

Uganda Christian University

STUDENTS' GUILD CONSTITUTION

CHAPTER ONE

THE GUILD CONSTITUTION

1 Supremacy of the Constitution.

- (1) This Constitution shall be, under the legal authority of the University Charter, the supreme law of Uganda Christian University and shall have binding force on all authorities and persons under the Students' Guild.
- (2) If any other instrument or custom belonging to the Guild body is inconsistent with this Constitution, the Constitution shall prevail.

2. Defence of the Constitution.

- (1) It is prohibited for any persons or group of persons to take or retain control of UCU Students' Guild except in accordance with the provisions of this 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) All Members of the UCU Students' Guild shall at all times uphold the supremacy of the Constitution.

3. General Awareness and Public Relations.

- (1) Copies of this Constitution shall be made available to promote public awareness of this Constitution.
- (2) The contractual authority of the Student Guild may be limited and modified by University Statute.

CHAPTER TWO

THE GUILD

4. Composition of the Guild.

The Guild shall comprise full Members, associates, honorary members and Chapter members at Constituent Colleges of UCU.

5. Attainment of Membership of the Guild.

(1) A person shall be a member of the Guild when that person:

(a) (i) is registered by the University ; or was registered in the immediately preceding semester, has not graduated, and whose course of study is in recess and

(ii) has paid the appropriate fee for Students' Guild and activities.

(b) is elected by the Guild Parliament to be an honorary member or associate member of the Guild.

(2) has paid the *appropriate student activity fee* for Student Guild and activities shall be set by the University Administration in consultation with the Students' Guild.

6. Oversight of the Guild.

The primary organ overseeing the Students' Guild is the office of the Director of Student Affairs *or Dean of Students*.

CHAPTER THREE

PROTECTION AND PROMOTION OF FUNDAMENTAL AND OTHER HUMAN RIGHTS & FREEDOM

7. Fundamental Rights and Freedoms.

(1) Every student shall have the right to:

(a) Freedom of speech and expression, which shall include freedom of press and other media;

(b) Freedom of thought, conscience and belief;

(c) Freedom to assemble and to demonstrate together with others peacefully and unarmed with higher authority;

- (d) Freedom of association, which shall include the freedom to join and form clubs, societies and other organizations;
 - (e) Pursue his or her studies; and
 - (f) Live in a good environment.
- (2) Every student shall have the right to own property either individually or in association with others.
 - (3) No student shall be deprived of property or any interest in or right over property of any description except in the following instances;
 - (a) Where such property owned is of a nature that is detrimental to Christian norms, beliefs and customs, or that which is deemed a threat or dangerous to human life.
 - (b) The taking of possession or acquisition is necessary to curb nuisance in society.

8. Inherence of Fundamental Rights.

- (1) Fundamental rights and freedoms of the students are inherent and not granted by the University Guild.
- (2) The rights and freedoms of the students and groups enshrined in this chapter shall be respected, upheld and promoted by all organs and agencies of the University Guild and all Members of the Guild.

9. Equality of Students.

- (1) All persons are equal before and under the law in all spheres of political, economic, social and cultural life and in every other respect and shall enjoy equal protection of the law under this Constitution.
- (2) Without prejudice to clause (1) of this article, a person shall not be discriminated against on the ground of sex, race, colour, ethnic origin, tribe, age, creed or religion or social or economic standing, political opinion or disability.
- (3) For the purpose of this article “discriminate” means to give different treatment to different persons attributable to, or mainly to their respective description by sex, race, colour, ethnic origin, tribe, age, creed or religion or social or economic standing, political opinion or disability.
- (4) Nothing in this article shall prevent the University from enacting laws that are necessary for: -
 - (a) Implementing policies and programs aimed at redressing social, economic or educational or other imbalance in society or
 - (b) Making such provision as is required or authorized to be made under this Constitution.

- (c) Providing for any matter acceptable and demonstrably justified by its Christian identity.
 - (5) Nothing shall be taken to be inconsistent with this article, which is allowed to be done under any provision of this Constitution.
- 10. Right to Studies.**
- (1) No student shall be deprived of studies intentionally except in execution of a punishment passed in a fair trial by a Tribunal of competent jurisdiction in respect of an offence, act or omission under the Guild Tribunal and University Tribunal rules and regulations and the conviction and sentence have been confirmed by the highest appellate authority (Vice Chancellor, Principal, Director where applicable)
 - (2) No person has the right to terminate or expel a student except as may be authorized by the University rules and regulations.
- 11. Personal Liberty.**
- (1) No student shall be deprived of personal liberty except in any of the following cases: -
 - (a) In execution of a punishment whether established by the Guild Tribunal or University disciplinary committee in respect of an offence of which that student has been convicted.
 - (b) For the purpose of preventing the spread of an infectious or contagious disease;
 - (c) In the case of a student who is or is reasonably suspected to be of unsound mind or addicted to drugs or alcohol for the purpose of the care or treatment of that student or the protection of the community.
 - (d) In order to obtain the attendance of that person or other witnesses before the Tribunal or University disciplinary committee.
- 12. Notice to the Guild Office of Student Suspended or Expelled.**
- (1) A student, who has been suspended or expelled from the University, should be brought to the notice of the Guild.
 - (2) Where a student has been suspended or expelled from the University in respect of an offence, the student is entitled to appeal to the Vice Chancellor and that student may be granted forgiveness or his *sentence* be reduced, as the Vice Chancellor considers reasonable.
- 13. Right to a Fair Hearing.**
- (1) In the resolution of any disciplinary matter before the Guild Tribunal a student shall be entitled to a fair and speedy hearing before an independent and impartial Tribunal established by this Constitution.
 - (2) Nothing in clause (1) of this article shall prevent the Tribunal from excluding other students from all or any proceedings before it for reasons of morality,

public order or the University's security, as may be necessary in a free Christian and democratic society.

- (3) Every student who is charged with an offence before the Guild Tribunal shall:
 - (a) Be presumed to be innocent until proved guilty or until that student has pleaded guilty.
 - (b) Be informed immediately, in a language that the student understands of the nature of the offence.
 - (c) Be given adequate time and facilities for the preparation of his or her defence.
 - (d) Be availed a free defence counsel by the Guild government or call counsel of his own choice at his or her own expense who for all intents and purposes shall be a law student of at least 2 years standing in the course.
- (4) Nothing done under the authority of this Constitution or any rule and regulation promulgated thereunder shall be held to be inconsistent with:
 - (a) Paragraph (a) of clause (3) of this article, to the extent that the rules and regulation impose upon any student charged with an offence have the burden of proving particular facts;
 - (b) Paragraph (c) of clause (3) of this article, to the extent that the rules and regulations of the University imposes conditions that must be satisfied by witnesses called to testify on behalf of the accused.
- (5) No student shall be charged with or convicted of an offence which is founded on an act or omission that did not at the time it took place constitute an offence.
- (6) No penalty shall be imposed for an offence that is more severe in degree or description than the maximum penalty that could have been imposed for that offence at the time when it was committed.
- (7) Except for assault of a university administrator, or any other member of staff, no student shall be convicted of an offence unless the offence is defined and the penalty for it is prescribed by rules and regulations of the University.
- (8) All petitions and draft resolutions for the removal, discipline or censure of any office holder within the Student Guild will be tendered to the Office of the Director of Student Affairs for information purposes only. The Office of the Director of Student Affairs shall also be informed of the action from any petition or resolution for the removal, discipline or censure of any office holder within the Student Guild.

14. Affirmative Action in favour of Marginalized groups and Equal Opportunities.

- (1) Notwithstanding anything in this Constitution, the Guild Government shall take affirmative action in favour of groups marginalized on the basis of gender, age disability or any other reason created by history tradition or custom, for the purpose of redressing imbalances, which exist against them.
 - (2) When special need arises, the President shall establish, subject to the appointment of Parliament, an Equal Opportunities Commission to deal with such need.
- 15. Minorities' Right to participation in Decision-making.**
- Minorities have a right to participate in decision-making processes and their view and interests shall be taken into account in making the Guild plans and programs.
- 16. Right to enjoy, practice and profess culture.**
- Every student has a right as applicable, to belong to, enjoy, practice, profess, maintain and promote any cultural institutions, language, traditions creed or religion in conformity with laws of Uganda and University regulations.
- 17. Students' Right to participate in Guild Government affairs.**
- Every student has the right to participate in the affairs of the Guild Government, individually or through his or her representatives in accordance with law.
- 18. Conferment of Rights and Freedoms.**
- (1) In the enjoyment of the rights and freedoms prescribed in this chapter, no student shall prejudice the exercise of fundamental or other human rights by others.
 - (2) Students' interest under this article shall not permit -
 - (a) Personal grudges
 - (b) Any limitation of the enjoyment of the rights and freedoms prescribed by this chapter what is acceptable and demonstrably justifiable in a free, Christian and democratic society.
- 19. Applications in case of infringement of Rights or Freedom.**
- (1) Any student who claims that a fundamental or other right or freedom guaranteed under this Constitution has been infringed or threatened is entitled to apply to the Guild Tribunal for redress.
 - (2) Any student or association may bring an action against the violation of another Students' or group's human rights within fourteen (14) days from commission of the act.
 - (3) Any person aggrieved by any decision of the Guild Tribunal may appeal to the University disciplinary committee.
 - (4) Parliament shall make laws for the enforcement of the rights and freedoms under this chapter.

