

RAINBOW UCT CONSTITUTION

UNIVERSITY OF CAPE TOWN

1. DEFINITIONS

In this Constitution, unless the context otherwise indicates:

- 1.1 'council" means the Council of the University;
- 1.2 "Member" means an ordinary member of the Society who is not in arrears with the payment of the subscription, (if any) and who has not been excluded or suspended from the Society or from the University;
- 1.3 "Vice-Chancellor" means the Vice Chancellor and Principal of the University;
- 1.4 "Societies Council" means the joint staff/student committee constituted by the Council and responsible to the Student Affairs Committee for the control of University student societies;
- 1.5 "Society" and "Rainbow UCT" refer to the student campus society duly constituted in terms of this Constitution;
- 1.6 "Staff member" means a person employed by the University on a full-time basis, temporarily or permanently;
- 1.7 "Student" means a person registered as a student of the University for the current academic year in any course;
- 1.8 "Student Affairs Committee" means the sub-committee of the Council responsible for Student Affairs;
- 1.9 "SRC" means the Students Representative Council recognised by the Council as the body representing the students of the University;
- 1.10 "University" means the University of Cape Town; and
- 1.11 Words in the singular number include the plural, and words in the plural number include the singular.

2. NAME

The name of the Society is: Rainbow UCT

3. OBJECTIVES

- 3.1 Rainbow UCT is a society for all people who appreciate sexual diversity. We celebrate the individual's right to choose their own lifestyle. We offer support to people coming to terms with their own sexuality and strive to create an environment that is accepting, tolerant and free of homophobia both on our campus and in the wider community.
- 3.2 Rainbow UCT is committed to a vision of a society free of discrimination based on the grounds of race, gender, religion or sexual orientation. In all its activities Rainbow UCT must strive to advance this cause.

- 3.3 In serving the lesbian, gay, bisexual, transgender and intersex community on our campus Rainbow UCT must:
- a) Provide a safe space in which members can discuss matters of interest or concern to the LGBTI community;
 - b) Provide opportunities for LGBTI students to meet and socialise with each other in a safe, liberating and non-judgemental environment;
 - c) Provide information on LGBTI-related issues to any members of the University community who seek it;
 - d) Represent the interests of LGBTI students on all relevant University bodies;
 - e) Raise the levels of mutual awareness and understanding between LGBTI students and other members of the University community;
 - f) Promote the rights and equal treatment of LGBTI people both on campus and in the broader community;
 - g) Liaise with other LGBTI organisations;
 - h) Provide support to LGBTI students in need and where necessary refer them to other organisations with appropriate counselling or legal resources.

4. MEMBERS

4.1 Members of the Society may be either ordinary members or honorary members;

4.2 Ordinary Members

The following persons may be ordinary members of the Society:

- 4.2.1 Any student of the University;
- 4.2.2 Any staff member, with the approval of the committee
- 4.2.3 A staff member who is not also a student cannot participate in an Intervarsity or any inter-Varsity competition;

4.3 Honorary Members

4.3.1 The Society may, on the recommendation of the Committee, nominate any person to be an honorary member of the Society. Any nomination for an honorary member will be submitted by the Society for the approval of the Societies Council,

4.3.2 An honorary member may be elected for life;

4.3.3 An honorary member shall not be:

- a) entitled to vote at any meeting of the Society;

- b) entitled to be a member of the Committee of the Society;
- c) obliged to pay any subscription;

4.3.4 When considering a person for election as an honorary member, the Society shall also take into account whether the person has made any significant contribution to the promotion of the objects of the Society;

- 4.4 The Committee may, for good cause, exclude or suspend any 'just' member;
- 4.5 Any member who has been excluded or suspended may, within seven days of receipt of written notification of such exclusion or suspension, appeal against such decision to the SRC;
- 4.6 Any decision of the SRC is subject to appeal to the Vice-Chancellor (or his/her deputy) within seven days of receipt of written notification thereof;
- 4.7 The appeals in terms of s4.5 and s4.6 above, shall be subject to, and in accordance with, the provision of s20 below;
- 4.8 All persons by becoming members of the Society submit themselves to the rules and discipline of the Society and the University.

