

**MAKERERE UNIVERSITY**

**THE STUDENTS' GUILD CONSTITUTION**

**AS AMENDED IN FEBRUARY 2016**

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## DECLARATION

Approved and adopted, *Mutatis Mutandis*, by the University Council as per the *Universities and Other Tertiary Institutions Act, 2001 (as amended)* as the Constitution of Makerere University Students' Guild on this Eighth Day of the Month of February, in the Year Two Thousand and Sixteen. ***This amended Constitution replaces all the earlier ones.***

## PREAMBLE

WE members of the Students' Guild of Makerere University recognizing that the management of the University is vested in the University Council as embodied in the *Universities and Other Tertiary Institutions Act, 2001 (as amended)*.

AND likewise, the existence of Halls of Residence as the primary units of the social life of the Guild members in *statu pupillari*, and the students' common Room (SCR) Executive and committees therein, whose main aim is to further the interests of the Guild members at Hall level and in any other proper manner advocated by the general body of the Guild members at Hall level and in any other proper manner advocated by the general body of the Guild, while the individual Hall retain some measure of worthy identity.

AND further, in order to encourage worthy traditions of academic life nurtured in academic units namely Department/ Institutes/Schools and/or Colleges and to cultivate a genuine and responsible sense of leadership and an efficient students' Government.

AND also in our endeavour to preserve and promote all the desirable aspects of our indigenous culture and striving to establish good will among the Guild on one hand, and the University Administration and or other persons connected with the Guild in whatever manner, on the other.

DO hereby declare, adopt and bind ourselves and our successors by **this Amended Constitution as the CONSTITUTION of Makerere Students' Guild on this Eighth Day of the Month of February, in the Year Two Thousand and Sixteen.**

## CHAPTER ONE: THE SUPREMACY OF THE GUILD CONSTITUTION

### 1. Supremacy of the Guild Constitution

- (1) The Guild Constitution shall, under the legal authority of the University Charter; be the supreme law of Makerere Students' Guild and have binding force on all authorities and persons under the Students' Guild.
- (2) If any other instrument or custom to the Guild body is inconsistent with this Constitution the Constitution shall prevail.
- (3) This Constitution shall however, be subject to the University Rules, Regulations and Policies as enacted or put in places from time to time, as per the University Charter.

### 2. Defence of the Constitution

- (1) All members of the Makerere Students Guild shall at all times uphold the supremacy of the Constitution.
- (2) Any person who singly or in concert with others, by violent or any other unlawful means, suspends, overthrows, abrogates or amends this Constitution or any part of it shall be liable to disciplinary action as provided in this Constitution.
- (3) It is prohibited for any person or group of persons to take or retain control of Makerere Student's Guild except in accordance with the provisions of this Constitution.

### 3. General Awareness and Public Relations

The Guild shall upload and maintain an electronic copy of this Constitution on the Guild Website.

## CHAPTER TWO: THE OBJECTIVES AND MEMBERSHIP OF THE GUILD

### 4. Name

The students' body comprising of full, associate, life and honorary members, as referred to in Article 8, shall be called and known as "The Makerere Students' Guild," hereinafter referred to as 'THE GUILD'.

### 5. Headquarters

The Headquarters of the Guild shall be at Makerere University Main Campus.

### 6. Purpose

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

### 7. The aims and objectives of the Guild

The aims and objectives of the Guild shall be:

- (1) To establish an efficient students government.
- (2) To work with the University Administration under the legal authority of the University charter, in all matters affecting the Guild members, and to promote matters of interest to the University.
- (3) To seek representation and or participation in or on organs of the University Administration.
- (4) In consultation with the University Administration, to negotiate with the Government or other bodies, in matters affecting the Guild and its members.
- (5) To encourage and promote worthy traditions and academic and social life in the University.
- (6) To cultivate worthy qualities among members, to train and prepare them for future service to the community.
- (7) To work in co-operation with other student organizations and establish friendly relations and understanding with other external organizations, when and where it is not to the detriment of the University and the country.

## 8. Membership

### (1) Full members

- (a) Full members shall, all in *statu pupillari*, be under-graduates, graduates and those pursuing Diplomas, Certificates or Research and Post-graduate study programmes who have been:
  - (i) Admitted
  - (ii) Registered for the academic year/semester; and,
  - (iii) Duly subscribed to the Guild.
- (b) Members of the University staff, students attending upcountry campuses, students on suspension, and students on 'dead year' or those expelled from the University shall NOT be full members of the Guild.

### (2) Associate Members

Shall be all subscribed former full members of the Guild, after their full membership has expired.

### (3) Honorary Members

Any persons who are not full or associate members of the Guild may be elected by the GRC to be honorary members.

### (4) Life Membership

Shall be obtained by individuals who meet the following requirements:

- (a) A former full member nominated by the GRC, with a citation to justify the nomination.
- (b) Payment of subscription fee recommended by the GRC and approved by the University Council.

## 9. Termination of Membership

- (1) A member of the Guild ceases to be one upon occurrence of any one or more of the following:
  - (a) Absence of valid registration for the academic year/ semester
  - (b) Failure or refusal to pay subscription fee
  - (c) Being granted a dead year
  - (d) Suspension from the University (for as long as the period of suspension stands)
  - (e) Expulsion from the University
  - (f) Death
- (2) A member, who loses his /her membership on occurrence of 1(a) to 1(e) above, shall resume his/her membership according to Article 8.

## 10. Rights and Obligations of the Members

### (1) Rights of full members

- (a) To participate fully in the proceedings of the General Assembly.
- (b) To elect and to be elected to any organ or organs of the Guild Government, in accordance with this Constitution.
- (c) To be elected, nominated or appointed to be a delegate or representative of the Guild in any of the Guild's undertakings in accordance with the provisions of this Constitution.
- (d) To express his/her opinion in the proper manner within the law.
- (e) To respect, uphold and defend this Constitution.

### (2) Rights of Associate, Honorary and Life Members

Every Associate, Honorary and Life member has the right to make use of the Guild facilities with the consent of the University Administration and according to the regulations of the University.

### (3) Obligation of all members

Every member shall abide by the letter and spirit of the Guild Constitution.



## CHAPTER THREE: THE GENERAL ASSEMBLY

### 11. The General Assembly

- (1) The General meeting of the Guild shall be called, "the General Assembly"
- (2) The General Assembly shall be the supreme decision making body of the Students' Guild.
- (3) The General Assembly shall be composed of all members of the Students' Guild presided over by the Guild Speaker.
- (4) All members may convene at least once every term of office of a directly elected government.
- (5) All members of the guild shall be under duty to attend in person all meetings lawfully convened by the Guild Government to meaningfully contribute within the limits of their abilities and powers.
- (6) The General Assembly shall convene to resolve contentions issues arising from the Guild Administration and to receive reports from the Guild Government.
- (7) The police may be notified at least forty-eight (48) hours prior to the meeting, where matters to be discussed may pose a security threat.

## CHAPTER FOUR: THE GUILD REPRESENTATIVE COUNCIL

### 12. The Guild Representative Council (GRC)

- (1) There shall be a Guild Representative Council of the Guild Government, hereinafter referred to as "the GRC".
- (2) The composition and functions of the GRC shall be prescribed by this Constitution.
- (3) The term of the GRC shall run from one Guild election until the GRC is dissolved or otherwise removed from office, in accordance with this constitution.

### 13. Composition of the GRC

- (1) The GRC shall be composed of:
  - (a) The Speaker
  - (b) The Deputy Speaker
  - (c) Hall Representatives
  - (d) Representatives from Schools/Institutes
  - (e) Four (4) Representatives of persons with disabilities, two (2) male and two (2) female.
  - (f) Chairpersons of Halls of Residence
  - (g) The Chairperson of the Games Union
- (2) Ex-Officio Members
  - (a) The following shall be ex-officio members of the GRC:
    - (i) The Guild President
    - (ii) The Chief Editor
    - (iii) The Legal Advisor
    - (iv) The Guild Advisor
    - (v) Any member of the guild appointed a member of the Executive that is not a member of the GRC.
  - (b) Ex-Officio members shall have no voting rights.

### 14. Powers and Responsibilities

The GRC shall:

- (1) Elect officers as provided for in this Constitution and shall have powers to remove the same in a simple majority vote.
- (2) Be the sole legislature of the Guild

- (3) Play an oversight role including but not limited to sanctioning and approving the policies of the cabinet.
- (4) Be competent to pass a vote of no confidence in the President, the Executive and /or a Minister, subject to the provisions of this Constitution.
- (5) Deliberate on all matters that affect the members of the Guild and resolve measures to be taken.
- (6) Elect Standing and where necessary, ad-hoc committees.

## 15. Conduct of Members of the GRC

- (1) A member of the GRC shall behave at all times, whether in public and official life, in private life, or in association with other persons, in a manner that avoids:
  - (a) Any conflict between personal interest and public or official duties.
  - (b) Compromising any public or official interest in favour of a personal interest or
  - (c) Demeaning the office the officer holds.
- (2) A person who contravenes Clause (1) may be cautioned, suspended, dismissed, or otherwise removed from office in accordance with the provisions of this Constitution.

## 16. Qualification for Members of the GRC

- (1) A student is qualified to be a member of the GRC when that student is:
  - a) A registered student of Makerere University Main Campus; and,
  - b) A continuing student.
- (2) A student is not qualified to contest for election as a member of the GRC when that person:
  - (a) Is not a full member of the Guild
  - (b) Exhibits non-permissible conduct as defined in the University Regulations.
  - (c) Has had judgement given against him/her twice at disciplinary committee or legally constituted tribunal within Makerere University in a period of not more than 3 months before the date for nomination.
  - (d) Is in their final year of study.
- (3) Students on a dead year are not eligible to contest.

## 17. Speaker and Deputy Speaker of the GRC

- (1) There shall be a Speaker and Deputy Speaker of the GRC.
- (2) Members of the GRC shall elect the Speaker and the Deputy Speaker during their first meeting after assuming office.
  - (a) The Speaker shall be elected from among members of the Guild, outside the GRC.
  - (b) The Deputy Speaker shall be elected from among the members of the GRC.
- (3) The outgoing Speaker shall preside over the election of incoming Speaker and Deputy Speaker of the GRC except if he/she is contesting for either position.
- (4) The Speaker shall:
  - (a) Call and preside over all meetings of the GRC and the General Assembly after notifying the Guild President
  - (b)
    - (i) Nominate and present to GRC five names from among the Guild for each of the positions for the Clerk and the Deputy Clerk to GRC.
    - (ii) The GRC shall listen to presentations by the nominees and, using simple majority procedure, vote for the Clerk and the Deputy Clerk to the GRC.
  - (c) Appoint the Clerk and Deputy Clerk to GRC.
  - (d) Have the powers to punish members for late coming, absenteeism, misconduct and/ or use of improper language during meetings in accordance with the Constitution. This power has to be exercised judiciously.
  - (e) Dissolve the GRC and the Executive at least one week before the presidential and the GRC nominations.
  - (f) Hold office until the end of the first GRC meeting following the election in 17(3) above.

- (5) The Deputy Speaker shall preside over any such meeting as provided for in Article 17(5) (a) above, in the absence of the Speaker.
- (6) Upon the announcement of a general election, if the Speaker or Deputy Speaker intends to stand for President, that Speaker and/or Deputy Speaker shall write to the Dean of students to request for leave from office.
- (7) The Dean shall communicate this development to the Speaker and the GRC, who shall elect from among its members an acting Speaker and/or Deputy Speaker intending to serve until the election is concluded and the results are announced.
- (8) However, the office shall not fall vacant where at least one of the office bearers under this Article, does not intend to stand.