CHAPTER FOUR

GENERAL ASSEMBLY

20. Establishment of the General Assembly.

There shall be a General Assembly of the Students' Guild that shall be the highest Organ of the Guild Government.

21. Composition of the General Assembly.

- (1) The General Assembly shall be composed of all Members of the Students' Guild, presided Over by the Guild Speaker.
- (2) The General Assembly shall convene at least twice during the term of office of a directly elected government.
- (3) All Members of the Guild shall be under a duty to attend in person and regularly all meetings lawfully convened by the Guild Government and to meaningfully contribute within the limits of their abilities and powers.

22. Functions of the General Assembly.

The General Assembly shall convene to:

- (a) Hear from the Guild Administration;
- (b) Hear from the University Administration; and
- (c) Receive information on matters that affect the students' welfare in the University.

CHAPTER FIVE

THE EXECUTIVE

23. Establishment of the Office of the President.

- (1) There shall be a President of the Guild Government of the Uganda Christian University Guild at its Main Campus and at each of the University campuses, Constituent Colleges and/or affiliates who shall be the head of the Guild and Chairman of the executive.
- (2) A President in each campus, Constituent College and/or affiliates shall take precedence over all students in that campus, Constituent College and/or affiliate and in descending order the Vice President, the Speaker and the Chairperson Students' Guild Tribunal where applicable.
- (3) Before assuming the duties of the office of President, a student elected President shall take and subscribe to the oath of allegiance and the Presidential oath specified in the first schedule to this Constitution. In all cases, the oath of allegiance and the presidential oath shall not be taken less than 2 weeks from the date of declaration of such student as president.
- (4) During the term of office, a President shall not be liable to proceedings in any tribunal save as provided in clause (5) of this Article.
- (5) Proceedings against any sitting President may be brought in respect of any civil or criminal offence whose sanctions and penalty exceed the jurisdiction of the Guild Tribunal.
- (6) A President and a Vice President may be of the same sex. However, priority shall be given to the opposite sex of the President to be appointed as Vice President.

24. Executive authority vested in a President.

- (1) The executive authority of the Students' Guild is vested in a President and shall be exercised in accordance with this Constitution and the rules and regulations of the University.
- (2) The President shall execute and maintain this Constitution and all laws made under or continued in force by this Constitution.
- (3) It shall be the duty of the President to abide by, uphold and safeguard this Constitution and the rules and regulation of the University and to promote the welfare of the students and protect the integrity of Uganda Christian University.
- (4) Subject to the provisions of this Constitution, the functions conferred on the President by clause (1) of this article may be exercised by the President either directly or through an office subordinate to the President.

25. Notification by President on leaving the campus.

The President shall, whenever leaving the University campus on official duty, notify in writing the Vice President, the Speaker and the Chairperson of the Tribunal.

26. President to address Parliament on Guild Government affairs.

- (1) The President shall at the beginning of each session of Parliament, deliver to Parliament an address on the state of the Guild Government affairs.

- (2) The President may also in consultation with the Speaker, address Parliament from time to time, on any matter of Guild importance.

27. Qualifications and Requirements for Presidential Candidates.

- (1) In order to participate in the Guild president nomination process as a potential candidate a student must meet the following substantive requirements:
 - (a) Meet the requirements for Guild Member of Parliament.
 - (b) Has spent at least an academic year as a registered student of the University and is enrolled for an academic program;
 - (c) Is able and willing to affirm and subscribe to the Instruments of Identity of Uganda Christian University;
 - (d) Is a baptized and confirmed member of the Church of the Anglican Communion that is in fellowship with the Church of Uganda (Anglican) and;
 - (e) Stands on his or her own merit, and does not officially represent or receive contributions from a national political party,
- (2) The following minimum procedural requirements apply for students seeking to be candidates in elections for Guild president:
 - (a) Potential candidates shall submit a completed candidate profile with their faculty office by the deadline provided.
 - (b) Potential candidates shall include the following minimum materials in the candidate profile:
 - (i) A petition signed by 50 fellow students of Uganda Christian University, attesting to his or her qualifications to serve. Students may sign a petition for only one potential candidate per election cycle. Reasonable requirements shall be adopted by the electoral commission to ensure that signatures are not forged, duplicated or not obtained from actual students of Uganda Christian University)
 - (ii) Attested evidence of baptism and confirmation in the church of Uganda.
 - (iii) Written recommendations from a lecturer in the faculty.
 - (iv) A personal essay submitted in accordance with directions provided by the Joint Selection Board.
 - (c) A faculty may nominate up to two of its students.
 - (d) Applicants for office shall be vetted by a Faculty Selection Board composed of Lecturers, student representatives in the faculty and a member of the Electoral Commission.

- (e) Faculty Selection Boards shall evaluate and assess candidates based on certain key criteria including but not limited to personal faith, moral character, academic excellence, and proven service whether in- or outside the university community.
- (f) All Applicants must have a cumulative grade point average of 3.0 or higher and shall have no more than 2 test retakes on their academic record. Transfer students must have a 3.0 cumulative grade point average on their Uganda Christian University transcript as well as their transcript from the school from which they transferred.
- (g) Nominees from faculties shall be vetted by a Joint Selection Board composed of Deans a student representative of each faculty, two members of the Electoral Commission and two representatives nominated by the vice chancellor, Principal or Director.
- (h) Three candidates will be selected by the Joint Selection Board to run for the office of Guild president. If there are less than three candidates that meet the minimum qualifications to run for office there may be less than three candidates in the election.

28. Term of office for President.

- (1) A student elected President under this Constitution shall, subject to clause (3) of this Article, hold office for a term of one academic year, to commence on the day of swearing in and to conclude on the day slated for taking oath / swearing in of a new president.
- (2) A student shall not be elected under this Constitution to hold office as President for more than one term.
- (3) The office of President shall become vacant:
 - (a) On the expiration of the period specified in this Article; or
 - (b) If the incumbent dies or resigns or ceases to hold office under clause (1) of Article 33 of this Constitution.
- (4) The President may with justifiable reasons resign from the office of President by writing to the Minister of Justice and Constitutional Affairs.
- (5) Resignation of a President shall take effect when the foretasted reasons in (4) above are received by the Minister of Justice and Constitutional Affairs.
- (6) The Minister of Justice and Constitutional Affairs shall, immediately upon receiving the resignation of the President under this article, notify the Vice President, the Speaker and the Electoral Commission of the resignation.
- (7) A student elected President under this Constitution after the resignation or removal of a sitting President shall complete the term of such resigned or removed President

29. Privileges and benefits of a President.

- (1) Subject to the limitation by University Statute and Article 95 herein, the President will be credited such allowances on his or her tuition account and afforded such other benefits as parliament provides.
- (2) Parliament shall, by law, make provision for the grant of benefits for a President who ceases to hold office otherwise than by being removed under paragraph (a) or (b) of clause (1) of Article 33 of this Constitution.
- (3) The benefits granted to a President under this article shall be charged on the Student Guild and activity fee.
- (4) The President shall not hold any other public office at the University other than these conferred by this Constitution or any office of profit or emolument likely to compromise the office of President.

30. Removal of the President.

- (1) The President may be removed from office in accordance with this article any of the following grounds: -
 - (a) Abuse of office or willful violation of the oath of allegiance and the Presidential oath or any provision of this Constitution.
 - (b) Misconduct or misbehaviour: -
 - (I) That he or she has conducted himself or herself in a manner which brings or is likely to bring the office of President into hatred, ridicule, contempt or disrepute; or
 - (II) That he or she has dishonestly done any act or omission which is contrary to the moral code of Uganda Christian University.
 - (c) An ongoing failure to perform the basic functions of office.
- (2) For the purpose of removal of the President under paragraph (a) or (b) of clause (1) of this Article a petition in writing signed by not less than one-third of all the Members of Parliament shall be submitted to the Speaker:
 - (a) Stating that they intend to table a motion in Parliament for the removal of the President on any of the grounds enumerated in paragraph (a) or (b) of clause (1) of this Article; and
 - (b) Setting out the particulars of the charge supported by the necessary documents on which it is claimed that the conduct of the President be investigated for the purposes of his or her removal.
- (3) The Speaker shall, within 24 hours after receipt of the petition referred in clause (2) of this Article, cause a copy to be transmitted to the President and the Minister of Justice and Constitutional Affairs.
- (4) The Minister of Justice and Constitutional Affairs, within four (4) days after receipt of the notice transmitted under clause (3) of this Article, constitute a Guild Tribunal comprising two other students of law sitting to investigate the allegation in the notice and to report its findings to Parliament stating

whether or not there is prima facie need for the removal of the President. The requirement of having two students of law to be members of the Tribunal shall only apply at campuses where the degree of law is offered.

