be a member of faculty appointed by the Vice-Chancellor in liaison with three executive members of the SRC and shall be allowed as an honorary member.
 - (b) SRC legal advisor and any other expert/professional advisors/consultant as the case may be, shall be appointed by the Executive Committee of SRC and allowed to sit as an honorary member.
 - (c) All alumni are passive members whose input on a vexing matter can be valued but not necessarily taken to direct SRC's final decisions.

Membership Registration

**Registration and
Subscription fees**

6. --- (1) All new students, including, the first years shall pay a *time-time* registration fee to the SRC through the SRC's welfare fund's bank account which shall be prescribed by the SRC

(2) Except for Honorary members, membership to SRC shall be upon payment of annual subscription fee as may be prescribed by the SRC.

(3) The subscription fee shall be paid together with tuition fees through the university's main bank account. No cash shall be collected by any member of the SRC as all payments shall be made to the bank only and students shall be required to bring proof of payment.

(4) Once paid, the subscription fee shall not be refundable.

Rights and Obligations of SRC Membership

**Rights and
obligations of SRC
members**

7. (1) All members of student body may be granted access to the facilities within the students' Council, with permission from either the President or Registrar of MUBAS.

(2) All members of the students' body may also be able to take part in the SRC's educational, sporting, social and cultural activities.

(3) All Members shall attend General Meetings of the SRC and shall be allowed to speak at SRC meetings, to nominate, to stand and to vote in the SRC elections and to open clubs and societies within the SRC.

(4) Subscribed members only shall be eligible to nominate, to stand and to vote in the SRC elections.

(5) Conventional full members only shall be eligible to contest in the elections for positions in the Executive Committee or as Directors.

(6) Upon completion successfully of a term of office, a SRC office bearer shall be awarded a certificate of recognition. The Vice Chancellor, the Registrar or their nominee, shall sign for the certificate of recognition for effective and efficient completion of term of office.

(7) All members of SRC shall undertake to abide by the letter and spirit of this SRC Constitution as read with laws of Malawi, as well as the Constitution of the Republic of Malawi.

PART III FINANCE

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(1) The main source of income shall be the membership subscription. The SRC may also

use any other reasonable means of raising funds, such as rentals, charges at sports and other social events and income from any other investments and shall issue receipts from any other money so received. The council shall receive and administer all members' funds accruing to the SRC.

- (2) All so subscribed, raised or donated shall be held by the President and the Director of Finance and shall be managed by the SRC to help achieve the objectives and purpose of the SRC.
- (3) All the moneys of the SRC shall be deposited in a bank approved by the Executive Committee members.
- (4) Banking of these funds shall take place within three days of receipt.
- (5) Explanatory statement of any withdrawals shall have to be made available to council within three days of approval to ensure transparency and accountability.
- (6) Withdrawals shall be signed by the Director of Finance, the President and The General Secretary after consulting the executive committee members.
- (7) The SRC shall prepare and produce a monthly report indicating among others their income and expenditure accounts.
- (8) The accounts of the SRC shall be audited by the Society of Accountancy Students. The first auditing shall be done in the first semester soon after the third month's income and expenditure report is out and the final audit shall be done three weeks before the elections.
- (9) The audit report shall go through MUBAS Administration for their perusal before being presented to the SRC by the auditors. The final audit shall be presented to the SRC two weeks before the elections take place.
- (10) In the event that the audit finds flaws, the Students Council shall be required to make good of the deficit. Where fraud is detected those responsible shall be subjected to a Disciplinary Hearing according to the University Rules and Regulations.

PART IV COMPOSITION OF THE COUNCIL AND OFFICE-BEARERS

Division I: Composition

- Composition** 9 --- (1) The SRC shall comprise: Council's Executive Committee, active honorary members and the student body of MUBAS; otherwise, also known as the duly registered student.
- (2) The duly registered students shall mean all students of MUBAS duly selected by Council and registered as students of MUBAS such students should also be duly registered as members of the SRC.
- (3) The selection and registration as a student of MUBAS does not automatically make the student a member of SRC until such a student is registered as an SRC members. The two formal registrations referred to above are conditions precedent to full recognition as a member of SRC.

Division II: Office Bearers

**Executive
Committee**

10. The Executive Committee of the SRC shall comprise the following-

- (a) The President,
- (b) The Vice President,
- (c) The Secretary General,
- (d) The Director of Finance,
- (e) The Director of Investments, and
- (f) The Director of Students Welfare.