## **18. Qualifications for the Office of Speaker and Deputy Speaker.**

The qualifications stipulated in Article 16 of this Constitution shall apply to the positions of Speaker and Deputy Speaker of the GRC.

## **19. Grounds for vacating the office of Speaker and/ or Deputy Speaker**

- (1) The Speaker or Deputy Speaker shall vacate his or her office, if:
  - (a) His/ her term of office comes to an end as stipulated in this Constitution.
  - (b) He/ she ceases to be a full member of the Guild
  - (c) He or she is appointed a Guild Minister.
  - (d) He or she resigns office in writing addressed to Dean of Students who shall inform the GRC
  - (e) He or she is removed by resolution of the GRC supported by not less than two thirds of all members of the Council.
- (2) The Speaker or Deputy Speaker may be removed by resolution of the GRC, supported by not less than two-thirds (2/3) of all members of the GRC based on one or more of the following causes:
  - a) Abuse of the office or wilful violation of the oath of allegiance or any provisions of this Constitution.
  - b) Misconduct or behaviour bringing or likely to bring the office of the Speaker, and/or Deputy Speaker into ridicule, contempt or disrepute.

## **CHAPTER FIVE: THE GUILD CABINET**

### **20. The Guild Cabinet**

- (1) The Guild Cabinet shall be composed of the following:
  - (a) The President
  - (b) The Vice President
  - (c) The Prime Minister
  - (d) The Deputy Prime Minister
  - (e) The Minister for Academic Affairs
  - (f) The Minister for Culture and Mobilization
  - (g) The Minister for Estates and Environment
  - (h) The Minister for External Affairs
  - (i) The Minister for Finance
  - (j) The Minister for Gender, Ethics and Integrity
  - (k) The Minister for Health
  - (l) The Minister for Information
  - (m) The Minister for Justice and Constitutional Affairs
  - (n) The Minister for Off-Campus Affairs
  - (o) The Minister for Postgraduate Students Affairs

- (p) The Minister for Production and Employment
  - (q) The Minister for Research and Computer Technology
  - (r) The Minister for Security
  - (s) The Minister for Social Affairs
  - (t) The Minister for Sports and Games
  - (u) The Minister for Students Affairs
  - (v) The Minister for Students with Disabilities
- (2) Guild Cabinet and GRC
- (a) Any other desired ministerial portfolio shall be recommended by at least two-thirds (2/3) of the membership of the GRC and approved by the University Council.
  - (b) Only directly elected members of the GRC shall be eligible to be appointed as ministers with the exception of a maximum of three(3) members from the Guild who are not members of the GRC.

## 21. Functions of the Guild Cabinet

The cabinet shall be the executive arm of the Guild government and collectively:

- (1) Be answerable to the GRC
- (2) Be responsible for the day to day running of the affairs of the Guild
- (3) Implement the decisions of the GRC and the General Assembly.
- (4) Have powers to deal with emergency matters, but shall seek ratification of the GRC at their next meeting.

## 22. The President

- (1) The Guild President of Makerere University Students' Guild shall:
  - (a) Be the Executive head of the Guild
  - (b) Be the Head of the Executive
  - (c) Be Ex-officio member of the GRC
  - (d) Form the Executive in accordance with this Constitution
  - (e) Preside over meetings of the Executive
  - (f) Have a casting vote as well as an original vote during Executive meetings.
  - (g) Be an ex-officio member of all Guild Committees.
  - (h) In the event of temporary absence of a member of the Executive, delegate the duties of the absentee to another member of the Executive, save when the absentee is the Minister for Finance, when the president himself shall be in charge
  - (i) Delegate powers to any other member of the Executive whenever the Vice-president is not in position to deputize.
  - (j) Be co-signatory to all Guild financial transactions.
  - (k) Have the power to reshuffle the Executive subject to the provisions of this Constitution
  - (l) Have the powers to remove a member of the Executive.
  - (m) Appoint students' representatives to the various University Committees.
  - (n) Be one of two students' representatives to the University council.
  - (o) Have the duty to:
    - (i) Abide by the Rules and Regulations of the University.
    - (ii) Protect the integrity of the University.
    - (iii) Abide by, uphold and safeguard this Constitution.
    - (iv) Promote the welfare of the students
- (2) The President may, from time to time, assign duties to a cabinet Minister who shall take responsibility for such functions of Guild government as the assignment may entail.

### **23. Notification by the President on Leaving the Campus**

The president shall, whenever leaving the University Campus on official duty for a period of more than five days, notify in writing the Dean of Students, the Vice President, the Speaker and any other concerned official.

### **24. President to address the GRC on Guild Affairs**

- (1) The President shall at the beginning of each first session of the GRC of every semester, deliver to the GRC an address on the state of the Guild.
- (2) The President may also in consultation with the Speaker address the GRC from time to time on any matter of Guild importance.
- (3) Any member of the GRC supported by at least a quarter (1/4) of the GRC membership, may petition the Speaker for the President to address the Council on a particular issue.

### **25. Terms of Office for President/Guild member of the GRC**

- (1) A student elected as President under this constitution shall, subject to Clause (3) of this Article, hold office for one term, in line with Article 12 (3).
- (2) A student elected President/GRC member under this Constitution after the resignation or removal of a sitting President/GRC member shall only complete the term of such resigned or removed President/GRC member and thereafter vacate office.
- (3) A student shall not be elected under this Constitution to hold office as President for more than one term as prescribed.
- (4) The office of the President shall become vacant:
  - (a) On the expiration of the term of office as stipulated in Article 12 (3)
  - (b) If the incumbent ceases to be a full member of the Guild
  - (c) If the incumbent dies or resigns or ceases to hold office
- (5) The President may resign or be removed from the office as provided for by this Constitution.
- (6) The occurrence of either event in Clause (4) sections (b) and (c) of this Article prematurely ends the term of office for the President in question.

### **26. Powers for the President to act during Emergency**

- (1) The President shall have powers to exercise for the purpose of tackling emergencies.
- (2) In an event where the President shall be required to exercise emergency powers, he shall convene a Cabinet meeting before making a decision.
- (3) Where convening a Cabinet meeting before a decision is taken is impractical, he/ she shall convene one within 24 hours after exercising these powers.
- (4) The Guild Cabinet's decision shall be communicated to the Speaker of the GRC immediately.
- (5) The Speaker shall brief the GRC about the action taken in respect of a given emergency during a subsequent session for their ratification.

### **27. The Vice President**

There shall be a Vice-President of the Guild Government who shall:

- (1) Be of opposite sex to that of the Guild President
- (2) Deputize for the President and act as President when the president is absent.
- (3) Be one of the students' representatives on the University Council, Students' Consultative
- (4) Committee and Staff – Students' Liaison Committees.
- (5) Perform any other duties as he or she may be assigned by the Guild President.
- (6) Be qualified to run for Presidency.

### **28. The Acting President**

- (1) In the event of both the President and the Vice-President *being away from office* having not delegated their powers to any member of the Executive to act in their place, the remaining

members of the Executive shall appoint one from among themselves to act as President, provided such Acting President shall act for a maximum of four(4) weeks.

- (1) On expiration of the four weeks, new presidential elections shall be held in accordance with this constitution.
- (2) In the event of death of the President, or physical or mental incapacity of the same, serious enough to impair the proper execution of his or her duties as President, the Vice-President shall act for a maximum period of four (4) weeks and thereafter elections for the President shall be held.
- (3) The elections of a new President shall automatically dissolve the Executive and the new President shall thereafter appoint a new Executive as provided for by this Constitution.

## **29. The Prime Minister**

There shall be a Prime Minister who shall:

- (1) Be the Secretary to the Guild Executive
- (2) Keep a register of and be responsible for all Guild Property.
- (3) Be Chairperson of the Property, Business and Establishment Committee.
- (4) In consultation with the President, call meetings, prepare and circulate agenda for the Executive.
- (5) Be in charge of the day-to-day running of the Guild.
- (6) Perform any other duties that he /she may be assigned by the Guild President.
- (7) Report to theGRC on any matter whenever there is need.
- (8) Coordinate all ministers and require reports and monthly performance reviews from them.
- (9) Shall oversee all ministries duties and report to the President.

## **30. Deputy Prime Minister**

There shall be a Deputy Prime Minister who shall:

- (1) Deputize the Prime Minister
- (2) Be the secretary to all the Guild Ad-hoc Committees.
- (3) Perform any other duties that he /she may be assigned by the Prime Minister.

## **31. The Minister for Academic Affairs**

There shall be a Guild Minister for Academic Affairs who shall:

- (1) Be Chairperson of Academic Affairs Committee.
- (2) Be responsible for the academic welfare of the students.
- (3) Liaise with the Deputy Vice-Chancellor (Academic Affairs), Academic Registrar, University Librarian and School/ Institute representatives to the GRC in respect of students' academic affairs.
- (4) Supervise and/ or oversee the associations and clubs in category A, as stipulated in Article 108 (1) (a).
- (5) Perform any other duties that he /she may be assigned by the Guild President.

## **32. The Minister for Culture and Mobilization**

There shall be a Guild Minister for Culture and Mobilization who shall:

- (1) Supervise and/ or oversee the Students' Associations/ Clubs in category B, as stipulated in Article 108 (1) (b).
- (2) Coordinatethe annual Cultural Gala, in liaison with the Dean of Students.
- (3) Regulate and guide matters concerning cultural practices in the Halls of Residence
- (4) Perform any other duties that he/she may be assigned by the Guild President.

## **33. The Minister for Estates and Environment**

There are shall be a minister for Estates and Environment, who shall:

- (1) Be the Chairperson of the Committee for Estates and environment.
- (2) Liaise with University Administration in maintaining the condition and cleanliness of the physical infrastructure and the environment on Campus.

- (3) Mobilize student volunteers to maintain and protect the environment on Campus; especially the trees, the grass and flowers/ hedges.
- (4) Perform any other duties he/she be assigned by the Guild President

#### **34. The Minister for External Affairs**

There shall be a Guild Minister for External Affairs who shall:

- (1) Be Chairperson of the External Affairs Committee.
- (2) In-charge of international students' affairs at Makerere University.
- (3) Be responsible for students' affairs at the Regional and/ or Continental level.
- (4) Liaise with international students'and other international organizations in Africa and beyond, so as to enrich the student experience at Makerere.
- (5) Promote, project and defend the image of the University among students at the Regional and/ or Continental level.
- (6) Perform any other duties that he /she may be assigned by the Guild President.

#### **35. The Minister for Finance**

There shall be a Guild Minister for Finance who shall:

- (1) Be Chairperson of the Committee for Finance.
- (2) Look after the financial matters of the Guild.
- (3) Be a co-signatory to all Guild Financial transactions.
- (4) Take the initiative to raise Guild funds with the approval of the Executive.
- (5) Seek advice on Guild financial affairs from the GRC, the Finance Committee, Financial Advisor and University Administration; and, act accordingly.
- (6) Perform any other duties that he /she may be assigned by the Guild President.

#### **36. The Minister of Gender, Ethics and Integrity**

There shall be a Guild Minister for Gender, Ethics and Integrity who shall:

- (1) Be the Chairperson of the Gender, Ethics and Integrity Committee
- (2) Coordinate and/ or organize activities to sensitize students to the issues of Gender, Ethics and Integrity on Campus, in academia and in the wider society.
- (3) Advocate for a corruption-free Campus.
- (4) Nominate individuals for recognition as persons of integrity.
- (5) Perform any other duties that he/she may be assigned by Guild President.