- (5) The President is entitled to appear at the proceedings of the Guild Tribunal and to be represented there by an expert or person of his or her choice.
- (6) If the Tribunal determines that there is a *prima facie* case for the removal of the President under paragraph (a), (b) and (c) of clause (1) of this Article then if Parliament passes the resolution supported by the signatures of not less than 2/3 of all Members of Parliament, the President shall cease to hold office.
- (7) The motion for a resolution for the removal of the President shall be moved in Parliament within seven (7) days after the receipt by the Speaker of the report of the Guild Tribunal.
- (8) The President is entitled to appear in person and be heard and to be assisted or represented by an expert or person of his or her choice during the proceedings of Parliament relating to the motion for a resolution under this article.
- (9) In all cases, the Guild President shall have a right to appeal to the Vice Chancellor against the decision of Parliament to remove him/her from office and the Vice Chancellor may after due consultation and inquiry into the facts leading to the removal of the President uphold or overturn the decision of Parliament.
- (10) In the event the Vice Chancellor overturns the decision of Parliament to remove the President from office, the Guild President shall assume office immediately without the formalities of being re-sworn in as President.
- (11) The Guild President shall appeal to the Vice Chancellor the decision of Parliament to remove him from office within three (3) days from the date of the Parliamentary decision being communicated to him/her.

31. The Vice President.

- (1) There shall be a Vice President of the Uganda Christian University Guild.
- (2) The Vice President shall be appointed by the President of the Guild Government, subject to approval by Parliament.
- (3) The Vice President shall:
 - (a) Deputize for the Guild President wherever the need shall arise;
 - (b) Perform such other functions as may be assigned to him or her by the President, or as may be conferred on him or her by this Constitution; and
 - (c) Shall be responsible for the affairs of students' clubs, societies and organizations.

- (4) The qualifications prescribed for the office of President in Article 27 of this Constitution shall apply to the office of Vice President.
- (5) The office of Vice President shall become vacant if:
 - (a) The appointment is revoked by the President; or
 - (b) The incumbent resigns or is censured by Parliament.
- (6) Subject to the limitation by University Statute and Article 95 herein, The Vice President will be credited such allowances on his or her tuition account and afforded such other benefits as parliament provides.
- (7) Where the office of Vice President becomes vacant the President shall with the approval of Parliament, and as soon as possible but in any case not later than seven (7) days, appoint a person qualified to hold the office of Vice President.
- (8) The Vice President shall, before commencing to perform the functions of Vice President, take and subscribe the oath of allegiance of Vice President, specified in the first schedule of this Constitution.
- (9) Where a Vice President who at the time of appointment is a Member of Parliament, he/she shall automatically cease holding office as a Member of Parliament.

32. Succession of the office of President

- (1) If the President resigns, or is removed from office, the Vice President shall assume the office of the President until fresh elections are held and the elected President assumes office in accordance with article 30 of this Constitution.
- (2) Elections of the President under this article shall be held within fourteen (14) days after death, resignation or removal of the President.
- (3) No elections shall be held under this article if the residual term of the President is 3 months or less.
- (4) Where the President is for any reason unable to perform the functions of the office of the President, the Vice President shall perform these functions until the President is able again to perform these functions.
- (5) Where the President and Vice President are unable, the Speaker shall perform these functions until the President or the Vice President is able to perform those functions or until a new President assumes office.
- (6) The Vice President shall, before assuming the duties of the President under clause (1) of this Article, appoint a person to the office of Vice President *pro tem*, who shall serve until a President is elected.
- (7) Before assuming the duties of the office of the President under clause (5) of this Article, the Speaker shall take and subscribe the oaths specified in relation to that office in the first schedule of this Constitution.

33. Power to act in emergency by the President.

The President shall have powers to exercise for purposes of emergency.

- (1) In an event where the President shall be required to exercise emergency powers, he shall convene a Cabinet meeting before taking up a decision.
- (2) Such decision shall be communicated to the Speaker of Parliament who may be present at the emergency meeting before referred to in clause (1) of this Article.

The resolutions and decisions made and taken up under clause (1) of this Article, through the Speaker of Parliament, shall be communicated to Parliament at its subsequent session for ratification.

34. The Cabinet.

- (1) There shall be a Cabinet, which shall consist of the President, Vice President and other appointed Members.
- (2) The functions of the Cabinet shall be to determine, formulate and implement the policy of the Government and to perform such other functions as may be conferred by this Constitution or any other law.

35. Appointment of the Cabinet.

- (1) The Cabinet Ministers shall be appointed by the President with the approval of Parliament from among Members of Parliament or persons qualified to be elected Members of Parliament.
- (2) A Member of Parliament appointed to the Cabinet shall have the right to maintain his/her seat in Parliament even after they have been appointed to a position within the Cabinet except with regard to clause (2) of Article 54 of this Constitution.
- (3) There shall be a total of not more than 13 Cabinet Ministers, a majority of whom shall be Members of Parliament. Up to 5 of the Cabinet Ministers may be appointed from outside the elected Members of Parliament.
- (4) The total number of the Cabinet Ministers may be changed only in consultation of Parliament and with the approval of the Director of Student Affairs or Dean of Students and the Vice Chancellor.
- (5) Appointment of the Cabinet Ministers shall be within seven (7) days from the time of swearing in of the President.
- (6) A Cabinet Minister shall have responsibility for such functions of government as the President may, from time to time assign to him or her.

36. Duties of Ministers and Deputy Ministers

A minister shall from time to time perform such functions as may directly affect his or her department. Such and other duties to be performed shall at the commencement of a term of office be reflected in a years' work plan with clear objectives and roles to be played by a minister throughout the relevant period of

office. Copies of the same shall be availed to the Guild President, the speaker and Director of Student Affairs or Dean of Students within three (3) weeks of stay in office.

37. Appointment of Deputy Ministers.

- (1) The President may, with the approval of Parliament, appoint other Ministers to assist Cabinet Ministers in the performance of their functions.
- (2) Subject to the provisions of this Article, clause (1) of Article 37 of this Constitution shall apply to the appointment of Ministers under clause (1) of this Article.
- (3) There shall be a total number of 10 Deputy Ministers, up to 6 of whom may be appointed from outside the elected members of Parliament.
- (4) A Deputy Minister referred to in this article shall have responsibility for such functions of the ministry to which he or she is appointed as the President directs.
- (5) A Minister and a Deputy Minister shall before assuming the duties of office take and subscribe the Oath of Allegiance and the Oath of Ministers specified in the first schedule to this Constitution.

38. Cabinet Meetings.

- (1) Cabinet meetings shall be summoned and presided over by the President and in his or her absence, by the Vice President or in the absence of both of them, by a Minister designated in writing by the President.
- (2) There shall at least be two Cabinet meetings in an academic semester after the Government is constituted.
- (3) The Cabinet shall regulate the procedure of its meetings.
- (4) The quorum of the Cabinet meetings shall be two thirds of the total number of the Ministers.
- (5) The Speaker shall be an ex-officio Member of the Cabinet meetings held by the Cabinet.

39. When office of a Minister becomes vacant.

The office of a Minister shall become vacant:

- (1) If the appointment of the holder of the office is revoked by the President; or
- (2) If the holder:
 - (a) Resigns in writing to the President;
 - (b) Is censured by Parliament; or
 - (c) Is expelled from the University.
 - (d) Demonstrates an ongoing failure to perform the basic functions of office.

40. Collective responsibility.

Ministers shall individually be answerable to the President for the administration of their ministries and collectively be responsible for any decision made by the Cabinet.

41. Grounds and procedure for censuring a Minister.

(1) Parliament may, by resolution supported by more than half of all Members of Parliament, pass a vote of censure against a Minister on any of the following grounds:

- (a) Abuse of office or willful violation of the oath of allegiance or oath of office;
- (b) Misconduct or misbehaviour;
- (c) An ongoing failure to perform the basic functions of office;
- (d) Mismanagement; or
- (e) Incompetence.

- (2) Upon a vote of censure being passed against 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 1/3 of all Members of Parliament 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 particulars of the 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) The motion for the resolution of censure shall not be debated until the expiry of fourteen (14) days after the petition was sent to the President.
- (6) A Minister in respect of whom a vote of censure is debated under clause (5) of this Article is entitled during the debate to be heard in his or her defence.

42. The General Secretary and Deputy General Secretary.

- (1) There shall be a General Secretary and Deputy General Secretary who shall be appointed by the President, subject to approval by Parliament.
- (2) The General Secretary and Deputy General Secretary shall have charge of the Guild office and shall be responsible in accordance with such instructions as may be given to him or her by the President, for arranging the business of and keeping the minutes of the Guild Government and for conveying the decisions of the Cabinet and Parliament and shall perform such other functions as the President may direct.

- (3) The General Secretary and Deputy General Secretary shall assume the duties of office after subscribing to the oath of allegiance and the oath of General Secretary specified in the first schedule to this Constitution.

CHAPTER SIX

PARLIAMENT

43. Establishment of Parliament.

- (1) There shall be a Parliament of the Uganda Christian University Guild Government.
- (2) The composition and functions of Parliament shall be as prescribed by this Constitution.
- (3) The term of office of Parliament shall be one academic year, to commence in the September semester, the term in which members of Parliament are elected and to conclude on the day newly elected members of parliament make oath of members of parliament.
- (4) Where there exists any situation in the Guild Government which would prevent a normal general election from being held, Parliament may by resolution supported by not less than 2/3 thirds of all Members of Parliament, extend the life of Parliament for a period not exceeding seven (7) days at a time.