Directors

11. The following are the Directors that shall form part of the Council-

- (i) The Directors of Academic Affairs sitting in the following offices-
One male and one female Undergraduate Officer;
One male and one female Postgraduate officer.
- (ii) The Director of Hostels,
- (iii) The Director of Health and Sanitation,
- (iv) The Director of Sports,
- (v) The Director of Entertainment,
- (vi) The Director of Publications and Publicity,
- (vii) The Director of Catering,
- (viii) The Director of Clubs and Societies,
- (ix) The Director of Students with Disabilities, and
- (x) The Director of Gender, Ethics and Women Affairs.

Representatives

12. The Council shall also consist of only one student representative from: -

- (a) All Mature Entry programmes;
- (b) All Diploma programmes;
- (c) All Continuing Education Centre (CEC) programmes;
- (d) All Open and Distance e-Learning programmes (ODEL)

- (e) All Management Development Centre (MDC) programmes.

Other members

13. Other members of the Council shall include: -

- (a) School Representatives,
- (b) Class Representatives, and
- (c) Halls of Residence Representatives.

PART V

ROLES AND FUNCTIONS OF OFFICE-BEARERS

Division I: The Executive Committee

The President

14. The President shall -

- (a) be the Executive head of the Council;
- (b) preside over all Executive Committee meetings as well as Council meetings;
- (c) have a casting vote as well as an original vote during Council meetings;
- (d) delegate responsibility for specific tasks;
- (e) direct the General Secretary to call for a general meeting at least twice a semester;
- (f) sign for minutes of any meeting he or she presides over;
- (g) be a member of the Disciplinary Committee;
- (h) be one of the signatories to financial transactions.
- (i) have the following emergency powers:
 - i. To call, ordinary, extraordinary and emergency meetings of the Executive Committee; and
 - ii. To make decisions on behalf of the Council when he/she cannot in anyway, consult the Executive Committee provided he/she shall seek approval of such decisions from at least, 4 members of which 2 are the General Secretary and Director of Finance.
 - iii. Be an Ex-Official to the School-Based Representative Board

iv. Be assisted in the foregoing by the Vice President.

Vice President

15. (1) The Vice President shall –

- (a) deputise the president in his roles.
- (b) assume all the duties of the president during his/her absence;
- (c) in the event of the President resigning, act as President and the Executive Committee shall call a vote of confidence within a fortnight.
- (d) be Ex-official member of Entity Management team.
- (e) Be Ex-official of Leadership Forum
- (f) receive and act upon reports from all Directors and Representatives;
- (g) be the chairperson of the Disciplinary Committee of the SRC;

(2) the candidacy for the Presidency or Vice Presidency if vacant, shall be open to all duly registered members of SRC except the honorary members.

Secretary
General

16. The Secretary General shall: -

- (a) act as a President in the absence of the President and the Vice President;
- (b) Call for General Assembly as directed by the President of the SRC and carry out standard procedures thereof;
- (c) call for General Assembly provided that at-least 200 full members demand it in writing;
- (d) prepare and publish agendas for all meetings; including, ordinary, extraordinary, *ad-hoc* and emergency;
- (e) record motion of meetings through and record of such meetings;
- (f) act as a speaker of the General Assembly and the SRC
- (g) Act as the spokesperson of the SRC;
- (h) direct ceremonies and events;
- (i) sign for SRC documents on behalf of the Council;
- (j) Speak on behalf of the SRC;
- (k) assist in general work;
- (l) be a member of the Disciplinary Committee of the SRC;
- (m) be a signatory to accounts of the SRC; and

- (n) keep a register of and be responsible for all SRC property.

**Director of Finance
and Investments**

17. The Director of Finance shall-

- (a) receive all the moneys accruing to the SRC;
- (b) prepare a monthly income and expenditure account and present it to the Students Council; once per semester;
- (c) be an Ex-official member of all SRC Sub-Committees that includes; the Entertainment Committee, Entity Management Team;
- (d) keep proper records of all the financial transactions;
- (e) assist fundraising activities with approval of the Executive;
- (f) keep registry of and be responsible for all Council property;
- (g) be responsible for the collection of annual subscriptions;
- (h) manage Council funds and books of accounts as shall be required by the auditors;
- (i) draw up the semester's budget or annual budget to the auditors;
- (j) facilitate the production of the auditor's report and publish the report within fourteen days of the next university semester; and
- (k) present the SRC's budget to the School-Based Representative Board before approval from the Administration.