#### **37. The Minister for Health**

There shall be a Guild Minister for Health who shall:

- (1) Be Chairperson of the Committee of Health.
- (2) Be responsible for the health welfare of, and hygiene, among students.
- (3) Liaise with the University Hospital on matters concerning health.
- (4) Perform any other duties that he /she may be assigned by the Guild President.

#### **38. The Minister for Information**

There shall be a Guild Minister of Information who shall: -

- (1) Be Chairperson of the Committee for Information
- (2) Be Responsible for the Guild Official News and the Production of Official Publications.
- (3) Nominate an editor or editors from amongst members of the committee for information.
- (4) In conjunction with the University Administration arrange for the editing of the *Makererean* Newspaper and other official publications.
- (5) Perform any other duties that he /she may be assigned by The Guild President.

#### **39. The Minister for Justice and Constitutional Affairs**

There shall be a Guild Minister for Justice and Constitutional Affairs who shall:

- (1) Be Chairperson of the Justice and Constitutional Affairs Committee
- (2) Be Secretary of the Constitutional Tribunal,
- (3) Be responsible for the registration of the affiliated associations of the Guild.
- (4) Supervise and/ or oversee associations and clubs in Category C, as stipulated in Article 108 (1) (c).
- (5) Perform any other duties that he /she may be assigned by the Guild President.

#### **40. The Minister for Off-Campus Students Affairs**

There shall be a Guild Minister for Off-Campus Students Affairs who shall:

- (1) Be Chairperson of the Off-Campus Students Committee.
- (2) Be responsible for all matters concerning Off-Campus students, such as: hostel accommodation, transport to Campus, etc.
- (3) Perform any other duties that he /she may be assigned by the Guild President.

#### **41. The Minister of Postgraduate Students' Affairs**

There shall be a Guild Minister for Postgraduate Students, who shall:

- (1) Be the Chairperson of the Postgraduate Students Committee
- (2) Liaise with the administration on matters affecting Graduate Students and other related matters.
- (3) Perform any other duties he/she be assigned by the Guild President.

#### **42. The Minister of Production and Employment**

There shall be a Guild Minister for Production and Employment, who shall:

- (1) Be the Chairperson of the Production and Employment Committee
- (2) Liaise with the University Administration on Production and Employment and other related matters.
- (3) Perform any other duties he/she be assigned by the Guild President.

#### **43. The Minister of Research and Computer Technology**

There shall be a Guild Minister for research and computer technology who shall:

- (1) Be the Chairperson of the Committee for Research and Computer Technology.
- (2) Coordinate and/ or organize activities geared at fostering research and innovation among students at Campus.
- (3) Solicit support for innovative research and sharing of products.
- (4) Perform any other duties that he/she may be assigned by the Guild President.

#### **44. The Minister of Security**

There are shall be a Guild Minister for Security who shall:

- (1) Be the Chairperson of the Security Committee
- (2) Liaise with the University Administration on Security and other related matters.
- (3) Coordinate and/ or organize activities to sensitize students about security for self, community and property.
- (4) Perform any other duties he/she be assigned by the Guild President

#### **45. The Minister of Social Affairs**

There shall be a Guild Minister of Social Affairs who shall:

- (1) Be Chairperson of the Committee for Entertainment
- (2) Co-ordinate booking for Social events and entertainments that fall within the jurisdiction of the Guild
- (3) Organise all entertainment for or under any Ministry or organ of the Guild and shall give financial accountability thereof at the end of each calendar year to the Minister for Finance.
- (4) Be responsible for the Guild band and the Film Board and their Finances.



(5) Perform any other duties that he /she may be assigned by the Guild President.

#### **46. The Minister of Sports and Games**

There shall be a Guild Minister for sports and games who shall:

- (1) Be the Chairperson of the Games and Sports Union.
- (2) Be the Chairperson of the Sports and Games Committee
- (3) Be responsible for all matters concerning Games and Sports
- (4) Nominate individual sportspersons or teams from Halls/ Schools or Institutes for recognition
- (5) Perform any other duties that he /she may be assigned by the Guild President.

#### **47. The Minister of Students Affairs**

There shall be a Minister for Students' Affairs who shall:

- (1) Be the Chairperson of the Students' Affairs Committee of Guild.
- (2) Liaise with the University Administration to address matters affecting recognized groups of undergraduate students on Campus, such as: Government-sponsored, Private-Sponsored, etc.
- (3) Harmonize, supervise and oversee the co-existence and activities of associations formed by these groups.
- (4) Perform any other duties as he/she may be assigned by the Guild President.

#### **48. The Minister for Students with Disabilities**

There shall a Guild Minister for Students with Disabilities who shall: -

- (1) Be the Chairperson of the Students with Disabilities Committee.
- (2) Be responsible for all matters concerning welfare of students with disabilities.
- (3) Liaise with Dean of Students and relevant Guild Ministries to organize activities for students with disabilities, such as: games, concerts, drama, as well as participation in national events for persons with disability.
- (4) Perform any other duties that he /she may be assigned by the Guild President

#### **49. Individual and Collective Responsibility**

- (1) Ministers shall be individually answerable to the President for the administration of the ministries they head.
- (2) Ministers shall, in addition, be collectively responsible for any decision made by the Cabinet.
- (3) Notwithstanding the above provisions, every Cabinet Minister or any other person(s) who receives (s) money or something which is money's worth in the name or on the behalf of the Guild, shall be individually accountable and shall be individually liable in case of misallocation and/ or misappropriation.

#### **50. Caretaker Government**

There shall be care-taker government which shall assume office in the absence of the Guild President and the executive on the behalf of the guild and shall be composed of:

- (1) The Dean of Students as Chairperson
- (2) Guild Advisor
- (3) The Speaker as Vice –Chairperson
- (4) The Deputy Speaker
- (5) Legal Advisor

### **CHAPTER SIX: THE MAKEREREAN EDITORIAL BOARD AND THE GUILD TRIBUNAL**

#### **51. The Makererean Editorial Board**

- (1) There shall be a Makererean Editorial Board which shall consist of:

- (a) The Chief Editor who shall be elected by the GRC from among four (4) nominees presented by the Information Minister.
- (b) Up to seven (7) members of the Board as the Department Journalism and Communication may appoint with the approval of the Minister for Information.
- (2) The Chief Editor shall be responsible to the GRC through the Minister for Information
- (3) The Makererean Editorial Board shall be an oversight body and in charge of the administration of the *Makererean Newspaper*.
- (4) The Makererean may, on behalf of the Students Guild, enter into a Memorandum of Understanding (MOU) with any individual, Department or organization to the benefit of the students' Guild.

## 52. Establishment of the Guild Tribunal

- (1) There shall be a Quasi-judicial organ of the Guild government called the "Guild Tribunal" whose functions shall be as provided for in this Constitution.
- (2) The Guild Tribunal shall be voted into office during the second session of the GRC.

## 53. Independence of the Tribunal

- (1) The Tribunal shall be independent in all dealings, except that it shall report to the GRC.
- (2) All organs of the Guild shall accord the Tribunal the support needed to discharge their duties as per this Constitution.

## 54. Composition of the Tribunal

- (1) The Guild Tribunal shall be composed of:
  - (a) The Legal Advisor as an Ex-Officio Member
  - (b) Five students elected by the GRC, three of whom shall be Third Year students of Law. For avoidance of doubt those who will be in 3<sup>rd</sup> year, joining 4<sup>th</sup> year.
- (2) A student holding any political position/office in the University, be it at school, college or Club/association level is not eligible to become a member of the Guild Tribunal.
- (3) Any one in such a position as specified in Article 56 (2) above shall first resign his/her office before contesting to become a member of the Guild Tribunal.
- (4) Prior endorsement by the Dean of the relevant School shall be a pre-requisite for one to participate in the electoral process in (1) (b) above.
- (5) The five members elected in (1) (b) above shall elect a Chairperson from among themselves.
- (6) These students shall be presented to the GRC by the Minister of Justice and Constitutional Affairs.

## 55. Role and Functions of the Tribunal

- (1) In the event of any organ of the Guild failing to act as stipulated in this Constitution, any member of the Guild may lodge a petition supported by at least 50 (fifty) other members of the Guild to the Tribunal
- (2) The Guild Tribunal shall act as:
  - (a) A disciplinary committee of the Guild.
  - (b) An Appeals Tribunal for all disciplinary committees of students at hall, school and/ or college level.
  - (c) Arbitration Forum for any matter that involves claims between or among students, with the exception of election-related petitions.
  - (d) A Forum for settling claims between or among members of the affiliated associations after associations have failed to reach an agreement.
  - (e) The Investigative Arm of the GRC that shall investigate any members and make any such orders subject to the law

## **56. General Rules Relating to the Guild Tribunal**

- (1) Members of the Guild Tribunal shall serve until another Tribunal is constituted
- (2) A member of the Guild Tribunal shall only serve once and may not be re-elected
- (3) Only persons of high moral character and with a CGPA of not less than 3.0 shall serve on the Guild Tribunal.
- (4) The Guild Tribunal shall regulate its rules of procedure but none of these rules shall be contrary to the principles of natural justice, the University Regulations and this Constitution.

## **57. Constitution of the Guild Tribunal**

- (1) A Guild Tribunal shall be properly constituted as long as three (3) of its members are available
- (2) May summon witnesses to appear before the Tribunal.

## **58. Guild Tribunal as a Forum for Dispute Resolution**

- (1) Any member who deems his/her rights to have been violated by a fellow member may individually petition the Guild Tribunal for redress.
- (2) The Guild Tribunal shall give such orders as it deems fit provided such orders do not contravene the principles of natural justice and the University Regulations.
- (3) Any one dissatisfied by the decision of the Guild Tribunal may appeal to the GRC through the Speaker.
- (4) Any one dissatisfied by the GRC's decision may appeal to a relevant body or committee, in line with University Regulations.

## **59. Removal of a member of the Tribunal**

- (1) A member of the tribunal may be removed from office for any of the following
  - (a) Immoral Character
  - (b) Corrupt Tendencies
  - (c) Continued failure to make independent decisions
  - (d) Evidence of a criminal record.
  - (e) Insanity as determined by a competent authority.
  - (f) Being found guilty in any tribunal
- (2) A petition that a member should be removed from office shall be lodged with the Speaker, who will present to the GRC which shall make a ruling within 14 days.
- (3) If found guilty, the member petitioned against shall be fully removed.
- (4) The remaining members may constitute the Guild Tribunal, until the remaining members are not more than two.
- (5) In such an event, a new Guild Tribunal shall be constituted within 30 days, subject to prior vetting by the Committee on Justice and Constitutional Affairs.

## **60. Enforcement of Judgment/ Orders/ Ruling of the Tribunal**

In the event that a party has failed to adhere to the orders and direction of the Guild Tribunal, the matter may be referred to the GRC for action or further management.

## **CHAPTER SEVEN: THE GUILD STANDING COMMITTEES**

### **61. The Guild Standing Committees**

- (1) All ministries shall have standing committees appointed by the respective ministers subject to approval by the GRC; and, responsible to the GRC.
- (2) The composition of each committee shall be the respective line minister as chairperson; and, any other four members unless otherwise stated, and approved by the GRC.

- (3) Every committee shall be composed of at least three members of GRC and other guild members unless otherwise stated.
- (4) No one shall be a member of more than two committees.
- (5) For avoidance of doubt, no minister shall appear on any committee other than that under his/ her office/ministry.
- (6) The Guild President shall be an ex-officio member of each and every committee.
- (7) The Guild President shall not be a member of any ad-hoc committee set up for the sole purpose of enhancing financial accountability.