44. Composition of Parliament.

- (1) Parliament shall consist of:
 - (a) Members directly elected to represent constituencies;
 - (b) Members to represent minority groups; and
 - (c) The Vice President and Ministers who shall be ex-officio Members of Parliament without the right to vote on an issue requiring a vote in Parliament.
 - (d) Members under paragraph (b) of clause (1) of this Article shall comprise one Member for persons with disabilities and one Member for the recess program.
- (2) Upon the expiration of a period of five (5) years after the commencement of this Constitution and thereafter, after every 2 ½ years, Parliament shall review the representation under paragraph (e) of clause (1) of this Article for the purposes of retaining increasing or abolishing such representation and any other matter incidental.

- (3) The representatives referred to in paragraph (a) of clause (1) of this Article shall be elected on the basis of secret ballot.
 - (4) Parliament shall by law prescribe the procedure for elections of representative referred to in (a) and (c) of clause 1 of this article.
- 45. Powers of the Parliament to make law.**
- (1) Subject to the provisions of this Constitution, Parliament shall have the power to make laws on any matter for the peace, order, development and good governance of the Guild.
 - (2) Except as provided in this Constitution, no student or body other than Parliament shall have power to make provision having the force of law UCU Students Guild except under authority conferred by an Act of Parliament.
 - (3) Parliament shall protect this Constitution and promote the democratic governance of UCU Students Guild.
- 46. Qualifications for Member of Parliament.**
- (1) A student is qualified to be a Member of Parliament if that student is:
 - (a) A fully registered student; or
 - (b) A student who was registered in the immediately preceding semester has not graduated, and whose course of study is in recess.
 - (2) A student is not qualified for election as a Member of Parliament if that person:
 - (a) is of unsound mind;
 - (b) exhibits immoral behaviour within the meaning of the University code of conduct;
 - (c) has had judgment given against them *once* by the Guild Tribunal in a period not more than 3 months before the election; or
 - (d) is unable or unwilling to acknowledge and respect the Instruments of Identity of Uganda Christian University.
- 47. Elections of Members of Parliament.**
- (1) Election of Members of Parliament shall be in accordance with the provisions of this Constitution as stated in Chapter 9 of this Constitution.
 - (2) Where a vacancy exists in Parliament, the *Speaker* shall notify the Electoral Commission in writing within four (4) days after the vacancy has occurred and a by-election shall be held within seven (7) days after the notice to the Electoral Commission.
- 48. Members of Parliament to take and subscribe to oath.**

- (1) Every student elected to Parliament shall take and subscribe the oath of allegiance and the oath of a Member of Parliament specified in the first schedule to this Constitution.
- (2) Except for the purpose of taking the oaths referred to in clause (1) of this Article, no student shall sit or vote in Parliament before taking and subscribing to the oaths.

49. Speaker and Deputy Speaker of Parliament.

- (1) There shall be a Speaker and Deputy Speaker of Parliament.
- (2) Members of Parliament from among themselves shall elect the Speaker and Deputy Speaker in their first sitting after assuming office.
- (3) The outgoing Speaker shall preside over an election of a Speaker and Deputy Speaker of Parliament.
- (4)
 - (a) The Speaker shall call and preside over all meetings in the Guild Parliament and General Assembly in consultation with the Guild President.
 - (b) The Deputy Speaker shall preside over any such meetings as provided in (a), above, in the absence of the Guild Speaker and in any case at least chair 4 meetings in a term of office.

50. Grounds for vacating the seat of Speaker or Deputy Speaker.

The Speaker or Deputy Speaker shall vacate his or her office:

- (1) If he or she is appointed to any public office within the University that is not related to his or her being a Speaker of Parliament;
- (2) If he or she becomes a Minister; If he or she resigns office in writing addressed to the General Secretary to the Guild;
- (3) If he or she ceases to be a Member of Parliament; or
- (4) If he or she is removed by resolution of Parliament supported by not less than two-thirds of all Members of Parliament.
- (5) If the speaker or deputy speaker may be removed by resolution of Parliament supported by not less than two thirds of all members of Parliament on one or more of the following grounds:
 - (a) Abuse of office or willful violation of the oath of allegiance or any provisions of this Constitution.
 - (b) Misconduct or misbehavior bringing or likely to bring Parliament or the office of the speaker, deputy speaker into ridicule, contempt or disrepute.
 - (c) The performance of an act or omission contrary to the Code of Conduct of UCU

- (e) Upon the announcement of a general election, if he or she intends to stand in such election. In such case, the Speaker and/or Deputy Speaker shall be on leave from such office(s), and the Parliament shall elect from among its members a Speaker and/or Deputy Speaker *pro tem* to serve until the election is concluded and the results are announced.

51 Procedural Requirements for the Removal of the Speaker or Deputy Speaker by Parliament.

1. For the purpose of removing the speaker or deputy speaker under clause (5) of Article 54 of this Constitution, a petition in writing supported by not less than one third of all Members of Parliament shall be submitted to the Tribunal Chairperson.
 - (a) Such petition shall state the intention of such members of Parliament to present a motion for the removal of the speaker or deputy on any or all of the grounds set forth in Article 55.
 - (b) The petition shall set out the particulars of their charge supported by the necessary evidence, the petitioners shall present their case to a fully constituted Parliament at a date not later than fourteen (14) days from the date of receipt by the Tribunal Chairperson and the speaker who subject of the petition.
 - (c) In relation to item (b) above, the office of the speaker shall within a period not exceeding fourteen (14) days convene a Special Parliamentary session for that purpose.
 - (d) The speaker or deputy speaker who is the subject of the petition shall the right to be heard before Parliament and before a decision is taken.
 - (e) For the purpose of this Special Parliamentary session in clause (c) above, the Tribunal Chairperson shall preside over the session.

52. Allowances and remuneration for Speaker /Deputy Speaker.

Subject to the limitation by University Statute and Article 95 herein, The Speaker and Deputy Speaker will be credited such allowances on their tuition account and afforded such other benefits as parliament provides.

53. The Speaker and Deputy Speaker to take oath.

The Speaker and Deputy Speaker shall each before assuming the duties of office take and subscribe to the oath of Speaker and of Deputy Speaker respectively as specified in the first schedule of this Constitution.

54. Grounds of vacating seat by a Member of Parliament.

A Member of Parliament shall vacate his or her seat in Parliament:

- (1) If he or she resigns his or her office in writing signed by him or her and addressed to the Speaker;
- (2) If such circumstances arise that if that student were not a Member of Parliament would cause that person to be disqualified for election as a Member of Parliament under Article 50 of this Constitution;
- (3) Subject to the provisions of this Constitution, upon dissolution of Parliament;
- (4) If that student is absent from three sittings of Parliament, unless he or she is in recess, without permission in writing of the Speaker during any period when Parliament is meeting and is unable to offer satisfactory explanation to the relevant Parliamentary committee for his or her absence;
- (5) If that student is found guilty by the appropriate Tribunal of violation of the leadership code of conduct and the punishment imposed is or includes the vacation of the office of a Member of Parliament;
- (6) If recalled by the electorate in his or her constituency in accordance with this Constitution; or
- (7) If a person is appointed to public office and that office which conflicts with his or her being a Member of Parliament.

55. Grounds for recalling a Member of Parliament.

- (1) Subject to the provisions of this Article, the electorate of any constituency and any interested group referred to in this Constitution shall have the right to recall their Member of Parliament before the expiry of the term of Parliament.
- (2) A Member of Parliament may be recalled from that office on any of the following grounds:
 - (a) An ongoing failure to perform the basic functions of office;
 - (b) Misconduct or misbehaviour likely to bring hatred, ridicule, contempt or disrepute to the office; or
 - (c) Persistent desertion of the electorate without reasonable cause.
- (d) Parliament shall for the purpose of (c) of clause (2) of this Article make laws that govern the relationship of Members of Parliament and their constituents.

- (3) The recall of a Member of Parliament shall be initiated by a petition in writing setting out the grounds relied on 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 (5) days require the Electoral Commission to conduct a public inquiry into the matters alleged in the petition and the Electoral Commission shall expeditiously conduct the necessary inquiry and report its findings to the Speaker.
- (5) The Speaker shall on receipt of the report:
 - (a) Declare the seat vacant, if the Electoral Commission reports that it is satisfied from the inquiry, with the genuineness of the petition; or
 - (b) Declare immediately that the petition was unjustified, if the Commission reports that it is not satisfied with the genuineness of the petition.
- (6) Subject to the provisions of clauses (2), (3), (4) and (5) of this Article, Parliament shall, by law prescribe the procedure to be followed for the recall of a Member of Parliament.

56. Allowances and remuneration of Members of Parliament.

Subject to the limitation by University Statute and Article 95 herein, A Member of Parliament's will be credited such allowances on his or her tuition account and afforded such other benefits as parliament provides.

57. Quorum of the Parliament.

- (1) The quorum of Parliament shall be one-third of all Members of Parliament entitled to vote.
- (2) The quorum prescribed by clause (1) of this Article shall only be required at a time when Parliament is voting on any question.
- (3) Rules of procedure of Parliament shall prescribe the quorum of Parliament for the conduct of business of Parliament other than for voting.

58. Voting method in Parliament.

Except as otherwise prescribed by this Constitution or any other law, any question proposed for decision in Parliament shall be determined by a majority of votes of Members present and voting in a manner prescribed by rules of procedure made by Parliament under article of this Constitution.