**Director of
Investments**

18. The Director of Investments shall: -

- (a) initiate fundraising activities with the approval of the SRC;
- (b) be responsible for managing entities of the SRC;
- (c) in liaison with the Publicity Secretary solicit for financial assistance from the entities outside the University for investment purposes;
- (d) coordinate with the Director of Finance in raising funds for the Students Council; and
- (e) present an Annual Report before the School-Based Representative Board on all the undertaking of his or her office.

**Director of
Students
Welfare**

19. The Director of Students Welfare shall: -

- (a) arrange transportation for students and liaise with the Transportation Officer when transportation problems arise;
- (b) identify problems in the library and liaise with proper authority;
- (c) make a proper communication with the Administration in respect of a student who is under external authorities on disciplinary grounds;
- (d) communicate with the Police authority whenever holding a function that requires Police security;
- (e) be a member of the Disciplinary Committee;
- (f) help settle disputes;
- (g) be responsible for all security welfare concerning students; and
- (h) be responsible to handle any issue that has not been handled in any other offices.

Division II: The Directors

**Director of
Academic
Affairs**

20. The Director of Academic Affairs shall: -

- (a) be responsible for the academic welfare of the students;
- (b) liaise with the Academic Registrar's office in respect to students' academic affairs;
- (c) present problems faced by students in academics at the university Curriculum meetings;
- (d) be assisted in the foregoing by the class representatives;
- (e) be a Council or Senate representative. The president shall decide who will be a Senate or Council representative;
- (f) be responsible for all international affairs pertaining to academics; and
- (g) be an Ex-Official to the School-Based Representative Board

**Director of
Health and
Sanitation**

21. The Director of Health and Sanitation shall be responsible for: -

- (a) monitoring a clean and habitable environment for the MUBAS community;
- (b) Working in consultation with the dispensary to establish the cause of any extra-ordinary disease outbreak;
- (c) disseminating and providing preventive measures to students and other stakeholders;
- (d) receiving and investigating complaints in respect of the dispensary and sanitation services.
- (e) recommending to SRC on how to mitigate the challenges and complaints thereof;
- (f) organizing, in liaison with the hall representatives, transport of patients to the hospital and ensure that the patients were attended to effectively;
- (g) performing any other duties that he/she may be assigned by the President of the SRC.

Director of Hostels

22. The Director of Hostels shall: -

- (a) facilitate selection of hall representatives;
- (b) There shall be selected one hall representative, for each hostel of MUBAS.
- (c) The Hostel Representatives, shall form a Committee called Hostel Representative Committee.
- (d) This Committee of Hall Representatives shall be chaired by the Director of Hostels.
- (e) This Committee shall regularly discuss matters of students' welfare related to hostel accommodation, infrastructure maintenance, faults and repairs and report its recommendations to SRC;
- (f) Receive, hear, and take necessary disciplinary action to members residing in the hostels when need be;
- (g) conduct awareness campaigns promote understanding between/among students;
- (h) assist in the allocation of rooms;
- (i) act as a bridge between the students and the Administration in the dealing with hostel issues;
- (j) work hand in hand with sanitation director in handling hostels sanitation issues; and

- (k) perform any other duties that he/she may be assigned by the SRC President.

Director of Sports

23. The Director of Sports shall-

- (a) be responsible for the promotion of all sporting activities;
- (b) organize games between private and public universities or other institutions or clubs and other sporting groups;
- (c) represent the SRC in sporting organizations;
- (d) chair a Committee of Team Captains and Managers to discuss matters related to improvement and development of MUBAS sports teams.
- (e) perform any other duties that he/she may be assigned by the SRC President.

Director of Entertainment

24. (1) The Director of Entertainment shall-

- (a) organize regular entertainment and cultural activities for the SRC;
- (b) keep custody of the entertainment equipment;
- (c) facilitate acquisition of necessary entertainment equipment, services or performances;
- (d) source funds for entertainment activities; and
- (e) Perform any other duties that he/she may be assigned by the SRC President.

(2) In performing the functions under sub-Clause (1), the Director of Entertainment shall be assisted by a reasonable number of members not exceeding 10, forming the Entertainment Committee.

(3) The positions in sub-Clause (2) shall be applied for and will be approved by the Executive Council members.