## **62. Functions of the Guild Committees**

- (1) Every committee shall strive to foster and achieve the objectives of the respective ministry.
- (2) Advising the minister in charge on the conduct of activities within the respective ministry.
- (3) Approval of the accountability before it is submitted to the finance minister.
- (4) Approve all projects proposed by the respective minister before they are undertaken.
- (5) Above all, be responsible to the GRC.
- (6) May call a minister or any person holding a public office and individuals to submit Memoranda or appear before them to give evidence except the president who shall only appear when he/she deems fit. However, the president may appear to give evidence where matters of financial misconduct concern him/her.
- (7) May co-opt any member of the GRC or employ qualified persons to assist them in the discharge of their functions.

## **63. Composition of the Guild Standing Committees**

- (1) The Committee for Justice and Constitutional Affairs shall have the President of the Makerere Law Society as a member.
- (2) The Committee for Students' Affairs shall have the Chairpersons of the relevant Students' Association as members.
- (3) The Committee for Social Affairs shall consist of the Minister for Social Affairs, President or Chairperson of registered affiliate association (except the academic association) and 5 (five) members of the GRC.
- (4) The Committee for Health shall consist of the Minister for health as Chairperson, the Health Secretaries for the Halls of Residence, 3 (three) members elected by the Guild Representative Council and the Director of the University Hospital, who shall be a non-voting member.
- (5) The Committee for Students with Disabilities shall consist of the Minister for Students with Disabilities as Chairperson, Chairman of Makerere Disability Students Association and 3 other members of the Guild Representative Council, duly elected by the guild the Council.
- (6) The Committee for Property, Business and Establishment shall be composed of the prime minister as chairperson, the Finance minister and three other members of the Guild Representative Council, duly elected by the Guild Representative Council.
- (7) Any other ad-hoc committee shall be approved by 2/3 of the members of the Council present at a meeting.

## **64. Principles of Leadership and Integrity**

The following principles of Leadership and Integrity shall guide the committees and the tribunal:

- (1) Students' welfare is paramount in all matters that come before the tribunal/committee.
- (2) Objectivity and impartiality in decision making.
- (3) Manner that promotes public confidence in the integrity of the office
- (4) Non-discrimination on any grounds.
- (5) Truth and Reconciliation.

## **65. Removal of Committee Members**

- (1) A committee member shall be removed by the Chairperson of the Respective Committee only on grounds of:
  - (a) Financial Misconduct
  - (b) Incompetence
  - (c) Insanity
  - (d) Conduct which contradicts morality and negatively affects the image of the Guild and the ministry in particular.
- (2) A written petition by the Chairperson shall be submitted to the Speaker who may refer the matter to the Guild Tribunal.
- (3) A member of the Guild may petition the Speaker to have a committee member removed.

## **66. The Games Union**

- (1) There shall be a Sports and Games Union responsible for games and sports and shall be under the general supervision of the head of sports and recreation unit. Its organization and functions shall be specified in its constitution whose aims and aspirations shall be in line with those of the guild constitution.
- (2) The Chairperson of the Games Union shall be a member of the Guild Representative Council and shall have a right to vote.
- (3) The Chairperson of the Sports and Games Union will automatically become the line Minister for Sports and Games.

## **CHAPTER EIGHT: GUILD ELECTIONS**

### **67. General Principles for the Electoral System**

- (1) The electoral system shall comply with the following principles:
  - (a) Independence of the Electoral Commission.
  - (b) Gender Equality
  - (c) Objectivity and Impartiality in decisions making and in ensuring that decisions are not influenced by nepotism, favouritism, other improper motives or corrupt practices
  - (d) Fair representation of persons with disabilities
  - (e) Universal suffrage based on the aspiration for fair representation and equality of vote; and
  - (f) Free and fair elections which are:
    - (i) By secret ballot
    - (ii) Free from violence, intimidation, improper influence or corruption
    - (iii) Conducted by an independent body
    - (iv) Transparent; and,
    - (v) Administered in an impartial, neutral, efficient, accurate and accountable manner.
- (2) All candidates and their agents shall comply with electoral rules and regulations failure of which may lead to disqualification.

### **68. The Electoral Commission**

- (1) There shall be an Electoral Commission elected by the GRC within the first fourteen (14) days of the second semester, which shall be responsible for supervising all the Guild elections in the University.
- (2) A member to the Electoral Commission shall be a person of integrity, with no criminal record or conviction by any court of law.

- (3) The outgoing Guild President, the Speaker, the ministers and members of the GRC shall not be eligible for election to the Electoral Commission except when they have resigned their positions at least 5 (five) days before the election day.
- (4) In the event of there being no outgoing GRC, the Caretaker Government shall appoint the Electoral Commission.

## 69. Composition and Roles of the Electoral Commission

- (1) The **Chairperson**, whose duties shall be:
  - (a) To coordinate all the electoral commission work
  - (b) To provide overall leadership of the commission
  - (c) To preside over all meetings of the commission
  - (d) To ensure that free and fair elections are held
  - (e) To supervise and oversee the duties of the commissioners and other members of the commission.
- (2) The **Vice Chairperson**
  - (a) Whose duties shall be:
    - (i) To assist the chairperson on all matters of the commission
    - (ii) To act as chairperson wherever the chairperson is absent.
    - (iii) To perform any other duties assigned by the Electoral Commission Chairperson
  - (b) Shall be of sex opposite that of the Chairperson.
- (3) The **Secretary to the Commission** whose duties shall be:
  - (a) To take and keep minutes of the commission
  - (b) To manage and keep a proper registry of all votes
  - (c) To handle all correspondence of the commission
  - (d) To perform any other duties assigned by the Electoral Commission Chairperson
- (4) The **Commissioner for the Finance**, whose duties shall be:
  - (a) To receive and manage all commission finances.
  - (b) To keep proper records of the Commission to the Dean of students
  - (c) To give a financial report of the Commission to the Dean of Students
  - (d) To perform any other duties assigned by the Electoral Commission Chairperson
- (5) The **Commissioner for Public relations**, whose duties shall be:
  - (a) to disseminate information about elections
  - (b) to liaise with the media on behalf of the commission
  - (c) To perform any other duty assigned by the Electoral Commission Chairperson.
- (6) The Electoral Commission may appoint polling agents to assist them in the conduct of the elections.

## 70. Rules relating to the Electoral Commission

- (1) The Guild Electoral Commission shall budget for the electoral activities and supporting services to enable it perform its functions effectively, subject to approval by the Care-Taker government.
- (2) The members of the Electoral Commission shall be sworn in by the Dean of Students before the commencement of their duties.
- (3) Any member of the Guild may petition the Guild Care-Taker Government to remove a commissioner from office on the following grounds:
  - (a) Inability to perform his or her duties arising out of physical or mental incapacity
  - (b) Indiscipline or misconduct or
  - (c) Incompetence

## 71. Electoral Offences

- (1) The following shall constitute electoral offences:
  - (a) Campaigning outside the hours stipulated by the Electoral Commission
  - (b) Campaigning outside the areas stipulated by the Electoral Commission
  - (c) Defacing University buildings
  - (d) Littering the compound/ roads with campaigning materials
  - (e) Instigating any form of violence
  - (f) Making noise outside stipulated campaigning time
  - (g) Interfering with traffic flow on roads on Campus and/or highways
  - (h) Hindering pedestrians from enjoying a peaceful walk along roads on Campus and/ or highways
  - (i) Soliciting funds either to be voted for or to vote for a candidate.
  - (j) Any form of interfering with the electoral process
- (2) A student found guilty of committing any of the electoral offences in Article 73 (1) above shall be guilty and may, upon conviction by appropriate tribunal, be duly punished. However, the punishment shall not go beyond a suspension for a year.
- (3) A student who has been convicted by a court of Law for an offence involving moral turpitude shall not be eligible for nomination to any guild office.
- (4) A student serving a prison sentence of three or more months shall not be eligible for nomination to any guild office.

## 72. Qualifications and Requirements for Presidential Candidates

- (1) In order to participate in the Guild Presidential nomination process as a potential candidate, a student must meet the following substantive requirements:
  - (a) Meets the requirement for membership to the GRC, as provided for in Article 16 of this Constitution.
  - (b) Be able and willing to affirm and subscribe to the University Regulations as well as this Constitution.
  - (c) Be a full member of the guild for at least two consecutive semesters
  - (d) Have a CGPA of 2.8 and above
  - (e) Have no pending retake in their entire academic record for the current study programme being undertaken at Makerere University.
  - (f) Have the academic status in Article 72 (1) (c), (d) & (e) verified by the Academic Registrar.
- (2) The Electoral Commission shall strictly follow the provisions in Article 72 (1) (a) to (f) above in evaluating and declaring any applicant duly nominated or otherwise.

## 73. Guild Presidential and Guild Representative Council Election Process

- (1) The Guild Presidential and GRC elections, with the exception of Kabanyolo Hostel, shall take place on different days, at least ten (10) apart, determined by the electoral commission but within the first fifty days of the second semester except where extension of the period shall, for compelling reasons, have been granted by the University Management.
- (2) The elections shall be conducted at polling stations under the supervision of the electoral commissioner, viz. Guild Presidential elections at schools/institutes and the GRCElections at their respective constituencies, for the avoidance of doubt, GRCElections, shall be conducted by the commission elected as per this constitution.
- (3) The Chairperson of the Electoral Commission, in consultation with the Chairperson of the Caretaker Government shall:
  - (a) Announce the nomination days
  - (b) Call for nominations of Guild presidential candidates at least 14 days before polling day.

- (4) Presidential election rallies shall begin at least 24 hours after verification of all presidential candidates.
- (5) Nominations for Guild Presidential elections signed by candidates, proposed by and seconded by 100 members of the electorate shall be submitted to the Electoral Commission on the nomination day.
- (6) Guild Presidential candidates may have at most 2 (two) election agents at each polling station. The names of all agents must be known to the returning officer at least one day before the polling day.
- (7) No candidate will be allowed to withdraw from the candidacy of presidency within 12 (twelve) hours to the election.
- (8) Every institutes/school shall return two members of the GRCElected by registered members of the institute/school.
- (9) Every hall of residence shall return two resident members to the GRC, elected by registered residents of that hall except Galloway, Kabanyolo and Dag Hammarskjold which shall be represented by one resident member.
- (10) By virtue of their positions, hall chairpersons shall be members of the GRC.
- (11) The Chairperson of the Electoral Commission shall announce the results of the elections not later than four (4) hours after receiving the results from all the polling stations.
- (12) The Chairperson of the Electoral Commission shall publish the results of the elections not later than eighteen (18) hours after receiving the results from all the polling stations.

#### **74. Guild Presidential and GRCElection Regulations**

- (1) All Guild Presidential candidates shall address students' gatherings at the Main Campus, Kabanyolo Hostel and Galloway House; and also have a minimum of three presidential debates before the poling day.
- (2) The dates and periods of these addresses shall be determined and published by the electoral commission.
- (3) Other electoral rules and regulations as provided in Appendix 4 shall be strictly adhered to.
- (4) GRC elections shall be conducted within seven(7) days after the Presidential elections.
- (5) Elections for other leaders in halls, schools/institutes/colleges shall be conducted after the GRC elections or in accordance with their constitutions.