59. Standing Committees of Parliament.

- (1) Parliament shall appoint standing committees and other committees necessary for the efficient discharge of its functions.
- (2) The committees of Parliament shall include sessional committees and a committee of the whole house.

- (3) Rules of procedure of Parliament shall prescribe the composition and functions of committees of Parliament.
- (4) In the exercise of their functions under this article, a committee of Parliament:
 - (a) May call a Minister or any person holding a public office and individuals to submit memoranda or appear before them to give evidence or information;
 - (b) May co-opt any Member of Parliament or employ qualified persons to assist them in the discharge of their functions; and
 - (c) Shall have the powers of the Guild Tribunal for:
 - i. Enforcing the attendance of witnesses and examining them on oath, affirmation or otherwise;
 - ii. Compelling the production of documents; and
 - iii. Instituting a Commission of inquiry to examine witnesses.
- (5) The functions of standing committees shall include the following:
 - (a) To discuss and make recommendations on all bills laid before Parliament;
 - (b) To initiate any bill within their respective areas of competence;
 - (c) To assess and evaluate activities of governance and other bodies;
 - (d) To carry out relevant research in their respective fields; and
 - (e) To report to Parliament on their functions.

60. Procedure of Parliament.

- (1) Subject to the provisions of this Constitution, Parliament may make rules to regulate its own procedure, including the procedure of its committees
- (2) Parliament may act notwithstanding a vacancy in its Membership
- (3) The presence or the participation of a person not entitled to be present or to participate in the proceeding of Parliament shall not by itself invalidate those proceedings.
- (4) The rules of procedure of Parliament shall include the following provisions:
 - (a) The Speaker shall determine the order of business in Parliament and shall give priority to Guild business;
 - (b) A Member of Parliament has the right to move a private Member bill;
 - (c) The Member moving the private Member's bill shall be afforded reasonable assistance by the department of Government whose area of operation is affected by the bill; and

- (d) The office of the Minister of Justice and Constitutional Affairs shall afford the Member moving the private Member's bill professional assistance in the drafting of the bill.

61. Time and place for Parliamentary sessions.

- (1) When a new Parliament assumes office, the Speaker shall by proclamation appoint the place and a date not beyond fourteen (14) days after the general elections or of the extended period as the case may be, for the first sitting of the new Parliament.
- (2) A session of Parliament shall be held at such place within the University and shall commence at such time as the Speaker may by proclamation appoint.
- (3) The Speaker may after consultation with the President, prorogue Parliament by proclamation.
- (4) A session of Parliament shall be held at least twice a semester but the period between one session and the next following session shall be less than two months.
- (5) Notwithstanding any other provision of the this article, at least 1/3 of all Members of Parliament may request in writing a meeting of Parliament, and the Speaker shall summon Parliament to meet within fourteen (14) days after receipt of the request.
- (6) The Office of the Director of Student Affairs shall be given prior written notice of all Parliamentary sessions. Notice shall include an agenda. Written minutes of all Parliamentary sessions shall be presented to the Director of Student Affairs Office within a reasonable time after each Parliamentary session.

62. Dissolution of Parliament.

Parliament shall stand dissolved upon the expiration of its term as prescribed by clause (3) of Article 43 of this Constitution.

63. Status of Kampala Campus Chapter Guild Government

- (1) Application of provisions under Articles 23 to 63 shall apply mutatis mutandis to Uganda Christian University Kampala Campus Chapter and all other UCU affiliates.

CHAPTER SEVEN

THE TRIBUNAL

64. Establishment of the Tribunal.

There shall be a Tribunal, which shall be a quasi-judicial organ of the UCU Students' Guild Government, acting subject to the authority and appellate jurisdiction of the University disciplinary committee.

65. Principles applying to the Tribunal.

When hearing the cases, the Tribunal shall, subject to this Constitution, apply the following principles:

- (a) Justice shall be done to all irrespective of their social or economic status;
- (b) Justice shall not be delayed;
- (c) Adequate compensation shall be awarded to victims of wrongs;
- (d) Reconciliation between parties shall be promoted; and
- (e) Substantive justice shall be administered without undue regard to technicalities.

66. Derivation of the quasi-judicial powers.

Quasi-judicial power is derived from the Charter and the Guild and shall be exercised by the Tribunal established under this Constitution in the name of the Guild and in conformity with the values, norms and aspirations of the Guild.

67. Independence of the Tribunal.

In the exercise of its functions the Tribunal shall be independent and shall not be subject to the control or direction of any person or authority.

68. Appointment of Members of the Tribunal.

- (1) The Members to this Tribunal shall be appointed by the Guild President, in consultation with the Dean of the Faculty of Law or *Dean of Students at campuses where the exists no Faculty of Law*, subject to approval by the Guild Parliament.
- (2) The Tribunal shall be comprised of:
 - (a) A Chairperson who shall preside over all the meetings of the Tribunal;
 - (b) A secretary; and
 - (c) Any other three Members of the panel who shall not be Members of the Executive and Members of Parliament and at least two of the Members referred to in this paragraph shall possess knowledge of the law or be students of law.

69. Functions of the Tribunal.

The Tribunal shall have the duty of hearing and determining cases between students and ensuring discipline, order, justice, peace and equity prevail among the students.

70. Jurisdiction of the Tribunal.

- (1) The Guild Tribunal shall have jurisdiction to hear and determine any question arising within the Student Guild or among the students on:
 - (a) Any matters regarding the interpretation of this Constitution;
 - (b) Any matters relating to the enforcement of Guild Statutes;
 - (c) Matters relating to abuse of human rights;
 - (d) Election petitions of Members of Parliament;
 - (e) Election of the Speaker and Deputy Speaker of Parliament;
 - (f) Disputes between students which are not criminal in nature including all civil cases that are based on contractual, trust and equity basis.
- (2) Any student aggrieved or dissatisfied by the determination or decision of the Guild Tribunal under this article may appeal to the University disciplinary committee through the office of the Dean of Students.

71. Powers of the Tribunal.

- (1) In the performance of its functions, the Tribunal shall have powers to:
 - (a) To issue summons or other order requiring the attendance of any student before the Tribunal and the production of any document or record relevant to the investigation or hearing of any matter before the Tribunal; and
 - (b) To question any student in respect of any subject matter under investigation before the Tribunal.
- (2) To require any student to disclose any information within his or her knowledge relevant to any investigation by the court.

72. Qualifications of Members of the Tribunal.

- (1) A person shall not be appointed as a Member of the Tribunal if that person does not demonstrate and meet the requirements for election as a Member of Parliament.
- (2) Members of the Tribunal shall be persons of integrity and a moral character above reproach.

73. Grounds and Procedure for removal from the Tribunal.

- (1) A Member of the Tribunal shall be removed from his or her seat on the Tribunal if that person is:
 - (a) An ongoing failure to perform the basic functions of office;
 - (b) In a compromising position; or
 - (c) Corrupt.

- (2) Any Member of the Guild who is not satisfied by the position of any Member of the Tribunal shall in writing inform the Minister of Justice and Constitutional Affairs and state those grounds in clause (1) above of discontent clearly.
- (3) On receipt of such written complaint, the Minister of Justice and Constitutional Affairs shall cause an investigation to be conducted into that matter.
- (4) The Minister shall then give a report to the President and speaker of parliament detailing on whether or not that Member should be removed.
- (5) The report shall be tabled before parliament and the president for debate and in all cases the tribunal member being the subject of a report shall be accorded a right to a fair hearing.
- (6) Parliament shall then recommend to the president what action to be taken on the findings of the report.
- (7) A president shall within seven (7) days of receipt of the recommendations by parliament take relevant action on the report.

74. Privileges of the Members of the Tribunal.

- (1) All organs of the Guild Government shall accord to the Tribunal such assistance as may be required to ensure the effectiveness of the Tribunal.
- (2) Parliament shall make laws as regards the procedure and rules for the performance of its functions.

CHAPTER EIGHT

ELECTORAL COMMISSION

75. Establishment of the Electoral Commission.

There shall be a Commission called the Electoral Commission.

76. Independence of the Commission.

Subject to the provisions of this Constitution, the Commission shall be independent and shall in the performance of its functions not be subject to the direction or control of any person or authority.

77. Term of office.

The Electoral Commission shall have one term of office, which runs to the time of the immediate by-elections after the general election.

78. Composition and officers of the Commission.

- (1) This Commission shall consist of such Commissioners prescribed under the subsequent clauses and shall be appointed by the President in consultation with the Dean of Students and are subject to Parliament's approval and shall assume office on taking and subscribing the oath in the first schedule of this Constitution.
- (2) The Commission shall consist of:
 - (a) The Chairperson, whose duties are:
 - i) To coordinate all Commission work and that of his or her officers;
 - ii) To preside over all meetings of the Commission;
 - iii) To ensure that regular, free and fair elections are held; and
 - iv) To supervise and control Commissioners and other Members of the Commission in the execution of their duties.
 - (b) The Vice Chairperson, whose duties shall be:
 - i) To assist the Chairperson on all matters of the Commission;
 - ii) To act as Chairperson whenever the Chairperson is absent; and
 - iii) To perform any other duties as assigned by the Chairperson.
 - (c) The General Secretary of the Commission, whose duties are:
 - i) To take and keep minutes of the Commission;
 - ii) To manage and keep a proper registry of all the voters;
 - iii) To handle all correspondences of the Commission; and
 - iv) To perform any other duties as may be assigned by the Commission chairperson.
 - (d) The Commissioner for Public Relations, whose duties are:
 - i) To determine all information about elections;
 - ii) To regularly update voters about Commission work;
 - iii) To hold press conferences and liaise with the media on behalf of the Commission;
 - iv) To receive complaints from the voters and general public; and
 - v) To perform any other function as may be assigned by the Commission chairperson.
 - (e) The Commissioner for Finance, whose duties are:
 - i) To receive and manage all Commission finances;
 - ii) To keep a proper record of the Commission's account books; and
 - iii) To give a financial report at the end of the term of office of the Commission.