Director of Publications and Publicity

25. The Director of Publications and Publicity shall-

- (a) in consultation with the Secretary General, disseminate, SRC official news and information;
- (b) regularly produce a newsletters and magazines for SRC;
- (c) publish the SRC newsletters at least once a semester;
- (d) publicize and popularize SRC to all students, stakeholders and the general public;
- (e) publicize any general information covering all aspects of student life,

students' welfare, management and academic circulars/briefs arising for attention of the student body;

- (f) authorize any news article to be contributed to any media house, to be pasted on student's notice boards, University website with clearance of the University Registrar.
- (g) perform any other duties that he/she may be assigned to by the SRC President.

**Director of
Catering**

26. The Director of Catering shall-

- (a) ensure that catering services are introduced and maintained;
- (b) chair the Committee of Food Providers
- (c) receive and investigate complaints and services provided in the MUBAS cafeteria;
- (d) ensure the observance of cafeteria rules and its adherence to the City Assembly bye-laws regarding food safety;
- (e) channel all announcements of any change in the normal course within a reasonable time;
- (f) enforce discipline in the cafeteria; and
- (g) perform any other duties that he/she may be assigned by the SRC President.

**Director of
Clubs and
Societies**

27. The Director of Clubs and Societies shall-

- (a) be an ex-officio advisory member of all clubs and societies; affiliated to the MUBAS;
- (b) deal with grievances that may arise in clubs and societies;
- (c) monitor elections votes for offices in the clubs and societies;
- (d) monitor elections for offices of clubs and societies affiliated to MUBAS;
- (e) encourage regular registration and renewal of affiliate membership of clubs and societies.
- (f) chair the Clubs and Societies Committee.
- (g) perform any other duties that he/she may be assigned by the SRC President.

**Director of
Students with
Disabilities**

28. The Director of Students with Disabilities, appointed by a Committee of Students with disabilities at MUBAS, shall-

- (a) be the Chairperson of the students with disabilities Committee;
- (b) be responsible for all matters concerning welfare of students with disabilities;
- (c) liaise with the Director of Student Affairs and relevant SRC members to organize activities of students with disabilities; and
- (d) perform any other duties that he/she may be assigned by the SRC President.

**Director of Gender,
Ethics and Women
Affairs**

29. The Director of Gender, Ethics and Women Affairs shall-

- (a) encourage and ensure participation of female students in SRC activities;
- (b) coordinate with other women organisations to promote and encourage female students' activities in the University; and
- (c) organize activities to sensitize students to the issues of gender, ethics and women affairs.

Division III: Representatives

**Mature Entry
Students
Representative**

30. Mature Entry Students Representative shall-

- (a) look into issues that specifically relate to mature entry students;
- (b) help settle disputes on issues that involve mature entry students;
- (c) act as a link between Administration and mature entry students; and
- (d) assist in general work.

**Diploma Students
Representative**

31. Diploma Students Representative shall-

- (a) look into issues that specifically relate to Diploma students;
- (b) help settle disputes on issues that involve Diploma students;
- (c) act as a link between Administration and Diploma students; and
- (d) assist in general work.

**ODEL Students
Representative**

32. ODeL Students Representative shall-

- (a) look into issues that specifically relate to ODeL students;

- (b) help settle disputes on issues that involve ODeL students;
- (c) act as a link between Administration and ODeL students; and
- (d) assist in general work.

**CEC Students
Representative**

33. CEC Students Representative shall-

- (a) look into issues that specifically relate to CEC students;
- (b) help settle disputes on issues that involve CEC students;
- (c) act as a link between Administration and CEC students; and
- (d) assist in general work.

**MDC Students
Representative**

34. MDC Students Representative shall-

- (a) look into issues that specifically relate to MDC students;
- (b) help settle disputes on issues that involve MDC students;
- (c) act as a link between Administration and MDC students; and
- (d) assist in general work.

**School
Representative**

35. School Representatives shall-

- (a) be Presidents and Deputy Presidents of School mother bodies; and
- (b) form a School-Based Representative Board

**Honorary
Member**

36. The Honorary Members shall-

- (a) be the SRC Patron who shall represent and defend students at any University disciplinary hearing; and
- (b) be an Advisor, to advise the SRC on different matters of concern.