#### **75. Procedure at Presidential Elections**

- (1) If only one candidate for Guild President is nominated, that candidate shall be declared elected.
- (2) If two or more candidates for Guild President are nominated, an election shall be held in each constituency.
- (3) A candidate shall be declared elected as Guild President if the candidate receives a simple majority vote.
- (4) If no candidate is elected, (in case there is a tie) a fresh election shall be held within fourteen days after the previous election.
- (5) The candidates in the fresh election will be those who received the greatest number of votes (those whose votes tied).
- (6) The candidate who receives the simple majority vote shall be declared elected as Guild President.
- (7) A Guild Presidential election shall be cancelled and a new one held if no person has been nominated as a candidate before the expiry of the period set for the delivery of nominations.
- (8) A fresh presidential election shall be held within fourteen (14) days after the date set for the previous presidential election.

#### **76. The Executive and other Guild Officers**

These shall be appointed and/or elected as follows:

- (1) The Guild President-elect shall form his/her Executive from among the members of the GRC with an exception of a maximum of three members that are not members of the GRC.



- (2) The Guild President-elect shall make known his/her choice to the Guild members before he/she is sworn in
- (3) The Speaker shall be elected in the first GRC meeting from amongst the members of the Guild and shall assume his/her duties immediately after the meeting.
- (4) The Deputy Speaker shall be elected in the first GRC meeting from amongst the members of the GRC.
- (5) Members to the various committees shall be elected in the second GRC meeting as per the guidelines in the constitution.
- (6) The GRC shall elect a Guild advisor from three people nominated by the Prime Minister in their first meeting.
- (7) The Guild President shall approach the person elected in (f) for acceptance of his/ her office.
- (8) The University Directorate of Legal Affairs shall assign a Legal Advisor to the Guild for each term of office.

## **77. By-Elections**

All by-elections shall:

- (1) Be conducted by the Electoral Commission.
- (2) Take place whenever an office or seat falls vacant.
- (3) Take place within fourteen (14) days of the office or seat falling vacant.
- (4) Follow the same procedures as provided for that particular office or seat upon falling vacant.

## **78. Death before assuming office**

- (1) If a Guild President-elect dies after being declared elected as Guild President, but before assuming office, a by-election for the position of Guild President shall be held within fourteen days (14) after the death of the president-elect.
- (2) If any member of the GRC dies before assuming office, that office shall be declared vacant and a fresh election held within fourteen (14) days.

## **79. Disappearance of the President**

- (1) Where the Guild President disappears, whether before assuming or after assuming office for more than two months (60 days) without being heard of by persons who would naturally hear from him for that period, the office of the Guild President shall be declared vacant and a fresh election, shall be held.
- (2) In case the Guild President re-surfaces after the expiry of two months (60 days) but before the fresh election has been conducted and gives a genuine or reasonable ground for his disappearance to the GRC, the election shall be cancelled and he shall resume his office.
- (3) In the event he/she resurfaces after the election has been conducted or on the day of election, the election shall proceed, the candidate who wins the election shall be the Guild President.

## **80. The Guild Election Petition Tribunal**

- (1) There shall be a Guild Election Petition Tribunal composed of:
  - (a) A member of the University Council appointed by the Chairperson of the University Council, or his/ her Vice in the absence of the Chairperson.
  - (b) the Guild Advisor
  - (c) the Legal Advisor
  - (d) the Speaker
  - (e) the Deputy Speaker
  - (f) the two Chaplains
  - (g) the Imaam
- (2) The University Council appointee to the Petition Tribunal shall be the Chairperson.
- (3) The Petition Tribunal shall have a quorum of at least five (5) of its members including the Chairperson.

- (4) The Dean of Students shall be the secretary to the Guild Petition Tribunal.
- (5) A candidate or any member of the Guild may lodge a petition to the Guild Petition Tribunal whenever he/she deems that there has been a contravention of any election procedure during the presidential and/or the GRCElections.
- (6) The petition must be lodged within 3 (three) days after the elections, and must be signed by at least 200 registered members of the guild for a presidential election petition and 50 registered members of the particular constituency for the Council election petition.
- (7) The secretary of the Tribunal shall notify, within 24 hours, the members of the guild that a petition has been lodged.
- (8) The Tribunal shall sit to make a ruling on the petition within seven days thereafter.
- (9) The hearing of the petition shall be conducted and the ruling shall be announced within 48 hours after the hearing.
- (10) No candidate or any member of the Guild shall be allowed to have legal representation when putting his/ her case but the Tribunal shall observe principles of natural justice.
- (11) The Tribunal's ruling shall be final.

## **81. Swearing-in**

- (1) Before assuming office, or performing any functions pertaining to that office, the elected Guild leaders shall take and subscribe to the oath of office, in the manner and forms prescribed by this constitution.
- (2) No person shall perform, act or assume office unless he/she has been sworn in as provided for by this Constitution, except for the purpose of identifying members by the Guild President-elect to be sworn-in as Guild Ministers.
- (3) Members of the Guild Representative Council, Cabinet members and the Guild President-elect shall be sworn-in, in that order, by the Vice Chancellor.
- (4) The ceremony shall take place in public at least 24 hours before the first guild the Council meeting.
- (5) The Dean of students shall notify members of the Guild of the ceremony at least 3 (three) days before it takes place.
- (6) All those taking oath shall swear to abide by the Guild Constitution (Citation-Appendix 1)
- (7) The swearing-in ceremony shall take place before the 15<sup>th</sup> day from the date of the Guild Presidential election.

## **CHAPTER NINE: TERMINATION OF OFFICE**

### **82. Resignation**

- (1) Except otherwise as may be provided in this constitution, all correspondence under this chapter shall be in writing except where it is not practically possible.
- (2) Whenever there is an occasion for the resignation of the Cabinet to be tendered, the President shall tender resignation of the same collectively to the GRC through the Speaker.
- (2) In case a member of the Cabinet wishes to resign, he/ she shall tender his/ her resignation in writing to the President giving at least (7) seven days' notice.
- (3) In case a member of the GRC or the Guild Committee wishes to resign, she/ he shall tender his/ her resignation in writing to the Speaker.

### **83. Suspension and Dismissal**

- (1) The President shall have power to suspend or dismiss a member of the Cabinet. The duration of suspension shall be at the discretion of the President and shall not exceed 30 (thirty) days. The dismissal or suspension should be genuine and exercised in a judicious way and with regard to the interest of all Guild members.

- (2) The Speaker shall have power to suspend a member who fails to attend 3 (three) consecutive GRC meetings without satisfactory reasons. The period of suspension shall not exceed 2 sessions.
- (3) If the GRC feels that a member merits dismissal, the case shall be referred to the members of the constituency to which the member is a representative to the GRC, which members shall give the ruling. The member shall be deemed withdrawn if she/he loses the vote. This vote shall be organized by the Electoral Commission in a form described in Article 77.

#### **84. Grounds for Removal of the President**

- (1) The President may be removed from office in accordance with this article on any of the following grounds:
  - (a) Abuse of office or wilful violation of the oath of allegiance and the presidential oath or any other provision of this constitution.
  - (b) Misconduct or misbehaviour
  - (c) That he or she has conducted himself or herself in a manner which brings or is likely to bring the office of the President into hatred, ridicule, contempt or disrepute: or
  - (d) That he or she has dishonestly done any act or commission which is contrary to the moral code of Makerere University or failed to perform the basic functions of the office.
- (2) No elections shall be held under this article if the residual term of the president is three (3) months or less.

#### **85. Vote of No Confidence in the Guild President and/or the Executive and/or a Cabinet Minister.**

##### **(1) In and by the GRC**

- (a) Any member of the GRC shall be entitled to move a vote of no confidence in the President and/or the Executive and/or a Cabinet Minister.
- (b) A petition of a vote of no confidence in the President or/and the Executive or/and the Cabinet Minister coming from the GRC must be supported by at least one third of the GRC.
- (c) For the motion of no confidence to be carried, it shall require at least two-thirds of the total membership of the GRC by secret ballot.
- (d) In the event of the motion of no confidence being carried as provided in Article 85 (1) (c) above, the Executive shall resign within three (3) days.
- (e) Should the Executive refuse to resign within the three (3) days provided in Article 85(1) (d) above, it must make a written appeal within the three (3) days, to the Speaker who shall make arrangements for the motion of no confidence to be put to the vote by the Guild.
- (f) Should the Executive not resign within the days as provided in (d) of this Section; and further fail to make a written appeal to the Speaker within three (3) days as provided in (e) of this section then, the Executive shall automatically be deemed out of office and thereafter the Care-Taker Government will assume office.
- (g) If the Guild endorses the vote of no confidence by two-thirds(2/3) majority in a secret ballot, or in the event of the President and Executive being out of office as provided in (e) and (f) of this section, new elections for the president shall be held within thirty (30) days.
- (h) If the vote of no confidence of the GRC is rejected by the Guild in secret ballot, all the members of the GRC, other than members of the Executive and Ex-officio of the GRC shall resign and new elections shall take place within thirty (30) days.

##### **(2) In and by the Guild**

- (a) A vote of no confidence in the President and/or the Executive by the Guild shall require a petition signed by at least a one-fifth (1/5) of the members of the Guild to the Speaker.

- (b) The Speaker shall cause the list of the signatories to be displayed on Hall/ Institute/ School/ College Noticeboards within forty-eight (48) hours of receipt of the petition.
- (c) After twenty-four hours' display of the signatories, the Speaker shall give notice of a General Assembly meeting to take place within seven (7) days to hear the petition and the President's defence.
- (d) The quorum for such a meeting shall be a quarter (1/4) of the whole Guild membership.
- (e) If no quorum is realized, the vote of no confidence shall be deemed lost and there shall be no voting taken at this meeting.
- (f) After the meeting of the General Assembly, the Speaker shall conduct a secret ballot on the motion of no confidence within forty-eight (48) hours.
- (g) The vote of no confidence shall be carried out if at least two-thirds (2/3) majority of the members of the Guild vote for it in the secret ballot.
- (h) In the event of vote of no confidence being carried out as provided in (g) above, the President and the Executive shall instantaneously vacate their offices and fresh elections for President shall be held within thirty(30) days.

## **86. Procedure for the Removal of the President**

- (1) The President may be removed from office by a resolution of the GRC on grounds prescribed under Article 84 of this Constitution.
- (2) A motion for resolution for the removal of the President shall be initiated by a petition in writing to the Speaker, signed by not less than one third (1/3) of all the members of the GRC, indicating their intention of moving a motion for a resolution for the removal of the President on the grounds stipulated in Article 84.
- (3) A member who is desirous of moving a motion for the removal of the President shall notify the Speaker in writing of his or her intention, specifying the grounds for the proposed motion and giving detailed particulars supporting such ground.
- (4) Any signature appended to the petition shall not be withdrawn.
- (5) For purposes of a petition, the Guild Tribunal shall investigate the petition and establish whether there is a prima facie case for the removal of the President. The tribunal's investigation shall be carried out within a period of seven (7) consecutive days.
- (6) The Speaker shall within fifteen (15) hours upon receipt of the report on the findings of the Guild Tribunal, notify all members of the Council and the guild of the same.
- (7) If the Guild Tribunal's finding is that there is a prima facie for the removal of the president, the Speaker shall, after the tabling of the report, cause the motion to be formally moved and debated.
- (8) The meeting to discuss the motion shall be held within three days after the receipt of the report of the Guild Tribunal.
- (9) The petitioner shall be entitled to present his/her case and the President shall thereafter tender in his/her defence either personally or may be represented.
- (10) If the Guild Tribunal finds that there is no prima facie case made against the President, the Speaker shall report this finding to the GRC and no debate shall ensue on the matter.
- (11) The President is entitled to appear in person and be heard or to be assisted or represented by a lawyer or other expert or person of his or her choice during the proceedings of the GRC relating to the motion for his/her removal.
- (12) If the GRC passes the motion for the removal of the President by not less than two-thirds (2/3) majority of all members of the Council, the President shall be deemed out of office, unless he/ she appeals to the Guild, through the Speaker, against the removal from office.
- (13) In the event that the President does not appeal against removal from office as in Article 86 (12) above, or he/ she appeals and loses the appeal, the Speaker shall inform the Electoral Commission to organize fresh elections within thirty (30) days in accordance with this Constitution.