5. MEETINGS OF THE SOCIETY

- 5.1 A meeting of the Society may be either the Annual General Meeting, a general meeting or a special meeting;
- 5.2 All meetings shall be well advertised;
- 5.3 A special meeting shall be convened at the written request of at least a quorum of the members of the Society or by the Committee:
 - 5.3.1 The request to convene a special meeting shall state the business to be considered at the meeting;
 - 5.3.2 At least seven days notice shall be given of the date of a special meeting;
- 5.4 All meetings of the Society shall be presided over by the Chairperson of the Society:
 - 5.4.1 In the absence of the Chairperson, the meeting shall be presided over by the person upon whom the powers and duties of the Chairperson have devolved in terms of s14.2;
 - 5.4.2 In the event of all persons referred to above being absent from the meeting, it shall elect its' own presiding officer;

- 5.5 The presiding officer at any meeting shall have both a deliberative and a casting vote.

6. QUORUM FOR MEETINGS OF SOCIETY

- 6.1 Except where otherwise provided in this Constitution, the quorum for any meeting shall be one quarter of the members;
- 6.2 Notwithstanding s6.1 the quorum for a meeting shall be as indicated in relation to the number of the Society viz:
50, if the number of members is between 201 and 300;
60, if the number is between 301 and 400;
70, if the number of members is between 401 and 500;
80; if the number of members is between 601 and 700;
100, if the number of members is 701 or more;
- 6.3 In the absence of the required quorum at any meeting, the business of the meeting shall be conducted without the necessary quorum, and the minutes of such meeting posted on the Society's website and emailed to all members within 7 days thereof:
- 6.3.1 Any fifteen members may, within fourteen days of the date of the meeting, lodge an objection against any decision taken at such meeting;
- 6.3.2 The Committee shall within seven days of receipt of an objection give notice of a special meeting in order to obtain approval of the decision against which an objection has been lodged;
- 6.4 Any decision taken at a meeting conducted in terms of s.6.3 shall be effective only
- 6.4.1 if no objection thereto is lodged, after the elapse of fourteen days from the date of the meeting;
- 6.4.2 if an objection thereto is lodged, when the decision has been approved at the meeting convened in terms of s.6.3.2;
- 6.5 Any objection lodged in terms of s.6.3.1
- 6.5.1 Shall be lodged within the stated period of time or the right to object shall elapse;
- 6.5.2 Shall succinctly set out the grounds of objection.

7. VOTING

- 7.1 Only ordinary members of the Society may vote at any meeting;
- 7.2 Voting shall be by show of hands, or, if the meeting so decides, by ballot;
- 7.3 No voting may be affected by proxy;
- 7.4 Except where otherwise provided in this Constitution all matters determined by a vote shall be decided by a majority of those present and voting;
- 7.5 The provisions of this section shall also apply, mutatis mutandis, to meetings of the Committee of the Society.

8. ANNUAL GENERAL MEETING

- 8.1 The Annual General Meeting of the Society shall be held during the third quarter of each year;
- 8.2 The Committee for the ensuing year shall be elected at the Annual General Meeting;
- 8.3 At every Annual General Meeting the following reports shall be presented to the meeting:
 - 8.3.1 The Chairperson's report on the activities of the Society over the past year;
 - 8.3.2 The Treasurer's report on the financial state of the Society.

9. TERM OF OFFICE OF COMMITTEE MEMBERS

- 9.1 The Committee shall serve for one year, or until the election of a new committee;
- 9.2 Any person shall cease to be a Committee member if:
 - 9.2.1 he/she ceases to be a member of the Society;
 - 9.2.2 he/she is excluded or suspended from the Society;
 - 9.2.3 he/she tenders his/her resignation in writing and such resignation is accepted by the Committee.

10. FUNCTIONS OF THE COMMITTEE

- 10.1 The functions of the Committee shall be the following:
 - 10.1.1 To convene meetings of the Society;
 - 10.1.2 To deal with matters of urgency;
 - 10.1.3 To co-opt any member of the Society to the Committee either generally or for a special purpose;

- 10.1.4 To conduct, generally, the affairs of the Society;
 - 10.1.5 To create and constitute such subcommittees as may be necessary for the better running of the affairs of the Society;
 - 10.1.6 To open such accounts with the Student Affairs Treasurer as are necessary for the better conducting of the affairs of the Society and to nominate the members who are permitted to draw upon such accounts;
 - 10.1.7 To make, amend and suspend the by-laws of the Society in terms of s.21 hereof;
 - 10.1.8 To recommend the annual subscription, if any, payable by the members of the Society;
 - 10.1.9 To exclude or suspend any member, for good cause;
 - 10.1.10 To recommend to the Society, persons for election as honorary members;
- 10.2 The Committee shall each year apply to Societies Council for such grants as it deems necessary for the ensuing year;
 - 10.3 The Committee shall satisfy the SRC BY 31 March of each year in writing that the Society is still operative. (For this purpose it is sufficient that the SRC is advised of the names of the office-bearers that have been elected at the Annual General Meeting or a special meeting convened for this purpose and that the Society has at least the minimum number of members as determined by the Societies Council from time to time);
 - 10.4 In the event of a vacancy on the Committee, the Committee may transfer the functions entrusted to the absent member to one or more of the remaining members of the Committee or to a co-opted member.