**Class
Representative**

37. Each class shall, within the first week of the first semester, choose a Class Representative amongst members of that class. The Class representative shall-

- (a) be elected by their respective classmates
- (b) represent their classmates at meetings with Executive Committee and academic staff or Administration;
- (c) report back to their respective classes the issues and proceedings of all meetings with the Executive Committee and with MUBAS Administration;
- (d) ensure that classes and examinations are run smoothly and in case of irregularities report to the responsible authorities;
- (e) be responsible for choosing members of the Electoral Commission for the SRC.

Division IV: General Members

General Members **38.** General Members shall-

- (a) be the beneficiaries of the services provided by the SRC; and
- (b) participate in and support SRC activities to the best of their abilities.

Life Members **39.** Life Members shall assist the SRC with the consent from the Executive Committee.

Division V: School-Based Representative Board and its Functions

Composition **40.—** (1) There shall be a School-Based Representative Board of the SRC herein referred to as the SBRB.

(2) Elections shall be held by every registered school mother bodies association one week after the SRC elections.

(3) The SBRB shall be formed within a week of the SRC elections.

(4) The tenure of the SBRB shall be one academic year.

(5) The SRC President and the Director of Academic Affairs shall be Ex-Official members.

Functions of the Representative Board

41. The SBRB shall-

- (a) play an oversight role including but not limited to ensuring that the

functions of the Council conform with the provisions of this Constitution;

- (b) ensure the SRC is audited once a semester according to the relevant provisions of this Constitution and enforce any transgressions therefrom;
- (c) be responsible for identifying and vetting students to be sponsored by the Council;
- (d) meet at least twice a semester to present matters arising from schools to the Council; and
- (e) be responsible for analyzing the Council's budget before it is presented to the MUBAS Administration.

PART VI

ELECTIONS

Division I: Election Procedures

Timing of election and Tenure of office

42.— (1) Voting for a students' Council members shall take place during the second semester of the academic year.

(2) A member of the Council and its Executive Committee shall hold their respective elected offices for a term of one year.

(3) The member of the Council or Executive Committee of the Council may stand for re-election except for students in their final year of study and a student who is repeating his or her class of studies on academic grounds.

Returning Officer and Electoral Commission

43.— (1) The Returning Officer shall be appointed annually by the Class Representatives and upon approval by the Director of Student Affairs or their delegated authority.

(2) The Returning Officer shall be an advisor the University Students Electoral Commission (USEC).

(3) USEC shall be responsible for the good conduct and administration of all SRC's elections and shall have the sole interpretation of the election regulations.

(4) The Returning Officer shall not be an ordinary member of the Students Council.

(5) Upon appointment of the Returning Officer, the University Director of Student Affairs shall publish the name of the Returning Officer on election notices.

(6) The Returning Officer shall assist the Students' Council and Class

Representatives to form an Electoral Commission upon elected.

44.— (1) The Returning Office and USEC shall ensure that elections of the Executive Committee take place by the tenth week of the Second Semester of the University academic year.

(2) Once elected and confirmed in post, the elected members of the Committee shall take office the week following the elections and declaration of the winners.

(3) The Returning Officer and USEC shall ensure that by-elections shall take place not more than two weeks after the elections. The elected SRC officers' term of office shall last in one academic year.

(4) The elections shall take place on day as prescribed by the USEC

**SRC Candidate:
Standing and
Eligibility**

45.— (1) All SRC members are eligible to nominate, vote, and stand in the election of SRC leadership positions in the Executive Committee under Clause 9, or of Directors under Clause 10 of the Constitution.

(2) Notwithstanding sub-Clause (1) candidates for the Executive positions stated in Clause 9 responsibilities shall be at least, in their third year of study.

(3) If an officer elected repeats an academic year or withdraws from his or her program during the term of office, the officer shall be requested to resign from the Executive Committee.

(4) Approved by the University Registrar, a qualifying average grade for a candidate shall be-

(a) 70% for the Executive Committee candidates; and

(b) and 65% for the Directors and Representatives;

with regards to the previous year's results.

(5) The USEC will not have the mandate to tamper with the candidates' qualifying grades unless approved by two thirds of the class- representatives.

Nominations

46.— (1) Nominations for candidates shall be received from full members.

(2) A student who has been convicted of an offence other than a motor traffic offence while being a student of the University shall not be eligible for nomination.

(3) Candidates must return nomination forms showing support for their

candidature from three nominators who must be full members of the SRC together with a manifesto.

(4) Nomination forms shall be handed to the Returning Officer not later than 12 noon on the closing date for nominations. Late nominations will not be accepted under any circumstances.