- (f) Any other Members the President may deem fit to carry out the functions of the Commission.
- (3) The persons specified in paragraphs (a), (b), (c) (d) and (e) of clause (2) of this Article shall be executive Members of the Commission while those named in paragraph (f) of clause (2) of this Article shall be ordinary Members of the Commission.

79. Qualifications of officers of the Commission.

- (1) Any person shall be eligible to hold office as an officer of the Commission if:
 - (a) For the offices specified in paragraphs (a), (b), (c), (d) and (e) of clause (2) of this Article he or she is in his or her final year of study;
 - (b) He or she is of a high moral character and proven integrity; and
 - (c) He or she possesses considerable experience and has demonstrated competence in conduct of student affairs.
- (2) The requirement spelt out in paragraph (a) of clause (1) of this Article does not apply to officers of the Commission specified in paragraph (f) of clause 2 of Article 80 of this Constitution.

80. Grounds for disqualification.

One shall not be eligible for appointment as an officer of the Commission if;

- (a) he or she is a Member of Parliament;
- (b) he or she is a Member of the Guild Executive; or
- (c) he or she has a criminal record or has ever been convicted by a body of competent jurisdiction be it a Tribunal or core of law.

81. Removal of Members of the Commission.

The President may *with approval of parliament* remove an officer of the Commission from office on the following grounds:

- (a) An ongoing failure to perform the basic functions of office;
- (b) Misbehaviour or misconduct; or
- (c) Incompetence.

82. Petition to remove a Commissioner.

Any Member of the Guild can petition the Guild Tribunal for redress to enforce the grounds in Articles 79 and 80 of this Constitution.

83. Functions of the Electoral Commission.

The Electoral Commission shall have the following functions:

- (a) To ensure that regular, free and fair elections are held;
- (b) To organize, conduct and supervise elections and referenda in accordance with this Constitution;

- (c) To demarcate constituencies in accordance with the provisions of this Constitution;
- (d) To ascertain, publish and declare in writing under its seal the results of the elections and referenda;
- (e) To compile, maintain, revise and update the voter's register;
- (f) To hear and determine election complaints arising before and during polling;
- (g) To formulate and implement civic educational programs relating to elections; and
- (h) To perform such other functions as may be prescribed by Parliament.

84. Demarcation of constituencies.

- (1) The number of constituencies shall not exceed Twenty-Five (25).
- (2) Demarcation of constituencies shall be the sole responsibility of the Electoral Commission, and such constituencies shall be demarcated as specified in Chapter 9 of this Constitution.
- (3) The Electoral Commission shall from time to time review constituency demarcation in consultation with the Director of Student Affairs or Dean of Students and present to parliament any changes thereto for approval and budgeting purposes.

85. Grievances.

- (1) Any student aggrieved by the decision of the Electoral Commission in respect of any of the complaints referred to in paragraph (f) of Article 82 of this Constitution may appeal to the Guild Tribunal.
- (2) A student aggrieved by a decision of Commission in respect of a demarcation of a constituency may appeal to the Guild Tribunal, which shall sit to hear the grievance, and the Commission shall give effect to the decision of the Tribunal.
- (3) A student aggrieved by a decision of the Guild Tribunal made under clause (2) of this Article may appeal to the University Disciplinary committee.
- (4) A decision of the University Disciplinary Committee on appeal under clause (1) and clause (3) of this Article shall be final.

86. Terms and conditions.

- (1) Parliament shall budget adequate resources and facilities for the Commission to enable it to perform its functions effectively.
- (2) The Commission shall be a self-accounting institution and shall deal directly with the ministry responsible for finance on matters relating to its finance.
- (3) The administrative expenses of the Commission, including allowances and overtime payable to or in respect of persons serving with the Commission, shall be budgeted in the Guild fee.

CHAPTER NINE

ELECTIONS

87. General elections.

- (1) There shall be annual Guild General Elections, which shall take place during the September semester, at such date as determined by Parliament and published with no less than two weeks notice, provided, however, that such date shall be no more than six weeks prior to the end of such a semester and no less than four after the beginning of such a semester.
- (2) All students registered during the semester in which elections are conducted, and all students registered in the immediately preceding semester who have not graduated and whose course of study is in recess during the semester in which elections are conducted shall have the right to vote for the person of their choice in any General Election.
- (3) All Guild elections shall be by secret ballot on the basis of one-man one vote.
- (4) In the event of a tie in any Guild election, such election shall be repeated until a candidate obtains a simple majority.
- (5) A student shall not be eligible for elections if he or she has been convicted by a court of law or by the Tribunal for an offence that involves moral turpitude or has been warned for more than two times by the Tribunal or 2/3 of the General Assembly vote against his character before his or her elections.

88. Presidential and Parliamentary elections.

- (1) There shall be Presidential and Parliamentary elections on the same day as set by the Parliament pursuant to the terms of clause (3) of Article 30 and clause (1) of Article 91 of this Constitution.

89. Election of the president

- (1) Campaigns.
 - (a) Campaigns will be financed out the Guild budget, with each candidate limited to a set figure of expenses. No outside political or financial involvement is allowed.
 - (b) The period for Campaigning shall be set by the Office of the Director of Students Affairs or Dean of Students, with consultation with the

Electoral Commission, and shall be no less than ten (10) days in duration unless good cause is provided to shorten the period.

- (c) Candidates shall not attempt to influence voters in cash or in kind.
- (2) Election of the president shall be by secret ballot
 - (3) Elections shall be conducted at polling stations of various constituencies and supervised by the Director of Student Affairs or Dean of Students in collaboration with Electoral Commission members.
 - (4) Each Guild candidate shall during an election have at least 2 polling agents appointed to supervise a polling station and such agents identities shall be brought to the attention of the electoral body at least 24 hours before the election process commences.
 - (5) Whenever practicable, the election of the President shall be held during the September semester, at such date as determined by Parliament and published with no less than two weeks notice, provided, however, that such date shall be no more than six weeks prior to the end of such semester and no less than four weeks prior to the end of such semester. This requirement shall not apply to special elections held pursuant to clause (2) of article 36 of this Constitution, which shall be held on such date as determined by Parliament
 - (6) The Electoral Commission shall ascertain, publish and declare in writing under its seal, the results of the Presidential election within two hours from the close of polling.
 - (7) Declaration of a voted candidate. The candidate who receives the greatest number of valid votes cast shall be declared elected as President.
 - (8) Second Election to be held within seven (7) days after declaration of the results. Where at a Presidential Election two or more candidates with the most votes have exactly the same number of votes, a second election shall be held within seven (7) days after the declaration of the results, in which election the candidate who receives the highest number of valid votes shall be declared elected as President.
 - (9) President to be a resident student. A student elected President while he is a non-resident shall become a resident during his or her term of office, not later than the commencement of the semester following the semester in which he or she is elected.
 - (10) Subject to the provisions of this Constitution, Parliament shall by law, prescribe the procedure for the election and assumption of office by a president. (Both prior amendments to Article 30 will be disregarded).

90. Procedure for Presidential elections.

- (1) The returning officer in collaboration with the Electoral Commission shall announce the nomination day of Guild Presidential candidates, and call for nominations at least seven (7) days before campaign starts.

- (2) A candidate for Guild presidency shall apply to the Commission in writing including his or her Curriculum Vitae (C.V.), a passbook or registration card, identity card, baptism card or a letter of recommendation from his or her pastor, marriage certificate (where applicable), and fully signed nomination forms of five (5) students from each constituency including their registration cards and list of agents.
- (3) When duly nominated, the candidate will meet with the Vice Chancellor, Principal or Director and affirm the Instruments of Identity of Uganda Christian University.
- (4) Elections shall be conducted at polling station of respective constituencies under the supervision of the Director of Student Affairs or Dean of Students as returning officer, outgoing Speaker as his assistant, in collaboration with Electoral Commission.
- (5) During the time of elections each Guild Presidential candidate shall have at least two (2) polling agents at the polling stations who shall be made known to the presiding officer at least one (1) day before the polling.
- (6) After elections, the returning officer in consultation with the Electoral Commission shall announce the results of elections immediately at the end of the polling day.

91. Procedure for elections

- (1) All elections shall be conducted from the hour of 9:00am to 5:00pm on the election day and the same shall be by secret ballot.
- (2) All persons already in line to cast their vote and are caught by the hour of 5:00pm shall be allowed to cast their votes.
- (3) Successful candidates shall be declared within three (3) hours of completion of an electoral process and in any other case at a later hour with sufficient cause for the same.
- (4) The Director of Student Affairs or Electoral Commission Chairman or his or her Deputy shall upon completion of the tallying of results declare a person with the highest votes cast winner and accordingly fill out a declaration form to that effect.