- (14) Subject to the provision of the Constitution, the Guild Tribunal shall have regard first to the procedural requirement of this Constitution.

### **87. Other Provisions relating to the Removal of a person from Office**

- (1) The person being removed from office shall be entitled to appear before the Guild Tribunal in person and shall be entitled to legal representation.
- (2) The person being removed from office shall be availed with the report of the Guild Tribunal together with any other evidence adduced at least five (5) days before the debate on the motion.
- (3) Debate on the motion for the removal of a person from office shall take precedent over all other debates on the order paper for the day.
- (4) The Speaker shall call upon the chief petitioner to present his/ her case and thereupon the person being removed from office may offer to answer the issues raised against him/her.
- (5) The person being removed from office shall be given chance to respond to any new matters that arise during the debate. The party likely to be affected by the decision will be given chance to give closing remarks especially on issues that might have arisen during the debate. A vote will thereupon ensue.
- (6) During the debate any member may, with leave of the Speaker and on giving adequate notice, produce additional evidence, in support of his or her argument.
- (7) When the Speaker is satisfied that the motion has been adequately debated, the Speaker shall call upon the person who is being removed from office to answer issues raised in the debate, and then call upon the chief petitioner, to wind up debate.

### **88. Vote of No Confidence in the Speaker or/and Deputy Speaker**

- (1) A Vote of no confidence in the Speaker or/and the Deputy Speaker shall be moved after a petition duly signed by at least twenty-five per cent (25%) of all the members of the GRC.
- (2) The petition shall be presented to the Chairperson of the Guild Tribunal.
- (3) The Guild Tribunal shall investigate the allegations contained in the petition and establish whether there is a prime facie case for the removal of the Speaker/Deputy Speaker.
- (4) The party likely to be affected by the outcome of the petition shall be entitled to a copy of the petition and shall appear in person to defend himself.
- (5) The Guild Tribunal shall publish its findings on all student notice boards and give to the Chairperson Caretaker Government, who shall cause a meeting of the GRC to be called and motion shall be discussed within five (5) days.
- (6) The quorum shall be at least three-fifth (3/5) of the GRC members.
- (7) The motion of no confidence shall be carried if at least two-thirds (2/3) of the members present vote for it in a secret ballot.
- (8) In the event that there is no case to answer, the Guild Tribunal shall publish its findings and notify the Chairperson Caretaker Government. No debate shall ensue in such an event.
- (9) If the case is lost, the Speaker/ Deputy Speaker shall be re-instated

### **89. When the Office of a Minister becomes vacant**

The office of a minister shall become vacant, when:

- (1) the appointment of the holder of the office is revoked
- (2) The holder:
  - (a) resigns
  - (b) is censured by the Council; or
  - (c) is expelled from the University
  - (d) demonstrates an open failure to perform the basic functions of the office.
  - (e) for any reasons ceases to be a member of the Guild.

## **90. Grounds and Procedure for Censuring a Minister**

- (1) A minister can be censured for:
  - (a) Abuse of office or wilful violation of the Oath of Allegiance or Oath of office
  - (b) Misconduct or misbehaviour
  - (c) An on-going failure to perform basic functions of the office
  - (d) Mismanagement; or
  - (e) Incompetence
- (2) After censure has been passed in a Minister, the President shall, unless the Minister resigns his or her office, revoke the appointment.
- (3) Proceedings for censure of a Minister shall be initiated by a petition to the President through the Speaker signed by not less than a third (1/3) of the all members of the GRC giving notice that they are dissatisfied with the conduct or performance of the minister and intend to move a motion of or a resolution of censure and setting out particular grounds in support of the motion.
- (4) The President shall upon receipt of the petition cause a copy of it to be given to the Minister in question.
- (5) A Minister in respect of whom a vote of censure is debated under Clause (2) of this Article is entitled, during the debate, to be heard in his or her defence.

## **91. Grounds of vacating a seat by a Member of the GRC**

- (1) A member of the GRC shall vacate his or her seat in the GRC, under one or more of the circumstances below:
  - (a) If he or she resigns his or her office in writing signed by him or her, addressed to the Speaker.
  - (b) If that student is absent for any period when the GRC is meeting and is unable to offer satisfactory explanation to the relevant GRC committee for his or her absence.
  - (c) If that student is found guilty by the Guild Tribunal of violation of the Constitution and the punishment imposed is or includes the vacation of the office of a member of the GRC.
  - (d) If a person is appointed to public office and uses that office in a manner which conflicts with his or her being a member of the GRC.
  - (e) Upon dissolution of the GRC.
- (2) A student who is serving or has been sentenced to serve a sentence of more than two months shall be deemed to have vacated office and the relevant authorities shall thereupon notify the Electoral Commission to conduct fresh elections to fill the vacancy.

## **92. Grounds for Recalling a Member of the GRC**

- (1) Subject to the provision of this Article, a member of the electorate of any constituency or any interest group referred to in this constitution shall have the right to recall their member of the GRC.
- (2) A member of the Council may be recalled from the office on any of the following grounds:
  - (a) An on-going failure to perform basic functions of his/her office
  - (b) Misconduct or misbehaviour likely to bring hatred, ridicule, contempt or disrepute to the office
  - (c) Persistent desertion of the electorate without reasonable cause
- (3) The recall of a member of the GRC shall be limited by a petition in writing setting out the grounds and signed by at least two thirds of the registered voters of the constituency or of the interest group referred to in clause (1) of this Article, and shall be delivered to the Speaker.
- (4) On the receipt of the petition referred to in clause (3) of this article, the Speaker shall, within five days require the Tribunal to conduct a public inquiry into the matters alleged in the petition and the Tribunal shall expeditiously conduct the necessary inquiry and report its findings to the Speaker within seven (7) days.
- (5) The Speaker shall, upon receipt of the report, declare the seat vacant, if the Tribunal reports that it is satisfied from the inquiry that the petition was justified.

## CHAPTER TEN: FINANCE

### 93. Collection of Revenue

- (1) The subscriptions of members in *statu pupillari* shall be determined and collected in a manner prescribed by the University Council upon registration and shall be transferred to the Guild Account before any expenditure is made.
- (2) Grants, donations or any legal entitlements shall be made to the Finance Minister and declared to the Dean of Students.

### 94. Source of Revenue

The source of Revenue shall be:

- (1) Subscription from members of the Guild.
- (2) Fundraising activities of and/ or by the Guild;
- (3) Grants, donations, bequests and trusts;
- (4) Interests and profit from the Guild property and capital;
- (5) Any legal entitlement to the Guild;
- (6) Registration of affiliate associations and;
- (7) Any other source or means approved by the Council.

### 95. Budgeting

- (1) The Minister of Finance with the Finance Committee shall prepare and lay before the GRC, during the third GRC Session, estimates of all revenue and expenditure, including those of the Makererean as would have been presented by its Chief Editor, (the Budget) for the whole year the Government is in office, for approval.
- (2) The GRC shall pass a Guild Budget before the beginning of each fiscal year, which budget shall reflect the objective of this Constitution to promote the general Welfare of all the Students of Makerere University. Such Budget shall conform to the budgetary conventions of the University and shall have separate subheadings for: (i) expenses which inure to the benefit of the student, or some part thereof, directly; and, (ii) the expenses of the Government and its officers and legislators, including office expenses, emoluments, refreshments, transportation and other incidental expenses of conducting the government which do not directly benefit the wider student body.
- (3) The budget so approved as in Article 95(2) above, shall be submitted to the Financial Advisor to the Guild who will present it to the University Council for ratification.
- (4) Copies of the approved and ratified budget shall be made available to members of the Executive, members of the Guild Representative Council and the University officials concerned.

### 96. Supervision and Authorization of Finances

- (1) The Guild funds shall be kept by the University Bursar in a bank account.
- (2) The Guild Minister of Finance shall keep up to date books of accounts indicating the income and Expenditure of the Guild through and or by any minister or official or any member of the Guild.
- (3) A person who receives Guild money in their own capacity shall be personally liable in case of misappropriation of the same.
- (4) The Minister for Finance shall deposit all monies with the bank.
- (5) No Guild official shall keep Guild monies for longer than three 3 days unless specific official authority has been granted by the Dean of Students.
- (6) The authority to withdraw or to authorise withdrawing Guild money shall rest with the minister for finance in conjunction with the Guild president, and the Dean of students.

- (7) The Guild Cheques shall be signed by the Dean of students as the Principal signatory, the Minister for Finance and the Guild President. Where one signatory other than the principal is not available; the financial Advisor shall sign.
- (8) All financial transactions shall be made in the names of the Guild.
- (9) The Minister for Finance shall receive and keep any receipt or written evidence certifying any expenditure of the Guild funds.
- (10) All the monies received in the name of the Guild shall be receipted by the Finance Minister.
- (11) Before any of the Guild incurs any expenditure, the estimates of that expenditure shall be discussed and approved by the finance committee, which finance committee shall meet and receive an account of such approved expenditure.
- (12) The Minister for Finance shall submit monthly financial reports to the Financial Advisor.
- (13) In the event of temporary absence or physical incapacity of the Minister for Finance, the President shall in consultation with the Dean of Students, carry on his duties for such a time, as the Minister him/herself shall be unable to carry out the duties.
- (14) In the event of the Guild Minister for Finance resigning before his/her term of office comes to an end, the minister shall handover a signed financial statement to his successor, such a financial statement must be approved by the finance committee and the University's Internal Audit.
- (15) The Executive may authorize allocation of funds within the heads of expenditure and must report such expenditure to the following GRC meeting for approval.
- (16) All transactions of the Guild shall follow the laid down procedures of procurement and disposal of public assets.

**97. Auditing.**

- (1) The accounts of the Guild shall be audited not later than four weeks before the Guild General Elections by the University Auditor.
- (2) The Audited accounts and Balance Sheet shall be approved and signed by the Financial Advisor before being presented to the GRC.
- (3) The Audited Accounts and Balance Sheet shall be published after approval by the GRC not later than 7 (seven) days before the Presidential and GRC Elections.

**CHAPTER ELEVEN: STUDENT CONSULTATIVE COMMITTEES**

**98. Student Consultative Committees**

- (1) There shall be a joint student/staff consultative committee composed of members from both sides, known as "The Student/Staff consultative Committees"
- (2) Their function shall be to hold joint consultative talks on all matters and measures affecting students in *statu pupillari*.
- (3) The Consultative Committee shall meet at the request of either the University or the Guild.
- (4) Members representing the Guild on such committees shall be appointed by the Executive, except by virtue of office as per this consultation.
- (5) The Vice-Chancellor shall be given copies of the proceedings of the meetings of these Committees if he is not a member.



## CHAPTER TWELVE: CLUBS, SOCIETIES AND OTHER ORGANISATIONS

### 99. The Right to form clubs or organizations

Subject to this constitution and other law, any member of Makerere students Guild shall have the right to initiate any club or organization with the approval of the GRC and the Dean of Students.

### 100. Procedure for forming any club or organization

- (1) Any member desirous of forming an organization shall present their draft constitution and membership of at least 35 members to the Minister for Justice and Constitutional Affairs of the Guild Government
- (2) The Minister for Justice and Constitutional Affairs shall make recommendations to the GRC through the Speaker for approval.
- (3) The draft constitution shall be presented to the Dean of Students for final assent and recommendation to the Vice Chancellor for a certificate of registration.