11 MEMBERS OF THE COMMITTEE

- 11.1 The Committee shall consist of at least the following five members:
 - 11.1.1 Chairperson (or Co-Chairperson);
 - 11.1.2 Vice-Chairperson (or Co-Chairperson);
 - 11.1.3 Treasurer;
 - 11.1.4 Secretary;
 - 11.1.5 Events coordinator;
- 11.2 Any vacancy on the Committee may be filled by a special election at a meeting of the Society or by co-option;
- 11.3 A person co-opted to the Committee in terms of s.10.1.3 or 11.2 shall have all the rights, including the right to vote, of a Committee member excepting that:

- a) co-opted persons may not exceed more than one-third of members of the Committee in number;
- b) only members of the Society may be co-opted to the Committee;
- c) the term of office of a co-opted person shall not exceed that of the Committee.

12. ELECTION OF COMMITTEE MEMBERS

- 12.1 The Committee members shall be elected at the Annual General Meeting;
- 12.2 Any ordinary member of the Society may be nominated for membership of the Committee.
- 12.3 The Chairperson shall be elected at the Annual General Meeting in a vote by all members of the society present. Other positions on the Committee shall be decided on by the members of the Committee at their first meeting.

13. MEETINGS OF THE COMMITTEE

- 13.1 Meetings of the Committee shall be held regularly, but no less than four times during any Committee's normal term of office;
- 13.2 Notice of Committee meetings shall be given to all its members by the Secretary;
- 13.3 The quorum for a meeting of the Committee shall be two-thirds of the Committee;
- 13.4 Every decision of the Committee shall require a majority vote of those present in its favor;
- 13.5 A meeting of the Committee shall also be convened at the request of the Chairperson or two of its members;
- 13.6 The provision of s.5.4 shall apply, mutatis mutandis, to a meeting of the Committee.

14. THE CHAIRPERSON

- 14.1 The Chairperson of the Society shall preside at all meetings of the Committee and of the Society;
- 14.2 In the absence of the Chairperson, all his/her powers and duties shall devolve on the Vice-Chairperson, and if he/she too is absent, upon the Secretary;
- 14.3 The Chairperson shall submit a report on the Society's activities over the past year to the Annual General Meeting;
- 14.4 The Chairperson may convene a meeting of the Committee whenever he/she deems it necessary;

- 14.5 The Chairperson may convene a meeting of the Committee whenever he/she deems it necessary;

15.1.1 SECRETARY

- 15.2 The Secretary of the Society shall have charge of the Society's record and Minute Book;
- 15.3 The Secretary shall keep minutes of all meeting of the Society and the Committee;
- 15.4 The Secretary shall compile a digital record of all the documents produced by the society during the year including copies of posters, press releases, minutes, and annual reports. The Secretary will be responsible for copying this digital archive onto a format that can be passed on to the next year's committee (such as a Compact Disk).
- 15.5 The Secretary shall conduct the correspondence of the Society;
- 15.6 The Secretary shall give due notice of all meetings of the Committee and the Society;
- 15.7 The Secretary shall keep a copy of the Society's Constitution , as amended from time to time, in the Minute Book;
- 15.8 The Secretary shall, at the end of each year, submit the following to the Secretary of the Societies Council:
- 15.8.1 a statement of income and expenditure for the past year;
 - 15.8.2 the Chairperson's report of the Societies activities over the past year;
- 15.9 The Secretary shall pursuant to s.10.3 above, submit to the SRC before 31 March of each year in writing the names of the office-bearers of the Society.

16. TREASURER

- 16.1 The Treasurer of the Society shall be responsible to the Committee for all the income and expenditure of the Society during his/her term of office
- 16.2 The Treasurer shall be entitled to draw upon the accounts of the Society;
- 16.3 The Treasurer shall provide the Secretary with the statement of income and expenditure referred to s.15.6 above.