92. Challenge of Elections

- (1) Every student shall have the right to challenge elections of the Guild President or Member of Guild Parliament, which shall be done through petition, submitted to the appropriate tribunal within *three (3) days* after the elections.
- (2) Petitions seeking to overturn a presidential election shall be submitted to the Director of Student Affairs or Dean of Students. Upon receipt of a petition,

the Director of Student Affairs or Dean of Students shall constitute an Election Appeals Board to consider the petition and issue a ruling. The Election Appeals Board shall consist of the Director of student affairs or Dean of Students, as Chairman, the legal advisor to the University, the outgoing Speaker, Chairman of the Electoral Commission, the General Secretary of the Electoral Commission, the University Chaplain, and a senior Member of staff appointed by the Vice Chancellor, Principal or Director.

- (3) Petitions seeking to overturn a Parliamentary election shall lie with the Guild Tribunal which shall at all times be fully composed.

93. Procedure for the election petitions

- (1) A petition seeking to overturn a presidential election must be in writing, filed within three (3) days after the election and by an aggrieved party upon gathering at least 10% signatures of the electorate.
- (2) A petition seeking to overturn a parliamentary election must be in writing, within three (3) days of an election and by an aggrieved party upon gathering at least 5% of the electorate.
- (3) The chairperson of the relevant tribunal shall within 24 hours notify the Members of the electorate that a petition has been lodged. Thereafter, the Tribunal shall sit to make a decision on the petition within four (4) days.
- (4) The hearing of petition shall be in camera and the burden of proof shall rest on the party or parties seeking to overturn the declared election result.
- (5) After due inquiry, the relevant tribunal may:
 - (a) Dismiss the petition;
 - (b) Declare which candidate was validly elected; or
 - (c) Annul the election results, in which case a fresh election must be held within seven (7) days.

The ruling shall be announced within twenty-four (24) hours of issuance.

- (6) Where no petition is filed within the time prescribed in Article 92 (1) and Article 93 (1) and (2) and the candidate declared elected shall conclusively be taken to have been duly elected President. Where a petition is filed and heard, the decision of the relevant tribunal shall be final and binding.

94. By-election

- (1) There shall be by elections held only upon resignation or removal of a president or Member of Parliament.
- (2) The said by elections shall be held at such a time defined and deemed appropriate by the Director of Student Affairs or Dean of Students.

CHAPTER TEN

FINANCE

95. Sources of funds for the Guild.

The sources of funds for the Guild Government shall be:

- (1) The portion of the Student Activity fee payable to the Guild as designated by the University in consultation with the Student Guild; and
- (2) Income from social Guild functions, donations, fundraisings, projects and any other source as may be approved by the Guild Parliament.

96. Determination of the appropriate Student Activity Fee.

The University Administration shall set the Student Activity Fee in consultation with the Student Guild.

97. Control of the revenue.

- (1) The subscription of Members shall be collected by the University Bursar and remitted to the Guild account within three weeks of the commencement of the academic semester.
- (2) The Minister of Finance shall be accountable to the Guild Parliament and the President for Guild expenditures. The Guild Parliament and President shall be accountable to the Members of the Student Guild and to the Vice Chancellor and University Council for Guild expenditures.
- (3) The Guild Parliament 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 Uganda Christian 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 body, 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. The budget should provide for the equitable application of funds towards projects and activities at campuses that are administered directed by Uganda Christian University and whose students are authorized to participate in the Uganda Christian University Student Guild. Such budget shall be submitted to the financial advisor and the University Council, through the Student Affairs Board, as defined by clause (5) of Article 99, for his or her review before the beginning of each fiscal year.
- (4) The financial account of the Guild shall be conducted according to Generally Accepted Accounting Principles and the practices, policies and conventions of

the University. The Guild account shall be audited at least one month before the end of each term of Government by the Office of the University Internal Auditor and a financial report shall be submitted to the Speaker who shall in turn report it to the Parliament before General Elections are conducted.

- (5) No Student Guild expenditure shall inure to the benefit of an officer of the Student Guild or any other private individual except as follows:
- (a) Reasonable emoluments may be paid to Officers of the Student Guild and Members of Parliament, provided that the same are specifically authorized by Parliament, disclosed in the budget of the Student Guild, and reasonable and commensurate with the services rendered by such individuals. The emoluments (and other sums, including allowances) paid to each officer shall be reasonable and fully disclosed in the Student Guild budget.
 - (b) Reasonable and necessary expenses actually incurred by Officers of the Students Guild and Members of Parliament may be reimbursed from the funds of the Student Guild, provided that such reimbursement is for expenses authorized by Parliament and disclosed in the budget of the Student Guild.
 - (c) Payment for bona fide services rendered by individuals who are not officers of the Student Guild, provided payment is reasonable and commensurate with the services rendered by such individuals.
 - (d) Payment for goods actually provided to the Student Guild, provided payment is reasonable and commensurate with the nature and quantity of goods provided.

98. Financial report to be published.

- (1) The financial report shall be made available and accessible to all students by way putting it on major notice boards of the student community.

99. Authorization of expenditure.

- (1) All Guild expenditures shall be done under the approval of the Guild Parliament and in accordance with the Guild Budget.
- (2) The President with approval of the Director of Student Affairs or Dean of Students shall authorize the expenditure of the Guild finances, and the Minister of Finance for necessary references shall keep the documents of expenditure.
- (3) The authority to withdraw Guild money shall rest in the Minister of Finance in conjunction with the President, Director of Student Affairs or Dean of Students and the financial advisor.
- (4) No Guild Government shall have the power to enter into financial obligations binding on any subsequent Government or Governments, other than for the

reasonable recurrent expenses of Guild operations as disclosed in the Guild budget.

- (5) The financial advisor of the Guild shall be the Deputy Vice Chancellor (Finance & Administration) or any other member of staff appointed by the Deputy Vice Chancellor (Finance & Administration).

100. Alternative Reimbursement and Reimbursement of Off-Session Guild Office Holders

- (1) The Office of the Director of Student Affairs shall establish and utilize alternative mechanisms, in consultation with the Guild, for the payment of Officers of the Student Guild, Members of Parliament and other students remunerated for Guild service when crediting a Students' tuition account proves impracticable or unreasonable in the judgment of the Office of the Director of Student Affairs. Where remuneration by crediting is impracticable or unreasonable alternative remuneration should be made within one week of a formal request for payment due and owing.
- (2) Guild office holders will be provided properly designated allowances when they are off session on the condition of approval by the Guild President for members of the Cabinet and executive office holders or by the Guild Speaker for all other office holders. Approval for the provision of off-session allowances should only be provided when off-session office holders are substantially performing the functions of their office during the off-session period.

CHAPTER ELEVEN

CLUBS, SOCIETIES AND OTHER ORGANIZATIONS

101. The right to form clubs or organizations.

- (1) Any Member of Uganda Christian University Students Guild shall have the right to initiate any club or organization with approval of the Guild Parliament and the Vice Chancellor.

102. Procedure for forming any club or organization.

- (1) Any Member seeking to form an organization shall present their draft Constitution and Membership list of at least 10 Members to the Vice President of the Guild Government, who shall give a copy to the Guild Parliament through

the Speaker for approval from which it shall be presented to the Vice Chancellor for final assent.

103. 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 not inconsistent with the provisions of this Constitution 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 at natural justice.

104. The right to join any club or organization.

- (1) Any registered Member of Uganda Christian University shall have absolute rights to join any club or organization within the University.

105. Requirements for approval.

- (1) Every club, societies and organization shall have an executive body and patron and notify Parliament.
- (2) All club activities shall be under the auspices of the Vice President.
- (3) All clubs, societies and organizations with Uganda Christian University shall be eligible for assistance on application to the Vice President.

CHAPTER TWELVE

GUILD CHAPTERS

106. Establishment of Guild Chapters.

There shall be a Guild Chapter established at each Constituent College of Uganda Christian University. Such Chapters shall be constituent Chapters of this Guild, and shall be bound by this Constitution and the provisions herein shall apply mutatis mutandis to the respective Guild Governments. The Governance of such Chapters shall be adapted to the conditions prevailing at the Constituent College of Uganda Christian University at which the Chapter is located. Guild Chapters may be exempted from any terms of this Constitution by declaration of University Council.

107. Chapter Statutes.

- (1) Each Chapter shall enact a chapter statute, which shall govern the internal administration and management of said Chapter. In the event that the relevant Constituent College of Uganda Christian University has a student Guild, such Guild, or such subordinate body as the parliament of such Guild shall direct, shall draft the Chapter Statute. In order to enter into force and effect, such Chapter Statute must be ratified by the student body of the relevant Constituent College of Uganda Christian University, the Guild Parliament, and the University Council.

108. Guild Chapter Elections

- (1) General elections for student Guilds in the constituent campuses of Uganda Christian University should occur contemporaneously with general elections at the Mukono campus unless otherwise directed by the Office of the Director of Student Affairs of Uganda Christian University.