### 101. Grounds for approval of any club or organization

- (1) Approval referred to in the above article shall be granted to the club if the aims and objectives of the club are consistent with the provisions of this constitution, the University Regulations and the laws of the land.
- (2) Notwithstanding the above provision, clubs and societies shall have the power to make their own rules and regulations provided they are not against morality, public peace and principles of natural justice.

### 102. The right to join any club or society

- (1) Any registered member of the Guild shall have absolute rights to join any club or organization within the University.
- (2) Members of the Guild shall voluntarily join clubs and/ or associations of their choice without undue influence.

### 103. Requirement for Approval

- (1) Every club, societies and organizations shall have an executive body.
- (2) All club activities shall be under the auspices of the Minister of Social Affairs, except otherwise stated.
- (3) All clubs, societies and organizations within Makerere University shall meet the cost of their activities except that they may be eligible for financial assistance by the Guild.

### 104. Registration

- (1) Any registered students' organization in the University shall be affiliated to the Guild on its application for affiliation to the Executive, having been approved by the GRC and the Dean of Students provided that :
  - (a) Its full members are members of the Guild
  - (b) Its constitution is in line with the aims and aspirations of the Guild
  - (c) It has not less than 35 members who hold membership cards
  - (d) Has paid the requisite registration fee as approved and fixed by the GRC from time to time.
- (2) Clubs, societies shall have two registers, the original which shall be kept with the office of the Dean of Students and the Duplicate by the Minister for Justice and Constitutional Affairs.
- (3) No registration or renewal shall be valid unless the same has been recorded in both registers.
- (4) A reasonable fee shall be levied to cater for the costs of registration and renewal.

## **105. Affiliated Societies**

Any affiliated societies may be eligible for financial assistance on application to the Minister for Finance on approval by the Council.

## **106. Revocation of License**

- (1) License may be revoked if:
  - (a) The association fails to renew its registration for two consecutive years.
  - (b) Fails to adhere to the Guild constitution or any other law applicable
  - (c) Its objectives and activities are contrary to those of the Guild
  - (d) It has failed to adhere to its objectives and constitution.
  - (e) The Council determines that its existence is an unnecessary duplication
- (2) Any member of the Guild may apply to the Minister for Justice and Constitutional Affairs to have any association, club or society declared illegal with clear and genuine reasons and evidence in writing. The committee on Justice and Constitutional Affairs shall then call the parties and hear the case. If convinced that the society in question deserve to be revoked, the committee shall table its findings to the GRC which shall decide whether or not to revoke the association.
- (3) The GRC may also refer the parties in question to face disciplinary action.

## **107. Composition of Club/Association/Society(s) Executive/Cabinet/Secretariat**

- (1) Every association under the guild shall have an executive/cabinet/secretariat by whatever name called and shall be headed by someone chosen by the members of such association/club/society who shall be call chairperson/president.
- (2) Each and every association/club/association shall take cognizance of the minority groups, who shall be also represented.

## **108. Classification of clubs/association/societies**

They shall be classified as follows:

- (1) **Class A.**  
This shall include associations of colleges/schools/institutes that are academic in nature. These shall be under the supervision of the Minister for Academic Affairs.
- (2) **Class B**  
This will encompass all those associations/unions sharing a common ancestry or pursuing similar interest or sharing a common origin. They shall include all associations uniting students from similar schools, districts, religions, culture or tradition. Organizations in this class shall be supervised by the Minister for Culture and Mobilization.
- (3) **Class C**  
Any other association/ union approved by the Guild Representative Council for the sole purpose of promoting the interests of the students, but do not fall under category A or B above. The Minister for Justice and Constitutional Affairs may determine the supervising officer in relation to the objectives of the organization.

## **CHAPTER THIRTEEN: MEETINGS**

### **109. Convening of Meeting**

- (1) All Guild meetings including the General Assembly, the GRC sessions and the Cabinet shall be held in accordance with the provisions of this Constitution.
- (2) Meetings of the GRC shall be open to all full members of the Guild, unless the GRC decides otherwise.

- (3) The members of the Guild who are not members of the GRC shall attend as the gallery with no voting rights.
- (4) The Speaker shall be responsible for convening all meetings of the General Assembly and meetings of the GRC.

#### **110. Frequency**

- (1) The Executive shall meet as often as there is need, but not less than six (6) times in a semester.
- (2) The GRC shall meet not more than four (4) times in a semester except in emergency cases.
- (3) Committees shall meet as often as there is need.

#### **111. Notice of meetings other than those convened to debate motion of no confidence**

- (1) The Executive members shall be given at least:
  - (a) Three (3) days' notice for ordinary meetings;
  - (b) Six (6) hours' notice for emergency meetings;
- (2) GRC members shall be given at least:
  - (a) Four (4) days' notice for ordinary meetings
  - (b) Twenty-four (24) hours' notice for emergency meetings
- (3) If at least a tenth (1/10) of the Guild members sign the petition in favour of a General Assembly, the Speaker, after giving due notice to the Vice Chancellor, shall convene a meeting to be held not later than ten (10) days from the date of receiving the petition.
- (4) The notice shall include matters to be discussed in form of an agenda.
- (5) No resolution shall have a force of law or any binding nature on the Guild or any members, where such a meeting is convened in disregard of these provisions.

#### **112. Presiding at meetings**

- (1) The Speaker shall preside at the subsequent GRC meeting after his/her election.
- (2) The Speaker shall preside over the General Assembly.
- (3) In the absence of the Speaker, the Deputy Speaker shall preside.
- (4) In the absence of both the Speaker and Deputy Speaker, the members present and forming a quorum shall appoint an Acting Speaker from among themselves to preside over the Guild Representative Council or General Assembly meeting.
- (5) The election of the Acting Speaker in (4) above shall be supervised by the Prime Minister.
- (6) The President shall preside over Executive meetings.

#### **113. Quorum**

- (1) The quorum of the General Assembly meeting shall be at least ten per cent (10%) of the members of the Guild.
- (2) The quorum of the GRC shall be a half of the members of the GRC entitled to vote.
- (3) The quorum for Executive meetings shall be a half of the Cabinet.
- (4) Quorum shall be established at the commencement of each meeting.
- (5) If in any meeting of the GRC a quorum is not realized, a subsequent meeting with the same agenda will be legally constituted by a third (1/3) of the members.
- (6) A quorum of not less than three-quarters (3/4) of the members of the GRC shall be necessary to listen to a petition for vote of no confidence in the executive.
- (7) If any meeting quorum is not realized, within an hour after the time appointed for the meeting to commence, the meeting shall be cancelled.
- (8) In any meeting should attention be called at any time, after the commencement of business, to the fact that there is no quorum, the person presiding over the meeting shall order the names of those present to be read and counted, and if they are less than the quorum required for the meeting, it shall be adjourned.
- (9) In case it is a General Assembly, only counting of members present will be done and not reading of names.

#### **114. Order of Business**

- (1) The agenda shall be read by the Speaker or whoever is presiding at the beginning of each meeting.
- (2) All matters therein shall take precedence over other business.
- (3) Notice of the motion to be discussed at a further meeting may be given.
- (4) Every agenda must provide for question time not exceeding twenty (20) minutes after "Matters Arising" from the previous minutes.
- (5) Any question may be asked during this time but no debate of policy or motion shall be allowed.

#### **115. Suspension of Standing Orders**

- (1) A motion for the suspension of the standing orders may be accepted by the Speaker in the event of any matters of urgency.
- (2) The member moving such a motion must clearly state the nature, urgency of the business, the standing order or orders affected and the length of time the suspension should last.
- (3) The suspension should not exceed thirty (30) minutes but may be extended if the meeting deems it necessary.
- (4) No suspension shall take place unless approved by a two-thirds (2/3) majority vote of the members present.

#### **116. Breaches of Order**

- (1) A member is guilty of a breach of order if he/she:
  - (a) Uses language not befitting usage in Council, and refuses to withdraw it or offer a satisfactory apology;
  - (b) disobeys a lawful order from the Speaker;
  - (c) Conducts him/herself in a manner unbecoming of a member of the GRC.
- (2) Any member who commits a breach of order may, on being declared by the Speaker to be guilty of disorderly conduct, be punished by being discontinued from sitting and participating in the on-going meeting.

#### **117. Motions**

- (1) Motions shall be of affirmative character and commence either with the word "That".
- (2) Every motion or amendment must be moved and seconded by members physically present in the meeting, and shall be in writing.
- (3) A member may start with a speech and conclude with a motion or an amendment.
- (4) An addendum to the motion shall be treated as an amendment.
- (5) Motion shall be disposed of one by one.

#### **118. Amended Motion**

- (1) The motion successfully amended shall be called the amended motion and further amendments to any portion of the amended motion may be moved provided they are consistent with the business and have been previously rejected.
- (2) After the vote on each succeeding amendment has been taken, the surviving proposition shall be put to the vote as the main question and if carried, shall become a resolution of the meeting.

#### **119. Order of Procedure**

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

- (1) Point of Order
- (2) Motion
- (3) Point of information (when a member is giving information)
- (4) Point of inquiry (when a member is seeking information)
- (5) Point of guidance.

- (6) Point of privilege.

## 120. Right of Reply

- (1) The mover of the motion shall have the right to open the debate and to reply at the close of the debate.
- (2) When an amendment is moved, the mover of the original motion shall be entitled to speak thereon in accordance with Article 117, but shall lose the right when the amendment is carried.

## 121. Procedure

- (1) No motion shall be put to vote unless a motion that "the question be put" has been moved and carried.
- (2) No further discussion shall be allowed once the question has been put by the Speaker/ Chair.

## 122. Withdrawals

- (1) Once a motion or an amendment has been accepted by the Speaker/ Chairperson, it shall not be withdrawn without the consent of two-thirds (2/3) of the members present.

## 123. Closing Debate

- (1) The motion that "no vote be taken on this question", "we proceed to the next business", "the question be put", may only be moved and seconded by members who have not previously spoken on the same subject at any time during the debate.
- (2) No speeches shall be allowed on such motions.
- (3) If the motion "That the question be put" is lost, the mover of the original motion shall have the right to reply in accordance with the Constitution, before the question is put.
- (4) If any of the motions mentioned in Clause (1) of this Article or the motion of adjournment is defeated, fifteen (15) minutes shall elapse before it can be accepted by the Speaker, except when he deems the circumstances to have materially altered within that time.

## 124. Adjournment

- (1) Adjournment of meetings or debates under discussion may be moved only by a member who has not spoken on the question.
- (2) He must confine his remarks to the question only. The mover of the motion upon which the adjournment has been moved shall be allowed the right of reply on the question of adjournment which shall not prejudice his right of reply on his own motion.
- (3) Once the motion of adjournment is lost, it shall not be moved again, save in accordance with the constitution.
- (4) The Speaker shall declare the meeting adjourned if there are present (besides the Speaker) less than the quorum necessary for the meeting to be conducted.

## 125. Voting

Save as otherwise provided in this Constitution.

- (1) Voting shall be by show of hands unless otherwise decided.
- (2) Two members appointed by the Speaker shall act as tellers.
- (3) The Speaker shall have no right to vote.
- (4) If there is a recount, and the votes are equally divided, the motion shall be lost.
- (5) In committees, names of those voting for, against and obstacles shall be recorded in the Minutes, whenever a difference of opinion on the preposition occurs.

## 126. Notice of Motion

- (1) No resolution shall be rescinded or amended in the meeting in which it is passed.
- (2) Notices of its rescinding or amendment must be given along with the Agenda.