17. SUBSCRIPTIONS

- 17.1 An annual subscription payable by all members of the Society may be fixed by the Committee;

- 17.2 All subscriptions levied shall be subject to the approval of the Society in general meeting, the Societies Council and Student Affairs Committee.

18. PUBLICATIONS

- 18.1 All publications of the Society must comply with the By-laws of the SRC Constitution;
- 18.2 The Society shall each year apply to the Societies Council for such publication grant as it deems necessary for the ensuing year.

19. AFFILIATION

- 19.1 The Society may be affiliated for a period not exceeding one year at any time to any body if, and only if such affiliation could assist it in pursuing and attaining its objectives;
- 19.2 Any affiliation must be agreed to by a meeting of the Society;
- 19.3 Before seeking any affiliation in terms of s.19.1 above, the Society shall obtain the approval of Societies Council;
- 19.4 Only a member of the Society may be its delegate to any body to which it is affiliated;
- 19.5 The Society shall be politically independent and may not be affiliated to any political party.

20. APPEALS

- 20.1 Whenever provision is made in this Constitution for an appeal against any decision, the provisions of this clause shall apply;
- 20.2 An appeal must be lodged within the stated period of time or such right of appeal shall lapse;
- 20.3 Every notice of appeal must succinctly set out the grounds of appeal;
- 20.4 In the case of an appeal to the SRC, the notice of appeal must be lodged with the Secretary of the SRC, and in the case of an appeal, to the Vice-Chancellor (or his/her deputy) the notice of appeal must be lodged with the Deputy Registrar, Student Affairs;
- 20.5 Whenever the SRC or the Vice-Chancellor (or his/her deputy) hears and determines an appeal it/he/she may in its/his/her absolute discretion decide whether or not any evidence and/or any representations from any party to the appeal will be permitted;
- 20.6 The decision of the Vice-Chancellor (or his/her deputy) in all cases shall be final and binding on all the interested parties.

21. BY-LAWS

- 21.1 The Committee may make such by-laws for the Society as it deems to be in the interest of the better conduct of the affairs and management of the Society;
- 21.2 The Committee may, in the interest of the Society, amend or suspend the by-laws;
- 21.3 The Committee shall notify the SRC within 21 days of any action taken by it in terms of s21.1 and s21.2 above.
- 21.4 Any by-laws made by the Committee shall not be inconsistent with this Constitution, the SRC Constitution and its by-laws and Standing orders.
- 21.5 Any dispute with regard to the meaning or interpretation of the by-laws and Standing Orders.
- 21.6 Any dispute with regard to the meaning or interpretation of the by-laws of the Society shall, mutatis mutandis, be dealt with as provided for in s22.4, s22.5 and s22.6.

22. CONSTITUTION

- 22.1 a copy of the Society's approved Constitution shall be kept in the Society's Minute Book.
- 22.2 A copy of the Society's approved Constitution shall be lodged with both the SRC and the Council.
- 22.3 The copy of the Constitution lodged with the Council shall be regarded as correct and shall take precedence over all other copies in any dispute.
- 22.4 Any dispute with regard to the meaning or interpretation of this Constitution shall be referred to the Constitutions' Committee of the SRC for decision.
- 22.5 Any decision of the Constitutions' Committee of the SRC is subject to appeal within four days to the Principal (or his deputy).
- 22.6 The appeal in terms of s22.5 above shall, mutatis mutandis, be subject to and in accordance with the provisions of s20 above.
- 22.7 This Constitution shall at all times be interpreted and its by-laws and Standing Orders.

23. AMENDMENTS TO CONSTITUTION

- 23.1 Any amendment to this Constitution shall be considered only at a meeting of the Society in accordance with the provisions of this clause.
- 23.2 At least seven days' notice must be given of the meeting at which an amendment to this Constitution will be considered.
- 23.3 The quorum of the meeting at which an amendment to the Constitution is to be considered shall be one-third of all members of the Society;

- 23.4 Any amendment to this Constitution requires a vote in favor thereof of at least two thirds of the members present and voting in the meeting.
- 23.5 Every amendment to this Constitution shall be submitted for the approval of the SRC (via its Constitution' Committee), the Societies Council and Student Affairs Committee.
- 23.6 After the amendment has been approved it shall be entered in the copy of the Constitution in the Minute Book of the Society under the signature of the Chairperson of the Society.