(5) A list of candidates together with proposer, seconder and copies of manifestos will be displayed on the SRC notice boards for two weeks prior to voting.

(6) USEC will be required to ask the University Registrar for a reference confirming that they have attained the qualifying grade.

**Publicity of
Elections**

47.— (1) The dates of all elections and a copy of all election regulations will be communicated via a memo and posted on the SRC Notice boards at least, two weeks before the elections.

(2) The Returning Officer shall ensure that notice of elections is displayed prominently within the University premises and that nomination forms are available from the Returning Officer, University reception, University Library and the SRC offices. Notice shall include, all relevant dates, competing candidates streamlined positions and times for campaign, and time when voting begins and ends; time when results are expected etc.

Campaign

48.— (1) Candidates' publicity shall be presented to the Returning Officer by the date specified in the election guide and must not contravene copyright laws or make defamatory remarks or contravene MUBAS, SRC rules and regulations, laws of Malawi, including, the Gender Equality Act.

(2) Any publicity which the Returning Officer deems to be offensive shall not be allowed.

**Voting
Procedure**

49.— (1) The USEC shall publicize the location and arrangements for voting.

(2) Voting shall take place over at least one (1) full university working day and not more than 2 working days, in case, there were some challenges.

(3) Votes will be casted either in sealed ballot boxes or through online platform.

**Counting and
Declaring Votes**

50. — (1) The USEC shall inform the candidates of the time and venue of the count.

(2) The candidate or their appointed representative may, if they so wish, attend the count as observers only.

(3) The count will start at least two hours after voting closes to allow time for any complaints to be lodged.

(4) Any complaints about the conduct or administration of the election shall be lodged to the USEC before the results are out

(5) Any complaints subsequent to complaints provided for under sub-Clause (4) shall only be to do with the conduct of the electoral process and the count.

(6) The Returning Officer may be assisted with the count by members of the Electoral Commission, and monitors.

(7) Election results will be published within two days following the closure of voting.

(8) If no candidate is elected, (in case there is a tie) a fresh election shall be held within fourteen days from the date the overall results are released.

(9) The candidates in the fresh election shall only be of those two or more contestants who were in a tie vote count. Should there be another tie, the process ensues again after 14 days later until one emerges a winner.

(10) Appeals from those not satisfied with the election results shall be received and determined by the USEC within twenty – four hours after announcement of the election results.

(11) Where the USEC fails to resolve any appeals under sub-Clause (10), such appeal shall be referred to the University Administration who shall determine the matter.

Division II: Resignation

Resignation from SRC office

- 51--** (1) Notice of the resignation of any member of the Executive shall be given in writing to the Registrar and copies of his/her resignation shall be distributed to the Council.
- (2) Resignation of any member other than in 50 (1) shall be given in writing to the Secretary General of the SRC.
- (3) The office of the Secretary General or President shall call a meeting of the SRC within one week to announce the vacancy created by the resignation(s) and shall introduce the Electoral Commission that shall ensure the elections are held within eight school days.
- (4) The SRC by vote shall elect a replacement for the remainder of the term as stated in 44(1) above. If the resignation takes place within halfway through the term of office then the position shall remain vacant until election take place.

Division II: Removal from Office

Removal from SRC office

- 52---** (1) Any office bearer may be removed by a vote of no confidence where the following steps have been taken and the vacant position shall be filled as if he/she has resigned:
- (2) Submission of a petition signed by at least 10% of the electorate to the Secretary who shall call a meeting of the Executive Committee, Directors and Representatives within three school days to inquire into the merits of the case brought against the office being impeached and to provide the office an opportunity to represent a defense;
- (3) A ballot vote shall in any event be taken the same day after the meeting referred to in 50 (2) where a majority of two – thirds has been reached.

PART VII

ANNUAL GENERAL MEETING

53—

- (1) The Annual General Meeting shall take place in the 4th week of the second semester of the year
- (2) All members of the SRC shall receive a minimum three weeks' notice pasted on the boards of the date, place and time of meeting. The agenda shall be pasted one week prior to the meeting.
- (3) The Vice President shall act as Chairperson of the Annual General meeting, which shall be directed by the Secretary General.
- (4) A quorum at the Annual General Meeting shall be two-thirds of the current postponed for a maximum of one week to allow for relevant notification procedure when business shall be transacted regardless of quorum.
- (5) A motion shall be passed by the majority of those members present and voting.