## **127. Rescinding a Resolution**

- (1) No resolution shall be rescinded or amended in the meeting at which it is passed.
- (2) Notice of its rescindment or amendment must be given along with the Agenda.
- (3) The resolution involving important issues of finance or policy shall not be rescinded unless members of the committee concerned have been duly notified. And no resolution shall be passed by the Council having the effect of attaching liability on anyone which would have but for that resolution, been valid and lawful.

## **128. Exemption**

The Executive committee and other Committees of the Guild are exempted from those standing orders which do not specifically mention them.

## **CHAPTER FOURTEN: GENERAL PROVISIONS RELATING TO PROCEDURE IN THE GRC**

### **129. Language**

The procedures and debates of the GRC shall be in English.

### **130. Whips**

- (1) There shall be in the GRC a chief whip appointed by the Speaker at every sitting.
- (2) The role and functions of the Chief Whip shall be to ensure discipline in the GRC.
- (3) The Chief Whip shall also perform such other functions as assigned to him by the Speaker.

### **131. Sitting Arrangement in the GRC**

- (1) Every member shall, as far as possible, have a seat reserved for him or her by the Speaker.
- (2) The seats to the right hand of the Speaker shall be reserved for the Leader of Government Business and members of the Cabinet.
- (3) The seat of the President shall also be on the right hand of the Speaker.
- (4) The Speaker shall ensure that all members of the GRC are comfortable.

### **132. Sitting of the GRC**

- (1) Subject to the provisions of this Constitution, the sitting of the GRC or of the committees shall be public.
- (2) The Speaker may, with the approval of the GRC, order the GRC to move into closed sitting.
- (3) When the GRC is in closed sitting, no stranger shall be permitted to be present in the chamber, side lobbies of galleries or near the precincts of the GRC.
- (4) The Speaker may cause the proceedings and decisions of a closed sitting to be recorded or issued in such manner as he or she thinks proper.
- (5) No person other than a member or a person sitting under the authority of the Speaker shall keep a note or record any proceeding or decisions of a closed sitting of the GRC whether in part or in full.
- (6) No person other than a person acting under the authority of the Speaker shall issue any report or decision of the proceedings of a closed sitting.
- (7) Disclosure of proceeding or decisions of a closed sitting by any person in any manner shall be treated as gross breach of privileges of the GRC.

### **133. Minister to attend the GRC to answer questions**

A Minister shall attend sitting of the GRC to answer questions put to him or her.

#### **134. Statement by Ministers**

- (1) A Minister, protected with the prior permission of the Speaker, may make a statement at the appropriate time on the sequence of business, whether for the purpose of explaining Guild government policy or action upon any matter.
- (2) Statement made by ministers may be debated provided that such debate shall not exceed fifteen (15) minutes on each statement.

#### **135. Statement by Members**

With the leave of the Speaker, a member may make a statement on any matter for a limited duration of time not exceeding eight (8) minutes.

#### **136. Personal Explanations**

A member may explain a matter of personal nature but no controversial matter may be brought in the explanation nor may debate arise upon it.

#### **137. Withdrawal of Motions/Petitions**

- (1) A motion or an amendment to the motion may be withdrawn at the request of the mover.
- (2) If the question has been proposed on an amendment to a motion, the original motion may not be withdrawn until the amendment to the motion has been disposed of.
- (3) Any petition to the Council may be withdrawn by the mover. The mover shall cite the reasons for the withdrawal of the petition. A petitioner shall not be forced or be put in the situation that indulges him/her to withdraw the petition.

#### **138. Close of Debate**

No member may speak on any question after it has been put by Speaker and voted for or against.

#### **139. Sub judice Rule**

- (1) A member shall not refer to any particular matter which is sub-judice.
- (2) A member shall be considered sub-judice if he/she refers to an active criminal or civil proceeding and, in the opinion of the Speaker, the discussion of such matter is likely to prejudice its fair determination.
- (3) A matter is also sub-judice if it is being handled by any tribunal or disciplinary committee within the University.
- (4) A member alleging that a matter is sub-judice shall provide justification to show that clause (2) above is applicable.

#### **140. Use of Unbefitting Language.**

It shall be out of order to use offensive, abusive, insulting, blasphemous or unbecoming words or to impute improper motives to any member or to make personal allusions.

#### **141. Policy Statements**

- (1) Each minister shall cause preliminary estimates to be prepared and submitted to the finance ministry.
- (2) A policy statement made under clause (1) shall be in a form prescribed by the Minister responsible for Finance and shall reflect specific data about the extent of achievement of the targeted objectives using the money received and reports provided.
- (3) The estimated expenditure of the Tribunal shall be submitted to the Council and defended by the Minister for Justice and Constitutional Affairs.

#### **142. Ceremonial Speeches and Speeches by Distinguished Personalities**

Distinguished persons from within or without the University may be allowed by the Speaker to address the GRC on any matter of importance.

#### **143. Contempt of Council**

An act or omission which obstructs or impedes the Council in the performance of its function or which obstructs or impacts on an officer of the Council in the discharge of his/her duties or affronts the dignity of the Council or which tends, whether directly or indirectly, to produce such a result, shall be contempt of the Council.

#### **144. Minutes**

The clerk shall keep the minutes of the proceedings of the GRC, record the attendance of members at each sitting and all decisions taken by the GRC.

#### **145. Records**

- (1) The clerk shall:
  - (a) Be responsible for making entries and records of filing done and approved or passed in the GRC.
  - (b) Have custody of all records and the other document belonging or presented to the GRC
  - (c) Keep secret all matters required by the GRC to be treated as secret and not discuss them before they are officially published.
- (2) The records shall be kept under such arrangements as the Speaker may direct.

#### **146. Ad hoc committees**

The GRC may, at any time or on the advice of the business committee, appoint an ad-hoc committee to investigate any matter of public importance that does not come under the jurisdiction of any standing committee or that has not been dealt with by a select committee.

#### **147. Persons with Disability**

- (1) Persons with Disability shall be treated with dignity and respect and addressed/referred to in manner that is not demeaning.
- (2) Sign language, Braille and/or any appropriate means of communication shall be used in the GRC to enable Persons with Disability fully participate.
- (3) In the conduct of Guild affairs, a Person with Disability shall be entitled to attend with the assistance of his/her helper and assistive devices to enhance his/her participation.
- (4) Helpers shall be entitled to facilitation during the GRC meetings except that their work shall be compensated for by their salaries.
- (5) A person allowed to give assistance to a member under paragraph (4) above shall act with decorum, dress in dignified manner, and keep secret anything which members are required to keep secret.

#### **148. Assistance to Persons with Disabilities**

Notwithstanding anything in this Constitution the Speaker or a Chairperson of a committee shall take all necessary steps to ensure that Persons with Disabilities are facilitated in their participation of the GRC or its committees.

### **CHAPTER FIFTEEN: CONSTITUTIONAL AMENDMENTS**

#### **149. Changes to the Constitution**

- (1) Changes in the Constitution may be initiated by:



- (a) The University Council in exercise of its powers embodied in the *Universities and Other Tertiary Institutions Act, 2010 (As Amended)*.
  - (b) Any full member of the Guild.
- (2)
- (a) A person or a group of persons desirous of amending any constitutional provision(s) shall lodge a petition with the Speaker.
  - (b) The Speaker shall notify the Minister of Justice and Constitutional Affairs to look into the merits of the petition.
  - (c) If the Minister of Justice and Constitutional Affairs is satisfied that there is need for constitutional amendment, he/ she will convene the Justice and Constitutional Affairs Committee to study the petition and make proposals to the GRC.
- (3) Copies of the proposed changes shall be sent to all members of the GRC at least seven (7) days before the meeting in which they are to be discussed.
  - (4) Any proposed changes in the Constitution shall first require the approval by two-thirds (2/3) majority of all members of the GRC.
  - (5) The changes shall not be effective unless and until they are recommended by the Students Affairs Committee of Council and approved by the University Council.
  - (6) The approved changes shall be embodied in the amended Constitution.
  - (7) No amendment shall be valid unless the procedural requirement is adhered to.

#### **150. Interpretation**

- (1) Unless otherwise provided in this Constitution, interpretation is vested in the Speaker and his/her interpretation shall be final and conclusive provided his/ her interpretation is not challenged by at least a half (1/2) of the members present at the meeting.
- (2) In case of the Speaker's interpretation being successfully challenged, the tribunal shall sit and give its interpretation on the same provision and its interpretation shall be final.

#### **151. Breach of the Constitution**

Any person or group of persons breaching this Constitution, shall be subject to disciplinary proceedings of the Guild Disciplinary Committee and, if necessary, the University Disciplinary Committee.

## APPENDICES

### APPENDIX 1: CITATION/ SWEARING –IN

**(a) The President**

"I ..... Swear that I shall discharge my duties as President of Makerere Students' Guild with all honesty and to the best of my ability, abiding fully by the Constitution. May God help me"

**(b) The Executive (Each)**

Citation as per Appendix 1 (a), substituting the respective Ministerial post 'President'.

**(c) The GRC Members (each Hall/ School Separately)**

"We members of ..... Hall swear that we shall discharge our duties as members of the Guild Representative Council with all honesty, and to the best of our ability, abiding fully by the Constitution. May God help us.

**(d) The Members of The Electoral Commission**

I.....Swear that I shall discharge my duties as a member of the electoral commission with all honesty and to the best of my ability, abiding fully by the constitution. May God help me.

**(e) Members of the Guild Tribunal**

I.....Swear that I shall discharge my duties as a member of the Guild Tribunal with all honesty and to the best of my ability, abiding fully by the constitution. May God help me.

**(f) Committee Members**

I.....Swear that I shall discharge my duties as a member of the ..... Committee with all honesty and to the best of my ability, abiding fully by the Constitution. May God help me.

### APPENDIX 2: THE OUT-GOING PRESIDENT HANDING OVER

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

### **APPENDIX 3: STUDENTS' COMMON ROOM (SCR)**

Apart from societies affiliated to the Guild and financially dependent bodies like the Games Union, there will be existing organisations not instituted by the Guild but directly related to it. The organisations or bodies are known as Halls of Residence, which are centres of social life for members of the Guild in statu popillari. These bodies have organised governments based on constitutions formulated by the University Council. These institutions among other things have elected Chairpersons and Hall Representatives who are members of the Guild Representative Council. These Halls are under the direct administration of Senior University officials known as Wardens.

- (a) The powers of the SCRs which are the assemblies of the Halls of Residence are defined by the Constitution of the individual Halls.
- (b) The powers to withdraw members of the SCR rest with the SCRs.

### **Appendix 4: ELECTORAL RULES AND REGULATIONS**

1. The Electoral Commission shall draw up a programme for nominations, campaigns and voting, and every candidate in co-operation with the other members of the Guild shall strictly abide by it.
2. Any candidate found guilty of instigating any form of violence, or guilty of any other form of misconduct may be disqualified by the Electoral Commission in consultation with the University Management.
3. Disciplinary action shall be taken by the University Disciplinary Committee against any student who interferes with the smooth running of the Electoral process or is found guilty of any form of electoral malpractice.
4. There shall be no campaigning at any time beyond 7.00 pm.
5. Defacing University buildings and littering of the compound/ roads with campaign materials is prohibited.
6. Campaign materials shall be displayed in areas authorised by University Management, and communicated to the Guild by the Electoral Commission.
7. Noise outside the stipulated campaigning time shall be prohibited.
8. No rallies shall be held in areas designated as lecture space.
9. Campaign processions shall exercise restraint so as not to interfere with traffic flow, nor hinder pedestrians moving along University roads.