109. Representative of the Guild and Constituent Guilds

- (1) In general, the Guild of Uganda Christian University at Mukono has the sole power to designate individuals for the purpose of representing the Student Guild.
- (2) One of the two Guild representatives at University Council meetings shall be from the Guild of Uganda Christian University at Mukono. The other

representative shall be from a Guild Chapter of a Constituent College. In case there is more than one Constituent College, the constituent representative will be appointed on a rotating basis as established by the Guild President.

CHAPTER THIRTEEN

AMENDMENT OF THE CONSTITUTION

110. The Constitution to be amended by a resolution.

This Constitution shall only be reviewed and amended as provided herein.

111. Procedure for Amendment

- (1) Petitions for the amendment of this Constitution shall be in one of the following three alternative methods:
 - (a) A Petition tendered to Parliament and signed by 200 students presently enrolled at Uganda Christian University.
 - (b) A Petition submitted to the office of the Speaker of Parliament signed by at least 1/3 (one third) of the members of Parliament.
 - (c) A Petition submitted by the Office of Student Affairs or *Dean of Students* signed by the Director or Dean whichever is applicable submitted to the Students' Affairs Board of the University.
- (2) Petitions in clause (1) (a) and (b) above shall be considered for approval by Parliament and then forwarded to the Director of Students Affairs and the Legal Officer who will in turn transmit the same to the Vice Chancellor for counsel. In order to obtain Parliamentary approval the Petition must be passed by affirmative vote of 2/3 (two thirds) of all of the members of Parliament present at two consecutive sittings thereof.
- (3) Once the Vice Chancellor and other technical staff of the University approve of the intended amendment (s), the Vice Chancellor shall forward the same to the Students Affairs Board for further deliberation and then to the University Council for approval.

- (4) Amendments from other Guild governments other than the Main Campus Guild government shall be submitted to the Legal Officer Uganda Christian University who shall then forward the said proposed amendments to the Student Affairs Board of Uganda Christian University for deliberation and then the University Council for approval.
- (5) For avoidance of doubt, all amendments will only be deemed amended and effectual upon approval of University Council.

CHAPTER FOURTEEN

APPLICATION

112. Application

- (1) Provisions under this constitution shall apply mutatis mutandis to all Guild Chapters, Constituent Colleges, affiliates and campuses of Uganda Christian University.
- (2) For transitional purposes, Articles 23(3), 28(1) 43(3) and 87(1) of this Constitution are temporarily suspended and the provisions of this Constitution before this amendment in relation to Presidential and Parliamentary elections shall remain in force for the period of January 2013 to September 2013. The new herein mentioned suspended Articles shall take effect in the election period beginning September 2013 onwards.

MISCELLANEOUS

113. Role of Legal Officer

- (1) The Legal Officer of Uganda Christian University shall be the principal legal adviser of all the Guild governments and shall give legal advice including but not limited to interpreting provisions of this Constitution to Guild governments.
- (2) Subject to the provisions of this Constitutions, no agreement, contract or document by whatever name called, in respect of which a Guild government or Uganda Christian University has an interest, shall be concluded without legal advice from the Legal Officer.

114. Independence of all Guild Governments, Constituent Colleges, Affiliates and Campuses Guild Governments

- (1) Every Guild government, Constituent Colleges, and campus affiliate Guild governments of Uganda Christian University shall be independent of each other and shall not be subject to the control or direction of any other Guild chapter, Constituent College Guild, and campus affiliate Guild governments.
- (2) In all cases and when in issue, the Guild President of Uganda Christian University Main Campus shall take precedence over all Guild Presidents of Constituent Colleges, and campus affiliate Guild governments of Uganda Christian University
- (3) All Guild governments, Constituent Colleges, and campus affiliate Guild governments of Uganda Christian University shall, in consultation with the Director of Student Affairs or Dean of Students as the case may be, accord each other such assistance as may be required to ensure the effectiveness of the Guild governments.
- (4) For avoidance of doubt, this independence relates only to the student Guild governments and not the university management and administration from which the respective Guild governments derive their authority.

115. Representation of Students' Guild on the University Council

- (1) The Guild President of Uganda Christian University Main Campus Students' Guild and one other Guild President of a Constituent College of Uganda Christian University shall be the students' representative on the University Council.
- (2) Constituent Colleges Guild Presidents' representation on the University Council mentioned in (1) above shall be on a rotational basis among every Constituent College at every term of office of each Guild government of a Constituent College Guild government.

SCHEDULES

FIRST SCHEDULE

OATHS

1. OATH OF ALLEGIANCE

I solemnly swear/affirm that I will be faithful and bear true allegiance to Uganda Christian University and that I will preserve, protect and defend the Guild Constitution. So help me God.

2. PRESIDENTIAL OATH

I Being sworn in as Guild President do solemnly swear to support and defend the Constitution of Uganda Christian University Students' Guild. I will bear true faith and allegiance to the same and uphold the foundations of this institution. I take this obligation freely, without any mental reservations and I will faithfully discharge the duties of my office with honesty and to the best of my ability. So help me God.

3. GUILD GENERAL SECRETARY'S OATH

Ibeing called upon to exercise the functions of secretary to the Guild Government of Uganda Christian University do solemnly swear/affirm that I will not directly or indirectly reveal such matter as shall be debated and committed to my secrecy as General Secretary. So help me God.

4. OATH OF MINISTERS

Ibeing appointed a Minister of Uganda Christian University Students' Guild solemnly swear/affirm that I will at all times truly serve the Guild in the office of a Minister ofand that I will, to the best of my judgment at all times, when required, freely give my advice to the Guild President for the good management of Uganda Christian University Students' Guild; and that I will not directly reveal any matter as shall come to my knowledge in discharge of my duties and committed to my secrecy. So help me God.

5. OATH OF MEMBERS (OFFICERS) OF GUILD PARLIAMENT

Iof. Constituency do solemnly swear/affirm that I shall discharge my duties as Members (Speaker/Deputy Speaker) of the Guild Parliament with honesty and to the best of my ability abiding fully by the Guild Constitution. May God help me.

6. STUDENTS' ALLEGIANCE TO THE GUILD CONSTITUTION.

We the students of Uganda Christian University brought together by the provisions of this Guild Constitution solemnly swear/affirm to uphold defend

and abide by it, ready to go out and serve God and the community. May God help us.

7. THE OUTGOING GUILD PRESIDENT - HAND OVER

Ithe outgoing Guild President of Uganda Christian University Students' Guild hereby confirm that the files and all other Guild properties for which my executive and I have been in charge are of correct and up to date in each and every portfolio.

8. OATH OF THE ELECTORAL COMMISSIONERS.

I..... Being appointed as a commissioner of the electoral commission of Uganda Christian University Students' Guild, do solemnly swear/affirm that I will discharge my duties as commissioner, independently without fear or favour and to the best of my ability and knowledge. So help me God.

9. OATH OF THE MEMBERS OF THE TRIBUNAL.

I..... Being appoint a Member of the Uganda Christian University Students' Guild Tribunal do solemnly swear/affirm that I will well and truly exercise the quasi-judicial functions entrusted to me and will do right to all manner of people in accordance with the Guild Constitution as by law established and other rules and regulations and usage of Uganda Christian University Campus without fear or favour, affection or ill-will. So help me God.

10. OATH OF RESIDENTIAL ASSISTANTS.

I Being appointed a Residential Assistant do solemnly swear/affirm that I shall at all times well and truly serve the Uganda Christian University Students' Guild as a Residential Assistant and that I will support and uphold the Guild Constitution. So help me God.

SECOND SCHEDULE

LEADERSHIP CODE OF CONDUCT

This Code shall bind all officers of the Guild.

The officers shall be obliged to observe the Christian morals, spiritual principles and heritage that shall be the basis of education at the University.

Conduct which is: -

- (a) Likely to compromise the honesty, impartiality and integrity of specified officers;
or
- (b) Likely to lead to corruption in public affairs; or
- (c) Detrimental to the public good or welfare is contrary to this code.

Any officer who engages in sexual immorality, including, without limitation, fornication and adultery, shall violate this code.

Any officer who plans, promotes or participates in public demonstrations which are against this Constitution or any document of the University shall violate this code.

Any officer who fabricates or with ill intentions publishes, disseminates or otherwise circulates any information that is likely to tarnish the name of any Guild officer or the University shall violate this code.

Any officer who obstructs or interferes with the legitimate activities of another officer shall violate this code.

CHAPTER SIXTEEN

INTERPRETATIONS OF KEY WORDS

In this Constitution, unless otherwise the context requires:-

Ad-hoc	-	means	a committee specially established to deal with a particular subject.
Article	-	means	an article of this Constitution.
Censure	-	means	removal from office.
Committee	-	means	a group of people chosen for special duties.
Constituency	-	means	a constituency in this Constitution as shall be prescribed by the electoral commission.
Days	-	means	working days.
Director of Student Affairs	-	includes	Dean of Students.
Emolument	-	means	money and other material benefits received for work.
Guild	-	means	the Students' Guild.
Incumbent	-	means	the current holder of the office.
Oath of Allegiance	-	means	an oath of allegiance prescribed by this Constitution.
Tribunal	-	means	a Tribunal as described in this Constitution.
UCU	-		Uganda Christian University.
Sessions	-	means	a series of meetings of the Guild Parliament within a semester.
Schedules	-	means	the schedule in this Constitution.

Amendments Approved by the University Council this 22nd day of November 2012