(6) The following business shall be conducted at the Annual General Meeting

- (i) Interim general matters discussed
- (ii) Reports Executive Committee members, Directors and Representatives tabled
- (iii) Presentation of Income and Expenditure Account and Balance sheet shall be made by Auditors. These shall be pasted on the notice boards to be seen by all SRC members. All corrections and objections shall be submitted in writing to the Secretary General.
- (iv) Matters to be raised at the Annual General Meeting shall be submitted in writing to the Secretary General at least two weeks before the meeting. Any new business raised may be discussed at the meeting if the majority present so desire or may be postponed until a later meeting.

PART VIII EXTRAORDINARY MEETING

54---

The President of the SRC shall require calling for an Extraordinary Meeting by giving reasonable notice to all full members of the SRC upon the request of:

- (1) The Executive Committee
- (2) The Members of the SRC through their respective representatives provided that at least 5% of the electorate have signed a petition requesting such meetings.

PART IX CONSTITUTION AMMENDMENT

55---

- (1) An amendment to the constitutional may be submitted to the SRC by any member and shall be presented in writing to a member of the Executive Committee.
- (2) The Executive Committee shall call for an extraordinary meeting where the proposed amendment shall be announced.
- (3) The constitution shall be amended only upon majority of two-thirds of those members present and voting at the Annual General Meeting called for this purpose.

PART X CLUBS AND SOCIETIES

56---

- (1) Every club or society at MUBAS shall have a constitution that shall be submitted to the Director of Clubs and Societies, as well as amendments.
- (2) A copy of minutes of all the meetings of all clubs and societies affiliated to the SRC shall

be submitted by the Director of Clubs and Societies to the SRC President and made available for inspection to any member of the Executive Committee.

- (3) Treasures/Director of Finances of all clubs and societies shall submit and Income and expenditure account to the Director of Clubs and Societies.
- (4) All clubs and societies shall be liable to pay an annual subscription fee which shall be determined by the Executive Committee.
- (5) All clubs and societies shall submit their work plan to the Director of Clubs and Societies at the beginning of every semester.
- (6) All club and society that do not abide by the constitution and regulations of the SRC shall be liable to sanctions.

PART XI

MISCELLANEOUS

SRC Disciplinary Committee

57---

The SRCs Disciplinary Committee shall have the power to hear all disciplinary matters and shall comprise of the following:

- (1) The President, Vice President, Secretary General, Administrative Secretary;
- (2) Two other members appointed by the Executive Committee.
- (3) All matters that have failed to be resolved in this hearing shall be referred to the administration.

Bidding Committee

58---

- (1) The bidding committee shall be appointed by the Council who shall also set standards for their constant monitoring.
- (2) Bidding shall be open to all SRC members. Every individual shall be allowed to bid only for two terms.
- (3) The SRC shall have the powers to revoke the license of the successful bidder if he/she fails to satisfy the required standards.

Other Committees

59---

The Students Council shall have power to set up special committees where need to be and the terms of reference and conditions shall depend on the nature of the task.

Leaders Forum

60---

- (1) The Leaders Forum shall comprise Director of Clubs and Societies; Director of Student Affairs; Two University Wardens; one representative from each organization registered and affiliated to the SRC; and two members of academic staff appointed by the Council's Executive Committee.
- (2) The Leaders Forum shall have the power to invite other members to its forum.

- (3) The Director of Student Affairs shall organize and chair a University Student Leaders Forum at least once in every semester.
- (4) The Leaders Forum shall have the mandate to discuss and propose issues for adoption and implementation by the University Administration as well as the Council. All issues shall have a bearing on the welfare of students;
- (5) The Leaders Forum shall organize Campus Prayers at least once every semester, which shall be facilitated by the United Christian Congregation (UCC).

Breach of the Constitution

61--- Any member breaching this constitution materially shall be subject to SRC's Disciplinary Hearing according to the University rules.

Supremacy

62--- This constitution in so far as rules and policies made by the student body are concerned, shall be the supreme law governing the SRC and any other such rules and policies, which are inconsistency, be invalid.

We certify that this document is the true copy of the constitution of the MUBAS-SRC

Mr. Frank Kadewere
MUBAS-SRC President

Mr. Lloyd M. Thalavuh
Secretary General

Mr. Richard Mlambe
MUBAS-SRC Legal Advisor

Professor Nancy Chitera
Vice Chancellor